Red Hair and Outlawry

Hans von Hentig

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

This Comment 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.
The brief paper on Redhead and Outlaw is the supplement to a chapter in my forthcoming book, "The Criminal and His Victim" (Yale University Press). The material presented in this volume rests on the solid basis of the many studies made on the subject by anthropologists and psychiatrists.

Popular polls, as used by Mr. Rasch, are not reliable. When we investigate outlaws or the modern gangster and adduce comparative population figures we must limit ourselves to certain age groups of the male sex. We cannot rely on the statement of the interviewed person. We must know that the large group "grey" and "white" has before been blond, brown, black or red.

In summarizing my general conclusions Mr. Rasch repeats twice the opinion of a contemporary reporter on the character of Jesse James as my verdict. This is not correct.

Incorrectly—I think—a general conclusion, most important in any discussion, of course, has been omitted:

On a higher level" I have written at the end of my paper and in summarizing, "this easy ignition of nervous and mental processes may lead to prominent achievement, if the individual on whom this driving force has been fastened is of superior fibre."

In this connection I have mentioned General Sherman, who, himself, spoke of his "redheaded impatience." We could add many more prominent men. I confine myself to the names of Jefferson and Lenin.

Mr. Rasch's discussion on the color of the eye does not seem to fit into the debate, since I have not touched upon this separate problem, although I have given attention to it and have come to certain conclusions. We are not permitted, of course, to compare the data of the 1940 Census with the situation that prevailed 80 years ago. The American population is a population in transition. . . . The discussion may now be widened by the plea of some blue-eyed "defendant."