

Osborne's Mutual Welfare League:  
An Experiment in Democratic Prison Reform

*Good -  
nice narrative,  
and nice use of  
source material.*

In 1913, Thomas Osborne, a former Democratic Mayor of Auburn, New York, was appointed by Governor Walter Sulzer to be chairman of a state commission on prison reform. A Harvard graduate and Wilsonian liberal, Osborne had long been enraged by this nations prisons. However, Osborne understood his ignorance of the inner dynamics of prison life, therefore he decided to voluntarily incarcerate himself for a week in the Auburn Prison. This would allow him to personally observe the inner workings of a typical, turn of the century, New York State prison.

On September 28, 1913, he informed the 1,400 inmates assembled in the Auburn chapel of his plan to be incarcerated as Tom Brown, inmate number 33,333x. Although he realized that his perception of the prison would vary considerably from that of a regular inmate, he sincerely believed that the experience would be valuable in his understanding of the prison system:

I have the feeling that after I have really lived among you, marched in your lines, shared your food, gone to the same cells at night, and in the morning looked out at a piece of God's sunlight through the same iron bars - that then, and not until then, can I feel the knowledge which will break down the barriers between my soul and the soul of my brothers (Tannenbaum, 1933, p.65)

The week of incarceration had a profound influence on Osborne. "It gave him an unshakable conviction that men were men even in prison, just plain human beings - criminals, it is true - but essentially like other people, who could respond to friendship and kindness, hatred and fear, distrust and confidence, just about the way other human beings responded" (Tannenbaum, 1933, p. 66). Additionally, it gave him a vivid sense of the whole scheme of prison activities - perhaps, more than anything, the monotony and futility ingrained in the life of the prisoner. However, probably more importantly, Osborne's experience as inmate Tom Brown gained him the respect and trust of the inmates and, later, their cooperation in implementing his reforms.

In *Within Prison Walls*, Osborne reported that he was accepted into the prison community and treated by the inmates as one of their own. This sense of trust and community gave birth to the idea of the Mutual Welfare League,

which was an experiment in inmate self-governance. The only way to genuinely rehabilitate offenders, build self-reliance, and run a humane institution, Osborne argued, was to give inmates responsibility for their own affairs (Walker, 1980). He began to write on this topic as soon as his release from the week-long stay at Auburn.

In February, 1914, he was invited to organize the Good Conduct League at Auburn Penitentiary. As members of the League, inmates could elect their own officers and enforce their own standards of discipline. Serious infractions would usually result in expulsion from the League and loss of privileges. Auburn's Good Conduct League was a precursor to the Mutual Welfare League, implemented by Osborne in Auburn, Sing Sing, and Portsmouth Naval Prison - the latter in conjunction with his assistant, Austin MacCormick.

Prior to his work with the Good Conduct League, Osborne had been offered the position of warden at Sing Sing. On June 13, 1913, the Westchester County Grand Jury had condemned Sing Sing and recommended to the governor that a new prison be constructed to replace it (Murton, 1976). Shortly thereafter, following a series of riots and fires, the warden of Sing Sing was forced to retire under charges of malfeasance. Osborne was offered the vacant position but initially declined. Osborne's work at Auburn had been done in what had amounted to a private capacity. As previously stated, he had been Chairman of the New York State Prison Reform Commission, but with the passing of Governor Sulzer, the commission had ceased to exist and his work was that of a private citizen. The acceptance of the Sing Sing wardenship would compel him to surrender the freedom that he had so much enjoyed.

Superintendent of Prisons, John B. Riley, would not accept Osborne's initial refusal to consider the post of warden of Sing Sing, and insisted that he come to Albany for an interview. At this point, Osborne gathered a group of 25 of the inmates he had worked closely with at Auburn to discuss the

situation. After a day and a half of debate, the inmates voted 18 to 7 in favor of his accepting the position. At the same time, Osborne received a telegram from a former Auburn inmate, who was now at Sing Sing, stating that the inmates had signed a petition endorsing his appointment as warden. Prior to his acceptance of the post, Osborne had an interview with the newly elected governor, Charles Whitman, who promised support. With the assurance of official support and confidence in the inmates cooperation, Osborne accepted the position on November 19, 1914, more than a year after it was originally offered to him (Tannenbaum, 1933).

The Good Conduct League (later known as the Mutual Welfare League) at Auburn had been a great success. Under Osborne's auspices, near miracles occurred. The men were freely able to exercise in the yard, which had never been allowed previously. Fights became rare, hospitalization for injury decreased, escapes became rare, assaults on guards were nearly nonexistent, and work production continually increased. With his new appointment to Sing Sing, Osborne could conduct his experiment in a larger and then more difficult prison. Results at Sing Sing were even more spectacular, altering almost every aspect of prison life (Scharf and Hickey, 1977).

The Mutual Welfare League at Sing Sing was to be very similar to that which was used at Auburn. Many of the democratic principles of the League were derived from the work of William George, who established the George Junior Republic (a rural New York juvenile institution) in 1895, at which Osborne had served on the Board of Governors for 15 years. However, more of the credit should go to Osborne's voluntary imprisonment, and his interaction with the inmates. In fact, in *Society and Prisons*, Osborne credits the origin of the League to his prison cell mate, Jack Murphy (Scharf and Hickey, 1977).

On his first day as acting warden, Osborne assembled all 1,496 inmates in the dining hall, dismissed the guards, and talked directly to the men. Osborne delivered a simple challenge:

You are going to be ruled by Arbitrary power, or else you are going to rule yourself and assist those whom you select. In other words, are you going to be held as slaves, or are you going to be treated as men? You must take the responsibility of men and one of these responsibilities consists of seeing that the others behave (Muth and Gehring, 1936).

Osborne had now laid out the basic premise of the democratic system he was to employ through the Mutual Welfare League. However, Osborne's first task as warden was the reorganization of the Brotherhood of the Golden Rule, an inmate council created by his predecessor. The "Brotherhood" had an elaborate constitution and bylaws, but was ineffective for two reasons. First, inmates had been given privileges without earning them. More specifically, rewards were being given out before they were earned, therefore inmates were essentially being bribed to be good. Second, the administration had imposed the council on the inmates. Since the inmates had not taken the initiative to form the council, they had no vested interest in it; the council belonged to the administration, not the inmates.

Osborne thus reorganized the council around the principles of self-determination embodied in the Mutual Welfare League, which had evolved through his work with the George Junior Republic and his voluntary incarceration at Auburn. The League was simple. A general election - with the shops as an electoral district - gave the basis for a constitutional convention. Importantly, all the men in the prison, regardless of their record, should be taken into the prison community on equal footing. All the records of past conduct within the prison were to be disregarded, as the prisoners refused to recognize the moral worth of the judgment imposed by the prison authorities (Tannenbaum, 1933, p. 156). ✓

Two delegates from each shop or company, were popularly elected by secret ballot every six months. These delegates were subject to recall by a majority of the men, and voting was to be universal for all of the men who agreed to become citizens of the community (practically all did). These elected delegates thus became the government of the prison community. The

board of delegates then selected nine executive board members from among themselves, to be in direct charge of the activities of the community. The executive board, in turn, selected a Sergeant-at-Arms who was given the freedom to select his own deputies and who assumed responsibility for discipline and order.

The Sergeant-at-Arms was, of course, removable by the executive board; the executive board was, in turn, removable by the board of delegates, and the delegates themselves were not only subject to recall by their constituents, but subject to removal by the governing body of the prison (Tannenbaum, 1933, p. 156).

League members received privileges in return for self-discipline and loyalty to the administration. Discipline was handled through a judiciary board, established by the executive board. Infractions of the rules resulted in a suspension of league privileges.

On the evening of his first day in office, Osborne met with the executive committee of the "Brotherhood" and asked them to draft a plan for a judiciary board. The inmates, in turn, suggested the judiciary board examine only minor cases of disciplinary infractions. Osborne responded by turning over all cases of discipline to the inmate judiciary board, with the right of anyone to appeal to the warden's court, which included the warden, principle keeper, and the prison doctor. ✓

Clearly, the executive board and the inmate courts were the essential institutions of the prison democracy. The executive board of nine prisoners who were elected to office by the board of delegates became the real power of government within the prison community. The executive board had many important functions. Perhaps the most important of these being the appointment of the Sergeant-at-Arms. This was such an important function because the character and ability of the Sergeant-at-Arms determined the discipline of the entire community. Additionally, the executive board also appointed committees and designated their chairmen. It received the reports of these committees and removed and replaced members upon them. A few of

the examples of such committees include: the education committee, the knitting class (where inmates made clothing for charitable organizations), and the sanitation committee. It also started committees to manage athletics, entertainment, kitchen/diet, finances, reception of visitors, religious services, new service implementation, the fire company, etc. Furthermore, the executive committee also ordered and supervised special elections in the various shops, as well as overseeing many other prison activities.

Next in importance to the executive board, came the courts. The courts proved so important because they directly determined the nature of the cases that were to be disciplined and the form that discipline was to assume.

The courts were therefore pivotal and upon their success or failure depended the success or failure of the whole scheme of community organization. Unless the prison community accepted the prison judiciary in good faith as an agency of justice nothing was possible (Tannenbaum, 1933, p. 160).

The inmate court was responsible for adjudicating nearly all disciplinary infractions committed in the prison. In Sing Sing the inmate court consisted of five judges, appointed by the executive board for five months each, one being appointed each month with no right of immediate reappointment. The court met in the chapel and was open to the public, that is, to the prison community and to visitors from the outside. Much like the juvenile courts of the day - there were no lawyers, no prosecuting attorneys, no legal formula and no precedents. The decision, when rendered was subject to appeal.

The appeal might be made by the state, i.e., the Warden's representative, the community, through the Sergeant who was compelled to maintain the dignity of his position, the accuser, the defendant, any one of the witnesses, or even by any one of the spectators. (Tannenbaum, 1933, pp. 161-162)

Thus, anyone who felt that justice had not been served was free to appeal the case to the Warden's Court. Like the inmate court, the appeal was held in the chapel and was open to the public. The inmate judges who had presided in the

original case were there in order to defend their decision and to explain their rationale. Typically, between two and three hundred people would appear to see the case tried; in cases of special interest, many more were likely to attend. As stated earlier, sentences by the court involved suspension from the League for a specific period of time. Suspension automatically removed the prisoner from the rights of citizenship in the community which carried many diverse benefits.

One can see that the organization of the League was relatively simplistic. Despite its simplicity, Osborne effectively developed a sense of responsibility and community spirit among the previously repressed inmates.

Within a week of assuming office, Osborne granted 15 specific requests to change the prison rules. In doing so, he extended meaningful decision-making powers to the inmates, thus assuring himself of their continued support, and encouraging their initiative. A few weeks later, Osborne attempted an even more daring venture. Addressing 250 workers in the knitting shop, Osborne told them, "Boys, I understand that you are the worst behaved bunch in the whole prison - and I'm going to put a stop to it! I'm going to dismiss your guards and you'll have to choose your own delegates among yourselves to preserve order" (Walker, 1980, p. 152).

The inmates of the knitting shop were now to march under their own elected delegates instead of armed guards; and guards were removed from the shop, leaving only a civilian foreman and elected delegates in charge. Thereafter, the disciplinary problems in the knit shop were minimal. Shortly after the knit shop adventure, the inmates initiated a move to march the men from all the shops under elected delegates, and to remove the guards from the mess hall:

As the noon whistle blew and the men came marching out of their shops there was not a prison guard in sight. The nearly 1,600 men came swinging down the prison yard under their own elected delegates, all prisoners. And when they had turned to the mess hall... not a single guard was to be seen. The men were eating their noonday meal, all in one big room and not a single guard in sight, only the elected sergeant-at-arms and his assistants (Tannenbaum, 1933, p. 120).



The removal of the guards improved the morale of the inmates and extended new responsibility to the prison delegates.

Furthermore, an education unit, called the Mutual Welfare Institute, was initiated by an inmate who succeeded in enrolling between 70 and 80 percent of the inmates. There was no limit on the subject matter. If a prisoner wished to study and another prisoner could be found who could teach a particular subject, the two were brought together in a teacher-student relationship, and the class was started. After work hours, the students erected a special school building to house the overflow of classes. ✓

The Mutual Welfare League was apparently a tremendous success at Sing Sing. The League served to increase prisoner morale, increase industry, and decrease violence and escapes. Some of the prisoners even formed an outside branch of the Mutual Welfare League. They met once or twice a year to give Osborne a public dinner and relate their successes and failures. Certainly, the most important impact of Osborne's reforms was on the inmate's attitudes towards themselves and the prison community. ☺

The betterment of the prison community can be illustrated by statistics indicating violence, mental health admissions, industrial production, escapes, etc. For instance, during the three years prior to Osborne's administration at Sing Sing, the prison hospital treated an average of 373 wounds per 1,450 inmates. After Osborne took office, the number of wounds treated dropped to 155 for 1,600 inmates. Additional evidence of effectiveness can be indicated by transfers to Dannemora State Hospital for insanity. In the three years prior to Osborne's administration an average of 35 inmates were admitted to Dannemora per year. However, during Osborne's entire administration only 19 inmates were transferred. During this time industrial production also increased, with gross sales of products produced by inmates increasing from \$318,733 in 1913 and 1914 to \$354,327 in the next year. Finally, in the first 13 months of Osborne's administration there were 3

escapes. Previously, there had been ten escapes 1913, six in 1912, four in 1911, seventeen in 1910 and nineteen in 1909 (Tannenbaum, 1933, p.146 and Walker, 1980, pp. 152-153).

Other outcomes that have been cited as indicators of the Mutual Welfare League's effectiveness include the following: 1) The inmates themselves reduced and almost eliminated drug traffic. 2) Prisoners held concerts and receptions for the guards and their families. 3) Released inmates often returned for reunions, offering encouragement to friends and relatives still behind bars. 4) Some released inmates held fund raising "benefits" in New York City, to help finance Sing Sing projects (Muth and Gehring, 1986).

With all the apparent success of the Mutual Welfare League one might wonder why the League was not widely replicated in prisons throughout the country. The main reason appears to be tied to the fact that wardens were simply not prepared to provide inmates with the degree of power with which Osborne had entrusted them. Additionally, many custody-minded officials thought that the Osborne system was simply not punitive enough, and that there was no way an offender's behavior would be changed if a strict and regimented routine was not utilized and enforced. On December 25, 1915, the League's court handled a rather routine case of homosexuality. Afterwards, a local Republican prosecutor gained an indictment of Osborne on a range of charges including his having "known of, and covered-up public immorality among the inmates". Aided by a hard-line law and order governor, what might otherwise have been bizzare accusations became politically serious. Osborne took a leave of absence in order to prepare his case. However, due to the questionable evidence on which the case was based, the court dismissed the charges.

Osborne resumed his position as warden on July 16, 1916, but resigned three months later. His resignation stemmed from an order by the

Superintendent of Prisons that stated that long-term convicts were forbidden outside prison walls. Since Sing Sing was the only prison in the state with administrative offices outside the walls, Osborne interpreted this as an effort to reduce the effectiveness of his programs. This would undermine part of his programming, because trustees who had been working in the administration building would have to be dismissed. ✓

During the years following Osborne's resignation, subsequent wardens attempted to maintain the structure of the League, if not its powers, but by 1922 the League had been stripped of almost all of its essential functions and powers. The League then stumbled on for a few more years, until finally a riot in 1929 gave guards and other critics an opportunity to completely eliminate it. ✓

The Mutual Welfare League was established to manage prison society in an extremely democratic manner. It served this purpose well, and was highly effective as a prison management system. However, because of outside skepticism and fear, the Mutual Welfare League was not provided the opportunity to have much of an impact on the prison system. What Osborne and the Mutual Welfare League did succeed in demonstrating, however, was that men in prison could be treated as all other men, and that in such a treatment lay the possibility of reconstructing their habits, redirecting their energies, remodeling their interests, and reshaping their activities. Simply put, Osborne proved that inmates can govern themselves responsibly if given the opportunity; and that men in prison could be handled and disciplined without the inherent cruelties embodied in the Jacksonian and earlier periods.

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