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Reviews and Criticisms

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REVIEWS AND CRITICISMS

NEW YORK STATE BAR ASSOCIATION. Addresses by *William McAdoo* of New York, *John Alan Hamilton* of Buffalo and *Aaron J. Levy* of New York in the discussion of the subject "Justice and the Poor," suggested by the report (Bulletin No. 13) of the Carnegie Foundation for the advancement of teaching, and analysis of the report by Henry W. Taft of New York. (Forty-third annual meeting at New York, January 17, 1920.)

The importance of the subject is appropriately recognized by the New York State Bar Association in securing addresses from the Chief City Magistrate of New York, the President of the Board of Justices of the Municipal Courts of New York, the Buffalo representative of the Inferior Courts Committee and the President of the State Bar Association. All the addresses are informing, but all would have been more informing had they been less defensive and more constructive.

The summary by Mr. Taft of the report on "Justice and the Poor" by the Carnegie Foundation is, as might be expected from him, able and helpful. Next to reading the report, as all lawyers interested in legal justice do if possible, it may be commended as an excellent condensed substitute. Mr. Taft, however, too much stresses those features of the report which show what improvements have been made and controverts those which criticize or call for further improvement, the one exception being, curiously enough, his judgment that the work done by the Legal Aid Societies should become a public function. He seems unaware that provision for defense in criminal cases is general in civilized countries and that our own country cuts a poor figure in comparison. The "need for the adoption of the new idea" has been abundantly established, though there is difference of opinion in this country as to the form of its application. The fact that "the idea" is so limitedly applied in this country is evidence that the poor are not getting justice in our criminal courts. The writer has studied the benefits of a public defender in the minor criminal courts of Los Angeles and the examination convinced him that justice for the poor was importantly served thereby. In this opinion he found that the magistrates and prosecuting attorneys whom he interviewed unanimously concurred. Chief Justice McAdoo would do well to inquire as to the value of this service for his own courts. His own description, as well as the experience of the writer, indicate that ignorant and frightened defendants and their anxious relatives and friends do not uniformly obtain from the court clerks the help which they should and do receive from the public defender. Chief Magistrate McAdoo and Justice Levy, by describing the reforms recently instituted in the courts over which they preside, and Mr. Hamilton, by recording progress in the administration of justice in Buffalo, made timely contributions to the subject under discussion. All these contributions of the

facts will help the cause of progress. On the other hand, as before stated, these gentlemen gave too little attention to the need of further improvement of the law and the courts. One important need of the Magistrates Courts has just been noted. The action of the Municipal Justices of New York as reported in the press during the rent difficulties last winter did not reflect credit on several of them. Blind sympathy with the under dog is not justice, and the judge who, under pressure, will denounce landlords as a class without inquiry, is equally likely to deal unjustly with tenants as a class when the greater pressure is from the other side. Constructive criticism from bar associations, judges and lawyers should be the response to the helpful study of the Carnegie Foundation, and such criticism seems supremely needed at "this time of social unrest," when aid to social progress instead of attempts to paint things fair should be given by our leaders.

North Haven, Conn.

JAMES BRONSON REYNOLDS.

PRISONERS AND JUVENILE DELINQUENTS IN THE UNITED STATES. By J. A. Hill and R. L. Brown. Bureau of the Census, Research Division. Based on 1910 census. Published in 1918, pp. 535.

This is an excellent piece of work with which all those who are interested in the subject of crime or delinquency should be familiar. The statistics are presented clearly and in meaningful fashion. The work is part of and synchronous with the general census, thus facilitating comparisons with the population at large, and the authors by means of frequent exploitation of this facility succeed in giving considerable lucidity to figures which would otherwise be comparatively meaningless. Further, the authors are careful to point out the limits within which interpretations must be kept by calling attention to many sources of error, both logical and statistical. There is no general summary, nor are there final conclusions or recommendations. An idea of the contents of the volume can perhaps be obtained by a statement of the scope of the work and by selecting some of the findings which would seem to be of more or less general interest.

Scope: Statistics were gathered concerning all individuals serving sentence January 1, 1910, and all those committed during the year to penitentiaries, state prisons, reformatories, county jails, workhouses, etc.—625,000 all told, of which 39,000 were juvenile delinquents. The report is in two parts, the first dealing with all prisoners both adult and juvenile; the second with juveniles only. Statistics were gathered dealing with age, sex, race, nativity, marital state, illiteracy, occupation and geography.

Increase or Decrease of Crime: In spite of the fact that comparison between the successive censuses is difficult, the tentative conclusion is drawn that there has been little change in the incidence of crime since 1880.

Numerical Importance of Different Crimes:

- 34.6% of the commitments were for drunkenness
- 18.6% of the commitments were for disorderly conduct
- 10.2% of the commitments were for vagrancy
- 8.6% of the commitments were for larceny
- 4.6% of the commitments were for assault
- 1.8% of the commitments were for fraud
- 76.6% of all commitments are included in the first five items.

Geography: Comparison of geographic and political units is worthless in the case of the lesser offenses for various reasons, chief of which is the fact that differences are likely to be due to the laws and the manner of their enforcement rather than to real differences in the incidence of the offense. Thus drunkenness may be common in a community which nevertheless shows few commitments for drunkenness. From the graver offenses I select homicide. In the whole United States there were 3 homicides per 100,000 of population; in New Hampshire, Massachusetts, Rhode Island, Iowa, and South Dakota there were less than 1 per 100,000; in Illinois, 1.8 per 100,000; in Florida, Mississippi, Arizona, and Nevada, more than 10 per 100,000.

Age: We will find it convenient to follow the usage of the authors with respect to the term *ratio*. The ratio is the number of criminals of a particular class per 100,000 of the population of that particular class. For example, if there are 900 18-year-old criminals per 100,000 18-year-olds, then 900 is the ratio of the 18-year-olds.

The ratio begins very low at 1/10 per 100,000 for those below 10 years of age; it rises very rapidly up to 21 years and remains practically constant to 44 years at about 850, and then declines rapidly. Aside from strictly juvenile offenses (such as truancy or incorrigibility) larceny and burglary prevail strikingly amongst the young; drunkenness and vagrancy amongst the old.

Sex: The ratio of the males is 9 times as great as that of the females. Also a much larger proportion of the female offenders is young, the highest ratios being those of the 15, 16, and 17-year-olds, and declining rapidly after that. The most frequent offenses amongst the females are sex offenses.

Race: Whites and negroes are the only important classes, though others are discussed. Negroes furnish far more than their proportionate share of delinquents regardless of geography. Ten per cent of the population are negroes, 22% of all commitments are negroes, and 56% of the grave homicides are negroes. They furnish more than their proportionate share for every offense except offenses peculiar to children (such as truancy or incorrigibility) where they furnish exactly their share. This must not be interpreted to mean that the negroes do not furnish more than their share of juvenile offenders; they do.

Nativity (Whites Only): The ratio of the foreign-born whites is twice that of the native-born. That is true for every type of crime except forgery and offenses peculiar to children. The same remark is applicable here as in the case of negroes. That is, "offenses peculiar

to children" are mainly those reported under headings such as incorrigibility, which probably were capable of analysis into headings such as larceny, etc., and would have been so reported in the case of adults. It would therefore be erroneous to suppose that the foreign-born whites furnish less than their share of juvenile offenders. On the contrary, the contrast between the foreign-born and the natives is strikingly unfavorable to the foreign-born during the juvenile period.

Ireland furnished 10% of the foreign-born population and 27% of the foreign-born prisoners; Germany 17% of the foreign-born population and 9% of the foreign-born prisoners. Mexico, Ireland, and Scotland are worst, in the order named; Switzerland, Germany, and Denmark are best, also in order named.

Native whites with mixed or foreign parents make a somewhat worse showing than native whites with native parents, and better than foreign-born whites.

Marital Condition: The ratios for males and females respectively are as follows:

	Males	Females
Single	2,000	199
Married	531	98
Widowed	1,037	146
Divorced	2,380	361

It might be argued that the high ratios of the "single" are due to the fact that they are much younger, but the authors show by means of an indirect mode of reasoning that that is not likely to be the case. The proportion of single males is inversely proportional to the severity of the sentence, so that the conclusion is drawn that single men are more likely to commit trivial, but less likely to commit grave crimes.

Literacy: Eight per cent of the population over 15 years of age are illiterate. Thirteen per cent of the prisoners and juvenile delinquents are illiterate.

Occupation: General laborers furnish much more than their proportionate share for every kind of offense. Wage-earning females are much more likely to be committed than others, especially domestic servants.

CURT ROSENOW.

Juvenile Psychopathic Institute, Chicago.

LAWS RELATING TO MOTHERS' PENSIONS IN THE UNITED STATES, CANADA, DENMARK AND NEW ZEALAND. U. S. Department of Labor, Children's Bureau, Bureau Publication No. 63, pp. 316.

This volume which bears the date November 8, 1919, contains a compilation of all "Mothers' Pension" laws of whatever variety and form in the countries named. In addition, there is an introduction which gives a remarkably complete summary of these laws and a bibliography of references on "Mothers' Pensions."

The "Mothers' Pension" movement dates back to 1911, in which year laws were enacted in Missouri and Illinois. In 1919, eight years later, laws providing for the relief of dependent children living with their mothers had been adopted in thirty-nine states and in Alaska and Hawaii. While the purpose underlying all these laws is that of preventing the breaking up of the home when the support of the natural bread winner is removed, the methods adopted to secure this end and the conditions under which relief may be granted, differ in the different states. The condition of receiving aid is uniformly that of poverty. In some states, the law applies only to widowed mothers; in others, to deserted, divorced, unmarried and even expectant mothers. In some states, relief may be given to the guardian or custodian who takes the place of the mother.

The maximum age of the child for whose care allowance is made usually corresponds with the age at which he may be legally employed. The amount of allowance authorized varies from a maximum of \$9.00 per month for each child to whatever amount is necessary to care properly for the child. The source of funds may be the State, the County, or both the State and County Treasuries. The administering agencies include the Juvenile Court, County Commissioners, Boards of Children's Guardians, Local Boards of Child Welfare, Municipal Boards of Mothers' Aid, Overseers of the Poor, Unpaid Board of Women Trustees, State Agent of the State Treasury, Boards of Education and State Board of Charities.

Quoting from the summary—"It is apparent from the wide variations in these laws and the frequent changes which have been made in them that they are still in the experimental stage. The rapid growth of the movement in so brief a period of years is indicative of a widely held and deeply rooted conviction that home life and a mother's care are of such great value to the proper rearing of children that no child should be deprived of their benefits on account of poverty alone. But the method by which these are to be assured for all children has not yet been fully worked out. Some of the most ardent supporters of the 'Mothers' Pension' laws do not regard them as an ultimate attainment, but rather as an intermediate development which will in time, in a large measure at least, give place to some more democratic scheme of social insurance."

The publication was prepared to meet an urgent demand for information in regard to the subject and it splendidly fills this need.

Juvenile Court, Chicago.

JOSEPH L. MOSS.

A FUNCTIONAL INTERPRETATION OF HUMAN INSTINCTS. By J. R. Kantor. *Psychological Review*, vol. XXVII, No. 1; January, 1920; pp. 50-72.

This article presents an unusually well thought, thorough statement of the human instincts from the functional and behavioristic point of view. The author avoids the Scylla of stating instinct as a mystic force or potency which somehow drives the individual to serve purposes he knows not of; nor does he become engulfed by the Charybdis

of seeing in instinct nothing but the functioning of a set of inherited neuro-muscular reflexes. He recognizes the fact that the individual is endowed at birth with a set of psychophysical tendencies (the author would probably prefer to say "reaction systems") which develop in partial independence of subsequent experience. To these he reserves the name instincts. He also recognizes that these instincts constitute an integral and important part of all, or nearly all, human behavior which is in that sense instinctive behavior. The only form of human behavior which is not instinctive is rational behavior, which arises in the course of instinctive behavior and is "always initiated by reflective consideration of ways and means."

The thought of the article is developed largely through the critique of other authors; principally Stout, McDougall, Thorndike and Drever. The presentation is somewhat abstract and presupposes acquaintance with the author's conception of "conscious behavior." It will repay the careful study of every student of psychology.

CURT ROSENOW.

Juvenile Psychopathic Institute, Chicago.

PRINCIPII DI CRIMINOLOGIA. Vol. II. Part Generale. (Circostanze Discriminanti, scusanti ed aggravanti.) Del *Professor Francesco De Luca*, dell' Università di Catania. Cav. Vincenzo Giannotta, Editore, 1920.

[Principles of Criminology. Vol. II. General Part. (Justifying, excusing and aggravating circumstances.) By Professor Francesco De Luca of the University of Catania, Sicily. Cav. Vincenzo Giannotta, Publisher, 1920.]

We should have more books of this sort on criminology. It gives us Americans just what we need. It is a philosophic discussion of the bases of law—a discussion which, because we call it philosophic, is none the less vital to the proper comprehension of the law and to the adequate treatment of the criminal. The translations of European treatises which have within the last decade appeared in this country have already produced advantageous marks upon our scholarship, upon our law, and upon the attitude of teachers, students, lawyers and judges.

The work is an application of psychology, psychiatry, biology and sociology to law. The law cannot progress unless it keep informed of the progress in other sciences. The law must of necessity be based upon other sciences; and for law to close its eyes to the advances in those sciences is to miss the path that leads to truth and justice. Anglo-American law has moved on in conformity with changes in life in England and in this country; but the movement has been slow, and has not kept pace with the changes in life. Anthropology, psychology, biology, psychiatry, economics, sociology, criminology, philosophy have all contributed elements for the enlightenment of law, but law has been a willful soul and has obstinately refused to listen to the promptings of those sciences upon which it must rest. There is ample

evidence in this book of this halting of the law along the road of progress, and there is implied a strong command that we seek a new way by applying a new method. Law will deserve the respect of men when men see that it harmonizes with the facts of life with which they come into daily contact. The application of the knowledge afforded us by sciences auxiliary to law during the past fifty years can no longer be avoided.

The first great step should be taken by the law school. Even in this sublimely practical country, where the university man, the thinker and the scholar are still scoffed at as angels beating their ineffectual wings in vain—if they are not really considered devils swishing their ineffectual tails—the “practical” men are taking note of the discoveries of the dreamers and are applying them in their daily work. But this business is slower than it ought to be. The process can be hastened by the preparation in the law schools. Let the student understand the value of other sciences for law. Let him understand, indeed, the very bases of law—which these sciences are. Law in and of itself—the technical skeleton now known as law—is a dry and futile thing. It lands us more and more into a morass, economic, social and political. The way out of this morass is by the social and the biologic sciences; and these should be taught not as separate entities with no relation to other sciences and particularly to law, but as co-related branches of knowledge; in fact, as part and parcel of the science and the art of law.

The domain of Criminology, as understood by the author, is restricted—I had almost said, is peculiar. He defines Criminology as the “science of criminal law and procedure and of penology. It is a chapter of the new sciences of criminal anthropology and of criminal sociology.” (p. 265.) This conception is too narrow. The masters of the Positive School broaden the scope to include criminal anthropology, criminal sociology, criminal cosmics, criminal law and procedure, penology, and prevention. It is true that the cry for specialization was heard among the Positivists—and De Luca is a Positivist (p. 20)—over twenty years ago because of the rapidly accumulating knowledge and the widening of the horizons, making it difficult, if not impossible, for one man to embrace the whole subject as an expert. But it is no less true that when we speak of Criminology we include the seven divisions I have indicated above. So that instead of criminology’s being a chapter of criminal anthropology and criminal sociology, these two sciences are parts of the larger whole called Criminology—the Science of Crime.

The contents of this book, then, deal with the effect of the study of certain basic sciences—psychology, psychiatry, economics, sociology, biology, philosophy—upon criminal law and procedure and upon the treatment of the criminal. The advances made in these sciences are related to the circumstances in which crimes are committed and the criminal is treated accordingly. More specifically, the author examines justifying, excusing, extenuating and aggravating circumstances; presents and criticises the previous positions held, and seeks a new orienta-

tion for the future treatment of cases in which these circumstances play their part.

The method is no scissors and paste affair. The author presents opinions of other authors—indeed, the array of authors is numerous and stimulating—and this in no desultory manner, but in clear, compact and comprehensively logical form. He examines these views, he suggests modifications, he suggests criticisms; he accepts propositions, he denies. And finally he rounds out the discussion of the various questions with illuminated opinions of his own.

For these Europeans are not afraid to express their views. They have reached in Europe the stage of tolerance for political, economic and social views. There is no fear or hesitancy or reticence across the water. A man is protected by the highest authorities in the expression of the most unwelcome—and it may sometimes be, unsound—opinions. Our European university brothers have conquered the right to speak as knowledge, experience and conscience dictate. The world in general there has recognized that real progress is possible only where the clash of discordant views has had its effect. The robust evidence of plain speaking and high thinking afforded by this book is another of the priceless gifts European literature in all its forms is making us.

The author declares himself to be an evolutionary socialist (p. 282). I do not know how De Luca came to the study of the social question. He may have come to it by way of his study of crime, or by way of his study of criminal law. But this I know, that many roads—if not all roads—lead to Rome; that whether the subject be psychology, or psychiatry, or anthropology, or economics, or sociology, or even biology—the final question posed is the social question. That is the full and abounding sea to which all men go down in ships, provided always that these sciences are studied as they ought to be. We may study any of them in our halls of learning without becoming conscious of the only thing worth while being conscious of in life—this social question. The road may be by crime or by law, but the goal is the economic, the political and the social arrangements of society. You cannot escape it in criminology. You ought not to be able to escape it—as we do—while going through our universities and through our experiences outside in the maelstrom of life. Some day all the social and the biologic and the legal sciences will be taught with a view to the harmonization of these sciences with the life of the time—and this will inevitably entail the discussion of the social organization in which we live.

In contrast, therefore, to the anthropological school, De Luca believes in the strong dominance of the social factor in crime. "The social environment is one of the factors of crime. I believe, indeed, that it is one of the principal factors, direct and indirect. I recognize the intimate connection between penitentiary questions, between social questions and the problem of delinquency" (p. 208).

To come to closer quarters with the particulars: De Luca discusses the facts that take away all fault from an act; those that excuse

or extenuate it, and those that aggravate it. And this discussion brings him, of course, to individualization. The "particular temperament" of the criminal ought to be specially regarded to find the proper means of social defense (p. 133). And so to apply the principle to blocks of criminals (an extension of individualization to large classes) he advocates mitigating circumstances for criminals of occasion and criminals of passion (p. 160). Ignorance of criminal law does not excuse, because it is the minimum of ethics which is required in society (p. 6). But ignorance of other law, civil or administrative, the lack of observance of which cannot overturn the juridical organization, may excuse. Errors of fact when essential or substantial do not excuse; as when A shoots B meaning to shoot C. When these errors of fact are accidental or accessory then they do excuse—as where one takes property thinking it is his—under color of right, in our law phrase.

"Mental infirmity consists in any grave disturbance of the mind because of which the person affected does not think, does not feel, does not will—and does not act—like the average of normal men" (p. 20). Accordingly the law ought to recognize cases of mental alienation which it does not now take cognizance of. The irresistible impulse has been noted by physicians; and has been even introduced into the law in some countries. "Irresistible internal force" finds a place in French, Neapolitan, and Sardo-Italian law. But the State of New York—to give a typical instance of the Anglo-American treatment of it—provides as follows: "A morbid propensity to commit prohibited acts, existing in the mind of a person who is not shown incapable of knowing the wrongfulness of such acts, forms no defense to a prosecution therefor" (Sec. 34 Penal Code). The doctrine of the *vis major cui resisti non potest* (the superior force against which it is useless to struggle) was formulated by the Romans and was not dangerous when the doctrine was administered by judges, but became so only when it came to be administered by juries (p. 23). Professor De Luca is, I believe, too optimistic about judges. He has had no experience with American judges, especially in abnormal times as during the late war.

The remedy for the confusion in regard to the irresistible force is to substitute for the doctrine of imputability prevailing in the codes that of the positive school—social responsibility. The moral responsibility is an impossible thing to arrive at. But the measure of social responsibility," to use the terms of the classicalists. Yet these classic-motives—of the psychology of the individual offender—will solve many problems at present lying in obscurity and disorder (p. 24).

Drunkenness is another problem. There are two theories. The drunken man is doubly guilty—guilty of getting drunk, and guilty of the act. The other theory is this: The drunken man cannot be held criminally since he has lost knowledge and consciousness of his acts and can thus be held only for the fact of getting drunk. The New York Code, sec. 1220, makes intoxication no defense, and, indeed, makes the act no "less criminal" by reason of drunkenness. "But whenever the actual existence of any particular purpose, motive, or

intent is a necessary element to constitute a particular species or degree of crime, the jury may take into consideration the fact that the accused was intoxicated at the time in determining the purpose, motive or intent with which he committed the act." The New York Code, therefore, seems to adopt the second view, since for nearly all cases a specific intent is necessary. The Italian criminalists of the middle ages established the doctrine that drunkenness is a mitigating circumstance; and they have been followed by most modern Italian and French writers. The solution, again, for the problems raised here is to be found not in the outworn code doctrine of moral responsibility and measurement of that responsibility, but in social defense and social responsibility.

Age is another mitigating circumstance. All codes now provide for the milder treatment of children. But this is undeniably a breach in the principles upon which these codes stand—a breach made because the realities of life were too strident. Children in New York State, for example, are incapable of crime below 7 and are presumed to be incapable between 7 and 12—but this presumption may be overcome. This solution is not happy. It is the natural result of the doctrine of legal responsibility based upon moral responsibility, and it leads to disastrous conclusions. The application of the doctrine of social responsibility will protect society by treating the offender and prevent his going out again among a society for which he is not fit.

Premeditation and recidivism are usually considered aggravating circumstances. But premeditation may not be an aggravating circumstance. Psychology teaches that it ought sometimes to mitigate the act. Provocation is considered a mitigating circumstance in our law. Yet premeditation and provocation may coexist. Even more provocation there may be the larger you premeditate (p. 763; see also pp. 168-169). And this result is attested by all students of the human mind. The greater the premeditation sometimes, the greater the provocation; and therefore the less the "moral responsibility" and the "legal responsibility," to use the terms of the classicalists. Yet these classicalists do not admit the proposition.

Finally, we come to recidivism, considered as an aggravating circumstance. The author quotes the words of Ferri: "Recidivism is at one and the same time a symptom of individual and of social pathology" (p. 289). The social causes are indicated and the penal ones: the legislator is one of the prime movers of the modern increase of recidivism with his admonitions, his special surveillance, his forced home staying (of the criminal), his short prison sentences, his absurd and cruel penitentiary systems (p. 291). The legislator was thought to be the god who was to save us. But our disillusionment is now complete. Discussion is non-existent or futile: electoral and political interests govern the attitude of the law-maker toward bills. The dissatisfaction with and the distrust for the judge has now no longer, says the author, any foundation (p. 291). Of the two—the legislator and the judge—I should prefer, in normal times and for ordinary criminals, the judge. But in abnormal times and for po-

litical criminals I should prefer—well, one is as irrational and dangerous as the other.

The remedies are economic, political and social (p. 288). The present system is defective. A new organization is in travail. Lock-outs due to overproduction, the non-cultivation of farms, the idleness of the rich, the ferocious laws which hammer the poor whose only crime is to be poor—the whole irrational system of individualistic and competitive production should be superseded by a kinder, more humane, more altruistic and co-operative system where the war of all against all will be a thing of the past, and the doctrine and the practise of one for all and all for one shall be the dominant doctrine and practise of society.

New York City.

ROBERT FERRARI.

AN ANALYTIC VIEW OF THE BASIS OF CHARACTER. By *Constance Long*. *Psychoanalytic Review*, VII, 1, January, 1920.

The three aspects of character are (a) the unconscious and its contribution of unknown motive; (b) presence of psychic energy (libido); (c) bi-sexual predisposition of every individual. A problem of homo-sexuality has arisen as a result of the war. "Something male in every woman has been psychologically called for." Dr. Long pleads that homo-sexuality be removed as a penal offense, but that seduction of a minor whether homo or hetero-sexual be made such. Dr. Long claims that physicians must face these sex questions squarely, and also the emotional problems of the married which are as severe as those of the unmarried; but no solution is offered.

PSYCHOLOGY AND HISTORY. By *Harry Elmer Barnes*. Some Reasons for Predicting Their More Active Co-operation in the Near Future. *American Journal of Psychology*; XXX, 4; October, 1919.

A detailed and elaborate resume of the various standpoints from which history has been interpreted in the past and an exposition of the present approach by the psychoanalytic method, which studies history as the reactions of groups of individuals influenced by instincts, desires, and the subconscious with its suppressed wishes and sublimations. The author recognizes that the majority of historians deny that history should concern itself with problems of interpretation, but he declares that a century hence Freud will be regarded as an indispensable tool of the historian. The author's hypothesis is that individualists and anarchists have elaborated their philosophies as outlets and expressions of suppressed desires, and that modern psychology will go far toward interpreting more clearly general policies and attitudes which have played a part in dominating our national history. He asks whether the asceticism of early New England may not have been a psychic compensation for economic chicanery in smuggling and the trade in rum, and whether southern chivalry may

not have been a collective compensation for the sexual looseness and racial intermixture existing in the South.

Patriotism is group self-preservation. The author believes that "from its background to the setting of the Peace Conference the Great War has been a psychological product, and there can be no enduring peace until a favorable psychological environment is created."

CLARA S. BETTMAN.

Psychopathic Institute, Chicago.

THE PROBLEM OF PSYCHOGENESIS IN MENTAL DISEASES. By C. G. Jung. Proceedings, Royal Society of Physicians; III, 9; April, 1919; p. 63.

Jung deplors the fact that because of the anatomic bias of medical education, researches in psychiatry are mainly of anatomic problems. Many psycho-neuroses and psychoses are overlooked because physicians overlook the fact that their patient is "a human being with a human psychology."

Dementia praecox is not an organic disease. That it is so regarded is due to the alienist's bias made on the basis of far advanced cases after degeneration has occurred. Under the term dementia praecox Jung includes "all hallucinatory, paranoid, katatonic, and hebephrenic conditions not showing organic processes of cellular destruction seen in general paresis, senile dementia, epileptic dementia, chronic intoxication, and not belonging to manic depressive group." Patients with dementia praecox react to beautiful and sordid surroundings as much as normals do. The worst katatonics are often the products of the lunatic asylum. Frequently a new outbreak of the disease occurs with an emotional outbreak. Jung cites many instances showing an amelioration or aggravation of the psychosis with the surroundings, a condition that does not hold for organic diseases.

The modern etiologic conception is not a "casual" but a "conditionalism"—for example, the tubercle bacillus is not alone the cause of tuberculosis. So in dementia praecox. There is here a congenital predisposition to psychic conflicts that differ from the normal only in emotional intensity. The psychic cause is supported by this predisposition, which is an abnormal sensitiveness. The conflicts arising are so out of proportion to the other mental faculties that they are uninfluenced by such usual means as diversion, self-control, reason. Insanity is due to the inability to get rid of these overpowering conflicts. When the individual realizes that he cannot help himself out of his difficulties, he becomes panic-stricken—a chaos of emotions occurs and the incubation stage of dementia praecox has begun. If you can solve this conflict, you abort the psychosis. However, it is very difficult to prove this because it cannot be determined that this is the incubation stage unless the psychosis develops further. Moreover, it may be regarded as a remission of the true psychosis.

From the psychologic viewpoint Jung defines a psychosis as a mental condition wherein a formerly unconscious element usurps the importance of real fact; concrete values of life being lost hold of,

unconscious contents now assume reality. The patient can preserve emotional rapport by dissociating into two personalities, the one transcendental, the other too human. Hysteria here results. If the emotional rapport is cut off, dementia praecox results. In any case organic changes are secondary.

Psychopathic Institute, Chicago.

DAVID M. LEVY.

THE PSYCHOLOGY OF NATIONS. By G. E. Partridge. A Contribution to the Philosophy of History. Macmillan, New York, 1919.

The problem of the book is man's place in nature as a conscious factor of progress. This problem the author tries to solve by a study of the philosophy considered in relation to war.

The origin, biological aspects and motives of war are fearlessly faced, and the conclusion reached that war is founded on certain instincts but cannot be entirely explained by them. Fear is the main root of group antipathy. Thievery, cannibalism and display are the other definite principles of conduct which induced primitive warfare. These four principles are still the "mood" which induces war today and are the basis for the craving for the realization of power. Moods are explained as the "repositories of instincts, impulses, tendencies, desires, and are the driving force of conduct." These moods can be directed, influenced and controlled by education, but as yet education has not fostered any conception of the world as an object of social feeling, nor have the schools in any way developed the world social feeling in the child.

The modern world as actuated in its relations among nations by very unsocial motives. If social life can be made progressive, war will take care of itself. Our modern education develops national consciousness, not world consciousness; but it could direct the unsocial tendencies of war into more consciously progressive social conduct if education were directed toward this end. Social conduct is not naturally progressive, but is the result of directed effort. Before nations can direct and discipline themselves, they must discover their own ideals, desires and instincts. They must analyze their own motives and reactions as frankly and impartially as they do those of other nations. Economics must be considered in relation to instincts which underlie human conduct.

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THE NEW ORLEANS CONFERENCE. Excerpts from *Miss Harriet Gage's* report of sessions of the American Association of Hospital Social Workers, the National Probation Association and concurrently meeting organizations, at New Orleans, April 13-21, 1920.

Perhaps the most important subject before the three business and four executive committee meetings of the American Association of Hospital Social Workers was that of reorganization on the chapter or district basis, along the lines of the Anti-Tuberculosis Association

and the American Red Cross. A committee was appointed to work out a detailed plan to be presented at the next business meeting of the Association, to be held with the American Hospital Association in Montreal, October 4, 1920.

Organization

An excellent example of public health organization is shown by Toronto, where the nurses and physicians of the municipal department are "generalized" field workers, each nurse or physician being responsible for public health nursing or medical service of all types in a given area; these field workers are assisted by a staff of advisory specialists.

North Carolina has a very progressive state social service organization, an explanation of which has been put into good pamphlet form by the state commissioner of public welfare. There the county is used as a unit for all forms of public welfare work, with a county superintendent in charge. In each county there is a local board of public welfare, of which the county superintendent is secretary. The state work is unified under a state board and a state commissioner.

The Co-operative Welfare Association of Pittsburgh, an organization corresponding in function to our Chicago Central Council of Social Agencies, has accomplished much in bringing the hospitals of Pittsburgh together for co-operative buying, for registration of patients, and for daily registration of vacant beds—a great convenience to social agencies.

New York State figures that it is saving \$1,000 per day by having social service for its paroled mental patients, 13% on its investment in social service salaries and running expenses. There are now on parole 2,283 patients, 1,000 more than would have been possible without social service. New York State has at present one social worker for each of the 13 hospitals for the insane, and the state legislature has passed a bill providing for one social worker for every 100 patients on parole from state hospitals.

The peace time program of the American Red Cross was much discussed; it is an extensive plan for supplying community social needs of all kinds where adequate social agencies do not exist.

In discussions on "salaries" it was the consensus of opinion that the flat rate salary is undesirable. Even if it were not necessary to have adequate increases to help hold competent workers, it is quite evident that there is not standardization enough in training for social work to make a flat rate salary just.

An interesting study of "turnover" in social work was presented. This showed a comparatively low turnover among executives—17%—but a 36% turnover among field workers. Of these latter, 30% left after 6 months, 50% left in less than one year, and 95% left after 5 years; 35% left for the definite reason, "better pay"; and it might be safely judged that the 8% who left for "better positions" meant better pay. One might also make a deduction relative to the subject of work and pay from the 10% who left because of ill health. The

turnover of office force is as serious a question as that of the field workers, and one needs little imagination to see what great cost to quality of work turnover in both these departments means.

Training

Considerable interest was expressed in the course in Public Mental Health to be given this summer under Dr. Adler's direction by the Illinois Department of Public Welfare in co-operation with the Chicago School of Civics and Philanthropy. An innovation in this course and one heartily approved is the placing of all field work in the Department of Public Welfare under the general and the special supervision of social workers employed by the department.

Several spoke of the need for installing in the social service student a sense of responsibility towards work. This is being done in the Pennsylvania school by shifting the emphasis in field work from time requirement to work unit requirement. Full responsibility for certain cases is given to advanced students, who are required to face emergencies (with advice) at any hour of the day or night, as are regular field workers.

Mental Hygiene

Many of the papers on mental hygiene emphasized the importance of the case work method with the individual patient, and the value of individual studies to our methods of diagnosis and treatment. Nearly every paper also stressed the need for all-sided study of the individual—not over-emphasis upon psychometric tests. Another thought that recurred again and again on the subject of behavior is that the feeble-minded are not a homogeneous group and that in any practical social program we must recognize their differences.

One paper spoke of the industrial cost of the psychopathic employe, citing the case of a certain shifting employe, who, in the course of a few years, cost industry an amount far exceeding his earnings. The implication was that labor turnover should be regarded not merely as due to a desire for economic advantage, but frequently as due to personality difficulties.

WINES' PUNISHMENT AND REFORMATION. Revised Edition by *Winthrop D. Lane*. Thomas Y. Crowell Company, New York, 466 pp.

This volume has its origin in a course of lectures delivered by Dr. Wines in the latter part of the nineteenth century. Dr. Wines revised his own book in 1910.

The present revision by Mr. Lane is most timely in the light of remarkable developments that have occurred in the science of criminology and the treatment of the offender. The text itself required no revision but instead needed to be supplemented.

The historical chapters of the 1910 edition, namely, the first eleven, have been retained in the new edition. The revision begins with the second part of Chapter XI on Criminal Anthropology. Four chapters have been discarded: one on the causes of crime, one on the theory of punishment, one on the prevention of crime and one on the outlook for the future. These omissions were made on the ground that the material was unessential or out of date.

The new material includes an explanation of the desirability and the field for the scientific study of the individual offender. This is followed by three divisions on the treatment of the offender, namely: before confinement, during confinement, and after release.

Experiments in so-called self-government forms of prison management and of the honor systems are set forth. Historical references tend to show that modern application of the theory of self-government are not wholly original. For instance, an attempt was made to try a modified self-government plan in the New York House of Refuge in 1824. A more ambitious try was also made in the Boston House of Reformation.

The last chapter is devoted to a discussion of further causes of crime and suggestions as to lines along which preventive activities might be pursued. The social importance of the home, the school, the church and the community in the solution and reduction of crime is emphasized.

The relation of alcoholism to crime and the probable benefit of prohibition have received the author's attention. He pleads for a more extensive application of eugenic principles in our efforts to reduce crime.

In speaking of the future the author very sanely does not put himself in the position of expecting the complete elimination of crime. The possibility of a big reduction is pointed out and will of course meet with general recognition and approval.

Dr. Wines has made a very valuable contribution, both for the experts and the casual reader, and Mr. Lane, who undertook a difficult task, requiring much labor and patience, has likewise made a similar contribution. Mr. Lane is to be commended for his efforts which bespeak thoroughness and an understanding of the problems involved. The volume is worth while to all.

E. R. CASS.

New York Prison Association.