Enrico Ferri

CRIMINAL SOCIOLOGY. By Enrico Ferri. (Little, Brown & Co.; $5.)

More than thirty years ago a young protessor in the University of Sienna brought out a new work on the offender which he called "Criminal Sociology." This book still remains the most distinguished general contribution to the subject of criminology, though much of its data and some of its conclusions are now out of date. The remarkable fact about this work, which brought it such immediate as well as lasting fame, is that it broke largely with the older anthropological theories of crime and became the textbook of the newer sociological school of criminology. This older school was known as the positivist or Italian—sometimes, from its greatest exponent, the Lombrosan—school. The positivist thinkers had in their day marked a distinct advance over the views of the classical or free-will theorists, which had persisted and dominated well into the nineteenth century. This older school had based its theory and treatment of the criminal upon a theory of the freedom of the will, holding that the offender is individually responsible for his acts and that the point of attack in repression or in reformation is upon the will itself rather than upon biological and environmental factors. There is, of course, much

truth in such a view, but when pushed to an extreme, it neglects just those factors, environmental and hereditary, which are now most emphasized. Lombroso saw the weakness of the free-will or classical theory of criminal causation as a final explanation and sought to locate the causative factors in the physical and mental make-up of the criminal himself, assuming after the fashion of his time that such characteristics were inherited rather than acquired. This explains Lombroso's dominant emphasis upon his several varieties of the "born criminal."

Valuable as was this line of investigation, which sought to establish definite and measurable data of criminal causation, it finally became ridiculous in the hands of its over-zealous supporters. Purely external characteristics, such as the shape of the head, the color of the skin, and the like, were urged as causes of criminality. This theory practically disregarded the factor of environmental causation, just as the older classical school had failed to see both heredity and environment in accounting for crime.

Ferri was only one of many scientific thinkers in the field of criminology and sociology who revolted against this one-sided emphasis, but he was one of the ablest of them all. After some years of study of both the environmental and hereditary factors, part of which time was spent as a pupil of Lombroso, he brought out his remarkable work in the first edition of 1882. By doing so he gave form to the synthetic or sociological theory of crime. He emphasized the neglected factor of environment more strongly even than he did the anthropological or hereditary ones. He continued to use much of the old terminology, including Lombroso's phrase the "born criminal" and the term "insane criminal," but he read a new content into these forms. To Ferri there is, strictly speaking, no such thing as a born criminal, though there are offenders who owe much of their criminal development to bad heredity as well as to defective environmental conditions. The influence of this new viewpoint in criminology, and especially of Ferri's effective presentation of it, cannot easily be overestimated. Just as the new outlook of the positivist school stimulated anthropological investigation, this sociological school did much to develop a science of environment, both as a starting-point for the study of criminal causation and as a basis for the formulation of a new penology and a revision of penal law. Ferri's sympathy with the socialist philosophy—he was an active socialist and held political office—did much to predispose him to a greater appreciation of environmental influences. A scientific criminology, and therefore a scientific penology, was not possible until due weight could be given to such factors in criminal causation.

Though the heart of Ferri's contribution is in his new and stimulating interpretation of the genesis of the criminal, many other contributions set forth in his book should not be neglected. For instance, his theory of penal substitutes, which is an early form of our modern emphasis upon prevention, has had a marked influence upon our constructive attitudes toward the offender. So simple were his proposals that we should reform our institutions, laws, governments, and economic and social conditions as a substitute for our elaborate machinery of punishment, thus preventing the growth of most criminality, that it is surprising that such methods were not earlier appreciated and insisted upon. In the field of practical programmes he is mainly interested in the reform of criminal procedure, especially as it affects the conduct of the trial and the jury. He also devotes brief discussions to the problems of prison administration, penal colonies, deportation, prison architecture, and the like. His training was more on the legal and psychological than on the administrative side, a fact which accounts for his dominant interests.

Ordinarily a mere translation of a book presented to a foreign public some thirty years after its first publication would not call for extended comment, but too much cannot be said of Ferri's contribution even at this date. While most sociologists have accepted the new viewpoint and emphasis he has given us, popular thinking and the legal mind lag behind in the umbra of codes which are based upon the philosophy of the classical school of criminology.

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