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THE LIGHT AND THE  
PEOPLE WILL FIND  
THEIR OWN WAY

MONDAY, JANUARY 7, 1935.

## PROBATION AND PAROLE

**I**N the annual report of Sanford Bates, Federal Prison Director, are answers to the hysterical attacks upon America's probation and parole systems and its unvalued prisons.

The public, says Director Bates, must distinguish between the treatment of the hardened desperado and "the man who is a criminal by force of circumstances, the accidental offender, the feeble-minded, the under-privileged and the sorely tempted." To keep reclaimable men behind high walls longer than necessary is not only wasteful of humanity but of money.

Given efficient, non-political supervision, probation will prove itself, even during these difficult times.

"The savings effected by the probation system in avoidance of jail board and in the collections of fines and costs from probationers will as usual more than offset the expenditures upon the system," says the report. "It is a paying investment not only in dollars and cents but in community protection and redemption of individuals."

Parole also pays. Out of 88,000 arrests in the larger cities during the first quarter of 1934 only 873 were found to be on parole at the time of arrest.

"Such data," says the report, "scarcely support the thoughtless and superficial statement that parole as a method of penal treatment has failed. For every case of parole violation, a dozen cases can be cited where properly administered parole treatment has been instrumental in adjusting a former prisoner to the struggle he faces."

If the states will man their probation and parole systems with capable merit men, they will be found as effective in the battle against crime as the punishing arm of the law-enforcing army.

## A COSTLY METHOD

**T**HE very purpose of the resurrected House gag rule will make it self-defeating in the long run. It is to be used to prevent a vote on measures which the Administration considers unwise. For a while, it doubtless will serve its purpose. But minorities and their causes tend to thrive under suppression.

In the primary and general elections last year, the voters chose many candidates who espoused policies more radical than those of the Administration. By using the gag rule, the House leaders intend to reduce these left-wingers to the status of untouchables, and pigeon-hole their ideas as unthinkable.

But the voters will go to the polls again next year and again two years thereafter. They will remember and act upon the issues not then settled.

The fantastic Townsend old-age pension plan is one of the unwise measures that will be bottled up this winter by the gag rule. But a proposal with such wide popular appeal can not be disposed of in this way. It should be met in the open and voted down on its lack of merit.

With a 3-to-1 partisan advantage in the House, the Administration should be able to defeat unwise measures by fair methods that will persuade rather than anger the electorate. The confidence of the electorate is the most valuable and effective asset of the President. This popular confidence should not be jeopardized by House dictatorship.

## ONLY ONE KINGFISH

**H**E ain't helped me yet," says Kingfish Huey Long of President Roosevelt, adding that some day "maybe he will help me, then I'll help him some more."

A wistful, disarming fellow is the Kingfish. As if he needed help! Louisiana's tax-able resources are at his command with hardly any accounting. Louisiana citizens are his subjects. He has the support of their Governor, their legislators, and their other Senator. He usually has the votes of three or four other United States Senators. And many outside of Louisiana who resist his dictation quake for fear he will take to the hustings against them.

But isn't the President "helping" the Kingfish? With the unpaid bills of recovery piling up, is not the Administration's failure aggressively to tax on the basis of ability to pay just so much grist for the Kingfish's mill? Does not the wily Kingfish take advantage of this to build up his popular myth that all men may become rich merely by chopping off the heads of a few billionaires?

## BROUN — FANATICISM

**I**WILL never be more serious. There abide these three—faith, hope and fanaticism, and the greatest of these is fanaticism."

So writes Heywood Broun in his initial column of the new year, thereby satisfying the curiosity of friends, admirers and readers as to the object of his latest, but manifestly ardent, politico-journalistic passion. While this affair has not been forecast by rival columnists, it comes as no surprise to those familiar with Heywood's wide range of taste in objects of editorial affection.

Conservatism, Liberalism, Socialism and Communism—Heywood has flirted with them all, appraised them all critically and rejected them all as unfit to share his journalistic bed and board and unworthy of the championship of his pen. But Cupid is resourceful, and the Isms family has been blessed with more daughters than there are Sutherland sisters. Behind another, Fanaticism, as the latest to intrigue the interest of our Don Juan of foreign causes.

We can foresee for the new love no great tranquillity, peace of mind, contentment or constancy during the period of the courtship,

but we can assure her on first hand information an experience that will be educational and inspiring. Though it may be punctuated with a few headaches, and even an occasional pain in the neck, it will never be marred by a trite or bromidic statement, a moment of ennui or a lack of entertainment. And as for the delights of surprise and the unexpected—just wait.

Meantime we can see two immediate advantages accruing from Mr. Broun's newest enthusiasm. First Fanaticism has been running in such crazy circles and shrieking such incoherent gibberish since 1929—and earlier—that a little co-ordination, yes, and even regimentation, of the yowling would be a contribution to the joy of living.

Secondly, Mr. Broun is never more interesting or more entertaining than during those occasional intervals for the duration of which, even though it be with his tongue in his cheek, he promises to forswear cap and bells and bladder.

As his plan to carve himself a niche in history alongside Cotton Mather, John Roach Stratton and Carrie Nation should produce some entertaining copy, we would venture but one suggestion, namely, that Heywood locate his niche fairly close to Carrie, just as a gesture of camaraderie.

After all, Carrie used a hatchet.

## BLOCK CRIME ALIBIS

**O**NE of the things which the last year brought us was a new attitude toward our crime problem. We are no longer discouraged about it, or ready to admit that the problem is insoluble. Some of our most notorious lawbreakers are under the ground and some of them are behind the bars, and we are beginning to see that putting them there isn't an impossible job, after all.

Nevertheless, our machinery for dealing with criminals needs overhauling; and one of the places that needs it the most is the courtroom where the crook stands trial.

Prof. Mason Ladd of the University of Iowa discussed needed changes in the law of evidence before the 32nd annual meeting of the Association of American Law Schools, in Chicago recently.

There are ways, says Prof. Ladd, by which we can make the conviction of guilty persons easier without increasing the hazards which an innocent man must face when he goes on trial. One of them is by tightening up the laws governing an alibi defense.

Let us provide, suggests Prof. Ladd, that where an accused person plans to plead an alibi he be required to give notice to the state's attorney in advance of the trial.

As things stand now, a man being tried in San Francisco can assert that he was in New York when the crime was committed, and it is practically impossible for the prosecution to meet his claim when it is sprung suddenly in the middle of the trial.

If advance notice were required, the state could make the necessary investigation ahead of time and marshal evidence to refute the claim, if the claim were false. Some states already have such a law; Prof. Ladd suggests that the law should be universal.

Then, he continues, the state should be allowed to comment when a prisoner takes advantage of his constitutional rights and refuses to testify. In 42 of our states the criminal may refuse to testify and the prosecutor may not remark upon it in any way.

Surely no innocent man's rights would be jeopardized if the state were permitted to draw inferences from such silence.

Lastly, Prof. Ladd urges that criminal law be revised to permit the impeachment of one's own witnesses. As things stand now, a crook may bribe or intimidate the state's star witness so that that witness, on the stand, will give testimony contrary to his former statements—but the state can not expose that witness before the jury, and the criminal wins by a technicality.

Here, again, a simple revision in procedure would make it harder for a guilty man to win acquittal.

None of these changes would increase the hazards for an innocent man. As Prof. Ladd suggests, they would simply provide a fair trial for the state as well as for the defense.

## HOPE FOR "WHITE WINGS"

**I**T is interesting to notice that Mayor La Guardia of New York has promoted a former "white wing" in the street cleaning department to a \$4500-a-year position in charge of all uniformed forces of the department.

The new superintendent started wielding his broom 28 years ago at a wage of 25 cents an hour. Now he gets recognition, promotion, and a comfortable salary.

The interesting thing about it is the fact that we generally look on the street cleaner's job as the one job which, above all others, has no "future." Any other worker can win promotion by industry and efficiency—but not the "white wing."

It is somehow rather pleasant to learn that this notion is wrong.

## CAN U. S. BE TAXED?

**A**ND interesting little problem seems to have arisen in Colorado, where the Federal Government has taken over ownership and operation of the Moffat railroad to protect some \$10,500,000 in loans.

The Colorado state tax commission has announced that it will tax Uncle Sam for this property precisely as it taxed the private owners in former days. If Uncle Sam declines to pay, lawsuits will be filed to test the statutes which provide tax exemption for Government property.

The growth of Government ownership and operation of various agencies is bound to make this problem acute before long. If Uncle Sam is going to run electric plants, railroads, and the like, can the states tax him?

If not, how are they going to replace the income formerly derived from taxation of those agencies when they were privately owned and operated?

The difference between the United States and Germany, Italy, or Russia is that here the purse a gun can do is clean up the movies.

It's parents who talk baby talk, says a Chicago doctor. The babies simply do to humor the old folks.

Legislators in Iceland must not get drunk while on duty, unless the feeling of power gets them that way.

We can foresee for the new love no great tranquillity, peace of mind, contentment or constancy during the period of the courtship,

## Liberal Viewpoint

BY DR. HARRY ELMER BARNES

**H**ITLER and the Nazis are reported to have been incensed at the allegation of Miss Elsa Sittel of New York City that "Der Fuehrer" is not a 100 per cent Aryan.

From all reports of Hitler's pigmentation and other anthropological stigmata, it would seem that he can hardly qualify as one of the blond giants. But even if he could, it would not be a point in his favor according to an article in Scholastic by Dr. Harold Rugg, one of the foremost educators, psychologists and social scientists in the United States.

Discussing the topic "Who Are the Superior Peoples?" he challenges the doctrine of the "racists" that there is such a thing as a comprehensively superior race, be it "Chinese, Malays, Indians, Mexicans, Melanesians, Russians, Hottentots, Eskimos, Germans, French, peoples of the jungles or of the plains."

He shows conclusively, in the first place, that the differences of ability within each race are far greater than the differences which even the racialists allege to exist between separate racial groups. He is inclined to agree with the position of Professor Hankins that "vastly more important than any possible differences between the average capacities of the European races are the individual differences among members of the same race. An ounce of eugenics is worth a pound of race dogmatism so far as the future political security of the country is concerned."

The first important testing of the mental capacities of different races took place at the St. Louis World's Fair in 1904. There the psychologists measured the mental abilities of the Indians and compared them with the white peoples of the towns and cities of the United States. . . . The psychologists came to the conclusion that in the traits measured the non-industrialized peoples had as much actual ability as the Americans."

More than 20 years later Dr. Rugg was in charge of the Philippine educational survey, in which 30,000 Filipinos were tested with 14 different types of mental tests.

The survey was conducted under conditions that made possible a rather clear comparison of the intellectual abilities of the Malays and of those members of the "Nordic" race who live in the cities of the United States. Tests were used that had been taken by million or more American children."

The results of these tests blew sky-high the dogmas of the racialists.

The results showed three things: on the tests in which language played an important part, the Filipino children were very inferior; on tests which employed a slight amount of language they were somewhat inferior; on the non-language tests they did as well as American children.

These results astonished the members of the Commission so much that they were checked and rechecked carefully. But we were forced to conclude that even under adverse conditions these Filipino children showed as much "intelligence" as do our own young people of America. . . . I came away from a careful comparison of the two peoples with the definite conviction that the two peoples with the definite conviction that they are approximately equal in mental ability."

STILL more recently Dr. Rugg took part in testing the mental ability of the Puerto Ricans, Chinese and South Africans. All this only confirmed the earlier findings.

The evidence is convincing that the earlier conclusions of the mental superiority of the Nordics were based on inadequate data."

Applying these and other findings to the German situation, Dr. Rugg concludes:

"This brief introduction to the complicated problem of the comparative intelligence of races has particular interest now when the German Nazi government is setting up definite racial discrimination against the Jews, and other 'non-Aryan' peoples as a cardinal principle of the state, and when anti-Semitism and other forms of intolerance are spreading widely throughout the world."

Germany has instituted in all elementary and secondary schools courses in 'the science of race' in which Jews are condemned as inferior, vicious, and dangerous. It has made compulsory textbooks of Hitler's own book, 'My Battle,' and books by Alfred Rosenberg and others which are filled with this kind of assertions of racial differences.

Needless to say, such courses and books have not the slightest scientific standing in the light of the growing body of reliable data I have here.

At last we are to reap the reward we were all looking for. A trip to France. Sixty-nine from my company were the first volunteers to leave. After a lot of false enthusiasm shown on the part of the natives, we entrain for Camp Mills, New Jersey. We finally embarked on a cattle boat that was resurrected by the British and loaned to Uncle Sam for so much a head. They even threw the British Navy in with the boat. I sailed on.

A wonderful voyage through a sea of hell, no sleep and very little to eat. Ah, we land in sunny France (I often wondered why they ever called it sunny France). Anyhow, we disembarked at La Havre and after climbing up that steep hill that will be remembered by all who had to climb it, we were told it was a rest camp. Any one who ever got any rest in one of these places deserves a medal. After a night's sleep here, we left the next day, for we know not where, but after riding a couple of days in the French boxes, that were originally used for horses, we finally came to a place where we all received our assignments in combat divisions. Then the real pleasures of life were experienced for a few months, but we were so filled up with that exaggerated enthusiasm that nothing was too good for us that we really believed it was true. Well, some of us came back. I am among those fortunate enough to get back for which I am most thankful.

As I sit here looking at a copy of the Indiana Daily Times glorifying the boys as they entrained for Ft. Harrison on Sept. 7, 1917—then pick up a more recent issue, where the same paper (only a difference in name) is opposing the payment of the adjusted service certificates to these same boys. I wonder why I was so filled up with that exaggerated enthusiasm that nothing was too good for us that we really believed it was true. Well, some of us came back. I am among those fortunate enough to get back for which I am most thankful.

Nicky wagged his tail but declined to drink a cup of Brazilian coffee.

"Maybe he's not feeling well," said Jose. "Perhaps I had better send for the doctor."

The veterinary came but pronounced Nicky in excellent health. Since then, Jose has been sending him for every day, just to be sure that his canine pet is not ill. "Why take chances?" is his motto.

Counselor Freitas-Valle is pessimistic.

"By the time I finish paying doctors' bills for the dog," he exclaimed, "I'll have no money left."

SENATORS and representatives are back in Washington for Congress.

The ever-cherful Senator Arthur Capper of Kansas is back from Topeka, apparently little disinterested over the Democratic landslide.

"The longer I live," he remarked, "the more I believe that friendship is the most important thing in life."

Busy Senator John H. Overton of Louisiana is hurrying in the other day, laden with suitcases, accompanied by Mrs. Overton and their three daughters, Katherine, Ruth and Mary Elizabeth. He rented his apartment at the Wardman Park without having made any observations about Huey Long.

Blind Senator Nathan Bachman arrived from Chattanooga, Tenn., referring casually to the weather, and avoiding political topics.

With Mrs. Florence Kahn of California, who has been a representative in Congress since her husband's death 10 years ago, always arrives in plenty of time for the convening of Congress. She has been here for more than a week. (The Kahn family has been represented in Congress for more than 30 years.)

Is this prosperity supposed to be enjoyed by just a chosen few when the multitude of the people need more today than they did at even this time last year? Our Constitution is good, but it seems to me that our system is out of date. It has been outgrown through the invention of time and man saving machines.

Now, are we going to stop here and never think of the most important thing before we can run these machines?

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