

# **Prisons and Their Moral Influence on Prisoners**

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AFTER the economic problem and after the problem of the State, perhaps the most important of all is that concerning the control of anti-social acts. The meting out of justice was always the principal instrument for creating rights and privilege, since it was based on solid foundations of constituted rights; the problem of what is to be done with those who commit anti-social acts therefore contains within itself the great problem of government and the State.

It is time to ask if condemnation to death or to prison is just. Does it attain the dual end it has as its goal—that of preventing the repetition of the anti-social deed, and (as regards prisons) that of reforming the offender?

They are grave questions. On their answers depend not only the happiness of thousands of prisoners, not only the fate of miserable women and children, whose husbands and fathers are helpless to aid them from behind their bars, but also the happiness of humanity. Every injustice committed against one individual is, in the end, experienced by humanity as a whole.

Having had occasion to become acquainted with two prisons in France and several in Russia, having been led by various circumstances in my life to return to the study of penal questions, I think it is my duty to state openly what prisons are,—to relate my observations and my beliefs as a result of these observations.

## **The Prison as a School of Crime**

Once a man has been in prison, he will return. It is inevitable, and statistics prove it. The annual reports of the administration of criminal justice in France show that one-half of all those tried by juries and two-fifths of all those who yearly get into the police courts for minor offenses received their education in prisons. Nearly half of all those tried for murder and three-fourths of those tried for burglary are repeaters. As for the central prisons, more than one-third of the prisoners released from these supposedly correctional institutions are reimprisoned in the course of twelve months after their liberation.

Another significant angle is that the offense for which a man returns to prison is always more serious than his first. If, before, it was petty thieving, he returns now for some daring burglary, if he was imprisoned for the first time for some act of violence, often he will return as a murderer. All writers on criminology are in accord with this observation. Former offenders have become a great problem in Europe. And you know how France has solved it; she ordains their wholesale destruction by the fevers of Cayenne, an extermination which begins on the voyage.

## **The Futility of Prisons**

In spite of all the reforms made up to the present,—in spite of all the experiments of different prison systems, the results are always the same. On the one hand, the number of offenses against existing laws neither increases nor diminishes, *no matter what the system of punishments is*—the knout has been abolished in Russia and the death penalty in Italy, and the number of murders there has remained the same. The cruelty of the judges grows or lessens, the cruelty of the Jesuitical penal system changes, but the number of acts designated as crimes remains constant. It is affected only by other causes which I shall shortly mention. On the other hand, no matter what changes are introduced in the prison régime, the problem of second offenders does not decrease. That is inevitable;—*it must be so*;—the prison kills all the qualities in a man which make him best

adapted to community life. It makes him the kind of a person who will inevitably return to prison to end his days in one of those stone tombs over which is engraved—"House of Detention and Correction." There is only one answer to the question, "What can be done to better this penal system?" Nothing. A prison cannot be improved. With the exception of a few unimportant little improvements, there is absolutely nothing to do but demolish it.

I might propose that a Pestalozzi be placed at the head of each prison. I refer to the great Swiss pedagogue who used to take in abandoned children and make good citizens of them. I might also propose that in the place of the present guards, ex-soldiers and expolicemen, sixty Pestalozzis be substituted. But, you will ask, "Where are we to find them?"—a pertinent question. The great Swiss teacher would certainly refuse to be a prison guard, for, basically, the principle of all prisons is wrong because it deprives man of liberty. So long as you deprive a man of his liberty, you will not make him better. You will cultivate habitual criminals: that is what I shall now prove.

## **The Criminals in Prison and Outside**

To begin with, there is the fact that none of the prisoners recognize the justice of the punishment inflicted on them. This is in itself a condemnation of our whole judicial system. Speak to an imprisoned man or to some great swindler. He will say, "The little swindlers are here but the big ones are free and enjoy public respect." What can you answer, knowing the existence of great financial companies expressly designed to take the last pennies of the savings of the poor, with the founders retiring in time to make good legal hauls out of these small fortunes? We all know these great stock issuing companies with their lying circulars and their huge swindles. What can we answer the prisoner except that he is right?

Or this man, imprisoned for robbing a till, will tell you, "I simply wasn't clever enough; that's all." And what can you answer, knowing what goes on in important places, and how, following terrible scandals, the verdict "not guilty" is handed out to these great robbers? How many times have you heard prisoners say, "It's the big thieves who are holding us here; we are the little ones." Who can dispute this when he knows the incredible swindles perpetrated in the realm of high finance and commerce; when he knows that the thirst for riches, acquired by every possible means, is the very essence of bourgeois society. When he has examined this immense quantity of suspicious transactions divided between the honest man (according to bourgeois standards) and the criminal, when he has seen all this, he must be convinced that jails are made for the unskillful, not for criminals. This is the standard on the outside. As for the standard in the prison itself, it is needless to dwell on it long. We know well enough what it is. Whether in regard to food or the distribution of favors, in the words of the prisoners, from San Francisco to Kamchatka, "The biggest thieves are those who hold us here, not ourselves."

## **Prison Labor**

Everyone knows the evil influence of laziness. Work relieves a man. But there is work and work. There is the work of the free individual which makes him feel a part of the immense whole. And there is that of the slave which degrades. Convict labor is unwillingly done, done only through fear of worse punishment. The work, which has no attraction in itself because it

does not exercise any of the mental faculties of the worker, is so badly paid that it is looked upon as a punishment.

When my anarchist friends at Clairvaux made corsets or mother of pearl buttons and received twelve cents for ten hours labor, of which four cents were retained by the State, we can understand very well the disgust which this work aroused in a man condemned to it. When he receives thirty-six cents at the end of a week, he is right to say, "Those who keep us here are thieves, not we."

## The Effect of Cutting Off Social Contacts

And what inspiration can a prisoner get to work for the common good, deprived as he is of all connections with life outside? By a refinement of cruelty, those who planned our prisons did everything they could to break all relationships of the prisoner with society. In England the prisoner's wife and children can see him only once every three months, and the letters he is allowed to write are really preposterous. The philanthropists have even at times carried defiance of human nature so far as to restrict a prisoner from writing anything but his signature on a printed circular. The best influence to which a prisoner could be subjected, the only one which could bring him a ray of light, a softer element in his life,—the relationship with his kin,—is systematically prevented.

In the sombre life of the prisoner which flows by without passion or emotion, all the finer sentiments rapidly become atrophied. The skilled workers who loved their trade lose their taste for work. Bodily energy slowly disappears. The mind no longer has the energy for sustained attention; thought is less rapid, and in any case less persistent. It loses depth. It seems to me that the lowering of nervous energy in prisons is due, above all, to the lack of varied impressions. In ordinary life a thousand sounds and colors strike our senses daily, a thousand little facts come to our consciousness and stimulate the activity of our brains. No such things strike the prisoners' senses. Their impressions are few and always the same.

## The Theory of Will Power

There is another important cause of demoralization in prisons. All transgressions of accepted moral standards may be ascribed to lack of a strong will. The majority of the inmates of prisons are people who did not have sufficient strength to resist the temptations surrounding them or to control a passion which momentarily carried them away. In prisons as in monasteries, everything is done to kill a man's will. He generally has no choice between one of two acts. The rare occasions on which he can exercise his will are very brief. His whole life is regulated and ordered in advance. He has only to swim with the current, to obey under pain of severe punishment.

Under these conditions all the will power that he may have had on entering disappears. And where will he find the strength with which to resist the temptations which will arise before him, as if by magic, when he is free-of the prison walls? Where will he find the strength to resist the first impulse to a passionate outbreak, if during several years everything was done to kill this inner strength, to make him a docile tool in the hands of those who control him? This fact is, according to my mind, *the most terrible condemnation of the whole penal system based on the deprivation of individual liberty.*

The origin of this suppression of individual will, which is the essence of all prisons, is easy to see. It springs from the desire of guarding the greatest number of prisoners with the fewest possible guards. The ideal of prison officials would be thousands of automatons, arising, working, eating and going to sleep by means of electric currents switched on by one of the guards. Economies might then be made in the budget, but no astonishment should be expressed that men, reduced to machines, are not, on their release, the type which society wants. As soon as a prisoner is released, his old companions await him. He is fraternally received and once again engulfed by the current which once swept him to prison. Protective organizations can do nothing. All that they can do to combat the evil influence of the prison is to counterbalance some of those results in the liberated men.

And what a contrast between the reception by his old companions and that of the people in philanthropic work for released prisoners” Who of them will invite him to his home and say to him simply, “Here is a room, here is work, sit down at this table, and become part of the family”? The released man is only looking for the outstretched hand of warm friendship. But society, after having done everything it could to make an enemy of him, having inoculated him with the vices of the prison, rejects him. He is condemned to become a “repeater.”

## **The Effect of Prison Clothes and Discipline**

Everyone knows the influence of decent clothing. Even an animal is ashamed to appear before his fellow creatures if something makes him look ridiculous. A cat whom somebody has painted black and yellow will not dare mingle with other cats. But men begin by giving the clothes of a lunatic to those whom they profess to want to reform.

During all his prison life the prisoner is subjected to treatment which shows the greatest contempt of his feelings. A prisoner is not accorded the single respect due a human being. He is a thing, a number, and he is treated like a numbered thing. If he yields to the most human of all desires, that of communicating with a comrade, he is guilty of a breach of discipline. Before entering prison he may not have lied or deceived, but in prison he will learn to lie and deceive so that it will become second nature to him.

And it goes hard with those who do not submit. If being searched is humiliating, if a man finds the food distasteful, if he shows disgust in the keeper’s trafficking in tobacco, if he divides his bread with his neighbor, if he still has enough dignity to be irritated by an insult, if he is honest enough to be revolted by the petty intrigues, prison will be a hell for him. He will be overburdened with work unless he is sent to rot in solitary confinement. The slightest infraction of discipline will bring down the severest punishment. And each punishment will lead to another. He will be driven to madness through persecution. He can consider himself lucky to leave prison otherwise than in a coffin.

## **Prison Guards**

It is easy to write in the newspapers that the guards must be carefully watched, that the wardens must be chosen from good men. Nothing is easier than to build administrative utopias. But man will remain man-guard as well as prisoner. And when these guards are condemned to spend the rest of their lives in these false positions, they suffer the consequences. They become fussy.

Nowhere, save in monasteries or convents, does such a spirit of petty intrigue reign. Nowhere are scandal and tale-bearing so well developed as among prison guards.

You cannot give an individual any authority without corrupting him. He will abuse it. He will be less scrupulous and feel his authority even more when his sphere of action is limited. Forced to live in any enemy's camp, the guards cannot become models of kindness. To the league of prisoners there is opposed the league of jailers. It is the institution which makes them what they are—petty, mean persecutors. Put a Pestalozzi in their place and he will soon become a prison guard.

Quickly rancor against society gets into the prisoner's heart. He becomes accustomed to detesting those who oppress him. He divides the world into two parts,—one in which he and his comrades belong, the other, the external world, represented by the guards and their superiors. A league is formed by the prisoners against all those who do not wear prison garb. These are their enemies and everything that can be done to deceive them is right.

As soon as he is freed, the prisoner puts this code into practice. Before going to prison he could commit his offenses unthinkingly. Now he has a philosophy, which can be summed up in the words of Zola, "What rascals these honest men are."

If we take into consideration all the different influences of the prison on the prisoner, we will be convinced that they make a man less and less fitted for life in society. On the other hand, none of these influences raises the intellectual and moral faculties of the prisoner, or leads him to a higher conception of life. Prison does not improve the prisoner. And furthermore, we have seen that it does not prevent him from committing other crimes. It does not then achieve any of the ends which it has set itself.

## **How Shall We Deal with Offenders?**

That is why the question must be asked, "What should be done with those who break the laws?" I do not mean the written laws— they are a sad heritage of a sad past—but the principles of morality which are engraved on the hearts of each one of us.

There was a time when medicine was the art of administering some drugs, gropingly discovered through experiment. But our times have attacked the medical problem from a new angle. Instead of curing diseases medicine now seeks primarily to prevent them. Hygiene is the best of all medicines.

We have yet to do the same thing for this great social phenomenon which we still call "crime" but which our children will call a "social disease." To prevent this illness will be the best of cures. And this conclusion has already become the watchword of a whole school of modern thinkers concerned with "crime." In the works published by these innovators we have all the elements necessary for taking a new stand towards those whom society, until now, has in cowardly fashion decapitated, hanged, or imprisoned.

## **Causes of Crime**

Three great categories of causes produce these anti-social acts called crimes. They are social, physiological, and physical. I shall begin with the last-named causes. They are less well known, but their influence is indisputable.

## Physical Causes

When one sees a friend mail a letter which he has forgotten to address, one says this is an accident—it is unforeseen. These accidents, these unexpected events, occur in human societies with the same regularity as those which can be foreseen. The number of unaddressed letters which will be mailed continues from year to year with astounding regularity. Their number may vary slightly each year, but only slightly. Here we have so capricious a factor as absentmindedness. However, this factor is subject to laws that are just as rigorous as those governing the movements of the planets.

The same is true for the number of murders committed from year to year. With the statistics for previous years in hand, anyone can predict in advance, with striking exactitude, the approximate number of murders that will be committed in the course of the year in every country of Europe.

The influence of physical causes on our actions is still far from being completely analyzed. It is, however, known that acts of violence predominate in summer whereas in winter acts against property take the lead. When one examines the curves traced by Prof. Enrico Ferri and when one observes the curve for acts of violence rise and fall with the curve for temperature, one is vividly impressed by the similarity of the two curves and one understands how much of a machine man is. Man who boasts of his free will is as dependent on the temperature, the winds, and the rain as any other organism. Who will doubt these influences? When the weather is fine and the harvest good, and when the villagers feel at their ease, certainly they will be less likely to end their petty squabbles with knife thrusts. When the weather is bad and the harvest poor, the villagers become morose and their quarrels will take on a more violent character.

## Physiological Causes

The physiological causes, those which depend on the brain structure, the digestive organs, and the nervous system, are certainly more important than the physical causes. The influence of inherited capacities as well as of physical organization on our acts has been the object of such searching investigation that we can form a fairly correct idea of its importance. When Cesare Lombroso maintains that the majority of our prison inmates have some defect of their brain structure, we can accept this declaration on condition that we compare the brains of those who died in prison with those who died outside under generally bad living conditions. When he demonstrates that the most brutal murders are perpetrated by individuals who have some serious mental defect, we agree because this statement has been confirmed by observation. But when Lombroso declares that society has the right to take measures against the defectives, we refuse to follow him. Society has no right to exterminate those who have diseased brains. We admit that many of those who commit these atrocious acts are almost idiots. But not all idiots become murderers.

In many families, in palaces as well as insane asylums, idiots were found with the same traits which Lombroso considers characteristic of “criminal insanity.” The only difference between them and those sent to the gallows is the environment in which they lived. Cerebral diseases can certainly stimulate the development of an inclination to murder, but it is not inevitable. Everything depends on the circumstances in which the individual suffering from a mental disease is placed.



Every intelligent person can see from the accumulated facts that the majority of those now treated as criminals are people suffering from some malady, and that, consequently, it is necessary to cure them by the best of care instead of sending them to prison where the disease will only be aggravated.

If each one of us subjects himself to a severe analysis, he will see that at times there pass through his mind the germs of ideas, quick as a flash, which constitute the foundations for evil deeds. We repudiated these ideas, but if they had found a favorable response in our circumstances, or, if other sentiments, such as love, pity and the sense of brotherhood had not counteracted these flashes of egoistic and brutal thoughts, they would have ended by leading to an evil act. In brief, the physiological causes play an important part in leading men to prison, but they are not the causes of "criminality" properly speaking. These affections of the mind, the cerebrospinal system, etc., might be found in their incipience among us all. The great majority of us have some one of these maladies. But they do not lead a person to commit an anti-social act unless external circumstances give them a morbid turn.

## **The Social Causes**

But if physical causes have so strong an influence on our actions, if our physiology so often becomes the cause of the anti-social deeds we commit, how much more potent are the social causes. The most forward-looking and intelligent minds of our time proclaim that society as a whole is responsible for every anti-social act committed. We have our part in the glory of our heroes and geniuses; we also share in the acts of our assassins. It is we who have made them what they are,—the one as well as the other.

Year in and year out thousands of children grow up in the midst of the moral and material filth of our great cities, in the midst of a population demoralized by hand to mouth living. These children do not know a real home. Their home is a wretched lodging today, the streets tomorrow. They grow up without any decent outlets for their young energies. When we see the child population of large cities grow up in this fashion, we can only be astonished that so few of them become highwaymen and murderers. What surprises me is the depth of the social sentiments among humanity, the warm friendliness of even the worst neighborhoods. Without it, the number of these that would declare open warfare on society would be even greater. Without this friendliness, this aversion to violence, not a stone would be left of our sumptuous city palaces.

And at the other end of the ladder, what does the child growing up on the streets see? Luxury, stupid and insensate, smart shops, reading matter devoted to exhibiting wealth, a money-worshipping cult developing a thirst for riches, a passion for living at the expense of others. The watchword is: "Get rich. Destroy everything that stands in your way, and do it by any means save those that will land you in jail." Manual labor is despised to a point where our ruling classes prefer to indulge in gymnastics than handle a spade or a saw. A calloused hand is considered a sign of inferiority and a silk dress of superiority.

Society itself daily creates these people incapable of leading a life of honest labor, and filled with anti-social desires. She glorifies them when their crimes are crowned with financial success. She sends them to prison when they have not "succeeded." We will no longer have any use for prisons, executioners, or judges when the social revolution will have wholly changed the relations between capital and labor, when there are no more idlers, when each can work according

to his inclination for the common good, when every child will be taught to work with his hands at the same time that his mind and soul get normal development.

Man is the result of the environment in which he grows up and spends his life. If he is accustomed to work from childhood, to being considered as a part of society as a whole, to understanding that he cannot injure anyone without finally feeling the effects himself, then there will be found few cases of violation of moral laws.

Two-thirds of the acts condemned as crimes today are acts against property. They will disappear along with private property. As for acts of violence against people, they already decrease in proportion to the growth of the social sense and they will disappear when we attack the causes instead of the effects.

## **How Shall Offenders Be Cured?**

Until now, penal institutions, so dear to the lawyers, were a compromise between the Biblical idea of vengeance, the belief of the middle ages in the devil, the modern lawyers' idea of terrorization, and the idea of the prevention of crime by punishment.

It is not insane asylums that must be built instead of prisons. Such an execrable idea is far from my mind. The insane asylum is always a prison. Far from my mind also is the idea, launched from time to time by the philanthropists, that the prison be kept but entrusted to physicians and teachers. What prisoners have not found today in society is a helping hand, simple and friendly, which would aid them from childhood to develop the higher faculties of their minds and souls;—faculties whose natural development has been impeded either by an organic defect or by the evil social conditions which society itself creates for millions of people. But these superior faculties of the mind and heart cannot be exercised by a person deprived of his liberty, if he never has choice of action. The physicians' prison, the insane asylum, would be much worse than our present jails. Human fraternity and liberty are the only correctives to apply to those diseases of the human organism which lead to so-called crime.

Of course in every society, no matter how well organized, people will be found with easily aroused passions, who may, from time to time, commit anti-social deeds. But what is necessary to prevent this is to give their passions a healthy direction, another outlet.

Today we live too isolated. Private property has led us to an egoistic individualism in all our mutual relations. We know one another only slightly; our points of contact are too rare. But we have seen in history examples of a communal life which is more intimately bound together,—the “composite family” in China, the agrarian communes, for example. These people really know one another. By force of circumstances they must aid one another materially and morally.

Family life, based on the original community, has disappeared. A new family, based on community of aspirations, will take its place. In this family people will be obliged to know one another, to aid one another and to lean on one another for moral support on every occasion. And this mutual prop will prevent the great number of anti-social acts which we see today.

It will be said, however, there will always remain some people, the sick, if you wish to call them that, who constitute a danger to society. Will it not be necessary somehow to rid ourselves of them, or at least prevent their harming others?

No society, no matter how little intelligent, will need such an absurd solution, and this is why. Formerly the insane were looked upon as possessed by demons and were treated accordingly.

They were kept in chains in places like stables, riveted to the walls like wild beasts. But along came Pinel, a man of the Great Revolution, who dared to remove their chains and tried treating them as brothers. "You will be devoured by them," cried the keepers. But Pinel dared. Those who were believed to be wild beasts gathered around Pinel and proved by their attitude that he was right in believing in the better side of human nature even when the intelligence is clouded by disease. Then the cause was won. They stopped chaining the insane.

Then the peasants of the little Belgian village, Gheel, found something better. They said: "Send us your insane. We will give them absolute freedom." They adopted them into their families, they gave them places at their tables, chance alongside them to cultivate their fields and a place among their young people at their country balls. "Eat, drink, and dance with us. Work, run about the fields, and be free." That was the system, that was all the science the Belgian peasant had. (I am speaking of the early days. Today the treatment of the insane at Gheel has become a profession and where it is a profession for profit, what significance can there be in it? ) And liberty worked a miracle. The insane became cured. Even those who had incurable, organic lesions became sweet, tractable members of the family like the rest. The diseased mind would always work in an abnormal fashion but the heart was in the right place. They cried that it was a miracle. The cures were attributed to a saint and a virgin. But this virgin was liberty and the saint was work in the fields and fraternal treatment.

At one of the extremes of the immense "space between mental disease and crime" of which Maudsley speaks, liberty and fraternal treatment have worked their miracle. They will do the same at the other extreme.

## To Sum Up

The prison does not prevent anti-social acts from taking place. It increases their numbers. It does not improve those who enter its walls. However it is reformed it will always remain a place of restraint, an artificial environment, like a monastery, which will make the prisoner less and less fit for life in the community. It does not achieve its end. It degrades society. It must disappear. It is a survival of barbarism mixed with Jesuitical philanthropy.

The first duty of the revolution will be to abolish prisons,—those monuments of human hypocrisy and cowardice. Anti-social acts need not be feared in a society of equals, in the midst of a free people, all of whom have acquired a healthy education and the habit of mutually aiding one another. The greater number of These acts will no longer have any *raison d'être*. The others will be nipped in the bud.

As for those individuals with evil tendencies whom existing society will pass on to us after the revolution, it will be our task to prevent their exercising these tendencies. This is already accomplished quite efficiently by the solidarity of all the members of the community against such aggressors. If we do not succeed in all cases, the only practical corrective still will be fraternal treatment and moral support.

This is not Utopia. It is already done by isolated individuals and it will become the general practice. And such means will be far more powerful to protect society from anti-social acts than the existing system of punishment which is an ever-fertile source of new crimes.

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