

■ ***Wall Shadows: A Study in American Prisons***

Date: 1922

Author: Frank Tannenbaum

Genre: Book

Summary Overview

Frank Tannenbaum's book *Wall Shadows: A Study in American Prisons* was published in 1922 and was one of the relatively few books on criminology (the study of crime) and penology (the study of punishment) to have been written by someone who had themselves been convicted and imprisoned. This gives a significant degree of credibility to Tannenbaum's discussion of the cruelties of life in prison—and his recommendations for changing the way criminals are punished in the United States. The book consists of four chapters—"The Psychology of Prison Cruelty," "Prison Democracy," "Some Prison Facts," and "Facing the Prison Problem." The excerpts presented here, from the first and last chapters of the book, present Tannenbaum's explanations for the cruel, often inhumane treatment of prison inmates and offers solutions not just for prison cruelty but also speculates on the best way to eliminate the institution of the prison itself from American life.

In his introduction, noted prison reformer Thomas Mott Osborne (See *Within Prison Walls* and "Society and Prisons"), praises the book for the way "it not only describes vividly the evils of existing conditions but shows the way out; it gives a constructive programme. It is well for us to learn the facts; but if that is all, we get nowhere." In keeping with the tenets of the Progressive Era (waning in influence though it was by the early 1920s), Tannenbaum's analysis of and solution for the problem of the prison is rooted in the society that spawned the system. Prisons are a symptom of a society's inability to nurture law-abiding citizens. Society, as a result, must work to redeem those it failed.

Defining Moment

The Progressive Era in the United States, spanning the late nineteenth to the early twentieth centuries, was a fertile time for reform movements in the United States. The movement was typified by an approach to social issues or problems that embraced a wide-ranging and

systemic approach to understanding the crises that concerned reformers. Within the context of law enforcement and prison reform, this manifests in Tannenbaum's assertion that society's deficiencies are responsible for the creation of criminals and, accordingly, society should develop solutions to reform those criminals. For Tannenbaum personally, this book comes on the heels of his graduation from Columbia University and just a few years after his own one year imprisonment after being convicted in connection with labor protests he led (see Author Biography below). For Tannenbaum, the descriptions of cruelty he shares with readers are borne of his own experiences rather than from an academic study. His personal history and context feeds into these ideas as much as his scholarly studies.

Author Biography

Frank Tannenbaum was born into an Austrian Jewish family in 1893. Moving to the United States in 1905, Tannenbaum dropped out of school before graduating and started work at various positions. As a restaurant worker, he became involved in labor activism, gaining leadership positions in the Waiter's Industrial Union and the International Workers of the World. Tannenbaum led marches demanding that churches in New York City provide food and shelter to unemployed workers. During one such demonstration, violence erupted; Tannenbaum and several others were arrested and convicted of incitement to riot with Tannenbaum serving a one year prison sentence.

While serving that prison sentence, Tannenbaum became acquainted with the prison reformer Thomas Mott Osborne. Osborne, following Tannenbaum's sentence, played a vital role in getting the former inmate admitted to Columbia University where he began his academic career which culminated with a Ph.D. in economics. Tannenbaum wrote *Wall Shadows* shortly after his 1921 graduation from Columbia. His career would move away

from the narrow field of prison reform and focus on sociology, history, and criminology. His criminological and sociological work would focus on “labeling theory,” in

which he argued that negative “labeling” or “tagging” of criminals and the social consequences that resulted led to an increase in their potential for further crimes.

HISTORICAL DOCUMENT

From Chapter 1- Psychology of Prison Cruelty

Historically, cruelty has always marked prison administration. We have records of brutality in prisons stretching over all written history, and including practically every nation of which we have written records. Prison brutality is both continuous and universal. Publicity, public indignation, investigation, removal of officials, and the institution of reform methods have, up to the present time, been ineffective in eliminating brutality from prison administration.

A prison is primarily a grouping of human beings involving problems of cooperation and discipline. As such, it gives room for the play of all the various emotions and instincts common to man in any other grouping. There is, however, one striking difference. This difference is that the man in the prison, just because he is shut out and away from the world, is forced, so to speak, to become a closer neighbor to himself, and therefore exhibits most of the instincts and passions, the loves and hates, the boldness and the fear, common to men, but in a more intense, more direct, and less concealed way. A prison is, in a sense, the greatest laboratory of human psychology that can be found. It compels men to live social lives—for man lives primarily by being social—under unsocial conditions, and it therefore strains to the breaking-point those things that come naturally to people in a free environment.

The fact that men are more sensitive, more self-conscious, more suspicious, more intensely filled with craving, more passionately devoted in hate and in love,—just because most of these emotions are expressed in idea rather than in fact,—makes the prison a grouping of men requiring very delicate and sympathetic treatment. This is the general background which must be taken into consideration in the discussion of prison administration, and in any analysis of the forces that lead toward prison brutality. Like every human grouping, the prison group is complex, and all that one may hope to do in an analysis

is to describe what seem the most important elements in the situation.

Our approach to the criminal is the first element in any consideration of prison brutality. It is obvious that somehow or other our feeling about the criminal is different from our feeling about other members of the community. We feel differently about him because we are under the impression that he is a being distinctly different from ourselves. Just why he is different, or just in what degree he is different, or whether the difference is really one that is basic in the man himself rather than in our assumption about the man, does not concern the average person. We know that he is different. This belief is common to most people, and, in general, it is shared by officials concerned with prison administration.

The elements that go to the making of this attitude may broadly be described in the following terms. The first apparent fact is that we do not ordinarily distinguish between the thing a man has done and the man himself. We tend to translate a single isolated act into a whole being, forgetting all of the man's past, with its innumerable unrecorded emotions and deeds. We make the crime and the man synonymous. In common parlance we say that the man who has stolen is a thief, and the man who has committed murder is a murderer, summarizing all of the man in terms of the single fact with which we are impressed. We thus seem to transfuse the one act which we do not like into all of the man, who may, apart from that one act, be a very lovable person, and we place him in a category distinctly outside the pale of common association and consideration. He is different. Not only different, but he is worse. Any treatment which would seem unfair and unjust for people “like ourselves” seems, even to the best of us, less unfair, less unjust, for him whom we have classified as different from and worse than ourselves...

The function of the prison is to keep the men confined. The function of the warden is to make sure that

the purpose of the prison is fulfilled. He is primarily a jailer. That is his business. Reform, punishment, expiation for sin—these are social policies determined by social motives of which he, as jailer, becomes the agent. He is a jailer first; a reformer, a guardian, a disciplinarian, or anything else, second. Anyone who has been in prison, or who knows the prison regime, through personal contact, will corroborate this fact. The whole administrative organization of the jail is centered on keeping the men inside the walls. Men in prison are always counted. They are counted morning, noon, and night. They are counted when they rise, when they eat, when they work, and when they sleep. Like a miser hovering over his jingling coins, the warden and the keepers are constantly on edge about the safety of their charges—a safety of numbers first, of well-being afterwards.

This leads to some very important consequences. It is the core of the development of prison brutality. It is the feeding basis upon which a number of other important elements tending in the direction of brutality depend. The warden is human. Being human, he is strongly inclined to follow the path of least resistance. And the path of least resistance, in the light of the ordinary understanding of a prison warden, is to make jailbreaking hard by making the individual prisoner helpless...

The rules being numerous, the violations corresponding to their number, the bitterness increasing with the rules and their violations, all tax the ingenuity of the prison officials in meting out punishments that will fit the crimes. The men in prison are already deprived of most of the privileges and rights which are ordinarily possessed by the free man. They cannot be taken away as punishment, for they are not there. The only thing at hand for the prison officials upon which to exercise their authority is the prisoner's flesh and bones. They cannot take away his liberty, for stone walls do a prison make. They cannot deprive him of his property. In prison most men are equally propertyless. The privileges are few, and not sufficient to satisfy the need for punishment. Nor is there that dignity and social status which among free-men may be used for purposes of control. Men in prison are not sensitive about their social standing. They have a social status all their own, it is true. But this is increased by punishment; for the punishment gives the prisoner a standing and honor in a prison community which is

enjoyed among free men by a martyr in a good cause. The man must be punished. And this being the situation for which procedure must find a method—the dark cell, starvation for days at a time, beating, straitjacketing, handcuffing, hanging to a door, or lifting from the floor become the immediate instruments at hand. They become so through the limitation of the field of punishment. The habitual use of physical manhandling requires intensification to carry out the purpose of intimidation by which the prison authorities operate. In addition, the physical manhandling of the human body tends to develop an indifference to human suffering and a craving for the imposition of cruelty, which increases with the exercise of brutality. This is the general setting for the development of other phases of cruelty and brutality.

From Chapter 4- Facing the Prison Problem

The prison is a makeshift and an escape. It is not a solution. We would hide our sins behind its walled towers and barred windows—conceal them from ourselves. But the prison is an open grave. It returns what we would bury behind its gray walls. Its darkness and isolation only make the sins we would forget fester and grow, and return to stalk in our midst and plague us more painfully than ever. We would cover up our sins of omission—for that is what crime and criminals largely mean in the world—by adding sins of commission. That is imprisonment. Having failed to straighten the lives of criminals in childhood—to bring sweetness and light, understanding, comfort, and good-will when it was needed, we justify our negligence by scorning the spirits we have thwarted, by breaking the bodies we have bent.

It is our attempt to escape accountability for the crimes we have committed against the men and women we call criminals. The prison is a reflex. It mirrors our hardness, our weakness, our stupidity, our selfishness, our vengeance, our brutality, our hate—everything but love and forgiveness; everything but our understanding and sympathy, everything but our intelligence and scientific knowledge.

Properly conceived, the prison should be our special means of redemption. It should be a healing ground for both the spirit and the body, where the unsocial should be socialized, the weak strengthened, the ignorant educated, the thwarted made to grow; where a kind of resetting takes place for the tasks of life, and where

the strength to meet responsibility is returned to those who have lost it and awakened in those in whom it has remained dormant; a place where the joy of living and laboring is born anew. Crime is a consequence. It is not a cause. We are responsible for its existence...

Professionalize penal administration. The ordinary warden is chosen for his political allegiance; a good political reason, that, but socially no reason at all. The prison problem looked at from the administrators' point of view is a problem of education and health, complex and many-sided. It involves deep knowledge of human nature, insight into the complexities of social life, appreciation of the possibilities of personal growth and of human motives, willingness to face questions of sanitation, personal habits, hygiene, workmanship, and cooperation, in a careful, scientific, and deliberate fashion. It is not merely a job to hold down, but a problem—or, rather, a thousand problems, requiring analysis, examination, and experiment. A man, to be fitted for the job,—and ideally there is no such person,—approximately fitted, in spite of all the shortcomings of human weakness, must be the best-trained and best-prepared person in the field, and must have a broad basis of human sympathy and understanding.

The small henchman, from which class the average warden is recruited, is not an expert in anything,—least of all in education and health,—nor does he usually possess an imagination active enough to embrace the thousand opportunities in a prison field. He is usually ignorant. There is hardly a college man among the wardens of our penal institutions. I do not insist that a college education is in itself a full requisite; but it is, by and large, better than no education at all...

A center for the training of prison officials should be established. This school might best be situated near, or in conjunction with, some large penal institution, and no one should be appointed to a position of responsibility in prison unless he has a good collegiate education. In addition, a prison official should have taken special post-graduate courses in penal problems. No man should be a warden unless he is a certified and trained professional; just as no man is placed in charge of a hospital unless he is a graduate of a recognized medical school.

We must destroy the prison, root and branch. That will not solve our problem, but it will be a good begin-

ning.

When I speak of the prison, I mean the mechanical structure, the instrument, the technique, the method which the prison involves. These must go by the board—go the way of the public stocks, the gibbet, and the rack. Obviously the penal problem will remain... But the prison does not solve the penal problem—it does not even contribute to the solution. It is only an aggravation. It is a complication of the disease. It is a nuisance and a sin against our own intelligence. Let us substitute something. Almost anything will be an improvement. It cannot be worse. It cannot be more brutal and more useless. A farm, a school, a hospital, a factory, a playground—almost anything different will be better. The suggestion for the destruction of the prison building is not revolutionary. It is not even novel. It is a practice of old standing, to keep prisoners outside of prisons; a practice not universal, but sufficiently widespread to justify the suggestion that it could be made universal without prejudice. In many prisons a number of the men are kept outside of the prison proper. Men building roads, men working on prison farms, trustees around the place, are often allowed to remain outside the walls—in some cases, hundreds of miles away from the prison, with only a guard or two. In the United States Naval Prison at Portsmouth during the war, more than half the prison population lived in wooden barracks, surrounded by a small wire fence, and with only prison inmates for guards. In the South—Mississippi, Florida, Arkansas, Louisiana—the men live so much outside the prison that the old structure is useless and an anomaly. In Arkansas, for instance, I found that the prison, built to hold six hundred men, contained thirty—most of them condemned to death; the rest were away on a farm. Prison farms are not ideal, but they are an improvement on the old cell-block. Those who argue that the old prison, with its isolated cells, its narrow windows, its high walls, its constant dampness and semi-darkness, is essential to the proper handling of the prison population are simply revealing their own incompetence, fear, lack of insight into the technique of association. The old prison is a relic of a dead past. It is a hang-over; a weight, and a hindrance against the development of new methods and new ways.

An old prejudice dies hard, and the old prison building is an ingrained prejudice carved out of stone. It is

saturated with the assumption that criminals are desperate, vicious, sin-ridden, and brutal beings, who needs must be confined in buildings founded on despair and made strong against the craving for freedom; that man is incorrigible and hard, and that hardness and pain are his proper due. But all of this is mainly prejudice. The men in prison are unfortunate rather than vicious, weak rather than bad. They need attention rather than neglect, understanding rather than abuse, friendship rather than isolation. Those who would redeem the community from constantly sinning against the prisoner must achieve this new attitude toward the man behind the bars. The buildings are by-products of our prejudice. That is the first thing that must be battled against...

The penal department—the department set aside for punishment—must be eliminated from our state organization. The function of the state should be, not to punish, but to educate. The place of the penal department ought to be taken by a new bureau, dedicated to health, education, and industry,—entrusted to experts in these respective fields.

The prison is a great equalizer. All men are fit for it—all they need is to break the law. That done, one is stamped as a criminal, and all criminals are sent to similar places; as if all crimes were alike, and as if all men who committed them were cast in the same mold. There is practically no classification, no examination, no distribution, no elimination—break the law, and you are fit to abide with all men who have done the same, be the mood and temper as varied as the shadows that creep over the earth.

But men are not alike. They do not commit crimes for similar reasons, even if their crimes are the same. Yet often the old and the young, the weak and the strong, the normal and the erratic, the unfortunate and the vicious, the near insane and the psychopaths, all are herded together. Like the old workhouse, which contained the adolescent and the senile, the vagrant and the felon, the epileptic and the maniac, so the modern prison is an open mouth for all whom we cast aside out of the highways and byways of the world.

Source: Tannenbaum, Frank. *Wall Shadows*. New York: G.P. Putnam's Sons, 1922.

GLOSSARY

expiation: to make amends for wrongdoing


indignation: anger or annoyance

makeshift: something designed to be a temporary remedy for a problem

requisite: something necessary because of rules or laws

"destroy...root and branch": to eliminate something so completely that it does not return.

transfuse: in this context, to fill something with the properties or essence of another thing.

AUBURN PRISON				(S) (M) (L)		AUBURN, N. Y.	
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Scratch	1 in. 8 1/2	Head width	15.6	L Mid F	11.7	Age	28
Trunk	21.1	Chest width	14.5	L Lit F	9.	Apparent Age	id.
Curve		R Ear length	6.3	L Cubit	47.2	Periph	ple. 16
Remarks relative to Measurements				Color Eyes		Occupation	
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Inc. <i>int</i> Hght. <i>med</i> Width <i>med</i> Pecul.		Bridge <i>rec</i> Base <i>slt. cl.</i> DIMENSIONS Height Projection Breadth <i>med. grt. med</i> Pecul.		med med Border <i>int</i> Lobes <i>ad. sep</i> Teeth <i>5 ab.</i> Chin <i>slt. pro</i>		Hair <i>ch.</i> Beard <i>id.</i> Complexion <i>fig. can. slt.</i> Weight <i>141</i> Build <i>med</i>	
STATE OF NEW YORK. Office of Superintendent of State Prisons, BUREAU OF IDENTIFICATION. Capitol, Albany.				Examined <i>Sept. 29th</i> 1901 By <i>J. N. Ross</i> at <i>Auburn Prison</i> Re-examined _____ By _____ at _____			

Auburn, New York, prison card for assassin Leon Czolgosz.

Document Analysis and Themes

Tannenbaum opens the first chapter by explaining that “cruelty” has been part of prison systems since their beginning, describing it as “continuous and universal.” Nothing that reformers or the general public have attempted as a remedy to the cruel treatment of inmates has abated the situation. The reason for this, Tannenbaum explains, is that prisons consist of groups of people closely held together and isolated from the general public. Because of this, the normal “instincts and passions, the loves and hates, the boldness and the fear” that people have within themselves is more focused and concentrated and people are forced to “live social lives...under unsocial conditions.” For this reason, the normal means that people undertake to get along with each other or to manage their passions do not exist.

Prisoners, Tannenbaum argues, need “delicate and sympathetic treatment.” Prison administrators must recognize that the populations they supervise are deeply complex and that understanding the criminal as a human being first and a convict second is important. Most people, Tannenbaum explains, feel that criminals are “different” than themselves or other law-abiding members of society, but the general public does consider why this is the case. Unfortunately, Tannenbaum asserts that prison officials share the general public’s lack of insight—they refuse to see the humanity of prisoners, seeing only the crime of which they were convicted. There must be a distinction (which is often missing) between “the thing the man has done and the man himself.” This is similar to a concern raised by other reformers at the time (see “Practical Efforts at Character Building for Jail Prisoners,” for example) as a result, society wants these people removed from their communities and prisons serve that purpose. Because of the prison’s priority as a place to keep wrongdoers confined, the other purposes of incarcerations—especially reform—are subordinated to the need for confinement. This, Tannenbaum argues, is “the core of the development of prison brutality.”

Tannenbaum then dissects the way the prioritization of prisons as facilities for confinement lead to cruelty. Numerous rules exist to preserve discipline and where there are rules there are punishments. Because those who are in prison have already had everything of value—property, liberty—taken away, the punishments drift toward cruelty. Consequences such as solitary confinement, with-

holding of food, corporal punishment, paradoxically, lead to the most punished prisoners gaining social standing among their fellow inmates.

The fourth chapter begins with the declaration that the prison is “a makeshift” not “a solution” to the challenges of crime and rehabilitation. In evocative, almost poetic, language, Tannenbaum warns that casting criminals into the prison and—as a society—forgetting about them would, like an untreated wound, “fester and grow” and lead to more problems in the future. In an argument that is representative of one of the significant viewpoints of the Progressive era, Tannenbaum describes crime (and the existence of criminals) as a crime of which society is guilty, having failed to “straighten the lives of criminals in childhood.” If that’s a crime of omission, as he describes it, then the conditions of imprisonment are a crime of commission that society commits. The prison, he argues, is a reflection of the same flaws in society that nurture crime in the first place. Prisons, ideally, should be society’s “special means of redemption”; a way for the community to repair the damage done to those who have become criminals.

So how does society move in that direction? The first step is to demand professional training and education for prison officials, rather than the job of warden being a political patronage job. The work of managing a prison is too complex to be entrusted to someone given the job solely for their political reliability. Tannenbaum recommends that prison administration training schools be established near prisons. He also recommends the destruction of the physical prison, comparing it to various archaic methods of punishment. In its place, he praises the work farms of southern states (for more insight into these, see “The Convict Lease System” and *The New Slavery in the South*). He also cites the barracks system of military imprisonment as an alternative (See “Disciplinary Barracks versus Prisons for the Confinement and Reformation of Military Offenders”). Finally, the “penal department”—that is the governmental bureaucracy that oversees the prison systems in various states—needs to be “eliminated” and replaced by a department “dedicated to health, education, and industry.” In this way, the focus of prisoner treatment can fully move toward rehabilitating the convict as opposed to sating the community’s desire for vengeance.

—Aaron Gulyas

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