

Summer 1926

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Recommended Citation

Margaret Wooster Curti, *New Lombrosianism, The*, 17 *Am. Inst. Crim. L. & Criminology* 246 (1926-1927)

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THE NEW LOMBROSIANISM

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The average respectable scientist would not think of defending Lombroso's theory of the inherited physical stigmata of criminality. Yet he has warmly received and still cherishes a theory which not only has the same essential characteristics, but which rests on a foundation just as shaky. This is the doctrine of the defective delinquent—the theory that a very large percentage of delinquency is due to inherited mental defect.

It is psychologists, of course, who invented this new Lombrosianism. In order to understand the psychological basis of the theory, it will be necessary briefly to summarize the main results of the psychological testing of delinquents in this country. The first testing done here made use of the pioneer French scale of Binet, translated into English in 1910, and of a revision of that scale brought out in 1911 by Goddard, a prominent American psychologist. These tests were given widely to delinquent and criminal groups, with astonishing results. The authors of the investigations, most of them psychologists, reported percentages of mental defectiveness in such groups varying from thirty to ninety. These figures included the upper grades of the "feeble-minded" who at Doctor Goddard's suggestion came to be called "morons," and who, as potential criminals, were considered to be particularly dangerous to society.

In 1916 Professor L. M. Terman could write "There is no investigator who denies the fearful role played by mental deficiency in . . . delinquency." As late as 1919, Doctor Goddard wrote "every investigation of the mentality of criminals, misdemeanants, delinquents and other anti-social groups has proven beyond the possibility of contradiction that nearly all persons in these classes and in some cases all, are of low mentality. Moreover, a large percentage . . . are feeble-minded. . . . The greatest single cause of delinquency and crime is low grade mentality." Thus was born the doctrine of the delinquent moron. Invented and spread by psychologists, it was taken up enthusiastically by judges and social workers, popularized by magazines and newspapers, accepted reverently by educated people in general. The doctrine seemed to rest on a firm basis of factual evidence—there were figures to prove it!

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This evidence, however, was entirely untrustworthy. In the first place we know now that tests, and particularly language tests of this type, are by no means accurate measures of *native* intelligence. In the second place these particular pioneer tests were very inadequately standardized—especially for the ages above twelve, for which only a few normal subjects had been tested. It has since been found that the standards for these upper ages were ridiculously high, so that even a person of average intelligence would be made out defective or even feeble-minded according to the tests. One reason why this fact was not found out earlier is that the tests were applied wholesale to delinquents *before a significant number of normal people had been tested*. This is the chief reason why the results of the tests of delinquents and criminals are unreliable. A third reason why the results should not have been accepted uncritically is the fact that much of the testing was done carelessly, by inexperienced examiners.

While this early work is largely responsible for the prevailing attitude, later work tended to confirm it. By the use of the careful Terman revision of the tests published in 1916, there was still found a considerable percentage of mental deficiency among delinquents, though not nearly so high a percentage as formerly—the estimates in general ranged from fifteen to thirty, instead of from forty to ninety. These “conservative” figures were accepted by the most careful scientists as accurate. Yet still there had been no adequate comparison with the general population.

Such a comparison was made possible when the results of the army testing were published in 1921. When the Terman revision was given to about seven hundred unselected adults in the army, their average mental age was found to be only thirteen. Yet Terman, after testing sixty-five Californians, had fixed sixteen as the average adult standard. If we use the Terman standard as a basis for determining the amount of feeble-mindedness in the army, we are thus forced to conclude that about twenty per cent of the army (and hence by inference of the general population of the country) are definitely feeble-minded, and another twenty-five per cent borderline deficient. Now, assuming that the army represents fairly well the general population, we see that by the use of these standards, there would be on the whole just as large a percentage of mental defectiveness in the population as a whole as in delinquent groups. Obviously even the Terman standards were wrong, since it is clear, at least to scientists, that by no means twenty per cent of our population is in any significant sense feeble-minded. Recent results of the testing of delinquents by Murchi-

son and others, afford clear indications that the percentage of mental defectiveness in the whole delinquent group may be only slightly greater, possibly no greater, than the percentage in the population as a whole. Clearly, then, mental deficiency, at least as revealed by tests, cannot be a prime cause of delinquency.

In addition to the experimental evidence already accumulated, there are certain general considerations which indicate that delinquents in general are quite possibly as intelligent as non-delinquents. For one thing, it is quite reasonable to suppose, as has often been suggested, that it is on the whole the less intelligent offenders who get into institutions. Again, the fact that the tests are not infallible measures of native intelligence may have some bearing on the question. Our experimental data tell us only what test scores are made by the delinquents, and certainly it is reasonable to suppose that possible inferiority in culture and education causes some of the slight amount of inferiority in test performance. Finally, there are logical grounds for considering that delinquents may be on the average even more intelligent than the general population. It takes a certain amount of daring, of initiative, of imagination, successfully to plan and carry out many crimes. Again, some crimes of violence, as assault and homicide, presuppose a certain sensitiveness or excitability which is said by some authorities to be conspicuously lacking in the feeble-minded.

Obviously we cannot settle the question by recourse to logic or the mere formation of hypotheses. Yet since guessing is not only a legitimate but a necessary guide to research, we may as well guess intelligently—and let our guesses range over a wide field. Now it is possible that the reason why relatively few cultured people commit crime does not lie in their greater native intelligence, but in their training in self-control, their developed social conscience, their opportunity for acquiring the highest ideals of the race—or perhaps in their greater wealth and prominence. Certainly personal abuse, assaults, sex offences and the like, occur even in cultured homes—sometimes illegally, in which case they are apt to be overlooked on account of the social status of the offender, sometimes under the shelter of conventional morality. Certainly the primitive impulses which underlie robbery, sex crimes and murder, are the same as those which underlie profiteering, legal prostitution, lynchings, and war. All human beings possess these impulses—every child is a potential criminal! There is not a shred of scientific evidence that there is a special delinquent class or type, physical or mental. There are important reasons for supposing that there may be the same range of intelligence as of other inherited qualities, among delinquents as among ordinary people.

If these are the facts, how is it possible to account for the warmth with which the findings of the tests were received, for the strength and widespreadness of the existing belief in the mental inferiority of the delinquent "class"? It is clear now that the belief cannot be due wholly to the logical convincingness of the evidence. The chief reason lies, I think, in the fact that the new evidence lent support to an age-old social tradition which recent scientific advance seemed to be threatening. The traditional opinion that criminals are inherently inferior had taken on new strength with the wide acceptance of Lombroso's theory of the physical basis of criminality. Of late years, however, Lombroso's doctrine had become greatly discredited. But the tradition underlying it was the expression of a prejudice of such long standing that it does not easily grow less strong for lack of evidence, and so, this particular theory gone, another similar one was bound to take its place.

How is it possible to explain this deep-rooted belief, regardless of evidence, in the inherent inferiority of the criminal? The belief is, in my opinion, simply a rationalization of the status quo in respect to delinquency. Why are some people constantly guilty of anti-social conduct—why do they burn, rob, and murder? Surely it can not be because anything is radically wrong with the organization of society. It must simply be that these delinquents are made of inferior stuff—that they are not capable of making moral judgments as the better classes are. Such an explanation is, for the great majority, a very satisfactory one. It is simple—it saves thinking. It is also, which is more important, comforting. The thought that one is made of different stuff from the evildoers of society would tend to give anyone a pleasant feeling. Then, too, those tender souls who like to feel helpful and altruistic get much satisfaction from ministering to the morally sick. Incidentally such ministrations help wonderfully to keep in the background certain uneasy questionings about one's own integrity.

None of these reasons, of course, is recognized as such by the great mass of conservative people who take, quite sincerely, this Lombrosian view of delinquency. They are, nevertheless, the "real" reasons, I believe—and they motivate the thinking not only of the man on the street but also of the psychologist, for he, too, is a human being. An understanding of the process of rationalization is no guaranty against rationalizing.

In the case of psychologists, moreover, there were additional reasons for welcoming the doctrine. Psychology as an infant science has had to fight hard for the right to be called a science. The use

of statistical methods and mathematical statements has been one of her chief aids in the struggle, but she has been continually hampered for scarcity of definite things to measure. The invention of tests of the Binet type was a godsend to the psychologists—at last they would be able to measure, not insignificant fractions of human experience, but at last, human intelligence as a whole. It is really little wonder that the appearance of such a glorious vision temporarily dazzled most psychological eyes. Again, the immediate appeal which this discovery made to other scientists and to the general educated public, flattered the psychologists. In their first flush of elation on at last being consulted as authorities, they lost their heads. Finally, many psychologists were inspired by the belief that by the use of the tests the psychology which had so far been sterile as regards practical applications, might now be enormously significant in human affairs. Their vision was a true one, but in their zeal they were too hasty in attempting its immediate realization.

From the first, however, there have been psychologists who realized the faults of the tests, and who have been critical in dealing with the results on delinquency. The recent testing has confirmed their suspicions and shocked many of the others out of their calm acceptance of the old interpretations. Critics from without the psychological field have also helped. It seems likely then that first among psychologists, and then among other scientists, the new doctrine of the defective delinquent will soon be as discredited as is now Lombroso's similarly pernicious theory. But it will be a long, long time before the theory will have disappeared as a factor in popular thought.

Even should this particular theory be given up completely, there is no doubt, I believe, but that some essentially similar one will arise to take its place. For the underlying basis will remain—the persistent tendency for people to justify the status quo by finding some easy explanation, rather than to face the possibility that the status quo should be altered. In fact, substitute doctrines are already germinating. From Chicago we have the announcement of a supposedly scientific doctrine of innate *moral* or emotional defect for which the most extravagant and unscientific claims are made. The “evidence” recently published in support of that doctrine is so questionable that it is unthinkable—to this writer—that it should be taken seriously by any scientists. But it may be! The next great advance will probably be the discovery that glands are the cause of crime. Even men of science will consider some peculiarities of glandular functioning to be the chief factor, and popular writers will be convinced that they constitute

the sole cause. But my guess is, since I am biased, that that theory, too, will be disproved.

The whole trend of the very recent scientific study of the behavior of man indicates that he is a creature capable of infinitely greater modification after birth than has up to this time been supposed possible. In line with the tradition of the ages, there is today an extremely strong tendency (especially among biologists who deal with the simpler forms of life) to assume the hereditary nature of all sorts of complex human traits. One by one, however, these complex patterns of behavior are found on scientific study to have been learned as the result of social tradition, and passed on not by bodily or germ-plasm inheritance, but through the influence of the social environment. I believe that as time goes on it will be found that there is no simple hereditary factor or set of factors underlying delinquency. The evidence now at hand indicates that we will find no key to the problem in heredity. New evidence may arise which will sometime change the status of the question. Meanwhile we should entertain seriously the reasonable hypothesis that anti-social acts are due chiefly to the conditions of living.

What can be done about this situation? What will be done? In the first place we must combat the established doctrine—we must make new findings and new interpretations not only available, but acceptable, to the educated people who are leaders in our democracy. This is a bigger task than it seems. The mere publication of the facts, however widespread, will be of little avail. Yet, somehow, we must first try to get the facts across. This can only be done by teaching the actual and potential leaders of society to consult specialists or experts, and, what is still more important, how to know an expert when they see one! We must make them, somehow, realize that tentativeness, modesty, a scrupulous regard for accuracy, are distinguishing characteristics of the "real" scientist—that these qualities are as important to consider as kind and amount of professional training. It is not enough in deciding on the present issue, for instance, to have the word of a sincere journalist, or of a professor of zoology, or even of a psychologist. We must go to those psychologists who are not only specially trained in the testing field, but who also have the tentative attitude of the scientist. We can no more expect that all psychologists shall be familiar with the details of the testing movement than that all physicians shall be up on the latest methods of extracting teeth.

Now even when our inquirers after truth have found a specialist, and a specialist who has the tentative attitude of the ideal scientist, even

then they cannot be excused from doing their own thinking. They must remember that even the most scientific psychologist, being human, may be rationalizing when he interprets his facts. The published data they can accept as gospel—the interpretation never! And in doing their own thinking, when they have the data and various suggested interpretations before them, these seekers after truth must constantly remind themselves of their own inveterate tendency to rationalize—of the “terrific obstacles” to straight thinking that lie within their own personalities.

These suggested means for combating the established doctrines about the mind of the delinquent involve, it is true, nothing less than a radical reconstruction of our whole educational system. Very well! Let us reconstruct it! There are other reasons why we should attempt the task. But let us not expect to accomplish it over night.

As the new findings about the intelligence of delinquents gradually become known and accepted, what changes in practical procedure, in point of view and attitude, may we expect to follow? In the first place, there will be changes in the manner of dealing with the individual delinquent on the part of social workers, physicians, and judges. In taking up the case of the offender, there will be a broader and fairer consideration of possible factors in his delinquency. It is clear that even if there is finally found to be a slightly lower average intelligence among delinquents than among non-delinquents, the overlapping is enormous. Hence, in the case of any one offender, the presumption will be that mental defectiveness is *not* a factor, until it is proved to be one. Too often at present the opposite assumption, made at the outset, influences the whole conduct of the case.

Again, not merely so many delinquents as at present will be sent to institutions for the feeble-minded, but instead a more determined effort will be made to reëducate them elsewhere for life in society. This will necessitate the expenditure of time and money—and thought—for the establishment of suitable institutions in which some of them can be kept while acquiring new habits. Our present system of prisons and reformatories in no sense meets this need. Finally, it will not be so easy to plead mental defect as a reason for crime, instead of entering a plea of guilty. Some accused criminals will be put in prison, or killed by the state, instead of being sent to institutions. “But this is a backward step,” it will be objected. Such an argument is beside the point. We may not believe in capital punishment, or in punishment at all. As a matter of fact, from the point of view of science, no human being is responsible for any of his acts. Responsibility, as Dr. W. A.

White says, is simply a legal fiction, a social convenience. But even if we do not believe in the law, we shall not wish to evade it by raising a false issue. Rather must we work for a better law!

Not only will the new findings have a direct effect on practical methods of dealing with delinquents, but they are also bound sooner or later to have a much more important indirect effect in helping to change existing social attitudes toward the whole general problem of delinquency. As long as anti-social acts are held to be the result chiefly of inborn defects, so long will it be believed that society's responsibility is quite definitely limited. We, the intelligent and the good, can sit back comfortable, secure in our superiority, finding relief for our uneasy feelings in pitying the unfortunates and in encouraging the efforts of philanthropists and social workers who are so assiduously trying to patch up and make endurable to our sight the rotten places in our social structure. If, however, we come to realize clearly that delinquency is due chiefly to the conditions of living, we will not feel so comfortable. More and more will we who now find ourselves at the top in society come to feel our obligation, not to reach down from our heights to comfort and to protect, but to stimulate to development the potential strength and goodness that, irrespective of their precise degree of innate intelligence, most human beings have. We will see clearly that the business of understanding and caring for the actual delinquents, important as it is, is indeed a very small part of the whole problem of delinquency. It is the potential delinquents whom we need chiefly to consider—all the children of our own and of future generations.