

1903 Relation of Society and State to the Institution-How best Subservd - A.C. Rogers

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Chairman Martin:

This subject involves points that have been covered so fully in former discussions at these meetings that the writer feels it difficult to add anything new, and must necessarily repeat ideas that have already been presented here.

Among the fundamental motives that give rise to the establishment of public institutions may mentioned (1) Self interest, (2) Charity, and (3) Desire to improve society; among the auxiliary motives may be mentioned (1) Business Interests, (2) Political Interests and (3) Personal Ambitions.

The isolation of criminals is, of course, prompted primarily by the motives of self protection, though with it has been to a greater or less degree the disposition to execute what has been considered justice. The exercise of a God given function to mete out to man that which their conduct merited, in the opinion of their fellow men, irrespective of any direct bearing it might have upon individual safety. In modern times the element of education for the individual is of course an important one.

The treatment of the insane by the State has involved both the ideas of self-protection and charity, the former predominating in earlier days and the latter certainly predominating at the present time.

The correctional institutions are founded upon the latter idea of improving society or the particular individuals committed to them by educational methods, as well as that of self protection.

The education of the individual is the sole object of the establishment of schools for the Deaf and the Blind and organization and management of such institutions by the state, illustrates a fact with regard to all public institutions that is often overlooked, viz; that the state usually organizes and conducts those enterprises in order to extend their operations to a large number of people, which have been worked out into something of routine by private means. The element of charity certainly enters very largely into the motives that actuate the establishment and maintenance of all public institutions, in some of course more than others. Even the schools partake in a measure of this element. "According to English usage and according to legal usage in this country, an educational institution unless supported by the fees of the pupils, is a charity". (American Charities-Warner, Page 302) In this country, however, we do not popularly consider any educational institution, even though conferring its tuition gratuitously, as charitable, though the gratuitous furnishing of food and personal necessities partakes of charity. Our American idea recognizes the bestowal of education as an investment that should develop good citizenship. In the cases of the special schools, the educational feature far overshadows the charitable and the latter is incidental, not essential to them.

The element of charity involved in the support of these Institutions need not, in itself, be any cause of humiliation on the part of the recipients. Many of our brightest and most successful men and women graduates of colleges have received, during their college courses material aids from funds maintained for the special purpose of assisting those who, unaided, could not secure college training. While these funds are charities, there is no humiliation but rather honor connected with their acceptance. Successful citizenship and marked usefulness in after life are ample recompense to society or private grantors of such benefits. The spirit with which such gratuities are received, and results derived from them, are of more importance than the simple fact of the gratuities.

The discussion of the extent to which charity enters into the support of our public institutions, hinges largely upon the meaning given to the word. In England the support of public institutions depends largely upon private benefactions and the reports that reach our files usually publish long lists of donors and carefully prepared instructions to those proposing to contribute. Many of these donors contribute with absolute regularity from year to year. Hence the dominantly charitable feature of such institutions. In this country the support coming from a common public fund created by general taxation, the charitable feature is readily reduced to its lowest terms in all of our state public institutions and only in so far as the poor otherwise unable to obtain the benefits of these institutions, actually profit by them, can they be considered charitable in any sense of the word. Even the commonly accepted definition - "Gratuity to the poor" - loses its humiliating feature, when tested by the other fact that the state is simply carrying out and applying universally that which private enterprise could not accomplish. In harmony with the idea of cooperation, the state has established these institutions as, in a sense, insurance organizations and every citizen holds a policy that guarantees to him or any member of his family, the care, treatment, education or other ministrations that exigencies of the case may require in line with the purposes of the institutions respectively. His premium consists of his taxes, and conduct that does not forfeit his citizenship.

The American practice has thus given a different status to our institutions in this respect, compared with those England, and gradually the nomenclature is changing and we have our State Hospitals for Insane, our State Schools for Deaf and Blind, our State Training Schools for Feeble-Minded and Hospitals for Epileptics, and we shall expect to see this evolution of titles continue in harmony with the evolution of feeling in regard to the institutions themselves.

Of the auxiliary motives that inspire interest in the public institutions, viz: those of business, political or personal nature little need be said. That these influences are often potent in determining whether or not an institution shall be organized, where it shall be located, and who shall administer its details, cannot be denied, but universal experience shows that to the extent these influences become dominant to the extent these influences become dominant to that extent do they become repugnant to the people and in time a healthy reaction places the institution out of their sphere.

We may consider, for the purpose of this paper that the "state" is the organized legislative and administrative force actually directing the affairs of the common wealth, as distinguished from the more intangible but all powerful collection of human elements that together constitute what is termed "society".

The relation of society to the institution is one of (1) ownership, (2) one of support, and (3) one of education.

Ownership by society involves the obligation of support and the recompense of patronage. Society entrusts to the state the government of its institutions and expects that their workings and the results of the doings shall be duly and truthfully advertised and that it shall be educated as to the best policies to pursue to accomplish the desired results.

The question of support is, of course, a very important one. In the administration of the institution there are two antagonistic forces constantly at work. First, there is a desire and effort to accomplish the objects for which the institution is created regardless of the cost. The desire and effort to keep the ideals of the administration high. The other is to make the cost as low as possible. The official who must determine finally the point of adjustment between these forces, is often embarrassed in his efforts, especially if the functions of the institution in question are complicated, or the beneficiaries are helpless or incompetent and his judgment alone must largely determine the matter.

The ideal for the former, leaving from consideration the penal and correctional institutions, may be considered as representing the demands or the desires of the parents and friends of inmates from intelligent and well to do families. I do not refer to that class of people who demand everything from the state, but there is a class of intelligent citizens whose ideals of life are high, whose sense of obligation to citizenship is acute, and who appreciate the privileges of civilization. The judgment of such people is often of valuable assistance to a superintendent or director, not only for determining the status of the institution with the public but for suggestions concerning the management itself.

I think a very good test for deciding any question of institution support, is to consider what a sensible, intelligent person would do in that case when the interest of his relative is involved; (of course, I except from the test the judgment of friends or criminals.) In fact, it is a good plan to frequently gauge our actions and decisions by imagining the interests of our own relatives involved.

The administration of public institutions, while in a measure routine, as suggested before, cannot be permitted to be a matter of cold business for the reason that it has to do with human beings. In the running of a saw mill, the manager orders so many thousand feet of lumber each of various kinds and dimensions, produced in a given time. The woodman, the sawyer, the inspector, and the engineer, know at once what their duties are and determine the elements of expense, both of labor and material, to a nicety - save for accidents, storms, or floods. In dealing with human beings we have to deal with a variable quantity. The emotions, as well as the reasoning faculties, are to be reckoned with and they are so closely correlated with the physical wants, that the latter are necessarily variable also. The whims of appetite for food, the variations of feelings with reference to the inmates, surroundings, and the matters of employment or other requirements, their appreciation of or repugnance for the things provided for their personal comforts or benefit, though not considered in a business discussion concerning the support of the institution, are factors, that must be reckoned with, and they prevent the running of an institution upon close mathematical lines.

It is, however, a well established fact that the public will cheerfully approve of the expense of a honestly administered institution, that supplies bountifully of food, furnishes comfortable lodging, and everything necessary for the best care, training, medical advice and in general comfort and happiness of its inmates. Dishonesty and wastefulness alone mark the line of disapproval. On the other hand, the lack of these things, or any of them, or the mistreatment of inmates the public will not stand for.

The plan of throwing the expense of the support upon the parents or the counties, is one that always appeals to the business man at first thought.—In its favor are (1) the locating of the financial burden nearest its original source, (2) prevention of the habit of giving the state as expense that private resources are perfectly able, to bear but shirk through influence with local officials. The argument some times presented that "all-state" support results in state care of many that ought not to have it, I do not believe is a sound one, at least so far as it applies to the feeble-minded and epileptic. To what extent this argument is valid in reference to the insane I do not pretend to say. With the discretion left with the management as to discharges, it would not seem valid with them.

On the other hand people who pay the taxes for the support of all dependents, object to paying extra when the care of their own relatives is involved. Again, an argument against county support would be the disposition to ignore the rights and best interest of individuals requiring institutional care, so long as their presence in the community can be tolerated.

So far as the feeble-minded are concerned, if experience and observation have emphasized any one thing more than another, it is the fact that in general, they should be permanently under State control. A very large majority will be if the provisions for such control are provided; - a variable minority should be but will not be unless special attention is given to them. I refer to those unfortunate persons both male and female who in childhood manifest criminal tendencies. In my judgment, the process of admission to the institution should be made as simple as possible and then a process should be established by law, by which the dangerous and irresponsible cases would be placed under permanent custody. By this means, the admission being voluntary and ample opportunity being given for the study of the cases referred to, there would be substantially no mistake made as to diagnosis and the largest number of those requiring permanent detention would be secured, while suitable cases might return to society without any stigma of commitment. I would have these special cases passed upon by a court of proper jurisdiction in order that the control should be effective and absolute.

Again, as to the support, the attempt to extend the advantages of the institutions to all of the classes for whom intended, makes the aggregate cost so large that some of our good statesmen are startled at the sum. It must be kept in mind however, that these people must be supported in any event and the fact that the cost would otherwise be so distributed as to be lost sight of, would not necessarily decrease the aggregate amount. Another important economic fact just be remembered - the presence of a defective person in the family, often so monopolizes the attention of the wage earner of the family, that it becomes partially or entirely dependent upon public support until the institution assumes the care of its defective member.

The expense of the properly administered institution would become a matter of serious apprehension, however, if it could be shown conclusively that its existence increased the causes for its existence. If it could be shown that the universal application of state support to the helpless, or deficient, made people less careful in regard to the laws of heredity and hygiene and thus more or less directly contributed to an increase of subjects for state aid, there would be cause for apprehension. At the present time I do not think we have any knowledge tending to this conclusion. It is probably true that the care now given defectives, prolongs their existence and thus slightly increases the number to be cared for at any one time, but is not that fact more than off set by the effect upon the

community of the object lesson afforded by these great families of defective? How often the expression is heard, "I did not know there were so many unfortunate people in the whole state?" Is not the very knowledge of their existence a cause for bringing to bear all the knowledge available tending to promotion.

Considering the welfare of the inmates only, other things being equal, the famous statement of Maccauley when discussing the corn laws is applicable to them - "Never will I believe that what makes a population stronger and healthier and wiser and better can ultimately make it poorer."

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