

Clarence Darrow – On Crime and Criminals

The following excerpts come from a speech to inmates at the Cook County Jail in Chicago in 1902. For the preface, summarize in your own words what Darrow is saying. For each of the other excerpts, write a short paragraph agreeing or disagreeing with him. Do these on a separate sheet of lined paper

Preface

This address is a stenographic report of a talk made to the prisoners in the Chicago jail. Some of my good friends have insisted that while my theories are true, I should not have given them to the inmates of a jail.

Realizing the force of the suggestion that the truth should not be spoken to all people, I have caused these remarks to be printed on rather good paper and in a somewhat expensive form. In this way the truth does not become cheap and vulgar, and is only placed before those whose intelligence and affluence will prevent their being influenced by it.

Quote 1

If I looked at jails and crimes and prisoners in the way the ordinary person does, I should not speak on this subject to you. The reason I talk to you on the question of crime, its cause and cure, is because I really do not in the least believe in crime. There is no such thing as a crime as the word is generally understood. I do not believe there is any sort of distinction between the real moral condition of the people in and out of jail. One is just as good as the other. The people here can no more help being here than the people outside can avoid being outside. I do not believe that people are in jail because they deserve to be. They are in jail simply because they cannot avoid it on account of circumstances which are entirely beyond their control and for which they are in no way responsible.

Quote 2

First and last, people are sent to jail because they are poor. Sometimes, as I say, you may not need money at the particular time, but you wish to have thrifty forehanded habits, and do not always wait until you are in absolute want. Some of you people are perhaps plying the trade, the profession, which is called burglary. No man in his right senses will go into a strange house in the dead of night and prowl around with a dark lantern through unfamiliar rooms and take chances of his life if he has plenty of the good things of the world in his own home. You would not take any such chances as that. If a man had clothes in his clothes-press and beefsteak in his pantry, and money in the bank, he would not navigate around nights in houses where he knows nothing about the premises whatever. It always requires experience and education for this profession, and people who fit themselves for it are no more to blame than I am for being a lawyer. A man would not hold up another man on the street if he had plenty of money in his own pocket. He might do it if he had one dollar or two dollars, but he wouldn't if he had as much money as Mr. Rockefeller has. Mr. Rockefeller has a great deal better hold-up game than that.

Quote 3

I think that all of this has nothing whatever to do with right conduct. I think it is very easily seen what has to do with right conduct. Some so-called criminals — and I will use this word because it is handy, it means nothing to me — I speak of the criminals who get caught as distinguished from the criminals who catch them — some of these so-called criminals are in jail for the first offenses, but nine-tenths of you are in jail because you did not have a good lawyer and of course you did not have a good lawyer because you did not have enough money to pay a good lawyer. There is no very great danger of a rich man going to jail.

Quote 4

Again, people find all sorts of ways of getting rich. These are diseases like everything else. You look at people getting rich, organizing trusts, and making a million dollars, and somebody gets the disease and he starts out. He catches it just as a man catches the mumps or the measles; he is not to blame, it is in the air. You will find men speculating beyond their means, because the mania of money-getting is taking possession of them. It is simply a disease; nothing more, nothing less. You cannot avoid catching it; but the fellows who have control of the earth have the advantage of you. See what the law is; when these men get control of things, they make the laws. They do not make the laws to protect anybody; courts are not instruments of justice; when your case gets into court it will make little difference whether you are guilty or innocent; but it's better if you have a smart lawyer. And you cannot have a smart lawyer unless you have money. First and last it's a question of money. Those men who own the earth make the laws to protect what they have. They fix up a sort of fence or pen around what they have, and they fix the law so the fellow on the outside cannot get in. The laws are really organized for the protection of the men who rule the world. They were never organized or enforced to do justice. We have no system for doing justice, not the slightest in the world.

Quote 5

I will guarantee to take from this jail, or any jail in the world, five hundred men who have been the worst criminals and law breakers who ever got into jail, and I will go down to our lowest streets and take five hundred of the most hardened prostitutes, and go out somewhere where there is plenty of land, and will give them a chance to make a living, and they will be as good people as the average in the community.

Quote 6

You may punish every person with death for burglary, and it will make no difference. Men will commit it just the same. In England there was a time when one hundred different offenses were punishable with death, and it made no difference. The English people strangely found out that so fast as they repealed the severe penalties and so fast as they did away with punishing men by death, crime decreased instead of increased; that the smaller the penalty, the fewer the crimes.

Hanging men in our county jails does not prevent murder. It makes murderers.