of the court’s decisions he says "... that judges are frequently regarded unconsciously as
parent substitutes. thus one cannot help wondering whether the activist judge who refuses
to defer to the popular will as it finds expression in legislative enactments, and who seeks
instead to substitute his views for those of the legislature, may arouse in legislators (and
ultimately in the electorate) parent-oriented dependent needs and feelings akin to the
needs and feelings engendered in the citizenry by the leaders of unduly supportive or
dictatorial regimes.” Later, in speaking of judicial self-restraint, he says. "[when these
judges] permit the dominant opinions of legislators to find reasonably free legislative
expression, it can be argued that these judges are acting in a manner similar to that of
the superego of the emotionally mature person which seeks not to try to impose upon
him what are really the values and goals of others, but rather to allow his own values
and goals to express themselves.” Mr. Schoenfeld believes that both judicial activism and
judicial restraint are useful and desirable.

I found myself intrigued by looking at the Supreme Court in this manner, never having
done so before. We have recently seen how successfully the “balance of power” of our
government can prevent total disaster in our country and how the Supreme Court can
act as a strong-willed parent. To explain these actions in psychodynamic terms may
possibly open up a new area of study and consideration which could eventually see us
taking actions because we understand them, not “just because.”

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Reference

CIVILIZED MAN’S EIGHT DEADLY SINS. By Konrad Lorenz. Translated by M. K.

In Konrad Lorenz’ small book, we learn about an interesting animal, the Argus
pheasant. This bird has outstandingly beautiful secondary wing feathers, and they play
an important role in courtship. The Argus hen has built-in mate selection biases, and
the likelihood that she will mate with any male is proportional to his feather display.
This trait encourages selective breeding, which enhances these feathers, and successive
generations of the bird become increasingly beautiful.

From the standpoint of preservation of the species, though, there is a disadvantage in
the Argus cock’s beauty. The development of those wing feathers hinders the bird in
flying! Thus competition for breeding within the species, with enhancement of the
characteristic feathers, has led to a situation which is prejudicial to the survival of the
species itself. (Though Lorenz does not speculate as to what kind of conditions might
have rendered this characteristic of the bird as a positively survival-enhancing one when
it initially developed, the important point is that it is unadaptive today.) Conditions
have changed; behaviors which were survival-enhancing in one epoch have become
survival-handicapping in another.

Man is also an animal with characteristics which, though once survival-enhancing, are
now survival-negative. Lorenz, as an ethologist (a student of comparative behavior), is
interested in these characteristics and how they relate to the present and potential future
statutes of “civilized man.” He inquires into the limits of adaptation that constrain man’s
being able to live in society, and he focuses on eight “sins” that prejudice our species’
survival.

Lorenz is a man who feels that civilization is in a precarious state, and he obviously
feels that many things should be changed. He does not explicitly follow the logic of the

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policy-maker, but he seemingly tries to operate within the rubric of that logic.* Rather than attempting to catalog the development of modern "problems" in any systematic or exhaustive way, he merely touches on some aspects of our present-day situation.

Lorenz sees, as the characteristic of man ultimately lying at the base of his contemporary problems, his intelligence with the capability of insight into the environment and his consequent manipulation of it. Eve's eating the Apple started it all. Most basic to the book's argument is the notion of secondary results of technology, namely overpopulation** and overcrowding. These lead to most of the other sins and in themselves give rise to "positive feedback" (i.e., a "vicious circle"). The more there are of us, the more we reproduce, creating more of us, creating more reproduction, and so on. Positive feedback cannot, of course, go on indefinitely. Sooner or later a catastrophic occurs, and the system changes.

Overcrowding and overpopulation give rise to various undesirable phenomena. We devastate our environment (Sin #2) and deplete our resources, both of which hasten the day of reckoning. We race against ourselves (Sin #3) in a feverish intra-specific competitive scramble. But as a race of winners, we look like Argus pheasants in our ultimate unadaptability.

With so many people and so much competition, we must perforce reduce our emotional involvement in others, and we must blunt our emotional responses to all but a selected few. Lorenz refers to this as "entropy of feeling." (Sin #4). The term is apparently derived from the notion that thermodynamic entropy refers to an undifferentiated or low information state, the behavioral situation occurring when all those in whom a person does not have emotional investment are regarded and treated alike. Our emotional blunting, our competitive and acquisitive haste, our greed, our sensory adaptation to a high level of comfort (which makes us overly reactive to minimal deviations from comfort and which motivates us to seek "instant gratification"), all contribute to a lack of ability to reflect upon our universe and ourselves. Without such ability we cannot develop a true moral sense; instead we are overly subject to superficial indoctrination (Sin #6) and tragic mass blundering.

Obviously, despite the vast technological accomplishments of our culture—the inconceivable complexity involved in the creation of nuclear weapons (Sin #8)—the adaptation or reinforcement systems which have brought mankind through history to the present state have defects. Notwithstanding our intellectual triumphs, we humans are all still highly subject to anti-survival tragedies (and some of us are more subject to them than others). Many people, especially young people, feel passionately that society itself contributes to such anti-survival situations and that it does so because of the outmoded life style and warped values of supertrentenarian fogies (like the writer and probably the reader). This leads youth to break (Sin #7) with tradition, at times violently. Young people are, as Lorenz sees it, justifiably repelled by aspects of our culture. Their elders, on the other hand, have often become confused by rapid changes in a complex social milieu. An inter-generational struggle, with youth rebelling and parents trying to preserve a vanishing world, has ensued. Lorenz asserts that when the phenomenon of youth's rebellion is appropriately contained, it helps culture to adapt flexibly. However, when highly charged to start with, then channelized and dominated by impulsive neurotics (who can exploit group affinity pressures to obtain followers), the youthful rebelling may lead to processes which could be quite destructive to mankind as a whole.

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* Policy-maker's logic is this:
1. What conditions of existence determine the present state of affairs?
2. What would be the effect of changing various combinations of those conditions?
3. What is the relative desirability of the potentially different conditions in relation to the present state of affairs? (It is important to have some uniform scales of comparison and to be able to place some value on a ubiquitous uncertainty factor.)
4. Select and implement the available differing conditions which are likely to change the present state of affairs in an optimal direction.

** Sin #1. His eight sins are a heterogeneous grouping, indeed in many ways an arbitrary one. Rather than listing them in his order, I shall try to abstract what seems to be his argument and indicate parenthetically each of the sins.
Lorenz finally sees as a consequence of the conditions of our culture a phenomenon of "genetic decay" (Sin #5). He notes that in many different historical and contemporary cultures there are laws based on similar general principles, and he postulates that these similarities are rooted in a genetically based, inborn sense of justice and altruism. He believes that there are individuals who are genetically deformed with respect to that sense of justice and that such individuals have an intra-specific competitive advantage because they avoid certain dangers which are faced by those who try to protect their fellow men or who sacrifice for their fellow men. (He does not mention the possibility that the defective ones may die faster than genetically complete persons, and thus an equilibrium may ensue.) The moral defectives are considered to be likely to proliferate more than those who meet such socialized dangers squarely. The species suffers, because for the over-all preservation of humans the presence of the "justice" genetic make-up is more valuable than its absence. He says, "If the progressive infantilism and the increasing juvenile delinquency are, as I fear, signs of genetic decay, humanity as such is in grave danger. . . . The individual, deficient in certain social-behavior patterns and the feelings that go with them, is indeed a sick man deserving our pity, but the deficiency itself is unmitigated evil" (pp. 58-59).

Lorenz' analysis of humanity's state stops with the discussion of the "deadly sins." He does not present a prescription which could lead to a belief that the redemption of mankind may be near. Indeed, except for a brief presentation of moral anecdotes and an optimistic statement about the United States' being ahead of Europe and, therefore, likely to be the vanguard of improvement, Lorenz, as perhaps his title requires, presents only the recitation of the sins. The book does close, however, on the reassuring note of expectation that mankind will somehow attack the problem and preserve its existence. Lorenz retains hope.

My own reaction to this book was one of confusion and unhappiness with it. Though a short book, it is poorly organized. It is a statement engendered by heartfelt dissatisfaction with modern times: yet the author says that he remains optimistic. He presents no realistic approaches to the problems he presents (though he does admonish the reader to be good and to associate with others who are good). Finally, his arguments and statements of the problems are in many areas open to question.

Though the looseness of the organization of his argument is frustrating, it can be followed with effort. The basic argument itself, however, seems to me to place excessive emphasis on overcrowding and overpopulation. Although some aspects of behavior, e.g., aggression in caged animals, are a function of crowding, overpopulation itself is not necessarily a function of population density. Population density is itself only a problem whenever "an area cannot adequately support its population."1

There are no more crowded places for aggregates of humans to dwell in than cities, yet cities have existed for perhaps 10,000 years. The effects of overcrowding noted by Lorenz, if correct, have nevertheless been with us for millennia. Whether the human race has been helped or harmed by them is a question, but there is no question that our civilization is founded on cities with their crowding. Perhaps a cultural organization based on cities leads ultimately to war, pollution, crime, and other adversities, but without the city we could not exist in our present numbers and life style, to say nothing of being able to have the "finer things," including moral sensitivity and responsibility, as well as philosophy, music, and the arts. Indeed, it is likely that the sense of justice as we know it, as well as the notion of formal law, have developed primarily because of the aggregation of people in cities.2 Thus the sense of justice may not be genetic but may ultimately be a function of city life!

The thrust of the foregoing is not to deny that the world is overcrowded. Any informed person is aware that present population and resource exploitation trends cannot continue long. Danger to the bulk of world population has been publicized even in the back country. The important point is that it is the entire earth as a planet which is overcrowded. High population density, or crowding, in limited areas, may be bad, but the race can tolerate it.

There is no point in going into Lorenz' argument about the genetics of crime. The issue has been studied and restudied, and no one has been able to prove hereditary
dispositions to crime. Even if one were to grant the possibility that there may be a genetic component to some criminal behavior, there exists no way of identifying it and thus no way of dealing genetically with specific criminals. Though Lorenz does not specifically make the point, sterilization of those genetically deficient in a justice sense is a logical proposal. Like preventive detention for those who are predicted to be violent or to commit sex crimes, that is an area for the forensic psychiatrist, among others. Who would try to identify the genetically justifiably defective? How could such a determination be made? How many of us would advocate the sterilization of the chronic recidivist unresponsive to our interventions at "treatment"? Worse yet, how many of us would advocate sterilization (or other drastic form of crime prevention) for an individual based only on his being the twin of a severe chronic recidivist—even of a Boston strangler? Even if there are genetic causes for some criminal behaviors, it is only chatty to talk about them now as if something could be done to cleanse the race of such defects. Lorenz, incidentally, notes several times that individuals who believe in the perfectibility of mankind through the application of psychological measures (especially Skinnerian behavioristic measures) are deluded. But here he is in part attacking a straw man. If Skinnerian methods, or psychoanalysis, or chemicals, can enable some improvement in some people, that is no soothing matter. Let us set reasonable goals for ourselves.

There is also another interesting sin of mankind, unmentioned by Lorenz, that appears to the writer to be among the deadliest of all. We are excessively stimulus-bound in our reinforcement and motivational mechanisms. That is, we are overly influenced by our immediate environment to the detriment of the big picture. We over-react to what goes on around us, and we do not respond sufficiently in our motivations and our reinforcements to more distant situations, even though in the long run they may be far more important to survival than the here and now. As a result, we do not always take the appropriate steps necessary to protect our welfare and enhance our survival. We frequently, in fact, take opposite ones. Alcoholism, drug abuse, much of crime, much of warfare and other violence, are functions of this overdetermined response tendency, which, however adaptive it might have been in the jungle, is clearly in many ways unadaptive in a technological society.

Thus Lorenz has not given sufficient attention to the sacrifices our increasing population is going to force us to. Merely providing food, clothing, shelter, and energy to the numbers of people who demand them is placing an intolerable burden upon the earth, and mankind now demands far more. We are indeed in a positive feedback situation with respect to dealing with our resources. Only our intelligence can direct us to make the appropriate sacrifices to save ourselves from drowning in our own waste, poisoning our air, radioactivating ourselves, and blowing each other up. But our intelligence won't be applied constructively if we don't use wisdom and a policy maker's logic devoted to the big scene. Yet our adaptive and behavior reinforcing mechanisms are programmed for the very immediate local scene.

I wish I could find grounds for as sanguine a view as that of Lorenz in the face of what appear to be survival mechanisms inappropriate for modern civilization, however effective they may have been in former environments faced by people. It is, indeed, an issue of "faith" rather than of "rational expectation."

Perhaps our individual actions will influence the ultimate outcome. If we believe so, we will likely do what we reasonably can to alter mankind's sinful state. If we believe not, we will probably contribute further to the species' potential demise.

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References