

April 1944

G STAR, WILMINGTON, DELAWARE,

GOVERNMENT FOR THE PEOPLE

Crime and the Whipping Post

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Part 4

Men cannot be made good by force; rather are they made wicked. Only through justice will the natural good in men assert itself and with natural free activity will crime, want and misery be relegated to the insignificant place that the abnormal in nature assumes.

The whipping post as a deterrent from crime has never frightened men into being good. But in our analysis of crime there are other factors that the advocates of the whipping post neglect to consider, and one of these is the certainty of correction or punishment.

In the past I briefly referred to our system of justice wherein a poor man, usually driven by want or near want, a man of a minority race, group or disadvantageous position, would be made a horrible spectacle and reap a savage penalty, while the powerful swindler or culprit, driven by avarice or greed, committing immeasurably greater social wrongs, can laugh at the penalty imposed. This system forces one to the assumption that we have here in America two kinds of justice, a bloody cruel revenge on the weak and an apologetic penalty hesitatingly imposed on the strong. This assures the poor man of being a criminal before the fact, it makes poverty a crime. Do we expose a minister who seduces one of his parishioners within his very church? No, he is a man of power and influence. Such an exposure would be bad for the public morale. This case is hushed up, but we publicly flog the ignorant man who is lacking in influence and who cannot pay a topflight lawyer.

Do we imprison the high bank official who is picked up in our public parks for immorality? No, these cases never see the light of public scrutiny, while the poor man for the same offense is publicly exposed and punished. Man, among his attributes, has one of imitating. If the man of prominence can violate an ordinance why should not the poor man follow his example?

With arrests made in only 15 per cent of the crimes, and conviction in only 2 per cent of the crimes, we yet have our highly trained efficient honest, and loyal policemen spending their time checking parking meters, patrolling traffic controlling school districts instead of ferreting out the criminals, and reporting anti-social conditions that must of necessity breed crime.

It has been carefully computed that the average law-abiding citizen unintentionally violates enough laws and commits enough crimes each day to warrant a sentence of several years and a fine of several thousand dollars.

For the average citizen escape from the penalty of these unintentional offenses is possible, but there are those who have previously sinned in the eyes of the law. What of them?

Once a felon always a felon, is the philosophy of the life sentence for the fourth offense. We make criminals by law. By special privileges we allow the few to exploit the many, by repressive measures we stimulate or aggravate crime.

By making kidnapping a death penalty we induce the kidnaper once he has secured his ransom to murder his prisoner so that there will be none to testify against him.

The subject of crime is the subject of social disease, and like disease it cannot be discarded with a nostrum.

A criminal is like a typhoid patient. No thinking man would want a typhoid carrier on the streets. We would segregate, treat the man, seek out and the source of pollution and then what we must do with crime.

Statistics show that in the United States, and I doubt if Delaware is different, out of every one hundred crimes committed only 15 offenders are brought to trial and only two are convicted. This means that an offender has a 98 per cent chance of escaping the penalty while he has an 85 per cent chance of never being arrested.

As a sporting proposition who, feeling publicly wronged, or covetous of what belongs to another,

might not well consider crime, when the odds are so heavily in his favor?

It is a fallacy to say that crime does not pay. Unfortunately under our system at present it does pay, and the greater the crime the greater the reward, all our radio programs and movies to the contrary notwithstanding. Crime for the little man, for the poor, the ignorant, the uninfluential, unpolitical man, crime for him will pay but the risk of detection and the severity of punishment are in proportion greater against him than against those princes of privilege who in the last century raped the public domain, or those financial wizards like the Insulls and Musicas who have fleeced the public, or the political bosses who can arrange that an official through graft may bank ten times his salary.

Crime has always paid and it is the stooge, the inefficient, the front, who most frequently takes the rap, but at that it is only two out of every hundred. For years it has been said that Delaware is the "cooling-off place for desperate criminals from other states." We are told that the whipping post keeps these mobsters from committing their atrocities in our midst. If it is a fact that they are in our State what is our police doing in not apprehending them or notifying the police of the wronged commonwealths to come and get them? If they are here it is by tacit consent not of our police, but of those powerful individuals or interests who may be best served by not having a public furor caused by the capture and possible exposures that might follow.

The Dillingers and "Legs" Diamonds, the Capones and Floyds while ranked as Public Enemy No. 1 were not the kingpins. They were only pluguglies for the more vicious master minds who are more clever and have better protection who respectably go to church and make patriotic speeches but who publicly and privately betray the people.

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