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Martyn Housden\* :

# 'Oscar Wilde's imprisonment and an early idea of "Banal Evil"'

or 'Two "wasps" in the system.

**How Reverend W.D. Morrison and Oscar Wilde challenged penal policy in late Victorian England'**

Introduction

Reverend W.D. Morrison and Sir Edmund Du Cane

The Gladstone Committee investigates

The Gladstone Report

Oscar Wilde is committed to prison

Failed petitions

The banality of evil, English-style

Over-administration, mental health and the slow process of penal reform

## Introduction

*With slouch and swing around the ring  
We trod the Fools' Parade!  
We did not care: we knew we were  
The Devil's Own Brigade:  
And shaven head and feet of lead  
Make a merry masquerade.*

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*We tore the tarry rope to shreds  
With blunt and bleeding nails;  
We rubbed the doors, and scrubbed the floors,  
And cleaned the shining rails:  
And, rank by rank, we soaped the plank,  
And clattered with the pails.*

*We sewed the sacks, we broke the stones,  
We turned the dusty drill:  
We banged the tins, and bawled the hymns,  
And sweated on the mill:*

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*But in the heart of every man  
Terror was lying still.*

*So still it lay that every day  
Crawled like a weed-clogged wave:  
And we forgot the bitter lot  
That waits for fool and knave,  
Til once, as we tramped in from work,  
We passed an open grave.*

*With yawning mouth the yellow hole  
Gaped for a living thing;  
The very mud cried out for blood  
To the thirsty asphalt ring:  
And we knew that ere one dawn grew fair  
Some prisoner had to swing.*

*Right in we went, with soul intent  
On Death and Dread and Doom:  
The hangman, with his little bag,  
Went shuffling through the gloom:  
And each man trembled as he crept  
Into his numbered tomb.*

The lines present a dreadful image of the late Victorian prison: silent exercise in an enclosed yard, pointless labour, a solitary cell, all supplemented by a turn at the crank or treadmill. The crushing quality of the experience was compounded not just by the inmates' dehumanised appearance but, more serious by far, the background presence of the gallows. Hangings happened only infrequently, but the prospect of one provoked a reaction among the whole prison population; every prisoner felt his or her mortality acutely.

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The verses come from *The Ballad of Reading Gaol*.<sup>1</sup> At the instigation of the Marquis of Queensberry, Oscar Wilde had been convicted of gross indecency. In Spring 1895 he was given two years hard labour for a 'crime' involving a homosexual relationship with Queensberry's son, Lord Alfred Douglas. Wilde was held briefly in Pentonville and Wandsworth prisons before the fateful transfer to Reading. Incarceration wrought an existential transformation in a playwright whose devastating wit previously had rendered him a darling of London's salon society. He found little comedy in prison manners, however. Although Oscar Wilde had long been aware of the more 'weighty' aspects of the human condition, as expressed for instance in 'The Soul of Man under Socialism' which appeared in *The Fortnightly Review* in 1891, prison brought the serious qualities of life clearly to the forefront of his mind. At his makeshift prison table the author of *Lady Windermere's Fan* now dwelled at length on the relationship between Art, individualism and religion. In his cell he produced a text, addressed in the first instance to his former lover, which later was published as *De Profundis*.<sup>2</sup> Less well known, however, are two devastating letters which Wilde sent to *The Daily Chronicle* soon after his release in 1897.<sup>3</sup>

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1 O.Wilde, *The Soul of Man and Prison Writings*. OUP. 1998.

2 *ibid.*

3 Reproduced in R.Hart-Davis (ed.), *Selected Letters of Oscar Wilde*. OUP. 1979. [hereafter Hart-Davis,

These developed a harsh critique about aspects of the British state and, in the process, developed an idea of inhumanity which was ahead of its time. Tellingly, when Wilde died in 1900, it was as a consequence of an ear infection which developed during his imprisonment.<sup>4</sup> In death, as in later life, Oscar Wilde provided a critique of the 'dark places' which jarred with the self-confidence of a successful imperial society.

The imprisonment of Oscar Wilde generated an extensive documentation which is available in the National Archives, London.<sup>5</sup> The papers show it to have been a highly dramatic event in which senior prison service figures struggled to deal with a high-profile inmate whose health began to crack under the strain.<sup>6</sup> What's more, at least one well-established malcontent tried to use the case to generate momentum for penal reform. Indeed Wilde attracted a series of celebrity visitors. Through his experiences influential people normally insulated from unsavoury spheres of life were exposed to the dire conditions behind bars. As a result, the prison establishment was forced to consider its position very carefully indeed.

The stir surrounding Oscar Wilde's imprisonment is all the more interesting because it was intimately associated with the context of the Gladstone Committee. The work of this body has been one of the most frequently discussed benchmarks in British penal history.<sup>7</sup> It should be emphasised that Wilde was committed to prison in May 1895, just a month after the Gladstone Report was published, and issues raised by his incarceration meshed closely with the committee's agenda. Allegations of unacceptably high rates of mental illness among prisoners had been central to the government's decision to establish Herbert John Gladstone's investigative body in June 1894 and just eighteen months later allegations arose that Oscar Wilde was in danger of becoming insane. Gladstone's report voiced concern about the administrative principles underpinning British prison life; Wilde later developed a penetrating critique of exactly this point - a critique, incidentally, published in the very same newspaper which produced the series of articles which led Home Secretary Asquith to found the Gladstone Committee in the first place (i.e. *The Daily Chronicle*). Various key players associated with the Gladstone Committee also took an interest in Oscar Wilde. For instance, Reverend W.D.Morrison was assistant chaplain at Wandsworth

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*Selected Letters*]

4 *ibid.* p.142.

5 Prison Commission Documents [hereafter P.COM] 8/432, 433, 434 and 435. They are located at the National Archives (formerly the Public Record Office), London.

6 For a brief discussion of the case, see L.Radzinowicz and R.Hood, *The Emergence of Penal Policy in Victorian and Edwardian England*. Oxford: Clarendon. 1990. [hereafter Radzinowicz and Hood, *Emergence of Penal Policy*] pp.588-91.

7 S.McConville, 'The Victorian Prison. England 1865-1965' in N.Morris and D.J.Rothman (eds.), *The Oxford History of the Prison*. OUP. 1995. [hereafter McConville, 'The Victorian Prison'] p.144; J.Pratt, *Punishment and Civilization*. London: Sage. 2002. pp.86-8; Radzinowicz and Hood, *Emergence of Penal Policy* pp.576-9; J.E.Thomas, *The English Prison Officer since 1850*. London: Routledge. 1972. [hereafter Thomas, *English Prison Officer*] Chapter 6.

and had written the journalism which caused Gladstone's work in the first place. He took up Wilde's case and supplied information to R.B.Haldane. The latter was a Liberal MP who later became Secretary of State for War and Lord Chancellor. In the mid-1890s, however, he was a member of the Gladstone Committee.

This paper aims to locate Oscar Wilde's incarceration in this train of events which was so important for the history of British prisons. In so doing, it underlines the importance of mental health issues in generating a decisive force for penal reform. By necessity it also outlines the ideas deployed by both Morrison and Oscar Wilde. In particular it shows that in his criticism of the administration of British prisons, Wilde actually began to develop a critique of modern bureaucracy which anticipated in some respects the work of influential twentieth century commentators such as Hannah Arendt and Zygmunt Baumann. The prisons of Victorian Britain certainly were nothing like Nazi concentration camps, but the experience of incarceration did lead Oscar Wilde to make a number of observations which were ahead of their time.

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## **Reverend W.D. Morrison and Sir Edmund Du Cane**

Crisis broke over the British prison service in January 1894 when a series of devastating articles about local prisons in London appeared in *The Daily Chronicle*. They generated an extended debate which spilled over into other journals such as *Truth*, *Pall Mall Gazette* and *Weekly Dispatch*. Senior medical men, warders, prison schoolmasters, former convicts and prison reformers all contributed. The Liberal government, in power since just 1892 and anxious to make an impression after a long period of Conservative rule, could not ignore the 'hue and cry'.<sup>8</sup>

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*The Daily Chronicle's* articles were written by an anonymous 'Special Commissioner'. Close reading of the subsequent discussion does, however, identify the author. According to the Principal Medical Officer at Wormwood Scrubs, a prison chaplain was to blame.<sup>9</sup> Reverend W.D.Morrison had served at Wakefield prison before becoming assistant chaplain at Wandsworth on 13 December 1886. He fancied himself a leading intellectual light in British criminology and made critical noises about contemporary developments openly in high profile journals.<sup>10</sup> Morrison published 'The Increase of Crime' in *The Nineteenth Century* (June 1892) and 'Are Our Prisons a Failure?' in *Fortnightly Review* (April 1894). The earlier article bemoaned the connection between social modernisation, particularly urbanisation, and increased offending. He identified a 'degenerate caste'

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8 P.COM 7/38.

9 P.COM 7/38; *The Daily Chronicle* 29 Jan. 1894. The letter from Tennyson Patmore says, 'Because one chaplain has talked and lectured, and written, does not your expert commissioner imagine that none other may be an expert in "criminal anthropology"?'

10 P.COM 14/2; entry of 13 Dec. 1886.

exiting in cities which carried out 'grave offences' against women and children.<sup>11</sup> In the later article (which went to press as *The Daily Chronicle* essays appeared), Morrison blamed the central penal administration for failing to deter recidivism. Only 40% of convicts had been re-convicted in the closing period of local management of prisons (i.e. immediately prior to 1877); now the figure was 48%. Comparable figures for Austria and Germany were just 28% and 29%.<sup>12</sup>

The assistant chaplain argued that criminals suffered from mental instability which only became worse as a result of tough prison discipline. Noting a rate of insanity in prisons which had doubled since the system was centralised in 1878, Morrison proposed that far too many prisoners were debilitated by the experience of incarceration. Upon release they were incapable of leading industrious, lawful lives and fell back into crime just to survive. On this basis, Morrison recommended that prisons 'must be organised so as to remove rather than to intensify the conditions which produce the criminal.'

Unsurprisingly Reverend Morrison quickly became known as a trouble-maker. Chairman of the Prison Commission, Sir Edmund Du Cane, refuted his essay for *The Nineteenth Century* in the very same journal.<sup>13</sup> After publishing the piece in *Fortnightly Review*, Morrison was also called to appear before the Prison Commission.<sup>14</sup> None of this stopped the assistant chaplain becoming interested in Oscar Wilde when he was imprisoned briefly in Wandsworth, however. His activity in this connection led the then chairman of the Prison Commission, Sir Evelyn Ruggles-Brise, to put the following in a hand-written note: 'I am afraid Mr.Morrison is a dangerous man, who is trying to make of Wilde a peg whereon to hang his theories of the brutality of our prison system.'<sup>15</sup>

In early 1894 the biggest 'problem' caused by Morrison involved three articles, all entitled 'Our Dark Places', published anonymously in *The Daily Chronicle* on 23, 25 and 29 January. They contained a personal assault on the then chairman of the Prison Commission, Sir Edmund Du Cane. Apart from hinting at financial corruption, Morrison repeatedly branded Du Cane and his work unintelligent. The Prison Commission's annual report was stigmatised as 'more unsatisfactory, more meagre and in several respects less intelligent in its methods than any other account of public stewardship'. It ignored all foreign innovations, whether the ideas of Lombroso and Ferri, the approaches of American prison reformers or the Bertillon method of identification. The system was described as 'cumbrous, pitiless, obsolete, unchanged' and Du Cane's influence over appointments had led it to be 'the most conservative, the least flexible, and the least intelligent department in

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11 W.D. Morrison, 'The Increase of Crime', *The Nineteenth Century* (1892) p.957.

12 W.D. Morrison, 'Are our Prisons a Failure?', *Fortnightly Review* (1894) p.463.

13 E.Du Cane, 'The Decrease of Crime', *The Nineteenth Century* (1893).

14 P.COM 14/3; entry of 17 April 1894.

15 P.COM 8/432; note by Ruggles-Brise, 1 Oct.1895. Ruggles-Brise took up the post of Chairman when Du Cane retired on health grounds in Spring 1895.

the British Empire'. Du Cane favoured the appointment of ex-soldiers to prison posts, but these men were termed 'unfit' to understand 'the complex human problems that confront the rulers of thousands of wasted lives'. Medical staff were hardly better, since Morrison said no prison doctor had knowledge of criminal psychology. He also noted that the prison service had not emulated its Belgian counterpart which had set up an office dedicated to the mental health of prisoners.<sup>16</sup>

Criticism of 'things military' was also a personal attack on Du Cane who had been an officer in the Royal Engineers, but Morrison repeated that a military ethos was the 'fountainhead of most of the evils and shortcomings' found in prison. Building on his article in *Fortnightly Review*, Morrison explained that this spirit, implemented relentlessly in a total carceral environment, crushed the minds of prisoners. Time and again they were humiliated, for example being forced to face the wall when the governor visited. Isolated in a cell for 22 hours each day, their time spent on unfruitful penal labour and expected to be silent throughout their sentence, their lives were hopeless. In some of his most poignant sections, Morrison spoke of a 'slow torture' which made the prison 'a machine for State-produced murder and insanity'. The impact of extended cellular isolation in utter quiet was profound:

'It shuts in on himself a man, or, worse still, a boy of small mental resources, often unable to read or write with any readiness, of bad habits, with a craving for low excitement, whose chief pleasure has been in the grosser kind of animal delights. It throws inward the morbid mind, often the shattered nerves. What happens? Every doctor, every chaplain, every warder knows. They will tell you stories that even a medical journal would not print.'<sup>17</sup>

There were 310 cases of insanity in prison in a single year - a rate of 40 per 10,000 for inmates of local prisons as opposed to 3 per 10,000 for the population as a whole. When, incidentally, a senior prison medical officer tried to dispute the claim of damaged mental health, a correspondent to *The Daily Chronicle* noted that the Lunacy Commission reported insanity rates of 5.83 per 10,000 for the population at large, but 254 per 10,000 for prisons for the year ending March 1892.<sup>18</sup> Morrison believed suicide rates were elevated too.<sup>19</sup>

These conditions generated re-offending, as Morrison said:

'He [the criminal] goes to prison, where as a rule he learns nothing that is useful to him, and comes out more handicapped than ever, only to join at some future time the one great host for which he is fitted - the Army of Damnation, the growing muster-roll of the

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16 P.COM 7/38; *The Daily Chronicle* 23 Jan. 1894.

17 P.COM 7/38; *The Daily Chronicle* 25 Jan. 1894.

18 P.COM 7/38; *The Daily Chronicle* 7, 8 and 9 Feb. 1894.

19 P.COM 7/38; *The Daily Chronicle* 29 Jan. 1894.

recidivist.<sup>20</sup>

This situation had remained a secret for so long only because of the mystery surrounding the prison system. Democracy, he said, may have made public plenty of state secrets, but prisons remained beyond common knowledge.<sup>21</sup> 15

Morrison tried to explain what had happened. After the Prisons Act of 1877 handed control of all British prisons to the Prisons Board chaired by Du Cane, he said there had been a drive for centralisation which enabled an 'extreme form of dictatorship' to 'flourish in our English soil'.<sup>22</sup> Exploiting a series of weak governments and hiding behind ineffectual Home Secretaries, Du Cane had made himself 'the real master of the entire prison service'.<sup>23</sup> As a permanent and unelected official, he had built up a personal empire beyond any external control. Du Cane's system even appointed its own inspectors. Morrison concluded that since the system 'cannot well be patched from within; it must be remedied from without'.<sup>24</sup> Amongst other things, he recommended a Royal Commission be appointed to this end.<sup>25</sup> 16

## **The Gladstone Committee investigates**

Home Secretary Herbert Henry Asquith referred the articles 'Our Dark Places' to the Prison Commission for a response. A confidential reply was completed by 26 February. Unfortunately it attempted to justify contemporary prison practices by reference to reform agendas which were decades old.<sup>26</sup> Hence it argued that the present prison regimen had existed for 40 years and so could not be responsible for current rates of insanity. This was clearly unacceptable and in June 1894 Asquith set up a departmental committee of inquiry under Herbert John Gladstone MP. Gladstone was chair supported by a number of notables including Richard Burdon Haldane MP. 17

The committee's terms of reference were always quite wide, including for instance personnel policies in respect of warders and deputy governors. Initially excluded was an investigation of the practices of the Prison Commission itself, but, as the committee's final reports noted, once inquiry began, there was no halting were it would lead. The enormity of the allegations in the press compelled a much more comprehensive assessment of prison administration than had been anticipated initially. Over several months, therefore, the committee asked 11,815 questions of almost sixty penal experts. Witnesses included key 18

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20 P.COM 7/38; *The Daily Chronicle* 25 Jan. 1894.

21 P.COM 7/38; *The Daily Chronicle* 23 Jan. 1894.

22 P.COM 7/38; *The Daily Chronicle* 29 Jan. 1894.

23 P.COM 7/38; *The Daily Chronicle* 23 Jan. 1894.

24 P.COM 7/38; *The Daily Chronicle* 29 Jan. 1894.

25 P.COM 7/38; *The Daily Chronicle* 23 Jan. 1894.

26 P.COM 7/38.

bureaucrats such as the now sick Prison Commissioner Edmund Du Cane and Reverend Morrison himself. Inspectors, governors, deputy governors, warders, chaplains, medical officers, the superintendent of Broadmoor hospital, asylum officials, prison school masters, charity workers, magistrates and former convicts all had their say. Admittedly the Gladstone Committee has been criticised as 'over venerated', indeed it has been blamed for laying the foundations for confusions which later afflicted the prison system, but still it undertook a terrific investigative effort which left a remarkable record of an institution making its transition to modernity.<sup>27</sup> It is a shame, therefore, that the quality of Gladstone's work is not used more widely to inform historical literature. Its witness testimonies are particularly interesting documents.<sup>28</sup>

Gladstone began taking evidence in Summer 1894, but Du Cane did not answer questions until mid-December. Since he was too sick to attend the committee's premises, Gladstone travelled to see him. Despite his ill health, Du Cane did not retreat one inch from the values with which he had led the Prison Commission.<sup>29</sup> He remained self-confident (if not always entirely logical) in defence of a very conservative, bureaucratic and pragmatic interpretation of penal policy. In authoritarian fashion, he maintained that a prison governor could not take an interest in individual prisoners. He justified the prison diet by observing it had been the same for 30 years. About insanity, Du Cane said that someone whose 'weakmindedness' led to crime was best put 'under control permanently' (although he recognised that public opinion was against such a step). He denied that prison life damaged the minds of inmates and did not believe that separate confinement, even if it lasted 9 months, was linked to insanity since the incidence of mental disorder among prisoners tended to occur at the start of a sentence. Coherently Du Cane proposed that the separate cell system was the best way both to punish and control the offender population. Less coherently he also noted that work within a cell helped maintain sanity - unfortunately he had already admitted that neither the crank nor treadmill occupied the mind and so could lead to mental deterioration. Challenged on whether it would be better for prison labour both to punish and to train for the future, his reply was curt: 'I agree, but let somebody invent that'. By this point it was clear that, in actual fact, Du Cane accepted psychological damage as an inevitable result of incarceration.

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The context for understanding Du Cane's harsh attitude was provided by the testimony of his Under-Secretary of State, Sir Godfrey Lushington. He identified the real issues that had concerned his chief. Since 1877, Lushington said, the Prison Commission had rationalised 120 prisons into about 60. What's more, these had originally been run entirely independently, but now were subject to central control. The whole re-organisation had

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27 McConville, 'The Victorian Prison' p.144; Thomas, *English Prison Officer* pp.117-8.

28 Existing studies deal with the actual investigation in 10 lines or so. They do not give details about the evidence. See for instance, Radzinowicz and Hood, *Emergence of Penal Policy* p.576.

29 P.COM 7/38; *Minutes of Evidence*, pp.361-75.

been work of 'prodigious magnitude' and Lushington was sure they had produced a system stamped by 'vigorous administration'.<sup>30</sup> In other words, in the first instance Du Cane's mission as head of the prison service had been framed in terms of 'macro' questions of institutional organisation rather than the 'micro-management' of prisoners on the ground. In this light Du Cane, and for that matter Lushington, were honest men with integrity. They had responded energetically to the prison reform agenda of the late 1870s and had transformed a largely decentralised and anarchic set of institutions into something more unified and regulated. But by the mid-1890s the penal agenda had moved on. With unification and regulation largely achieved, it was time to examine the character and purpose of personal experiences of imprisonment. Unfortunately Du Cane was not the man to take this new agenda forward.

Morrison also gave evidence to the Gladstone committee. In fact it was pretty predictable.<sup>31</sup> Although he did not attack Du Cane personally, Morrison still maintained that cellular isolation provoked 'morbid physical and mental conditions', absolute silence was an 'abomination' and unproductive labour was 'degrading'. He thought the consequences were obvious: 'the mere monotony and the silence and the solitude he [the prisoner] is exposed to, [ensure he] becomes a prey to insanity and suicide'. This dismal view of prison life gained support from the testimony of a former convict called simply 'Mr.D'. Having criticised cells for being too small, plank beds for rendering sleep impossible and the prison atmosphere as fetid from oakum, he alleged that solitary confinement 'tends in every way to bring out that which is devilish and bad in a man, because from the morning service you have right on till the next morning to dwell upon your faults'.<sup>32</sup> Mr.D. himself had attempted suicide during a spell in Exeter gaol.

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This was the human cost of the outdated penal priorities which existed in early 1894. It looked like it was high time for a fundamental re-orientation of concerns away from management and administration, and towards the impact the system was having on individuals.

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## **The Gladstone Report**

The Gladstone Committee reported on 10 April 1895. Its 49 page document made 25 proposals for change and included a few surprises.<sup>33</sup> Occasionally the report minimised some issues which had led to the committee being convened. Insanity, for instance, was covered in a special section which explained that the problem had been grossly exaggerated. Equally cellular isolation was said rarely to affect even prisoners with a

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30 P.COM 7/38; *Minutes of Evidence*, p.241.

31 P.COM 7/38; *Minutes of Evidence*, pp.100-10 and 117-27.

32 P.COM 7/38; *Minutes of Evidence*, p.288.

33 P.COM 7/38; *Report from Departmental Committee on Prisons* - hereafter *RDCP*.

'nervous condition'.<sup>34</sup> So it was admittedly only grudgingly that prison doctors required a knowledge of lunacy and that convicts should be inspected regularly during periods of isolation.<sup>35</sup>

Nonetheless, the Gladstone Report announced a new ethos for penal environments. It advocated change from intimidation and impersonal regulation to constructive experience and flexibility. This was a move towards prisons with a human face and pivotal was a devastating critique of Du Cane's work. Certainly the report recognised his achievement of prison 'uniformity, discipline and economy', but his work was also identified as lacking high-mindedness.<sup>36</sup>

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'... the prisoners have been treated too much as a hopeless or worthless element of the community, and the moral as well as legal responsibility of the prison authorities has been held to cease when they pass outside the prison gates.... We think that the system should be made more elastic, more capable of being adapted to the special cases of individual prisoners; that prison discipline and treatment should be more effectually designed to maintain, stimulate, or awaken the higher susceptibilities of prisoners, to develop their moral instincts, to train them in orderly and industrial habits, and whenever possible to turn them out of the prison better men and women, both physically and morally, than when they came in.'<sup>37</sup>

*The Gladstone Report insisted that the system's brutality did not come not from individual warders, but from a set of management practices which today we would call totalitarian. Prisoners suffered due to 'the compulsory enforcement of minute regulations [rather] than to any want of humanity on the part of the men [i.e. the staff] themselves'.<sup>38</sup> The very institutional set-up was to blame, hence the report called for prison staff to receive 'sufficient discretionary power to give or obtain for an individual prisoner that guidance, advice or help, which at such a crisis in his life may make a priceless change in his intentions or disposition'.<sup>39</sup>*

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The silent system, cellular isolation and unproductive labour were all criticised heavily.<sup>40</sup> Arguing that 'the main fault of our prison system is that it treats prisoners too much as irreclaimable criminals, instead of reclaimable men and women', the report proposed reform of prisoners through co-operative and productive experiences. These were expected to help inmates adjust to independent life release from prison.<sup>41</sup> Du Cane and his Prison

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34 P.COM 7/38; RDCP p.28.

35 P.COM 7/38; RDCP p.34 and Annex.

36 P.COM 7/38; RDCP p.7.

37 P.COM 7/38; RDCP pp.7-8.

38 *ibid.*

39 P.COM 7/38; RDCP p.36; P.COM 7/38; RDCP p.9.

40 P.COM 7/38; RDCP p.28; P.COM 7/38; RDCP p.21.

41 P.COM 7/38; RDCP p.15.

Commissioners were blamed for conduct 'too unbending' which ran 'in grooves too narrow for the application of higher forms of discipline and treatment' such as the new agenda implied. The mis-orientation spoke of too few 'outside influences' to challenge the 'stereotype practices' made solid under Du Cane, a man who was said to have manufactured an 'exceptional, and commanding position' for himself within the bureaucracy.<sup>42</sup>

The Gladstone Report drew on Foreign Office documents about the identification of lunacy in continental prisons and foreign personnel policies to produce ideas that were radical and thoughtful in equal measure.<sup>43</sup> It wanted a prison system based on uniformity and efficiency to be superseded by one characterised by openness and reflection. All the same, even though Du Cane had by this time stood down as head of the Prison Commission, his successor (Evelyn Ruggles-Brise) greeted the recommendations only coolly. Together with the other Prison Commissioners (Stopford, Mitford and Clare Garcia), he produced a rather mean-minded response to Gladstone.<sup>44</sup> It contained so much administrative detail that it looked like an attempt to squeeze all idealism out of the proposals. The commissioners' document complained that Gladstone had not properly assessed how productive labour could be introduced into prisons, maintained that hard labour had a sound deterrent effect on offenders and rejected the idea that talking could be used as a privilege for inmates. Possible changes to the existing inspection process would 'degrade the Commissioners, and seriously impair their dignity and prestige, and weaken their administration'.

In other words, in Spring 1895 the Prison Commissioners were not prepared to give up the established model of prison administration easily. Would-be reformers were not pushing at an open door and there is a strong sense that, had things remained as they were at this point, the history of the prison system was not completely ready to 'turn'. As it happened, however, the Prison Commission was about to face a fresh source of pressure.

## **Oscar Wilde is committed to prison**

On 20 May 1895, within weeks of the Gladstone Report being made, Oscar Wilde was sentenced to two years imprisonment with hard labour on account of gross indecency.<sup>45</sup> He had transgressed section 11 of the Criminal Amendment Act of 1885 which, for the first time, criminalised 'indecency' in private as well as in public. This was quickly dubbed 'the blackmailer's charter' and a notable barrister forecast (incorrectly as it turned out) that no

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42 P.COM 7/38; *RDCP* p.42.

43 P.COM 7/38; *RDCP* p.38.

44 P.COM 7/38; 'Observations of Commissioners'.

45 H.Montgomery Hyde, *The Trials of Oscar Wilde*. London: William Hodge. 1960. [hereafter Montgomery Hyde, *Trials*]

jury would convict on its basis.<sup>46</sup> Actually, in time blackmailers helped furnish Lord Queensberry with ammunition against Oscar Wilde and enabled him to pursue a bitter vendetta against the man having an affair with his son.

The confrontation between Wilde and Queensberry had developed over time and the former had already instigated a court case against the latter for libelling him as a 'sodomizer'. That trial opened at the Old Bailey on 3 April 1895, but collapsed two days later when Queensberry threatened to call witnesses (including blackmailers and procurers) to testify to Wilde's sexual conduct. As a result of the trial, Wilde was arrested on 5 April and charged with gross indecency. Once released on bail, friends urged him to flee to the continent where there were fewer restrictive laws about sexual behaviour. Fatefully Wilde stayed to face the music. His first trial lasted from 26 April to 1 May but, thanks to a strong performance by Wilde on the stand, the jury could not agree a verdict. The second trial began on 20 May and ended with conviction five days later. With that, a tide of outrage broke across areas of the press. *The Evening News* characterised Wilde as a 'gross sensualist' responsible for the 'moral degeneration amongst young men with abilities sufficient to make them a credit to their country'. *The Daily Telegraph* accused him of 'foolish ostentation' and 'incurable vanity'.<sup>47</sup> Oscar Wilde certainly had his enemies in 'the establishment'.

Wilde's imprisonment began with two days in Newgate prison followed by a brief stay in Pentonville. On 4 July 1895 he was transferred to Wandsworth where he remained until being moved to Reading on 20 November.<sup>48</sup> According to a warder who knew Wilde, during the first eighteen months of his sentence, 'all the rigours of the system were applied to him relentlessly'. He had to pick oakum, turn the crank, limit his reading to the few 'silly books' available in the prison library and listen to prison chaplains discoursing on 'prodigal sons'. It seems Oscar Wilde suffered particularly because he could neither polish his shoes nor brush his hair. As he once put it, 'If I could but feel clean.'<sup>49</sup>

Reports soon began to circulate about the impact of imprisonment on the playwright. As early as 6 June, *The Morning* discussed an unauthorised report about Wilde's 'mental condition' causing him to be put in a padded cell on account of 'violent insanity'.<sup>50</sup> Actually the paper went on to debunk the tale, saying that Wilde had been passed fit for 'first class hard labour' amounting to six hours per day on the treadmill during the first month of imprisonment. After four days of the regimen, however, he succumbed to 'mental prostration and melancholy' which resulted in confinement to the infirmary. Stories about

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46 *ibid.* Foreword.

47 *ibid.* pp.11-2

48 Hart-Davis, *Selected Letters* p.xiii.

49 E.H.Mikhail, *Oscar Wilde. Interviews and Recollections. Volumes 1 and 2.* London: Macmillan. 1979. [hereafter Mikhail, *Oscar Wilde*] pp.332-3.

50 P.COM 8/432; *The Morning* 6 June 1895.

Wilde's imprisonment carried far and wide. On 10 June 1895, a Dutchman, H.Hickman, wrote to the chaplain at Pentonville.<sup>51</sup> Lurid reports had appeared in the Dutch press about Wilde being put on the treadmill. The press said warders stood behind inmates ready to whip them at the first sign of fatigue or lack of effort. Hickman asked what was really happening because, he said, it was impossible to believe that a nation which had led the abolition of slavery could treat people like this.

By late September 1895 another set of reports was appearing, particularly in *The Daily Chronicle*. On 27 September it was reported that Wilde had lost 22 lbs (about 14 kilos) in weight since starting his sentence. This was just 'one among many illustrations of how the prison system destroys the mind and enfeebles the body of its victims.'<sup>52</sup> A story the next day emphasised that prisons remained 'absolutely unreformed'. 33

The reports went to the desk of the new chairman of the Prison Commission, Evelyn Ruggles-Brise. In truth, someone was causing trouble - and it was Reverend Morrison again. A medical report had been compiled about Wilde on 18 September.<sup>53</sup> It highlighted that, despite him being on 'extra diet', his weight had dropped from 190 lbs on reception to 168 lbs. The medical officer recommended a further increase to his diet. Someone must have leaked the report to *The Daily Chronicle*. Most likely it was Morrison since he worked at Wandsworth, the prison holding Wilde at the time, and had a history of contact with the newspaper. In any event, earlier that month Morrison had written to Liberal MP R.B.Haldane.<sup>54</sup> This former Gladstone Committee member had taken interest in Wilde's case, visiting him in prison and sending him books together with writing materials.<sup>55</sup> 34

In line with his theory about the psychological dangers of imprisonment, Morrison told Haldane that Wilde's mental health was in jeopardy.<sup>56</sup> He was 'crushed and broken', his thinking at times was 'muddled' and he displayed 'morbid grooves of thought'. Morrison believed Wilde's condition was being accentuated by cellular isolation and pointed out that if he 'goes off his head under cellular discipline' there would be a public outcry. The assistant chaplain also said Wilde was falling prey to 'perverse sexual practices' (i.e. masturbation), something which was 'a common occurrence among prisoners of his class' and which was 'favoured by constant cellular isolation'. As a result, he was having to scrub out his cell every day with carbolic acid. Morrison recommended a medical investigation into the poet's condition, possibly by Dr.Clarke whom the chaplain knew from his days at 35

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51 P.COM 8/432; Letter from Hickman, 10 June 1895.

52 P.COM 8/432; *The Daily Chronicle* 27 Aug. 1895.

53 P.COM 8/432; medical report by Shirston [?], 18 Sep. 1895.

54 P.COM 8/432; Morrison to Haldane, 11 Sep. 1895.

55 Hart-Davis, *Selected Letters* pp.138-9; Mikhail, *Oscar Wilde* pp.323-4. Haldane said he had known Wilde 'in the days of his social success' and was 'haunted by the idea of what this highly sensitive man was probably suffering under ordinary prison treatment'.

56 P.COM 8/432; Morrison to Haldane, 11 Sep. 1895.

Wakefield prison.

Morrison's letter also found its way to Ruggles-Brise who agreed that a man with Wilde's 'abnormal disposition' could well go mad, even if for reasons 'quite unconnected with prison life'. As a result he thought it expedient to investigate Oscar Wilde's health. The Prison Commission's chief medical officer, Dr. Grover, met the playwright on 20 September 1895 and found no evidence that he was 'crushed and broken'.<sup>57</sup> Wilde was cheerful, without any sign of 'mental depression' and ate his 'abundant diet' with relish. Grover was completely dismissive of 'perverse sexual practices'. The smell in the cell was caused by Jeyes cleaning fluid and Morrison's suggestion was of 'an unworthy character'. The chief medical officer found Wilde in such 'good mental and bodily health' that he thought he might soon enjoy some interesting labour, for example bookbinding. As a final point, Grover recommended the commission consider moving the playwright away from the 'London thieves and other low criminals' in Wandsworth to a more appropriate location. No doubt Grover included Morrison in one category or the other.

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The affair went higher up the government hierarchy than ever. A note from Ruggles-Brise dated 1 October referred to a meeting he held with Morrison and recorded that this was 'a dangerous man who is trying to make of Wilde a peg whereon to hang his theories of the brutality of our prison system'. The chairman of the Prison Commission told Morrison that he expected loyalty in the future. Indicating how important this affair was, Ruggles-Brise forwarded all the paperwork to the Secretary of State, together with a request that the medical reports be made available to Haldane.<sup>58</sup> Notes suggest this was agreed, as was Grover's idea that Wilde be moved away from the capital. The latter was to happen only after a lapse of time so no one could allege he had been removed from general observation deliberately. This is why Oscar Wilde ended up in Reading Gaol. A final note labelled Morrison's behaviour 'disgraceful'.

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## Failed petitions

For all Ruggles-Brise's indignation over Morrison, the penal establishment was feeling the heat. Haldane was not the only important person interested in Oscar Wilde's imprisonment. Prison Commission archives contain a variety of requests from eminent people to visit him.<sup>59</sup> In January 1897, a request was even referred to Sir Matthew White Ridley, then Home Secretary, from *The New York Journal* requesting a meeting with Wilde over a 'literary proposition' which he might complete upon release.<sup>60</sup> There was a serious prospect of extended publicity over prison conditions; both the government and the prison

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57 P.COM 8/432; medical report signed by Grover, 28 Sep. 1895.

58 P.COM 8/432; handwritten note by Ruggles-Brise, 11 Sep. 1895.

59 P.COM 8/433 and 434.

60 P.COM 8/434; *New York Journal* to White Ridges, 19 Jan. 1897.

bureaucracy knew this only too well.

The difficulty of Wilde's imprisonment was underlined when, on 2 July 1896, he lodged a petition with the Home Secretary.<sup>61</sup> Wilde admitted he was 'rightly found guilty' of indecency, but proposed he should be treated not as a criminal but as a victim of 'sexual madness'. This would be the case, he said, if he lived in France, Austria or Italy. Now he was concerned that 'this insanity', which displayed itself in 'monstrous sexual perversion', would consume his 'entire nature' and 'intellect'. Echoing Morrison's infamous argument, Wilde made a case that prison life was causing his condition to deteriorate. It gave him too much time to brood on 'those forms of sexual perversity, those loathsome modes of erotomania'. He said this:

'For more than thirteen dreadful months, the petitioner has been subject to the fearful system of solitary cellular confinement: without human intercourse of any kind; without writing materials whose use might help to distract the mind: without suitable or sufficient books, so essential to any literary man, so vital for the preservation of mental balance: condemned to absolute silence: cut off from knowledge of the external world and the movements of life: leading an existence composed of bitter degradations and terrible hardships, hideous in its recurring monotony of dreary task and sickening privation: the despair and misery of this lonely and wretched life has been intensified beyond words by the death of his mother, Lady Wilde....'

He went on, 'Horrible as all actual madness is, the terror of madness is no less appalling, and no less ruinous to the soul.' He said he had already been in prison hospital in Wandsworth for two months on account of physical and mental collapse. What's more, he had an abscess in his right ear which had perforated his ear drum and his eyesight was deteriorating too.

Yet even now the prison establishment did not capitulate. On the advice of the Visiting Committee of Reading Gaol, the playwright was subject to another medical investigation. A report dated 15 July 1896 accepted that Wilde's petition had put forward a powerful argument, but it was insufficient.<sup>62</sup> In fact, his petition's very cogency proved self-defeating, since it showed that Wilde could reason and identify his emotions extremely well. Dr. Nicholson was employed at Broadmoor and had seen Wilde before he left Wandsworth. Now he found the poet to be gaining 'flesh'. If he really were worried about madness, the new medical report argued, would he not 'fret himself to death' and lose weight as a consequence? Talk of 'erotomania' was dismissed too. It was compared to any other vice, such as drunkenness or gambling. On balance, it was decided that since Wilde had survived more than half his sentence, he could manage the rest. It was accepted, however, that more books and writing materials would help his time along. Although Wilde did present another petition on 10 November 1896 in which he noted improved

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61 Reproduced in Hart-Davis, *Selected Letters* pp.142-5.

62 P.COM 8/433; report of 15 July 1896.

treatment of his ear, provision of a pair of glasses and some new books, he still complained of 'the terrible mental stress and anguish that the silence and solitude of prison-life intensify daily'.<sup>63</sup> This second petition was rejected quickly, without close investigation.

A warder later summed up Wilde's time in prison:

'From the first it was apparent to us that he was totally unfitted for manual work or hardships of any kind, and he was treated accordingly.... He was no good for anything - except writing, and that, as a rule, has small place inside a prison. But on account of his former greatness a small concession was made to him, and he was allowed to read and write as much as he liked..... Had this not been granted to him he would, I am confident, have pined away and died. He was unlike other men. Just a bundle of brains - and that is all.'<sup>64</sup>

The concern about the prison regimen of the 1890s tipping Oscar Wilde into insanity had not been an idle one.

## **The banality of evil, English-style**

Oscar Wilde served his time in full. Not until the evening of 18 May 1897 was he dressed in ordinary clothes and taken to Twyford station by prison staff, also out of uniform, to travel to London by train. He was released early next morning, from Pentonville prison, under conditions of secrecy.<sup>65</sup> For a month at least, prison staff had been concerned about a possible press frenzy and wanted to avoid it.<sup>66</sup> On the same day as his release, Wilde crossed the Channel to France never to return to England. He died in Paris on 30 November 1900, aged just 46, apparently of an illness associated with the ear condition he had suffered in prison.<sup>67</sup>

Oscar Wilde neither forgot his prison experience nor the on-going hardships of those he met during his incarceration. He expressed things poetically in *The Ballad of Reading Gaol*. Reverend M.T.Friend knew Wilde in prison and described the poem as 'a substantially fair representation of prison life, though with a great many imaginative touches added.'<sup>68</sup> Wilde went out of his way to assure the publisher that the lines did not describe actual people, but there is little reason to doubt his words carried a more general truth.<sup>69</sup>

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63 Reproduced in Hart-Davis, *Selected Letters* p.147.

64 Mikhail, *Oscar Wilde* pp.328-9

65 P.COM 8/434; *The Daily Mail* and *The Morning*, 19 May 1897.

66 P.COM 8/434; letter Governor of Reading Gaol, 30 April 1897.

67 Hart-Davis, *Selected Letters* p.142; Montgomery Hyde, *Trials* p.92.

68 Mikhail, *Oscar Wilde* p.325.

69 Hart-Davis, *Selected Letters* p.318.

Wilde also wrote a number of letters after his release. One published in *The Reading Standard* concerned a gift of £2-00-00 he gave a convict whom he had befriended. The letter was signed with Wilde's convict number, 'C 33', and highlighted the camaraderie which he had found in the midst of deep misery.<sup>70</sup> More important, however, were two lengthy communications published once again in *The Daily Chronicle* in which he provided extended critiques of prison life. 45

*Echoing the Gladstone Report (although there is no evidence he ever read it), Oscar Wilde outlined the collective failure of Britain's penal system: its remorselessly bureaucratic and administrative character.*<sup>71</sup> His toughest words on that score came in the first letter written from Dieppe on 27 May 1897, just days after his release. Here he developed an idea of wrong-doing which, in its essentials at least, pre-empted later, more elaborate theoretical work about the character of modernity. Of course Hannah Arendt discussed 'the banality of evil' in connection with a twentieth century continental dictatorship rather than a nineteenth century democracy, so her thinking includes important elements absent from Wilde's text.<sup>72</sup> All the same, the arguments of Wilde and Arendt do have something in common. This is made plain in the following extract from Wilde's letter which refers particularly to the plight of youngsters who found themselves in gaol: 46

'Ordinary cruelty is simply stupidity. It is the entire want of imagination. It is the result in our days of stereotyped systems of hard-and-fast rules, and of stupidity. Wherever there is centralisation there is stupidity. What is inhuman in modern life is officialism. Authority is as destructive to those who exercise it as to those on whom it is exercised. It is the Prison Board, and the system that it carries out, that is primary source of the cruelty that is exercised on a child in prison. The people who uphold the system have excellent intentions. Those who carry it out are humane in intention also. Responsibility is shifted onto the disciplinary regulations. It is supposed that because a thing is a rule it is right.'<sup>73</sup>

Arendt saw in Nazi totalitarianism a thoughtless routinisation of behaviour that promoted inhumanity in everyday life; Wilde had already identified something similar in late Victorian prison bureaucracy.<sup>74</sup> Emphasis on centralisation, officialdom, authority and rule books all marginalised humanity from everyday life - for prison inmates and warders alike. 47

*The problem lay not with the staff, but the system itself. Its totality, its bureaucratic rigour and its interminable regulations eliminated the light of individual inspiration.* The argument also brings to mind Zygmunt Baumann's critique of modernity. Here was a 48

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70 P.COM 8/435; *The Reading Standard* 2 July 1897.

71 The important substance of these letters seems to have been omitted from previous historical accounts of Wilde's imprisonment. See for example Radzinowicz and Hood, *Emergence of Penal Policy* p.591.

72 H.Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil*. London: Penguin. 1994. [hereafter Arendt, *Eichmann*] p.252.p.287.

73 Hart-Davis, *Selected Letters* pp.269-70.

74 Arendt, *Eichmann* p.153.

system in which senior administrators (in this case the Commissioners), insulated by tier upon tier of institutional hierarchy, had become insulated from the unacceptable consequences that their system produced 'on the ground'. Hence policy-makers never encountered a reason to re-think their priorities.<sup>75</sup> Adherence to regulations had become all-consuming. Correspondingly Oscar Wilde observed that Warder Martin from Reading had been dismissed for breaking a rule by giving a child prisoner a biscuit. He went on to declare that the worst influence on these souls was not the prison population (which showed 'cheerfulness under terrible circumstances'), but the very system itself. To drive the point home, Wilde stressed that the combination of the silent system and cellular confinement was entirely capable of causing insanity, but prisons were incapable of dealing with this consequence. He cited a terrible case of an insane man 'being given the lash'.<sup>76</sup> Wilde argued that prison doctors had no expertise in insanity and typically treated its victims as 'shamming'. In other words, the playwright painted a world in which the words 'banal' and 'evil' certainly did apply.

Oscar Wilde sent a second letter to *The Daily Chronicle* dated 23 March 1898. It came just weeks before the passing of the long-overdue Prison Reform Bill. Now he argued that simply increasing the number of prison inspectors would not improve the situation. Since these people were only designed to ensure that the system was working well according to its own terms, they were unlikely to offer criticism of the system itself. But the whole prison code required change urgently. He went on: 'treated like an unintelligent animal, brutalised below the level of any of the brute reaction, the wretched man who is confined in an English prison can hardly escape becoming insane.'<sup>77</sup> The senior members of the prison service no doubt were heartily glad that Wilde never returned to England.

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## **Over-administration, mental health and the slow process of penal reform**

Through the pages of *The Daily Chronicle* Reverend W.D.Morrison and Oscar Wilde presented critiques of a prison system that was over-administered, self-referencing and blind to its impact on the minds of those who could not escape its full force. It was both ironic and symptomatic that the system they criticised in such humane terms in fact had acquired its unfortunate characteristics in part independent of deliberate policy choices. The suffering eventually caused by Du Cane's administration was not just an outgrowth of deliberate policies intended to deter crime, rather it also reflected a bureaucracy that had become so rigorous, introverted and insulated from external scrutiny that it took on an extra degree of hardship in addition to anything intended by the Prison Commissioners.

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75 Z.Baumann, *Modernity and the Holocaust*. Oxford: Polity Press. 1989. p.198

76 Hart-Davis, *Selected Letters* pp.272-4.

77 *ibid.* p.190.

The result was a kind of 'surplus suffering'.

This development held a particular place in the history of prisons. Du Cane's drive for centralisation had been an important means to rooting out corruption and malpractices which had been too common in local prisons in the earlier part of the nineteenth century. The construction of a tightly organised ship was essential for public confidence that policies could hope to be transferred from the floor of Parliament to the prison wings. In this respect, Sir Edmund Du Cane had made an important contribution to the modernisation of the British prison system, but one more appropriate to the 1870s and 1880s than the 1890s - a time beginning to experience 'New Liberalism'. In the new atmosphere of the times, the more exaggerated his system became, the less it had a place in a reform-conscious society on the brink of a new century. Particularly a Liberal government in power for the first time in over a decade could not accept detailed regulation and clear hierarchy as criteria sufficient to define a modern administration. There had to be more to it than that; there had to be something more idealistic, more humane.. 'Wasps' in the system and an aggressive public press provided the catalysts necessary to producing the required policy changes.

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It is testimony to the (misguided) resilience which Sir Edmund Du Cane had instilled in his administration that, notwithstanding these substantial pressures, change happened only slowly. Although *some* changes in the *status quo* did begin within weeks of Gladstone reporting, these were not really typical. Du Cane's successor, Sir Evelyn Ruggles-Brise, began his role as chairman of the Prison Commission inclined towards a penal mission based primarily on retribution and deterrence.<sup>78</sup> Although a well-established study of Ruggles-Brise described him as 'sympathetic', his initial response to the Gladstone Report was distinctly cool and in an interview at the time of Oscar Wilde's imprisonment, he stated clearly that the poet did not merit early release. He noted Wilde had been punished numerous times for minor infractions of prison rules (such as talking) and his incarceration could not be ended just so he could write books and plays.<sup>79</sup>

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Nor was the speed of reform helped by political change as the Liberal government was replaced by a Conservative one. Hence a new Prisons Act only came into existence in 1898. It did, however, make provision for labour in association rather than in separate cells and expected unproductive labour to be phased out. It allowed for relaxation of the silent system, abolished punishment cells and ameliorated prison discipline through new standing orders.<sup>80</sup> Even so, it took until the Children Act of 1908 for penal servitude to be

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78 Thomas, *English Prison Officer* pp.125-6.

79 S.Leslie (ed.), *Sir Evelyn Ruggles-Brise. A Memoir of the Founder of Borstal*. London: John Murray. 1938, pp.130-33.

80 Thomas, *English Prison Officer* p.139. For discussions of the changing ethos, see D.Garland, *Punishment and Welfare. A History of Penal Strategies*. Aldershot: Gower. 1985 and Radzinowicz and Hood, *Emergence of Penal Policy*.

abandoned for young people.

It had indeed taken a major and sustained set of events, those surrounding the Gladstone Committee *plus* the imprisonment of Oscar Wilde, before old penal practices would give way to new. But it was not until 1911 that the chair of the Prison Commission (still Ruggles-Brise) could write: 54

'... each man convicted of a crime is to be regarded as an individual, as a separate entity of morality, who by the application of influences of discipline, labour, education, moral and religious, backed up on discharge by a well-organised system of patronage, is capable of reinstatement in civic life.'<sup>81</sup>

This was sixteen years after the Gladstone Committee reported and Oscar Wilde had been dead five years. It had taken quite a fight from those experiencing the 'bottom' of the system to convince those at the 'top' to act. 55

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81 Garland, *Punishment and Welfare* p.26.