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EDITORIAL

EVEN THE GALLOWS DON'T.

By DANIEL DE LEON

DISCUSSING the case of the four officers of the Schwarzschild & Sulzberger Packing Company of Chicago, who pleaded guilty to the charge of conspiracy to accept railroad rebates and were fined an aggregate of \$25,000, United States District Attorney Morrison expressed the opinion that the punishment of the culprits in this case warranted the belief that “the Government is in a fair way of breaking up the entire rebate evil in the country.” If District Attorney Morrison really thinks so, he must be green in the ways of crime.

The story is told in works on criminology, and as an evidence of the inefficacy of punishment as a suppressor of crime, that on one occasion, in London, at the very moment when a counterfeiter was being raised to the gallows, his pals were circulating counterfeits among the crowd, gathered at the foot of the scaffold to witness the execution. The dread of punishment, even if the punishment be death, never did and never could prevent the commission of crime. The idea that punishment could proceed from premises that are doubly false. In the first place it proceeds from blindness to the real cause of actual crime. The real cause of acts that deserve the name of crime, that is to say, that are committed with premeditation, is, in ninety-nine cases out of a hundred, the endeavor to support life conditions that shut out other accessible avenues to the same end. It is folly to imagine that the dread of punishment, even if the punishment be death, will cause people generally to prefer lying down and dying, rather than taking their chance to live. Much more so with regard to crimes that are not punished with death. In the second place crime is not a voluntary act. Crime is bred. Its hot-house is wrongful social conditions. The only preventive of crime is non-criminal social conditions.

The packers who were fined are but a product, bred of present society—a criminal capitalism—although in this and similar instances, the guilty are

themselves promoters and upholders of such crime-breeding social conditions. Capitalist society renders life harder and harder. The struggle for life is intense, all along the social ladder. The criminals in this instance struggled to keep their heads above water. While, to a Hottentot, nakedness is full dress, to a civilized man nothing less than a full suit of clothes will stand; on the same principle a capitalist dies as a capitalist on that upon which some poor devil would consider himself affluent. It is unquestionable that at the very moment when the news was flashed across the country, and read by all, that the officers of the Schwarzschild & Sulzberger Packing Company were punished for conniving at railroad rebates, all other capitalist shippers were either practicing the same crime, or scheming how to commit it, with impunity—just as the counterfeiters in the story at the foot of the gallows, where another counterfeiter was just being hanged.

If even the fear of the gallows will not deter men from earning such a living as society makes possible, is it imaginable that \$25,000 fines levied upon millionaires will?

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