

**CRIMINAL
SOCIOLOGY.
AUTHORIZED EDITION**

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Criminal Sociology. Authorized Edition by Enrico Ferri

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ENRICO FERRI

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BY

ENRICO FERRI

PROFESSOR OF CRIMINAL LAW
DEPUTY IN THE ITALIAN PARLIAMENT, ETC.

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PREFACE.

THE following pages are a translation of that portion of Professor Ferri's volume on Criminal Sociology which is immediately concerned with the practical problems of criminality. The Report of the Government committee appointed to inquire into the treatment of habitual drunkards, the Report of the committee of inquiry into the best means of identifying habitual criminals, the revision of the English criminal returns, the Reports of committees appointed to inquire into the administration of prisons and the best methods of dealing with habitual offenders, vagrants, beggars, inebriate and juvenile delinquents, are all evidence of the fact that the formidable problem of crime is again pressing its way to the front and demanding re-examination at the hands of the present generation. The real dimensions of the question, as Professor Ferri points out, are partially hidden by the superficial interpretations which are so often placed upon the returns relating to crime. If the population of prisons or penitentiaries should happen to be declining, this is immediately interpreted to mean that crime is

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on the decrease. And yet a cursory examination of the facts is sufficient to show that a decrease in the prison population is merely the result of shorter sentences and the substitution of fines or other similar penalties for imprisonment. If the list of offences for trial before a judge and jury should exhibit any symptoms of diminution, this circumstance is immediately seized upon as a proof that the criminal population is declining, and yet the diminution may merely arise from the fact that large numbers of cases which used to be tried before a jury are now dealt with summarily by a magistrate. In other words, what we witness is a change of judicial procedure, but not necessarily a decrease of crime. Again, when it is pointed out that the number of persons for trial for indictable offences in England and Wales amounted to 53,044 in 1874-8 and 56,472 in 1889-93, we are at a loss to see what colour these figures give to the statement that there has been a real and substantial decrease of crime. The increase, it is true, may not be keeping pace with the growth of the general population, but, as an eminent judge recently stated from the bench, this is to be accounted for by the fact that the public is every year becoming more lenient and more unwilling to prosecute. But an increase of leniency, however excellent in itself, is not to be confounded with a decrease of crime. In the study of social phenomena our paramount duty is to look at facts and not appearances.

But whether criminality is keeping pace with the growth of population or not it is a problem of great

magnitude all the same, and it will not be solved, as Professor Ferri points out, by a mere resort to punishments of greater rigour and severity. On this matter he is at one with the Scotch departmental committee appointed to inquire into the best means of dealing with habitual offenders, vagrants, and juveniles. As far as the suppression of vagrancy is concerned the members of the committee are unanimously of opinion that "the severest enactments of the general law are futile, and that the best results have been obtained by the milder provisions of more recent statutes." They also speak of the "utter inadequacy of the present system in all the variety of detail which it offers to deter the habitual offender from a course of life which devolves the cost of his maintenance on the prison and the poor-house when he is not preying directly on the public." The committee state that they have had testimony from a large number of witnesses supporting the view that "long sentences of imprisonment effect no good result," and they arrive at the conclusion that to double the present sentences would not diminish the number of habitual offenders. In this conclusion they are at one with the views of the Royal Commission on Penal Servitude, which acquiesced in the objection to the penal servitude system on the ground that it "not only fails to reform offenders, but in the case of the less hardened criminals and especially first offenders produces a deteriorating effect." A similar opinion was recently expressed by the Prisons Committee presided over by Mr. Herbert Gladstone. As soon as punishment reaches

a point at which it makes men worse than they were before, it becomes useless as an instrument of reformation or social defence.

The proper method of arriving at a more or less satisfactory solution of the criminal problem is to inquire into the causes which are producing the criminal population, and to institute remedies based upon the results of such an inquiry. Professor Ferri's volume has this object in view. The first chapter, on the data of Criminal Anthropology, is an inquiry into the individual conditions which tend to produce criminal habits of mind and action. The second chapter, on the data of criminal statistics, is an examination of the adverse social conditions which tend to drive certain sections of the population into crime. It is Professor Ferri's contention that the volume of crime will not be materially diminished by codes of criminal law however skilfully they may be constructed, but by an amelioration of the adverse individual and social conditions of the community as a whole. Crime is a product of these adverse conditions, and the only effective way of grappling with it is to do away as far as possible with the causes from which it springs. Although criminal codes can do comparatively little towards the reduction of crime, they are absolutely essential for the protection of society. Accordingly, the last chapter, on Practical Reforms, is intended to show how criminal law and prison administration may be made more effective for purposes of social defence.

W. D. M.

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