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## Charles Goring's the English Convict a Symposium

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CHARLES GORING'S "THE ENGLISH CONVICT: A SYM-  
POSIUM."

I. THE RESULTS OF AN OFFICIAL INVESTIGATION MADE IN ENGLAND BY

DR. GORING TO TEST THE LOMBROSO THEORY.<sup>1</sup>

[NO OTHER RECENT RESEARCH HAS ATTRACTED AS MUCH ATTENTION AMONG CRIMINOLOGISTS, BOTH IN AMERICA AND IN EUROPE, AS DR. GORING'S "THE ENGLISH CONVICT." FOR THE PURPOSE OF BRINGING THIS WORK AND THE REACTIONS OF OTHER INVESTIGATORS TO THE FUNDAMENTAL ISSUES THAT ARE RAISED BY IT TO THE ATTENTION OF OUR READERS, WE PRESENT HERE THE CRITICISMS OF THREE ITALIAN CRIMINOLOGISTS. WE EXPECT TO PUBLISH, IN OUR SEPTEMBER ISSUE, THE VIEWS OF AMERICAN STUDENTS.—EDS.]

GINA LOMBROSO-FERRERO.

At the closing session of the stormy Paris congress of 1889, Cesare Lombroso, after having wrestled for a week with some of his most persistent opponents, proposed to have a committee, composed of prominent representatives of the New and the Classical School, study 100 born criminals, 100 persons with criminal tendencies, and 100 normal persons. The findings were to be submitted to the next congress. The proposition was accepted. Lombroso, a member of the committee, promised to retract his theories if the results of the physical, mental and psychological examination of 100 born criminals proved to be identical with those of normal persons or those with criminal tendencies. Reciprocally he demanded that his opponents should acknowledge it in public, if the investigation resulted in demonstrating a difference between normal and delinquent persons. Though his plan was accepted, it was not carried out under the pretext that it was impossible to distinguish between the three classes with absolute accuracy. This so angered Lombroso that he refused to participate in the next congress.

Lombroso's challenge which Manouvrier and Topinard had refused to accept, was taken up a few years later by the director of English Prisons, Griffiths, who was well known for his intelligence, loyalty, and scientific standing. At the congress of Geneva he supported Lombroso's general conclusions on delinquents, especially in regard to prophylaxis; because, he said, certain convicts should never have been committed to prisons nor have been discharged from custody. During

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<sup>1</sup>From *Archivio di Anthropologia Criminale, Psichiatria, E. Medicina Legale*, Vol. XXXV, Fasc. 1, 1914. Translated by Dr. Victor Von Borosini.

this congress regret was expressed that the famous committee never had taken any action. Griffiths, who was then deputy medical officer of the Parkhurst prison, decided after his return to England to undertake the investigation in his prisons. His work came to the notice of Sir B. Donkin, M. D., visiting director of prisons, and Sir Smalley, M. D., medical inspector of prisons. They most heartily approved of it and encouraged Griffiths to extend his investigations systematically. The importance of the work was increased by placing it under governmental auspices. Some assistants were selected to help in the investigation which was extended to the prisons of Portland and Dartmoor, in which Dr. East and Dr. Foard were physicians.

Griffiths discussed the scope of the investigation with Donkin, Smalley and the persons to whom the work was to be entrusted. It was decided to start in on the first of June with the first person sentenced to prison on or after that date, and to continue until 3,000 individuals had been examined, regardless of whether they were newly admitted prisoners or convicts. Besides Griffiths the regular prison physicians were chosen as investigators. In 1903 Donkin had called attention to the notable scientific work of Karl Pearson, whose biometric had revolutionized statistics. It was decided to make use of the biometrical method in the presentation of the material. Miss G. Jones, assistant in Pearson's biometrical laboratory, undertook to assist and help the physicians in compiling and tabulating the figures. The year 1903 brought many changes in English prisons. Dr. Goring succeeded Dr. Griffiths as director of Parkhurst prison. Dr. Watson replaced Dr. East at Portland and Dr. Pitkairn superseded Dr. Foard at Dartmoor. Though Dr. Goring was opposed to the doctrines of Lombroso and the New School, he loyally continued the work started by his predecessor. He examined and investigated the characteristics of the prisoners, tabulated the material, and drew conclusions from it. Dr. Watson and Dr. Cooke assisted him. Thus friends of the New School began the investigation, and its loyal opponents continued it; this happy combination was the realization of Lombroso's proposal, made in 1889, to have the work carried on by representatives of both schools.

Another important factor: Dr. Goring and his assistants were not urged to hasten the publication of the results of their inquiry. They had ten years' time and then allowed the figures to speak for themselves, even though the conclusions were not what had been expected.

In order to get this result, so different from his preconceived ideas, Dr. Goring examined 4,000 instead of 3,000 prisoners and added to

the carefully planned schedule a number of pertinent questions. He submitted his report in 1913 to the government, which published it in His Majesty's Stationer Office under the title "The English Convict. A Statistical Study by Charles Goring. Deputy Medical Officer. H. M. Prison Parkhurst." The author explains the purpose of his study on page 18 of the introduction: "Now, although it is true that Lombroso's criminology is dead as a science, it is equally true that as a superstition, it is not dead. There is some quality in it, which has appealed to those imaginations, whose impressions of the criminal have been gained chiefly from newspaper sketches, from the romantic literature of picturesque villains, and from popular pseudo-scientific treatises. To register the extinction of this superstitious criminology, and to lay the foundations of a science of the criminal, truly accurate, and unbiased by prejudice, is the purpose of this investigation."

No book written in this spirit could be considered partial to Lombroso. It should be an inexhaustible source for his opponents, especially for those who want real facts. Instead, the book marks an epoch in the history of the new science and must be considered one of the most important and best arguments in favor of criminal anthropology, which the author tried to refute. Let me say here that, when I noticed that the scope of the investigation had been extended, and that it comprised a careful examination of 4,000 personally visited convicts, I began to read it with the ardour of a disciple and not with the acrimony of an opponent. It never happened that loyally recorded facts had refuted the theories of the New School. How could 4,000 convicts examined by Dr. Goring differ so much from all other convicts as to contradict Lombroso's theories? It is apparent that an opponent has written the book, for he states in many foot notes that Lombroso's theories are erroneous. However, before he began writing against Lombroso he had studied his doctrines and conceded that the master deserved some credit for his sincerity and good faith.

The crude figures, of which works on anthropology are generally full, are in this work, replaced by mathematical calculations gained by placing the crude figures in relation to probabilities of error, which Pearson calculated in his biometric. \* \* \* [Here follows in the original article an extended quotation from Dr. Goring's book: a technical description of the method of obtaining certain mean values and probabilities of error, by Pearson's mathematical formulae.—Eds.]

All possible errors in Dr. Goring's figures, caused by other factors besides delinquency, are in this way eliminated. I must confess that these figures frightened me; being afraid of anything which I cannot comprehend, I naturally distrusted them and feared that these com-

plications might have led the author to false conclusions. Nevertheless, I labored with the figures with the same anxiety with which a mother watches her child at his first public recital. How would our anthropology come out having passed through such a fine sieve? Would these complications not alter the results gained from this highly delicate material? I abandoned for this reason for a moment the study of the figures and began to peruse the conclusions in order to see what kind of conclusions were reached, as I could not foretell them from the figures.

“With our figures we have refuted the doctrine that the type of the born criminal exists; that therefore a human being exists predestined to do wrong, different from other men. Our inquiry shows that he does not exist, the mental and physical constitution of both criminal and law abiding persons of the same age, stature, class and intelligence are identical; but despite this negation and upon the evidence of our statistics it appears to be an equally undisputable fact that there is a physical, mental and moral type of normal person who tends to be convicted of crime. That is to say, our evidence conclusively shows that, on the average, the criminal of English prisons is markedly differentiated by defective physique—as measured by stature and body weight; by defective mental capacity—as measured by general intelligence; and by an increased possession of wilful anti-social proclivities—as measured apart from intelligence, for we find such tendencies in most intelligent recidivists—by length of sentence of imprisonment.”

Apart from this, the author concludes the criminal is normal. We are more than satisfied with this apart and we are convinced that the threatened refutation of the New School is based on ambiguity of words. Before Dr. Goring gives his conclusions he explains at some length that Lombroso was mistaken in calling delinquents abnormal or anomalous, because he believes that the word abnormal ought to be reserved for those who present real abnormalities, such as supernumerary fingers, bifid palates, and so forth, while people whose height or weight differs from the normal are defective, not abnormal. Having ascertained this difference Goring becomes more Lombrosian than Lombroso. He not only admits one but several criminal types. The thief differs from the incendiary; the former is taller but unstable, the latter more lacking in self-control, more refractory in conduct and more dirty in his habits. The thief is more distinguishable by the above peculiarities than the forger, all classes of criminals display these qualities to a more marked extent than does the law abiding public.

The author insists, however, that the difference lies in the constitution, not in the criminality. We absolutely agree with our opponent; I even want to thank him for his wonderful expression of our ideas. Yes, the difference between the normal person and the criminal is

constitutional. We further subscribe to the author's advice to study the constitution of the criminal in preference to his crime, and approve the following:

"If we select among 13 free individuals the one who is the smallest in stature, the most defective in intelligence, and with highly anti-social proclivities and compare him with criminals we find that he approximates more closely to our criminal population."

We agree with Dr. Goring and thank him for this curious test of which we had not thought. If he must examine 13 persons in order to find one resembling a criminal, and must choose the most abnormal one, this can only indicate that the criminal is abnormal, or defective, which in our opinion is the same. Elated by these conclusions I went back with greater zeal to the figures and tables, studying especially the crude figures with which I was more familiar, and on which I could use my old methods. What a wealth of material for conclusions. Never have I seen such a wealth of wonderfully comforting and useful material. My joy could very well have been compared to that of a child who at Christmas finds his bed so full of playthings that he does not know which one to try first.

*Heredity.*—For instance, the chapter on heredity. Goring has examined 1,428 criminal families, separately, according to the age at which criminal tendencies first appeared (pages 346 and 347). From his study he has with the acuteness of a great student eliminated the women, who contribute to the army of criminals the very small percentage of 6 to 102; their inclusion would have confused the issue.

He compares his figures with those of the normal population and with statistics of the sick, and deduce that criminality is hereditary in the same degree as tuberculosis. The accuracy used in establishing these figures made it possible for the author to dig still deeper and to disclose the latent heredity. He follows the children of criminals until they are 41 years of age with this result:

Mean age of Family	Number of Families	Criminals (Males)	Non-Crim. (Males)	Total
Under 23	43	54	103	157
23 to 30	15	24	31	55
31 to 40	10	16	9	25
41 and over	5	7	3	10
Total	73	101	144	247

These figures reveal that criminal families have a large percentage of criminal sons and that the proportion of criminals is largest during

the first decades of life, though criminal tendencies might also develop later. Criminality is generally greatest at the age of 18; but if conditions are favorable the development might be retarded until the thirties or fifties or may never take place. "In the former case we speak of eventual or occasional criminals." They are not altogether occasional—but rather latent criminals. Criminality breaks out when outside restraining influences have vanished.

Goring affirms that 68% of the criminals had criminal parents, though the different groups show a different percentage. Heredity plays an insignificant role in the case of fraud, while in the case of arson, sexual crimes, stealing and burglary it is from 39 to 46% higher. Offenses of violence, burglary and murder show a maximum of 58%.

"Heredity, continues the author, is not always direct and homogeneous for the same crime. Often criminals of one type have offspring addicted to other types of crime. We have already shown that every 1,000 persons convicted, after trial at the high court in one generation, bequeath at death 770 male offspring who survive to the age of 14, and of whom 33%, or 260, become criminals in the following generation. And we have shown that of every 1,000 persons in one generation, never convicted of crime, bequeath to the next generation 1,230 offspring who survive to the age of 14, and of whom 4.5% become criminals at some time in their lives."

Criminals Convicted of	Offspring of Criminal Parents	Offspring of Non-Criminal Parents
Wilful damage & arson	9 in 178= 5.7%	95 in 25,191=0.38%
Sexual crimes	13 in 563= 2.3%	117 in 72,437=0.19%
Stealing & burglary	4 in 134=52.8%	755 in 18,981=4.98%
Violence against person	21 in 122=17.2%	274 in 17,272=1.58%
Fraudulence	4 in 246= 1.6%	249 in 34,796=0.71%
All criminals	33%= 59.6	4.5%= 1.81
Non-criminals	67%=116.4	95.5%=168.16
Totals	176	176

All this suggests to Dr. Goring the idea of criminal diathesis. This idea of a diathesis is supported by another table which shows that only in rare cases is criminality limited to one member of the family; it generally is extending to at least two male members of it; hence we find that the percentage of criminal brothers almost equals that of sons of criminal parents, except in the case of sexual crimes, in which the paternal influence is greater than the fraternal.

Grouping the recidivists according to their birth, first born, second

born etc., the author believes that there is a more pronounced tendency to heredity in the first and second born, than in later born sons. This is possibly caused by the fact that the intensity of individual heredity is greatest in the first born, as all cases of diseases show. He refers to the statistics of 881 normal families in which hereditary tuberculosis and madness prevail among the first born.

“We would accordingly be inclined to attribute the increased tendency of members to be criminally convicted to their possessing in some way an increased intimacy of constitutional criminal taint.”

*Environment.*—Most excellent are the tables in which the different influences of circumstances on criminals are enumerated, not so much on those who commit their first criminal act, as upon the recidivists who are “confirmed criminals.”

Dr. Goring examines the correlation between crime and social status of the delinquent—between the delinquent and the social status of his parents at the time of the former’s birth, at the time of his first conviction—at the time of the present inquiry. Moreover, the social status of the delinquent, his stature, weight, weakness of his body are compared, and the result of the inquiry of many thousand cases is—that there is no relation between the wealth or at least the relative economic prosperity of the family and delinquency, that the connection between crime and poverty is very small, and that finally, in opposition to the general belief, the correlation between crime and the social class to which the delinquent belongs, is insignificant.

“If we limit our investigation to an examination of stealing and burglary, we find,” says the author, “that members of the lower class predominate, but if we take crimes like stealing, forgeries and embezzlement, all of which we call acquisitive crimes—this differentiation of class in relation to crime disappears almost entirely.

“Our conclusion is (page 281) that the relative economic prosperity of the family wherein our convicts were brought up, has had no influence one way or the other upon the frequency of their subsequent convictions for crime; but measured by length of imprisonment the influence of poverty, has certainly not tended to increase, but if anything appears to have acted in the direction of diminishing the recidivism of these convicts.”

Hence poverty is not only no inducement to the committal of crimes, but is to a certain degree beneficent, because it reduces the recidivism of delinquent poor. From this fact the author deduces that environment has less effect on criminality than intelligence, and as lacking intelligence exerts its influence prior to environment, delin-

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quency is more often caused by mental defectiveness than by environment.

“Moreover, since mental defectiveness is closely related to crime, an easily imagined corollary to this truth is that the mental defectiveness of the convict is antecedent to his environmental misfortunes, rather than that his unfortunate circumstances have been responsible for the mental defectiveness of the convict and his lapse into the crime.”

*Profession.*—A slightly greater influence has the occupation, according to the writer not so much on the frequency as on the nature of the delinquency. About the correlation between occupation and crime Dr. Goring gives the following figures:

Occupations per 1,000 committing each type of crime.	Professional Classes.	Commercial—Clerks and Hotelkeepers.	Soldiers, Policemen, Messengers, Servants.	Agricultural Laborers. Railroad Employees.	Sailors—Fishermen.	Miners.	Artisans—Factory Operatives—Floating Traders.	Total.
Damage to property....	—	58	36	533	58	73	241	1,000
Sexual offenses .....	28	63	71	350	35	126	317	1,000
Violence to persons.....	14	86	104	320	83	61	332	1,000
Acquisitive crimes .....	30	150	42	295	28	28	428	1,000
Frequency of occupation of adult males in the Non-criminal population	44.6	103.6	59.7	324.1	31.6	59.2	377.2	1,000

From this table and from some others we reach the conclusion that arson, damage to property, sexual offenses prevail among agricultural laborers and miners. Soldiers and sailors have a tendency to commit acts of violence upon persons. The commercial classes and artisans commit more crimes against property. The committing of certain crimes depends upon the opportunity offered by the occupation. The professional classes are in a small minority, but when one remembers that only 4% of the total population belongs to this class and that 3% of the thieves belong to the professional classes (95% of all crimes are those against property) “it will be realized not how much but how very little any absolute standard of poverty is associated with the committing of crimes.” Rather small correlation is found between the occupation of the criminal and his crime.

From the table in which recidivists are compared relative to the occupation, art, employment at which they were engaged to earn their living, one concludes that criminals who work are recommitted less

frequently than those who cannot work; unemployables show the greatest percentage of reconviotions for short terms, and those who will not work show a high number of reconviotions for exceedingly long terms of imprisonment. Very interesting are the tables which show the inefficiency of education by comparing the recidivists and the schooling they had received.

"Our conclusion is that the kind of school education they may have received has no traceable influence upon the subsequent career of convicts," and that the worst delinquents come from the industrial schools and reformatories.

*Education.*—These tables are highly illuminating. Dr. Goring is convinced that there is no important correlation between the schooling of the delinquent and his recidivism. The number of recidivists is put in relation with the age at which the mother died, and with the education received at home, in school and reformatories prior to the first conviction. All these circumstances have no influence whatsoever on delinquency. On admission to prison, the schoolmaster apportions 11, 8, 6 and 4 as the respective average educational grades of the convicts who subsequently are independently classified as intelligent, fairly intelligent, unintelligent, and mental defective, respectively. In regard to this classification the author concludes that intelligence has a strong relation to crime, while the profit derived from school education exerts almost no influence; hence he is inclined to believe that neither a good nor a bad scholastic education have a greater influence than intelligence. "Which is to say that, on the correlation scale between 0 and one, the small values of these fractions measure the trifling extent to which, not bad, but good education, considered apart from its relation to intelligence conduces in the long run to the committing of crime."

Dr. Goring also attributes very little importance to the lack of education which he proves by a very clever comparison of recidivists and their age at the time of their mother's death. The figures show that this event had no influence on their criminality.

"We conclude that the age of our convicts at the death of their mothers, whether they were infants at that time or had reached maturity, was an environmental accident without any significant relation to their subsequent degree of recidivism."

Instead, he returns with great insistence to the importance of intellectual deficiency. Between the first conviction and the state of intelligence as well as between the age at which the first conviction occurred and later reconviotions there are evident correlations.

"We conclude that undoubtedly the principal factor conducing to the early first conviction of convicts is defective intelligence, but, apart from the intelligence, we may also conclude,

that measuring criminality by frequency of conviction there is no relation between a convict's criminal tendencies and the age at which he is first convicted; and that, measuring the strength of criminality by length of imprisonment or length of sentence, the later in life habitual criminals are first convicted of crime."

By distinguishing delinquents according to the punishment annually inflicted upon them one sees that the mentally deficient receive the most severe sentences. From this Dr. Goring concludes that mental deficiency constitutes the greatest source of criminality.

This statement is followed by a variety of tables in which an effort is made to express in figures the most impalpable tendencies of criminals. The excellent table on page 234 is of great importance to us with its crude figures of the age at which criminals were first arrested. From it we learn that 250,000 prisoners confined in English prisons reported their first conviction as follows: At an age of

10	37865
15	95730
20	48765
25	26405
30	17865
35	8090
40	6630
45	3595
50	2135
55	1685
60	785
65	340
70	110

These figures prove again the precocity of crime. Very valuable is the information on mental defectives. Dr. Goring calls apparently normal persons defective who present a large intellectual deficiency in their memory and appreciation of facts; who forget dates, their friends, the schools they have frequented. His revelations on this group ought to furnish a new chapter of criminal anthropology. He relates on page 254 that the special commission selected for studying feeble-mindedness in prisons found 242 such persons out of 2,353 examined, or 10.28%. Bryan Donkin, the director of one of the most important convict prisons for feeble-minded criminals found between 10 and 15% of the total number committed in all prisons investigated and said that the percentage might even reach 20. This 20% does not include, as Donkin states, offenders under the Inebriates Act amongst whom the proportion of mentally defective persons is over 60%. Against the

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0.45% of defectives in the general population it must be contended that a large number of criminals are mentally defective.

Highly important is the table 100 on page 256 in which Dr. Goring relates the percentage of crimes committed by mentally defective persons.

Crimes committed by mentally defective persons	Percentage frequencies of crimes	
Murder and murderous intent. . . . .	8.8	0.9
Manslaughter . . . . .	6.7	0.5
Wounding and intent to wound . . . . .	5.1	1.2
Striking superior officers. . . . .	0.0	0.1
Assault . . . . .	15.0	2.5
Robbery with violence. . . . .	7.3	1.2
Burglary with violence. . . . .	16.7	0.1
Stealing . . . . .	12.5	38.6
Receiving stolen property. . . . .	5.2	1.4
Poaching . . . . .	11.5	0.6
Coining . . . . .	2.3	1.6
Arson . . . . .	25.0	0.2
Firing of stack. . . . .	55.2	0.8
Maiming (animals) . . . . .	20.0	0.1
Wilful damage . . . . .	35.9	0.8
Rape (child) . . . . .	19.1	0.8
Rape (adult) . . . . .	5.3	0.5
Indecent assault . . . . .	39.5	0.5
Unnatural sexual offenses. . . . .	20.0	0.2
Fraud . . . . .	2.1	4.6
Embezzlement . . . . .	6.3	0.2
Forgery . . . . .	0.0	0.6
Fraudulent trustee . . . . .	0.0	0.1
Bigamy . . . . .	0.0	0.1
Performing illegal operations. . . . .	0.0	0.1
Blackmail . . . . .	15.8	0.2
Cruelty to children. . . . .	23.1	0.2
Living on prostitution. . . . .	0.0	0.3
Obscenity . . . . .	46.2	0.2
Begging . . . . .	20.5	1.2
Offenses under prevention of crime act . . . . .	15.6	1.5

Interesting in this connection is the table on page 259, because it gives the numbers of mentally defective, unintelligent and intelligent person who commit crimes.

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Nature of crime.....	Total	MENTAL GRADES			Percentage of Mental Defectives Committing Crimes	General Population Committing the Several Offences
		Intelligent	Intermediate	Defective		
Nature of crime.....	55	21	12	22	40.00	0.406
Malicious damage to property.....	442	256	141	45	10.18	4.180
Stealing and burglary..	101	49	39	13	12.87	0.199
Violence to persons....	183	140	32	11	6.01	1.696
Forgery, coining and fraud.....	167	149	14	4	2.40	0.722
Totals.....	948	615	238	95	10.00	7.203

It is unnecessary to comment upon these figures, because it is evident what enormous importance mental deficiency has on delinquency. Another table on the same page compares defective and normal persons, 12,000 out of 13,000 people are normal and 1,000 are criminal. Of 948 criminals 95 were defective and 853 not defective; of 12,213 non-criminals 56 were defective and 12,157 not defective. All this shows that the anomaly which the author calls defectiveness is extremely rare in England among non-criminals 56 of 12,213, while it is extremely frequent among criminals 95 of 948.

*Fertility.*—The *Archivio* would not offer me enough space, if I should want to produce and speak of all the tables, which this work, a real source of treasures, contains. I want to mention only those which refer to the fertility of criminals.

In order to ascertain whether, in comparison to the normal person, the criminal presents any difference regarding his fertility, Dr. Goring compares criminals and normals at the age of maturity.

Table 121 Page 291.

Ages	Numbers in samples of criminals	Married per 1,000 criminals	In general population married per 1,000
15	40	75	3
20	399	188	174
25	849	330	641
35	477	453	842
45	236	569	890
55	157	599	911
65	94	787	926
	2,252	389	646

From these figures the author concludes that the age at which

criminals marry and their marriage rate differs from that of normal people. The former is more precocious, the latter higher. Let us now look at the fertility of 203 habitual criminals married.

The author shows by numerous tables that the only difference between the offspring of criminal and normal persons seems to be that the children of the former are more precocious. To explain this phenomenon the writer has thought of several hypotheses, which he illustrates by tables. His conclusion is that criminals are more prolific than normal persons but imprisonment checks their fertility. In table 140 on page 317 he puts the marriage of first offenders and various other conditions in correlation.

	Married	Unmarried	Total
Total in samples of first offenders.....	173	112	285
Employment regular .....	145	87	232
Employment irregular .....	28	25	53
Having been in army and navy.....	36	37	73
Not having been in army and navy.....	137	75	212
Alcoholic .....	67	53	120
Temperate or abstinent.....	106	59	165
Good health .....	138	85	223
Delicate health .....	35	27	62
Good appearance .....	69	31	100
Not good appearance.....	104	81	185

Besides other facts brought out by this table we see that 223 convicts were in good health and 62 in delicate health and 185 do not present a good appearance against 100 who do.

*Conclusions.*—Limited space obliges me to give up the perusal of the tables and to go back to the conclusions, part of which these tables re-assume.

The author surpasses Lombroso.

“The anthropologists asserted that the chief source of crime lies in the personal constitution and in the environment, but our figures show that environment plays no part, but that the personal constitution is responsible for it all. We have traced and measured the relations of conviction for crime in a variety of constitutional and environmental conditions; and while, with many of the former, high degrees of association have been revealed, with practically none of the latter do we discover any definite degree of relationship. Thus, as already stated, we find close bonds of association with defective physique and intelligence; and, to a less intimate extent, with moral defectiveness, or wilful anti-social proclivities. The most intelligent recidivists are guilty of the more serious offenses against property.

"We find, also, that crimes of violence are associated with the finer physique, health and muscular development, with the more marked degrees of ungovernable temper, obstinacy of purpose, and inebriety. We have found that tall persons are relatively immune from conviction for rape, that fraudulent offenders are relatively free from the constitutional determinants which appear to conduce to other forms of crime.

"Alcoholism, also, and venereal diseases, epilepsy and insanity appear to be constitutional determinants of crime—but likewise of defective intelligence.

"On the other hand, between a variety of environmental conditions examined, such as illiteracy, parental neglect, early death of parents, lack of employment, the stress of poverty, etc., etc., including the state of health, delicate or morbid constitution and even the situation induced by the approach of death, between these conditions and the committing of crime, we find no evidence of any significant relationship. Relatively to its origin in the constitution of the malefactor, and especially in his mental defective constitution, crime is only to a trifling extent (if to any) the product of the social inequalities, of adverse environment, or of other manifestations of what may be comprehensively termed the force of circumstances."

Goring, who wanted to refute Lombroso's school, has, as is manifest, dealt a death blow to Manouvrier, Topinard and their school, and to the doctrines of the blind who never allowed figures to speak by alleging that too many circumstances, impossible to foresee, prevent the compilation of serious scientific statistics. Unlike Goring, who cannot be accused of inexactitude nor of prejudice, they were unwilling to examine facts loyally.

Goring's figures not only contradict the school of environment as to the importance of circumstances and personal constitution, but they also refute its attitude towards punishment, because they prove the absolute impotence of prisons to reform convicts.

"Our third conclusion refers to the influence of imprisonment upon the physical and mental well-being of prisoners. We find that imprisonment, on the whole, has no apparent effect upon physique, as measured by body weight, or upon mentality, as measured by intelligence, and none upon morality. Only very little on mortality, which is lower among the prison population than in the general population with the exception of suicides and major surgical operations where it is greater. Long terms of imprisonment militate against the regularity of a convict's life when he is free from prison, but tend to increase the standard of his scholastic education; frequency of incarceration leads to diminution of the fertility of the convict, owing to the circumstances that, after a certain period of continually interrupted married life, habitual criminals are deserted by their wives. They are not regenerated and society is not protected.

"The fourth conclusion is that delinquents are a product of the most prolific stock in the community and that their apparent diminution of fertility is due to frequent incarcerations.

"The fact that conviction for crime is associated, as our figures have shown, mainly with constitutional, and scarcely to any appreciable extent with circumstantial conditions, would make the hypothesis a plausible one that the force of heredity plays some part in determining the fate of imprisonment. We have seen that the principal constitutional determinant of crime is mental defectiveness—which admittedly is a heritable condition; and scarcely less than 8% of the population of this country are convicted for indictable offenses—which could only be possible on the assumption that crime is limited to particular stocks of the community. If criminality were distributed uniformly every family ought to furnish at least one delinquent or defective. From these facts we conclude that the inevitable genesis of crime and the production of criminals are a phenomenon of heredity.

"The fifth and final conclusion emerging from our biometric inquiry is as follows: that the criminal diathesis, revealed by the tendency to be convicted and imprisoned for crime, is influenced by the force of heredity in much the same way, and to much the same extent, as are physical and mental qualities and conditions in man.

"The scientist, and, insofar as he would be guided by the word of science, the legislator, have to reckon with three factors of crime; the forces of heredity, circumstance and chance. The practical problem facing the legislator is, therefore, this one on the average, and taking criminals in the mass, which of the forces we have enumerated is chiefly responsible for the social phenomenon of crime?"

The author answers this question by asking in turn if it is not heredity and whether crime could not be eliminated from society by preventing all criminals from procreating.

"Our figures, showing the comparatively insignificant relation of family and other environmental conditions with crime, and the high and enormously augmented association of feeble-mindedness with conviction for crime, and its well marked relation with alcoholism, epilepsy, sexual profligacy, ungovernable temper, obstinacy of purpose, and wilful anti-social activity—every one of these, being heritable qualities—we think that crime will continue to exist as long as we allow criminals to propagate."

Here, however, the author shows a little resipiscence, which is very natural for one who started out to refute Lombroso's school. "The crusade against crime may be conducted in three directions. The effort may be made to modify inherited tendency by appropriate educational measures." But how, do I ask? if instruction, and education by the family, the school, the prison, orphan asylums, reformatories have proved to be inefficient and indifferent to modify the delinquent in his

infancy—how can they modify his heredity? In any case Dr. Goring follows Lombroso's ideas after this timid return to himself.

(2) "Modify opportunity for crime by segregation of the unfit."

(3) "Attack the evil at its very root—to regulate the reproduction of those degrees of constitutional qualities—feeble-mindedness, inebriety, epilepsy, deficient social instinct, insanity, which conduce to the committing of crime."

How is it possible, the reader will say, that Dr. Goring, knowing the conclusions he would reach, could entertain the idea of having overcome the Lombrosian superstition? Is it possible that he brings no other arguments against Lombroso? What more he says in his text and by his figures, which he has given in all loyalty, I shall explain as loyally.

His first victory over the theories of Lombroso is nothing but sophistry, as I explained at the beginning. The author blames the master for having called characteristics proper to delinquent anomalies, while Dr. Goring believes that only those characteristics should be called anomalies which never appear in normal persons, like deformed hands, bifid palates and so on. Characteristic deviations from the normal—weight, stature, etc., should be called unusual. For this reason Dr. Goring contends that the delinquent is possessed of unusual characteristics, but not of anomalies and is, we quote from the conclusion, a normal being with physical, mental and moral defects which make him inclined to commit crimes.

The second victory imagined by Goring is that in his opinion he was the first one who recognized the great importance of mental deficiency to which Lombroso had paid no attention. We not only grant this point, but we recognize that Dr. Goring has filled a real gap by calling attention to this highly important fact. Furthermore, we should like to say that these two points instead of being a blow to Lombroso's school, rather make for its victory.

Let us turn to the third objection. Goring declares hehe that he has not found in the convicts many of the physical differences which according to Lombroso exist between delinquent and normal men. I am not able to affirm nor contradict this statement, because many times Goring starts with anomalies to which Lombroso had paid no attention; he also uses different measurements not comparable in any way to the figures I have at hand, especially as I have only the corrected and not the crude figures at my disposal. These latter contains a volume which I have not yet seen and to which I shall refer later. I notice, however, in his conclusions that, judging from many general

measurements, he shares Lombroso's opinion that the stature of criminals is generally inferior to that of normal persons, especially of those convicted of sexual crimes. Their weight is proportionately less; mean 145 pounds, their height 65.46 inches. With Lombroso he finds the span of the arms greater than the normal. Stature 65.64, span 66.94 inches.

I may recall that in the last table I mentioned that 182 delinquents had not a good personal appearance, while only 100 had a pleasing one. This indicates that Dr. Goring also has observed in three-fourths of the delinquents anomalies which he could not define—the pleasing appearance is determined by the regularity of the features.

Lombroso tried to discover these anomalies in the delinquents because he wanted to prove that the delinquent was constitutionally different from the normal man, and a fact which Goring has demonstrated in an unattackable way. Even if he had proved that some of our anthropological figures were wrong, or erroneous, I would not hesitate to declare that this work is altogether the most important document of criminal anthropology which has appeared during the last years in support of the new school. For this reason, we advise every disciple of criminal anthropology to study it.

We accept the normal man of Dr. Goring with physical, mental and moral defects which make him inclined to commit criminal acts; and we hope that Griffith's initiative, for which we cannot be thankful enough, will soon be imitated in other countries; and that elsewhere may be found opponents as loyal as Goring. We want to thank him in public, full of admiration for his splendid work, for his patience, his exactness and the subtlety with which he has collected these figures. Ten years of laborious work seem very little when we consider the immense task he has accomplished.