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HEREDITY AND CRIME

Arthur N. Foxe

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Many people have a glib way of saying: "It's heredity." There is a dearth of scientific discussions of heredity in relation to crime—and that's why this paper has been written.—EDITOR.

The problem of heredity in crime is one of the most difficult and relatively unexplored of all problems in heredity. Yet the data at hand are suggestive. As a state prison psychiatrist for over six years, I examined over three thousand criminotic individuals and made elaborate and detailed analytic studies of months' to years' duration on about thirty-five. It is my impression that a familial tendency to crime is by no means a rarity. There is a difference, however, between a familial tendency and an hereditary tendency. Considering how sensitive the average individual is to the revelation of family skeletons, it is not surprising that the criminotic individual is reticent about similar unearthings. When such information may leave a stigma or provoke a social judgment upon an individual, anything less than intensive and extensive study, with the promise of secrecy, will yield very little. Even with mental disease, a family tells of other ill members, only when it is felt that it may help some family member. Not so long ago a stigma was quite widespread in so well known a disease as tuberculosis.

At times the official record at once shows other members of the family to be involved in crime. When one begins to probe more deeply into the past, many more cases reveal themselves. In some it may have been an early tendency that was soon given up. In others it amounts to sanction of crime in various forms and out of economic or other need. However, with the eruption of this material there is a revelation of such extensive criminotic behavior in the individuals who come in contact with the family (officials, business men and others), that one is impelled immediately to enter into a study of the almost universal criminotic trend. It is but necessary to refer to the newspapers of the last five years to indicate how extensive such behavior is in the community. If it were possible to make a statistical account, the figures probably would be staggering. Even more is a subtlety hardly noticed that when a swindler sells twenty money-making machines to twenty individuals, he has contacted twenty potential criminals, for only the Federal Government is permitted to manufacture money.

The Hereditary Factor Is Plastic

It might be argued that this universal tendency is a brief for heredity. It is, but heredity of what? Further, has such a generalization any practical positive value? From my own experience it seems that the quality that makes for crime is certainly in large part plastic and convertible to the more social qualities in the vast majority of instances, even where there has been a display of great violence.

Crime, of course, exists by virtue of a social judgment. In this judgment there is a disciplining tendency that also may have primal biological and hereditary connections as old as those of violent behavior itself. This factor in inheritance and its alteration by environment are rarely noted. If one set apart all cases that are environmental in origin, and amenable to treatment, one might find that the hereditary element is not so important. Of course such a line of reasoning is specious, but it serves as one way to suggest what a huge problem it is once one goes beneath the surface. One must wonder how some individuals and groups can recommend drastic action or legislation on the basis of hereditary factors about which we know so little.

It is the work of Freud and an army of psychiatrists, psychologists, sociologists, and other workers over the past fifty years, that demonstrated how powerful is the early childhood environment in the formation of so many current illnesses. My own work on the problem of crime confirms the importance of the environmental factor. Yet there is much to be learned, and when an army of genetically minded scientists gets to work on this problem we may expect some startling discoveries but not by adherence without end to one hypothesis alone. Jelfie and White have said on that point: "To rest an explanation of a given condition in the simple assumption that it is inherited cannot help materially to an understanding of that condition. A scientific hypothesis is valuable so long as it leads to the discovery of new facts and to the understanding of old ones. But in this case it has not infrequently put a damper on further progress by creating the delusion that everything has been explained."

The literature on heredity in this field yields some interesting material. There are various views as to just what is inherited—and many terms by which the inheritance is described. For example, it is a taint, a determinant natural predisposition, a psychopathic disposition, a neuropathic constitution, a tendency to degeneration, a feeble inhibition, a special recessive Mendelian character, a neuronal factor, an anatomic trait,

a neuropathic diathesis, a diminished germinal vitality, a vitiation of the germ plasm, a cerebral infirmity, a germinal enmity, or an unstable nervous organization. It has also been suggested that there may be an intermediary heredity. In this abundance of terms and their elaboration in the literature it becomes apparent that the tendency to a belief in the inheritance of "something" is strong. Some even go so far as to feel that it is proven. Where there is so much belief it is likely that there is at least an element of truth, though not necessarily the whole truth; it is not possible to say exactly what this truth is without considerable study.

For psychiatry, many well-studied families are of interest: the Jukes, Kallikaks, Nams, Ishmaelites, and Zeros. Here, I shall speak only of the Jukes, for that family illustrates the criminotic behavior that is the problem of this paper. Dugdale, in 1877, made his famous extensive study of this large, rural, New York family of old colonial stock. Most people who mention the Jukes without having examined Dugdale's work, assume out of some vague prejudice, that his conclusions were that he found crime to be a matter of heredity. The fact is that Dugdale found that this family was mainly a problem of environment. Dugdale says, "Environment is the ultimate controlling factor in determining careers, placing heredity itself as an organized result of invariable environment." "They are not an exceptional class of people: their like may be found in every county in this State." "In the Jukes it was shown that heredity depends upon the permanence of the environment, and that a change in the environment may produce an entire change in the career, which in the course of greater or less length of time, according to varying circumstances, will produce an actual change in the character of the individual."

Later, Estabrook, by a series of circumstances, came into possession of the original Dugdale notes on the Jukes family and so was able to pursue its study further. Some of its members already had migrated to the midwest. Estabrook gives a picture of the Jukes in 1915, almost forty years after Dugdale. Whereas Dugdale found their chief characteristics to be great vitality, ignorance, association with poverty, and lack of training, Estabrook says that they have the "same" traits of feeble-mindedness, indolence, dishonesty, and licentiousness. He says this is because wherever they go they tend to marry persons like themselves. When they marry into better families they show stronger restraint. He admits that their behavior is tempered by a better environment. It is surprising to see two men using the same material and coming to opposite conclusions.

ions. Apparently there is a greater difference in "something" between Dugdale and Estabrook than there is between the Jukes and the rest of society. This is cleared up when we see in Dugdale a perhaps over-liberal attitude and in Estabrook a strongly moralistic tone. Estabrook uses such terms as "social pest spots," and "punky social body." He is highly critical of the Jukes women who, being "comely and licentious," attracted men from the other side of the railroad tracks and so spread disease to the families of the latter; but he does not notice that these men by this same token were just as licentious as the Jukes women.

The work of Dugdale and Estabrook is important but needs detached evaluation of all possible environmental and hereditary factors. If we had a thousand such families for study it would be invaluable.

From a strictly logical point of view one might argue that the motive in a search for hereditary factors is of special psychological interest. It might represent an attempt to find the factor that is present in a large body of individuals in order to bind them into a group. This is in line with a strong current social trend which breaks up groups and forms new ones in a grand sifting period. In the same way we find an attempt to find an hereditary distinction in some families. Examination of one's heredity, *alone*, denotes a retreat and a shaky position; a return to origins. In another sense it can denote a defense against the release of highly aggressive impulses, their encirclement, and guidance into a group outlet. The prodigal child in each individual makes a sort of homecoming out of his scars and trophies. Actually when the question of heredity alone is made it is tantamount to asking, "Who are you?" "What do you believe?" "How good are you?" "Will you fight for your credo?" "And what is your credo?" The question of heredity when asked alone, is a "show cause" order. It calls for a rearguard engagement. The retreat to hereditary origins serves to fix blame or praise on such alleged origins.

The opposite trend is entirely possible though not popular in times of stress. We all know that no two persons have identical fingerprints. In other words, each individual must have some special qualities or facets different from those of all other people including the members of his own family. It is not inconceivable that the fostering of *other* qualities might submerge those which are fostered in the environment of the criminotic individual—assuming that there is such a quality. As Maudsley says, "Each particular ovum has an individual inheritance which makes for it an individual destiny."

One may examine also the social inheritance of the criminotic individual even though it is not his heritage. He may be the unfortunate inheritor from the whole social body into which he is born. To this social body he is exposed as well as predisposed. He may become the victim of the polemic or ax-grinding scientist who is anxious to prove something. He may owe his freedom to the light-witted scientist who believes there is no somatogenic effect on the germ plasm because mice do not inherit a tendency to cut-off tails, as though, for example, the inability to transmute the elements with a hammer would prove anything but just that and no more. Today we know that the elements are transmutable but in a more complicated and drastic way. He may become the victim of the legislator who does not see that the unsolved problem of heredity is a clarion call for the scientist and not the call for a more rigid penal code. He may be the victim of a family catastrophe that has reverberated through the proverbial four generations—so long does it seem (without radical therapy) for an acquired family pattern, taught to each generation of children, truly to feel the effects of socially ameliorating conditions. Whatever the causes, the criminotic body does serve a scapegoat mechanism, which, incidentally, has a conservative social feature. Every so-called maladjusted body of individuals is symbolic of a prerogative and also symbolic of an Achilles heel within the social structure, whether it be the schizophrenic retreat of the Middle Ages or what we might call some vagrant groups of the Orient, or the suicidal and homicidal orgies of our own Occidental civilization. The crime of an individual is a prototype as well as an archetype. There is no doubt that when the warlike tendency of man shall have vanished there probably will be no more crime or perhaps no more crime of a violent nature.

The last important problem is what is to be done about it? The man who feels that the criminotic should be punished must admit at the same time that it is not a medical problem and further that it is beyond the pale of scientific study. He rejects the criminotic as a patient or object of study. On this matter, at any rate, such a man would not be in a position to give a scientific opinion. The same would be true of the one who felt in the opposite manner: that the man who committed a crime should not be isolated until he was properly prepared to return to take his place in society. The latter would be very much like a physician who might advise a subway ride for a patient with the smallpox. If the criminotic is to be studied from the hereditary and environmental viewpoints,

obviously he must be preserved. It must be admitted that some scientists do not feel that they can take over this problem and its responsibility entirely as a scientific one, nor is society prepared as yet to yield it to a scientific personnel. This double reluctance is seen in courtroom procedure with its "heads-off" bias. Such views do not touch the Hippocratic one that all vices are the fruit of madness.

First, then, from Lombroso to Hooton we still do not have any proof of a special physical inheritance in criminotic behavior. The instruments are crude. If such changes are present they will require the use of a more subtle method of study. There then is left only the programmatic viewpoint of the study of heredity *and* environment even further. Not only men, but each ovum, each sperm, even each gene has its environment. It would seem that the problem requires a correlative study of organism and environment from the stage of the gene to the ultimate death of the individual human being. Once the either-or method is dropped the problem becomes chronological, it becomes truly an attempt at a study of causes in relation rather than in isolation. In this sense it will become necessary, eventually to examine heredity and environment in all of the vital periods: the pre-gestational, gestational, infantile, childhood, and later states. One has but to make this temporal arrangement to see the vast areas of human behavior and physique that hardly have been touched as objects of scientific study. In the face of such a wilderness of material, the scientist can only be humble and very happy indeed if he has contributed a tiny bit of orientation and fact.

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