

The Social History of Crime and Punishment in America: An Encyclopedia

National Congress on Penitentiary and Reformatory Discipline

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The National Congress on Penitentiary and Reformatory Discipline was a meeting of prison reformers in the United States held in Cincinnati, Ohio, from October 12 to October 18, 1870. Marking the inception of the National Prison Association, the congress represented the culmination of years of efforts by reformers toward the creation of a national prison congress. It would be followed by the International Penitentiary Congress in 1872. Principles adopted by the congress advocated a number of reforms that later became central elements of prison systems in the United States, including indeterminate sentences and the progressive classification of inmates.

Reformers Congregate

The congress attracted reformers concerned with prison and penitentiary discipline from across the United States, and congressional attendees represented a broad spectrum of interests and occupations. Among those in attendance were state administrators and institutional commissioners, judges, wardens of several state penitentiaries, prison chaplains, directors of houses of refuge, institutional matrons, and members of charitable societies. The geographic distribution of attendees was uneven, and states from the midwest and northeast had the largest contingents of members present. The single largest group came from Ohio, the host state of the congress, with more than 100 members. Attendees from southern states were far less numerous and, among former Confederate states, North Carolina and Tennessee each had a sole attendee at the congress, while two attendees came from South Carolina.

The outside of an original cell door from a 1767 Burlington County Prison in Mount Holly, New Jersey. This solidly built prison, originally designed to house approximately 40 prisoners, was in constant use until November 1965.



Many notable American prison reformers attended the congress. Enoch Cobb Wines, advocate for penitentiary reform and secretary of the New York Prison Association, served as a vice president of the congress. Zebulon Brockway, future [p. 1187 ↓] warden of the model reformatory at Elmira, New York, served as one of the secretaries to the congress. Most prominent among politicians in attendance was the congress's president, Rutherford B. Hayes, then governor of Ohio and future president of the United States. Other notable politicians in attendance were Frederick Smyth, the former governor of New Hampshire; Daniel Haines, the former governor of New Jersey; and Conrad Baker, then governor of Indiana.

Over the course of the congress, papers by authors, both in attendance and corresponding, were presented for consideration by congressional members. Authors addressed a broad range of topics related to prison and penitentiary reform. Following the presentation of individual papers, members of the congress were given opportunities to question presenters and discuss the merits of ideas presented.

Methods of Investigation

Congressional members explored ideas such as a scientific approach to crime and punishment; the causes of crime, including intemperance and vice; and the nature of

criminal populations, including the nationality of offenders. Domestic and foreign authors provided accounts of institutional practices from both the United States and abroad, ranging from prison discipline in Denmark to the Port Blair penal settlement in India to the Ohio reform farm school. Though its author was not in attendance, a notable paper by Sir Walter Crofton was read describing the Irish system—which served as the base model for the system of inmate classification that the congress advocated in its principles. The congress deliberated methods of fostering inmate reformation, with consideration devoted to education and religious training for inmates. Members of the congress took critical stances against many of the practices that characterized prisons and penitentiaries of mid-19th-century America, notably, political influence in the administration of prisons and determinate sentences for crimes.

The congress was not entirely without conflict or dissent. In an example of a minor disagreement, responses of both “no” and “yes” were given by congressional members to a question asking whether the sexes could be kept separate and reformed at the same institution. A more significant disagreement arose in which several members of the congress, including Enoch Cobb Wines, differed as to whether the highest financial results obtainable through prison labor were compatible with the highest moral results in reforming prisoners. Similarly, during the discussion of Zebulon Brockway's paper outlining the ideal prison system, A. G. W. Carter of Cincinnati argued that the nation's penitentiaries were unsuccessful at reformation—and that the nation would be better served by banishment or transportation of offenders.

Principles of the Congress

As a statement of its ideals, the National Congress on Penitentiary and Reformatory Discipline adopted 37 principles that defined the congress's stance on the nature of imprisonment, the objectives of punishment, and the methods to be employed by penal institutions. Foremost, congressional principles defined the objective of prison discipline in the United States as reformation. Principles indicated that inmate reformation was to be achieved through the use of education and religious instruction, through discipline inculcated in inmate labor, and by avoiding the use of physical force on inmates. A number of the principles adopted by the congress addressed inmate sentencing, notably, advocating for indeterminate sentences, in which sentences were

not to be fixed in length but rather extend until inmates exhibited proof of reformation. Principles also advocated ensuring that sentences be of sufficient length to allow for inmate reformation, reducing the usage of gubernatorial pardons, and eliminating inequities in the length of sentences for like offenses. The principles of the congress contained provisions for changing current organizational practices within prison systems, including the centralization of prison administration and the use of progressive classification of inmates based on a system of marks. The congress also endorsed new penal management practices, including eliminating political appointments of prison administrators and requiring specialized training for reformatory officers.

Many of the reforms advocated at the National Congress on Penitentiary and Reformatory Discipline were adopted by prisons in the United States following 1870. New York's Elmira Reformatory, the model institution opened in 1876 [p. 1188 ↓] under Zebulon Brockway, incorporated a version of the mark system, inmate classification, inmate vocational and religious training, and indeterminate sentences. Later, in the Progressive Era, both indeterminate sentences and inmate classification became central elements of prisons in the United States. Prison systems of the Progressive Era also endorsed a concept similar to reformation, termed *rehabilitation*, as the primary goal of incarceration.

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See Also:

- [Brockway, Zebulon](#)
- [Elmira Prison](#)
- [History of Crime and Punishment in America: 1850–1900](#)
- [National Prison Association.](#)

Further Readings

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