act according to the dictates of his conscience, and leave the ultimate result to that infinite power that governs the world, confident that the result obtained in that way, while perhaps expensive in the first instance, shall redound to the honor and glory of our legal system as it shall be later revised and put upon a plane that it has never occupied before, by adopting an enlightened method of procedure with reference to the disposition of all criminal cases."

**IMPRISONMENT**

George Bernard Shaw, the brilliant English author and controversialist, appears in the unusual role of a writer for a Church organization in a pamphlet entitled "Imprisonment", which has just been issued by the Social Service Department of the National Council of the Episcopal Church through Brentano's. ($0.75)

"Imprisonment" is a contribution to the prison reform effort which is being made by the Episcopal Social Service Department through its Secretary, Rev. Charles N. Lathrop. It is a characteristic Shavian utterance. Mr. Shaw tells of a visit to a Dublin Prison during his boyhood, and sketches his impressions on meeting a "lifer" who had "chopped up his family with a hatchet, and been recommended to mercy on account of his youth."

"I thought, and still think, imprisonment for life a curious sort of mercy," says Shaw, "My main impressions of the others, and the one that has stuck longest and hardest, was that as it was evidently impossible to reform such men, it was useless to torture them, and dangerous to release them."

Shaw whimsically explains that he has never been imprisoned himself, and goes on to tell how he volunteered on one occasion "for prison martyrdom in two free speech conflicts with the police. As my luck would have it, on the first occasion, the police capitulated on the eve of the day on which I had undertaken to address a prohibited meeting and to refuse to pay a fine; and on a second a rival political organization put up a rival martyr, and, on a division, carried his election over my head to my great relief."

The incident is cited by Shaw as showing that, however slight, it gave him an interest in the subject of prisons "less perfunctory than that of the ordinary citizen to whom prison is only a reference in the police news, denoting simply a place where dishonest and violent people are very properly locked up. This comfortable ignorance, by the way,
is quite commonly shared by judges. A Lord Chief Justice of England, grieved at hearing from a lady of social importance that her son had been sent to prison as a conscientious objector, told her that he hoped she would get to see him often, and keep up his spirits with frequent letters, and send him nice things to eat. He was amazed to learn from her that he might just as well have suggested a motor ride every afternoon and a visit to the opera in the evening. He had been sentencing people all through his judicial career to terms of imprisonment, some of them for life, without knowing that it meant anything more than being confined to the house and wearing a dress with broad arrows all over it.

Describing hopeless efforts to learn conditions in prisons from those who have been imprisoned, Shaw says that the testimony of such persons came from "mostly either helpless creatures who could not tell the truth, or scoundrels who would not tell it. The helpless creatures told you what they wanted to believe themselves; the scoundrels told you what they wanted you to believe. Anyone who has tried to find out what war is like from demobilized soldiers will understand. Their consciousness is limited and utterly uncritical; their memory is inaccurate and confused; their judgment is perverted by personal dislikes and vanities; and as to reflection, reason, self-criticism and the rest of the intellectual counter-checks, they have no more of them than a mouse has of mathematics. If this is the case with normal men like soldiers, even less is to be expected from subnormal men like criminals."

Shaw thereupon relates the history of efforts at prison reform in Great Britain and tells of the volume, "Prisons under Local Government," by Sidney and Beatrice Webb, to which he contributed the preface. This volume received only what Shaw characterizes as "a specialized circulation. Fortunately," he continues, "my preface to it attracted the attention of the Department of Christian Social Service of the National Council of the Protestant Episcopal Church in the United States. The Secretary of the Department, Charles N. Lathrop, approached me with a view to putting my preface into general circulation. I was, of course very glad to have it reintroduced under such auspices, and the present little volume is the result."

The ensuing essay is an unsparing indictment of the entire prison system, written in Shaw's most characteristic vein. Mr. Lathrop, who induced Mr. Shaw to write this brochure during the latter's recent vacation in Madeira, has written a brief foreword to the volume in
which, referring to the imprisonment of religious martyrs like St. Peter and St. Paul, in the early days of the Church, drops into the Shavian manner himself in a paragraph in which he says: "Modern Christians know the jail neither from the inside nor from the outside. If a number of our prominent Church people could be jailed—as they were in 170 A.D.—doubtless improved penal conditions and a new penology would be the result. The prospects for this, however, are uncertain. The jails need exactly this attention. They are overlooked, forgotten, and in their neglect hide serious conditions. So since prominent Church people will probably remain unjailed, I have done the next best thing and, to speak militaristically, have drafted Mr. Shaw. His foreword, which he has so kindly contributed to his essay, will show why."

1. Modern imprisonment: that is, imprisonment practiced as a punishment as well as a means of detention, is extremely cruel and mischeivous, and therefore extremely wicked. The word extremely is used advisedly because the system has been pushed to a degree at which prison mortality and prison insanity forced it back to the point at which it is barely endurable, which point may therefore be regarded as the practicable extreme.

2. Although public vindictiveness and public dread are largely responsible for this wickedness, some of the most cruel features of the prison system are not understood by the public, and have not been deliberately invented and contrived for the purpose of increasing the prisoner's torment. The worst of these are (a) unsuccessful attempts at reform, (b) successful attempts to make the working of the prison cheaper for the State and easier for the officials, and (c) accidents of the evolution of the old privately owned detention prison into the new punitive State prison.

3. The prison authorities profess three objects: (a) Retribution (a euphemism for vengeance), (b) Deterrence (a euphemism for Terrorism), and (c) Reform of the prisoner. They achieve the first by simple atrocity. They fail in the second through lack of the necessary certainty of detection, prosecution and conviction; partly because their methods are too cruel and mischeivous to secure the co-operation of the public; partly because the prosecutor is put to serious inconvenience and loss of time; partly because most people desire to avoid an unquestionable family disgrace much more than to secure a questionable justice; and partly because the proportion of avowedly undetected crimes is high enough to hold out reasonable hopes to the criminal that he will never be called to account. The third (Reform) is irreconcilable with the first (Retribution); for the figures of recidivism, and the discovery that the so-called Criminal Type is really a prison type, prove that the retributive process is one of uncompensated deterioration.