

Book  
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THE PROFESSIONAL TRAINING OF PRISON OFFICERS.

Professor R. Vambery

"Conference publique".

In the administration of a modern prison the organisation of the state is reflected in miniature. As the state looks after the welfare of its citizens, keeping the balance of its economic forces and - as with us in Europe - superintending the affairs of Church and School, and by wise legislation promoting the peace and happiness of society - so also in a penitentiary the interests of the inmates should be studied and, as far as practicable, the ends of punishment fulfilled.

Now the fundamental basis of a well organised state is: the right man in the right place. This same principle necessarily holds good for the administration of prisons, but, thus far has unfortunately not yet been properly realised in any civilised country. We have in Europe as well as in the United States, penitentiaries built in the most practical manner and provided with the latest modern improvements. We endeavour to make the prison rules, which regulate the execution of punishment, as effective as possible; but the selection of the human material which should put



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life into the dry prison system has thus far been left to chance.

Yet, the history of prison management ought to have taught us something better. In the beginning of the past century there was much agitation in Europe in favour of one or another system of prison management. As once the Guelfs and Ghibellines took sides each for his party, so in this case people favoured either the Pennsylvania or the Auburn system of prisons. Duke Larochevoucauld went so far as to assert that the pudding which was given to the convicts in the Eastern Penitentiary at Philadelphia had peculiarly wholesome moral properties, and was therefore quite as important an element in cases of solitary confinement as the "most rigid and unremitted solitude" on which the system was based. In a historical, objective consideration of the subject, many really essential details of existing prison systems appear as mere accessories. One might almost say that most of the systems are not systems at all but the products of strong personalities endowed with much knowledge of human nature and a talent for organisation. When, for instance, in the forties of the last century, Obermeyer was appointed governor of the old penitentiary in Munich, he found there from six to seven hundred chained prisoners, who, although there were one hundred and twenty warders, lived in the greatest



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insubordination. By his energetic action, by the power of his personality, Obermeyer succeeded in a very short time in gaining the confidence of the prisoners. He took off their chains, dismissed half of the jailors, appointed convicts as warders in the workrooms, with the result that only about 7% of the convicts after their discharge relapsed again. His method was subsequently adopted by those not in favour of solitary confinement and enlarged into a system. Frederic Wines considers this attempt and the organising work of Colonel Montesinos in Spain which took place about the same time, as the beginnings of the reformatory treatment.

Various other prison systems, such as the system of Captain Macondchie, and Sir Walter Crofton's progressive system, possess strikingly original features, - for instance the mark system in the former and the intermediate prison system in the latter, - but the brilliant success which the history of penology attributes to these reformers, is due in large measure to their personal influence and their peculiar aptitude for the work they undertook rather than to their systems. In the case of Sir Walter Crofton this is clearly proved by the fact that shortly after he resigned office the intermediate prisons Luck and Smithfield began to degenerate, and the English government made short work



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with the so-called "Irish" system. I do not deny that the initial idea of the reformatory system: i.e. the harmonious development of the body, the intellect and the moral character has its objective value. Yet I doubt whether the scientific principles laid down by Wines and Sanborn would ever have developed into a system without the active co-operation of a Brockway, a Scott and others.

Every intelligent prison system is marked by some distinctive feature in the treatment of offenders, and is therefore thought and action combined. Without the living action the thought is dead. As was pointed out by Dr. Krohne, the most prominent European representative of our science, it is ridiculous to quarrel about prison systems and leave the carrying out of them to officers who do not understand their theories. It is labour lost to establish the strictest rules and to make the most elaborate provisions and then place these in the hands of officials who scarcely understand the letter much less the spirit of the act. It is foolish waste to spend millions on millions in the erection of new establishments, and to leave the management to men who are not equal to the demands of the system of administration.\*

One may be tempted to argue that the jailers and warders of olden times, upon whom we look down in the consciousness of our superior culture, came nearer to the standard of

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\* Lehrbuch der Gefk. (Manual of Penology) p 518.



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the then existing ideal of punishment then modern prison officers fulfil the demands of modern penal systems. In the seventeenth and eighteenth centuries the idea of punishment was merely expiatory, and the greater the pain inflicted, the more perfectly its object was accomplished.

It is revolting to us to read of the abuses perpetrated by the prison-keepers in England up to the end of the eighteenth century. Extortion was practised on criminals and debtors; on entering upon their term of incarceration they had to pay a fee of entrance called "garnish" of 10 shillings and sixpence. For every favor granted, such as changing the heavy chains for lighter ones, extra food and drink, exorbitant sums had to be paid, so that the yearly income of the warden in Marshalsea prison amounted to between three and four thousand pounds sterling.

In Germany prison inspectors were at that time already paid officials, but with permission to supplement their income by other means. Thus, for instance the note book of the then Prussian Minister of Justice (Home Secretary) von Arnim contains an entry which now may well sound humorous. It was to the effect that the inspector of prisons at Gleiwitz fulfilled at the same time the office of slate-layer, market assistant and night watchman. No wonder that all the prisoners escaped in one night! - Generally speaking the jailers were the



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scum of society, illiterate, and morally hardly higher in the social scale than the criminals whom they subjected to the roughest and most cruel treatment. Yet these men were the expression of the idea of punishment as then understood, the earthly realisation of divine retribution. Physical suffering was as Byron expresses it in the Prisoner of Chilon,

....."the fate of those  
To whom the goodly earth and air  
Are bound and barred - forbidden fare."

This "infliction" of punishment the pre-revolutionary jailers understood to perfection. And the more brutal, that is, the less humane they were, the better they fulfilled their office.

We cannot doubt that the conception of punishment was gradually in the Illumination period modified; but in the last century under the influence of criminological investigations it has undergone a still more marked change. Of course I am speaking of the conception of punishment not of its object. The object of punishment has always been the prevention and controlling of crime, even in the days when blood vengeance represented punishment. It is only about ways and means that the struggle has been going on for thousands of years, and while philosophic minds have claimed exclusive right of existence for their own penal theories derived from the practical effects of the punishment. In spite of the heated contention which







is still going on, especially in Germany, between the "Classics" and the "Moderns" of criminal science regarding protective punishment versus expiatory punishment, the practical application of punishment is not seriously affected by these contending views. The chief point in the transformation of penology lies in this, that psychological punishment took <sup>the</sup> place of that which reflected the crime committed.\*

Fully realizing that criminologically also the offender should be dealt with as a separate individual, the tendency now is towards an individual psychological treatment. Formerly it was thought that crime originated in the human will, just as according to the myth Pallas Athene came forth out of the head of Jupiter. Nowadays all experts are agreed that crime is the issue of social and individual components, but criminal etiology has not yet found the right method for ascertaining in what measure these separate factors contribute to the production of crime.

A second reason for the changed aspect of crime is the ever growing conviction that expiation (retribution) by means of punishment is a form of self deception. Even if we possessed an objective standard by which guilt and punishment could be measured we should decline to accept Shylock's interpretation as our ideal of justice. A well-informed judge of the London

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\* Rosenfeld: Vergh, Darst III, 100.







High Court of Justice, Sir John Bridge, once said: "I have nothing to do with punishing crime; that rests with a higher power. My business is to protect society." Our human intellect is too clouded, our vision too limited to allow us to usurp the divine right of meting out vengeance. Such metaphysical and unattainable ideals as the restoration of the just balance between crime and the expiation of crime are beyond the control of the state.\* "Vengeance is mine says the Lord, I will repay." Rom.xii.19. And this must remain His prerogative even although euphemistically revenge is called punishment. In no country has this truth been so thoroughly and at the same time so practically grasped as in the United States. Boies, one of your most eminent penologists, speaks of it being "an absurd and arrogant assumption, an impertinent attempt by mortal men" to exercise vengeance, and your institutions convincingly show that you have discarded this scientifically unpractical principle.

And so the old idea of punishment is gradually dying out everywhere. The law of development is verified also in the conception of punishment. Modifications in the original idea

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\* Heimberger: Reform des Strafvollzugs (Reform of the System of Administering Punishment.p.23.







of punishment are gaining ground. Common sense has taught us that the complex psychological and sociological elements which we call crime cannot be combatted with any one weapon alone. In Europe, this truth, although realized, is making but slow progress as regards the practical administration of justice.

Major Griffith in his "Fifty Years of Public Service," tells a story about a gunboat which was sent out to the East provided with a medicine chest, but without a doctor on board. The Captain, who had no medical knowledge whatever, was entrusted with the dispensing of the medicines, as occasion should demand. He mixed various medicines together in a bottle, and whenever a man was ill, he received a dose of this mixture. The captain argued that the medicine required in each specific case would be sure to be contained in the mixture. Sir Robert Anderson, in his interesting work "Crime and Criminals" p.65, compares this with the indiscriminate application of the same punishment to different kinds of criminals.

Unfortunately our knowledge of criminology is not yet sufficiently advanced to enable us to classify crimes in causal groups, and to build up our penal methods in accordance with these. But in all civilized countries it is agreed that youthful



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offenders need other treatment than incorrigible adults; that professional criminals and the partially responsible must be treated in a way different from that taken with the offender who is acting from accident or passion. The practical outcome of individualisation as the highest principle for the judicious administration of punishment is the progressive classification of criminals into groups in order that the social function of punishment, that is the restoration of the offender to society, or, where this is found to be impossible, his separation from society, may be successfully accomplished. The jailer of past ages was as little capable of distinguishing these complicated and various phases of crime, as one prison system - even the best - could do justice to different methods of individual punishment. It is indubitably true that the successful carrying out of the changes which have taken place in the conception of punishment, as referred to above, depends in the first place on the men who are the executive organs of the State. The transformation of the system must go together with the transformation of the officials. New conditions require new people. No one would dream of making the driver of an old fashioned stage-coach into the pilot of an aeroplane, or to entrust a village barber with the management of a dispensary. It is almost a platitude to say that the success or failure of the



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system of administration depends upon the management of the establishment and the capability of the superior and subordinate officers. Mr. Goos, the late Danish Minister of Justice, uttered these memorable words: "Donnez-moi le meilleur règlement avec un mauvais directeur, vous aurez aucun résultat. Donnez-moi un bon directeur même avec un règlement médiocre et je vous réponds, que tout ira à merveille."\* This remark has since been repeated in different keys and with many variations. To give another quotation: Frederic Hill, for many years inspector of prisons in England, declared: "Of such supreme importance do I regard the appointment of good officers, that I should expect better results in one of the worst built prisons, where no system of discipline was prescribed, but where there was an earnest and able governor, unfettered in his choice of subordinates, than in the best constructed buildings and under the most carefully devised plans of management, but where there was an incompetent head with ill qualified assistants." Du Cane likewise said that the importance of the choice of good officers cannot be over-estimated. The prison warden has such influence for good or for evil over the convicts, that one can hardly conceive of any more responsible position, nor of one in which the officer is exposed to greater temptations.<sup>x</sup>

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\* Actes du Congrès pénit.intern. de Stockholm, 1878, I.120.

x Tallack p.278.







Now one may justly say that surely the prison officers of our time - the higher as well as the lower - cannot be compared with the jailors of Newgate prison or of the Conciergerie. No, certainly not. Rough treatment, cruelty and systematic abuses, are unknown factors in the penal establishments of civilized nations. The officers are respectable men, of proved character, who conscientiously fulfil their regulation duties. All this I grant. But does this exhaust all that modern administration of punishment demands of its officers? Of all the things we expect the penal system to accomplish the hardest is the reform of the criminal who needs and is capable of reform. To the criminologist who is not Utopian in his demands, this reform can only mean the restoration of the criminal to society; that is in the first place, in the removal of the economic causes of his criminality. It sounds well when Dr. Horace Bushnell says that "the soul of improvement is the improvement of the soul," but unfortunately practical experience has taught us that although it is a mistake to say that human nature cannot be changed, we are not in a position to exercise direct influence on so indefinite a thing as the human soul. Therefore, although the prison is not a mind and soul factory, yet prison discipline can lead the delinquent into better ways by accustoming him to regular labor and orderly



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habits. They are golden words which Brockway wrote: "Give a motive, you may direct a habit. To form a habit, is to create a character. Habit is the school of conscience." x But this habit is not formed automatically either. It requires the assistance of a kind-hearted, able man who possesses not only a knowledge of human nature in general but also a special knowledge of crime, of criminals and of penal science.

There are two qualifications which are indispensable to the modern prison officer, tact and skill, in other words: soundness of character and professional knowledge. One might think that these are both self-evident. Yet, curiously enough, opinions agree only on the former point. Frederic Howard Wines says that the fitness of officers in reformatories consists in : high moral character, earnestness, devotion, self sacrifice, rare intelligence, insight into human nature, tact, tenacity of will, experience, patience and hope." xx Honestly speaking we envy you ~~an~~ the possession of prison officers who unite all these qualities in themselves. With us, any one possessing such exalted virtues can become a Minister of State or an Archbishop. We in Europe must of

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The Reform System of the United States, 1900, p.27.

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Punishment and Reformation, 319.







necessity be more modest in our demands. So, for instance, Du Cane stipulates only a high moral character, physical fitness and intelligence. We also can boast of philosophers as eminent as Gabriel Tarde who consider that a thorough and energetic prison reform consists in "Mettre en regard les uns des autres à la meme prison: les pires des brutes humaines et les meilleurs des hommes."<sup>x</sup> Speaking generally, we can hardly hope at present, considering the pay and the social position enjoyed by the prison officer, that high minded men with the self-sacrificing joy of an apostle will hasten to devote their lives to the prison services. We may be glad enough to enlist men of average talent, honest and clear-headed, and it is universally acknowledged,<sup>xx</sup> that even this is no light matter. I do not wish to imply that the professional training of prison officers, makes up for want of character, but I certainly believe that professional knowledge, like culture in general, increases self respect, strengthens character, and makes the performance of one's duties easier.

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<sup>x</sup> Philosophie pénale.

<sup>xx</sup> Tallack: Penological and Preventive Principle p.277.  
Krohen: Manual of Penal Science p.518 and foll.







less a matter of chance - since we do not possess Professor Mantegazza's chimerical psychoscope - the professional training of prison officers is entirely in our own hands. It is not a magic means for producing ideal men, but it is the first link in the chain which from a right understanding of crime and criminals leads to a right treatment of both.

The fact that the training of prison officers is the essential point in prison reform has been acknowledged as early as the end of the eighteenth century by the German penologist Wagnitz. In his interesting book he describes the evil practices of German penitentiaries as boldly as Howard did in England. He suggests that every province should have a well organized seminary, not merely for testing the moral worth and strength of character of prison inspectors and warders, but as a place where they can be actually trained for their future work. In these seminaries, special theoretical and clear instruction should also be given in the manner of dealing with those intrusted to their care.<sup>1</sup> This appeal has found expression in Germany ever since. Prison reformers and prison disciplinarians - I limit myself to mentioning a few of the most prominent - such as Wichern,<sup>2</sup> Jagemann,<sup>3</sup>

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<sup>1</sup> Historische Nachrichten etc. Vol.1.p.99. 1791.

<sup>2</sup> Zur Gefängnisreform, Ges. Schriften IV 1905.pp.423,453-55.

<sup>3</sup> Bl.f.Gefk XX,p.336; Holtzendorf-Jagemann Handbuch.II pp.19-21.  
Monatschrift für Kriminalpsych. I.pp.374-84.







Berner,<sup>1</sup> and Krohne,<sup>2</sup> have never tired of advising the establishment of schools for prison officers and courses of study for higher officials. And in modern times the cry for theoretical instruction coupled with practical tests has become more and more urgent.<sup>3</sup> In England Sir Walter Crofton published a treatise,<sup>4</sup> on "Training Prison Officers," and at the first international penological congress held in London, one of the points discussed was: "the importance and necessity of a special education of prison officers."<sup>5</sup> Unfortunately the discussion, in spite of Guillaume's striking proposals, led to no practical results. The same question was also brought forward at the Congress held at Stockholm, and at the St. Petersburg congress in 1890 we meet with it again in the form of: "Instruction in Penology". All writers on the subject, such as Lombroso, Jagemann, Foinitsky and Lacointa agree,<sup>6</sup> in saying that there is a prison science which comprehends the investigation, prevention and repression of crime and that the interests of prison discipline demand that this science be taught at the Universities. It was only Henry Joly, however, who, in his report, made it clear how

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1. Lehrbuch d. Strafrechts, 18th edition, p. 186.
  2. Lehrbuch, pp. 536-538.
  3. See: Willert, Fliegenschmidt, Wrilffen, Stammer, and others.
  4. Tallack: Howard: letters and memorials 62: Aschrott: Strafen U. Gefw in England, 142.
  5. E. Pears: Prisons and Reformatories 1872. pp. 395-409.
  6. Actes I 431 and foll.







important the acquirements of such knowledge was for the administrative staff of penitentiaries.

Strangely enough the Petersburg Juridical Society, when giving its decision on this matter,<sup>x</sup> denied the necessity of the special education of superior prison officers. It was thought that they might learn the history and theory of penology at the University, while for the warders practical experience would suffice.

I was much surprised not only to meet with this same narrow-minded view in Anglo-American penology, but to find it even surpassed there. Tallack recognizes the usefulness of a special knowledge of the principles and history of penal discipline and science, but he thinks it is sufficient to encourage prison officers by occasional lectures and addresses, to study these subjects privately, penological societies and special periodicals giving ample opportunities for doing so.

At the National Prison Association in Cincinnati in 1890, Wines emphasized the fact that nowadays one expects of the warden of a prison that he possesses not only firmness, kindness and tact but also a large measure of special knowledge,<sup>xx</sup> but he omitted to indicate how this knowledge could be

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<sup>x</sup> Actes III, pp.399-411.

<sup>xx</sup> Z.f.die ges. Strfw XI,p.592.







obtained. Boies also points out<sup>x</sup> that "the warden of a large penitentiary must needs be a man of strong personality, large experience and training", and urges the introduction of the criminal laboratories recommended by the National Prisons Association in 1900, but he preserves a deep silence on the question how the officers who have had no special training are to work in these laboratories. Brainard Smith expresses himself most decidedly against a scientific training, when he says.<sup>xx</sup> "There are no special schools to prepare prison employees, prior to their employment, for their duties. We do not regard such schools as essential to the good administration of our prisons." The official view in England is much the same. I have been told on good authority that the need is not felt for a theoretical training in the various branches of criminology. It is thought that the duty of the prison staff is simply to carry out the instructions of the chief authorities, while the initiative for the reform in the treatment of prisoners is the prerogative of the commissioners. It is presumed that these latter although they do not receive any special training, are, through their higher general education, fitted for their important post.

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The science of penology, p.304.

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Prison Systems of the U.S. 1900, p.30.







To some extent this view may be the result of the spirit of matter-of-factness, which is a predominant feature in the character of the Anglo-Saxon race on all social questions. But on the other hand it is curious that the meaning of Bacon's words; knowledge is power, should not be understood in the contest with crime. When a small tradesman engages a teacher for his child, he expects to find in him every imaginable qualification, but when the state undertakes the far more complicated task of the education of adults, who moreover, as a rule, are socially deficient, the men entrusted with this task apparently need no preparation.

There is in England not a single branch of public administration in which not at least a minimum amount of professional knowledge is required from the official in his official capacity, but in the case of prison discipline even the most elementary knowledge of the work to be done is considered superfluous. As long as the idea of detention was all that prison discipline meant to the average unschooled mind, it probably sufficed that orders should be strictly obeyed.

But now, with reformatories in America and a Borstal system in England, this standpoint has become untenable. Practical experience in the penitentiary cannot take the place of previous training. Since the German Association of







Prison Officers entrusts the theoretical training of candidates for the prison service to the prison sardens<sup>x</sup> we naturally presume that these officers are thoroughly competent to perform this task. Stevens, the celebrated Belgian penologist is quite right in saying that a good prison warden cannot be improvised, but must be educated for the fulfilment of his office. And the same holds good for all superior officers; but the education required in our days cannot be obtained except by special training.

One may object that in the carrying out of punishments, education is not the decisive factor, and personal influence of the prison officer is not so essential. Of course not. But individual treatment inflicts punishment at least with a certain ameliorating object in view. This much is certain that the officer who understands the social and personal causes which provoked the crime will treat the offender otherwise than the officer who sees in him merely a representative of original sin, a law-breaker, a bad and impious subject. So also the prison officer who has a critical knowledge of the history of corrective punishment, of the organisation of corrective punishment in foreign states, of the scientific principles of prison work, of discipline, of the cure of souls, of the instruction of prisoners, will

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Blatter J.Gefk.XXXI.pp.477 and foll.







perform his duties quite differently to the official automaton, who mechanically and blindly obeys the rules. He who cannot rule must needs obey, says York in King Henry VI (Part V.1.?) and we, in our generation have the right to expect that prison officers be fit and able to rule the human material entrusted to their care by the state; individualizing after all is nothing but the carrying out of the fundamental principle: divide et impera.

But what about America, where, in the reformatories, the individualizing treatment has reached an unlooked for height? By a happy choice it has doubtless been possible to secure in most cases competent men, but I cannot hide the fact that Paul Herr for instance, who has thoroughly studied the Reformatory system of the United States, and who is full of praise for it, has to acknowledge that the lack of scientific and regular education is a perceptible want.<sup>x</sup> Miss Frances Kellor likewise demands a two years course of training for the correctional institution officers.<sup>xx</sup> I would here remark incidentally that she considerably oversteps the boundaries of this field of labour by including in her programme literature, natural history and aesthetics, in all of which subjects according

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<sup>x</sup> Das mad amer. Besserungs system 1907, p.154.

<sup>xx</sup> Experimental Sociology, p.285 and foll.







to her a prison officer has to be proficient. However that may be the reformatory movement would certainly not suffer in its results if more care were bestowed on the special training of prison officers, and if in the prison administration of the United States generally, more weight was set by knowledge than by political tendencies, which latter, I am told, still play an undue part in the nomination.<sup>x</sup>

I am not in a position to judge in how far in America this lack of education is remedied by self-tuition, but with us in Europe experience teaches that autodidaxy produces only incomplete and superficial knowledge. One reason for the partly active, partly passive resistance of influential circles against the present day demand for trained prison officers, is, I believe, to be found in the preponderating influence of militarism. It is said that to fill the vacancies in prison staffs by late army officers and non-commissioned officers is in the interest of the prison system, but as a matter of fact the reverse is the case. Du Cane brings prominently forward that the military type owing to its sense of order, discipline and obedience by its fitness "to deal with large bodies of men", is particularly suited for the

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Grubb:Methods of penal administration in the U.S.p.17;  
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Op.cit.188.



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prison service, but on the other hand it must not be forgotten that the ultimate object of military training is to prepare men for united action while penal training, as Tallack rightly remarks,<sup>x</sup> has for its object "to prepare the convicts advantageously to separate". Moreover the general experience is that the superior military elements only very seldom apply for positions in penitentiaries. Where it concerns the reorganisation of disorderly prison discipline, as was the case, for instance, in Austria towards the end of the nineteenth century the appointment of military officers, exclusively, may be a good thing, but the ideal of prison administration it certainly is not.

Here, in this democratic land, where the distinction between military men and civilians is not so pronounced as with us in Europe, the martial bearing, the roughness and brusqueness which so often characterises the erstwhile military man in the prison service, and which sometimes leads to brutal treatment, will perhaps not be so noticeable. But in Europe - apart from penologists who once themselves were army men - we are all pretty well agreed<sup>xx</sup> that drill and military exercises should not occupy the first place in corrective punishment, that is, if we expect from punishment something

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Op.cit.p.297.

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<sup>x</sup> Op. cit. p. 297.

<sup>xx</sup> See: Iernan; Kaldewey; Schmolder; Friedland; Lohsing.



more than mere chastisement. What Anatole France said of the Judge: "La loi est morte. Le magistrat est vivant, c'est un grand avantage qu'il a sur elle,"<sup>x</sup> also applies to prison rules and prison officers. The letter killeth, the spirit giveth life. Even the best of military officers can only act in the spirit of the system of administration after he has received the necessary instruction.

Thus far in dealing with the fundamental principle I have not distinguished between superior and inferior prison officers; although necessarily the actual relative position occupied by them, varies considerably in the different leading states of Europe. Starting from the point of view that the lower officer, the prison guard, comes most in contact with the offender, we should - in so far as we are concerned about the matter at all - attach most importance to the training of these men. In France, in addition to the guard's school which is connected with every penitentiary, the école pénitentiaire supérieure was instituted in 1892, to give the more talented prison guards further opportunity of improving themselves, and thus ensuring their promotion to higher offices.<sup>xx</sup> After one decade this school was

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<sup>x</sup> Crainquebille p.284.

<sup>xx</sup> Lois, decrets etc. se rapportant aux services penit.1896. p.210; Code des prisons C.XIV.p.337.







closed, notwithstanding the protests of such experts as Grimanelli, Boudenoot and others, in order to reduce the state budget by 6000 francs.\*

There are training schools for prison guards in Italy, organized by Beltrani Scalia of Rome, and also similar establishments in Spain, Hungary, etc. But all these being under the management of higher prison officers who have had no scientific training, they are chiefly confined to the elucidation of the prison rules. Our worthy Secretary-General, Dr. Guillaume, has told me that as early as 1874, at the request of the Swiss Association of Penology, he held courses for higher prison officers and superintendents which were attended with the greatest success. In the present condition of prison affairs, the special education of inferior prison officers is most decidedly desirable, because those in highest authority already overburdened with their administrative and economic duties have not the time to occupy themselves with the actual administration of punishments. But this division of labour does not solve the problem before us, because the knowledge which it is necessary for the higher officer to possess, could not be expected from the average intelligent subordinate officer. In advocating the special training of the superior officers, I take it, of course, for granted that such officers

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Revue penit. 1902, p. 287; , 905, p. 586.



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are in a position to occupy themselves personally with the prisoners. One primary condition to make this possible is that each Chief Officer shall have under his care only a small group, a limited number of say twenty or thirty prisoners, who are criminal-psychologically offenders of the same nature. Thus the notion will be destroyed that punishment is to be uniform, applied alike by all prisoners, regardless of personal characteristics and that the secret of the right administration of punishment lies in taking it for granted that all offenders are undisciplined persons.\*

Now as regards the special training of the superior prison officers, there are only three states in which institutes for this purpose have been established, namely Japan, Spain and Hungary. In 1898, after some fruitless efforts, Japan organized a university for the study of prison discipline, where officers in actual prison service had to attend a six months course and candidates for the service a course of twelve months of six lectures per day. The former (the officers in actual employ) were commanded to go through this course of study and received, besides their travelling expenses an additional monthly allowance of 35 yen. The subjects of the lectures included prison discipline, criminal psychology,

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This notion was still held by the Parliament of Austria in 1909. Blatter für Gefängn. II. 192.







penal law, prison hygiene, pedagogics of juvenile criminals, anthropometry, statistics and the principles of political and civil legislation. Fifteen professors were appointed to give these lectures. With practical common sense the Japanese realized that it availed little to build beautiful establishments without also improving the human material in charge of them. Ogawa, the Inspector-General of prisons in Japan, spoke at the Brussels congress of the complete success of the institution.<sup>x</sup> The Spanish School of Criminology, erected in 1903 by Royal decree, received less recognition at home. Its object was the special education of administrative prison officers and also to supplement the University faculties. It is a two years course of study, admission being obtained by an examination which entitles the successful candidate to a scholarship in the first year of 1000 peseta, in the second of 1500 peseta.

The course of study is intended for the chief officers of the cuero da prisiones and the officers of the general direction, but the "agregé 's" of other faculties are also admitted. At this University there are six professors enjoying fairly good salaries, who give lectures in Spanish and comparative criminal law and penal science, prison systems,

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Actes du Congress N.p.536.F.Crusen:Bl.f.Gefk.XXXVI,pp.341-86.



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<sup>x</sup> Actes du Congrès N. p. 536. F. Cruesen: B. I. f. G. K. XXXVI, pp. 341-86.



preventative institutions and patronage. Upon the conclusion of their course of training the students who are not already in the service of the state can be returned as assistant officers. The Academy, from the time of its opening in 1906, has been subject to many sharp attacks. It is especially the Rivista de las prisiones which has inveighed against the new institution.\* They have found fault with the heavy costs, with the difficulty of finding posts for the graduated students, the awkward position in which the trained officers stood with regard to an untrained governor, etc., all of them objections which do not touch the root of the matter and probably arise out of personal grounds. However this may be, the Spanish Academy certainly displays a broadness of view not in keeping with the means and the circumstances of the country. With all due modesty I think I am entitled to say that we in Hungary, with less outward show attain our object just as well. For two years we have now had special courses of lectures for the training of prison officers. The course is divided into two periods of ten weeks each, which the chief officers of the various penal and corrective institutions

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Revue penit. 1903, p. 629, 1308; 1906, p. 635; Rivista de las prisiones 1906, 16 Nov. 1909, p. 1. May Number.



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throughout the land, are successively invited to attend. The choice of the candidates lies with the Ministry of Justice,, and the officers receive beyond their travelling expenses, a suitable remuneration. The course of study, which occupies from 5 to 6 hours per day includes lectures on the elements of jurisdiction, criminology, criminal psychology, theoretical and practical prison management, treatment of youthful offenders, and prison hygiene. The lectures are delivered in a manner calculated to raise the general standare of culture of the hearers. Upon the completion of the course, the students undergo an examination, which reckons as a qualification for preferment. Of course the officers must also qualify for their special positions (such as chaplain, instructor, clerk of the counting house, etc.) The cost of the institution comes to about 6000 krone per year. The theoretical part of the training includes visits to other institutions and to the state prison museum, which was established last year and already contains several thousand objects. The Museum, in addition to the library, is divided into three parts, containing specimens from the history of penology, models of penitentiaries and ethnographical and anthropological collections. To the best of my knowledge the state prison Museum of Hungary is the only institution in Europe in which anthropological data of criminals are



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officially collected.

I do not wish to imply that the Hungarian course of study is a perfect one, but apart from the praise bestowed on it by eminent penologists such as von Engelberg, I am of opinion that our way is more likely to lead to the desired end than, for instance that of Italy. There, as Commendatore Doria, the Director-General of penitentiaries, kindly informed me, administrative officers have to take their degree in jurisprudence, before they can be appointed to any post. The various branches of legal service offer the ordinary prison officer either too much or too little. In Europe many are still under the impression that the jurist is the flower of society and juridical self-conceit has a good deal to answer for in the present crisis regarding penal legislation, a crisis which can only be brought to a successful issue by a thorough reform of the system of administration. It is, however, no exaggeration to say that a knowledge of the history of jurisprudence and of commercial law is of very little use in the rational treatment of criminals.

Of course the simplest solution of the difficulty would be for the universities to add to their programme the sciences of penology, criminology and criminal psychology. This would give both to judges in criminal courts and to







prison officers, the chance of acquiring the knowledge so necessary to both. But I am sorry to say that in the Universities of Europe, with a few laudable exceptions, the wind of conservatism still blows, which is anything but auspicious for the introduction of new knowledge. Heinrich Heine's hit at the learned Georgia Augusta where were jestingly warned the beadies of the University to keep a sharp look-out lest "any new idea, which ought to be kept in quarantine for at least ten years, be smuggled in by some speculative docents", still unfortunately applies to most European universities. Now, however, the professors themselves keep watch against the too impetuous influx of the waves of radicalism. At the University of Rome, it is true, a chair of penology was established as early as 1882, and at two other Italian Universities, Turin and Naples, professors of criminal anthropology have been appointed. But these exceptions although reflecting favorably on a Lombroso or a Zucarelli in no wise affect the principle here under consideration.

In France, as we learn from professor Vidal's excellent work, the study of penology has won for itself an honorable place in criminal law, but for Germany the sad remark of the great Leipzig criminalist still holds good: that there is no more a science of prisons than a science of hanging (Huinchburg).



