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## ON SO-CALLED VAGRANCY (Concluded)

### A MEDICO-SOCIOLOGICAL STUDY<sup>1</sup>

OLOF KINBERG<sup>2</sup>

Women who lead an ambulatory life, who tramp the roads, keeping themselves by begging and stealing and who thus lead the life characteristic of a tramp, are to be found only to a small extent in this country. If one keeps to the linguistic sense of the word *vagrant*, *tramp*, *vagabond*, then the term "female vagrant" implies almost a *contradictio in adjecto*. Such women as are liable to punishment under the Vagrancy Act are thus not vagrants in the true sense of the word, but rather more or less stationary individuals who either openly or secretly carry on prostitution. It happens of course, now and then, from different causes, such as a trade boom; an afflux of pleasure-seekers, well supplied with money, to a certain place on account of exhibitions or the like; fear of the police at the place where they have lately been dwelling, etc., that they betake themselves from one place to another, "star it" so to speak, but it hardly ever happens that in doing so they tramp along the roads like the male vagrants. Neither are their stays at different places so short as those of the male vagrants. Regarding their ways and habits they remind one, in so far as they don't remain altogether stationary, rather of roving birds which indeed move from place to place but usually stay for some length of time at each place.

What chiefly characterizes the prostitutes as vagrants according to the Swedish legislation is partly their disinclination to earn their living by honest work and partly their co-habitation with criminal individuals and their own criminal activity.

From this conception regarding prostitution, in so far as it is bracketed with female vagrancy, a couple of very important facts may be concluded. First, it is evident that it is not the fact that a woman for payment engages in sexual relations out of wedlock which causes her to be regarded as a vagrant. A woman with regular work, a domestic servant, factory hand, shop assistant, etc., can very

<sup>1</sup>This article continues and concludes one by the same author in the preceding number of this JOURNAL.

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well now and then engage in sexual relations with men for payment without, for that reason, becoming an asocial or antisocial parasite against whom it is the right and duty of society to interfere. It is thus not because a woman leads a lewd life but because she does not do anything else that she is characterized as a vagrant, i. e., a social parasite. From certain quarters it is urged that the male party to these relations out of wedlock should be treated in the same way as the female and there is nothing to be said against this, provided that all the conditions are similar for both parties, in other words, that the men in question practice lewdness as their only activity and sole source of income. Such men, but only such—whether they make a practice of homosexuality or heterosexuality—are fully to be compared with the professional female prostitutes and should be dealt with in the same manner as these.

Another conclusion which may be inferred from the above-mentioned conception is that not all female prostitutes but only those whose characteristics tally with those just stated should be treated as vagrants. It is true that it may appear inconsequent that society puts the vagrancy law into practice only towards an advanced stage of a socially noxious phenomenon but leaves the initial stages untouched. Society is, however, quite at liberty to take measures against certain women who seem to be on the high road to vagrancy, by providing child guidance work, private refuge homes, etc. Besides, it would surely be a mistake to assume that all or even the majority of those women who practice an intermittent or sporadic prostitution necessarily must sink to the stage where the vagrancy law must be applied if no measures are taken against them. There is on the contrary no doubt that in these two groups we are concerned with individuals of very different psychic structure. Even if professional prostitutes are to a great extent recruited from persons who to begin with practiced only occasional prostitution, experience shows that often it is not a question of a long drawn out development effected by degrees, but rather an early and rapid sinking to professional prostitution of the individuals in question.

There is thus between the intermittent and the professional prostitute a far greater difference than one might suppose at first sight. The former, by the fact that in spite of her sexual "elopements" she is able to maintain regular work, proves that she has greater possibilities of adapting herself to an ordered life. Her superior mental state makes it possible for her to keep her head above water and her regular work aids her in this respect. The professional prostitute

on the other hand, who often at a very early age and very rapidly sinks to pure parasitism, decays more and more, thanks to her own defective mental endowments, and under the influence of her manner of living. Her idle life, the contempt shown her even by her clients, her more or less outlawed position as an object of exploitation to landladies, panders and *souteneurs*, the rough treatment which she is often subjected to, the alcoholism which is seldom lacking, all this and many other things combine to create a veritable hothouse temperature for the development of every possible bad quality and after a relatively short time there sets in the bodily and mental decay which, according to all observers, is characteristic of the professional prostitute who has led this life for any length of time.

For social-hygienic and moral reasons, out of regard to order and security and finally out of solicitude for these wretched individuals themselves who need the assistance of society in order to lead a life which is more worthy of a human being, it is both the right and the duty of society to interfere against these forms of prostitution.

Another and perhaps still stronger reason for the intervention of society is the symbiose which often exists between professional prostitutes and criminal individuals and also the criminal activity which they can pursue on their own account. There is no doubt that the figures relating to female criminality in the criminal statistics are highly misleading. Several reasons are generally given for the lesser criminality of women; their sheltered position in the home, the less violent form which the struggle for existence generally assumes for them, their physical weakness which is an obstacle to certain crimes, the different characteristics of their sex instinct which in like manner precludes the possibility of certain forms of crime, the absence of alcoholism to any great extent, etc. It is undoubtedly of great importance as regards the low criminality figures that in the group of females where one may *a priori* expect the greatest criminality, the parasites, i. e., the professional prostitutes, report of crimes quite naturally occurs only very exceptionally. The typical crime of this category is theft from clients. It is easy to understand that the person robbed puts up with considerable losses rather than expose himself in a law-suit. A striking example of this is given in the following case:

In 1905 it happened that a rich American came to Paris for an important business transaction. In the evening of the day of his arrival he went to a place of entertainment. As he was going to

meet his business *moitié* the following morning he had a large sum of money, about 250,000 frs., about him. At the place of entertainment he made the acquaintance of a young lady of personable appearance who went with him to his hotel. The next morning both the young lady and the money had disappeared. In his eagerness he reported the matter to the police. There was no difficulty in identifying the young lady. On reflection, however, the American thought better of it. When in his imagination he underwent the consequences at home in the U. S. A. of his adventure in Paris, he found that these weighed more than the loss of 250,000 francs and therefore he withdrew his charge.

Theft from clients is so common that in certain countries it has received a special name: in France "entôlage"; the prostitute thief is called "entôleuse". Prostitution is for many of these "entôleuses" evidently only a pretext under which to carry on criminal activity. Some years ago a regular organization for "entôlage" was discovered in France. As a rule the prostitute cooperates with a female, occasionally also a male assistant. While the prostitute and the client are alone, the female assistant examines and empties the client's pocket-book, hands over the booty to the male assistant who, at the nearest post-office, dispatches the sum to headquarters.

The large proportion of criminals among prostitutes is also proved by various investigations. Of course by the word prostitute in these investigations we only allude to notorious cases, i. e., those that are subjected to regulations. Thus Strömberg<sup>3</sup> found among his material at Dorpat, 462 girls who were most carefully studied, no fewer than 175 or =37.9% of them were thieves, and 32 of them were descendants of notorious thieving families. Bonhoeffer<sup>4</sup> examined 190 prostitutes in Breslau and found among these 90, =47.4%, punished for felony. Von Grabe<sup>5</sup> found among 60 prostitutes in Hamburg 26 who had been punished for crime: =41.9%. In a later examination<sup>6</sup> he found out of 84 prostitutes 33 who had been punished for felony. In 20 cases the crime consisted of theft, fraud, embezzlement and harbouring of stolen goods; in the others it con-

<sup>3</sup>Strömberg: Die prostitution. Stuttgart, 1899. Cit. Aschaffenburg: Brotet och dess bekämpande.

<sup>4</sup>Bonhoeffer: Zur kenntniss des grosstädtischen Bettel- und Vagabondentums. Zweiter Beitrag: Prostituierte. (Ztschr. f. d. ges. Strafrechtswissenschaft. Bd. XX III, 1902; ref. Ärztlich, sachverständ. Zeitung, 1903, p. 62.)

<sup>5</sup>Von Grabe: Prostitution, Kriminalität und Psychopathie. (Arch. f. Kriminalanthropologie. Bd. 48, p. 135, 1912.)

<sup>6</sup>Von Grabe: Spätschicksale von Fürsorgezöglingen und Prostituierten. (Arch. f. Kriminalanthropologie. Bd. 75, p. 171, 1923.)

sisted of assault and battery, violation of domicile, false accusation, panderage, etc.

That prostitution is closely connected with crime is thus a well-known and recognized fact. On the other hand there are different opinions prevailing as to how one should regard prostitution as a social phenomenon. One trend of opinion represented by Bebel among others considers the prostitute a victim of social maladministration, above all underpaid female labor. According to another view taken by Lombroso and Ferrero,<sup>7</sup> prostitution is an equivalent to male criminality. To these scientists prostitution is chiefly an endogenous phenomenon. The prostitutes are, like the habitual criminals, asocial or antisocial parasites who, if they had not the possibility of providing for themselves by prostitution, would to a far greater extent than now take to crime. Objections have been made to this point of view from many quarters: *Aschaffenburg v. Grabe*, *Naেকে*, etc. The chief argument against the view taken by Lombroso and Ferrero is the fact that prostitutes often commit crimes. Prostitution and crime thus run parallel and prostitution is no equivalent to crime. Moreover, Aschaffenburg, one of the opponents, maintains that the prostitutes correspond to the tramps and beggars among the male criminals. As above stated these two groups coincide in the main with the category of habitual criminals. The difference between A's conception and that of L. and F. is thus in reality insignificant. For the rest the divergence of opinion seems chiefly to hang on the unclear way in which the problem is put. The theory of the Italian positivists implies that the prostitutes, as regards their anthropological and psychological character, are the equivalent of the male criminals and that they are thus from a criminological point of view on a par with these. Hence it follows quite naturally that often—the statistics do not show how often it in reality occurs—they manifest their inferior qualities by crime. That this does not occur more frequently is due to the fact that, besides certain differences of sex, they can support themselves by prostitution which the male vagrants as a rule cannot do. It is moreover noteworthy that the majority of later investigations of prostitution agree with the opinion of the Italian positivists that the inherited propensity factor is the dominating one. Bebel's hypothesis that environment is the cause of prostitution has on the other hand not been supported by any of the later investigations. I shall return to this later on when discussing the causes of vagrancy. The psychological-social parallel-

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<sup>7</sup>*Lombroso e Ferrero: La donna delinquente e prostituta. Torino, 1923.*

ism between vagrants and prostitutes can be considered to be fully stated.

### *The Causes of Vagrancy.*

The development of the individual in a psychological-social respect is naturally determined by two groups of factors: inherited propensity and social environment. From a theoretical point of view the sum of these two terms is constant:  $a+m=1$ . In proportion as one of these terms increases the other may diminish without the result being changed. Theoretically at least this variation can stretch as far as the extreme values 1 and 0. Thus we obtain 3 cases: 1:  $a=1$ ;  $m=0$ ; 2:  $a$  and  $m$  lie between 1 and 0; 3:  $a=0$ ;  $m=1$ ; in other words: if the inherited propensity factor is the dominating one, the environmental one is superfluous and vice-versa; when the propensity and environmental factors both lie between the boundary values, a cooperation between them is necessary in order to obtain a given result.

If these principles are applied to the vagrancy problem, one finds that the first example:  $a=1$ ;  $m=0$  actually occurs, i. e., there are undoubtedly cases where individuals, owing to their abnormal mental state, in spite of favorable environmental conditions, sink to that form of social parasitism which is termed vagrancy. Whether the second boundary example:  $a=0$ ;  $m=1$ , in reality occurs is difficult to determine. In those cases where the environmental conditions are such as could be conceived to affect an individual by their influence alone so that he develops into a criminal social parasite, it is as a rule difficult to preclude the inherited propensity factor mental depravity of different kinds in the parents as the cause of their wretched and possibly criminal mode of life. The pure case of the type in question would be when an individual of a notoriously mentally sound family is in his early childhood kidnapped by, let us say, gypsies and under the harmful influences of the new environment develops into a vagabond, thief and hoodlum. If such or similar cases occur in this country they are, however, so rare that they are practically of no importance.

The third group: where both  $h$  and  $e$  lie between 1 and 0, where a cooperation between propensity and environment is required in order to develop an antisocial mode of life must be the most numerous one. It consists of those individuals in whom the propensity for the development of an antisocial mode of life is existent but is not stronger than that this decay could be avoided if the individual were

placed in a favorable environment. As regards this group we must, however, draw attention to two most important circumstances.

To begin with it is noteworthy that the more limited environment—family, fellow-workers and the like—need not necessarily be bad because an antisocial development takes place even in cases where one has not to do with a very prominent propensity factor—extreme mental abnormality or real insanity.

Furthermore, and this is especially important, society is so constituted that bad environmental circumstances are practically speaking always within reach of anyone who cares to hunt them out. Such bad environmental circumstances of, one might say, ubiquitous nature are: the presence of manifest or latent criminals here and there in the community, who act, the former as manifest moral disease spreaders and the latter as moral germ bearers; the easy access to certain means of indulgence among which alcohol is the most important; bad literature and bad press with their, as it seems, ineradicable tendency to feed the worst passions of mankind; bad films; the presence of prostitution and the clientèle of prostitution, etc., etc. Owing to the affinity of the criminally disposed person, through his propensity to what is mentally deficient, physically and morally filthy and criminal, he is attracted by these things which are just as easy of access to us all, but which are avoided and repelled by the better equipped. *Environment is consequently here a function of inherited propensity.* The antisocially disposed person has thus always the opportunity of procuring the bad environment he eventually requires for his bad traits to reach their complete development. In this way propensity is for this group—where  $p$  is less than 1—too as a matter of fact decisive until one realizes the necessity of discovering these predestined ones at a sufficiently early stage and placing them in that *special environment* which alone can prevent their development to antisociality.

From the above it may be seen that the inherited propensity factor must for many if not for the majority of cases play a decisive part and that for all cases it is highly important. This is confirmed both by general experience regarding persons and by special investigations concentrated upon a further ascertainment of these circumstances.

The tendency of a mentally defective—abnormal or insane—to seek out a bad environment, which one can by general psychological experience *a priori* infer, is shown in a striking manner by the investigation of the Social Board. It is a well-known fact that bad



environment of the kind just mentioned is above all to be met with in the large towns. It is thus to be expected that the psychopathically disposed, and among them those who possess qualifications for becoming addicted to a parasite or criminal mode of life, will above all try to get to the large towns as also that the same category will to a smaller extent than other people move out from the towns into the country. If one first of all compares the relation between the towns on the whole and the countryside, one finds that while the same number of vagrants are born in towns as in the country, 51% of those born in the country have afterwards moved to towns, a percentage of moving in which is four times greater than the corresponding percentage of the whole population born in the country: on the other hand the moving out into the country of those born in towns constitutes only 40% of the normal rate. By comparison with the corresponding distribution among the whole male population of Sweden, it has been shown that in the investigation by the Social Board those born in towns are 5 times as numerous as the rest. To this one might of course make the objection that the risk which a vagrant runs of being indicted for vagrancy is greater in towns than in the countryside, but the investigation shows that among those living in the country who have been indicted for vagrancy, those born in towns are nearly 4 times as numerous as those born in the country. This information is especially important as it shows that on account of the perpetual moving in of inferior elements to the towns—*the population of the towns is from a eugenic point of view inferior to that of the countryside, inasmuch as it produces more mental defectives.*

Furthermore, the city-born who are registered in the cities are three times as numerous as those who have moved out into the country, while the country-born who have moved into the cities, are nearly eight times as numerous as the country-born who have remained in the country. This moving in of vagrants to the cities is shown by the fact that the five-fold surplus of the towns as regards the birthplace has increased to eight-fold as regards the dwelling place.

If we consider the large towns, Stockholm, Göteborg and Malmö, we find that no less than 28.4% of all vagrants have moved in to these, while the corresponding share for the whole population is 4.2%. The moving in of vagrants to the large towns is thus nearly seven times as great as the normal.

Another fact which supplies certain information regarding the importance of the propensity factor for the rise of vagrancy is the presence of different age-groups among vagrants. If we examine the total figures we find that about one-third belong to the age group 20-29 and the same number to 30-39, that is to say two-thirds of all vagrants are aged 20-39.

If one regards the relative numbers, we find however certain peculiarities in the age distribution which deserve to be explained. There is thus first of all a relative maximum in the age group 20-24, another absolute maximum in the age group 35-39 and finally a new relative maximum in the age group 53-54.

As regards the first of the maxima it is noteworthy that it tallies with the absolute maximum of mental defectives, 16.6%. This great accumulation of insane in the 20-24 years group is closely allied to the fact that nearly half of all dementia praecox cases develop during the 10 year period, 15-24. The great frequency of vagrants in the groups in question is also connected with the fact that manifestations of constitutional mental deficiency in many cases occur and gain a practical importance in the years following after puberty when the individual begins to live his life independently. It is perhaps worth while bringing to mind the theory held by Cramer and Mönkemöller among others that during puberty certain mental disorders of a non-schizophrenic nature and of very insidious progress occur which result in a mental weakness impossible to distinguish clinically from imbecility. It is quite natural that both the true constitutional imbecility as well as these slight demential states manifest themselves during this period of the individual's life.

With regard to the second maximum, the 35-39 years group, we note, regarding the presence of insanity, that both this group and the preceding one, 30-34 years, though as to absolute figures they fall short of the 20-24 group, yet they exceed it if one compares them with all individuals belonging to the same age groups. Thus we find in the group 30-34 a surplus of 32% in proportion to the whole population of the group and in the group 35-39 a surplus of 21.6%.

Bonhoeffer,<sup>8</sup> who has found the same surplus representation in the age groups in question, maintains that in the 20-24 years group the city-born, imbeciles and epileptics are in the majority, while in the 35-39 years group the country-born, alcoholists and lunatics proper are more numerous.

<sup>8</sup>*Bonhoeffer*: Die Zusammensetzung der grosstädtischen Bettler- und Vagabondentums.

Finally as regards the distinct increase of vagrancy among 53-54 year olds one has occasion to remark the great increase of arterio-sclerotic cerebral diseases which occur in the 50-59 years group—according to Kraepelin<sup>9</sup> 29.6% to 7.47% before the age of 50. We must also bring to mind the presenile psychoses which make their appearance at this age.

From such quarters where opportunity has been given of gaining a considerable knowledge of the clientèle of the labor colonies their extreme intellectual and moral deficiency is universally emphasized.

As far back as in the early French literature we find statements which show that the connection between vagrancy and psychopathy had been noticed. Thus Brierre de Boismont<sup>10</sup> in the year 1845 drew attention to the fact that insane persons were arrested and sentenced for vagrancy. In the seventies and eighties a special interest was taken in the customary impulses of insane and psychopathic persons—"fugues" and other motiveless changes of residence. Foville fils, Tissié, Duponchel, Bourneville, Boyer and Charcot give the collective name of *automates ambulatoires*—1881-89—to these psychopathic wayfarers. Bénédict de Vienne, who the following year studied systematically the psychic and somatic state of the vagabonds, finds that they possess *la néurasthénie morale et physique* to such a degree that he regards it as one of the most important causes of vagrancy. In 1905 Régis brackets all cases of *automatisme ambulatoire* under the name of *dromomanie des dégénérés*. A little later—1906—Tronnoy draws attention to a special kind of vagrancy which has as a complement a kind of "vagrancy of thought" which he terms *mythomaine*.

A recognition of the connection between vagrancy and psychopathy penetrated, owing to the above-named and other psychiatric works, so deeply into the public mind that in 1907 it manifested itself in an edict by the French Minister of Justice, to the effect that, on the registration card which is drawn up for each person apprehended for vagrancy, the opinion of the medical officer of the prison on the vagrant's condition from a pathological point of view should be set down, and through this a source of important information regarding the vagrants has been obtained.<sup>11</sup>

<sup>9</sup>E. Kraepelin: Psychiatric. Bd. II:1, p. 584, 1910.

<sup>10</sup>Brierre de Boismont Annales hyg. publ. et méd. légal. 1815; cit. efter Pagnier liksom övriga i detta sammanhang nämnda franska auktorer.

<sup>11</sup>As an example of the ground which a similar opinion has gained in Sweden and even begun to find expression in the practical treatment of questions connected with this matter I will quote the statement of a Social-demo-

In Germany there have also been a great number of investigations on the connection between vagrancy and mental disorders.

We find an example of the defective—bodily and mental—nature of the vagrants in the frequent reports regarding the great extent to which they are declared unfit for military service. Thus Willmanns<sup>12</sup> states that among those admitted to labor colonies only 28% were fit for military service. Bonhoeffer's<sup>13</sup> results are almost similar as regards another class of material where among 400 beggars he found 70% unfit for military service.

Marthen<sup>14</sup> points out that among 650 persons admitted to the Landsberg penitentiary only 35% were able to undergo the treatment without restrictions. For the rest the labor obligations had to be restricted on account of bodily and mental defects.

Regarding the mental condition of vagrants there are a number of investigations. Bonhoeffer<sup>15</sup> found in his material hereditary taint in 50% of the cases. This hereditary taint consisted in 9% of true psychoses in 12% of epilepsy and in 29% of alcoholism. Among the inmates of the labor colonies there were at least 22% of imbeciles in the narrower sense of the word; the torpid form of imbecility was predominant; 6% suffered from acquired mental disease; 87% were habitual drunkards who indulged in gin, seldom in beer. In 63% of these alcoholics the abuse of alcohol had sprung up on the basis of hereditary propensity or congenital abnormal state. Only in 20% was the alcoholism of more independent importance.

In only 15% of the whole group could the absence of mental anomalies be stated.

In Marthen's<sup>16</sup> material there were 18.6% insane, 66.6% mental defectives and alcoholists and only 14.8% mentally sound. Thus

cratic M.P. and former Social Minister—Bernhard Eriksson—in a debate at the Parliamentary Session of 1924 regarding certain individuals closely related to vagrants, namely, the clientèle of the special Swedish institutions employed for such poor law cases as cannot be kept in the ordinary almshouses on account of bad conduct. The speaker said among other things: "I am of the decided opinion that even if we get a socialistic society and in whatever way that society is ordered there will always be found antisocial individuals for the simple reason that human beings are like that. . . . They have on the whole no social sense, they do not belong to our trend of opinion—i. e., the social-democratic—but they are often degenerate persons who have in different respects gone wrong in life . . . ."

<sup>12</sup>K. Willmanns: Das Landstreichertum, seine Abhilfe und Bekämpfung, Monatsschr. f. Krim. psychol., 1905, Bd. 1, p. 605.

<sup>13</sup>Bonhoeffer: Die Zusammensetzung des grosstädtischen Bettler-und Vagabondentums, Ärztlich. Sachverständ. Zeitung, 1900, p. 206.

<sup>14</sup>Marthen: Psychiatrische Korrigendenuntersuchungen, Zeitschr. f. d. ges. Neurol. u. Psychiatrie, 1914, Bd. 22, Heft. 3.

<sup>15</sup>Bonhoeffer: loc. cit.

<sup>16</sup>Marthen: loc. cit.

we see that his figures tally very nearly with those of Bonhoeffer.

Bischoff and Lazar<sup>17</sup> who examined 224 inmates of labor colonies found bodily disease in 10%, neuropathic constitution in about 20%; emotional anomalies in 15-20%; genuine moral defect in 2%, imbecility in 7%, insanity in 9%. He found besides in 20% depraved emotional disturbances and in 10% the roving instinct. These cases are also included in the groups mentioned. The authors, however, supply the information that mental peculiarities—irritability, etc.), made it difficult for them to submit to the discipline at the institutions. In the depraved, too, there were frequently certain psychic traits which were regarded as remains of infantile emotional disturbances connected with an unhappy childhood. It is of course difficult to determine whether such mental peculiarities really are acquired. In any case the investigation shows that nearly all were in some way psychically abnormal.

When stating the percentages of different kinds of psychopathy it is evident that besides ethnographical factors—the investigation was made in Austria where there is a strong blending of races—different opinions regarding the psychiatric systemization are also put forward. One has therefore no cause to attach undue importance to such minor divergences. The important joint result is the overwhelming multitude of mentally abnormal and diseased among the inmates of labor colonies.

Certain examinations of the clientèle of institutions and reformatories throw light on the mental qualities of the young gangsters, pseudobeggars, and thieves. In many cases it is only the age which determines at which of the above-mentioned two places the individual is to be found. It is also evident that gangsters and pseudobeggars over 18 years constitute as a matter of fact the transitional stage between the juvenile delinquent and the habitual criminal.

As the material of the Social Board is not examined from a psychiatric point of view it is not possible to obtain any information about the mental state of these groups. There have been made a great number of most informing investigations regarding the psychic qualities of juvenile delinquents from which I shall quote certain data brought together in H. Gruhle's<sup>18</sup> extensive monograph. Gruhle, who

<sup>17</sup>E. Bischoff u. E. Lazar: Psychiatrische Untersuchung in der niederösterreichischen Zwangsarbeitsanstalt Korneburg, Jahrbuch. f. Psych. u. Neurol. Bd. 36; cit. eft. Arch. f. Krim. antrop. Bd. 63, p. 286.

<sup>18</sup>H. Gruhle: Die Ursachen der jugendlichen Verwahrlosung und Kriminalität, 1912.

has examined 105 male inmates of the Flehinger Institute, comes to the conclusion that:

- 14% are mentally sound and normal.
- 27% manifest slight anomalies of mental or somatic nature.
- 4% are not remarkable mentally but suffer from grave diseases—tuberculosis, morbus Basedowii, ophthalmic diseases.
- 55% are mentally abnormal.

A closer inspection of Gruhle's description of the different groups shows, however, that he has registered a number of cases as not mentally abnormal which, however, are without any doubt abnormal. His percentage for the mentally abnormal is thus too low.

Gruhle also gives an account of a number of other examinations of the same kind of material.

Thus:

|             |  |
|-------------|--|
| Rizor       | 69.6% mentally abnormal; Westfahlen    |
| Disselhoff  | 68.9% mentally abnormal;               |
| Kleefisch   | 80 % mentally abnormal;                |
| Cramer      | 63 % mentally abnormal; Hanover        |
| Mönkemöller | 72 % mentally abnormal; male Berlin    |
|             | 34 % mentally abnormal; male Hanover   |
|             | 46 % mentally abnormal; female Hanover |

Stelzner is of the opinion that only a very few of the female inmates of the Magdalena institutions are thoroughly sound.

Both Cramer and Mönkemöller hold forth, as has before been mentioned, that individuals who during their school time must be regarded as entirely normal can later on under influence of puberty develop a state of mental weakness, of a non-schizophrenic nature, by which the individuals become inferior and thus cannot be distinguished from the constitutionally imbecile.

In this country too an investigation of a similar category has been made by D. Lund<sup>19</sup> who among a material of 175 cases found 33.7% of imbeciles and among a material of 450 cases 37.3% of imbeciles. Of the 175 individuals 108 or 61.7%, had tramped. Of these 108, 32.5% were imbecile and 27.7% psychopathic or mentally remarkable in some way; altogether 60%. In a special group consisting of 25 individuals who had been regarded as genuine tramps he found that only 1/3 were free from psychic abnormalities. It is noteworthy

<sup>19</sup>D. Lund: Ueber die Ursachen der Jugendasozialität, 1918.

that this examination was made by a non-medical man so the percentage of abnormals is most likely too low. One has thus with regard to these groups every reason to presume that the greater number of individuals of this kind sink to an antisocial mode of life principally owing to endogenous qualities.

There are similar investigations regarding the female vagrants—the prostitutes. Thus Bonhoeffer<sup>20</sup> has examined 192 prostitutes in Breslau. Among these, 102—53.1%—were hereditarily tainted, 6—3.1%—idiots, 53—27.6%—imbeciles; in 60—31.2%—no psychic anomalies could be found. As regards their mental state the abnormals tallied with Lombroso's "born prostitutes." In 73% the registration had occurred before the age of 25, in 27% after this age. In the former group the congenital abnormal state was predominant, in the latter the abuse of alcohol.

Von Grabe<sup>21</sup> states in a previous work comprising 62 cases and based upon a very close investigation and personal examination, that 22 cases—35.5%—were imbeciles, 6—9.7%—suffered from attacks of cramp or convulsions. In a few cases the intellectual development was good, but in these individuals were noticed other psychopathic traits. Von Grabe considers all 62 degenerate in one way or another.

In a later work<sup>22</sup> Von Grabe gives as a reason for the theory that the causes of prostitution are chiefly endogenous that the addiction to prostitution as a rule occurs at a very early stage. Among his 84 cases it is noteworthy that no fewer than 26 had been registered within two years after sex maturity had set in according to law. As the greater number had at that time not left their homes, this implies, according to Von Grabe, that the statement to the effect that destitution is the cause of prostitution must be dismissed as idle talk. Among Von Grabe's cases were four insane. The intelligence tests showed very poor results. There were, however, among Von Grabe's cases several who were not at all unintelligent, there were in fact such as were energetic and diligent, at least during their stay at the institutions, but he found in them all other psychopathic traits; emotional instability, lack of balance, unrestrained love of pleasure, etc.

<sup>20</sup>Bonhoeffer: Zur Kenntnis des grosstädtischen Bettel- und Vagabondentums. Zweiter Beitrag: Prostituierte, *Zetschr. f. d. ges. Strafrechtswissenschaft*, Bd. XXIII, 1902; cit. *Ärztl. Sachverständ. Zeitung*, 1903, p. 62.

<sup>21</sup>Von Grabe: Prostitution, Kriminalität und Psychopatie., *Arch. f. Kriminalanthrop.*, 1912, Bd. 48, p. 135.

<sup>22</sup>Von Grabe: Spätschicksale von Fürsorgezöglingen und Prostituierten., *Arch. f. Kriminalanthrop.*, 1923, Bd. 75, p. 171.

As regards the influence of social factors on the rise of prostitution, new investigations show with great uniformity that this must be considered rather insignificant. It is true, as Parent Duchatelet says, that prostitution is "inseparable from a large number of people gathered together in one place," i. e., at least from the large towns. In this fact it might be possible to distinguish a social factor of importance. The problem is, however, very complicated. There is no doubt that lewd women are to be found, though more exceptionally, even in less densely populated places—smaller towns and even the countryside. But this environment is quite naturally less attractive to the lewd woman: she cannot keep her incognito with the population in general, which is of such importance for her comfort; she becomes the object of general contempt, etc. Besides, the life of these places does not afford the opportunities for pleasure and indulgence which she considers necessary. It is therefore self-evident, that such women as have already become prostitutes or possess the predisposition for developing into prostitutes, at a very early age endeavor to get to the large towns. Thus we find here too, just as with regard to male parasites and criminals, that propensity influences the choice of environment. It is also probable that certain general characteristics of the life in large towns constitute a favorable and pleasant atmosphere for prostitution: the easiness of remaining anonymous and hiding among the mass of people, the opportunities for the development of vanity and coquetry, the greater possibilities of a comfortable life, more variety with regard to the clientèle, greater resources in the way of amusements and pleasures—cinemas, dancing halls, theatres, restaurants, supply of alcohol, etc.—greater facility in acquiring suitable residence, obtaining medical treatment in case of illness, etc. All these social factors are, however, the same for all women living in towns, of whom only a fractional part take to prostitution, and they can thus not be regarded as determining.

According to the Bebel hypothesis destitution plays a great part in the rise of prostitution. It can hardly be said that the individual examinations of prostitutes and their life histories which have been made in recent years support this opinion. In Strömberg's examination of 462 cases there is only one instance quoted in which the prostitute herself stated that destitution was the cause of her parasitical manner of living and on closer investigation this proved to be a bare-faced lie. From many quarters, Von Grabe, Cramer, etc., it is pointed out that the girls often at a very early age, even before they leave their homes and thus before they have begun to provide for them-



selves take to prostitution. Cramer<sup>23</sup> shows that among a number of girls admitted to certain reformatories and refuge-homes only 8% were not defiled at the age of 14. Out of 150 girls, 109 had been taken in owing to vagabondage occurring without prostitution.

As an illustration of the very early age at which the girls who are later registered abandon themselves to an immoral mode of life, Toppel<sup>24</sup> states that among 115 abnormal female inmates of reformatories 90% suffered from venereal diseases. With one exception they were all defiled, "not unfrequently by their own fathers, most often even at the instigation of their mothers."

The well-known fact that prostitution is recruited from the servant-girl class has by Hurwicz<sup>25</sup> been made the object of an extremely interesting social-psychological investigation. He points out the large percentages of servant-girls in the population, which fact in itself explains why such a great number of prostitutes come from this class. He further holds that many of them have at some period, often at the beginning of their independently earning a livelihood, been servant-girls but have afterwards transferred to other professions—dressmakers, factory-workers, waitresses at cafés and restaurants, etc. On a critical inspection of the figures with regard to these circumstances he, as well as Aschaffenburg, finds that the servant-girls are not overrepresented among the prostitutes. From this it follows that it is not possible from the number of former servant-girls among the prostitutes to draw any conclusions in this group.<sup>26</sup>

<sup>23</sup>Cramer: Bericht an das Landesdirektorium über die psychiatrisch-neurologische Untersuchung der Schulentlassenen Fürsorgezöglinge u. s. w., *Allg. Zeitschr. f. Psychiatrie*, 1910, Bd. 67, p. 493; *cit. Arch. f. Crim. anthropol.*, Bd. 39, p. 183.

<sup>24</sup>Toppel: Fürsorgeerziehung und Psychiatrie, *Allg. Zeitschr. f. Psychiatrie*, 1905, in Gruhle: Die Ursachen der jugendlichen Verwahrlosung und Kriminalität, p. 172, 1912.

<sup>25</sup>E. Hurwicz: Kriminalität und Prostitution der weiblichen Dienstboten; *Arch. f. Kriminalanthropol.*, 1916, Bd. 65, p. 185.

<sup>26</sup>On the basis of Parent Duchatelet's theory that prostitution always forms an inevitable consequence of an earlier deranged sexual life. Hurwicz asks whether there are any factors in the free sexual life of the servant girls which are of importance for their development into prostitutes. As an answer to this question Hurwicz gives a detailed account of Othmar Spann's investigation "Die geschlechtlich-sittlichen Verhältnisse im Dienstboten- und Arbeiterinnenstande, gemessen an der Erscheinung der unehelichen Geburten." *Zeitschr. f. Sozialwissenschaft*, 1904, p. 28. Spann states that the objective matrimonial prospects are the same for both groups but lays stress on the long working-day of the servants, which they themselves "regard as a lack of opportunities for marriage." This circumstance together with the few opportunities they have of coming into contact with persons outside the home where they are employed evoke a veritable agony of fear lest they neglect to make the most of the short springtime of life and what it can offer them in the way of enjoyment and pleasure. It is pointed out in this connection

The importance of the environmental factors with regard to prostitution is also illustrated from another side by investigations regarding the ultimate fate of prostitutes. It is evident that some of them die while carrying on their activity. In this connection may be mentioned the small percentage of paralysis in spite of the great prevalence of syphilitic infection. Pilcz has for example in his statistics a percentage of paralysis amounting to only 1.32 among prostitutes but to 4.75-4.78 among officers.

According to Parent Duchatelet<sup>27</sup> a great many former prostitutes devote their energies to thieving in cooperation with male criminals with whom they co-habit and whom they assist above all as receivers of stolen goods.

A small number succeed in getting married. A very large number become housekeepers—concubines to elderly workmen, unmarried or widowers, among whom Parent Duchatelet specially mentions street-sweepers and junk men which latter have often been habitual criminals. Not a few become workwomen—dressmakers, etc. Many become servants, preferably at public houses, brothels and the like. A considerable number become proprietors of brothels. Some succeed in establishing independent business as shopkeepers—"marchandes à quatre saisons," fruiterers, "mare chandes à la toilette," in reality panders, etc.

that matrimonial swindlers "work" with the greatest success among servant-girls.

Furthermore Hurwicz holds forth in agreement with W. C. Wagner; *Die Sittlichkeit auf dem Lande.*, Leipzig, 1896; that the servant girls, who to a great extent come from the country, bring with them a conception of non-matrimonial relations which is different to that prevailing in towns. While the non-matrimonial sexual relations in the country are often "pre-matrimonial," they are regarded in the towns in a more ephemeral and frivolous light. Besides, the servant-girl is at an early age deprived of the moral influence of her family without receiving any compensation for this loss in her situation in town, as her position of outsider in the family in town where she is employed is maintained by the considerable social chasm between them. Further, there is pointed out the strong reliance on the will of others and the dependence in thought and deed which appertains to the servant-girl's profession and which to a certain extent weakens her power of resistance to foreign wills. Finally it is noteworthy that according to Stillech there arises in the summer an acute state of unemployment for servant girls in the German cities owing to custom among families to discharge their servants when they go to the seaside resorts or to their summer residences.

However interesting these investigations regarding the psychology and social status of servant girls may be, obviously they do not, seeing that servant girls are not overrepresented among the prostitutes, give any information regarding the influence of environmental factors on the rise of prostitution, unless one assumes that those who, owing to natural propensity, are predisposed for prostitution are in minority in the group in question. There is, however, not the slightest ground for such an assumption.

<sup>27</sup>Parent Duchatelet: op. cit., p. 349.

Parent Duchatelet quotes a great many interesting figures of which I will give some. Out of 1,278 prostitutes 392 became work-women, 108 proprietors of brothels, 33 *marchandes à la toilette*, 17 actresses, 13 midwives, one a music teacher in a big boarding house, 247 procured independent work mostly as shopkeepers, 467 became servants. All these statements refer to Paris in the first half of the 19th century.

An altogether new investigation on the same subject, namely Von Grabe's,<sup>28</sup> has been mentioned above. Grabe has closely observed and personally examined 84 prostitutes from Hamburg. With regard to their ultimate fate he informs us that 6 died, 16 remained under the control of the police, regarding 18 there was no information, 5 were employed as servant-girls or proprietors of brothels, others had obtained settled work as housekeepers, letting rooms—pandering? Some performed the duties of *Aufpasserinnen*—keeping a sharp lookout for prostitutes and in this way more easily avoiding being taken by the "good conduct police." Furthermore he states that 48 were married—12 had been married before they became prostitutes; 39—46.4%—got married while they were prostitutes. Corresponding to these 48 married puellas were 51 men; some of the women had been married more than once. Of these 51 men 28 were known to the police as perpetrators of crimes, in 7 cases slight, in 21 cases of a more dangerous nature, especially crimes of violence and larceny—a new proof of the well-known affinity between degenerates. Grabe sums up his theory by stating that a great number of prostitutes are lost in the mass of population and become relatively useful beings.

This briefly related empirical knowledge regarding the ultimate fate of prostitutes furnishes much important information as to the character of these individuals. Thus it shows—which is known through direct examination—that the group of professional prostitutes is anything but homogeneous from a psychological point of view. Furthermore it shows that, while some continue their activity and thus sink to greater decay to end ultimately in the most profound physical and mental misery, and while the lives of others, after they have given up prostitution, constitute a consistent development of their earlier life in that they become proprietors of brothels, panders of different kinds and the like, there are not a few who return to settled work and thus show themselves to have acquired social adjustment.

The reasons that prostitutes take up other activity are of course of various kinds. It is near at hand to assume that the clientèle

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<sup>28</sup>Von Grabe: Spätschicksale, etc.

decreases with the increasing age of the prostitute so that difficulties of livelihood arise. Grabe considers, on a basis of his experience in Hamburg, that this is not the case but that there is a clientèle for puellas of all ages.<sup>29</sup>

Grabe has shown, as I have mentioned above, that marriage among the prostitutes in Hamburg is very often the cause of these women giving up prostitution. In many cases it is possible that the reason is that they have grown tired of this kind of life. As a general rule it holds true that only a minority remain prostitutes longer than to their 40th year. It is thus possible that age brings a certain steadiness to these persons too, which makes adjustment to settled conditions of life possible. Whether this is owing to a cooling of the sex instinct or to a general steadying of their mental life may be left an open question. It is interesting in any case that as regards male imbeciles and other abnormals, and thus persons of a similar mental state, one sometimes finds that when they are advanced in years they can acquire a certain amount of moral balance, break with their criminal antecedents and become self-supporting and relatively useful persons.

The prognosis of the prostitutes is by means of this empirical knowledge placed in a clearer light. It is self-evident that there are among the prostitutes two groups: one consisting of those who of necessity go to the dogs by reason of constantly increasing mental and social destitution or criminality; the other of individuals who, just as they spontaneously or on account of accidental external circumstances, actually are brought back to settled conditions of life, so at an earlier stage of life they could be adjusted to a similar development by appropriate and requisite intervention on the part of society.

#### *The Number of Male Vagrants in the Country.*

In order to obtain an idea of the extent and importance of the vagrancy question it would of course be of the greatest value to know the approximate number of vagrants within the realm as well as the percentage within the whole group of the different types which the category of vagrants taken charge of by the State has been proved to consist.

With reference to the first of these problems, the number of vagrants, we must obviously seek information from those figures

<sup>29</sup>He gives as an example the case of a 51-year-old puella, registered at her own request at the age of 18, who, in spite of an enormous bulk, a large abdominal hernia and a hideous appearance still possessed a clientèle. Shortly after having retired—at the age of 51—she married.

which show the gross number of persons which the authorities have dealt with according to the Vagrancy Law. The report will be found in the Bill of 1923 for the treatment of vagrants.

A commission has treated two 3-year-periods, 1905-07 and 1919-21. As an illustration of the tendency in the exercise of the vagrancy law in recent years I have set down some figures from these two 3-year-periods.

TABLE I.

|   | 1905-1907 |       | 1919-1921 |       | Remarks                                      |
|---|-----------|-------|-----------|-------|--|
| Apprehended                               | 31,037    |       | 14,419    |       |  |
| Acquitted                                 | 16,594    | 53.5% | 7,676     | 53.2% | Trade boom, 1905-1907                        |
| Committed to the Poor Law authorities     | 267       | 0.8%  | 262       | 1.8%  | Partly a serious trade depression, 1919-1921 |
| Warned                                    | 6,886     | 22.2% | 4,383     | 30.4% |  |
| Committed to the Governor of the province | 7,290     | 23.5% | 2,098     | 14.6% |  |

The apprehension figures are confounding. In 14 years there was a decrease of more than a half. It is evident that this change in the figures cannot to any considerable degree be dependent on a decrease of the actual number of vagrants and beggars. Vagrancy is an ancient phenomenon which manifests itself in all civilized countries, and I think it would be impossible to discover any change in the social conditions in Sweden during the period in question which would explain the decrease by half of the number of vagrants. To this must be added that the high figures relate to a decided trade boom period with a very low percentage of unemployment, while the low ones refer to a period which partly coincides with one of the worst periods of trade depression that our country has experienced for many decades, and with hundreds of thousands of unemployed persons. If one assumes that social factors influence the rise and spread of vagrancy one must infer that the actual number of vagrants was greater during the latter period than during the former. The decrease of apprehension figures must therefore depend on the decreased tendency of the authorities to take legal measures with regard to vagrancy. This tendency towards lessened efficiency in the exercise of the law also manifests itself in the fact that the number committed to the Governor of the province sank from 7,290 to 2,098, i. e., by more than two-thirds, and thus in a still greater degree than the apprehension figures.

The same irregularity in the exercise of the law is shown in the figures relating to convicted vagrants which are stated in the report of the committee. Thus in 1845 there are no less than 2,317, in 1865

only 539, in 1885, the year when the present vagrancy law came into force, 902, 1910—982 and in 1920—453. Even if we disregard the enormous variations in the number sentenced in the middle of the 19th century, which might have been owing to changes in legislation and the conception of the vagrancy problem, and keep to the time following the appearance of the present law, we find during 10 years—from 1910-1920—a decrease of more than a half.

Highly illustrative of the instability in the exercise of the law are some figures relating to the number convicted in different provinces which are quoted in the report of the committee.

TABLE II.

|                                | Yearly average of persons apprehended for<br>vagrancy and beggary |  |                |  |
|--------------------------------|---|--|----------------|--|
|                                | 1905-1907   |  | 1919-1921      |  |
|                                | A.<br>Absolute  | B.<br>Per 10,000<br>of average<br>population | C.<br>Absolute | D.<br>Per 10,000<br>of average<br>population |
| City of Stockholm.....         | 5,960   | 179.8  | 1,572          | 37.9   |
| Province of Stockholm.....     | 295   | 14.8   | 97             | 4.1  |
| Provinces of Göteborg a. Bohus | 652   | 18.0   | 500            | 11.9   |
| Provinces of Malmöhus.....     | 759   | 17.4   | 555            | 11.5   |
| Provinces of Västmanland.....  | 439   | 29.4   | 198            | 11.8   |
| Provinces of Örebro.....       | 332   | 16.5   | 305            | 14.1   |
| Provinces of Gottland.....     | 11  | 2.1  | 3              | 0.5  |
| Provinces of Kronoberg.....    | 12  | 0.8  | 13             | 0.8  |
| The whole country.....         | 10,346  | 19.4   | 4,806          | 8.2  |

This table shows the considerable local variation in the exercise of the vagrancy law. While the province of Kronoberg is stationary of the province of Örebro has dropped only to 85.5%, the city of Stockholm has dropped to 21.1% and the whole country to 42.3% of the totals of the 3-year-period 1905-07.

From these reflections it is evident that it is impossible to determine the actual number of vagrants from the number apprehended and convicted. There are, however, other facts in hand regarding vagrants and their treatment which supply us with certain information as to their number. Thus it is, for example, well-known that the majority of vagrants, after their discharge from the labor colonies, at once return to their former mode of life, i. e., they remain vagrants. As in a great many cases a considerable time elapses before they are again taken charge of; a great number of persons previously treated for vagrancy will therefore always be at large unless they are in penal institutions. Furthermore it is well-known,

at least as regards Stockholm (it probably holds good of other large towns and perhaps also of the countryside) that vagrants as a rule are apprehended only in connection with special misdemeanors. As the number of those apprehensions in Stockholm during 1905-07 constituted more than half and during 1919-21 a third of all convictions in the whole country, the way in which the authorities in Stockholm have of late exercised the vagrancy law must alone have greatly contributed towards increasing the number of vagrants at large. Besides, the police officials whose special duty it is to watch over vagrants in Stockholm estimate one single group alone, the male prostitutes, at some hundreds and the total number of persons within the borough of Stockholm to whom the vagrancy law is applicable to many hundreds. If one now assumes that the vagrancy law is applied in a similar way in other big cities and that the extensive and sparsely populated countryside conceals masses of vagrants, then one gains the very important and valuable if not particularly exact information that the actual number of vagrants must be many times greater than the number taken charge of, or, in other words, that the vagrancy law is exercised only to a very slight extent and society is thus in a great measure deprived of the protection against dangerous social parasites which the law, despite its deficiencies, would be able to afford.

It is possible only by way of conjecture to obtain any idea of the criminal-psychological division of the group "vagrants not detained in institutions." It is of course possible that the great number apprehended and immediately released consists of comparatively harmless individuals and that thus the majority or at least a considerable number of those at large are in a criminal respect less dangerous than those admitted to labor colonies.

The figures regarding those vagrants who have been apprehended and immediately released during the two above-mentioned 3-year-periods do not in this respect give any definite information. While the apprehension figures have dropped to less than half, the release percentage for both periods is almost exactly the same—53.5% and 53.2% respectively. I have above pointed out that it is hardly presumable that the actual number of vagrants during the latter period is smaller than during the former and that the decrease of the apprehension figures must thus depend on a lessened tendency in the authorities to apply the vagrancy law. The constancy of the release percentage might of course indicate that about half the persons apprehended during both the periods compared are as a matter of fact

harmless individuals, supposing of course that in the qualitative estimation of the social danger constituted by the vagrants and other reasons for their being taken charge of the same principles have been followed during the latter as during the former period in spite of the quantitative decrease in the application of the vagrancy law. But perhaps it is still more obvious to assume that the authorities at the same time as they to a smaller extent apply the vagrancy law also judge the cases more leniently with regard to the reasons for their being taken charge of. If the latter assumption should be correct it implies that during the second 3-year-period—1919-21—not only a greater number of vagrants were at large but also that the more dangerous elements among these were more strongly represented. Owing to the lack of premises no further conclusions may be drawn regarding the nature of the vagrants at large.

### *Measures Against Vagrancy.*

From the investigation made by the Social Board it appears that the vagrants proper—tramps, hobos, vagabonds—constitute the minority of those who have been taken charge of at the State labor colonies. In the vagrancy law now in force as well as in the bill presented to the Government the vagabond type is given the first place just as it has given the law its name. In the Government bill which has been submitted to the present session of the Riksdag the strongest emphasis has been laid on the parasitic, socially noxious mode of life. At the same time the name of the law has been changed so that instead of vagrancy it now has reference to a vicious mode of life.

In the 2nd and 3rd clauses of the bill it states what is meant by viciousness. The clauses read as follows:

Clause 2. "A vicious person is a person who, having turned eighteen, wilfully neglects to maintain himself by honest work according to his power and (a) who, wandering abroad or otherwise leads a life which gives reasons for supposing that he in other ways than what is referred to in clause 3, gains means of subsistence in a dishonest manner or which constitutes a danger to public order and safety; or (b) who begs alms or allows any child under his care or custody to do so or causes children or others to do so on his behalf."

Clause 3. "A vicious person is also a person (a) who, having turned eighteen, practices lewdness in occasional connections and, in addition beguiles any young person into lewdness or by his way of life causes special danger of such beguilement or by importuning for



immoral purposes gives offense in such a place as is referred to in chapter 11, clause 15 of the criminal law or by his mode of life disturbs persons residing in the neighborhood or others; or (b) who, having turned eighteen but not 21, without such particular circumstances as are referred to in (a), practices lewdness in occasional connections with the consequence that manifest danger is at hand that he will not maintain himself honestly according to his power."

By this stating of the law regard has been paid to a great many wishes expressed in discussions on the vagrancy problem in this country for some years back, and among others to those of the author of these lines.<sup>30</sup> These wishes are partly the removal of the vagrant mode of life as the characteristic of social parasitism and partly that lack of means should not be set as an essential condition for the exercise of the law, where as parasitism is emphasized as a fundamental characteristic of the category in question.<sup>31</sup>

The chief object of the treatment is of course to convert as far as possible the dangerous social parasites into socially adjustable individuals, which ought to be brought about partly by accustoming them to settle work during a long period of time and partly by removing them from the bad environment which they are bent on searching out and which is favorable to the development of their bad qualities. From the experience regarding male vagrants as well as prostitutes it is clear that there are two distinct groups: the socially adjustable and the socially unadjustable. As regards the latter group the treatment can plainly be simply a "rendering harmless" and it must be remembered that this "rendering harmless," in as much as it prevents the unadjustable one from leading a life of misery and crime and at the same time compels him to lead an industrious life at an institute or labor colony also compels him to an existence more worthy of a human being.

It is a matter of course that also with regard to the socially adjustable the treatment must be combined with constraint of a varying degree according to the character of the case. To reform these individuals who, owing to their bad propensity are irresistibly drawn

<sup>30</sup>O. Kinberg: Om s. k. lösdrivare och deras behandling; *Svenska Läkartidningen*, 1924.

<sup>31</sup>The 485 inmates of labour of colonies who have been the object of the investigation of the Social Board have been taken charge of by Society and at its expense during a total of considerably more than 2,000 years and approximately a million days. With a daily cost of 5 kronor—this means about 5 million kronor—a little over 10,000 kronor per vagrant treated. For inmates over 50 the average cost is 25,000 kronor, i. e., the public has spent on each of these elderly vagrants an amount corresponding to the value, of a medium-sized Swedish farm.

to the dregs of society as soon as they have the chance of following the dictates of their nature, only by moral influence and philanthropic work and without the possibility of constraint, seems to me to be an abortive enterprise in most cases.

Regarding the manner in which this treatment should be carried out I think it is necessary partly to take up new courses. Hitherto it has developed upon the police authorities to take the first step in the treatment, viz., the discovery of the dangerous social parasites. As above-mentioned the intervention has as a rule occurred only in cases where a social parasite has committed any special misdemeanor. Thus it is largely chance and perhaps also the different degree of cleverness the parasites show in concealing their doings which determines the cases that come under treatment and one has therefore occasion to assume that the greater the intelligence and cunningness, i. e., the greater the dangerousness of such an individual the greater chance has he of entirely eluding intervention.

A great drawback is also a stereotyped and psychologically ineffective treatment with its fixed internment terms and the absence of measures for preventing the discharged inmate from seeking out his old harmful environment.

To drain society of criminal or otherwise dangerous social parasites on account of their mode of life is of course a matter which concerns all citizens and which in my opinion not only requires intervention on the part of certain authorities but also the cooperation of the citizens. Such a cooperation should to begin with be brought about by consigning to a local board the task of watching over the dangerous social parasites and taking steps to prevent their socially noxious activity. Such a scheme has already been proposed in England where, by a regulation in 1913, the Board of Guardians in certain districts outside London were authorized to form Vagrancy Committees; a kind of board constituting headquarters for the care of vagrancy in each county. Whether these boards have come into existence and what experience their work has been able to furnish is not known to me.

An important novelty as to the procedure for the treatment of vagrants is that a special Communal Board, the so-called Protective Board has been introduced in the bill as the organ which has at first hand to take charge of the vagrants.

There is a very particular reason why this country, in the treatment of dangerous social parasites, should seek the cooperation of citizens as members of Communal boards, and this reason is that the

same method of working has already been tried with regard to another group of harmful or dangerous individuals, viz., the alcoholics. The affinity between these two groups is illustrated both by the fact that 51.1% of the vagrants are alcoholics according to the investigation of the Social Board and also by the fact that among those admitted to the Venngarn Inebriate Reformatory, 46% were punished for crime.

Since nearly 15 years back the communal boards which by the Swedish Inebriate Act should take their share in the treatment of alcoholics, have been at work and it is undeniable that, in spite of a number of imperfections manifested in certain quarters, usually owing to deficient knowledge of the contents of the law, this organization has shown itself to be appropriate to its purpose on account of the great possibilities in adapting the measures to the nature of the case, as well as by the fact that gradually a large number of citizens have acquired a rather intensive knowledge of such individuals as abuse of liquor in such a way that the law is applicable to them. This latter fact that in society there exist a great number of men who, owing to personal activity have a close acquaintance with such social phenomena as are treated by administration and legislation, seems to me very important as it is quite certain that a number of prejudices against social intervention and thereby connected possibilities of becoming incongruous, socially noxious and reactionary are largely owing to an almost entire lack of knowledge of the matter in question. Thus I mean that a Communal board operating on the same principles as the inebriate boards and which ought quite naturally to take over the work of these with regard to that form of parasitism or social dangerousness which is founded on abuse of alcohol, would be an important factor in spreading abroad in the community a knowledge of that phenomenon which is now termed vagrancy, of its import and danger to society. At present we take it that only such persons as in their official capacity have had to take charge of the individuals in question and a very small number of private persons who for some reason have happened to acquire experience of the vagrancy problem, possess any real knowledge of the nature and mode of life of the individuals in question.

As a great part of the dangerous social parasites, as has been mentioned above, consists of highly criminal individuals and as it devolves upon the police authorities to ensure order and security in society it is evident that the police authorities should continue to deal with these elements as before. It also lies near at hand to con-

ceive a division of work between the police and the Communal board, in the same way as is now done according to the Inebriates Act. Thus the police should deal with the more dangerous cases and also such cases as, after having been dealt with at first hand by the board are consigned to the care of the police, while the board should attend to the less dangerous cases. For the rest one might to a large extent follow the regulations of the Inebriates Act according to which preventive measures as well as measures after the termination of the internment period and as a rule the initiative with regard to the internment should devolve upon the Board.

Also from another point of view it is in my opinion important not to underrate the informing factor as regards the individuals in question which is provided by the cooperation with the community in their treatment. As long as society was ruled by a more enlightened oligarchy it was of minor importance what opinion the great mass of people had with regard to social phenomena requiring intervention from the State. Nowadays, since the bulk of the people have gained a certain influence in the affairs of State it is on the contrary of the greatest importance for as many as possible to acquire a real knowledge of the social phenomena which the representatives of the people have to control.

Regarding the nature of the methods of treatment it is self-evident that they must be just as varying and supple as those which are applied to alcoholics by a wise and experienced temperance board. It is also clear that internment must be resorted to only as *ultimo ratio*, and that preventive measures ought thus to be practiced with regard to all who are socially adjustable unless their dangerousness is of such a quality as to call for immediate internment. For the unadjustable, too, internment must of course be resorted to at once.

Both for rendering the unadjustable ones harmless and in order to gain results in the case of the adjustable ones it is necessary that the term of internment be relatively indefinite with a high maximum and the subsequent treatment of some length.

In the present vagrancy law it is directed that any person who "on account of defective mental qualities is unable to procure a living" must not be admitted to a labor colony—this regulation is however equivalent to declaring that those persons for whom the labor colonies really are intended must not be admitted to them. For the vagrant is, as has been shown above, just the sort of person who *on account of his turn of mind* is unable to support himself by work as soon as he is left to his own devices. Regarding those who are more or less in

a state of invalidity from bodily causes it is to be noted that in their case also it is in the first place their mental state which necessitates their treatment according to the Vagrancy Law. It is namely on account of their turn of mind that they as a rule cannot be treated at other charitable institutions even if they could be induced to remain there. Only in the case of such as on account of age or illness are in a state of total invalidity and for whom hospital treatment is necessary should such a regulation be appropriate, but as regards these it would probably be unnecessary because as the time of discharge should no longer be fixed beforehand, but can be effected at any time by proper authority it is obvious that when advisable they be transferred to hospital or some charitable institution.

In the bill of 1931 these facts have also been taken into consideration. It is directed in clause 30 that such a depraved person as is permanently incapable of work may be admitted to a labor colony for vagrants if his condition is such that he cannot without inconvenience be treated at a hospital or charitable institution.

Regarding the socially unadjustable where the treatment can aim only at rendering them harmless and at the same time forcing them to lead a life more worthy of a human being, more supple measures must be effected than those which at present are at our disposal or are contained in the Bill.

For those unadjusted ones who are highly dangerous permanent detention at an institution is clearly the only rational treatment. For the less dangerous on the other hand some form of general work under certain constraint in some kind of labor colony or otherwise would seem to be a more suitable treatment. Many of these individuals may be quite industrious and manageable as long as they are under supervision but nevertheless completely incapable of being at large in society without sinking to crime and parasitism. Permanent detention is for them an unnecessarily severe intervention and it is possible that a kind of custody which more nearly resembles the life of a freeworker, without those opportunities of decay which unrestrained liberty involves, would be satisfactory. It is also possible to consider a sort of family custody for certain of these individuals with a certain restraint on their liberty but for the rest a mode of life which resembles that of a free agricultural laborer or craftsman.

It is of course very important to strive for some means of distinguishing between a genuine seeker for work, unemployed on account of strike or trade depression and the parasite whose seeking for work is only a pretext and who when he is offered work hurriedly

takes to his heels. The diagnostic value of an arrangement by which the serious intention of the seekers for work might be tested in an undisputable way is strikingly shown by some reports in Pagnier's<sup>32</sup> work. He relates that in Paris there is a charitable institution of shopkeepers where any person can obtain three days' work—as temporary assistant—at 4 francs per day—before the war. Of the 727 persons who applied for such work only 312 accepted the card which entitled them to work and only 174 put in an appearance at the institution. Thirty-four out of the 174 asked after half a day's work for their two francs whereupon they disappeared; 68 worked a whole day, 51 two days and only 18 three whole days. From another institution of the same kind, that of Father Robin, it is stated that out of 700 vagrants who were offered work only 11 accepted.

Finally I wish to hold forth that labor colonies are and must remain institutions principally for abnormal individuals who are socially dangerous. This characteristic has already been recognized in Norwegian legislation. The Norwegian criminal law decrees that when an indicted person who is acquitted or for certain reasons sentenced to reduced punishment is found to be dangerous to public security on account of irresponsibility or impaired imputability the court can make a resolution that after a further decision by an administrative authority he is to be given work or placed in a charitable institute or labor colony. The labor colonies correspond as regard their character and methods of work to the institutions for abnormal criminals which were established in this country in 1927. As the labor colony is in reality an institution for abnormals it follows that there should be an alienist at every such colony. There are repeatedly cases at such institutions where the experience of an expert on mental diseases is necessary for questions of discipline and other matters. It is also important that hystericals and pure simulants do not succeed in obtaining by more or less artificial "psychoses" a premature discharge from the institution. As long as the Karlskrona institution, now closed, was in use this sort of thing occurred so frequently that the doctors at the Stockholm mental hospital had a special term for these cases: Karlskrona psychoses. A step in this direction has already been taken by the board of the State labor colony of Svartsjö in that an alienist was appointed there several years ago.

It is a matter of course that all the above outlines of measures against dangerous social parasites are of a symptomatic and not a causal nature and that thus they do not tend to prevent the genesis

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<sup>32</sup>*Pagnier*: loc. cit., p. 58.

of vagrancy. This applies of course to the imperfect measures to combat vagrancy which have hitherto been exercised in this country. As the investigation of the Social Board has shown that direct descent from vagrants in the clientèle in question is rare the increase in number of such individuals as possess tendencies to vagrancy can thus hardly be said to be dependent on the deficiency of the existing social measures against vagrancy.

On the other hand ameliorated symptomatic measures against vagrancy may contribute towards a decrease in the number of individuals with endogenous tendencies to dangerous social parasitism only in proportion as these measures actually although unintentionally by internment or in other ways prevent vagrants from procreating themselves.

To form an idea of whether the number of vagrants is on the increase or decrease is of course impossible, as on the one hand we are unable to estimate even approximately the present actual number of vagrants. On the other hand the number in custody, as has above been shown, has decreased prodigiously in a very short time, although social and other factors point to the fact that the actual number of vagrants during the time between the beginning of the first investigation and the end of the second must have increased.

In other countries where the intervention against vagrancy has been more energetic than in this country the opinion is that vagrancy is on the increase. Thus Pagnier advocates that the miserable army of vagrants has not only terribly increased in number but also changed in quality so that it does not consist as formerly of poor, wretched, lazy but harmless creatures, but for the greater part of a dangerous lot: professional slackers or bandits, always on the look-out for some "coup-de-main," individuals who display insolence, create terror and often repay hospitality with coarse threats or cruel deeds. Pagnier also relates that the *Société des Agriculteurs* estimates the number of vagrants in France to 400,000, in 1910. If one assumes that the French figures are correct and that the frequency of vagrants in Sweden is as great as in France this would imply that the actual number of dangerous social parasites in Sweden constitutes over 56,000.

It cannot be denied that we are up against a phenomenon which on a superficial inspection may perhaps seem paradoxical: on the one side ameliorated social circumstances, a raised economic standard for large classes of society, great increase in the intervention of society on all points where social foresight for the benefit of the

individuals is desirable; on the other hand rise in number and an increase in dangerousness in those whom Pagnier characterizes as the refuse of the process of civilization, *le déchet social*. If we regard this phenomenon from a biological point of view its paradoxical nature disappears. In nature everything which is imperfectly adapted to existing circumstances of life is doomed to perish at an early age and is thereby deprived of the possibility of propagating itself to the same extent as that which is better adapted. Primitive and poor societies do not and cannot afford to nourish feelings of sympathy for that which is weak and less viable. Rich societies which are more developed as regards humanity and where those who are better equipped and circumstanced can afford to spend large sums in helping those who are less capable and thereby prevent them from perishing through misery and want, have through the complicated organization which has been put into action in order to attain this object more and more departed from the natural state in proportion as this organization has been perfected. But even if hereby great advantages have been gained in the form of increased security for the citizens and a higher moral level, these in themselves great advantages are counterbalanced by a very grave drawback. By securing a longer lease of life for the incapable ones by measures which from a biological point of view are artificial and by procuring them better economic circumstances society has given them considerably greater possibilities of procreating themselves than they possessed under more primitive social conditions. As the less capable individuals I have in mind chiefly mental defectives) according to experience have a tendency, closely allied to their little developed sense of responsibility, to procreate themselves without other limitation than that which nature determines, while at the same time a growing refinement of civilization among the more fit entails a tendency to greater limitation as regards procreation, one finds in this a factor which must act in the direction of a constantly deteriorated proportion between the eugenically valuable and the less valuable of the population. This progressing eugenic deterioration of the stock may be counteracted either by reducing the procreation possibilities of the mentally deficient or by augmenting the procreation tendency of the eugenically valuable or by both means. How to cause an augmented procreation on the part of the eugenically valuable is impossible to say for this is a question of modifying deeply rooted habits, ideas regarding the position of woman in the home and outside it, and general theories of life, without there having occurred any change in the social en-



vironment which necessitates a modification in this direction. It is easy to understand that preaching does not help. As a matter of fact it is a demand that numbers of people shall, solely with regard to socially dangerous phenomena which will set in some time in the dim future, long after those people on whom the demand was put have ceased to exist, change their mode of life in such a way as is perhaps contrary to their innermost opinions and in every case implies that they must submit to heavy economical sacrifices and a profound change in the nature of their married life and their home. I am also convinced that the opinion expressed by the saying: *après nous le déluge* is so deeply human that every attempt to get people to react without constraint in a struggle against this is destined to fail. Besides, an augmented procreation of the valuable ones is not sufficient as it could only favorably affect the *relation* between the valuable and the less valuable in society, whereas, it is a decrease in the absolute numbers of the defectives which is necessary for the counteraction of such noxious social phenomena as criminality and parasitism.

In order to gain this there is no other way than to take measures to decrease the procreation of the mental defective. The first wavering steps in this direction have already been taken in the legislation of this country. It is outside my scope to speak in this paper of the measures which ought to be adopted in order to follow up this line of social development. Maybe the road is difficult but certainly it is the only possible one if we wish to prevent the society of our descendants from being overrun by socially incapable individuals of all kinds, who, being solely consumers, rob the valuable ones of the fruits of their labor and besides to a great extent criminal, spread discomfort and insecurity in society.

Perhaps the finest characteristic of the present-day civilized society, viz., the care of the weak, thus requires as a necessary complement, in order not to ruin society, a limitation of the procreation of the mentally deficient.