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HOW MEXICO IS MEETING REHABILITATION PROBLEM—PENAL INSTITUTIONS PRAISED— COURTS EFFICIENT

By ROSALIND GOODRICH BATES, *of the Los Angeles Bar*

MANY of the changes in the Mexican penal system have proven of decided interest to both lawyers, criminologists, and students of social sciences. The problem of rehabilitation is being met in the republic south of the Rio Grande in an effective manner. It is truly amazing that the Latin people, with their emotionalism, should be able to reconstruct the social viewpoint of the criminal more effectively than the Anglo-Saxon. An examination of the records of the three major federal penitentiaries shows a healthy condition not found on this side of the border.

How has Mexico given a new social viewpoint to the individual who is guilty of a "Crime of Blood"? These crimes include common assault, assault with a deadly weapon, manslaughter, and murder.

The Mexican Federal Penitentiary, of easiest access to the American lawyer and judge, is located in the heart of the City of Mexico. The building itself covers two city blocks. In its center is the women's prison. With minor differences, the management of all of the federal penitentiaries is the same. This particular penitentiary has a population of about 3,000. Nine hundred of these men and women are employed in trades in the penitentiary.

There are eleven departments of work, and the prisoner judged physically able by the medical board is given the opportunity to earn his own expenses, make reparations to those he has injured, and support his family on the outside. As a result of this policy, the prisons are self-supporting, costing the government and the taxpayer nothing. The wages earned that are sent out of prison in no case average over \$14 a week. As most of the prison inhabitants are of the lower class, \$12

will buy enough beans and corn to feed a wife and three or four children.

TRADES ENCOURAGED

Although the Mexican trade unions are in some respects better organized than those in our own country, they do not protest against the work done by prisoners. One of the public defenders, Miss Esperanza Valesquez Bringas, who was my guide in the Mexico City prison, stated, "If we can teach the men who have committed crimes to become useful citizens, they will no longer be a burden on the taxpayer. If they cannot earn a living when they go out of here, then they will come back in a short while. Both labor and capital realize that supporting men in idleness in penitentiaries makes them unemployable and produces more crime."

The Federal Government is very proud of the printing department, where the forms of the Supreme Court are produced. Modern linotype machines are operated by prison labor. There were only two civilians assisting in the entire department. The work of the courts, and forms for other departments of the government, are made efficiently by prisoners.

One would expect to find an elaborate furniture division. The beautiful hand-carving of the Mexican artists is known the world over. Entire sets of furniture are made by prisoners. If the man is accomplished in the trade, he is allowed to perfect himself. If he has only begun his work as a carpenter, he is taught all of the elements that will finally produce a master craftsman. Heavy machinery departments, where the work necessary to maintain other government building is done, are quite interesting. The weaving of materials is a successful prison industry.

ART DEPARTMENTS

Besides the prisoners who report daily to each of the eleven work divisions, there are several hundred men who spend their time in purely artistic endeavors. The government as yet has not forced the artists into labor of all kinds. Beautifully woven horsehair baskets, exquisite ivory crucifixes, and dainty clay manikins are made and sold from all

the Mexican prisons. The work departments are not complete. Many more machinery divisions are planned during the coming year.

The actual sanitation of the prison is quite a problem that has been solved by removing the men from their cells and putting them into the open during six or eight hours a day.

There are recreation grounds where prisoners are taught to play games and another department where they are urged to learn the use of the shower bath. Educational facilities are not only provided, but enforced. No man or woman, regardless of the offense, is allowed to leave the penitentiary until they have learned to read and write. In a nation where illiteracy claims such a big percentage, this is a decided step forward. The prison ideal is physical cleanliness, as well as mental and spiritual.

MURDERESSES' CLUB

The center of the prison, containing the women's quarter, is much more attractive than that of the men. The very hub of the building is occupied by what is known as the Murderesses' Club, composed of seven women who are confined for having eliminated their husbands and lovers by direct action. Each individual cell has its tiny garden where the occupant may raise either flowers or vegetables. The prisoners' children may visit once a week and frequently remain overnight.

MATRIMONIAL HOUSE

One of the amazing features of Mexican prisons is the lack of the strange, unnatural tension that one feels in any Anglo-Saxon house of correction. The men seem to go about their work with a normal attitude of mind. There are no sullen, glaring, stifled expressions that one sees too frequently in American prisons. This difference, the head of the prison explained to me, is due, in his opinion, both to the gainful occupation of the prisoner, and to the matrimonial house. In the latter institution, the wives of the inmates are allowed to visit. The guards admitted that it was not customary to peruse too closely the marriage license. While we could get no definite information as to the number of women who remained faithful to felons, the records seem to indicate

that the majority of the wives did not divorce their erring mates, but waited for them. The Matrimonial House, with its allowance of a visit once a week, or sometimes once in two weeks, undoubtedly plays its part in keeping the family together.

THE JUVENILE COURT

American lawyers who speak the language are given every courtesy in the courts of Mexico. There is no citizenship requirement and the Mexico City bar has quite a list of American advocates. Even the American lawyer and judge with no knowledge of the language will be given courteous attention. But it would not be possible for the American lawyer who does not speak Spanish to handle legal matters in the republic effectively.

The Juvenile Court in the Mexican Federal District has proven of great interest to Americans. The court sits en banc and is composed of three judges. Only one of the three is a lawyer, the other two being members of the teaching and medical professions. One of the three must be a woman. Usually the feminine member of this court comes from the teaching profession. The theory back of all Juvenile Court procedure in the Republic of Mexico is that something in the child's environment is unsatisfactory and must be changed. A complete survey is made of his whole surroundings and his physical condition.

METHOD OF COURT APPEALS

Mexican appeals are taken on the original papers, which cuts the cost very materially. If the attorney is diligent, the case may proceed from the lowest to the highest court of the land in six or seven months. The Supreme Court, where the matter is finally adjudicated, is composed of twenty-one members. The Chief Justice is the administrative officer of the entire Mexican federal judiciary. There are four Salas or departments, the penal, civil, administrative, and labor divisions. Each department has five judges who meet each day of the week except Monday, when the whole court sits en banc. From its birth in 1824, when the Supreme Court of Justice was born, until the present date, many of the most

distinguished presidents of the republic and literary men have been a part of this court.

The present Chief Justice, Daniel V. Valencia, is said to be one of the finest administrative officers who has ever presided over this body. The court is at present turning out over six thousand opinions a year. Much of the work is handled through the secretary, Attorney Francisco Pereda Gay. Mr. Gay's history of the Supreme Court of Mexico was published in 1929 and is yet untranslated. It reviews briefly all of the important changes in the republic.

ANNUAL MEETING OF AMERICAN BAR ASSOCIATION

All indications are that previous attendance records of the American Bar Association will be exceeded at the Boston convention during the week of August 24. With an attractive program being developed and the important plans for a better national organization of the bar up for consideration amid historic New England surroundings, the prediction is made that this will be an outstanding and dynamic meeting of American lawyers. Many lawyers have made known their intention to take their vacations in New England with their families, either before or after the Association meeting. Graduates of New England colleges and universities are taking this opportunity of revisiting their alma mater, and the Harvard men are looking forward to the Harvard tercentenary anniversary celebration, which will take place early in September.

Many historic shrines of old New England, as well as charming mountain and seashore resorts, are within easy motoring distance of Boston, and will constitute an added attraction for those attending the meeting. Detailed information will be sent soon to all members of the Association. Hotel reservations should be made at once by all those who are expecting to attend. Lawyers who are not members of the American Bar Association but who wish to attend and vote at the convention, should apply for membership promptly.