

protection of composers of "canned music"—the sheets or discs that are used in graphophones. The bill provided that these composers shall receive a royalty of two cents upon each disc or roll manufactured for reproduction of the music on a mechanical device; and monopolization is prevented by a clause providing that if reproduction is permitted at all by the composer, any concern may have the right to reproduce upon payment of the royalty.

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The Police "Sweatbox."

Ever since Inspector Byrnes imported the "sweat-box" from continental Europe, it has grown in favor among incompetent detectives until its use has become revolting and disgraceful. We have often had occasion to denounce this un-American infamy (vol. x, p. 242; xi, p. 123), but for many years our denunciations and protests seemed like the outcry of a voice in the wilderness.

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By common consent, even lawyers—whose traditions ought to have taught them better—scorned the idea that criminals have any rights of protection against "sweat-box" cruelties. "What matters it how confessions are got, so long as they come." This was the general opinion. That weak minds might yield false confessions in fear or hope, and strong ones be reduced by mental torture to the weakness necessary for extorting false confessions from them, was disregarded. The prevailing notion was that criminal procedure is for the punishment of the guilty; its function of protecting the innocent had been forgotten. So far had this tendency gone that our highest courts refused their protection to victims of the sweat-box who repudiated confessions extorted from them.

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But a better tendency has set in. In Philadelphia, for instance, only the other day, Judge Bregy denounced the sweat-box in charging a jury in a murder case. A Negro woman was on trial for killing her husband. According to a detective's own story on the witness stand, he had taken her to a darkened room and after questioning her had suddenly sprung a window shade and revealed to her her husband's corpse. In this case the cruel shock did not weaken the woman's mind, and the detective got no confession. She still protested her innocence. It might have been otherwise if the detective had taken the precaution to prevent her sleeping for two or three days before the ordeal, as is sometimes done. At

the trial she was acquitted after Judge Bregy, who presided, had uttered these just words on the lawless torture to which as a helpless prisoner she had been subjected:

I regret exceedingly that any officer of the law should resort to the practice of torturing, threatening and frightening into making a confession. Detectives ought to investigate cases and find witnesses who know something about the occurrences and if any of them would devote his time to that work instead of torturing witnesses to get a confession out of them, which saves them the work of hunting up witnesses, it would be a great deal better for the cause of justice. I hope that some day some innocent defendant, when he gets out of the toils of the law, will bring them to account and make them answer for the gross outrage upon their rights that is perpetrated in the name of justice. They have no right to do this thing. A confession, if it is made, must be a voluntary confession. It is a blot upon the administration of justice in this country that this practice is permitted by police authorities to exist at all.

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SUPERINTENDENT COOLEY AND THE PUBLIC SCHOOL SYSTEM.

His career as Superintendent of the public schools of Chicago, lends general interest to the withdrawal of Edwin G. Cooley (p. 180) from that office. Not only has his reputation gone abroad as that of a great educator and courageous pioneer in educational reform, but his official policies are identified with interests and influences of a kind which are a blight upon the public school systems of all our large cities. For such value, therefore, as his service in Chicago may offer, we shall briefly consider it with all the impartiality we can command and as impersonally as possible.

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When Mr. Cooley said to a group of business friends at a farewell banquet at the Union League Club, that in his official career in Chicago he had fallen short of his educational ideals, he spoke with no less truth than candor. He did have educational ideals. And if he had been unhampered in developing them, he might have become in truth a great educational leader, supported with enthusiasm by one of the largest and best teaching bodies in the country, and consequently so entrenched in public esteem as to defy the most powerful hostile influences.

When, however, in the same farewell speech to his friends, Mr. Cooley said he had done the best he could, his words were ambiguous. If he meant the best he was capable of doing, then he did not do the best he could. But if he meant the best possible under the circumstances as he judged

them, his statement is accepted here. Though personal critics impeach his good faith in the exercise of his judgment, we shall assume that it was his judgment and not his motives that went astray.

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The circumstances were exceedingly complex and difficult.

Even to the superficial difficulties, there were three baffling angles. At one were the raw and vulgar political interests centering at the City Hall, precisely like those that center there now, except that they were Democratic instead of Republican. These regarded superintendents of schools as primarily dependents of the party organization. At another of those angles were the Big Business interests of the "loop" region, which demanded of a superintendent of schools that he be loyal to them, and for such a superintendent that he have a free hand. At the third angle were the teachers' interests—the interests of the men and women who come directly in contact with the school children every day, and upon whom in the end the public school system must depend for results.

Beneath the surface were other and still more baffling difficulties. The Big Business interests had underground alliances with the political organization interests, and both had spheres of influence extending into the powerful clubs, the great newspaper sanctums, and the larger religious denominations. As if this were not baffling enough there was, besides, the traditional Protestant-Catholic enmity ready at any time also to make trouble for a superintendent of schools.

How to reconcile all those conflicting groups was the problem that confronted Mr. Cooley when he became Superintendent. It was no trivial task that lay before him, and condemnation of his course can not be lightly pronounced.

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Evidently he concluded that those groups and interests could not be harnessed together. In this he was doubtless right. He seems also to have concluded that his success as Superintendent would depend upon making the most powerful his ally, and putting down the rest. Without implying that his judgment was wrong in this, his choice of allies was unfortunate—for educational purposes. He chose the Big Business interests. Nor did he choose these for any mere personal advantage, we shall assume, but as the most available, in his judgment, for the accomplishment of his difficult task as Superintendent.

Among the insuperable difficulties which this choice entailed, was the impossibility of adapting it to educational leadership. It necessitated a financial service wholly incompatible with leadership in education. Instead of being free to formulate educational plans and policies in pursuit of his educational ideals, submitting them to the finance committee for approval or rejection on financial grounds and upon the responsibility of that committee instead of his own, Superintendent Cooley found himself—altogether without design or expectation on his own part, we make no question—under the deadly burden of financial responsibility for the schools. In the name of education, he was obliged to formulate uneducational financial schemes.

Thereby he won the support of the Big Business interests, and retained it until recently, but at the expense of a demoralized teaching force which finally developed almost unanimous contempt for his educational administration.

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Considered by itself and without reference to the difficulties which had entangled him, Superintendent Cooley's administration seems to have deserved the contempt it finally got from the teaching force.

His most notable "educational" policy, for instance, the only one his administration was prominently identified with, is the so-called "Cooley promotional system." This has been widely heralded and ignorantly regarded as an educational device of transcendent educational merit. Yet it has no educational substance nor any educational history. Its characteristics in both respects are simply financial.

Though purporting to regulate the promotion of teachers, this device has no promotional function in any educational sense. The "promoted" teacher goes on with the same school work, in the same school room, with pupils of the same grade, after "promotion" as before; and in the same school with unpromoted teachers, it may be, of equal or greater ability, acquirements and length of service. The "promotion" is not from a lower to a higher grade of work, but only from a lower to a higher range of salaries for the same work.

The device was invented by Superintendent Cooley several years ago, at the request of the chairman of the finance committee at that time. It did not come before the educational committee until years afterward, and then, after minute investigation deliberately made, it was abolished. Originally adopted by the school board upon ap-

proval by the finance committee alone, its restoration after its abolition was made without deliberation and by a school board but recently "packed" (as the Supreme Court of the State decided), by a political "machine" mayor, with representatives or dependents of Big Business interests.

In order to secure this salary "promotion," teachers have to receive from their principals high marks for efficiency; and these marks are "equalized" at headquarters, where the characteristics of principals as markers are reviewed and their markings revised—a horizontal increase of teachers' marks by principals who are "low markers," and a horizontal decrease of marks by those who are "high markers." After this ordeal—a secret process—teachers notified that they have the required high efficiency mark, and having already served some six or seven years, are eligible to take an examination, or to offer study credits from "accredited institutions," for "promotion" to the higher salary group. If they then pass the examination, or produce enough credits, they are "promoted." That is, their names are transferred on the salary sheet from the large group of teachers where salaries increase in small amounts automatically year by year for six or seven years and then stop increasing, into the comparatively small group of teachers in which salaries continue to increase from year to year for three years longer.

The effect of that device was not to make better teachers, but the contrary rather; it was not to strengthen the force, but to demoralize it. It merely kept down the aggregate of salaries, in so far as it had any affirmative effect. By establishing two maximums, and restricting the larger to a small number, through obstructing the passage of teachers from the lower to the higher salary group by means of ingenious rules, a low average maximum could be maintained while a high specific maximum was apparently within the reach of all teachers and actually paid to a few.

That this was not only the effect of "the Cooley promotional system," but was probably also its purpose, was emphasized by circumstances attending the recent repudiation of the Chicago Art Institute as an "accredited institution." As the President of the Board of Education quite candidly said, the credits allowed by that institution under "the Cooley promotional system," had increased the amount necessary for salaries by \$160,000 for the year. There was no complaint that incompetency in teachers had been fostered, nor that those getting salary increases through Art Institute credits were not earning the increase as well as those previously advanced to the

higher salary group. The sole complaint was that the financial side of the school system had been prejudicially disturbed!

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Superintendent Cooley's misjudged alliance with the Big Business interests, which entangled his administration in the meshes of the miscalled "promotional system," placed him for other reasons also in an attitude of hostility to the teaching body. When salaries were cut for lack of money, and the Chicago Teachers' Federation therefore instituted its famously successful legal proceedings against some of the Big Business interests of Chicago for tax dodging, it aroused the undying animosity of those interests. In such circumstances the Superintendent could not be even neutral without losing his ally—and consequently his authority, as he doubtless judged.

At first the Federation was attacked for "meddling" with the tax question, something with which "teachers as teachers had no concern," even if it did operate to keep down their salaries and thereby discourage their work. But when in self defense against the assaults of the allied financial interests, the Teachers' Federation joined the Chicago Federation of Labor, it was attacked for becoming a trade union. This is the pretended objection to it today. Its real offense, however, is the original one—its persistency in trying to enforce the law against tax dodging by the Big Business interest of the "loop."

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It was of course a consequence of his alliance with the Big Business interests, that Superintendent Cooley found himself not only burdened with Big Business responsibilities on the financial side of the school system, but thereby grossly handicapped for leadership on the educational side. He had been forced to adopt the Big Business method of drivership for leadership, and in his judgment he could not safely reverse that policy when the opportunity offered,—and it did offer,—however earnestly he may have desired to do so.

That necessity sealed his fate as an educator. Although he had been constantly bringing new teachers into the system—people who naturally looked to him for leadership at first and trusted him, he quickly lost their confidence by the uneducational methods which he felt himself powerless to abandon and constrained to enforce.

Had he been untrammelled by his unfortunate official dependence upon Big Business influence,

and yet been unable to acquire or to continue to command the confidence and enthusiasm of the teaching force, he would stand condemned for inborn incompetency. But hampered as he was, such a fundamental condemnation would be unwarranted. It was a sheer impossibility for him, as it would have been for any one else, to retain at once the support of Big Business and the confidence of the teaching force. In winning the selfish friendship of the former, it was inevitable that he should lose his own freedom to co-operate in full fellowship with the latter.

Without this freedom, without this fellowship, without the confidence and enthusiasm that nothing apart from these can inspire, no man, however true his educational ideals or great his educational qualifications in other respects, can successfully administer a public school system.



That this criticism has been neither unjust nor uncalled for, is evident from other signs than those to which we have alluded. The very circumstances of Mr. Cooley's withdrawal give convincing testimony.

In a school board with 20 living members, 15 of whom were appointed especially to support Mr. Cooley's policies, only 8 could be kept in town and drummed up at a special meeting to ask him to withdraw his resignation, and only 7 at a regular meeting to adopt the flattering resolution of acceptance offered by his friends when he confirmed his resignation. The teaching force, other than the principals, made no public sign either individually or through any of their organizations. Though the principals' association courteously invited him to a god-speed and farewell luncheon, the invitation was accompanied with no authoritative expression of approval of his Chicago work. It remained for a coterie of Big Business men, and for these alone—men who for the most part know little of the public schools and care less, so that they be cheap,—to organize a dinner at the Union League Club for the purpose of praising Mr. Cooley's service as Superintendent of the Chicago schools. Praise from local business interests for educational service when local educational interests are silent, is not praise from Sir Hubert.



The Chicago public school system has been from the beginning of Mr. Cooley's superintendency, almost wholly and nearly all the time at the mercy of the Big Business interests of the "loop." In this respect it has only gone farther in the direction in which the public schools of all our cities are

tending. Whether or not that has been due to any fault on Mr. Cooley's part, it has not been without his acquiescence. We regret the necessity for saying so, for we believe that Mr. Cooley is not actuated by sordid motives, and we repeat our belief that he had educational ideals which have been disappointed but which might have been realized in high degree but for the difficulties he attempted to overcome by means of his unfortunate alliance with the Big Business "crowd."

With genuine good wishes, therefore, for his success in the business career for which he has abandoned his educational ambitions, we trust for his sake that when the mystery enveloping his withdrawal—for mystery it is—shall have cleared away, Mr. Cooley may be found to have provoked the necessity for his resignation, by revolting at last against the exactions of the Big Business interests which began by demanding his fealty and ended by marring his career.

INCIDENTAL SUGGESTIONS

ON THE EVE OF VICTORY.

I have been a single taxer for about twenty-four years, and a radical ever since I was about twenty. So I have become accustomed to the predictions of various reformers that their scheme of regeneration would be perfected in from five to ten years. Nevertheless, I have never felt so hopeful of immediate success for the single tax in some form as I do today.

To me, and to many others less sanguine than I, it seems that we are on the very eve of victory; that in some places we have already succeeded. We must have more details of Kai Chau, but according to Mr. Max Hirsch we have a working example of a large scheme there, and it meets with the greatest approval and success. Those readers of the "Public" who missed the article in the issue for the week of February 19th should get it and read that article of Max Hirsch's. It is the most inspiring thing on the progress of single tax, although it is confined to a plain statement, that I have read for a long time.

One of the most encouraging signs of our success is the abatement of antagonism. In Rhode Island, where we have unfurled the flag, it is not even hooted at, and it is not necessary any longer to pursue the "gum shoe" methods. I am no politician, but I have no confidence myself in "gum shoe" methods anyhow. I do not want to get the Kingdom of Heaven by force; I do not want the reform till the people are ready for it, but I think that we may reasonably look for a great revival such as has swept over the world: this time the revival to be on economic instead of what are called religious lines.

In this we shall have the assistance of socialists who are taking kindly to our remedy. It can be shown to socialists that the only hope of raising