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EDITORIAL

THE GREEN LIGHTS

The writer once heard a story about the sales methods of the proprietor of a small clothing store. The merchant exclaimed to a clerk, "Sammy, Sammy, turn on the green light, a gentleman wants to buy a green suit." This story came to mind when the report of a survey conducted under the auspices of the Columbia University Law School, entitled "An Institute of Criminology and of Criminal Justice," was first examined. The Bureau of Social Hygiene in 1929 appropriated a "substantial sum" to be used in making a survey which would indicate whether or not it would be desirable to form an Institute of Criminology in this country, "and, if so, the nature of such an organization, the expenditures that would be involved, and the duties it should undertake." The survey was undertaken by Columbia University Law School and the report has just appeared. This is not written to review the published report but to comment upon some of the findings and some of the methods employed in reaching certain conclusions.

Of course, the answers were obvious. Certainly a nicely endowed Institute should be formed. And, as might be expected, its location should be at Columbia University. But scholarly reasons therefor were to be expected in exchange for a "substantial sum" expended upon a *survey*. Unfortunately, Columbia University had never been particularly active in criminology and, unless something unique were proposed, could hardly be expected to be successful in competition with other Institutions which had been engaged in that field of research for years. Therefore, it must have been obvious that the survey must show that all previous efforts in the fields of criminology and criminal justice were misdirected and futile. If that could be done then all Institutions would compete for the prize equally, with the advantage to that school which was unhampered by past mistakes.

The Director of the Survey was Professor Jerome Michael who declares that he "regarded the immediate object of the Survey to be his own education" and naively explains his ignorance of the subject. He appears as author of the report. Collaborating with him, however, was Mortimer J. Adler, in 1929 an instructor in psychology at Columbia, but now engaged in directing the thinking of the University of Chicago as "associate professor of the philosophy of law." Professor

Adler is uniquely fitted, in his literary training at least, for the services which he rendered in making the report sound scholarly. The pages are filled with references to Locard, Reiss, Aristotle, Mill, Casirer, Poincare, Cohen, Keynes, Jevons, Lenzen, Richie, Jeffreys, Keyser, Galileo, Lewis, Dewey, Haldane, Descartes, Newton, Murchison, Thorndike, Alexander, Yule, Austin, Aquinas, Bentham, Plato, Cicero, Kant, Hegel, Whewell, Leibnitz, Makarewicz, Hooker, Grotius, Adam Smith, and Einstein, to name only a few. References to these really great minds undeniably give a scholarly tone to the work and make the conclusions seem sound.

The literary style of Professor Adler may be seen in the following paragraph:

"A single coefficient of correlation by itself does not state the functional dependence of one variable upon another variable, or upon a group of variables. It is a symmetrical relation which measures the interdependence of two variables, but this relationship must be known to exist independently of the coefficient of correlation. Furthermore, while a single coefficient of correlation measures the relationship of two variables, it does not relate them to other variables to which they may in fact be related. This can be done only by an elaborate statistical analysis which involves the intercorrelation of a set of correlations, partial and multiple correlations. In short, single coefficients of correlation are almost insignificant. Even the regression equation which is a much better statement of functional relationship than the coefficient of correlation must be interpreted in the light of independent knowledge."

But these two scholars, brilliant as they are, would hardly have the temerity by themselves to junk all previous efforts in the field. They secured more or less detailed reports from such authorities as Brasol, Gehlke, Kidd, Kirchwey, Moley, Ploscowe, Sellin, Smith, Stearns, and Thomas. How much of their material was actually used by the author or his collaborator is not indicated. It is certain that these really able men, being careful scholars, used great restraint in indicating the advances in their particular subjects. It would be interesting to find out how far they subscribe to the conclusions of those responsible for the report.

In the report we find that there has been, as yet, no scientific knowledge in the field of criminology. The knowledge, to date, in this field is purely informational with no etiological significance and "is useless from the point of view of the major practical problems of crime."

"This is in part due to misconceptions or inadequate conceptions of scientific method by criminologists."

"Criminology depends in large part upon the subject matter of psychology and sociology, and these subject matters have not yet been developed as empirical sciences. Since no theory or analysis has been developed in the fields of psychology and sociology, scientific research is not yet possible in these fields."

We also find that in the field of criminal justice the quantitative, descriptive knowledge which we have "is incapable of unambiguous interpretation and, therefore, has little practical value." Moreover, we have no science in the field of the criminal law.

Thus, the science of criminology being, as yet, non-existent, it is recommended that the proposed Institute be engaged in research exclusively "to lay the foundations of, and to begin the construction of, a science of criminology." There are to be two divisions, criminological and criminal justice. The staff of the latter is to include a legal philosopher, a legal historian, a comparative lawyer and students of criminal law and its administration. The Report recommends that the staff of the criminological division consist of a *logician*, a *mathematician*, a *statistician*, a *theoretical* and an *experimental physicist*, a *mathematical economist*, a *scholar in psychometrics* and a *criminologist* but "preferably one who has not himself engaged in criminological research." The author describes this as "an intellectual adventure."

The Institute is to be located at Columbia because other schools already have research work in progress which is inimical to the work proposed for the Institute. It should not be hampered by established tradition which probably will continue to be "subsidized by a misguided generosity."

There is something to be said in favor of the ultra critical attitude of the report and it is to be hoped that the report will be successful in directing attention to the problem of the development of a science of criminology. Possibly the fact that the authors do not reveal any grounds for their assumption that they themselves are the sole possessors of trustworthy methods, and the intellectual arrogance displayed will prevent this. It is not our purpose here to disagree with their constantly repeated assertion that existing criminological data are in part unreliable and inexact. It is the purpose, however, to point out that those responsible for the report have themselves relied upon unreliable data in the study, particularly in the part dealing with present educational facilities.

(1) We note that the work of gathering such data was delegated

to the secretary of the staff, a reference librarian from the Columbia University School of Law. This part of the survey is based upon an analysis of the *catalogues* of schools and colleges and "upon the answers to a questionnaire circulated among them." But, in the body of the report appears a statement that the "questionnaire is a wasteful method of investigation," since only a small proportion answer the questions, the questions must be formulated to permit very simple answers and even these answers "do not always mean the same thing." Since the question of the Institute's location and support is all important *why have those responsible for the report themselves made use of a method condemned when employed by others in gathering criminological data?*

(2) Moreover, this part of the report is based upon data secured in 1930, although in other parts of the report much more recent material is used. *Why was no effort made to secure up-to-date information?* There is a statement, "The survey was made in 1930 and the report represents conditions as they then existed. Present conditions are probably pretty much the same." Note the last sentence. Here is an inference drawn in a most *unscientific* way—an illustration of the scholarly mind which condemns data as inexact when it suits the purpose, but lapses into the methods condemned when it does not suit the purpose to be exact.

(3) There is no *evaluation* of the educational activities or facilities listed and, in general, the widely attended graduate courses of large universities receive no more treatment than elective sociology courses of the smaller colleges. In listing law school work in criminal law many statements appear to be of doubtful validity and some positive misstatements are made.

(4) Under the heading "In Criminological and Criminalistic Institutes" we find mention of several examples of institutional work in criminology including "Chicago Academy of Criminology," formed in 1931, which is a more or less social organization meeting once a month to hear the presentation of formal papers, but as yet, with no research program. *But, nowhere in the Report of 531 pages is there a mention of the American Institute of Criminal Law and Criminology, founded in 1909.* In one chapter of the report there are references to more than a dozen studies which appeared in this Journal but no recognition of the organization which is responsible for the publication. For example, a report by Professor Freund, which appeared in this Journal in 1915, is discussed but no mention is made of the fact that the report is for Committee D of the Institute, a fact difficult to avoid. Writing for the new Encyclopedia of the Social Sciences

and devoting only eight pages to the entire subject "Criminology," Harry Elmer Barnes has room to state, "The American Institute of Criminal Law and Criminology, founded in 1909, is through its organ, the Journal of Criminal Law and Criminology, probably the most powerful organized body representing criminal science in the United States." We do not feel called upon to stress the work of the Institute since its foundation. It is sufficient to state that it has had a profound influence upon other organizations (*e. g.*, the section on Criminal Law and Criminology of the American Bar Association); it has conducted independent surveys; it has supported many of the research projects which have made possible more rational principles in treating offenders; it still employs four full time men in research. Possibly, had the Institute been recognized, this report would have found that its methods were unscientific and its labors worthless. But a *scientific survey* of existing criminological institutions certainly would have disclosed its existence.

To return to the "green lights." In order to fool a customer our merchant manipulated to his advantage the lights in his store, deliberately making things appear as they were not. Here under the guise of accurate scholarship, we find similar manipulation of the lights of knowledge. The report criticized existing criminological research as inaccurate, unscientific and, hence, worthless. And then, when a "customer" appears, inaccurate and unscientific data were deliberately used to present the scheme in a different light.

NEWMAN F. BAKER.

RESIGNATION OF FREDERIC B. CROSSLEY

At the meeting of the Executive Board of the Institute on November 17 Professor Newman F. Baker was elected to succeed Professor Crossley as Managing Director of this JOURNAL. The following resolution was adopted:

"That the Executive Board of the American Institute of Criminal Law and Criminology accepts with great regret the resignation of Frederic B. Crossley as Managing Director of the JOURNAL of the Institute. He has held this office since the first year of the JOURNAL's history. He has carried the responsibility for the business management of our official organ through the war years of extraordinary financial difficulty. Our losses abroad and at home were heavy. Only by his personal sacrifices and good management we were able to continue publication. Through this resolution the Executive Board of the Institute expresses to Mr. Crossley its sense of deep obligation to him."—R. H. G.