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PRELIMINARY TO THE PSYCHOTHERAPY OF CRIMINALS¹

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It was Goethe, I believe, who said that to repeat an old saying at the proper time is equivalent to having said it originally. If this be true, then these comments may perhaps have their justification. What I wish to discuss here are certain situations which are of common enough knowledge, certainly among those who are dealing with prisoners, but which have been neglected, perhaps because of it. My attempt to resurrect them, to give emphatic meaning to what is of common knowledge, will be justified if it will help us to develop a new attitude toward the problem.

It must be admitted that the mass approach to the understanding of the problem of crime has so far failed to contribute in any significant way to its solution. The individual psychogenetic approach appears now to offer the most promise. But research into psychogenetics of crime is so intimately bound up with the problem of psychotherapy of criminals that without a hopeful psychotherapy, effective research is hardly possible. We will understand the criminal and help to solve the problem of crime only to the extent that we are willing to understand—and I should say also help—the criminal. But no one, least of all the criminal, would ordinarily want to undergo a minute psychic dissection of the personality unless he can see a specific personal reason for it; unless he has a goal, is given a hope, or promised relief, from painful symptoms he wishes to get rid of. There must thus be, first of all, an appreciation on the part of the individual that he is sick; there must further be a willingness on his part to undergo the treatment, and conditions must also be provided that will make the treatment of value.

With reference to criminality, these conditions are not yet realized. Neither the society in which he lives nor the criminal himself recognize as yet that he is a sick man; not realizing that he is sick, he sees no reason in undergoing treatment and even when he could be prepared for treatment, the environment in which he lives

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precludes the possibility of adequate therapy. When, therefore, the psychiatrist attempts to approach the criminal with reference to therapy, he, quite universally, meets with a solid wall of resistance, open or disguised; either there is refusal to cooperate, or the material obtained is of little value. Part of this resistance comes from inner sources of the personality and is perhaps no different from what we find among neurotics in general; in part, however, it is purely external and adding itself to the inner resistance makes a psychic approach practically impossible. It is submitted here that no psychotherapy of criminals is possible as long as these external barriers exist, and that these must be removed before we can hope to reach the inner core of the criminal personality. It is the purpose of this contribution to analyze this rigid mental state of the criminal that forms a barrier to proper psychotherapeutic approach and more particularly trace its development from its early inception to its present state. I shall attempt to take you through the many psychic insults which the prisoner is receiving daily, even hourly, and show you how by their cumulative effects they preclude effective psychotherapy.

For purposes of discussion I shall divide criminals into two groups, neurotic and psychopathic, and limit myself for the present only to the latter which includes the habitual predatory criminal who forms the larger social problem of crime.

Pre-prison

The First Term. We shall begin with the first term—*not* that he has never been confined before, for the chances are that the young man has already gone through the gamut of reform, reformatory and industrial school experiences, and he is therefore no novice in the world of crime; it is merely that this is his first time in prison, as he is too old for the other places of confinement. It is conceivable that on commission of a crime, he may, and perhaps does, experience some degree of remorse or repentance over the deed committed. Measures could be devised that would help strengthen these socially useful positive emotions, but what we do is the very opposite. Another emotion present on arrest is the fear of consequences, personal as well as social.

On arrest and on being put in jail preliminary to trial, the prisoner is often, one may say universally, subjected to many physical and psychic insults. The immediate effect of such punishment is to make the man feel that he is being made to pay for the crime and thus neutralize what sense of guilt might be present. Instead of

that, we have regret over the fact of having been caught and the constantly recurring idea that the next crime will be more carefully planned and executed; and there is going to be a next crime.

The *trial* in court is not apt to evoke any sympathetic emotions in the prisoner, although he may be well receptive to these—what human is not? But accepted principles of law notwithstanding, the whole social and legal machinery is against him: from the arresting police officers who need another record, and the confessions being obtained by all sorts of brutal methods that could only breed hate, through the jury which, identifying itself with the victim of the crime and in a spirit of self-protection and vengeance, is ready to mete out the severest punishment, to the presiding judge whose preconceptions about crime are thoroughly sclerosed and to whom psychologically, if not legally and technically, the prisoner is guilty unless proven otherwise; and he is not apt to prove otherwise. Since the amount of punishment meted out is, in the eyes of the prisoner certainly and sometimes even objectively, greater than the crime and the circumstances would justify, the reaction to the imposition of the sentence is that of hatred which grows the greater, the greater the punishment. This neutralizes what sense of guilt might have been present originally; under such conditions remorse and penitence is out of the question.

In Prison

On entering the *prison* the newcomer sees that no one cares whether he reforms or not. In front of him and behind him and on all sides of him, he sees but one purpose and that is to punish him. Imprisonment as presently carried out has a number of features, none of which can fulfill the original purpose of correcting and reforming, but each of which, on the contrary, contributes its full share toward the continuation of the criminal activities. Were imprisonment to mean only confinement and separation from all desirable personal outlets and social contacts, and without further punishment, it would be bad enough. There is no good prison, and imprisonment in a luxurious place is felt just as keenly as in the worst jail. No comfort, luxury or wealth can take the place of dearly treasured liberty.

But there is much more to imprisonment than mere deprivation of liberty, and we may profitably turn our attention to the psychic aspects of imprisonment and discuss the problem under two main headings, namely:

A. The general influence of imprisonment in the treatment of crime.

B. The special individual effects of imprisonment on the prisoner.

A. The *purpose* of imprisonment as a method of treatment of crime is threefold: punitive, protective, and penitential.

1. The essential object of imprisonment being to punish and to correct, the *punitive-corrective* view assumes that the infliction of pain for a particular breach of discipline or crime acts as a deterrent against future repetition; for it is human to avoid pain and seek pleasure. To punish, therefore, is to instill fear, and to instill fear is to prevent crime. Upon this premise is based a good part of our religion, the training of children, much of our educational system, and all of our treatment of crime. However the premise fails to take into consideration certain consequences following upon infliction of pain. Were fear the only consequence following the infliction of pain as a punishment of crime, then it should have ere long solved the problem of crime, for whatever else we have done or failed to do for the criminal, we certainly were not ungenerous in the infliction of pain (at which humans are greater adepts than they are at the more positive emotions, such as love, kindness, considerateness, etc.). But following infliction of pain, there are psychic consequences other than fear, of which the development of antipathic emotions like hate, is the most outstanding. In the light of my own studies, this reaction with all its devastating influences is never absent in any punishment and is by all odds the strongest of all, constantly seeking release in some form of antisocial activity. So great is often the hate that it nearly consumes the individual, outweighing all other considerations, including the memory of repeated inflicted punishment; it often haunts the individual for years until it is released in a strong antipathic reaction.

If it be true that many antisocial activities (even if not yet criminal in the accepted sense of the term) represent conditioned hate, which hate seeks and finds motor release in the prohibited deed, then obviously, to correct the situation, one should logically attempt to neutralize antipathic emotions and thus check these before they make further inroads. Instead of that, we punish the individual, thus adding hate to hate, which grows, as it were, in geometrical proportion as the punishment is inflicted in arithmetical proportion. A striking illustration of this is seen in the plots for revenge so frequently observed among prisoners; while still in prison, they are

already plotting future crimes; while the wounds on the body are still fresh, whether from the lash or the straight-jacket, the pain is forgotten and the prisoner's mind revels in phantasies of sweet revenge. Punishment, therefore, is not a deterrent of crime; on the contrary, it is a most powerful stimulant for further crimes.

2. Our next consideration is the *penitential* aspect of confinement as a corrective influence and deterrent of crime. The term penitentiary carries with it the assumption that it provides an opportunity for penitence. It is believed that on being arrested the criminal will experience remorse followed by repentance, and repentant, he will turn from crime. I believe that such penitential attitude, even when present, is exceptional and that all conditions surrounding imprisonment work against it. The crime itself, having often been committed through the operation of the motive of hate, the individual is not in a psychic condition for penitence; when now, on the top of it, you add confinement, thus depriving him of all that life is worth living for, you add more hate yet. This refers to confinement proper and ignores for the moment punishments that universally go with it. The result of confinement is hate and feelings of revenge with no probability of anything like penitence. To be sure penitential attitudes are observed among certain types of criminals, as, for instance, the sexual offender (exhibitionist). However, it must be borne in mind that in such cases penitence comes from inner psychic needs and not from the penitentiary as such, for these expressions of penitence are frequently observed in individuals of this type who escaped conviction and confinement.

3. The third aspect of confinement is *protective*. It is believed that by isolating the criminal we are, temporarily at least, protecting the community from his activities. Technically it is true, but since punishments are temporally limited, on release the individual has a full opportunity to commit crimes; and since the majority of them leave the prison with feelings of hate and revenge and with ready plans to commit further crimes, they do commit crimes. The history of recidivism is practically identical with the history of crime.

Again while it is true that through confinement the criminal is prevented from taking direct part in criminal activities, he preys indirectly upon society through the agency of other criminals with whom he comes in contact while in prison. His influence upon the younger element is enormous and far reaching, and the crimes committed by these younger but very apt pupils are far greater in number

than could possibly have been committed by the older offender had he been free. In becoming a trainer and a guide of the rising generation of criminals, the older offender is moved entirely by the emotions of hate and revenge, and the success of the pupils neutralizes, at least temporarily, some of the rebellious feeling present and at the same time raises the feeling of personality.

It is because he is thrown into a setting steeped with hate and rebellion that the individual becomes receptive to anything that will foster and nourish this. He has such a stimulus in the person of the chronic or old offender. Let us remember that as a boy our youthful criminal was perhaps a dreamer, and his phantasy was fed and nourished by the adoration of the dime novel hero; perhaps his first criminal adventure was only a boyish attempt to realize this phantasy. On entering the prison he is emotionally prepared for admiration and finds no little romantic glamor attached to the criminal who has already served several sentences or whom the court made conspicuous by giving him a long or unreasonable sentence. He raises the self-esteem of his personality by identification with the notorious criminal. He looks on such a man as a hero and is profoundly influenced by his thoughts and expressions of hatred which pour from the mouth of the old timer. But little is necessary now to ripen the chance acquaintanceship into a friendship, for they have much in common. The community of interests begins with the mutual expressions of hate, first towards the prison officials, then toward any authority, then toward society as a whole. This friendship between the long-termer and short-termer feeds on hate with the study of criminal technique as its expedient.

Thus it is that there is no pupil so apt as the criminal and no school more efficient than the prison. It is because in the setting provided, the teacher and the pupil are in a most receptive mental state to give and to take. Everything in the environment tends to harden the younger criminal, while the older offender has been provided with an ideal setting to carry out his teachings most effectively. To appreciate that we must understand the cumulative effects of the variety of psychic insults to which the prisoner is subjected.

B. The special individual effects of imprisonment on the prisoner.

The effect of confinement on the criminal is in the main fourfold: physical, psychic, social and sexual.

1. The *physical* effects of confinement refer to food, occupation, recreation, and the general physical status. The food in prison

is notoriously inadequate, both as regards quantity and quality. Although the original provision for it by the higher authorities might have been adequate, by the time it reaches the consumer, the prisoner, it is quite inadequate and barely sufficient to maintain life and the degree of health necessary to keep him in strength sufficient to do his allotted task. The monotony and sameness of the daily fare may appease the hunger of the prisoner, but will hardly satisfy the appetite. It often leads to metabolism disturbances. The performance of tasks for which there is no incentive is not of a nature that promotes vigorous physical exercise. Most of the prisoners develop the asthenic habitus supposedly so typical of the habitual criminal. The criminal facies is not constitutional, but is indigenous to prison confinement.

2. The *social* effects of imprisonment: Conviction and imprisonment carry with them a certain stigma which very few people survive entirely. The consciousness of loss of social prestige and of having become an outcast is often so acute as to precipitate an active prison psychosis. On being discharged from prison, the convict often has an exceedingly difficult time adjusting himself socially because he is looked down upon as an outcast, a "jail bird" which only drives the individual the more into criminal channels with the gang as the only social medium that will accept him. The loss of social esteem lessens or precludes the possibility of redemption.

3. The *psychic* effects of confinement have so far been given but scant attention, but nevertheless are profound. We may begin with the conviction. On conviction the prisoner experiences a mixed feeling of revolt, sense of injustice (no matter how just the sentence may have been) and a sense of degradation and loss of social esteem. There is a feeling that he is no more an equal member of his fellow beings. The consciousness of being no more an acceptable member of the community contributes its full share toward subsequent delinquencies, the individual reasoning that since he has already been stigmatized it is useless to make further efforts at rehabilitation.

With the confinement proper there begins another series of psychic influences. The constant disciplining creates an atmosphere of revolt. Discipline is driven into the flesh and bone of the prisoner; the least infraction of it is fraught with the direst consequences of severest punishment. It taxes all human endurance and makes meek men act as beasts. Never for a moment throughout the entire confinement is the prisoner allowed to forget that he is an outcast who

must be punished. Hatred is a mild term to express the emotion that is often engendered under such circumstances. Discipline is often broken if for no other reason than to give an outlet to the pent up feelings which otherwise would consume the individual. In such a setting, prison riots are understandable reactions; it is remarkable there are not more of them. The fury which sweeps over such riots is a fair picture of the emotion behind it.

The psychic effect of punitive measures is that they make rehabilitation and restitution impossible. It is doubtful, however, whether words can actually describe what it means to go through the straight-jacket, the "hole," the "crib" and other similar devices unless one has actually gone through the process or at least been able to identify himself emotionally with the prisoner.

The hate is essentially a defense reaction, a protective mechanism developed by the prisoner to save his body and soul from destruction. Its embryo-genesis is traced to the first and early experiences in the reform school. Later, if he himself has gone through all experiences, he has at least seen or heard of the brutalities of the police bureaus and prisons; he has seen men slugged by the officers for no apparent reason; he has known the police to have framed up charges against men in order to swell their records; court conviction notwithstanding, he has known men to be imprisoned for crimes of which they were entirely innocent. He thus comes to hate everything connected with the machinery of law and order; revenge becomes the motivating force in his existence and endless hours are spent in careful planning of crimes to be committed immediately on release.

Another effect is that of irresponsibility. Whatever may be the mental level of the convict, however intelligent he may be, no work or duty is given him where he can use his originality and independence. Everything is thought out for him, everything is arranged and planned for him; he is a robot if there ever was one; he is not supposed to have any emotions or feelings; the least attempt on his part to assert his individuality is checked and punished. All this forces an adjustment at a lower emotional and intellectual level.

In order to maintain the discipline, to instill fear into the prisoner and have him completely at his will, it is the policy of many wardens to spy on prisoners. To accomplish this, they incite and goad one-half of the prison population against the other. In an atmosphere of constant deceit, spying and intrigue, it is difficult to maintain a spirit of good fellowship. Brutality calls forth greater

brutality, one man is set against one and all. All the social feelings of which we speak as organized sentiments are thus bound to be degraded to their lowest levels.

The occupations given to prisoners have a significant effect on their psychic life. To begin with, the work is accepted not as a desirable task to perform, but as a punishment, and has all the psychic effects of such. In addition, such work lacks the psychic stimulus for productive accomplishment. In every human undertaking there is always some sort of correlation between the work to be done and the results or rewards to be obtained. The greater the latter are, the greater is the stimulus for work, and the greater will be the productivity. Conversely, if the results of the work are not for the benefit of the worker, the less will be the stimulus. It is under such circumstances that the prisoner is universally made to work. Work of this sort has a demoralizing effect on the prisoner.

The recreational activities are relatively insignificant, and their lack has a depressing effect on the prisoner.

4. The *sex* life of the prisoner is of extreme importance and has a far-reaching effect on his psychic life. By precluding the possibility of normal sexual outlets, the prisoner is forced, in the great majority of cases, to yield to lower forms of adaptation. Some adopt as an escape masturbation, either solitary, mutual, or competitive; a large number adopt homosexuality. The facultative nature of the reaction is seen in the readiness with which many a prisoner will revert to normal sex activities when free. But in many, all too many instances, homosexuality becomes an established reaction with all its devastating emotional sequels.

In an effort to relieve the painfulness of the situation, many prisoners learn, while in prison, the use of drugs. This is quite apart from drug addicts who already come to prison as habitues.

Confinement thus prevents full touch with environment; the drudgery of the work, the lack of proper recreation, the lack of goal or purpose in living beyond that from day to day, the lack of adequate and usual emotional outlets leads to a profound degradation of personality that drives the individual into himself, into abnormal introversion. Where the reality is bitter, the phantasy is substituted for it; and the more bitter the reality, the more luxurious the phantasy. The more dependent an individual is on phantasy, the nearer does he approach the possibility of a psychosis; hence the ease and frequency with which prisoners develop "prison psychoses." This is facilitated

by the fact that the emotional background of criminality is in general not unlike that of a neurosis and psychosis.

Discharge

Thus on discharge the man finds himself in a condition that quite unfits him to meet the hard realities of life. To add insult to injury, he is, even on discharge, once more confronted by a hostile world. With lack of funds and lack of friends, no helping hand anywhere, he finds himself alone in this world of many and plenty. He is no prodigal son for whom there is waiting a fatted calf. The family feels disgraced by his record and shuns him as he shuns it. The heavy stigma that is attached to anyone who has even once been confined for whatever reason makes the reestablishment of proper social relations difficult if not impossible. There may be balm in Gilead but there are no jobs for the ex-prisoner; industrial rehabilitation is beset with many difficulties, no one wanting to employ an individual with a prison record; he is feared and avoided as if he were a leper or a pariah. Thus to the heavy bitterness and hate that has been nurtured and nourished in prison there is added on discharge the deep humiliation of social ostracism. Escape is practically impossible except in the opposite direction. The criminal gang is ready to receive him as its own; his prison record, instead of being a barrier, is his admission card. Thus pushed away from the positive influences and drawn to the more evil side, the man is practically forced back into a life of crime, making therapy and restitution impossible.

To sum up: The difficulties that one encounters in attempting to treat criminals are accentuated by the vicious environment in which they are placed, by the many punitive and corrective measures which the prison regime imposes as a method of treatment but which in reality create such a strong antipathy against anything connected with authority as to practically preclude any adequate psychotherapeutical approach.

If psychotherapeutic approach be made possible, the punitive-corrective measures must be reduced to a minimum, and social rehabilitation be made practicable. Anything short of that is bound to be palliative and of little fundamental value. When the outer wall of resistance is destroyed, the inner sources of the criminal personality may then be tapped and something approaching a scientific formulation of criminality, and with it genuine psychotherapy of criminals, will be made possible.