

1914

Prophylactic Administrative and Medico-Legal Aspects of Alcoholism

Alfred Gordon

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Alfred Gordon, Prophylactic Administrative and Medico-Legal Aspects of Alcoholism, 4 J. Am. Inst. Crim. L. & Criminology 867 (May 1913 to March 1914)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

PROPHYLACTIC, ADMINISTRATIVE AND MEDICO-LEGAL
ASPECTS OF ALCOHOLISM.

ALFRED GORDON.¹

The problem of alcoholism is of an immense practical importance both from the standpoints of individual hygiene and of social interest. The phase of the subject that is to be discussed here, touches upon manifold features of alcoholism.

Let us first consider briefly accumulated data concerning the effect of alcoholism.

Intoxication with alcohol produces ravages not only upon the individual who drinks, but it follows him beyond the grave in his progeniture. The disastrous hereditary consequences are now well known, and the physical or mental degenerates who constitute the habitual clientele of asylums and prisons present a familiar picture. The being that is to be born from an alcoholic parent is marked before his birth. If I refer only to the illustrative tables collected by me concerning the effects of parental alcoholism traced in three generations, (*Monthly Cyclopaedia and Medical Bulletin*, January, 1912) the following striking peculiarity will be observed: In the offspring of the first generation with a contingent of 200 individuals there was an appalling proportion of pathological units produced by alcoholic progenitors. A detailed analysis shows that apart from physical stigmata of degeneracy, such as cranial malformations, abnormalities of special senses (deafness, mutism, partial or total blindness) the 200 individuals engendered by 90 alcoholized parents presented in the most striking manner important varieties of mental deficiency. Epilepsy was the most frequent occurrence. Idiocy, imbecility, feeble-mindedness were frequent. Obsessions, phobias, irresistible impulses, tendencies to criminal acts and other manifestations of a vicious character—were all important features of these individuals. Moreover, in 75 out of the 200 there was an inherited great desire for alcohol at a tender age. Briefly speaking, the gravity of alcoholic intoxication was evident in the offspring of the first generation.

The second group of cases embraces 78 individuals whose parentage could be traced to 20 families two generations back. These 78 living grandchildren presented mental abnormalities of a very grave nature. Here we observe a decidedly lower mental status than in the group of the first generation. There were more idiots than imbeciles and more

¹Dr. Gordon is a neurologist and alienist of Philadelphia.

imbeciles than backward or feeble-minded individuals. Low moral senses, vicious tendencies, outbreaks of passion, destructiveness, perverted sexual sense and acts, vagabondage, precocious prostitution, frequent imprisonment were all observed.

The third group of cases comprises 21 individuals originating as a third generation from seven families known to be alcoholic. In all of them various mental abnormalities could be traced through the two preceding generations. We find here a remarkable chain extending back three generations, a chain which is uninterrupted and uniformly covered by degenerative elements whose original source could be traced to the great grandparents who were suffering from chronic alcoholism. These cases strikingly illustrate the manner in which a complete mental debility is established by serial transmission of a deleterious taint which becomes more and more pronounced in each successive generation.

This entire study embraces 298 cases of mental deficiency in 117 families. This number included only the living members. The mortality of each of the families was great; death occurred at a very tender age. The collected facts show that alcoholized individuals procreate degenerate and mentally feeble children. These in turn, will, if permitted, continue the pathological condition endlessly. One such family is capable of throwing into the community dozens of useless or dangerous individuals who if capable of multiplying will produce their like. The mental inferiority of such units leads the community backward, and the intellectual *niveau* is thus lowered. The powerful hereditary effect of alcoholism can be seen also from the striking example reported by G. Ballet (*L'Hérédité morbide*, P. Raymond). In a family that counts five sons, the first two are in perfect health. After the second was born, the father began to drink. The third son was neurotic and hysterical. The fourth son was feeble-minded. The father changes his habits and abandons drink totally. The fifth son is then born and he enjoys perfect health. Marcé (loc. cit.) reports the history of an alcoholic who had 18 children, 15 of whom died from convulsions, the 16th was epileptic. Roesch (loc. cit.) cites the case of an alcoholic who had 14 children; 8 died at a very tender age; the others are idiots or epileptics.

That alcohol produces directly a disastrous effect upon the physical growth, on the development of mental functions and moral ideals can be seen from another statistical study which I had the good fortune to make on a series of 14 children (*Med. Record*, March 8, 1913). All my 14 subjects were individuals apparently free from any morbid hereditary transmission, as a very careful investigation revealed, unusually healthy ancestors possessing a marked longevity. Nine of the entire series be-

ASPECTS OF ALCOHOLISM

came orphans at a very tender age. They were soon abandoned by their relatives and placed indiscriminately with various families for menial services. These families happened to be of a low moral and intellectual level. The children grew up without supervision and became early victims of bad habits which they witnessed daily. Drink was the most conspicuous vice that they saw being cultivated. Gradually they acquired the habit of drink. As children possess a very impressionable nature and all sorts of habits are readily acquired, a craving for alcohol soon developed. Other vicious habits followed. Unlawful acts of all kinds, thefts and vagabondage, filled the histories of these juvenile degenerates. Various neurotic phenomena, such as tremors, twitchings, restlessness, insomnia, epileptic convulsions, gastro-intestinal disorders were all observed. Brutality, lack of altruistic sentiments, perverted sexual sense were not wanting. Such was the mental and physical status of nine individuals whose ages ranged at the last examination between 14 and 19. The remaining five members of the series were under the supervision of their parents until the ages of puberty. At that time various financial and domestic shocks overtook the parents. The homes were broken up, the children drifted away. Being of a tender age and abandoned to their own resources, they soon succumbed to various temptations, among which drink figured prominently. Mental arrest, lack of moral ideals, no conception of conventional laws, brutal tendencies and impulses of the most primitive character, abnormal sexual proclivities, excessive use of tobacco—are all manifestations which developed side by side with alcoholism.

The moral, intellectual and physical depths into which the 14 individuals were fallen and in which they were held, was created for them directly by alcoholism. The direct nefarious influence of alcohol on an individual during his physiological development is amply demonstrated by the histories of these 14 individuals who were apparently free from morbid heredity.

In still another study entitled "Alcoholic Insanities," based upon 437 cases (*J. Amer. Med. Ass'n.* 1907), I was able to determine the fact, that chronic alcoholism leads to a gradually developing intellectual feebleness; viz., dementia. Before the latter becomes conspicuous, the patient begins to show an undue irritability. At the same time appears a weakness of the will-power. The patient soon becomes depressed, his memory becomes clouded, the power of application for work is decidedly impaired. The sadness, the realization of his physical and mental impotence lead him directly to delusive ideas which become intensified by hallucinatory images, and criminal tendencies are not infrequently observed. Gradually the moral sense; the sense of propriety, deteriorates.

The patient becomes indifferent, apathetic, brutal. The cerebral functions become irreparably disorganized, judgment becomes infantile, and the patient's dementia is permanently established. The evolution, therefore, of chronic alcoholism is progressive and its ultimate result is terminal dementia.

Having thus traced briefly the effect of alcoholism on the physical and mental health of the individual at an early age and in adult life, also, the particularly disastrous influence on the offspring originating from alcoholized parents in successive generations, the question naturally arises as to the responsibility of the community as well as of its individual members. In view of alarmingly increasing alcoholism and of the number of its victims, very serious thought must be given as to prevention of such a disastrous state of affairs.

The following proposition must be borne in mind. An alcoholic individual is obnoxious to himself by lowering his physical and mental status. He is obnoxious to the community because he is likely to commit criminal acts. He is a dangerous individual because he is likely to bring into the world degenerate individuals for several generations in succession. Can society protect itself by creating laws against alcoholism?

In my opinion, legislative acts can be of assistance only in one respect; viz., by decreasing to a very large extent the production of alcohol, and by interfering with the fabrication of various beverages containing alcohol. A very high tariff, very high taxes, will naturally restrict considerably this industry, and thus render the beverages less accessible to individuals with ordinary means. But it must be borne in mind that such legislative measures are not to be expected in view of the fact that they are usually enacted by legislators, some of whom are financially interested in the industry.

On the other hand, laws directed to suppress alcoholism merely by punishing with imprisonment or otherwise are entirely inefficacious for the reason that they remove the effect but not the cause. An individual addicted to the abuse of alcohol repeatedly or continuously belongs to the domain of morbid psychology. Whoever analyzes the psychic processes which lead to alcoholism, must admit that we have here profound changes in mentality; deep "lacunae" in cerebral organization so that an individual thus affected loses his inhibitive power; hence he acts under the influence of impulse. He therefore is in need of medical attention, but not of a sojourn in prison.

Ordinarily the alcoholics are either directed to prison or to insane asylums, according to their degree of responsibility as estimated by the committing judge. In cases of criminal acts committed during a phase

ASPECTS OF ALCOHOLISM

of delirium, the alcoholic must be considered irresponsible, and he therefore falls into the category of the insane. Asylum is the only issue in such cases.

Alcoholic individuals, if they have not reached the conditions of actual dementia frequently recover from their acute attacks or, what is more frequently the case, recover sufficiently to be considered responsible. The law, of course, requires prompt removal from asylum. In the majority of cases, the chronic alcoholic is a recidivist. Return to alcoholic excesses is the usual occurrence, and with it return of criminal acts is a great possibility. The recommitment to asylum is inevitable. Thus certain individuals spend considerable time of their existence between the saloon the insane asylum. This is a common experience of those who have the opportunity to deal with this class of cases. The insufficiency and inadequacy of our laws concerning the freedom of chronic alcoholics is self evident.

Apparent recovery from individual attacks does not constitute a genuine recovery from the intoxication which is deeply seated. Removal of drink for a period of two or three weeks does not imply that the patient is likely to make a complete recovery from an old intoxication which affected in quite a perceptible manner his cerebration and the power of cerebral inhibition. Considerable time is required to accomplish this end, and if a chronic individual becomes free from the acute symptoms in a short time there is a great likelihood that the condition will recur. A very prolonged medical detention is indispensable in such cases, not only for his own benefit, but also and particularly for the benefit of his surroundings.

The protection of the community is of paramount importance. As detention of chronic alcoholism in insane asylums may be detrimental to them after they recuperate from the acute symptoms, whereas on the other hand, liberty is decidedly injurious to themselves and dangerous to society, which claims protection, the creation of special institutions is logically indicated. A hospital exclusively for inebriates is a necessity. It should possess the power of judicial as well as of medical authority. It is urgent that the alcoholic with a criminal record as well as the recidivist without a criminal record be placed in such an institution where he will undergo medical treatment. They should not be permitted to leave it until the medical authority after a prolonged observation and treatment finds them safe at liberty. Special laws are, of course, necessary to regulate the authority of the medical officer in charge of the institution. To avoid arbitrary action and abuse in cases of prolonged detention, a judicial officer should join the medical staff. Thus an im-

partial and scientific decision will be reached in cases in which the legality of detention is questioned.

The public should be instructed as to the utility of such an institution. It should view it from a purely humanitarian standpoint. It should regard it as a hospital in which alcoholics receive medical treatment, as indeed they are diseased individuals. It is not only the individual alcoholic excess that requires medical attention, but also and chiefly the underlying basis, the makeup of the individual in whom alcoholism is merely an incident. To such an institution should be admitted all alcoholics, irrespective of the degree of intoxication. Those whose alcoholic history is but brief are susceptible of complete recovery. The inveterate alcoholics and those with criminal records should be detained indefinitely. Thus the individual and society will be both protected. The alcoholic will be deprived of his liberty which otherwise he would use to injure others, and at the same time he will receive special care, humane attention, to a condition that renders him irresponsible. Besides, an institution of this nature will relieve the prisons from a number of alcoholics, whose irresponsible acts committed during an acute outbreak led them there, and thus an important medico-legal question will be solved. It will relieve the insane asylum, whose overcrowded condition has been a matter of great concern. Moreover, an inveterate alcoholic cannot recover in ordinary asylums. The rules applied to insane individuals cannot be applied to alcoholics, who may rapidly recover their intelligence to a very large extent. The continuous contact of delusional individuals with alcoholics is injurious to both. The latter are frequently the cause of disturbance in an institution for the insane.

The medico-legal advantage of a special institution for inebriates is of great importance. The detention of an alcoholic individual presents some difficulty with regard to the question of personal liberty. But in order to render the special institution for inebriates useful and powerful in its struggle against alcoholism, in order that the community may derive the greatest possible benefit for its own protection, it is necessary that the patient be detained for a prolonged period, so as to leave no doubt as to the recovery in the minds of unprejudiced medical authorities. When an alcoholic individual is detained among other alcoholics beyond the time when he has apparently recovered his mentality, such a conduct is not at all prejudicial to him while his detention among insane individuals under the same circumstances is, besides being injurious to him, decidedly unjust.

To sum up, a special institution for inebriates has for its purpose the treatment and cure of alcoholic individuals, whose mental dis-

ASPECTS OF ALCOHOLISM

turbances are the result solely of repeated or continuous use of alcohol. It has also for its purpose the indefinite detention of alcoholic individuals whose actions have proved dangerous to the community. It is self evident that actual demented, whose dementia is the result of old alcoholism or insane individuals whose pre-existing mental disorder may be modified by occasional use of alcohol—all those individuals belong to insane asylums, but not to special institution for inebriates.

As to the management of these special institutions and of their inmates, the following main principles appeal to be of some practical value:

(1) Classification of patients and their grouping according to the degree of intoxication, to the presence or absence of delirious, delusional or hallucinatory phenomena, to the chronic nature of the intoxication, to the existence or non-existence of criminal tendencies.

(2) The use of alcohol must be absolutely forbidden to all inhabitants of the institution.

(3) The greatest effort should be made toward improvement of the general health by appropriate dietetic and hygienic means.

(4) As an excellent and, in fact, indispensable addition to the latter is "physical labor," to which every patient free from delirious condition should be accustomed. The spirit and fondness for work should be cultivated whenever it is possible. It is one of the most useful methods in treating individuals with defective cerebral inhibition. Systematized labor properly directed will accomplish a double purpose. It will first of all encourage those patients who have sufficiently recovered to realize that the institution is helpful, that it will assist them in their present condition and after their return to their homes. In the next place, the institution may become self-supporting from such an arrangement.

Such social service should be performed for the cases as will facilitate their return to a normal life by procuring them work, by properly advising them, and by developing in them the spirit of hopefulness and initiation.

Prophylactic Measures.—It was mentioned above that preventive legislation can be, in my opinion, of practical value only in one respect; viz., by decreasing to a very large extent the production of various beverages containing alcohol. High taxes, high tariff, will greatly reduce this industry and thus prevent the man with average means from consuming it. Reduction of the number of saloons may help to a certain extent, but such a procedure is considerably less valuable than the former, as the existence and increase of such establishments are the result of a demand and craving for alcoholic beverages. As legislation in either of the

two directions is intimately associated with political agitation, our endeavor in this respect will naturally fail. It is not the increase of saloons that increase the number of drinkers, but it is the demand for alcohol that increases the number of saloons. It behooves us, therefore, to combat the morbid desire for alcohol and to remove it. However, the principle of diminution of the number of saloons should be adopted.

A more useful measure for decreasing and preventing alcoholism is propaganda in the broadest sense of the word. The moral and intellectual influence of various anti-alcoholic societies is very beneficial. The good they do cannot be sufficiently appreciated. Moral persuasion and conviction is the most efficacious procedure in that direction. The widest publicity concerning the effect of alcoholism on the physical and mental health of the individual should be considered as vital. The public should read of and see the pernicious consequences of alcoholism. Lectures and clinics should be systematically organized and actual demonstrations given. The public should be invited to visit particularly institutions for feeble-minded where they may see for themselves specimens of humanity brought into the world by parents whose alcoholic excesses threw on the community a burden which is actually useless. Imbeciles, idiots, epileptics, and children with all sorts of morphological abnormalities are the fruits of parental acquired diseases or pernicious habits, among which alcoholism is one of the most conspicuous.

Propaganda against alcoholism should be particularly directed to the young. The role of the physician is here indicated. It is he who comes in contact with families and their children. As counsellor in medical and hygienic matters, he can use his great influence in circles of all sorts. Considered as a man of knowledge and experience, he will be listened to. He can prevent parents from commencing to give children the first taste of drink. It is he that controls the diet and hygiene of children. It is to him that the mother addresses herself for advice as to the habits of her children.

Next to the physician is the teacher, who is close to the children. But the teacher himself must be well informed as to the nature and dangers of alcoholism. He should have, before he is permitted to instruct, a special course in social hygiene in which alcoholism should occupy a prominent place. Such a course should be given in schools and colleges, and the instruction should be not only theoretical, but also practical. It is necessary that every youth leaving school should possess a fundamental knowledge of the effect of alcohol on various tissues; on the nervous system, on the mentality, and on offspring. From a tender age, the child should grow up thoroughly imbued with the idea that alcoholism is one

ASPECTS OF ALCOHOLISM

of the most obnoxious and dangerous poisons. It is the knowledge of what is true, of what is useful, and of what is indispensable in life that presents the most powerful firearms against all other acquired pernicious habits or disease. It is by imparting this knowledge that real scientific prophylaxy can be practiced.

The public at large should be familiar with the fact that one of the threatening features of alcoholism is depopulation, not only in a quantitative sense, but also in a qualitative sense. It leads to a degeneration, not only of the individual, but also of the species. It produces a slow and progressive deterioration of the individual and an intellectual and physical sterility of the race with all its social consequences; viz., lowering of intellectual status and depopulation.