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## Ingenious punishments

### Their object all sublime

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#### A vogue for shaming wrongdoers

ON SEPTEMBER 30th students at the University of Massachusetts threw a toga party. The cops showed up, uninvited. They charged the host, James Connolly, with under-age drinking, making too much noise, and having a keg without a licence. For punishment, he had to put on his toga again and stand in front of the police station for an hour.

Dan Markel of Florida State University reckons that such "shaming punishments" are on the rise. In 2003 a couple of teenagers who defaced a nativity scene in Ohio had to parade through town with a donkey. "The punishment must fit the crime," explained the judge, Michael Cicconetti. Several cities have aired the names of men caught soliciting prostitutes on "John TV". In 2004 a federal appeals court agreed that a mail thief could be made to stand outside a California post office wearing a sandwich board. "I stole mail," it read. "This is my punishment." In Virginia, if you fail to pay child support, you may find your car wheel-clamped: pink if you are neglecting a girl, blue for a boy.

Many support shaming punishments. Amitai Etzioni of George Washington University has argued that they are a good way to express communal values. Fines, in contrast, imply that you can buy a clear conscience. And shame seems to be a powerful deterrent. Mr Cicconetti says he sees few repeat offenders. Cheerful Hobbesian types want everyone to know who the bad guys are, so that decent citizens can avoid them.

Others are doubtful. According to Mr Markel, shaming punishments undermine human dignity. He suggests alternative punishments that omit the public-humiliation factor. A landlord who flouts the health code, for example, could be made to stay in one of his own slums. And it is true that there is something unpleasant about the desire to see other people humiliated. Remember the matron who objects to Hester Prynne's scarlet letter: "Why, look you, she may cover it with a brooch, or suchlike heathenish adornment, and so walk the streets as brave as ever!"

But voters appear to be comfortable on the high horse. Ted Poe, a former district judge from Texas, made his reputation by issuing a string of embarrassing sentences. He called this "Poe-tic justice." Once, he sentenced a man who stole pistols from the Lone Ranger (technically, the actor Clayton Moore) to shovel manure in the Houston police stables. In 2004 Mr Poe was elected to the House of Representatives at his first attempt.