

us most urgently to neglect no means whereby cure or improvement can be induced, and I trust most cordially that this short contribution may in some measure assist in working out this design, and that the employment of the constant current may hereafter come to be regarded as of value in the therapeutics of epilepsy.

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#### 4. *Austrian Retrospect.*

By A. R. URQUHART, M.D.

*Criminal Anthropology, being a digest of the writings of Professor Benedikt of Vienna.*

At the last International Medical Congress held in London, Mr Gladstone made the memorable remark that "Doctors are the future leaders of nations." This saying, however, by no means applies to therapeutists, but to biologists. Modern biology has revealed fresh methods of knowledge, and given new directions to all sociological studies. The psychology of the future will be an applied science of cerebral anatomy and physiology. And so with criminal psychology, for it is the most natural course to start primarily in the study of the science of crime, and in the science of its prevention, from the criminal act itself, which is no other than a manifestation of the psychology of the criminal. And to study the innate qualities of the criminal, his education, the biographical details of his life—education in the widest sense)—that is the train of thought of the criminal anthropological school.

##### I. *No exact science should start from metaphysical premisses.*

Ancient law was grounded upon such philosophical ideas as free will, responsibility, and the notion of right and wrong; and it remains a sad ethical fact that the fear of eminencies, excellencies, and consequences (which I jestingly call *enzophobie*) should cause a neglect of the principles laid down a century ago by Kant, in that work of mental deliverance, the "Criticism of Pure Reason."

Nowadays no student of nature starts in the study of the laws of nature from the metaphysics of force and matter. He rather observes the laws of phenomena. If he takes any interest in metaphysical questions he devotes his attention to them, apart from the material constitution of his branch of knowledge. For instance, a Tyrolese sharpshooter never neglects to aim his gun, however strict his religious notions may be. It is true that Providence may give his bullet any direction whatever, but the true believer is quite aware that Providence submits to the laws of projectiles. If, therefore, it is our experience that the highest principle of liberty in the whole cosmos lays aside all arbitrariness in favour of existing laws, we can surely study the laws of psychological phenomena without prejudice, and without being

continually tossed hither and thither on the giddy sea of the metaphysics of psychic forces.

Those who are materialistically inclined must, however, be asked to consider that psychical processes are performed in molecular processes within the brain, and that it must be admitted that there is a possibility and a probability that the resolutions and acts of men may have in each case another issue than they intended. If, therefore, they cannot compute and predict with certainty the vacillations of the ideas and sensations that lead to a resolution, it may be indifferent to them if in doing so there is any question of liberty or restraint—or of an equilibrium, which we believe to exist, but which is not to be computed by us, an equilibrium of opposing processes with a predestined issue.

II. *The second important principle in exact science is that of Nomenclature.*

It must consist of unprejudiced expressions. The science of law has not adopted this fundamental principle, inasmuch as it uses such expressions as "guilt," "punishment," "penalty," which involve distinct moral philosophical ideas. This is a chief cause of confusion in judicial proceedings; and by correcting this error, the doctrines of modern science can be incorporated with law without difficulty, and without violent transformation. When the honoured president of the Supreme Court of Hungary read my book "On the Brains of Criminals,"\* he said, no doubt in jest: "Lawyers will have to burn their old libraries now!" It may be that an enthusiast, here and there, will take this remark in all seriousness; but we may say that the development of mankind in general will not be rendered futile by a new idea, and that the contribution of a generation or a school is but a small brick in the historic building.

The results of the positive evolutional or criminal anthropological school will be an important and a new instrument for the guidance of jurisprudence; but the doctrines of this school no more represent law than the compass meant the science of navigation. They are already ripe, and may be universally accepted.

It is a universal experience in the history of science that the artificial precedes the natural system. This has been the case in the science of crime.

It was not primarily the intention of the reform and transformation of jurisprudence that led the chiefs of the criminal psychological school to study the subject. It was rather the psychological interest of the question. The great poets especially studied all kinds of crime, and endeavoured to analyze them psychologically in their legal aspect. But this could only be done in the case of problems for which the material

\* "Studien an Verbrechergehirnen."

of normal psychology was sufficient. Jurists, however, have constructed for themselves an artificial psychological ideal, which has no relation to the real psychology of the great majority of criminals. It is as if we sought to measure the actions, thoughts, and feelings of a Tasmanian by a European standard.

The psychologists entered upon the scene, and pointed out a large number of cases of pathological disturbance and pathological organization. They were, however, only too often seduced to explain as pathological what was peculiar and defective in organization. This is just where success has now been achieved. The interpolation of the second group between the first and the third permits us to find our bearings in all the facts of criminal psychology.

I have divided the criminal classes into four groups :—

1. Criminals of normal psychological organization.
2. Criminals by diathesis—neurasthenic.
3. Criminals who are mentally diseased.
4. Criminals of degenerated type.

GROUP 1.—Criminal acts, active and passive, are often committed by normally constituted individuals by reason of defective education, temptation, passion, apathy, etc.

GROUP 3.—The facts and investigations of large numbers of crimes have proved that many were committed during a pathological condition, protracted or transient, by those suffering from epilepsy, hallucinations, or congenital imbecility. These latter are recognized with difficulty by laymen, who are less instructed than they should be, and because it is only after continued systematic observations in confinement, very frequently only on necropsy, that conditions are revealed which had previously escaped the eye of the expert. Even in clear cases of this category justice has been at a loss, and its measures have failed to protect society—although that is its chief practical end. The mentally diseased have been at most relegated to a hospital from whence they have been often soon dismissed. The justice of the future will actively protect society by considering the probability of such individuals again committing similar crimes from the same cause, and will keep them under legal observation with the assistance of specialists. This has been adopted in Belgium, and the Belgian Inspectors General of Prisons have now under continued supervision all those that have been found not guilty on the score of manifest insanity. It is a well-known fact that there is in prisons a great number of mentally diseased and epileptic prisoners, whose condition was not recognized at their trial, nor even during their detention by doctors of no psychiatric training.

GROUP 4.—Degenerated individuals by their diathesis are so constituted that the deep, innate lacunæ in intellect, sensation, and psychic impulses and retardations cause them to have no power of resistance against crimes as soon as they are placed in circumstances which may lead to such acts. These form the category of great

criminals; they can be diagnosed during life by the shape of the defective cerebral organization, by the abnormalities of the skull. Their biography, their acts show that we cannot speak of their "responsibility" in the sense hitherto attached to that word. They do not possess that abundance of noble impulses and retarding concepts that protect the normal individual, although we must not say that they are entirely devoid of retarding concepts—such as the police and the executioner. They experience an inward struggle which does not lead to a moral victory, but they plan their acts and seek to escape the consequences, albeit with enfeebled strength of mind. Born criminals of this class are always occasional criminals, and *vice versa*. Given circumstances lead them to each particular criminal act. These cases present the greatest difficulty to present legislation. The psychologist knows that he has to deal with an "irresponsible" individual, and the judge knows that his functions would be paralyzed by the acquittal of such persons. They are a most dangerous class, and the certainty of their dangerousness increases with the signs of their degeneration. The principle of free will in many cases compels punishment against the feeling of present-day legislation or acquittal in opposition to the common sense of mankind in reference to the setting free of such persons.

GROUP 2.—The most prominent psychological element of this group is *neurasthenia*, physical, moral, or intellectual, or a combination of these forms. It is either congenital or acquired in infancy, and is not so much absolute weakness as premature exhaustion combined with a painful sensation of weakness.

If a child soon grows tired of the muscular movements which ought to give it pleasure, and from which are developed the first elements of pleasure in labour, and if it suffers from a sensation of discomfort there soon arises a *physical neurasthenia*, an avoidance of labour, a resistance to work.

Similarly, the child learns what is displeasing to parents and teachers, and soon by experience recognizes the disagreeable consequences. Hence are developed retarding concepts. But if an individual possesses from childhood no strength to resist momentary excitations, nor to follow better impulses when the struggle within produces a feeling of intense disgust, he becomes a victim to *moral neurasthenia*. It develops into a habit of avoidance of moral labour, and in time he escapes the combat; his philosophy is to escape. Morals do not exist in the individual *d priori*. Moral sentiments and ideas are the product of the development of the human species. In the individual they are the product of the individual experience. The neurasthenic individual suffers from moral impotence, not from moral dementia—from feebleness of resistance and impulse, not from want of resistance and imperious impulse.

To enjoy the beauties of Nature and of Art labour is necessary. This fatigue is avoided by the individual who labours under *æsthetic*

*neurasthenia*. The desire of enjoyment may even be violent, but finds vent in the gambling hell, and such places. There is also a certain activity demanded by the legitimate joys of love. Love has to be gained and preserved. Therefore it is only the most frivolous that attract the neurasthenic. Disreputable houses are not so much the breeding beds of crime as the natural homes of the criminal.

*Intellectual neurasthenia* is secondary in importance, and need not be described at length.

The fundamental element of *Vagabondage* is physical neurasthenia, and when a lively craving for enjoyment is added to the avoidance of labour, the thief, the forger, the brigand, and so on, are formed. Here we meet with a social factor. The wealthy neurasthenic will be a useless, frivolous, noxious element of society, but will not come into collision with the law. If he is rich he will not be a vagabond; nor, without complications, will the vagabond commit a crime.

Neurasthenia may be more or less habitual, or may appear in an epileptoid manner (to speak with Trousseau), that is to say, under a passing form, appearing from time to time with a regularity more or less accentuated.

This group comprises professional criminals, that is to say, those whose existence is professionally founded on criminal acts. But they are not to be regarded as insane. Their endeavours are perfectly reasonable, even just. They wish to gain a livelihood and to enjoy life. They are distinguished from men of normal organization by being unable to attain those objects by active labour, and by using means which are prohibited by the natural laws of society. They recognize the necessity of these social institutions by adopting analogous arrangements in their own associations. At times they are capable of heroism, morality, and generosity. They are not pathological individuals, but are distinguished from normal man by their different diathesis ("art des seins"). There are, of course, among them cases which link them with the insane and the degenerated.

There are two psychological elements to be added in the case of criminals who commit crimes of violence. These are a want of compassion and a callousness to the sensation of pain, and a diminished vulnerability. These are sources of cruelty, for the individuals so constituted are deprived of the virtue of compassion. They consider themselves privileged, and despise and torment others.

The element of superior physical force, uncompensated by the consciousness of other qualities, is also worthy of mention, for, as every man desires to make the most of his superiority, he resists with difficulty the desire to abuse it. When these cases of moral neurasthenia, incapable of resisting strong desires, occur, the brigand comes completely formed from the hand of Nature, as Athene from the head of Jove, as the type of the conquering barbarian.

One more psychological phenomenon remains to be described. I have called it the tickling of virtuosity (*virtuositäts-kitzel*). It is

the joy of acquired dexterity and capability which lead to the attainment of criminal aims. A side-branch of this is the conspiracy mania, plotting which may be epidemic or endemic, or even continue to flourish after the cause for the plotting has disappeared.

(*To be continued.*)

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## PART IV.—NOTES AND NEWS.

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### THE MEDICO-PSYCHOLOGICAL ASSOCIATION OF GREAT BRITAIN AND IRELAND.

The Quarterly Meeting of the Medico-Psychological Association was held at Bethlem Hospital on Thursday, June 6th, 1889. Dr. Savage in the Chair. Among those present were Drs. H. Hayes Newington, E. B. Whitcombe, Charles T. Street, T. Outterson Wood, Fletcher Beach, D. Hack Tuke, Richard Greene, A. MacLean, P. W. MacDonald, David Bower, James Adam, J. Murray Lindsay, F. Wyatt Thurnam, Henry J. Hind, J. Beveridge Spence, E. W. White, S. Rees Philipps, E. Cuthbert King, David Nicolson, Edwin Swain, P. E. Campbell, Thomas Lyle, Geo. H. Savage, W. M. Harmer.

Letters were read on the question of pensions from Dr. Clouston, Dr. Urquhart (enclosing copy of Scotch memorial), Dr. Greene, and Dr. Campbell.

It was proposed by Dr. TUKE, and seconded by Dr. SAVAGE, and carried unanimously, that Dr. Kovelevsky, Professor of Psychiatry and Neurology, Karkoff, Russia, should be a Corresponding Member of the Association.

The following gentlemen were elected Ordinary Members:—Ed. Hobhouse, M.B. and B.S., Oxon.; Samuel Simpson, M.B. and M.C.H., Dublin, Assistant Medical Officer, Peckham House, Peckham; Edwin Goodall, M.D., M.S., Lond., Guy's Hospital; Dr. Peacock, L.R.C.P. and L.M., Edin., M.R.C.S. and L.S.A., Lond., Resident Medical Officer and Proprietor, Ashwood House, Kingswinford, Dudley, Staffordshire.

The CHAIRMAN then called upon Dr. Murray Lindsay to open the discussion on the question of superannuation.

Dr. MURRAY LINDSAY said this question of superannuation was a long and weary one, but to them all-important and vital. They had, no doubt, all foreseen the difficulties and danger surrounding this matter, which certainly had not lessened, but had decidedly increased of late, till they had now reached a very critical stage. They had not been rendered less or been improved by the new *régime* just commenced. The whole tendency of legislation and of officialism in recent years had been to ignore the best interests of the insane, to disregard the interests of the asylum officials, to ignore to a certain extent the medical element, and to increase the clerical and administrative work of the medical officers. Proof of this was found in what was passing in Parliament and in the County Councils. The recent appointment of Lunacy Commissioners was only another indication of the treatment meted out by officialism to men in their department, some of whom were well fitted for and thoroughly worthy of such promotion, but who had received a decided slap in the face and on whom an unmerited slur had been cast, for surely it could not in fairness to their claims be contended that there were no fit men in their own specialty to adorn such a post. (Applause.) Again, he had yet to learn any special fitness on the part of barristers of ten years' standing for the post of Commissioners in Lunacy. (Hear, Hear.)