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“The Law of Love”: Penal Reform as the Bridge to Social Gospel

In 1870, Rev. Enoch Cobb Wines established the first national coalition for prison reform in Cincinnati, Ohio. Wines had previously served as the secretary of the New York Prison Association where he was instrumental in building a new kind of prison, the Elmira Reformatory, where inmates were not punished but rehabilitated and educated in Christian morality. Wines wanted to roll out the Elmira model on a national scale so he and other prominent Gilded Age reformers (including future president, Rutherford B. Hayes) established the National Prison Association.<sup>1</sup> In those early years, the NPA was primarily concerned with visiting prisons and gathering statistics about prisoners. Above all, the goal of the NPA and the existing state penal societies was to reform the prisoners themselves, to help them find social salvation from their wrongdoings.<sup>2</sup>

After a period of decline following Wines' death, the NPA underwent a significant change in approach in the years leading up to the twentieth century. In the 1890s, those still working in the NPA emphasized a social, political, and economic approach to crime that hardly focused on individual prisoners at all.<sup>3</sup> Instead of reforming the souls that were already imprisoned, activists now sought to ameliorate the society that created “victims of [their] conditions” who were pushed into criminality.<sup>4</sup> In a few short decades, the goals of prison reform had changed drastically, despite still emanating from an expression of “Christian service.”<sup>5</sup>

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<sup>1</sup> Marilyn D. McShane, "American Correctional Association," *Encyclopedia of American Prisons*, 1st ed. (New York: Garland Publishing, 1996).

<sup>2</sup> E.C. Wines, "National Prison Association," *Prisoner's Friend & National Reformer's Journal*, November 1873, 3.

<sup>3</sup> McShane, "American Correctional Association," 46.

<sup>4</sup> Bruce R. Taylor, "Religion in the New Day," *The Biblical World* 54, no. 5 (September 1920): 469, JSTOR.

<sup>5</sup> Helen E. Marshall, *Dorothea Dix, Forgotten Samaritan* (New York: Russell & Russell, 1937), 60.

Fluctuating attitudes toward crime, punishment, and reform during these years ushered in a new type of Christian advocacy that tried to redeem the soul of society.

The penal reform movement of the early Gilded Age, with its combined social and economic remedy to injustice, represented a pivotal shift in evangelical reform from the morally-minded Christian Lobbyists of the Reconstruction era to the politically active wave of Progressive Social Gospellers. Christian Lobbyists like Wines attempted to reform and rehabilitate individuals, while Social Gospellers affected the society individuals lived in. These Social Gospellers adopted advocacy tactics such as rallying and campaigning for public office that had been pioneered by Christian Lobbyists to advance moral reform to sanction their own policies of social and economic amelioration. They also inherited a psychological understanding of human nature and society that emerged from the penal reform movement.

Penal reform was a common topic of social and political critique long before either of these two reform movements. From the early years of the republic, Christians formed organizations to aid and relieve the incarcerated. In Pennsylvania, the Philadelphia Society for Relieving Distressed Prisoners was established in 1776, then reorganized as the Philadelphia Society for Alleviating the Miseries of Public Prisons in 1787.<sup>6</sup> The members of this group visited jailhouses to assess the conditions, then raised money to provide inmates with food and clothing as well as funds to pay off small debts.<sup>7</sup> The Society also focused on “the preservation

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<sup>6</sup> Frederick Howard Wines, *Punishment and Reformation: A Study of the Penitentiary System* (New York: Thomas Y. Crowell Co., 1895), 147, HeinOnline e-book.

<sup>7</sup> “Observations Recommendatory of the Philadelphia Society for Alleviating the Miseries of Public Prisons,” *The American Museum* 1, no. 5 (May 1787): 386, American Antiquarian Society Historical Periodicals Collection.

of morals in these apartments.”<sup>8</sup> By helping prisoners and prison officials turn away from vices like alcohol and greed, and toward Christianity, the Society hoped to smooth the rough edges of the early American penal system. Both the prisons and the movements established to reform them had ideological basis in the early religious culture of colonial America. Prison experts used the tenets of Quakerism and Puritanism to guide effective incarceration.

The public prisons in Pennsylvania were based on a historically Quaker religious mindset. The Religious Society of Friends, informally known as Quakers, promoted an ascetic lifestyle and this was reflected in their penal institutions. Imitating the Hospice of San Michele in Rome, Quaker jails introduced the practice of solitary confinement in colonial America. Prisons were to function like monasteries, where prisoners would achieve recompense for their crimes through reclusive personal reflection.<sup>9</sup> The Philadelphia Society advocated for the solitary confinement prison structure, which would later come to be known as the Pennsylvania system. In New England, outside of the Quaker sphere of influence, the Puritan ideology colored the conditions and purpose of jails in a more severe manner. Puritanism emphasized an extremely literalist view of biblical sin and similarly conceptualized imprisonment as a punishment for serious moral failings. Puritan jails focused on the prisoner’s atonement for his sins, achieved through his personal suffering at the hands of the enforcers of the law.<sup>10</sup>

These two penal formats speak to the ways in which Christian Americans, specifically those descending from the Puritan and Quaker schools, conceptualized the relationships between

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<sup>8</sup> “Observations Recommendatory,” 387.

<sup>9</sup> Muriel Schmid, “‘The eye of God’: religious beliefs and punishment in early nineteenth-century prison reform,” *Theology Today* 59, no. 4 (January 2003): 548, Atla Religion Database.

<sup>10</sup> Gordon S. Bates, *The Connecticut Prison Association and the Search for Reformatory Justice* (Middletown, CT: Wesleyan University Press, 2017), 14. EBSCOhost.

sin, crime, punishment, and justice for most of pre-Civil War history. Sin and crime were related, but not synonymous. While there was significant overlap, many things considered biblical sins were not usually criminalized by secular law, such as petty lies. Similarly, certain legal misdemeanors such as a parking violation are not mortal sins. However, crime was often described in the language of Christian sin. Reformers often characterized incarcerated persons simply as “sinners” and cited worldly vices as the cause of both sin and crime.<sup>11</sup> Therefore, the concepts of crime and sin were inexorably linked in the Christian American mind, and crime was imagined as a sin against the state. Following the basic Christian dogma, sin must either be forgiven or punished before one can achieve salvation. The criminal justice systems based on Puritan and Quaker ideology emulated this progression as well: crime was atoned for in prison either through personal recompense or corporal punishment before one could regain their right to freedom.

Evolving from these colonial worldviews were the two leading penal designs of the nineteenth century, the Pennsylvania and Auburn systems. As mentioned, the Pennsylvania system emphasized complete isolation of the prisoner from not only the outside world but also other inmates. The flagship of the Pennsylvania system was the Eastern State Penitentiary in Philadelphia, built in 1829 using unique architecture designed to sequester its prisoners. A circular, wheeled layout created jail cells that prevented inmates from communicating with one another.<sup>12</sup> Theoretically, seclusion was supposed to allow criminals time and space to reflect on and repent from their actions, without interference from other criminal types who might steer

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<sup>11</sup> Ernest B. Harper, “Individualizing Sin and the Sinner, II,” *The Journal of Religion* 5, no. 4 (1925): 411, JSTOR.

<sup>12</sup> Bates, *Connecticut*, 25.

them back down the path of sin or, even worse, introduce them to new methods of crime they had never before considered.<sup>13</sup> The cells also contained a solitary skylight window, a symbolic “eye of God” to watch over prisoners as they reformed themselves.<sup>14</sup> James Morton, a prisoner at Eastern State from 1846 to 1853, wrote frequently in his journal of the agony of perpetual solitary confinement, lamenting that, “there is a Sting in grave-like Solitary confinement which pierces with the most venomous thrust.”<sup>15</sup> Certainly the monastic conditions took a heavy mental and physical toll on the prisoners, who consisted mainly of young white men but always included large numbers of women, African Americans, and foreign immigrants, as well.<sup>16</sup>

Competing with the Pennsylvania system during this era was the Auburn system, named for the New York penitentiary where it was first put into practice. Opened in 1816, the Auburn Prison’s penal philosophy stressed the importance of work in rehabilitating criminals. Convicts labored during the day and were isolated in cells at night. At all times, a strict rule of absolute silence was enforced. Similar to solitary confinement at Eastern State Penitentiary, silence at Auburn kept prisoners from conspiring or falling in with one another once they left prison.<sup>17</sup> Guards enforced the silent mandate with violent punishment, usually whips or flogging which, at the time, was considered the “most effective, and... the most humane, of all punishments.”<sup>18</sup> The Auburn and Pennsylvania systems exemplify the world of cruel incarceration that would attract Christian Lobbyists to enact novel prison reforms in the postbellum years.

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<sup>13</sup> Wines, *Punishment*, 153.

<sup>14</sup> Schmid, “The eye of God,” 553.

<sup>15</sup> James Morton, prison diary, (Historical Society of Pennsylvania), quoted in Jonathan Nash, “‘This Scourge of Confinement’: James Morton’s Experiences of Incarceration in the Antebellum United States,” *Pennsylvania Magazine of History and Biography* 139, no. 2 (April 2015): 122. MLA International Bibliography.

<sup>16</sup> Nash, “This Scourge of Confinement,” 121.

<sup>17</sup> Wines, *Punishment*, 156.

<sup>18</sup> Wines, *Punishment*, 155.

Christian Lobbyists do not often receive the same level of historical attention that their related reformist movement, the Social Gospel, does. Gaines M. Foster is one of the only historians to give much space to this collection of Christian activists and he was the first to apply the title “Christian Lobbyists” to them in his book *Moral Reconstruction*. In *Moral Reconstruction*, Foster argues that the Christian Lobbyists were a group distinct from the Social Gospel in both era and tactics.<sup>19</sup> Growing out of the Civil War era, Christian Lobbyists often championed the same issues as Social Gospellers, but with a different religious lens. Christian Lobbyists aimed to make the United States a biblical adherent society. During and after the Civil War, they conceptualized the violence and destruction of the conflict as divine punishment for the nation’s moral degeneracy, which had manifested itself in slavery, alcoholism, gambling, and general disrespect for biblical law. After the war, as the country’s political sphere and national future lay in uncertain disarray, Christian Lobbyists attempted to steer the United States toward the guiding hand of God’s moral dictation. They achieved their first major victory with the abolition of slavery and this triumph emboldened their moral fervor. The sin of slavery had been abolished through federal legislative actions, providing a precedent to ban other immoralities.<sup>20</sup> Christian Lobbyists rallied against vices such as alcohol, birth control, obscenity, and abortion with modernized organizations like the Women’s Christian Temperance Union and enthusiastic lobbying at the local, state, and federal levels.<sup>21</sup>

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<sup>19</sup> Gaines M. Foster, *Moral Reconstruction: Christian Lobbyists and the Federal Legislation of Morality, 1865-1920* (Chapel Hill: University of North Carolina Press, 2002), 5.

<sup>20</sup>Foster, *Moral Reconstruction*, 5.

<sup>21</sup> Foster, *Moral Reconstruction*, 2.

For the Christian Lobbyists, righteousness could be achieved only through individual moral behavior. But it looked as if Americans were more interested in fleeting material pleasure and industrialist capital gain than following biblical moral principles.<sup>22</sup> This is where they sought the intervention of the federal government. Christian Lobbyists used the federal legislature to enact their moral reform long before the Progressive or Social Gospel movements had coalesced. The leading penal reformer of the era, Rev. Enoch Cobb Wines exalted the power of the government to enforce morality and curtail sinfulness.

A nation is a wonderful and a fearful thing. 'A mighty moral mass, immortal in mortality.' How much weakness to be helped! How much ignorance to be taught! How much misery to be relieved! ... What folly, madness, and crime to be held in check! What a sum of good to be achieved, and of evil to be prevented! 'Can there be any human measure of national responsibility? Can there be anything, short of creation, so pregnant in results, as the national organization? ... Where is the power, short of God's that shall sustain?'<sup>23</sup>

To Wines, the moral authority of the government was second only to the authority of the Almighty himself, and so the laws of the nation would undoubtedly influence the virtue of its citizens. Christian Lobbyists put pressure on national representatives to pursue a more righteous society through legislation regulating the lottery, the Sabbath, and, most infamously, the sale and purchase of alcohol.<sup>24</sup> Despite America's deviant tendencies, they believed virtue could be achieved through moral behavior, enforced and encouraged by the government. By outlawing slavery, liquor, and gambling, Christian Lobbyists wanted to narrow the opportunity for Americans to perform immoral actions.

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<sup>22</sup> Foster, *Moral Reconstruction*, 74.

<sup>23</sup> E.C. Wines, *Commentaries on the Laws of the Ancient Hebrews; with an Introductory Essay on Civil Society and Government* (Presbyterian Board of Publication, 1853), 24-25.

<sup>24</sup> Foster, *Moral Reconstruction*.



By the 1880s, some Christians in America decided to attack the ills of mankind through social and economic reform instead. Social Gospel advocates tackled issues like poverty, labor abuse, and inequality by demanding economic reforms. They sought to break up monopolies and ensure union rights in order to level the playing field between rich and poor.<sup>25</sup> Like the Christian Lobbyists, Social Gospelers wanted to make America into a more moral society. However, where Lobbyists focused on encouraging personal moral righteousness to be enforced by law, the Gospelers believed that legislative performance of mercy would allow people to become more moral independently.<sup>26</sup> In essence, Social Gospel advocates sought to “supplant the law of force by the law of love.”<sup>27</sup> The two movements overlapped on several issues such as prohibition, and many Christian Lobbyists would eventually take up the mantle of the Social Gospel into the twentieth-century. The penal reform movement and the changing conceptions of sin it introduced provided a major stepping stone between the two evangelical eras. The moralistic focus of the Lobbyists fell out of fashion in the Progressive era, but their tactics of reform were wielded by the Social Gospelers to achieve a more democratic society.

Christian Lobbyists first gained interest in penal reform in the antebellum years. Although ideally lawbreakers would be tried and sentenced to imprisonment which would reform their souls and send them back into society as moral beings, to the Christian Lobbyist eye, this was not the reality. In most small, local prisons, all types were held together in one large cell. Men, women, children, and the mentally unstable were often crammed together in tight spaces for long periods of time. Those who were merely awaiting trial sat in the same room with

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<sup>25</sup> Bates, *Connecticut*, 33.

<sup>26</sup> John Peter Altgeld, *Our Penal Machinery and Its Victims* (United States: A.C. McClurg, 1886), 17. Google Books.

<sup>27</sup> Altgeld, *Our Penal Machinery*, 77.

convicted criminals.<sup>28</sup> This setup, as the Auburn and Pennsylvania systems were trying to prevent, exposed innocent persons to hardened criminals who might lure them down the pathways of sin. But even within the highly praised Auburn and Pennsylvania systems, Christian Lobbyists saw only punishment, no rehabilitation of the soul. Reformer Dorothea Dix reported on “the condition of human beings, reduced to the extremest states of degradation and misery” in New England prisons, describing their isolation, neglect, and bodily injury as a situation “bereft of reason.”<sup>29</sup> For all their high-minded moral preaching, Christian Lobbyists became particularly sympathetic to the plight of the prisoner.

The plight of women and the mentally unstable in prisons particularly caught reformists’ eyes. Although their Victorian disposition disproportionately condemned female promiscuity and immorality, Christian reformers took sympathy on incarcerated prostitutes and impoverished women. In New York, many Quakers who championed abolition also invested in charity towards the incarcerated.<sup>30</sup> In 1845, the New York Prison Association resolved to “sustain and encourage discharged convicts who give satisfactory evidence of repentance and reformation” by establishing halfway homes that would help find employment for former inmates and keep them on a righteous path.<sup>31</sup> Abby Hopper Gibbons, a Quaker abolitionist and daughter of well-known New York reformer Isaac Hopper, was chosen to run the women’s house. Gibbons expressed deep sympathy for the women held at Auburn Prison, where they were packed together so tightly

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<sup>28</sup> E.C. Wines, “The Sources of Crime,” *American Presbyterian & Theological Review* 1, no. 4 (October 1863): 572.

<sup>29</sup> Dorothea Dix, *Memorial to the Legislature of Massachusetts*. (Boston: Munroe & Francis, 1843), Google Books.

<sup>30</sup> Abby Hopper Gibbons and Sarah Hopper Emerson, *Life of Abby Hopper Gibbons: Told Chiefly Through Her Correspondence* (United Kingdom: G.P. Putnam’s Sons, 1896), 89. Google Books.

<sup>31</sup> Gibbons, *Life of Abby Hopper Gibbons*, 252.

in a single room that the guards were unable to enforce the strict mandate of silence.<sup>32</sup> She recognized that many of these women had been coerced or blackmailed into prostitution and, although it was their personal sin, were not entirely responsible for their circumstances.

Although initially skeptical, the New York legislature eventually agreed to release the women to Gibbons and the Women's Prison Association after assurance that they would not interfere with the state's authority over prisons.<sup>33</sup>

At the halfway house, simply known as the Home, women lived under the supervision of Gibbons and other matrons who ensured they adhered to a strict schedule, including time for domestic activities and bible study. Gibbons and other Christian reformers tried to enable these women to return to "true womanliness," exemplified by religious morals.<sup>34</sup> Protestant ministers were often invited to preach to the women, but when Catholic ex-convicts refused to be belittled or converted, Gibbons took their side and prohibited anti-Catholic preachers.<sup>35</sup> The reformed personal behaviors of these lowly women were believed to be their true path to salvation from alcoholism, prostitution, and petty theft. In her correspondence, Gibbons relayed many anecdotes of her former wards who were transformed from prostitutes, thieves, and murderers to virtuous wives and mothers.<sup>36</sup>

Gibbons also employed Christian Lobbyist tactics to achieve practical prison reform in New York. In 1889, she led the Women's Prison Association in a lobbying effort to ensure that personal searches of female detainees were performed by women, but she had much higher

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<sup>32</sup> Margaret Hope Bacon, *Abby Hopper Gibbons, Prison Reformer and Social Activist* (Albany: State University of New York Press, 2000), 53.

<sup>33</sup> Gibbons, *Life of Abby Hopper Gibbons*, 253.

<sup>34</sup> Bacon, *Abby Hopper Gibbons*, xii.

<sup>35</sup> Gibbons, *Life of Abby Hopper Gibbons*, 150, and Bacon, *Abby Hopper Gibbons*, 55.

<sup>36</sup> Gibbons, *Life of Abby Hopper Gibbons*, 257-259.

ambitions.<sup>37</sup> The next year she led a similar campaign for the Police Matrons' Bill which required police departments to employ a matron who would take charge of arrested women.<sup>38</sup> The bill passed quickly in the legislature but was vetoed by Governor David Hill. Not to be discouraged, Gibbons put her efforts towards campaigning for Hill's opponent in the next year's election and was rewarded with the passage of the Police Matrons' Bill after his victory.<sup>39</sup> After the closure of the Home, Gibbons sought to establish a state-run reformatory for female prisoners. Gibbons considered the "Bill providing a Reformatory for Women and Girls of New York and Westchester" to be "the crowning work of her life" and she worked tirelessly to ensure its success.<sup>40</sup> She spoke to almost every member of the state legislature, engaged in a massive letter writing campaign, and, at the age of 90, spoke in favor of the bill before the Ways and Means Committee.<sup>41</sup> "I do not care for myself and the failure of my plans," Gibbons wrote, "but I do care for these poor women who need this Reformatory so much."<sup>42</sup> Her relentless efforts paid off and that bill, too, was passed. Gibbons exemplified the simple, practical approach to prison reform that Christian Lobbyists promoted.

One of the most famous reformers, Dorothea Dix, felt it was her calling to assist the mentally ill persons who often languished away in prisons without any real medical care. Dix began her work as a Sunday School teacher at East Cambridge Jail in Massachusetts and upon seeing the dingy conditions in which inmates lived, she was "incensed by man's inhumanity to

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<sup>37</sup> Gibbons, *Life of Abby Hopper Gibbons*, 254.

<sup>38</sup> Gibbons, *Life of Abby Hopper Gibbons*, 253.

<sup>39</sup> Gibbons, *Life of Abby Hopper Gibbons*, 254.

<sup>40</sup> Gibbons, *Life of Abby Hopper Gibbons*, 254.

<sup>41</sup> Gibbons, *Life of Abby Hopper Gibbons*, 254.

<sup>42</sup> Gibbons, *Life of Abby Hopper Gibbons*, 255.

man.”<sup>43</sup> To both male and female convicts, Dix preached against crime, encouraging them to end their dependence on sin through temperance and manual labor. However, she recognized that this advice would not solve the problems of the many insane inmates she encountered. Their very status was confusing. Could a mentally unstable person be held entirely accountable for their individual actions? Furthermore, Dix was revolted by the violent way the mentally ill were treated in jail— “confined... in cages, closets, cellars, stalls, pens! Chained, naked beaten with rods, and lashed into obedience!”<sup>44</sup> The severely mentally ill had little sympathy or charity from wider society and often ended up in prisons where corporal punishment was used to manage them. Dix blamed “defective legislation” for the abuse of the insane and advocated for mental hospitals that would provide “Christian care” for the mentally ill rather than criminalize them.<sup>45</sup> Dix’s attitude embodied the Christian Lobbyist mindset of reform as she “had no desire to bring about a heaven on earth and she would have been too modest to attempt it.”<sup>46</sup> Dix, like other early reformers, had little interest in reforming the structures of the penal system but was more concerned with reforming individual prisoners and saving those who were deemed less culpable in their own actions from their sad penal conditions.

The most major structural reform of the Christian Lobbyist era was the establishment of the New York State Reformatory in Elmira, New York. Built in 1869 in the same location as an infamous Civil War prisoner of war camp, the Elmira Reformatory represented a drastic shift in convict rehabilitation that was founded on “labor, religion, and education.”<sup>47</sup> Elmira sought to

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<sup>43</sup> Marshall, *Dorothea Dix*, 62.

<sup>44</sup> Dix, *Memorial to the Legislature of Massachusetts*.

<sup>45</sup> Dix, *Memorial to the Legislature of Massachusetts*, and Marshall, *Dorothea Dix*, 61.

<sup>46</sup> Marshall, *Dorothea Dix*, 60.

<sup>47</sup> Wines, *Punishment*, 209.

almost completely rework the prison from the ground up. Taking inspiration from Spanish and Irish systems, inmates at Elmira were separated according to age, sex, and the nature of their crimes. Sentences were also indeterminate, meaning prisoners were not committed for a set period of time according to their crime but instead were held at the reformatory for as long as necessary until their supervisors believed them ready to reenter society.<sup>48</sup> Elmira rejected both the Pennsylvania and Auburn systems, and it redefined crime as “the measure of the criminal’s opposition to social institutions and of his incapacity to adapt himself to them.”<sup>49</sup> The Elmira system recognized the social component of criminality, although it still placed the onus of responsibility for reform on the individual.

A social theory of crime began to emerge with the rise of industrialization and urbanization. Looking at the crowded, dirty city streets and the conditions of poverty across the country, reformers saw causes for crime that did not always stem from personal immorality or sin. One of the earliest theorists of the social aspect of criminality was the Rev. Enoch C. Wines, a Congregationalist minister who was among the founders of the Elmira system in New York. In 1863, Wines published his theory on the “Sources of Crime” which pointed to lack of education, unemployment, population density, alcohol, and other social factors that contributed to criminal activity.<sup>50</sup> Although the same individual moral issues of the Christian Lobbyists continue to pop up in Wines’ theory, they are connected with larger societal conditions.

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<sup>48</sup> Wines, *Punishment*, 200-209.

<sup>49</sup> Wines, *Punishment*, 214-215.

<sup>50</sup> Wines, “The Sources of Crime,” 560, 580-84

Additionally, Wines condemned the criminal justice system itself for promoting delinquency rather than curtailing it.<sup>51</sup> The conglomeration of all types of prisoners together, the carelessness of arrests, and the lack of a “preventive police force” made jails into “nurseries of crime.”<sup>52</sup> Wines argued that the police should crack down on “hotbeds for crime” such as brothels, gambling houses, and theaters.<sup>53</sup> Like other Christian Lobbyists, Wines saw personal moral choices as the main producers of criminality. He also criticized the cruel treatment of inmates, saying, “brutal treatment brutalizes the wrong-doer and prepares him for worse offenses,” and accused the government of disregarding its responsibility for its wards.<sup>54</sup> Besides the reforms Wines would help implement in the Elmira system, he also advocated for the increased influence of religion on society. For many convicts, their main problem was “that they have never known a parent’s love, never enjoyed the blessings of a home, never felt the warm presence of Christian care and kindness.”<sup>55</sup> Wines hoped that a militantly kind and charitable Christian force could reduce crime across the nation, preventing otherwise innocent souls from landing in the penal system.

Gibbons, Dix, and Wines fell under the Christian Lobbyist umbrella because they employed a mainly individualistic view of criminality and sought to prevent it through government-mandated moralism. This was the same mindset that empowered the Christian Lobbyist activism against slavery and alcohol. But the nature of prison reform specifically brought up unique issues that challenged the Christian Lobbyist approach to amelioration. If

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<sup>51</sup> Wines, “The Sources of Crime,” 572.

<sup>52</sup> Wines, “The Sources of Crime,” 572.

<sup>53</sup> Wines, “The Sources of Crime,” 560.

<sup>54</sup> Altgeld, *Our Penal Machinery*, 25-29.

<sup>55</sup> Altgeld, *Our Penal Machinery*, 26.

certain demographics such as women and the insane were not entirely personally responsible for their own criminality, then who was to blame? They also questioned the justice in imprisoning those who were “shoved” by society into a life of crime.<sup>56</sup> At the same time as the Christian Lobbyists were confronting these tough issues, the world around them was changing in ways that made prison reform all the more urgent.

During the nineteenth-century, the march of progress could not stop for the Lobbyists moral conundrums. The Industrial Revolution transformed American cities in almost every conceivable way— newly arrived immigrants labored in ultra-productive factories to create revolutionary products for the modern American to enjoy. Urban areas which had long been cramped and busy exploded in population and peoples from across the globe struggled to find their own space in a strange new world. The patterns of industrialization, urbanization, and globalization that defined the Gilded Age all contributed to higher rates of incarceration, especially in cities.<sup>57</sup> Reformers took notice of these trends and began to reconceptualize the nature of crime in their wake. Huge societal forces such as poverty, culture shock, labor abuse, and discrimination seemed to play just as large a part in determining a person’s criminality as their specific moral attitudes, and this revelation started to break down the psychological connection between crime and sin.<sup>58</sup>

Additionally, the proliferation of Charles Darwin’s theory of natural selection and evolution produced a similar theory in regards to human society. Social Darwinism posited that

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<sup>56</sup> Altgeld, *Our Penal Machinery*, 11.

<sup>57</sup> Andrew Skotnicki, *Religion and the Development of the American Penal System* (Lanham, MD: University Press of America, 2000), 94.

<sup>58</sup> Josiah Strong, *Our Country* (United States: Baker & Taylor, 1885), 134. Google Books.



the people best suited for their environment would be the ones to survive and thrive. Although Social Darwinist thinking was often used as a racist and classist bludgeon, prison reformers came away with a different conclusion. If the environment was the determining factor in a person's success, then adapting the environment as well as the person could produce a more effective result. Although people were still responsible for their own actions, environmental factors could be adjusted to help reduce their tendency toward criminality.<sup>59</sup> The future of penal reform required a break from the old Christian Lobbyist focus on individual morality and personal responsibility. Fruitful reform would necessitate an understanding that forces larger than individual sin played a massive role in criminal behavior and that Christians could curtail those forces most effectively through social and economic legislation.

One of the first reformers to advocate for a less moralistic and more democratic approach to prisons was John Peter Altgeld. The lawyer and politician began his career as a district attorney in Missouri after the Civil War, but this up-close experience with the criminal justice system opened his eyes to its essential injustices.<sup>60</sup> Altgeld noticed that a disproportionate number of arrested persons were lower class or, in the South especially, Black.<sup>61</sup> This was not new information and many people had attributed these statistics to the inherent inferiority and criminality of poor and Black people, but Altgeld suggested a different reasoning:

It has always been assumed, in our treatment of offenders, that all had the strength, regardless of prior training and surroundings, to go out into the world and do absolutely right if they only wanted to, and that if any one did wrong it was because he chose to depart from good and do evil. Only recently have we begun to recognize the fact that

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<sup>59</sup> Bates, *Connecticut*, 33.

<sup>60</sup> Waldo R. Browne, *Altgeld of Illinois, a Record of His Life and Work* (New York: B.W. Huebsch, 1924), 17. University of Michigan Library Digital General Collection.

<sup>61</sup> Altgeld, *Our Penal Machinery*, 11, 24.

every man is to a great extent what his heredity and early environment have made him and that the law of cause and effect applies here as well as in nature.<sup>62</sup>

Altgeld believed that the systems of criminal justice in the United States were unfairly stacked against the poor and disadvantaged and he argued that the social and economic disadvantages themselves were tools of an unjust justice system. Poverty, filth, overcrowding, and discrimination were what Altgeld called “crime-producing conditions.”<sup>63</sup> In his book *Our Penal Machinery and its Victims*, Altgeld reproduced Wines’ Social Theory of crime and presented possible solutions. Similarly to Wines and other Christian Lobbyists, Altgeld criticized the cruel treatment of prisoners and the poor conditions that led them to criminality.<sup>64</sup> However, what made Altgeld unique is his suggestion of a complete overhaul of the criminal justice system.

Altgeld proposed abolishing bail, ending imprisonment before conviction, abolishing drunk and disorderly laws, abolishing grand juries, and other reforms to prevent discrimination against the poor.<sup>65</sup> He pointed out that rich criminals hardly ever faced arrest, let alone jail time and criticized the hypocrisy of allowing wealth to influence justice.<sup>66</sup> Taking cues from the Christian Lobbyist tradition, he tried to enact his ideas by running for public office. In 1875, Altgeld moved to Chicago where he became an active political force in the city. His most controversial work was for the labor movement, but he continued his passion for penal reform and he was elected as a Superior Justice for the county in 1886 and then as Governor of Illinois in 1892.<sup>67</sup> From these positions, Altgeld enforced Progressive criminal justice reform, perhaps to

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<sup>62</sup> Altgeld, *Our Penal Machinery*, 21-22.

<sup>63</sup> Altgeld, *Our Penal Machinery*, 16.

<sup>64</sup> Altgeld, *Our Penal Machinery*, 47.

<sup>65</sup> Altgeld, *Our Penal Machinery*, 67-75, 93.

<sup>66</sup> Altgeld, *Our Penal Machinery*, 55.

<sup>67</sup> Browne, *Altgeld of Illinois*, 29.

a fault. Altgeld gained a reputation for giving generous pardons to convicts, occasionally granting freedom despite the overwhelming evidence against them.<sup>68</sup> Altgeld was much more concerned with the systemic issues of the justice system which he claimed was “based on a mistaken principle.”<sup>69</sup> Beyond simply debating methods of imprisonment and redemption as the Christian Lobbyists had been inclined to do, Altgeld criticized the economic functions and motives of prisons, reflecting the shifting priorities of Christian reformers.

Like many others of the rising Social Gospel movement, Altgeld’s reforms were based on a mainly economic critique of social systems. He saw in the criminal justice and penal systems the same financial corruption that Social Gospelers railed against in monopolistic corporations. Altgeld argued in *Our Penal Machinery* that prisons had become “speculative establishments” that used imprisonment to enrich the prison officials.<sup>70</sup> Penitentiaries were stocks to be invested in and prisoners were workers to be exploited and abused “with little regard to the fact that they are children of the same Father, or even that they are, blood and tissue.”<sup>71</sup> Like the Christian Lobbyists, Altgeld agreed that it was important for inmates to work in order to avoid idleness, however he highly criticized the system of prison labor that was currently in place.<sup>72</sup> Altgeld condemned unpaid labor and the unfair competition that cheap prison-made goods created against free market products.<sup>73</sup> Connected to his economic critiques, Altgeld claimed that police officers and prison officials were power hungry and incentivized to arrest innocents to collect

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<sup>68</sup> Richard C Lindberg, *The Gambler King of Clark Street : Michael C. McDonald and the Rise of Chicago’s Democratic Machine* (Carbondale: Southern Illinois University Press, 2009), 183. EBSCOhost.

<sup>69</sup> Altgeld, *Our Penal Machinery*, 15.

<sup>70</sup> Altgeld, *Our Penal Machinery*, 45.

<sup>71</sup> Altgeld, *Our Penal Machinery*, 45.

<sup>72</sup> Thomas J. Brown, *Dorothea Dix, New England Reformer* (Cambridge, MA: Harvard University Press, 1998), 129, and Altgeld, *Our Penal Machinery*, 111-113.

<sup>73</sup> Altgeld, *Our Penal Machinery*, 111.

arrest fees.<sup>74</sup> These corruptions all contributed to the social cost of the modern prison which, according to Altgeld, was not worth it.

In a vein that he might have hoped would gain him sympathy with his more conservative constituents, Altgeld estimated that the annual cost of running Chicago's prisons was over \$4,000,000 and he argued that all this investment was "dead capital."<sup>75</sup> "Nobody thinks of getting any return on it— even in those prisons that are said to be self-supporting; nobody thinks of paying interest on the investment," he asserted. The basic goals of a penitentiary— to reduce crime and protect society— were not being met despite the enormous financial investment. In fact, he argued, the penal system did the complete opposite by embittering citizens against their justice system and reinforcing crime-producing conditions through economic discrimination.<sup>76</sup> Altgeld attributed this failure to the false hope that the government should enforce moral law, as the Christian Lobbyists wanted. He asserted that the goal of a prison should be to protect society and that "the right to chastise for an act because of its violating the eternal principles of right and justice... is conceded to be the exclusive prerogative of the Almighty."<sup>77</sup> Any imprisonment that overstepped the limits of man's right to protect his society was to Altgeld's mind "unwarranted and wrong."<sup>78</sup> On this basis, the state would be liberated as the enforcer of moral law and could instead refocus its efforts on the reduction of crime and protection of citizens against violent individuals.<sup>79</sup> Although he was not the only activist to adopt a more economic approach to penal reform, Altgeld's complete separation of the concepts of sin and crime and theoretical

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<sup>74</sup> Altgeld, *Our Penal Machinery*, 12, 33-36.

<sup>75</sup> Altgeld, *Our Penal Machinery*, 13.

<sup>76</sup> Altgeld, *Our Penal Machinery*, 14-15, 59.

<sup>77</sup> Altgeld, *Our Penal Machinery*, 49.

<sup>78</sup> Altgeld, *Our Penal Machinery*, 49.

<sup>79</sup> Altgeld, *Our Penal Machinery*, 67-68.

deconstruction of the contemporary prison was among the most radical proposals for criminal justice of the nineteenth-century.

Even as reformers began to stray from the Christian Lobbyists' moralistic focus on crime, they did not lose their religiosity. One of most prominent prison reformers, frequently cited by Altgeld, was the Rev. Fred L. Thompson. Like Altgeld, Thompson was intimately familiar with the penal system in Illinois; he served as the prison Chaplain of the Southern Illinois Penitentiary in the late nineteenth century. During his time there he cataloged data about prisoners, about their childhood experiences, education, and personal habits, that he used to develop a theory about the development of criminality in man.<sup>80</sup> He concluded that the two main causes of crime were "want of proper home influence in childhood, and the lack of thorough, well-disciplined education in early life."<sup>81</sup> This theory echoes E.C. Wines' social theory of crime, but Thompson gave it a more specific focus. Economic conditions affected both of these causes; parents who could not afford to spend time with their children or send them to good schools could not provide the preventative measures necessary to deter crime. Similarly, children who were raised in poverty were easy victims of a social stream that coerced them into a "tide of bad associations... to the society of the vulgar and criminal, to the committing of crimes— small at first, but bolder at last— and then into the penitentiary."<sup>82</sup> The only way to stem the flow of this tide was, according to Thompson, to extend "the strong arm of society" toward helping the impoverished and downtrodden to prevent their arrest and imprisonment.<sup>83</sup> He also argued that Christianity

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<sup>80</sup> Altgeld, *Our Penal Machinery*, 18-19.

<sup>81</sup> Fred L. Thompson, "A Prison Chaplain's Opinion of the Causes of Crime," *The Chicago Law Times* 2 (1888): 334. Google Books.

<sup>82</sup> Thompson, "A Prison Chaplain's Opinion," 335.

<sup>83</sup> Thompson, "A Prison Chaplain's Opinion," 335.

provided a unique lens to recognize and enact the work of penal reform, stating that “No one has a better opportunity to see the discipline of the prison, and study its effects upon the convicts, than the Chaplain.”<sup>84</sup> Thompson’s activism represented the Christian force behind the penal reform movement, even as it left the realm of Christian Lobbyist moral policing.

The new ideas about the nature of crime and the goals of criminal justice brought forward by turn-of-the-century reformers like Altgeld and Thompson reflected the shifting attitudes of Christians toward social reform. The rising Social Gospel movement was more receptive to economic reforms that would materially improve the lives of Americans rather than the moral reforms Christian Lobbyists had argued would steer people down righteous paths. By supporting impoverished citizens through welfare programs, workers’ rights campaigns, and antitrust legislation, Social Gospelers sought to cure more social ills than just criminality.<sup>85</sup> While still encouraging religious study and morality among prisoners, it was no longer the main focus of their reform.<sup>86</sup> These changes indicated the postmillennialist mindset of Social Gospel Christians. They believed that the biblically foretold reign of Christ would not begin until people had achieved a world consistent with Christian teaching. Social Gospelers sought to advance the creation of this ethical paradise by implementing reforms in their own governments as part of a pattern of gradual global improvement. For Social Gospel Christians, religion was “no longer

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<sup>84</sup> Altgeld, *Our Penal Machinery*, 20.

<sup>85</sup> Foster, *Moral Reconstruction*, 74.

<sup>86</sup> Michael Davitt, *Leaves from a Prison Diary Or, Lectures to a “solitary” Audience* (London: Chapman and Hall, 1885), 128-129. Google Books.

introspective, but extra-active.”<sup>87</sup> Social and economic reforms were not only instruments of Progressive Christian ideals, but the act of fighting for reform became a religious tenet.<sup>88</sup>

The social theories of crime and reform that took early root in the penal reform movement soon found a widespread audience with the larger movement of Social Gospelers. Almost every issue dear to the Social Gospel agenda employed a similar social model to conceptualize the issues and imagine their reformation.<sup>89</sup> Social Gospel reformers involved in the labor movement recognized that the systemic, economic “sins” of the ultra-rich and their monopolistic corporations outweighed the sins of individual workers, who were much more likely to end up in prison.<sup>90</sup> The temperance movement that carried over from Christian Lobbyists to Social Gospelers also took on a new social goal. Social Gospelers argued that Prohibition was necessary not just as a way to rid the country of a destructive vice, but also to prevent citizens from encountering other evils and criminality.<sup>91</sup> The settlement house movement pioneered in the United States by Progressive women like Jane Addams closely resembled Gibbons’ Home for formerly incarcerated women by aiming to help impoverished, immigrant women find secure footing and respectable positions.<sup>92</sup> A significant portion of the conceptions and tactics of reform often attributed to the Social Gospel actually had their origins in the penal reform campaigns of the Christian Lobbyists.

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<sup>87</sup> Arthur S. Phelps, “Shall the Teachings of Jesus be Taken Literally?” *The Old and New Testament Student* 14, no. 1 (1892): 23, JSTOR.

<sup>88</sup> Taylor, “Religion in the New Day,” 469.

<sup>89</sup> Bates, *Connecticut*, 33.

<sup>90</sup> Altgeld, *Our Penal Machinery*, 55.

<sup>91</sup> Francis Greenwood Peabody, *Jesus Christ and the Social Question: An Examination of the Teaching of Jesus in Its Relation to Some of the Problems of Modern Social Life* (United Kingdom: Macmillan, 1900), 333-334. Google Books.

<sup>92</sup> Victor J. Danilov, *Famous Americans: A Directory of Museums, Historic Sites, and Memorials* (United States: Scarecrow Press, 2013), 356. Google Books.

Notably, prison reform as a movement was not of high priority for most Social Gospellers. By the heyday of the Social Gospel at the turn of the century, many activists viewed prison reform as an irrelevant issue. However, it was not lack of sympathy that turned activists away from penal reform, but rather a sense of completion. Because of the Lobbyists' work, some Gospellers saw that "society began to forsake the paths of vice and crime and turned glad feet into the way that led unto happiness and virtue."<sup>93</sup> Social Gospellers recognized the extraordinary efforts of the Christian Lobbyists who had preceded them and credited their forerunners with practically perfecting criminal treatment in America. Where Social Gospel activists recognized the sustained need for reform, they continued to pursue it through largely economic measures rather than try to reform the prison structure as the Lobbyists had.<sup>94</sup>

Those Social Gospellers who continued to advocate for prison reform often struggled to keep their efforts from being washed out in the face of larger movements like Prohibition. Anna Wharton Morris was a devout Quaker who carried the torch of prison reform in Pennsylvania well into the twentieth century. Much of her work was done within Quaker communities and her reform tactics still closely resembled those of the early Christian Lobbyists.<sup>95</sup> She was engaged in multiple penal affairs societies and advocated for reform through her writing and public engagements.<sup>96</sup> She criticized the "secrecy in prison affairs" and implored other Christian reformers to keep penal reform at the forefront of their minds.<sup>97</sup>

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<sup>93</sup> Newell Dwight Hillis, *The Influence of Christ in Modern Life* (London: Macmillan & Co., 1910), 54.

<sup>94</sup> Taylor, "Religion in the New Day," 469.

<sup>95</sup> Celia Caust-Ellenbogen, "Illustrating Progressive-Era Reform in Pennsylvania: The Anna Wharton Morris Papers" *The Pennsylvania Magazine of History and Biography* 143, no. 3 (2019): 387. JSTOR.

<sup>96</sup> Caust-Ellenbogen, "Illustrating Progressive-Era Reform in Pennsylvania," 388.

<sup>97</sup> Caust-Ellenbogen, "Illustrating Progressive-Era Reform in Pennsylvania," 390.



Prison reform in the United States was by no means a completed project, as the next century of activism would prove, but for Social Gospelers, a large psychological battle had been won. Decades of theorizing and lobbying, led by a commitment to Christian moral society, had propelled the penal reform movement from a slow process of individual rehabilitation into a piece of the social puzzle Gospelers sought to solve. When viewed as a problem that required sweeping economic and social amelioration, prison reform fit nicely beside the labor movement, Prohibition, and other Social Gospel issues. But it was also because of the shift in thinking about criminality that Social Gospelers were able to vocalize and rationalize their social reforms. The psychological leap from individual responsibility to social culpability provided an important basis for almost all Social Gospel reform issues and, combined with the continuation of Christian Lobbyist tactics, helped establish a cohesive development in evangelical reform.

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