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Reviews and Criticisms

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REVIEWS AND CRITICISMS.

THE FEEBLY-INHIBITED—NOMADISM OR THE WANDERING IMPULSE, WITH SPECIAL REFERENCE TO HEREDITY—INHERITANCE OF TEMPERAMENT. BY *Charles B. Davenport*, Carnegie Institute of Washington, 1915, pp. 158.

In the three articles which together comprise a study of "The Feebly Inhibited," Davenport discusses not only the problem of those who are lacking in normal powers of inhibition, but likewise the laws of heredity operating in very complex traits. The first study concerns itself with "Violent Temper and Its Inheritance;" the second, with "Nomadism or the Wandering Impulse;" and the third, with "The Inheritance of Temperament."

In regard to "Nomadism or the Wandering Impulse," the gist of the argument is as follows: "The wandering instinct is a fundamental human instinct which is, however, typically inhibited in intelligent adults of civilized peoples." There are some who lack this inhibitory power and who, in consequence, become, often periodically, vagrants or wanderers. Defective inhibition of this instinct is inherited in a definite manner, "It is probably a sex-linked recessive monohybrid trait," that is, it appears usually in males, but is transmitted through the mother, thus skipping a generation. Daughters are nomadic only when the mother belongs to a nomadic stock and the father is actually nomadic, whereas sons are nomadic when their mothers belong to a nomadic stock. This method of transmission is different from feeble inhibition evidenced by violent temper, since the latter is not sex-linked and appears in every generation; that is, is a positive and dominant trait.

"The nomadic instinct frequently occurs in families showing various kinds of periodic behavior, such as depression, epilepsy and hysteria." These are not the cause of the nomadism, but concomitants permitting the nomadic impulses to appear. The proof of this theory is to be found in the analysis of family histories gathered by field workers.

The reliability of data collected by this method is, of course, open to question, though we cannot enter into detailed criticisms here. Further, as a general comment, it is interesting to note that nomadism is not listed as an instinct *per se* by any psychologist, whereas the hunting instinct is recognized as such by Thorndike, James, and other psychologists. Davenport, however, prefers to interpret hunting as an outgrowth of the wandering instinct.

As for the method of proof, we readily see that it rests upon the interpretation of the gathered data. Running away, truancy, vagrancy, as well as various types of occupation, are all regarded as expressions of the instinct for wandering, poorly inhibited. In the family histories there are likewise many other facts similarly interpreted. We find

italicized as being significant, "living on a ranch," "removed to Texas," "railroading," "traveling salesman," "owned a cotton farm," "became an educator in Japan," "was very fond of outdoor life and always used an Indian blanket."

Here, we see, there is no allowance made for any environmental influences; thus, to engage in a seafaring life is universally interpreted as indicative of nomadism regardless of the fact that if a man lived, let us say, in Gloucester, Mass., the likeliest occupation would be that of a skipper or a seaman. So, too, peddling is said to be "*prima facie* evidence of nomadism." We know that in large cities many untrained immigrants are prone to adopt peddling as a means of earning a livelihood when they have neither income enough to engage in any other commercial ventures, nor training for skilled trades. Many such immigrants, as soon as they have acquired some little means, give up what is designated by Davenport as a wandering life and are quite happy to stay at home and take care of their shops.

Thus, one might find many objections to the interpretation of the data. There is another criticism that must be made of an altogether different nature. We refer not so much to sins of commission as to those of omission. When family histories are gathered in this manner there must necessarily be a lack of items of many kinds. Knowing how complex human behavior is, it seems only reasonable to suppose that environmental factors of all kinds are often fundamental causes of misconduct. Experience has shown that truancy, vagrancy, running away from home, are often caused by factors that cannot be regarded as related to inheritance. Bad companions, mental conflicts, insufficient and unsatisfying interests, poverty, drunkenness, and wretched home conditions, all play a part. One dare not omit these altogether, and it seems fair to throw the blame on heredity only after these and other factors have been ruled out as possible causes.

Nor is any help to be derived from confusing normal and pathological conditions. We might note that the classifications of nomadism which Davenport himself quotes, are based on either economic, social, or pathological conditions; none deal with nomadism as an instinct.

In general, then, we may say that, apart from criticisms of the method employed in gathering the data, the study is weak in the omission of data that are necessary in any well-rounded study of complex human traits, while the interpretation of such data as are offered is frequently open to question.

The same general criticisms may be made of the study of "The Inheritance of Temperament," based upon the histories of eighty-nine families in which there is a good deal of detail regarding 146 matings. The purpose is to "analyze the distribution in families of temperament and its expression in mood." The temperaments indicating feeble inhibition may be divided into two types, the *hyperkinetic*, or excited state, subdivided into the nervous and the choleric; and the *hypokinetic*, or depressed state, subdivided into the phlegmatic and the melancholic. Each of these two states depends upon the presence of

a determiner in the germ-plasm. These determiners are inherited independently of each other and may occur in any combination. *Hyperkinesis* is due to a lack of normal inhibition, while *hypokinesis* is to be explained by the fact of over-inhibition.

Although the author definitely states that he is dealing with normal individuals, not with the insane, yet in the reading of the case histories one is impressed again and again with the abnormal, pathological conditions described, the amount of insanity and other complicating factors. Almost all the earlier studies reviewed deal with psychoses.

However much one may believe in the inheritance of temperament from one's own observation, this study by Davenport does not tend to convince one of the mechanisms whereby this inheritance takes place. The elaborate analysis of case-histories, the classifying of the individuals according to the formulae of descendants worked out in conformity with the theory here propounded, the comparison of the distribution of the progeny of various matings with hypothetical expectation, is all exceedingly elaborate. Perhaps in this very fact lies the reason for its lack of conviction; it is almost too elaborate to bear the superstructure placed upon it. Until much more fundamental aspects of mental life have been studied—indeed, until much more is known of the mechanisms of inheritance in plant and animal life—it would seem unwise to attempt to solve such extremely complex problems. In any case, much more data are needed. Surely, we have no right to leave out of consideration the manifold forces of environment when studies of inheritance are made by the method employed by Davenport and his workers.

Chicago.

AUGUSTA F. BRONNER, Ph. D.

DELL' OPERA SCIENTIFICA DI FRANCESCO FARANDA (THE SCIENTIFIC WORK OF FRANCESCO FARANDA). *Estratto dall' Annuario della Università di Messina, Anno 1914-5.* By Ugo Conti.

This is Professor Conti's inaugural address in praise of his predecessor, Professor Faranda (1835-1914), professor for nearly thirty years in the law school of Messina. Faranda was rather a remarkable combination of lawyer, teacher, author, and editor. He was the greatest lawyer of Sicily and one of the first in all Italy; and figured in several celebrated trials, the last of which was the case of ex-Minister Nunzio Nasi. His teaching was distinguished, so his students say, by an admirable clarity, acuteness, profundity of research, elevation of mind, order and effective exposition. Perhaps his greatest claim to public recognition, aside from teaching, was his share in preparing the penal code now in force. His writings covered a wide range. Among the most interesting might be cited those on undiscovered crime; on the absolutely confidential relation between an advocate and his client; on the passing of the power of judicial discipline from the bench; on false testimony and retraction; on marriage of the Catholic clergy in penal law; on civil responsibility and actions for recovery in penal law; and several studies of perjury. Because

of his uncompromising adhesion to the doctrine of free will he has been called the last of the Classical School. He followed Carrara and the Neapolitan School (including Nicolini, Roberti, Zuppetta and Pesina) in opposition to the Positive School. Perhaps I should not use the term opposition; for while knowing that there was such a group as the Positive School, he seems to have quite ignored and repudiated it.

University of Minnesota.

AUTHER J. TODD.

LA CREATION EN RUSSIE D'UNE COMMISSION EXTRAORDINAIRE D'INSTRUCTION CRIMINELLE POUR L'INVESTIGATION DES INFRACTIONS AUX LOIS ET COUTUMES DE LA GUERRE COMMISES PAR LES ARMEES AUSTRO-ALLEMANDES. (THE CREATION IN RUSSIA OF AN EXTRAORDINARY COMMISSION FOR THE INVESTIGATION OF INFRACTIONS OF THE LAWS AND CUSTOMS OF WAR COMMITTED BY THE AUSTRO-GERMAN ARMIES.) *Revue pénitentiaire et de Droit penal*. April and May, 1915.

The project of creating such a commission was presented to the Council of Ministers March 17, 1915, and was accepted by this Council for imperial ratification. Notice of the creation of this commission was given in the *Revue pénitentiaire et de Droit penal* for April and May, 1915. The items in the project were:

I. The commissioner is to investigate violations of the law and customs of war. The members of this commission to be named by the Emperor, included a senator of the criminal court of cassation, a member of the court of appeals, an examining magistrate devoted to affairs of special importance, two superior officials of military justice, the one to be a professor from the Academy of Military Law, and the other the official of the diplomatic chancellery of the state, having special knowledge of international law.

II. The commission is to receive the necessary number of secretaries and employees appointed by the chairman in consultation with the ministers of war, of foreign affairs, and of justice.

III. The commission is to have the right to proceed either as a whole or through its individual members by all the methods proper to a judge of the criminal court.

IV. Each official and organization who had knowledge of the violation of the laws and customs of war by the Austro-German armies is put under obligation to immediately inform the commission. The commission is not given the authority to prosecute persons, but has one object, namely, to ascertain in an irrefutable way the abuses committed. After the person who committed them is brought before the penal law he will incur the legal penalty, however.

University of Wisconsin.

J. L. GILLIN.

REPORT OF THE COMMISSION ON PROBATION UNDER CHAPTER 34 OF THE RESOLVES OF 1915, RELATIVE TO THE JUVENILE LAW. Senate No. 330. The Commonwealth of Massachusetts, pp. 43.

The Massachusetts commission on probation was directed to inquire into the administration of the juvenile law, to investigate the

effect of said law and the necessity for any further amendment thereof, having special reference to the co-operation of parents.

The report is very brief, but is clear and concise and evidently based on a thorough investigation of the administration of the juvenile law throughout the state. Hence its recommendations are worthy of careful consideration by those interested in the administration of juvenile laws in all the states.

The main conclusion and recommendations are:

(1) That the delinquent children act is a wise statute and that it is not widely called into question within the Commonwealth of Massachusetts.

(2) That criticism of the general operation of the act may be traced either to a *mistaken* notion that the law by its discrimination tends to shelter youthful offenders against correction, or to the imperfect administration of the law as it stands.

(3) That where the law has been efficiently administered there has been in a definite and measurable way a reduction of juvenile delinquency as a condition in the community.

(4) That ultimately there should be throughout the state a distinct juvenile judiciary.

(5) That the delinquent children act be amended so that the juvenile courts would have jurisdiction over parents who were responsible for their children's delinquency. The proposed amendment is made a part of the report. The commission on this point recommends that this jurisdiction should be only over parents and not over other adults who may contribute to juvenile delinquency. In Chicago we have had both kinds of law administered, not by the juvenile court, but by the municipal court. Our observation has lead us to the conclusion that the Massachusetts Commission is absolutely wrong and that the court which has jurisdiction over juveniles should also have jurisdiction over all adults responsible for juvenile delinquency, i. e., in Chicago the juvenile court should have concurrent jurisdiction with the municipal court in administering the contributing to delinquency act.

(6) That when a case is appealed to a higher court the trial "shall not be in conjunction with the other business of that court but shall be held in a session set apart and devoted for the time being exclusively to the trial of juvenile cases."

(7) That in juvenile courts the court shall have the power to exclude the general public from the room.

(8) That an ample number of efficient probation officers be employed.

(9) That "in due time there will be legislation which will make imperative the sifting out of the mentally defective from the normal and hopeful cases among the delinquents."

Chicago.

JOEL D. HUNTER.

REPORT OF THE SOCIAL SERVICE COMMISSION OF TORONTO, 1915.

One of the best vice reports that has been written is that of the Social Service Commission of Toronto. The Commission was created

October 27, 1913, by the City Council at the instance of the Toronto Local Council of Women. The report was finished in September, 1915. Mr. George A. Warburton, General Secretary of the Toronto Young Men's Christian Association, was chairman, and Professor T. R. Robinson, of the University of Toronto, was secretary. The report was drafted by the secretary. There are seventy-two pages in the report, which is exceptionally neat and dignified, both in appearance and in style.

The report runs through the usual series of findings, pointing out the menace, the insidious character, and the deep penetrations of commercialized vice as it was found in Toronto at the time of the investigation. Comparatively few bawdy houses were found, prostitution taking other forms, especially that of assignation and street soliciting.

Considerable space is given to a discussion of the question, "Is there a white slave traffic in Toronto?" The fact that there are few regular houses of prostitution is an indication, according to the Commission, that the great majority of prostitutes are not under physical coercion, but the Commission found a number of individual cases of white slavery. "There has been no positive evidence secured," reads the report, "of the existence in Toronto of a system of obtaining and retaining involuntary victims for the business of vice of such dimensions or character as to warrant the statement that 'white slave traffic' flourishes here. For such a statement implies not merely the occurrence of individual cases, but the existence of an organized system for keeping up the supply of prostitutes by such nefarious means." (Page 15.)

A valuable section of the report is that given to an extended discussion of "Contributory Factors in the Problem of Social Morality," the sub-titles being as follows: (1) Poverty as a Cause of Prostitution, (2) Housing and Sanitation, (3) the Problem of the Foreigner, (4) Feeble-Mindedness in Relation to Vice, (5) Recreation Facilities, and (6) Education. (Page 32.) Each sub-topic is discussed ably and at considerable length.

The problem of the relation of poverty to prostitution is well stated in this report. I quote here a portion of a paragraph, which indicates the careful thought which was given to this problem by the Commission. "The case in which a woman deliberately determines to sell herself in order to procure things which all normal human beings crave and which her earnings are not sufficient to procure, is probably a comparatively rare case. The commoner case is probably the one in which a girl debarred by poverty from reasonable and wholesome pleasures and indulgences, makes up for them by 'good times' of a questionable character, thus lowering her moral tone and incidentally placing herself under obligation to her male associates, and thus comes gradually and by a process, the significance of which she may not herself apprehend, closer and closer to the danger line. Following such courses for a certain length of time a single fairly easily made step takes her across the line—and the remainder of the down-

ward course is easy and rapid. Cases of this kind in which poverty has certainly been an important contributory cause are undoubtedly very much commoner than the cases in which the downward step has been taken all at once, because the girl realized that she either had to do that or starve." (Page 38.)

In other words, so far as poverty is concerned, its part as a factor in prostitution is a matter of subjective values. It is generally well known that so far from selling her virtue, the normal, refined woman will starve and freeze rather than exchange self-respect for money. By that type of woman (the normal and usual type we believe) virtue is not *for sale* at any price. Whether poverty may cause prostitution in a given case depends upon the subjective ideals, and not upon the objective physical wants. Let us suppose two girls, each working for six dollars a week and living under precisely similar conditions in regard to food, clothing, shelter, etc. One falls; the other lives cleanly. In such a case it is not a difference in wages that determines the action of the individual girl; it is a difference of subjective ideals, a difference in the value placed on virtue. Of course, this analysis is not ultimate. Back of the subjective life lie the mental and physical characteristics of the individual, and social surroundings and training. Undoubtedly poverty is often the occasion for breaking through the customary moral standards of our civilization, but behind poverty lie the basic and fundamental causes.

The Commission made the following recommendations in regard to the part of poverty in prostitution:

"(1) That in view of the importance to morality of satisfactory economic conditions and standards of living, the proper authorities should take into careful consideration the question of the enactment of a minimum wage law. The Commission considered this too complex and in some aspects too technical a question for it to attempt to solve incidentally. But it is so impressed with the importance of the economic aspect of the problem of social vice, as to feel that this matter should be made a subject of special inquiry.

"(2) That all employers should consider the safeguarding of the character of their employees as being not less important to their establishments than the kind of machinery or other appliances required; and should, in that connection, give heed to the bearing upon morals of wages, sanitary conditions and comfort provisions; since anything that endangers health, lowers moral stamina and lessens the power of resistance to evil.

"(3) That in any establishment employing numbers of young women there should be employed a social secretary. This secretary should be a competent and experienced woman who should mingle with the girls and get to understand their personal and working difficulties; and thus be of service both to employers and employees. Much could be accomplished by this means for the promotion alike of health, morals and efficiency." (Page 39.)

The report recommends the "total suppression and not merely repression or regulation" of commercialized prostitution; the aboli-

tion of the fining system; the establishment of a woman's reformatory; sex education and advice in the high schools and colleges to supplement home training; the publication of health bulletins by public health agencies; special care for feeble-minded children; the quarantine of venereally infected persons; compulsory reporting of venereal diseases; free diagnosis and treatment of venereal diseases, and compulsory treatment of venereally infected prisoners.

WALTER CLARKE.

American Social Hygiene Association, Chicago.

"ANTISOCIAL" ELEMENTS. By *Hans Gross*. Archiv für Kriminalanthropologie und Kriminalistik. Band 64 1. und 2. Heft. 1915, pp. 51-53.

Impressed with the apparent willingness and abandon which prisoners portray at various times in their desire to be helpful to humankind, Gross finds himself in a state of emotional ecstasy regarding their true sociability.

He describes two incidents, one related by a co-worker, the other within his own experience. The former is an occurrence in a penal institution, the inmates of which were maintaining that they could be of more use to their Fatherland by being away from prison walls, contributing their little mite to stave off the invaders than if they continued drawing unnecessarily upon the much-needed resources of the country. Although their wish could not be granted, Gross felt that the motive back of their desire was a most commendable one.

Gross then relates his own experience at a watering place on the Adriatic. One dark night a serious fire started in one of the important buildings of the town. The citizens and visitors who turned out seemed entirely helpless. Especially was it necessary to save the large number of wine casks which were piled on the ground. But, confronted by a wall three meters high, and what was worse, by the extreme heat of the flames once the wall was scaled, not a man present placed so small a value upon his life as to risk losing it in such a certain trap. So the fire continued. Suddenly a concentrated, hurrying group of about two dozen could be seen rushing to the scene in double-quick time. In fifteen minutes a breach had been made in the wall, and in the scorching, blistering heat, those brave men rescued every one of the valuable casks. When the smoke cleared it was learned that the daring fire-fighters had come from a nearby penal institution, not one of the group sentenced for less than ten years' imprisonment. And although at work on one of the darkest nights in the year and assisted in every way by circumstances which make flight easy, not one of them even attempted to escape.

As the last cask was being rescued by the above-mentioned social outcasts, completing a task from which the bravest in the community had shrunk, Gross leaned against a nearby tree and ruminated on the proposition: "The only social beings among us are the 'antisocial'!"

SAMUEL C. KOHŠ.

Director, Psychopathic Department, House of Correction, Chicago, Ill.