THE CHARLOTTETOWN GUARDIAN

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"The Strongest Memory is Weaker Than the Weakest Ink."

TUESDAY, APRIL 18, 1944

Penal Reform

The declaration by Hon. Herbert Morrison, Home Secretary, in favor of a further advance in penal reform in Great Britain, is a reminder that this is one of the important problems to be taken up in Canada when peace comes.

The report of the commission headed by Mr. Justice Archambault in 1938 showed that Britain was far ahead of Canada in penal administration, in its efforts for the reinstatement of offenders and the prevention of crime. If Britain is going to make more improvements, as is urged by Mr. Morrison, then it is high time that Canada was stepping along.

Juvenile delinquency is one phase of the larger problem of crime and of penal administration with intelligent, constructive purposes. The keen interest now taken in Canada in juvenile delinquency, a situation important enough in itself, should stimulate public interest in the whole field of penal reform.

$100,000,000, A Week

Governor Graham Towers of the Bank of Canada has been telling how, in the coming year, playing our war part, Canada will spend roughly $100,000,000 per week. Accepting this estimate, and putting it another way, we shall be spending $15,000,000 a day, or about $1,000,000 each hour between dawn and dusk.

Looking back over our past, says the Ottawa Journal, Mr. Towers' figures seem fantastic. Yet all they mean is that all of us are working more and producing more, and getting rid of what we produce. Money is merely the measurement of it, the dollar value of our work. If it were possible for more of us to work harder and produce more we should be able to spend more.

That is why Canada's financial and economic position in the post-war must depend entirely upon whether all of us or most of us can go on working. If there be work for all, with the war level of production maintained, and with it the national income, our debt and interest charges and costs of government will matter little. They will be relative to our ability to pay. The catch in the thing, the core of the problem, is how, in peace, we can all manage to go on working. It will take a lot of home consumption, plus a lot of foreign markets, to equal the maw of war.

International Trade Problems

No more important problem faces the postwar world, says an exchange, than the restoration on an abundant scale of the flow of international trade, now dammed back and enormously diminished by a variety of barriers. It is peculiarly important for a country like Canada, whose climate conditions restrict her range of products and force her to be a trading nation. So it is all to the good that Governments of the United Nations and industrial and business organizations which are deeply involved in a successful solution of the problem are exploring its complicated facets and trying to work out practical policies.

Of the pronouncements made upon this subject, one of the most explicit and elaborate comes from the Federation of British Industries, which is the British equivalent of the Canadian Manufacturers' Association. It marks a distinct advance upon an earlier manifesto which was severely criticized by Britsh papers, like the London Economist, as being shortsighted and vague. These deficiencies, however, have been largely removed in the latest report of the International Trade Policy Committee of the federation.

As a start, it pronounces for maximum free play for individual incentive as a requisite for the future success of private enterprise, justification of which lies in its efficiency and contribution to the community's welfare. Postulating that world prosperity is made up of the individual prosperity of the nations of the world, it explains that the inability of Britain, the greatest of all purchasing markets, to maintain her prewar scale of imports would react seriously upon other nations, and argues that, having been transformed from a creditor into a debtor nation with income from foreign investments and services greatly curtailed, she will be unable to preserve this scale unless she can increase her visible exports by 40 per cent or 50 per cent of the prewar level.

The Bank of England

Recently it was announced, without any fanfare of trumpets, that a "general court of proprietors" of the Bank of England was meeting "to consider a dividend." The language referring to the stockholders' gathering, notes an exchange, was the same as that used on March 25, 1695, when the Bank's first half-yearly dividend was declared.

As it happens, this time the dividend was also the same—six per cent. The institution, known for generations as the Old Lady of Threadneedle Street, is one of long history and high tradition. Not without ample cause is there a phrase in the language, "as safe as the Bank of England."

During the 250 years of its existence, the Bank has successfully weathered many financial storms, including those raised by the hurricanes of war. It has long been regarded as the soundest and safest bank in the world. It has had its troubles of course. Once, in its early years, it had to suspend payment and the South Sea Bubble episode gave it some sleepless nights.

Brain-child of one William Paterson, the Bank received its charter in 1694 and was entrusted with the management of the national debt. It still acts as banker to the British government and in other ways undertakes various state duties. It also acts as banker for other banks.

The "proprietors" or stockholders now number about 17,000. Their names are not generally known and the Bank's reputation for proceeding about its business in a quiet and entirely unspectacular manner is enhanced by the "mystery man" legend built up around its governor, the enigmatic, bearded Mr. Montagu Norman, whose resignation was announced last week after nearly a quarter of a century of service.

The point, however, is that, after 250 years, some lean, some fat, the Bank is still doing great business, is still safe—and is still a private institution.

EDITORIAL NOTES

In a church burglary in Montreal last week, the burglar obtained and drank a bottle of rubbing oil, which was kept for medicinal purposes. No report of anyone being poisoned reached the police.

* * * *

The reward offered the Allies for the fall of Rome is the resignation of King Victor Emmanuel in favour of his son, Humbert, Prince of Piedmont. The day the Allies enter Rome, says his august Majesty, he will withdraw from public affairs in favour of his son.

* * * *

Is this where they are? An Axis transmitting station purporting to operate from Britain, said in a broadcast that "President Roosevelt left Washington for the Caribbean Sea, where he is to make last-minute plans with Prime Minister Churchill about operations in Europe during coming weeks." Reuters news agency recorded the broadcast. It was announced at the White House that the President was taking a fortnight's rest in the South. Location of his holiday place was not revealed.

* * * *

A contract calling for shipment of a minimum of 7,500 long tons of dried egg powder annually during 1944 and 1945 has been entered into between the Special Products Board and the British Ministry of Food. The contract also provides that at the option of the Ministry up to 18,000,000 dozen eggs of the 1945 shipments may be taken as shell eggs. The minimum contract quantity of dried egg powder is equivalent to 48,000,000 dozen shell eggs. Pre-war egg exports to Britain were about 1,000,000 dozen annually. Shipments of dried egg in 1943 were the equivalent of 34,000,000 dozen shell eggs.

* * * *

It has been decided by the organization committee of the Sherbrooke, Que., Honor Roll that the names of draftees will not appear on the tablet, which is to be erected at the intersection of King and Wellington streets. Following a lengthy discussion, members of the committee also voted that those who enlisted in the services under General Order 139 will not be listed on the Honor Roll. However, the names of those who volunteered for active service in the various services of the country, both men and women, will be inscribed on the Honor Roll in order, showing rank, service and unit, and those killed in action will be designated by a black cross.

* * * *

Ontario Agriculture Minister T. L. Kennedy announces that under an agreement made between the Ontario and Federal governments Ottawa in future will pay the hog bonus while the province remits its portion of the $2,000,000 total annually to Ottawa. The change is to simplify procedure for hog producers who up to now have had to make applications to both governments for the bonus. In future applications will go to Ottawa only. Ontario pays premiums of $1 on grade "A" and 50 cents on grade B1 hogs while Ottawa pays $3 on grade "A" and $2 on grade B1. A special staff of 25 at Queen's Park, Ont., which has been handling bonus applications will be relieved for other duties.

* * * *

George, First Baron Jeffreys, English lawyer and judge, died this date 1689; distinguished as a cross-examiner, was appointed Recorder of London in 1678; the Monmouth and Argyll rebellion took place in 1685, these two dukes having undertaken to invade England from Holland and Scotland respectively; the Royal forces met the English insurrectionists at Sedgemoor, defeating them; Judge Jeffreys was sent to Winchester to try the rebel leaders (including Monmouth) with the result he condemned 320 to death; this is known as the "Bloody Assize"; after the flight of James II, Jeffreys was arrested, and sent to the Tower of London where he died at the early age of forty-one; H.R.H. the Duke of Gloucester, is married to a direct descendant of Monmouth, who married the heiress of the Buccleuchs, and became Duke of Buccleuch in 1605.

* * * *

The supporters of prohibition are becoming busier and busier in the province of Quebec. Le Progres du Saguenay (Chicoutimi), has just published an article which gives a fairly good idea to what extent public opinion is divided on this question: "In Roberval, one of the most impressive scenes was witnessed when mothers of families took the Town Hall by assault to let it be known that they wished to continue living under the sign of prohibition. And the municipal council unanimously agreed to fall in with the wishes of the women and of the whole population. In Bagotville, petitions and counter-petitions were addressed to the council. All the associations supported the demands of those citizens who wished to continue the prohibition regime. The time arrived for the final decision, the aldermen paired off; three for three against. His Honor the Mayor gave his casting and decisive vote against the 'booze.' What is Chicoutimi going to do? and Saint-Joseph d'Alma? As for Dolbeau it is understood that the system of sales permits is continuing following a recent referendum." L'Action Catholique has always taken care to preach temperance and not prohibition. In practice nevertheless societies under the direct influence of the clergy have never stopped demanding prohibition in the referenda.

JUVENILE DELINQUENCY

An historical survey of the problem, and of legal measures to cope with it.

By W. E. Bentley, K.C.

CHAPTER III

During the reign of Henry VIII (1509 to 1547) a period of thirty-eight years, when the punishment for larceny or theft was hanging, an English chronicler of that time (Holinshed) declared: "Seven thousand great and petty thieves were put to death." Sir Thomas Moore referred to these persons as fugitives who were forced to thieve.

In Elizabeth's time (1558 to 1603) another historian (John Strype) records: "Rogues were trussed up apace, and there was not one year commonly wherein three or four hundred were not devoured and eaten by the gallows". In one year alone in one county alone (Somerset) 40 persons were executed, 35 robbers were branded in the hand, 37 were whipped, and 183 discharged as "incorrigible vagabonds." Yet in the opinion of this historian this large number of prisoners did not constitute **even a fifth of the actual criminals.**

Sir William Blackstone, in 1769, after stating that 60 offences were then punishable with death, declared: "So dreadful a list, instead of diminishing, **increases the number of offenders.**" Reasons are given by Blackstone for his statement. "The injured persons," he states, "through compassion, will often forbear to prosecute. Juries, through compassion, will forget their oaths, and either acquit the guilty or mitigate the nature of the offence; and judges, through compassion, will respite one half of the convicts, and recommend them to the royal merch."

Dr. Temple, Archbishop of Canterbury, in the first Clark Hall Lecture (see "The Ethics of Penal Action," 1934) stated the main source of efficacy to deter crime was not the **severity** of punishment but the **certainty** of punishment.

Admission today is general that severity of punishment as a crime deterrent has proved a failure.

Does Not Exist

As to the suggestion that certainty of punishment is the main source of efficacy in deterring crime, the record of experience shows no such certainty exists.

In the year 1938, there was published in England a report of the Departmental Committee on Detective Work and Procedure. The report contained a summary of the work and procedure of the detective forces in counties, cities and boroughs. It declares: "In the cases of simple larceny, which forms so high a proportion of crimes committed, the proportion of **undetected crimes** is subject to somewhat similar variations from force to force, and on the average is about **fifty per cent.**"

That is to say, about 50 per cent of thefts went unpunished because detective forces were unable to detect or discover who were the offenders.

Referring to the groups of offences which included burglary, housebreaking, shopbreaking, etc., the report states: "The average proportion of undected crime of this class in the forces as a whole is as high as 70 per cent and the average for both county forces and city and borough forces is a little over 60 per cent."

In the light of this report regarding crime conditions and detection of crime in England, the home of the famous Scotland Yard and Metropolitan Police, what about the "lesser breeds without the law' in other countries?

That punishment as a means of crime prevention is inadequate is receiving general acceptance. Major S. H. Foulkes, M.D. (London-Exeter), in a paper published in the Canadian Bar Review, in January, 1944, states: "Punishment in itself is of doubtful value. The mode of punishment is certainly irrational. There is general agreement that it does not serve its purpose, or at least not in the best way. Punishment has a double face. It is directed towards the criminal offender, but at the same time towards the non-criminal member of society, to threaten and deter him, and also to satisfy his demand for revenge . . . **the inadequacy of the functioning of the legal apparatus, the inefficiency of our modes of punishment, are common knowledge.**"

Experiments Which Discard Punishment

Turning then from the contemplation of so dismal a picture of the results of the application during many centuries of the Lex Talionis and of punishment in the effort to solve the problem of prevention of crime, let us inquire what other methods have been applied and with what result.

New experiments have been conducted in various prisons in the United States and elsewhere, of which the famous Sing Sing Prison in New York furnishes a conspicuous example. There, a system known as the Mutual Welfare League has been tried. It is an application of the principle of self-government among the convicts themselves. The system discards punishment and concentrates upon the objective of reformation.

Among juvenile delinquents a variety of experiments are being conducted. These include: Borstal institutions; Fellowship for Reconciliation; Little Commonwealths; Free self-governing organizations: George Junior Republics; Village Colonies; Juvenile Colonies; Training Colonies; Boys' Towns, and others.

In these experiments, the role taken by judicial tribunals and officers of justice is tending to become more that of mere agencies for the apprehension of youthful delinquents and their removal from injurious social environments. Hearings are conducted in private. Under new conditions delinquents are given supervision and training during a sufficiently extended period so that new habits may be formed and the delinquents fitted and qualified to lead useful lives. In the treatment of offenders, both adult and juvenile, the modern note is research and individualization of treatment.

(To be Continued)

PUBLIC FORUM

This column is open for the discussion by correspondents of questions of interest. The Charlottetown Guardian does not necessarily endorse the opinions of correspondents.

THE DETROIT ICE BREAKER

Sir,—I am a subscriber to the Patriot and have been for a number of years, and when I see a "Letter" I rub my eyes and read it two or three times, as a letter is quite a treat and it generally smacks of politics.

"A member of Trinity" is not satisfied with the way Mr. R. E. Mutch handled his subject at their meeting and claims The Guardian gave his address undue publicity. I presume there is no politics in the discussions with the Men of Trinity Church Asociation. As Mr. Mutch is a senior member of that organization he was offered the privilege to address that meeting, and I judge his pet theme would be transportation. Not being a member of Trinity I thought I shouldn't be there, and was glad that I had a chance to read the address in The Guardian. Mr. Mutch struck out from the shoulder, as he usually does. I wonder if The Patriot refused to print this address on the same ground that it refused to publish the letter of Mr. Pratt of St. Peters. I didn't see it anyway.

Now let us compare the needs of the Detroit ice breaker with the needs of a new car ferry for Prince Edward Island.

The reports come to us regularly of the wonderful work the ships are doing on the Great Lakes each year. The shipping tonnage has been increasing and every available boat has been pushed into the service to add to the increased demand. There was no loss of ships but the thought of the new ice breaker at Detroit would enable the shipping to be opened earlier and get these ships released. There are other essential commodities besides ore that this ice breaker will release. They weren't short of ships but the ice breaker would allow these ships a longer season to carry the necessary goods.

Look at the position of Prince Edward Island. When we lost the Charlottetown we were so shocked it took us months to realize the seriousness of the situation, that we only had the old boat to fall back on. Our Island Board of Trade and our Provincial Government hollered but the excuses at Ottawa were "no room, and no heavy material, to build an ice breaker."

They were building hundreds of boats in Canada, and thousands in the U.S.A. and if rumor is correct, our new ice breaker could have been built in the U. S. A. and would be operating here now if the contract was offered. What difference where it was built? The old boat was built in Great Britain and she was good, and if the U.S.A. can build a $10,000,000 ice breaker they could build a $5,000,000 car ferry for us, and the majority of our people feel that if the Government offered the contract to an American concern you would be surprised how quickly our Canadian shipyards would have found room to build a boat.

Look at the position of the Captain of the old ship "Prince Edward Island". First demand: — "Hurry up and get the freight over. Bring over empties and take back full cars, what is the matter with you?"

The next. Caution: "Go easy, take your time, be careful of those leaky plates; if you sink her we are lost." One could write a book about our condition if the P.E.I. went down.

Mr. Trinity Member should tell us what we are going to do next winter and leave Mr. Mutch alone. He, like Mr. Pratt, is not afraid to express his opinion. Let the chips fall where they may.

I am, Sir, etc.,
CHURCH GOER

"TEN POINTS

Sir,—In your issue of March 27 you published, on your editorial page an article entitled "10 Points" with the comment "They cost so little—and are worth so much."

As those so-called points are obviously misleading propaganda, I think in fairness you should publish the enclosed comment, clipped from the Toronto Star Weekly—a paper by no means radical.

In fact this comment is much milder than I would make it.

I am, Sir, etc.,
PAUL McLAUGHLIN
Montreal, Que.

(Enclosure)

A FURTHER AID TO STRAIGHT THINKING

A list of ten points from the San Francisco Argonaut, "designed to help you think straight", is still going the rounds of the Canadian press. One suspects that it is not designed to make people think straight at all, but shrewdly calculated to make them think otherwise by the presentation of certain plausible maxims which are, as a matter of fact, of only limited application. We propose to discuss them seriatim:

"1. You cannot bring about prosperity by discouraging thrift."

But the fact that a man has fallen upon unprosperous days does not necessarily indicate that he has been unthrifty. Often he has simply been unfortunate. Often he has never earned more than would give him and his family a bare living—and this through no fault of his own.

"2. You cannot strengthen the weak by weakening the strong."

But you can improve the living conditions of the weak by diverting to their needs part of the surplus wealth of the strong.

"3. You cannot help small men by tearing down big men."

But a big man is not "torn down" when taxation for the small man's benefit leaves him with far more income than the ordinary man could ever dream of securing.

"4. You cannot help the poor by destroying the rich."

But no one proposes to "destroy" the rich. The poor can certainly be helped by taxing the rich.

"5. You cannot lift the wage-earner by pulling down the wage-payer."

But some of the so-called "wage-payer's" excessive profits can be "pulled down" so as to lift the wage-earner's wages. As a matter of fact, the wage-earner is also a wage-payer because the products from whose sale the wages are derived are the fruit of his labor.

"6. You cannot keep out of trouble by spending more than your income."

But that doesn't mean that wage-earners shouldn't have more income to spend.

"7. You cannot further the brotherhood of man by inciting class hatred."

But one of the outstanding barriers to the brotherhood of man is the gap between poverty and wealth. And the suggestion that the reduction of it will stir up class conflict does not alter the fact that it must be reduced.

"8. You cannot establish sound security on borrowed money."

But what great business has been established without borrowing money? Credit is the very foundation of the capitalistic system.

"9. You cannot build character and courage by taking away a man's initiative and independence."

But a man's initiative and independence are not taken away by legislation which guarantees him a livelihood and medical attention when misfortune or sickness overtakes him, or when old age comes upon him. He should have this security as a natural right.

"10. You cannot help men permanently by doing for them what they could and should do for themselves."

But a man often cannot "do for himself" and for his family. His health fails, or jobs become scarce, or he becomes old and feeble, or his investments fail, or for some other reason beyond his control he is no longer able to provide for his own and his family's needs. Then indeed he is "helped permanently" when there is a state social service which will do what he is no longer able to do; which will give him, as a natural result of our civilization, relief from his distress.

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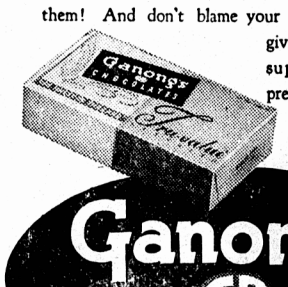

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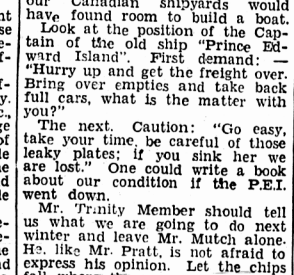

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The Poet's Corner

THE GREEN RIVER

I know a green grass path that leaves the field,
And, like a running river, winds along
Into a leafy wood where is no throng
Of birds at noon-day, and no soft throats yield
Their music to the moon. The place is sealed,
An unclaimed sovereignty of voiceless song,
And all the unravished silences belong
To some sweet singer lost or unrevealed.

So is my soul become a silent place
Oh may I wake from this uneasy night
To find some voice of music manifold.
Let it be shape of sorrow with wan face,
Or Love that swoons on sleep, or else delight
That is wide-eyed as a marigold.

—Alfred Douglas.

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