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Anarchy 9

A JOURNAL OF ANARCHIST IDEAS

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Contents of No. 9**November 1961**

Are we in favour of penal reform?	C.W.	257
The captive society	John Ellerby	263
Therapeutic communities	Ward Jackson	270
Refresher course in jail	Dave Dellinger	279
Far from therapeutic	Pat Arrowsmith	284
Observations on ANARCHY 7	Joe Benjamin, Doris Allen	286
Cover by	Gew	

Other issues of ANARCHY:

- No. 1. Alex Comfort on *Sex-and-Violence*, Nicolas Walter on *the New Wave*, and articles on education, opportunity, and Galbraith.
- No. 2. *A symposium on Workers' Control.*
- No. 3. *What does anarchism mean today?, and articles on Africa, the 'Long Revolution' and exceptional children.*
- No. 4. George Molnar on *conflicting strains in anarchism*, Colin Ward on *the breakdown of institutions.*
- No. 5. *A symposium on the Spanish Revolution of 1936.*
- No. 6. *Anarchy and Cinema: articles on Vigo, Buñuel and Flaherty. Two experimental film-makers discuss their work.*
- No. 7. *A symposium on Adventure Playgrounds.*
- No. 8. *Anarchists and Fabians*, Kenneth Maddock on *action anthropology*, Reg Wright on *erosion inside capitalism*, Nicolas Walter on *Orwell.*

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The two attitudes, that of control of crime by the hostile procedure of the law, and that of control through comprehension of social and psychological conditions, cannot be combined. To understand is to forgive, and the social procedure seems to deny the very responsibility which the law affirms, and, on the other hand, the pursuit by criminal justice inevitably awakens the hostile attitude in the offender and renders the attitude of mutual comprehension practically impossible.

—G. H. MEAD: *The Psychology of Punitive Justice.***Are we in favour of penal reform?**

THE BIGGEST SERVICE THAT GOVERNMENTS have done for the cause of penal reform has been in imprisoning war resisters, for its effect has often been to give them a lifelong concern with prison and prisoners; almost all the ameliorations of the prison system in this country in the last forty years can be traced in one way or another to their influence. The imprisonment of conscientious objectors in the first World War led to the formation of an unofficial committee, the Prison System Enquiry Committee, which produced in 1922 an immensely influential report, the 700-page volume *English Prisons Today*, edited by Stephen Hobhouse and Fenner Brockway. This "bible for the reformers" as Margery Fry called it; was compiled largely from questionnaires completed by 290 ex-prisoners, mostly conscientious objectors, and by fifty officials (which resulted in the Prison Commissioners forbidding any further disclosures by public servants). Direct results of this enquiry (beside the ending of several of the indignities of prison life like the broad arrows and convict crop which still constitute the cartoonist's view of prison) included the increase of 'association' and abandonment to a large extent of the 'silence rule'. Brockway himself followed this work with his book *A New Way With Crime* (1928), with its concluding question, "When shall we begin to treat mental and moral ill-health as we treat physical ill-health?"

The partial reforms of the 1920's however, seemed to dampen the militancy of the Howard League (just as the famous report of the Gladstone Committee in the 1890's had been accompanied by a complacent spirit in its predecessor the Howard Association), and in the second World War, several of the imprisoned objectors of the first war feeling that the Howard League was insufficiently active and critical,

started a new and short-lived ginger group, the Prison Medical Reform Council. The League itself circulated a questionnaire in 1945 to 100 ex-prisoners, mostly conscientious objectors, whose replies were later edited by Mark Benney as *Gaol Delivery* (1948).

But the most radical and deeply impressive prison testimonies by war-resisters of the second World War came from America, both of them published under anarchist-pacifist auspices. They are Lowell Naeve's *A Field of Broken Stones* (Libertarian Press 1950, reprinted 1960 by Alan Swallow, Denver), and *Prison Etiquette: The convicts compendium of useful information*, edited by Holley Cantine and Dachine Rainer (Retort Press 1950, not yet reprinted, unfortunately). The editors of this book emphasise that "one thing we are *not* trying to accomplish is prison reform" and go on to declare that

We realise that a book of this sort should be primarily concerned with techniques for escaping, but unfortunately, such techniques are not easy to come by, for obvious reasons. We have had to content ourselves with the poor second best of relating methods by which one's stay in prison can be alleviated as much as possible, giving as wide a choice of alternative methods as possible.

Nor does their book seek in any way to exploit for public sympathy the 'idealistic' motives of conscientious objectors. Indeed, one of their contributors, Jack Hewelike, remarks

I have come to strong disagreement with many of the tactics used by C.O.'s in prison, to impress the public . . . and even now feel that the basic issue is individual evasion of service to the state and not what the public considers 'conscientious'. The most genuine protests were those directed against imprisonment itself (and the whole coercive apparatus of which prisons are a part). My own observation convinces me that these protests are constantly being made by inconspicuous prisoners branded as 'criminals' who have no civil liberty groups or clergymen to publicise their feelings, and who, accordingly, bring upon themselves the full measure of psychological and sometimes physical sadism which the State has devised to serve its ends. Inadequate and irresponsible as such protests may be, in contrast to the C.O.'s planned actions, carefully toned down so as not to offend certain sections of public opinion, they do reflect a craving for some kind of freedom which, in many cases, is not even expressed in positive terms. The capitalisation of 'honesty', 'sincerity' etc., has tended to alienate me from the majority of C.O.'s.

The tone here is not that of the righteous man 'unjustly' sent to prison, but of identification with all those who lie in jail, and it recalls the words of another American, Eugene Victor Debs, addressing the judge who sentenced him to ten years imprisonment in 1918 on a charge of obstructing the war effort: "Years ago I recognised my kinship with all living beings, and I made up my mind that I was not one whit better than the meanest on earth. I said then, and I say now, that while there is a lower class I am in it; while there is a criminal element, I am of it; while there is a soul in prison, I am not free."

The emergence in the last few years of new campaigns of protest against war preparations and of civil disobedience has brought a new wave of experience and concern with the prison system, as supporters of the Direct Action Committee, and its successor the Committee of

100, have been given time and opportunity at the expense of the government to reflect on the possibilities and limits of penal reform. Laurens Otter, while at Eastchurch during his six month sentence following the second demonstration at the Atomic Weapons Research Establishment at Foulness last year, was actually asked to give a paper on prison reform. This, he remarks, for a person who believes that prisons are essentially evil and not capable of reformation, was a little difficult. "It however made me start by asking the jackpot question—what, given the aim of maintaining existing society, is the point of prisons? How far can one make prisons sane, without thereby making people sane enough to wish to overthrow existing society?" Later in his pamphlet *Prison—From the Inside* (Socialist Current, 1d.) he pulls himself up, after declaring that prison should be, as far as possible, a self-governing community:

But steady, you're going too far—self-governing community, constructive work: if you really mean this then you mean something that doesn't exist in our society—and you can't produce it in prison without causing people to want it outside. Perhaps one must revert to the old saying that in order to change the criminal one must have one's prison reform not in prison but outside.

* * *

Ask an anarchist what should be done about prisons, and you will get the answer "Pull them down". Ask a criminologist, and, more frequently than you might expect, you will get the same reply. But we live in a social climate in which although everyone seems to be fascinated by crime provided that it is of the more spectacular variety, few people are interested in the criminal, except to advocate physical violence on him. Three-quarters of the population of this country are said to favour the retention of capital punishment, and (according to the *Daily Mail's* National Opinion Poll) 83% of the British public—including of course the Lord Chief Justice, favour the re-introduction of flogging and birching. The clamour on this topic at the annual conferences of the Conservative Party has become rather a joke among sophisticated people, and this year's performance was very subdued, though if you heard the BBC's report of the conference on October 12th, you heard a delegate declaring "They should be sterilised", while another voice interjected, "Flog them first", in a nice little psychodrama of the fantasies of pain and mutilation which accompany the urge to punish.

In such a society, where Parliament is more "progressive" than public opinion and the judiciary, and where the Prison Commissioners are more progressive than Parliament (and that's not saying much), the question of whether or not we favour penal reform is an academic one. Just as we have always supported the various campaigns against the death penalty, so we are bound to support those measures which seek to keep society's deviants out of jail and to alleviate the rigours of imprisonment, not because we think they will "solve the problem of crime", but simply because we are humane people, and anyway it might

be our turn next. In practice this means supporting—though with reservations—the Howard League, the product of the amalgamation of existing bodies at the time of the Prison System Enquiry Committee in 1921. The League is an influential private pressure group or lobby, as well-informed about prison conditions as the officials of the Home Office with whom it negotiates. Gordon Rose, in his recent book *The Struggle for Penal Reform* (1961), which is as interesting as a study of the operation of pressure groups as for its detailed history, points very clearly to one of the would-be reformer's many dilemmas:

There is always a latent section of opinion amongst its supporters which feels that it is flabby, unenterprising and much too friendly with the authorities. 'Hit them hard and go on hitting them,' is a doctrine which recommends itself to the enthusiast who is disgusted with the state of the prisons or horrified by the continued existence of corporal or capital punishment. Thus, there is always a threat of splintering at the extremes, or at least of loss of membership. This is particularly true if progress in any sphere is slow or non-existent. The split in the women's suffrage movement is an obvious example of this. And indeed, well-timed and well-organised militancy may undoubtedly be effective . . .

The gently plodding reforming society is not organised for this, and may well be unable to seize the opportunity as it should. Thus, it may suffer by comparison with the activities of the militants. The best militant campaigns, however, do not last long—and the reforming society is likely to emerge shaken but still alive and kicking . . .

Nevertheless, there remains a conflict between the need to fight and the need to remain friends with the enemy. The only effective way of doing this is to convince one's opponent that it is really all for his own good. The Chairman of the Prison Commissioners has described the Howard League as H.M. Opposition to the Prison Commission, and this is largely true because he and his colleagues want it to be true.

This is a role singularly unattractive to anarchists, who would be quick to point out, as Bernard Shaw did, that "our prison system is a horrible accidental growth and not a deliberate human invention, and that its worst features have been produced with the intention, not of making it worse, but of making it better." Not that this was the fault of John Howard or Elizabeth Fry; "their followers were fools: that is all". This view may seem capricious or antiquated in view of the actual character of the reforms promoted in this century by the Howard League (and by its allies on the Prison Commission like Alexander Patterson, who declined the chairmanship in order to remain as he put it, a missionary) in the face of public and parliamentary indifference or hostility, as well as that of the prison service itself. But you have only to look at them through the eyes of a convicted man to see how superficial they are. See for instance Frank Norman's *Bang to Rights*, or William Kuenning's "Letter to a Penologist" in *Prison Etiquette*:

The prisoner in the modern liberal and scientific institution has most of the same frustrations as the man in the old-style prison or modern county jail—but with this added disadvantage: he is now managed 'scientifically' from some remote control board to which he does not have access. No prisoner has any confidence that the immense amount of data which is collected on him will be used for his benefit. Most prisoners know that the subtle pressures constantly put upon them have nothing to do with

their welfare but much to do with 'prison security'—and with the job security of the penologist. The prisoner's need to live and the system's attempt to live for him (and off him) can never be reconciled.

Consider one penal reform measure which has been mooted ever since Beccaria: the indeterminate sentence. Since one of the alleged purposes of imprisonment is to train the transgressor into becoming a 'useful citizen', it is obvious that the short sentence is useless and that the time it takes to 'reform' him may bear no relationship to the sentence imposed by the court. Therefore the prisoner should be detained for an indefinite period, long or short, until he is 'fit' to be released. This policy is already followed in this country, within the limits of maximum sentences, in committals to Borstal and in the last stage of preventative detention. It exists in reverse in the remission system where sentences may be shortened conditional upon good behaviour—forfeiture of remission being among the punishments imposed by the governor or by the "secret trials" of the visiting committee. But the cruelty of the idea of the indeterminate sentence, impeccable though its logic is from the point of view of the reformer, surely makes it repugnant from a human standpoint.

Or consider some of the implications in the concept that crime is a symptom of mental disease. We all subscribe to this view simply because we all have our private definition of crime. But there exists also the public definition of crime—any action forbidden by the law. When Colin Smart, one of the Direct Action Committee prisoners, reflecting on his prison experiences, recommends "making psychiatric treatment the basis of any sentence", he forgets that he too is a 'criminal'. An American friend of ours was incarcerated in a federal

We have overcrowded prisons not particularly because more men are being received into them but because the sentences imposed have become more severe. The Courts already have the power to imprison men for 14 years because they continue to commit crime. And they have the power to repeat the dose if the first—as it so frequently happens—effects no cure.

The Chief Constable should know that many men who are now serving from five to fourteen years' preventative detention have never been involved in violence nor committed crimes of any seriousness but have been 'piñ away' because of their nuisance value to society—like the man recently who, two months after completing his second term of preventative detention (eight years), in a state of loneliness and uselessness stole from a motor-car, and telephoned the police so that they should arrest him. With no lawyer or friend to help him in court, he was sentenced to a third term of imprisonment—12 years' preventative detention.

What more does the Chief Constable want?

—MERFYN TURNER in a letter to *The Guardian* 8/3/61

penitentiary during the war for his opposition to it. The war-resisters started a hunger strike against racial segregation in the mess-hall. They were taken off to the psychiatric ward and harangued by the psychiatrist about their dubious motivation. "Sure," our friend replied, "sure I want to rape my grandmother. Now about this segregation issue . . ."

One of the dangers implicit in the concept of crime as disease is that in sweeping away the concept of criminal responsibility, we sweep away such protection as the courts provide for the accused. Margery Fry saw this years ago, when juvenile courts were first being instituted. "I think," she said, "there is a kind of feeling that a child's matters are small matters, and can be met by kindness and goodwill, and there is a certain danger of not giving the child his rights if you do not maintain these laws" (the rules of evidence). And Clarence Ray Jeffrey, in his concluding essay on the historical development of criminology in Hermann Mannheim's *Pioneers of Criminology* refers to the wholehearted acceptance of the crime-equals-disease formula by some American criminologists who propose such reform measures as the elimination of prisons, punishment, the jury system, the concept of free will, and other aspects of the legal system, and for the replacement of judges, juries and prisons by scientists and mental hospitals. Jeffrey comments:

The reform argument assumes that reform is necessary and that we have the knowledge necessary to reform the criminal. This argument assumes we know the cause of crime and therefore the cure. It overworks the analogy between crime and disease. It overlooks the fact that crime is a product of society. In his book "Must You Conform?" the late Robert Linder argues that when we classify homosexuality as a disease and not a crime we are not really helping the homosexual but are in fact creating new oppressive measures to use against him. It is control disguised as reform and treatment. The same thing can be said for regarding behaviour of other types as a disease rather than a crime. If crime is the product of society, do we reform the individual or must we reform the society?

* * *

Beware of the man with simple solutions. 'Crime' and 'the criminal' are legal, not scientific or logical classifications. We are all criminals and we have all committed crimes. You cannot eliminate crime in human society because, as Durkheim argued, crime is a social necessity and a society exempt from it is utterly impossible. Moreover, as the psycho-analytical school maintains, society needs its criminals to act out and serve as scapegoats for its own anxieties and deviant fantasies. This is why it is, unhappily, useless to point out to the floggers, as Mr. Gordon Wilkins does in his article in the *Criminal Law Review* (Oct. 1960) that we are *not* in the middle of a crime wave, that "there has been no significant increase in crimes of violence over the past half century, having regard to the considerable increase in population", or that 0.9 per cent. of people found guilty in the courts are found guilty of violence against the person. People don't listen when you say these things, because they are not what they *need* to hear. This is why Clarence Jeffrey notes that "the use of punishment

by society is not as important in terms of whether or not it reforms the individual as in terms of what it does for society. Punishment creates social solidarity and reinforces the social norms."

Having said all this, one thing remains true: the fact that in the prison itself (as Donald West, of the Cambridge Institute of Criminology puts it),

the majority of recidivist offenders in prison have some degree of personality deviation. A few of these are abnormally aggressive and liable to hit out impulsively at anyone who gets in their way, but the greater proportion are what psychiatrists call 'inadequate', feckless types . . .

He thinks that a more precise elucidation of these personality deviations and of the factors that produce them and the ways in which they may be managed or improved, is the most substantial contribution we can make at the moment to criminological research. It is also the most useful thing that can be done to help these people.

Whatever it is, it is unlikely to be done in prison, especially since they are unlikely to be incarcerated in either of the only two British prisons which retain the full-time services of a psychiatrist, and are still less likely to find their way to one of those establishments which are the pride and joy of the reformers. By far the most impressive attempts to help them keep out of trouble have been those of Dr. Maxwell Jones and his colleagues at the Henderson Social Rehabilitation Unit, and of Mr. Merfyn Turner at Norman House.

Even in this sense, it is outside the prison that we must look for the only radical reforms.

The Captive Society

JOHN ELLERBY

EVERY SOCIAL ORGANISATION OF ANY SIZE has a "formal" and an "informal" structure of social relationships. The more self-contained and authoritarian an institution, the more distinct are the two structures. In terms of Kurt Lewin's topological psychology a prison is defined as "a polar type of authoritarian system that is governed by a bureaucratic hierarchy and entrusted with power over the total life space of the individuals under its jurisdiction". Since it is an extreme type, we may expect to see in it the most extreme differentiation between the formal and informal structures.

The formal structure of prison is like that of a military organisation, with a remote headquarters in the form of the Prison Commissioners, a commanding officer—the Governor, non-commissioned officers—the Prison Officers, and men—the prisoners. Most prison governors have, in fact, been retired army officers, and most prison officers, ex-N.C.O.s,

and the parallel with military life extends throughout the organisation of prisons: the use of numbers for identification, kit inspections, and an independent system of summary jurisdiction, while the officers themselves salute and parade for inspection. Major Grew, the former governor of Wormwood Scrubs, ran the place, as Mr. Peter Wildeblood observed, "as a kind of caricature of the military life." This, however, is the structure of the custodians. Among the inmates, who outnumber them, there are only two types who fit in the formal structure, firstly the "redband" or leader who is, so to speak an "acting unpaid lance-corporal" in the formal system, and secondly the fully institutionalised "model" prisoner who is completely adapted to the regime and withdrawn from social contact with his fellows.

The informal structure is an extreme form of the type of informal social organisation which you can find in schools or factories. "Whenever men are held captive" writes D. L. Howard, in *The English Prisons*, "a strong social network with distinct lines of dominance and subordination, its own code of behaviour and its own ties of loyalty, grows up among them, quite distinct and apart from any organisational structure which prison authorities may attempt to impose from above. The true life of a prison . . . exists almost independently of official rules and decisions; all but the vaguest indications of its character are hidden from the governor and his staff. Even the most skilful and sympathetic of prison officials is far out on the edge of this society and unable to make any permanent impact upon it." For this reason the most revealing accounts of the informal social structure of prisons are those by ex-prisoners, and until recently there have been few attempts by people independent of both captors and captives to describe it.

Gresham Sykes in *The Society of Captives* (1958) made a close study of the interactions of custodians and inmates at Trenton, a maximum security prison in New Jersey. In discussing the responses of the prisoners to the regime to which they are submitted he finds one which he categorises as "cohesive" and another which he calls "alienative". The first is action of a collectivist nature, in the interests of the whole inmate community, and the second is individualistic action in the interests of a single prisoner or a small group. John McLeish of Leeds University describes another American book, *Theoretical Studies in Social Organisation of the Prison*, edited by George H. Grosser (Social Science Research Council, New York 1960), in the *Prison Service Journal* for January, 1961. This study demonstrates, he says, "that the inmates and custodians, in practice, share a common interest in maintaining the prison as a unit which operates as a going concern." (This common interest is in the adaptation of both parties to the *status quo* of the informal system). Even in the most humane of prison institutions, he notes,

The inmate lives under conditions of deprivation. He loses the liberty of disposing of his own time, his living space is severely restricted, he is deprived of certain goods which are taken for granted in the society outside,

he is denied heterosexual relations. In addition, his social isolation is perceived by the prisoner as an attack on his self-image and his sense of personal worth, an attack which is more threatening to him than even physical brutality or maltreatment would be. He is denied the privilege of being *trusted*, there is an implicit attack on his masculinity, he is forced into association with unbalanced and potentially violent persons so that his safety is endangered, he has lost his power of self-determination.

In defence against these deprivations and the social rejection which gives rise to them, a code of conduct arises, binding on all inmates and determining their relations with each other and with their captors, which

restores the self respect and sense of independence of the society of captives at the same time providing them with a purposeful way of life which cushions them from the deprivations and frustrations of prison life. The code (Never rat on a con! Don't lose your head! Don't exploit inmates! Don't weaken! Don't be a sucker! and so on) gives a new frame of reference to the prisoner so that his condemnation by the free society becomes almost irrelevant. Loyalty to his fellows, generosity to those suffering more than he is, disparagement of official society, results in an uneasy compromise between the actual condition of the prisoner and his continuing attempts to maintain the favourable image he retains of himself.

Another article in the same journal, "It's the Prisoners who run this Prison", by Terence Morris, Pauline Morris and Barbara Biely of the London School of Economics, also discusses inmate leadership in the informal system. They make the same distinction as Sykes between the "cohesive" and "alienative" responses to imprisonment, and distinguish two ideal types of leader corresponding to them, the *Robin Hood* and the *Robber Baron*. Both are "troublemakers" to the prison authorities, but the "trouble" they make varies considerably. The Robin Hood

is considered by the mass of the prison population to be a major asset in the task of minimising the pains of imprisonment. This leader is a strong-willed man, wise in prison ways, committed to the inmate code of minimal co-operation with the staff but careful never to provoke or bring down trouble upon himself or his associates. He is benevolent, sympathetic, and has many of the marks of a genuine altruist . . .

Superiority of brain, and the ability to call upon brawn when necessary, gave Smith an unusual amount of power. It was based, however, upon *loyalty* rather than fear, his good and generous deeds making many men his permanent moral debtors.

The Robber Baron, on the other hand

is a very different sort of man, recognised by prisoners as an exploiter, a man whom they would rather do without. In many cases he is actually a tobacco baron or a bookmaker but no less frequently he is no more than an extortionate bully who demands protection payments or feudal services from those inmates unfortunate enough to come under his influence . . . The Robber Baron then is not a leader who can make moral claims upon his followers, but relies upon coercion and fear.

Social control in the captive society is usually maintained by external constraint rather than by internal consensus, but, the authors observe, "as in most human communities, the ultimate equilibrium of the system will depend upon a balance of the forces contending for power, and power in inmate society is based sometimes upon consensus, sometimes

upon external constraint, and frequently upon a combination of the two. The physical, social, and psychological deprivations of imprisonment undoubtedly stimulate among most prisoners behaviour which is designed to minimise them; at the same time the prison contains men with strong drives towards controlling other men and in doing so satisfying many of their inner psychological needs."

The authors of this paper note that "It is a simple truth that in the face of *complete* and *massive* refusal to comply with his orders the prison official is powerless' and that the reason why this seldom happens even in the most repressive prisons is "partly that inmate society is too heterogeneous to be capable of such unified action, but most importantly because numerous inmates have a conscious investment in tranquility." Those who have not, the real contenders for power in the prison (whom the authors mistakenly call the truly *anarchic* elements) play a role which

is essentially alienative in that their behaviour is ego-centric and inconsistent. Sooner or later their demands are resisted by others of their own kind and conflict ensues. It is perhaps because they are so often seekers after power *for its own sake* that they constitute such a danger in the prison community.

Here the formal structure asserts itself in a tightening up of the prison's coercive power, but the effect of this is like unselective pest-killer, in that it eliminates not only the pest, but also those coercive forces which would themselves restrain it. The conclusion which they draw from this from the point of view of penal policy is that the administrator's first task is

to distinguish between different types of leader in the prison and to recognise that not a few of them are doing some of the work for him . . . The second task . . . is to buttress the cohesive elements of the inmate society and at the same time attempt a systematic erosion of the power of the alienative elements. The achievement of the latter objective tends to be made simpler by adequate classification and if necessary by segregation.

But they have already noted the equivocal nature of 'legitimated' inmate leadership at the point where the formal and informal social structures meet:

In most prisons throughout the world the authoritarian character of the prison regime is diluted by the delegation of some staff functions to inmates. It is not, strictly speaking, a delegation of formal authority, for whatever task such an inmate performs, and whatever privileges are attached to the job, his status remains that of a captive. For the prison official the 'leader', 'redband' or 'stroke' is a valued asset. He is assigned to a position of trust and responsibility in the task of running the prison. In the eyes of his fellow prisoners however, he is often a 'grass' or 'screw's man' and the subject of diffuse sanctions of disapproval.

For even though he may use his relative freedom to lessen the deprivations of others as well as his own, he is suspect "because he has violated one of the ideal premises of the Prisoners' Code, namely that no self-respecting 'con' should do the work of a screw . . . There is little doubt that he tends to identify with authority (and this alienates him from the bulk of inmate society). The redband's solution to this

problem is frequently to act a double life, to leak information to the staff, but at the same time to leak information in the reverse direction." This key position in the *communications network*, is, as the authors of the *Theoretical Studies* also note, a major path to power in both the social systems, since information is one of the goods in short supply as far as both inmates *and* custodians are concerned.

Dr. and Mrs. Morris and Miss Biely in their paper conclude that with the ending of those 19th century rigours which have no place in the ethos of the *treatment* institution, the 'businessmen' of the inmate structure will no longer have a function to perform in the supply of illicit goods and services, but could play constructive roles on inmate councils, noting that

Unless there can be real sharing of power and authority, and the lowest ranks of the discipline staff can feel secure that such sharing neither diminishes their own authority nor renders them likely to be unsupported by their superiors at critical moments—unless these conditions are fulfilled, inmate councils and committees will be as meaningless as Parliamentary democracy under the Czars.

To the question of what useful purpose such a development would serve, they reply:

One answer would be that just as men cannot be trained for freedom in conditions of captivity, so men cannot be trained to accept social responsibility in conditions which, at their most extreme, reduce them to a state of near infantile dependency. The task here is to mobilise the social capacities of men who are seldom wholly anti-social in such a way that the words: 'It's the prisoners who run this prison' are an expression, not of resentment on the part of a prison official who feels that things have got out of hand, but of achievement, that men who have hitherto failed to adjust to life in a socially acceptable manner have moved significantly towards responsibility and maturity.

In their conclusion they are more optimistic than the authors of the *Theoretical Studies*, who, noting the remarkable similarity of the inmate systems found in one institution after another, conclude that the prison setting generates a typical pattern of reaction on the part of the inmates. Mr. McLeish notes that "The phenomena we have been dealing with arise in answer to *needs* which are common to all prisoners" and for this reason:

They conclude that the custodians in progressive types of prisons are confronted by an insoluble dilemma—that they are forced to set inmate goals which can rarely if ever be realised. This pessimistic conclusion, which is developed in detail, should make this study required reading for all prison officers who see their function primarily in terms of rehabilitation of the offender.

The present writer has tried in vain to get hold of a copy of the *Theoretical Papers*, but we can see why their authors have reached this conclusion. Most prisoners have to steer a course, as Terence Morris puts it, between the Prison Rules and the Prisoners' Rules. The prison code is the most binding, and from the point of view of both the individual and the group, the most necessary. The code, which is the same code that is operative among the children in a school

or the workers in a factory is essentially the means of defence of those who have no power against those who have. Its violators—the sneak in school, the gaffer's man in the factory, the 'grass' in prison, are regarded as contemptible, and it is difficult to conceive in the abstract any moral code in which they would not be. When "self-government" is introduced, on paper, in a school, or "works councils" in a factory, they become, in the absence of any genuine devolution of power, simply a means of harmlessly airing grievances, complaints about the canteen cutlery or the shortage of toilet paper. As the Morris-Biely paper itself says:

The leaders' meeting, as observed in one training prison, was essentially a 'grumbling session' and although this may have had some merit as a safety valve, there was little evidence to suggest that these were necessarily even the grumbles of the non-leaders. In fact there were unmistakable signs that the group constituted a socially isolated elite of the prison, remote from the real foci of power in the inmate social system.

The would-be penal reformer is in fact faced by a whole series of dilemmas. Firstly that prisons are schools of crime, an observation which has been made many times in the last two centuries and is as true today as it ever was. To quote the standard English criminological textbook:

A formidable criminal record is the passport to respect. Crime and its techniques are the main topics of conversation. Criminal contacts are made in the highly specialised group which the beginner in crime could never have found for himself. The young prisoner with no confirmed criminal tendencies will be isolated with these corrupting influences throughout his sentence, and will be fortunate to remain unscathed.

Secondly that efforts to avoid this kind of contamination by improved methods of classification and segregation, simply avoid the issue because as Hugh Klare remarks in his *Anatomy of Prison*, "by putting the best personalities amongst prisoners into special institutions, we may be winning victories which are too easy while leaving ourselves with an almost impossible task with all the rest".

Thirdly because the prison situation is "a conflict situation", and the inmate system in opposition to the custodians is a psychological necessity for the prisoner unless he is to become either a completely institutionalised vegetable or a lick-spittle of authority. The staff "reserve their favours for the prisoner who causes least trouble, even though he is apt usually to be either a confirmed old lag who knows the ropes or just a hypocrite" (Howard Jones: *Crime and the Penal System*). The members of inmate councils are likely to be atypical prisoners like middle-class financiers, murderers, motorists and homosexuals, far from the centre of the inmate system.

Finally because genuine self-government is inconceivable at the bottom of a formal structure like the prison system which is a rigid hierarchy of authority. For the governor and the 'superior staff' are imprisoned by the minutely-detailed *Statutory Rules* of the Prison Commissioners, while even the 'subordinate grades' of their own staff

they are "remote figures, to be saluted on sight, for whom frank, open discussion of prison problems is a rare occurrence", according to Mr. D. L. Howard, who notes in *The English Prisons* that "The recently introduced Staff Consultative Committee have by no means solved this problem. They are held but once a quarter, officers are merely represented on them, and so great a consciousness of rank is displayed that relaxed, open discussion of treatment problems is virtually impossible."

The most complete and lifelong prisoners of the formal structure of the prison are those members of the staff who are in closest contact with the prisoners themselves. Their own insecurity and resentment is voiced every year in the much-reported meetings of the Prison Officers' Association. Mr. Howard notes of their position:

It is almost as difficult for a junior prison officer to work against the climate of opinion on the staff he has joined, as it is for the inmate to stand out against the embraces of the subculture I have described earlier. Unlike the governor, he is not only the focus of resentment from below; he is also dependent upon approval from officers ranked above him in the same institution. Moreover, he usually lives in or near the prison, in official quarters, with other prison officers, their wives and their families as his most frequent social contacts when not on duty. If he appears to be less severe towards prisoners and to take a more sympathetic interest in them than the majority of his colleagues, social difficulties in private life may be added to the unpopularity he has experienced at work.

Those who conceive a transformation of the prison into a genuinely therapeutic or educational institution have thus the task of conceiving a quite different social structure—one which reconciles the conflicting formal and informal structures by liberating both from their authoritarian characteristics. But as Bernard Shaw said years ago:

The main difficulty in applying this concept of individual freedom to the criminal arises from the fact that the concept itself is as yet unformed. We do not apply it to children, at home or at school, nor to employees, nor to persons of any class or age who are in the power of other persons. Like Queen Victoria, we conceive Man as being either in authority or subject to authority, each person doing only what he is expressly permitted to do, or what the example of the rest of his class encourages him to consider as tacitly permitted.

For the social structure of the prison, whether we consider its formal or its informal system, is simply a reflection of the social structure of "normal" society.

Therapeutic communities

WARD JACKSON

OF THE MANY ANARCHIST THINKERS who have concerned themselves with the question of prisons and penal institutions (both because of their own prison experiences and because of the basic anarchist criticisms of the concept of law, law enforcement and legal sanctions), the most persuasive was Peter Kropotkin, whose lecture "Prisons and their Moral Influence on Prisoners", delivered to a working-class audience in Paris in December, 1877, and later adapted in his book on Russian and French prisons, anticipated much modern thought on the subject. In modern criminological jargon, Kropotkin would be placed in the "multiple factor school" of theorists of criminal causation, seeing three main categories of causes for anti-social acts, which he called physical, psychological, and social. He believes that "this great social phenomenon which we still call *crime* is what our children will call a *social disease*, but this does not mean that he equates crime with insanity:

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 leads 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. . . .

He goes on to speak of the disappearance of the "composite family" which has died out in the course of history, and to envisage "a new family, based on community of aspirations" which will take its place, a family in which people, he thinks will "lean on one another for moral support on every occasion. And this mutual prop will prevent a great

number of anti-social acts which we see today." But what about those 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?" He then describes the treatment of the insane by the peasants of Gheel (see ANARCHY 4, p. 103 for the passage), and declares that

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.

Many of Kropotkin's criticisms of the penal regime have a contemporary ring to them. He points out that 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", and that imprisonment simply adds to this weakness:

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.

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.

And when the prisoner is released "and once again engulfed by the current which once swept him to prison",

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'.

That these extraordinary apposite observations were made over eighty years ago only serves to remind us how very little experimental work has been done since then in making new approaches to delinquency. We think of the "Mutual Welfare Leagues" set up by Thomas Osborne, first as prisoner 'Tom Brown' at Auburn, and then as Warden of Sing Sing, and we reflect that he was driven out of his job, while the League became a mere grievance committee. The other experiments we think of, were all with children and adolescents—William R. George's pioneering if rather naively conceived Junior Republic, Homer Lane's splendid advance on George in the Little Commonwealth, and the experiments of David Wills. (Both the latter are to be discussed in a later issue of ANARCHY).

But what Kropotkin's whole approach brings to mind most forcibly are the experiments made in different directions in this country in the last twelve years which we associate with two men, Merfyn Turner and Maxwell Jones, the work with a 'family' of ex-prisoners at Norman House of Mr. Turner, and with a therapeutic community of 'psychopaths' at the Henderson Hospital of Dr. Maxwell Jones.

* * *

Merfyn Turner is one of those people who are always pioneering on the fringe of "social work", neither a "do-gooder" nor an observer with a self-conscious cult of detachment. He began his working life as a teacher and during the war was imprisoned in Swansea as a conscientious objector. It was this experience which led him to become a prison visitor. Working in a mental hospital with a group of disturbed children, he met George, who had known neither love nor security: "He knew more about foster homes and institutions. By the age of 11 it looked as though he had sworn to scorn all signs of affection to protect himself from his own feelings . . . He rejected people and was untouched by their approval or their disapproval." Time and again afterwards he was to meet older Georges, people who brought trouble and unhappiness to themselves and others, and frequently got convicted for criminal behaviour of many varieties. Their common factor was "inadequacy, with crime as a link in a personal-social-economic chain of factors over which the men had but limited control."

After the war Turner was concerned with the enquiry made by an informal group into the problems of "unclubbable" boys—not the happy individualists, but the solitary, the misfit, the rejected and the aggressive, and in the study of delinquent gangs. He contributed with John Spencer the study of gangs in Peter Kuenstler's *Spontaneous Youth Groups* (Univ. of London Press, 1955) noting that a policy of simple repression of the anti-social gang cannot hope to succeed because it rests on a false diagnosis: "Society can only use and help the gang by building on such cohesion and spontaneity as already exists", just as Terence Morris, in the same publication observed how "By segregating the 'unclubbables', one may only succeed in emphasising the difference between them and the rest of the neighbourhood." From this concern grew the Barge Boys Club. Turner became the Warden of the barge *Normanhurst*, moored at Wapping, and later wrote an absorbing account of this experiment, *Ship Without Sails* (Univ. of London Press, 1953), revealing how "the group held within itself the means of its own salvation".

In the following year, the London Parochial Charities, the body which had paid for the barge, agreed to finance another experiment, the purchase of a house in which homeless ex-prisoners could live as a family "in equality and acceptance" with the Warden and staff. As a visitor, in a prison with no first offenders, Turner learned that "men who had been to prison before did not settle easily to their imprisonment as was popularly supposed. Prison had milestones. It had a

beginning, and an ending. There was nothing in between. For the homeless in particular the prospect of release caused anxiety". He realized too, the "crippling handicap of social isolation".

The grotesque inadequacies of prison after-care have had such a lot of attention in the last few years that there is no need to emphasise them here (see the Pakenham-Thompson Committee's report *Problems of the Ex-Prisoner* (N.C.S.S. 1961), and Pauline Morris's pamphlet *Prison After-Care: charity or public responsibility?* (Fabian Society, 1960). In Merfyn Turner's view, the Aid Societies have only themselves to blame if they have harvested a reputation for ineffectuality, and a tradition of scorn and ridicule among prisoners, since it is the result of the social and economic gulf between their numbers and the prisoners, and the way in which they continued to regard the prisoner as a self-directing person brought to shame by his chosen wickedness. But the homeless prisoner needs to be *accepted*. He needs, says Turner, "to live in a group which supports him with his weakness and his inadequacy, and which supports him while he is learning to live the life he wants". Instead he is sent, or gravitates, to a lodging house, "an artificial and abnormal congregation of the community's misfits". Turner stayed for some time in one of the London common lodging houses (see his report *Forgotten Men*, published by the N.C.S.S. in 1960) and came away convinced that they make the homeless discharged prisoner's return to prison more certain.

Norman House, in Highbury, was opened in January, 1955. Having been a prison visitor for many years, Turner had been able to gain concessions from the rigid rules which restrict the visitor's opportunities, and visit men outside his allocated list as well as sitting in on the Discharging Committee. This enabled him to establish a relationship with the "No Fixed Abode" men that he thought he could help. At the beginning he began to enumerate the categories of offenders that

About 80 per cent. of recidivist prisoners in England are categorised as 'inadequate': introverted, neurotic, friendless. Their crimes are usually trivial, including vagrancy, begging, 'being a suspicious person', indecent exposure, loitering with intent, etc. The average value of property stolen by this group is less than two pounds a time. But the prison sentences they are serving go up to ten years.

It is obvious that a prison sentence will not help a man who is 'inadequate' to be a success outside. It will not help the man who is in for indecent exposure to adjust to normal sexual relations; it will not find the man who is a lonely failure a job, or a wife. All he can learn in prison is how to commit other (perhaps more serious) crimes.

JOHN SYLVESTER in *The Spectator* 13/10/61

he thought this particular scheme would not benefit, because they needed more specialised help. The list grew longer the more he thought about it, and in the event he accepted every type of prisoner.

He has now written a book about his five years as warden of Norman House, *Safe Lodging* (Hutchinson 25s.), five years in which nearly two hundred men lived for long or short periods at the house. Only one returned to prison while still living there. Only a reading of the book with its appalling case-histories, though Turner is the last man to see his family as "cases" will give you an idea of what an achievement this was, or how exhausting. His own conclusion on his experiment is that

By making the emotional climate right, the need for criminal activity is eliminated. I feel with three-quarters of our prison population crime is not a calculated first choice but the last link in a chain of events, representing the inadequacy and instability of offenders. What we give them here at Norman House is not some special subtle technique but sheer, continuous love. Some, we know, relapse when they leave here. But we think we have been able to demonstrate that while these men are under our roof, criminal behaviour simply ceases. Perhaps in these days when there is so much discussion and so little experiment, this may prove to be a positive and practical contribution to the prevention of crime.

Merfyn Turner, who writes with a sardonic astringency, emphasises the difficulty in finding suitable staff and non-offenders to live in the community. "Some of our Management Committee maintained that there were advantages in taking non-offenders who had their problems. But the Committee were not required to live with them." One non-offender who turned up was a young woman barrister Shirley Davis. They married, and their child too played a part in the work: "For many of our men, the chance to give had been denied them because there was nobody to receive. Now there was an opportunity to give, and to participate in the child's pleasure of receiving." Thus, in the case of one man,

If anyone at the House could claim to have saved Artie, it was the one who knew least about human behaviour, for between Artie and our son, who was then three years old, there developed a relationship which seemed to reflect an intuitive response to each other's needs.

Finally, let me quote one of Turner's most thought-provoking conclusions on the nature of crime and the criminal:

Crime is always news. It evokes various emotional responses. Crimes of violence, and certain offences against the person, inflicting as they sometimes do, grievous injury on innocent members of society, create a response that stamps the criminal as the enemy of all that is good, and clean, and civilized. He cannot possibly be anybody's neighbour.

Yet it was some of these 'enemies of society' that helped to keep alive for us our belief in the goodness of all men, and in the power of love to influence behaviour in a positive and lasting manner. They helped also to strengthen our conviction that our approach to the problem of the homeless offender was the approach that offered most hope of success. It had to be realistic to the degree of accepting the unhappy truth that the criminal who committed straightforward offences against property might cause less injury to society by being allowed to continue along his criminal path than

by being 'reformed', if reformation only means, as it frequently does in the field of After-Care, that the offender has been prevailed upon, directly or indirectly, to abandon crime. His crime may be a symptom of his complete emotional detachment, and his defence against people and the injury they might do him. He may abandon it because he has become emotionally involved. The end then may be worse than the beginning, and crimes of violence against people and property may be added to a criminal record that previously showed only simple housebreaking offences.

* * *

Experiments of a different kind with therapeutic communities grew up during the last war as a by-product of military psychiatry—the morally indefensible attempt to use psychiatric medicine as a means of turning 'sick' men into soldiers. Dr. W. R. Bion developed the 'leaderless group project' at a military psychiatric hospital at Northfield, Birmingham, where group discussion was used to enable the group, as Bion put it, to study "its own internal tensions with a view to laying bare the influence of neurotic behaviour in producing frustration, waste of effort, and unhappiness in a group". The experiment was ended under external pressure. Similar methods were then used in "Civil Resettlement Units" which sought to provide a residential setting in which returned prisoners of war could adjust themselves to ordinary life. (It is interesting to reflect how the problems of prisoners and the structure of prison life can be much more easily comprehended if you can persuade people to put aside their burden of moral condemnation and anxiety and think of all prisoners as war prisoners, whose problems are recognised and whose internal solidarity is applauded). Taking advantage of the favourable official climate of those years, Dr. Maxwell Jones, a psychiatrist, developed a therapeutic community at the Mill Hill Emergency Hospital, and then an Ex-prisoner-of-war unit at Dartford. Then in April 1947 he started the "Industrial Neurosis Unit" at Belmont Hospital, Sutton (described in his book *Social Psychiatry* published by Tavistock Publications in 1952, and in America as *The Therapeutic Community*, 1954). This grew into the Henderson Hospital, a 100-bed "social rehabilitation unit", in a drab building—once a workhouse—within the Belmont Hospital complex.

This building, which belongs, as John P. Conrad writes, "to the dreary history of institutional psychiatry" houses

one of the most hopeful enterprises in the history of the mental health movement, due to the genius, persistence and charm of Dr. Maxwell Jones, who insists on being called 'Max' by staff and patients. . . . Why is the social rehabilitation unit important? To answer this question, we must know something about the twilight field of mental disorder to which psychiatrists uncomfortably refer as 'psychopathy', 'character disorder', 'sociopathy' or 'behaviour disturbance'. In short, something is wrong with the mind and spirit of the habitual thief, the sex offender, the brawler, and the social misfit. Because the cure eluded him, the 19th century psychiatrist consigned these people to a category labelled 'psychopathy' and declared them untreatable.

Like Merfyn Turner, Maxwell Jones did not believe that nothing be done. The hundred patients, half of them referred to the hospital by the magistrates' courts, and half by psychiatric clinics, live in groups of twenty-five, each with its own staff. They work in the unit's workshops and every weekday morning they meet, together with the staff, as a community to discuss the daily problems of running the place.

The Henderson hospital does not "cure" its patients, or at least it does not claim to, but it does claim to help them to hold on to a job, to cope with ordinary life and keep out of trouble. Some patients leave early, after a week or a fortnight, but those who stay—from eight months to a year—are usually helped by the experience. (So are the staff; by the breaking down which the group method implies, of the usual rigid hierarchy of hospital administration). The latest extension to its work is the opening of a family wing where some patients can live with their wives and families.

Again, after-care is the biggest problem. A club of ex-patients in the London area meets weekly in London with members of the Henderson staff, and another group of ex-patients have organised a mutual aid body. A story was told last year of a member who, after getting into minor difficulties at work, disappeared.

His fellows traced his whereabouts, got in touch with his employers and persuaded them to keep the job open, and paid for the fugitive's return ticket. Here indeed seems to be 'a change in social attitudes'.

John Conrad believes that ultimately from this experiment reliable ways of helping the persistent psychopathic offender will emerge:

But the lesson can only be learned in this free situation, where scientific knowledge and research join forces to attack a persistent misery. There is tremendous hope in psychiatric treatment of the psychopath as practised at Henderson Hospital. There is no hope in a medically operated prison where the repressive technique of traditional psychiatry keep the lid on social pressures until they explode.

* * *

When, over forty years ago, Homer Lane ran the 'Little Commonwealth' he used to be saddened by those visitors who attributed his success to his exceptional personality and not to his methods. In thinking about two remarkable experiments we may be very conscious of our lack of that inner freedom and fearlessness which enables people to embark on experiments for which most people predict failure, and then to undertake the continuous hard work that makes them successful. Yet Merfyn Turner is unwilling to take personal credit for his work at Norman House ("I suppose I'm a bit of a misfit myself" he says). The continuance of his work and the establishment of other Norman Houses with the support of the fund set up to commemorate the work of the late Margery Fry, is a tribute to the method as well as the man. And the adoption in other countries of the methods of the Henderson Hos-

pital as well as the continuance of the original unit, show that the same is true of Maxwell Jones's work there. When he left it was thought that its success was due to his particular genius and that the work would flounder without him. But it didn't happen.

Let us remember therefore that the tragedy, as Lord Lytton put it, of Homer Lane's life was that people said "What a marvellous man, he is inimitable", when they should have said, "What admirable principles, let us adopt them."

I have not treated any patients while in prison or living in a regimented institution, and I have misgivings about doing so. It is difficult to serve two masters: either you are on the side of the prisoner and then you are likely to get into difficulties with the prison authorities sooner or later, or you are on the side of the latter and then cannot win the trust of the inmates who are always likely to suspect the prison psychiatrist of being a spy. Also, if we treat a patient in the restricted, and in its way, sheltered situation of prison we have no means of judging how he will adapt himself when he comes out and is faced with the manifold difficulties of liberty, family life, or lack of it, the task of finding and holding a job and the innumerable hurts and disappointments he is sure to encounter.

It is particularly important to treat patients immediately after their discharge from prison. An important factor in recidivism is the fact that when the criminal comes out of prison he is not psychologically in a fit state to settle down or to take a job or to cope with his innumerable (family and other) problems. . . .

In the treatment of criminals, more than with any other patients, I have been impressed with the tremendous difference even a little help may make to a man's future life. There is a world of difference between a man who is still neurotic and unstable, and yet able to support himself and lead a fairly normal life, and one who is compelled to commit crimes that make him spend the rest of his life in and out of prison. The difference is more marked from the point of view of society, which is either hurt by the criminal when free or has to maintain him while in prison.

—MELLITA SCHMIDEBERG: "The Analytic Treatment of Major Criminals"

A criminologist's testament

But the men and women, who dedicated themselves to the asocial persons, had two opponents: the asocial persons themselves and society. They succeeded in transforming the asocial, but they did not succeed in transforming the attitude of society. It is painful to hear of all the persecutions to which these true philanthropists were subjected and to read of all the difficulties which were put in their way. . . .

Society opposed the innovators with determined resistance . . . Society did not wish to abandon the principle of an eye for an eye; it did not wish to be deprived of its long observed relations to the criminal and it did not wish to have the 'contrary ones' taken from it. When I wrote a small article upon the 'Effect of Non-Violence and Self Government in Prison and in Institutions for Neglected Children', a Swiss friend, who had great experience in education and methods of upbringing, wrote to me: "but what a pity it is that there are so few personalities capable of bringing the miracle to pass." But why are these people not to be found? Why do we not have these important educators? Because we do not want them. And why do we have our asocial persons? Because we want them, in just the same way as the neurotic person wishes to hold on to his illness from which he suffers, and from which he cannot allow himself to be freed. The reader, who has learnt of the results produced by non-violence and self-government and of the resistance accorded to those who advocated them, will find it easier to understand why criminal psychology begins for me not with the criminal, but with the society which inflicts the punishment. These people, who did not have to give anything whatsoever to the prisoners, were in fact capable of hindering others in their work of assistance.

In effect there is today an unequivocal answer to the question, what can be substituted for aggression in criminal law: non-violence and self-government as a means of education. . . .

Forel, the great Swiss scholar and philanthropist, answered the question concerning the future of criminal law, plainly and simply: "in my opinion the future of criminal law lies in its abrogation, that is, in the removal of all right to punish."

That also is our answer.

—PAUL REIWALD: "Society and its Criminals" (1949)

Refresher course in jail

DAVE DELLINGER

I GENERALLY GET A LAUGH when I mention that I went from Yale to jail and that I got a more vital education from three years in jail than from six years at Yale. The laugh always makes me a little uneasy (even apart from the feebleness of the play on words) because I am afraid it implies that far from being dead serious I am merely indulging in a humorous exaggeration, since one wouldn't really expect to learn more in prison than in a university. A little reflection should convince most persons that one can learn more about the nature of our society (for example) by sharing in a small way the life of its victims than by interacting intellectually with its privileged academicians. Be that as it may, I spent ten days in jail recently and had my complacency jolted once again (non-conformists can be more complacent than we realise) and my imagination quickened by this little refresher course in the realities that lie behind the facade of our society.

I have never forgotten my first experience of arrest and imprisonment many years ago: how inexorably the transitions took place from being treated as "saints ahead of our time" (a comment by a member of the grand jury that indicted eight of us for our refusal, as pacifists, to register for the draft), to misguided and stubborn idealists (the attitude of the judge) to criminals with "no rights of any kind" who had better wise up if we wanted to stay in one piece (as we were told by a guard five minutes after being ushered out of the polite and superficially civil libertarian atmosphere of the courtroom into the prison world into which no visitors are admitted and from which no uncensored letters are released). If the details varied slightly this time, the pattern was similar: only when we were safely out of sight of judge and spectators were the realities of the prison system revealed to us.

Most convicts would rather serve time in an old-fashioned jail or pen than in a liberal "correctional" institution. The basic prerequisite for a decent life—freedom—is lacking in either case, but in the "reformed" institutions the prisoner finds that he is subjected, in addition, to a kind of manipulative and psychological assault that the old-fashioned warden and keepers had no interest in. I remember a

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Christmas at Danbury (Connecticut) "Federal Correctional Institution" when the Christmas party consisted of an exhibition of dancing and singing by the warden's young children and their classmates. When the performance was over, the warden mounted the platform and made a speech in which he kept reminding the prisoners that if they hadn't broken the law they could have been with their wives and children on Christmas Eve, as he was. Perhaps only those who have been deprived for a lengthy period of the company of wives, children, and loved ones can appreciate how cruel this little sermon was and how it embittered rather than enlightened the men. Never did I receive a half-hour visit (we were allowed a total of one hour of visits a month) without having my parents or fiancée subjected to a prior interview with the warden or a social-service worker in which they were treated to a lengthy analysis of my various character defects. Wives were often told, on the basis of "scientific" case-studies, that they should divorce their husbands, or stop visiting them, because they were "no good". Censorship of reading material, "to help rehabilitate the convict", were so extreme that at one time only one New York newspaper (the *New York Times*, which appealed to the warden but not to many of the inmates) was allowed to circulate and copies of it were distributed only after every news story that dealt with crime had been cut out. When a friend sent me a copy of *The World's Great Letters*, the censorship department passed it on to me only after having deleted a letter by Benjamin Franklin which was considered "salacious". Did they really think that the inmates would have learned more about the perverse glories of crime from the *New York Times* than from their fellow inmates with whom they were joined in the common, embittering experience of living in an "extreme totalitarian society" and with whom they united in a thousand imaginative ways of "beating the system" (everything from stealing food and manufacturing a powerful prison brew to smuggling tobacco, at great personal risk, to men in the "hole"). Did they think that sexual abuse and insensitivity were more apt to result from reading a letter by Ben Franklin than from being locked up for years without contact with loved ones? If anyone had interrupted one of the jail house bull sessions on sex to read out loud the offending passages from Franklin he would have been hooted down for boring the audience.

* * *

My recent arrest grew out of a "vigil" outside the Central Intelligence Agency headquarters in Washington, D.C., where ten of us picketed, handed out leaflets, and began a two-week fast (taking only water) in protest against the invasion of Cuba. The Washington (D.C.) jail was an uneasy compromise between the old-fashioned jail, in which confinement and the prevention of escape are almost the only concerns, and the modern paternalistic institution, which tries, unrealistically, to combine confinement with rehabilitation. In the main, it succeeded in combining, in slightly modified form, the shortcomings of both types

of institution and the virtues of neither. On the one hand, we were subject to classification interviews with social-service workers whose sheltered, conformist lives had so limited their ability to grasp the realities of the system that it is hard to imagine their ever understanding a criminal or establishing any significant human contact with him—even if they had any interest in considering him as anything but a "case". (In the first information-gathering my name was somehow transcribed as David Dillings and a series of interviewers insisted that I must sign my name in this fashion if I did not want to go to the "hole". I suppose that in some future court appearance I shall be accused of having used an alias). On the other hand, the daily routine was such as to encourage utter boredom, and physical and mental deterioration. We were awakened at 4.30 a.m. and spent the entire day sitting in the overcrowded chapel, without reading material, work, exercise, or diversion of any kind. The windows were even frosted to prevent looking outside. The only breaks were the three daily meals and the periodic "counts". In our case, we were continuing to fast, so benefited from the mealtimes only by having a brief respite from living in a dense crowd. There were 160 beds in my dormitory, arranged in double-deckers so close together that if anyone lying in his bed (we were only allowed on the bed between 9.30 at night and 4.30 the next morning) stretched his arms out, he would touch the beds on both sides. I am told that the prisoners are allowed to go to the stockade for two hours on Sundays, but since it rained we watched television instead. As beautiful women and expensive status symbols were flashed on the screen, I looked at the men around me and thought that the crime of many of them was to have been hypnotised by the lures of our society and to have sought to attain them by methods which were outside the law (the ground rules of capitalist society) but not necessarily more anti-social than the accepted legal ones. In varying degrees they lacked the education, the contacts, the pigmentation, the patience, the inherited capital or the hypocrisy to attain their goals by accepted methods of living off the labour of others—collecting rents, profits, dividends, interest or the excessive salaries of the professional and managerial classes; buying or hiring cheap and selling dear; excelling in the attractive packaging or psychologically effective advertising of an inferior product, etc. The man who pockets a cool million by speculating in slum-clearing, housing or installing inadequate air-conditioning in fancy apartment houses becomes a public hero by setting up a scholarship fund or contributing to charity, but the man beside me, his eyes glued to the TV screen had "lost all his rights" because he had stolen some jewellery.

The best prison community is no more than an extreme totalitarian society, and the most it can produce is a good convict who is quite different from a good citizen . . . Reformation of convicts must be attained chiefly outside any penal institution.

—*Encyclopædia Britannica*, article on "Prison".

The question is, does a person ever lose his rights as a human being? Both kinds of prison operate on the assumption that he does. As I entered the D.C. jail I was greeted with the words, so familiar to me from previous experiences: "You have no rights." (In liberal institutions the advances of modern penology are summed up in the alternative byword: "You have no rights, only privileges.") A "good convict" is one who acquiesces in this defamation of character until he finally explodes in resentful violence or becomes a shadow of a man who is made a trusty or is considered safe to release on parole. I have seen men put in the "hole" for "silent insolence", because the system cannot function without breaking the spirit of its victims, and the light of independence in a man's eyes is more frightening to the authorities than occasional violations of administrative regulations.

As pacifists we revealed at least a few signs of inter-directedness and this caused immediate tensions with the authorities. But we also tried to go out of our way to be sensitive to their human qualities, and the more contact we had with individual guards the more willing they were to overlook our minor transgressions, in apparent (if somewhat bewildered) appreciation for being treated, for a change, as fellow human beings. They were more used to opportunistic subservience, without personal respect, than to foolhardy resistance combined with respect. Traditionally tough guards who had gotten to know us pretended not to notice our idiosyncratic violations of prison routine, but whenever we entered a strange part of the prison and encountered new guards we were in danger. On one occasion, when we had been escorted to a new area and were waiting to see what would happen (prisoners are seldom told where they are going or why), two of us were excoriated for looking out of a partially open window. When I asked, as gently as I could, what harm there was in looking at the grass, the guard became nervous and felt the need to assert his authority. He ordered me to take off some paper buttonholes with which we managed to keep our shirts from being constantly unbuttoned because of the oversized buttonholes. His manner was so arbitrary (and the practice of wearing the buttonholes so well established) that I felt it necessary to explain that I was chilly, that the shirt would not stay buttoned otherwise, and then, in response to his shouted "You are in prison now; shut up and do as I say," that even prisoners had the right to be treated civilly.

When I got to the "hole", the modern prison's equivalent of the mediaeval dungeon, I found that the approximately 5 ft. by 6 ft. damp strip cell, part of which was taken up by a toilet which could only be flushed from the outside, was already occupied by two other prisoners. There was not room for all of us to lie down at one time, but we managed by having two of us put our feet and legs up the wall while the third put his on the toilet. One of the prisoners was upbraiding the other for being a damn fool. "It don't make no difference that you're innocent," he said, "They don't want you to plead not guilty.

You would've got off with thirty days. Now you'll get six months." "I know," said the other, "but it was a matter of principle with me."

The seasoned, guilty man had been in the "hole" a week, for having a fight. The principled "damn fool" had been taken to the barber shop earlier that day, in anticipation of his appearance in court the following morning. He had an attractive pompadour hair style and he balked when told that he would have to have it cut another way. "Just don't give me no haircut at all, he said, "'cause when I appear in court I wants to be mine own self." For this act of self-assertion he had been thrown into the "hole". It wouldn't have been right under any circumstances, but I couldn't help thinking that here was a man who apparently was innocent, and who, in any case, was supposed to be presumed innocent until proven guilty. Because he could not afford bail, however, he had already lost all his rights.

When I walked out of jail after my ten days were up, I couldn't tell whether I felt more elated at having my "freedom" or depressed at the thought of those whom I had left inside. I know, from previous experience, that I shall never forget some of them and that I shall never meet any finer persons out of jail than some of the friends I made inside. But I also know how easy it is to get caught up in other routines, and how hard it is to convince people that the only way to reform jails is to abolish them. For jails are necessary for the preservation of a semblance of "law and order" in a society where there are rich and poor, over-privileged and under-privileged.

Man is a social creature. He is born into a community, and his life is continuously conditioned by it. It shapes his personality, and his judgments, his decisions, his desires, and ambitions reflect its influence upon him. His life is generally judged in terms of his place within it. But isolate him from it, make him an outcast, and he will bind himself to those who are likewise outcasts. Prisoners have their own community, and though prison officers may spend as much time with the prisoners as the prisoners do with each other, yet the officer does not belong to the prison community. A modern prison may organise countless educational classes for the offenders, and still the demand persists. But the men attend less from the desire to improve their learning than from the desire to be together. The prisoner may object to solitary confinement because it commits him to hours of inactivity. 'There's nothing to do except think.' But the real reason lies in the removal of man from his fellow men, for he belongs by nature to society, and he 'lives' only when he is within society.

—MERFYN LLOYD TURNER: "Ship Without Sails" (1953)

Far from therapeutic . . .

PAT ARROWSMITH

HOLLOWAY IS A BLEND of the archaic and the modern; of toughness and mildness. Within its pseudo-medieval walls are stone-cold punishment cells and psycho-therapists' offices. A group of first offenders may be busy on an emotional-stability test while simultaneously, in another part of the building, some recalcitrant prisoner is being led away for a spell of bread and water in solitary confinement. The day's work is a dreary routine of enforced scrubbing, coal-shovelling, laundering, or sewing, with no more incentive attached to the job than an automatically earned shilling or two a week. Yet many of the prisoners are encouraged to spend their evening "association" period having classes and discussion groups, or rehearsing revues and pantomimes to be performed in front of their fellow-prisoners. Films are shown once a month; and a Sunday seldom passes without some group of outside musicians coming in to entertain the prisoners in the chapel.

Few of the prison officers seemed to be "dragons". The majority were quite pleasant young women who might well have been nurses. They were evidently expected to try to be moderately friendly towards the prisoners rather than provoke their hostility. Lying in our drab, brick-walled, dimly lit cells at night, it came as quite a shock at first to hear a bright kindly voice calling through the peephole: "Are you alright? Good-night." Occasionally the voice even added "dear". Archaic though Holloway is, the buildings are centrally heated, except for the punishment cells, in which women might be confined for days on end. But the heating is tepid. We ranked as "civil prisoners", and as such could wear our own clothes and keep tolerably warm. In 1959, with precisely the same charge, we were, for some reason, classified as ordinary convicted prisoners and so wore prison dress. We found out what it is like to be in Holloway in mid-winter

PAT ARROWSMITH, field organiser for the Committee of 100, is at present serving a 3-month sentence in Gateside Prison, Greenock, for her part in the anti-Polaris demonstration at Holy Loch. This article is extracted from an account of her experiences in Holloway Prison following the Direct Action Committee's demonstrations at missile and nuclear warfare bases in 1959 and 1960.

in a cotton frock and threadbare cardigan. Outdoors, on the daily hour's exercise, prisoners have nothing warmer to wear than a short cape. On the very coldest days, even when not raining, we were not allowed out, presumably because the officers realised how inadequate our clothing was. The food did not seem as bad as the clothing. It was reminiscent of board-school meals in wartime. The sugar ration was microscopic, the milk intake negligible, and the sliced bread super-abundant. However, there were plenty of cooked vegetables, fruit occasionally, buns, fish and chips, and a reasonable supply of somewhat dubious-looking "beef".

When we were in Holloway the first time we were put on the First Offenders' Wing, which was run on quite imaginative lines. We slept in bedrooms instead of cells; and sitting on a cretonne-covered sofa in the common-room among cliques of gossiping women it was hard to believe we were in Holloway and not some Y.W.C.A. hostel. This time we were in the main prison block on the Remand Wing. Although nearly all the women on this wing were unsentenced, in many ways they had a worse time than anyone else in Holloway. They were locked up in their cells for the night at 4 p.m., whereas the rest of us were out till seven. On Christmas Day they emerged for only about an hour; and they were debarred from nearly all the prison entertainments. It seems an anomaly of British law that people regarded as innocent should not only be held in prison, but in addition should have a worse time than the sentenced prisoners. Among the assortment of remands, debtors, and drunks on this wing were several foreign girls who were waiting to be deported. They had not necessarily committed any offence other than failing to notify the authorities of a change of address; yet there they were, obliged in some cases to spend two or three weeks locked up in one of the dreariest parts of Holloway. They too, were locked in their cells at 4 p.m. and not allowed out to go to most of the prison entertainments.

Holloway reminded me in some ways of the old-fashioned mental hospital where I once worked. There was the same rigid, custodial atmosphere; the same humiliatingly shapeless clothes; the same clanking of keys and endless locking and unlocking of doors. Like mental patients, we were expected to cut up our food with a blunt tin blade—except at dinner-time, when, for some obscure reason, we were trusted not to commit suicide and supplied with knives. The officers themselves, however, compared favourably with the mental nurses I worked with. They treated those in their charge in a friendlier, more humane way.

But Holloway is still very far from being a therapeutic institution. The atmosphere is repressive, and it did not seem to us that any of the women we got to know were likely to "mend their ways" as a result of their spell "inside". The maladjusted girl of 16, with a history of emotional deprivation—foster homes, approved school, borstal—who was dragged to a punishment cell just before Christmas

and hammered on the door for hours on end, could surely only be the worse for her experiences in prison. All too little psycho-therapy and intensive case work is possible among some three hundred social misfits catered for by only two or three welfare workers, one psychiatric social worker, one psychologist, and one part-time psychiatrist. We had disheartening conversations with teenage ex-borstal girls who were taking Holloway in their stride, and seemed quite reconciled to their fate. Prison sentences were certainly not going to cure or deter them.

Observations on Anarchy 7

Adventure Playground.

ADVENTURE PLAYGROUNDS MAY OR MAY NOT be a parable of anarchy, but to understand them properly it is necessary first to define the term, and then to examine it objectively in the light of practice as well as theory. Adventure, like freedom, is elusive, and experience in this country over something like twelve years shows that we have by no means reached agreement on its definition. It is possible to visit playgrounds where every constructive activity is banned, where creative activities are organised by adults, and where every piece of equipment is rigidly fixed in the manner deplored by contributors to ANARCHY 7.

C.W's brief survey of the movement is truly excellent. Its weakness, perhaps (and one which arises only out of a necessary brevity) lies in the fact that it does not look deeply enough at those playgrounds which made the greatest impact—and not at all on those which, for one reason or another, were regarded as failures. I do not pretend to understand anarchistic philosophy—I do understand the pressures experienced by groups attempting to establish adventure playgrounds. Such pressures, experienced by practically all groups, resulted from (1) lack of funds, (2) untrained and inexperienced leadership, (3) weak community liaison and appreciation, and (4) a general lack of knowledge relative to (a) organisation and administration, and (b) clearly defined aims and objectives. But more than anything else, recent research shows there is an urgent need for a central co-ordinating body which

JOE BENJAMIN was the project leader of the Grimsby Adventure Playground. His report on the movement as a whole is shortly to be published by the National Council of Social Service, under the title *In Search of Adventure*.

will help the newly active citizen to avoid making the same disheartening mistakes today that were made when the first playground was started more than twelve years ago. Children get disheartened only temporarily, and return to a problem with new ideas and greater experience. This is not always the case with adults.

London, S.E.13.

JOE BENJAMIN.

Where Can They Play?

I should like to amplify some of the points made in your Playground issue (ANARCHY 7) by reference to the Housing Centre's study *Two to Five in High Flats*, which you mention in passing. It is assumed by architects and housing committees that in the growing number of "high" (i.e. more than five storeys) blocks of flats which are the result of the increasing pressure on urban land, families without children will occupy the upper, and those with young children the lower flats, and that play facilities for children under five will be provided within sight or earshot of their homes. But the pamphlet (which reports the findings of an enquiry into the play activities of children under school age now living in high flats, carried out by Mrs. Joan Maizels, together with an interim report by Peter Townsend and students of the LSE, on questions of play and safety, from a survey with wider terms of reference), shows that this assumption is far from correct, and that in spite of all sorts of official recommendations on the provision of play facilities, "official practice has lamentably failed to keep pace with precept".

Nearly three quarters of the mothers interviewed had some difficulty with their children's play, and wanted better playing facilities for their children more than any other possible improvements in the amenities on their estate, suggesting such facilities as nursery schools or classes (the Ministry of Education has put an absolute ban on new ones), or supervised play groups. The report points out that young children in high flats have a serious lack of opportunities to mix with other children, to play with earth and water, and for physical exercise. Perhaps the most serious deprivation is the limitation on easy mixing and playing with other children, "for only through play with others may the young child learn about co-operative social relationships. Mothers who expressed concern were sensitive to the fact that their young children are not, so far, provided with adequate opportunities for this process of discovery that adults call play."

Graphic illustration of this point comes from an article by Miss Joan Pearse who is supervisor of the nursery play-groups run by the Save the Children Fund on LCC housing estates. (*The World's Children*, Vol. 38, No. 3). She gives this description of the effect on children of opening play groups in the tenants' club rooms on ten LCC estates:

Many of the children who attend these groups spend their first few visits in just letting off steam. It has been quite amazing to notice the change in the children—a change which seems hardly possible in such a short period as a week. One group comes very vividly to mind. When it

opened, the active, eager children had no idea of any co-operative play. Supervision of the slide was a nightmare. Children were pulled backwards off the step by their hair—other children scrambled up the side and pushed the more timid child away—faces were scratched and shins kicked. The rider of a tricycle or scooter was dragged off, bricks were hurled at any other child approaching, and sand scattered about in wild abandon. But in a month—or sixteen hours of nursery time—the sense of fairness—the taking of a turn or the helping of a smaller child became apparent. Even more interesting was the gradual realisation of the fun of co-operative play—the friendships that were formed and the unity of the whole group which so recently resembled a bear garden.

It is evident that the children suffer, severely, from inadequate socialisation, and the first reaction of the reader of the report, or of Miss Pearse's article is that "they"—the Ministry of Health, the Ministry of Education, or the Ministry of Housing, or their equivalents in the local authorities—should do something about it, since as Miss Pearse remarks, her organisation is only able to give "some temporary help to a few London children and their mothers." The second reaction however is to wonder why the people on the estate don't run their own nursery group. (The Save the Children Fund's method is to hold a meeting with the Tenants' Association which "usually agrees to be responsible for the provision of accommodation for the club, canteen facilities and a rota of voluntary helpers, while the organiser agrees on behalf of the Fund to provide trained help and the bulk of the equipment").

The answer given in *Two to Five in High Flats* is that "experience has shown that a purely voluntary rota for this purpose does not work well", and Mr. Macey, the Birmingham Housing Manager, at the RIBA symposium on "Family Life in High Density Housing" remarked that "Schemes for parents to co-operate together to supervise children using such amenities always seem to break down. Either it is not convenient to Mrs. Brown to carry out her voluntary turn of duty when it comes round, or she retires in a dudgeon because her child has been spoken to abruptly by a neighbour who is temporarily supervising the playground or play centre."

This in turn may lead us to reflect how far-reaching and life-long may be the "inadequate socialisation" which is the price we pay for making the Englishman's home his castle.

But to end on a more positive note, there has recently been formed a Nursery School Campaign, which is gaining support in several parts of the country, which has two aims: the first (which will probably not appeal to you), is to gather names for a petition to the Minister of Education, but the second is to encourage groups of mothers to start their own nursery schools wherever they can find suitable premises, employing trained teachers, especially those with their own small children who want only part-time jobs. The organiser is Mrs. B. Tutaev, of 4A Cavendish Mews South, London, W.1., who wants to hear from mothers and teachers who would like to create their own solutions to their problems.

London NW8

DORIS ALLEN.

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