

Make the Punishment Fit the Crime

Prof. Murchison, of Clark University, has investigated the crime situation from an unusual angle, and his findings are distinctly different from those of most present day criminologists. In the following article, he outlines the weaknesses of the American system of dealing with crime, as he has found them from his study of men in ten penitentiaries. He recommends drastic remedies.

By CARL MURCHISON

During recent years the idea has become more and more fixed in the minds of those who deal with criminals that it is in some way unethical to punish severely those criminals who are young, or feeble-minded, or insane. They are convinced that it is a sign of great cultural development for the State to use the indeterminate sentence in dealing with offenders. As the crime wave attains more and more fearful proportions, there are many who become agitated with fear that the idea is not being applied generously enough. So indifference to law flourishes in the matrix of this fallacy or maternalism.

Is there any reason why young criminals of college age should not receive the death penalty for murder, or a long sentence in the penitentiary for robbery? Approximately one-fourth of all criminals are of this age. Intelligence, as tested by mental tests, does not increase after this age. The average individual has completed his formal education even before this age. The influence of the home has already passed its maximum. The influence of religion has begun to wane. All the methods of love have been tried for all the years of his young life, and have failed. What earthly logic or sense is there for assuming that such an individual is too young to hang or to be sent to prison? All the facts are against the validity of such an assumption. The maternalistic methods having failed already, the logical procedure is swift, sure, and severe punishment.

This maternalism is frequently the result of a distorted and misinterpreted philosophy of determinism. How frequently we hear the plea that a young criminal has never had a chance, that he has been a victim of circumstances, that his behavior has been determined by his environment. Such a philosophy, though valid in science, is sheer nonsense in the province of social control when applied only to the individual offender and not also to the community which contains him. If it has been determined by circumstances that an individual commits

crime, let it also be determined by circumstances that a social community will strike back with sure and swift punishment. It is quite likely that such circumstances will alter many cases that now clutter our criminal dockets.

This maternalism is also frequently stimulated by unfounded claims made concerning the health condition of the criminal. It is frequently asserted that criminals are sick men. Such assertions appeal to the sympathies of the members of the community. There could be no objection to criminals being classed as sick men, if such claims were not used as bases for reducing guilt and punishment. Logically, punishment should be all the swifter before the sickness spreads.

One of the most pernicious claims of recent years is that criminals of low intelligence should not be punished as severely as others. The reason given is that these people do not have intelligence enough to know any better. That is all the more reason for swift and sure punishment, since such methods alone are capable of being understood by such people. The entire removal from society of such people certainly cannot be criticized on the basis of any principle of social welfare. A maternalistic attitude towards feeble minded criminals can be defended only in the light of principles that involve the welfare of the feeble-minded alone, and by definition the feeble-minded can never understand such principles. It would be just as useful to formulate such principles for the protection of flies, mosquitoes, snakes and disease germs.

But the great and crowning glory in the practice of criminal law is the protection offered to the insane, and the methods made available for facilitating proof of insanity. If a criminal is insane, that is all the more reason for extinguishing him from society. He can never be of any service to the State or to himself.

Practically all the literature of the last fifty years in the fields of criminology and penology has fostered the development of this maternalistic fallacy. It is time to call attention to the fact that criminal data do not support the fallacy.

The writer has gathered data from mental examinations of ap-

(Just Turn the Page)

Finds Goats in Trees

Goats calmly pasturing in the tree-tops, and grapevines grown at the bottom of deep holes in the ground, were two of the strange sights seen during a botanical tour in Africa and Asia by Dr. David Fairchild, agricultural explorer of the U. S. Department of Agriculture, who has just returned to Washington. The "monkey-shining" goats he found in Morocco, not far from the scenes of Abd-el-Krim's recent war, and the entrenched vineyards, were on one of the Canary Islands, off the coast of Africa.

A considerable tract in southern Morocco, Dr. Fairchild explained, is dominated by forests of a tree genus not found anywhere else in the world, though it is related to the sapodilla tree from which chewing gum is obtained. The trees are of a gnarled and crabbed growth habit, and their tops are matted together. The ground under them is barren, so that the only pasturage for the natives' goat herds is to be found on their branches. The goats therefore have learned to climb up into the trees, where they have regular paths and runways among the branches. Here they thrive on the leaves and the yellow plum-like fruits.

During a part of his explorations in Morocco, Dr. Fairchild was permitted to go botanizing only under armed guard, though he states that he never saw or heard the least sign of hostility from the natives, and believes that he was safer in the supposedly hostile territory than he is from being run over by a truck in the streets of Washington.

The entrenched vineyards he found growing in exceedingly arid volcanic soil on one of the Canary Islands, where no rain whatever had fallen in two years. There is constant cloudiness, however, and every night heavy dews are deposited. The people who live in this black and forbidding waste find that they can grow excellent grapes by sheltering the vines in pits six feet deep. They also grow crops of corn with stalks only two feet high, reminding one somewhat of the corn of the Navajos and other tribes of our own Southwest.

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Wax can now be made synthetically.

Cellulose acetate is employed on airplane wings to make them transparent, waterproof, and non-inflammable.

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Punishment to Fit Crime

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proximately 7,000 criminals in ten of the largest penitentiaries and reformatories in the United States. From such data the following are among the significant facts discovered:

Intelligence is just as serious a problem for criminology as is feeble-mindedness. According to the same mental test given American soldiers, the criminal group seems superior to the white draft group. Not only is this true of a general comparison, but it is true if we make the comparison in separate units according to the states from which the draft quotas and criminal groups were drawn. Repeaters seem more intelligent than first offenders, in so far as differences exist.

The criminal is much less literate than was the American Army. However, the migratory criminals are much more literate than are home-grown ones.

The criminal group is relatively youthful. But the fraud group, which is the most intelligent group, is the oldest. The force group is composed of extremely young men. Statutory crimes are committed chiefly by young men, while crimes of physical violence are committed chiefly by older men. Sex crimes are chiefly committed by mature men.

Recidivists are not older than are first offenders. In some type-groups the recidivists are even younger than are the first offenders. But, on the whole, the difference between the recidivist and the first offender is a difference that can scarcely be expressed in terms of time.

In prison we find more intelligent accountants, musicians, mechanics, machinists, tailors, barbers, cooks, engineers, and telegraphers than could be found in the Army—speaking in terms of percentage.

The criminal is religious, the vast majority belonging to some established denomination. The religious denominations vary widely in intelligence, the Hebrews and the agnostics seeming to be more intelligent than are the Catholics and the Protestants. But the agnostics rank very low in literacy. The Presbyterians and the Episcopalians are much more literate than are the Hebrews.

There is no indication at all that intelligence is injured by length of incarceration.

The idea of treating offenders more leniently has gained wider favor as the number of crimes and criminals has increased, at least here in America. Meanwhile, practical and effective methods for removing criminals from our midst are well known and at hand. They are:

1. The abolition of the jury system.
2. Uniform punishment for the insane, the feeble-minded, and the young.
3. The abolition of the system of release on bond.
4. The abolition of the indeterminate sentence.
5. The abolition of the parole system.
6. The application of the deterministic philosophy to the behavior of the State as well as to the behavior of the criminal.
7. The third penitentiary conviction to carry an automatic death penalty.

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No planet lacking air, water, and a reasonable degree of heat could support life.

In the warmer sections of California, the number of bats is said to be equal to the number of insect-eating birds.

The nesting place of the rare surf bird has been located in Mt. McKinley National Park, in Alaska, by two California scientists.

Smoke from domestic fires sends five times as much soot into the air in England as fires in industrial plants, says a British scientist.

Men of the late Stone and Bronze Ages spent so much time in a squatting position that their leg bones became flattened in a typical manner.

Death Valley, California, 270 feet below sea level, can look off to snow-capped Mt. Whitney, 80 miles away, with an altitude of 14,500 feet.

A motorless glider with two passengers recently stayed in the air nine hours, 21 minutes, in East Prussia, nearly doubling the former record.

The history of 40,000 individual corn plants has been recorded at Ohio State University, in an attempt to perfect a corn that will resist the corn borer.

A cave in the Pyrenees Mountains was visited for 200 years before the remarkable paintings made on the walls by prehistoric cave dwellers were found.