

"1. Predisposing causes : Comparative weakness of brain, congenital or acquired, in the majority of cases.

"2. Exciting causes : Anything which causes prolonged fatigue of the brain (trouble, insomnia, excess of study, or physical labour). The latter causes may be comprised in one word, *Surmenage* (overwork).

"So that if I wished to sum up all the foregoing in a general formula, I should say the cause of general paralysis is *Surmenage du Cerveau* in adult life. If these views are correct, it would be possible to push the analysis further and determine by induction the original lesion of the malady. For if we examine the causes which I have enumerated, those whose action is sudden and violent (fear, etc.), as well as those which only act slowly and insidiously (trouble, etc.), it cannot be doubted that they cause changes, rapid or slow, in the cerebral circulation. I should say as much of physical causes (traumatism, sunstroke, etc.).

"As regards the increase in the frequency of general paralysis, it appears to me to be a reality, for if the causes which I have examined are not new, we must recognize that they operate in the present day under totally different conditions ; our social condition differs profoundly from that which obtained only a century ago. Everyone has nowadays an illimitable horizon before him, and feels that on him alone rests the responsibility of reaching the goal he desires ; every ambition he is allowed to indulge in. . . . It is thus that the number of *surmenés* increases fatally, and it appears to me that the number of general paralytics must increase. If my views are correct, we cannot expect that this increase can be arrested. But it is not *civilization* which we ought to accuse, for civilization—that vague word so much abused—comprises more good than evil and improves the condition of existence. The one thing to blame is the *Surmenage*, which aims a fatal blow at those who have not the power to bear the struggle of life (*le combat pour la vie*)."

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### PART III.—PSYCHOLOGICAL RETROSPECT.

#### 1. *French Retrospect.*

By HAVELOCK ELLIS, L.S.A.

*The Congress of Criminal Anthropology.*

The second International Congress of Criminal Anthropology was held last August at Paris, in the large amphitheatre of the Faculty

of Medicine. A very considerable audience, including a fair proportion of ladies, assembled here during the week over which the Congress extended. Many distinguished representatives of science, law, medicine, and the administrative world came from very various countries, and official representatives were present from France, Italy, Russia, Holland, Belgium, the United States, Denmark, Sweden, Roumania, Servia, Brazil, Mexico, Peru, Paraguay, and Hawaii. Great Britain, it will be observed, was only conspicuous by its absence. Among those who took part in the proceedings of the Congress may be mentioned M. Thévenet, the Minister of Justice, Dr. Brouardel, the Dean of the Medical Faculty of Paris, and President of the Congress, MM. Théophile Roussel, Lombroso, Ferri, Garofalo, Moleschott, Lacassagne, Demange, Van Hamel, Semal, Ladame, Benedikt, Tarde, Wilson, Tenchini, Motet, Manouvrier, Alphonse Bertillon, Bournet, Féré, Coutagne, Letourneau, Mme. Clémence Royer, Drill, Clark Bell, Magnan, Topinard, Delasiauve, and the General Secretary of the Congress, Dr. Magitot.

In his opening discourse, Dr. Brouardel remarked that the Italian school had the great merit of taking up again the study of a question with which philosophy, law, and medicine have always been occupied. Every time in the history of a country that philosophic studies have free expansion, the desire to safeguard society, the spirit of toleration, the methods for ameliorating the fate of the guilty, of protecting them from themselves, and of taking them out of the environment which educates them to crime, have been the object of the meditation and study of great thinkers; and their conceptions have eventually conquered public opinion. It has been the honour of the Italian school—in the land where Roman law, the foundation of all law, was born—that it has again put into the crucible this problem of criminality, and that it has proceeded to the analysis of that problem by the only truly scientific method—by studying the psychology of criminals, and their pathological abnormalities. It will be its distinction to have declared against illusory enthusiasms, and to have founded a science which will contribute to the more efficacious protection of society.

The first communication came from Lombroso, as the recognized chief of the Italian school. He summarized what he believed to be the most important abnormal physical characteristics found among criminals—the presence of cranial and facial asymmetry, precocious synostosis, unusual frequency of left-handedness, large orbits, prominence of zygoma, large median occipital fossa, frequency of tattooing, etc. These characters, he considered, were all due to pathological causes. The discussion was at once commenced by M. Manouvrier. He began by declaring that he was by no means an antagonist of the Italian school. He granted that it had been proved that physical abnormalities are more common among criminals than among the ordinary population, but he claimed due consideration for the influence

of environment; crime is a sociological matter much more than a physiological matter. M. Dimitri Drill said that, strictly speaking, there is no criminal type; there are, as Morel had shown, organic conditions of defect and degeneration, but criminality remained above all a social question. MM. Pugliese and Garofalo expressed very similar opinions. M. Lacassagne pointed out that we too often forget the factor of misery in the production of crime; he meant not merely social misery, but physiological misery, of which the origin was intra-uterine. As regards poverty, M. Garofalo could not share Lacassagne's views; his investigations had shown that the number of criminals furnished by the middle classes is, proportionately, quite equal to that furnished by the lower classes, while for some kinds of crime the upper classes gave a higher figure than the lower. Mme. Clémence Royer called attention to the importance of hybridism in the genesis of crime. The recrudescences of criminality, she remarked, correspond to the great epochs of the mingling of races. Benedikt spoke of the relation between insanity and crime; the criminal is a diseased person, he held, or a lunatic, and we must consider the molecular troubles of the cerebral substance as well as the external physical signs. After M. Tarde, speaking as a *juge d'instruction*, had admitted the existence both of the organic predispositions to crime and the influence of the social environment, M. Brouardel joined in the discussion. Crime should not, he said, be regarded as the result of any single isolated cause, physical, moral, or social, but of all these causes at once. The diagnosis of the criminal must be subordinated to the same rules as the diagnosis of a disease; that is to say, it is made up of related and simultaneous conditions. A single sign is insufficient to reveal the criminal, just as a single symptom will not prove typhoid fever. M. Enrico Ferri, the Professor of Penal Law at Rome, whose clear and luminous statements are always worthy of attention, well summed up the morning's discussion. Crime, he admitted, is a very complex phenomenon; it is a sort of polyhedron, of which everyone sees a special side. All the points of view maintained that day were, at the same time, true and incomplete. Lombroso had brought to light the biological side of crime, but that was not the whole of it. Drill, Dekteren, and Manouvrier had shown the social side; Pugliese the legal side, which is a more special aspect of the social side. Tarde, the sympathetic critic of criminal anthropology, had not left out of sight the physiological side of crime. We must, like Moleschott and Brouardel, proceed synthetically, for crime is at once a biological and a social phenomenon. He recalled a saying of Lacassagne's at the previous Congress, that the criminal is a microbe which only flourishes in a suitable soil. Without doubt it is the environment which makes the criminal; but, like the cultivation medium, without the microbe it is powerless to germinate crime. Both biological and social aspects are fundamental in criminality, and they constitute the two essential data of criminal anthropology.

Dr. Semal, Director of the Mons Lunatic Asylum, and the official delegate of the Belgian Government, presided at the afternoon session, when various communications of a somewhat miscellaneous character were brought forward.

On the following morning Professor Van Hamel, of Amsterdam, presided, and M. Manouvrier brought forward again the question of anatomical criminal characteristics and their illusory character. M. Lombroso defended himself with his usual energy and spirit, pointing out the distinction between the instinctive criminal and the occasional criminal. He explained that he had himself given so much attention to the biological factor in criminality, although he was, above all, an alienist, because it had previously been entirely neglected. He admitted that his conclusions had sometimes been too rash, although founded on the observation of now nearly 27,000 individuals by himself and others, but he had always been ready to give up an indefensible position. The atavism of criminals, he now believed, may largely be explained by morbid causes. The discussion was carried on by other members, and was sufficient, in the opinion of M. Garofalo, to show that the divergence of ideas was more apparent than real; those who far off seem adversaries, are found on nearer view to be partisans. On his proposition, it was decided by the Congress that it is desirable to continue on the largest scale the comparative study of criminals and normal persons, subjecting them to a severe and minute examination, in order to ascertain the physical differences which separate them. On the proposition of M. Lacassagne, it was unanimously agreed that access to prisons should be made easier, and that the bodies of executed criminals should be available for scientific study.

At the afternoon session, presided over by Prof. Ferri, Dr. Couagne read a paper on "The Influence of Professions on Criminality." Mr. Wilson followed on "The Statistics of Crime in the United States," in which he referred to the necessity of creating international criminal statistics, permitting of the comparative study of crime among different nations. M. Laschi brought forward an interesting communication on "Political Crime from the point of view of Anthropology," in which he spoke of the bearing of race on politics, and also on genius; and M. Giampietro dealt with "The Moral Responsibility of Deaf-mutes in relation to Legislation."

On Wednesday morning Baron Garofalo (the eminent Neapolitan lawyer) read an important paper on the question whether, when an individual's guilt has been recognized, the class of criminals to which he belongs can be determined by criminal anthropology. This question was discussed from, necessarily, a somewhat legal point of view, with Garofalo's customary ability and clearness. He was not concerned, he said, with the recognition of the criminal, but with his classification, and in criminal anthropology we must give the first place to psychology. He insisted on the necessity for the careful

psychical examination of the criminal, although it is necessary also to consider his physical nature ; while sometimes even the character of the crime is sufficient to class the criminal. Uniformity of punishment is a manifest absurdity ; and he referred to the progress already made in France by the recognition of the gravity of incorrigible recidivism. The old criminal law only recognized two terms, the *offence* and the *punishment*. The new criminology recognizes three terms, the *crime*, the *criminal*, and the *method of repression*. Criminal law, he concluded, must not be treated as a detached and isolated science ; it must be subordinated to psychology and to anthropology, or it will be powerless to interpret and to determine, in any enlightened legislation, the true classification of criminals. M. Alimena, a young Italian lawyer, thought that the considerations brought forward by Garofalo furnished presumptions only, and not judicial certainties. After a lively episode between M. Benedikt and M. Lombroso, M. Brouardel, bringing the discussion back to the point, remarked that the problem proposed by Garofalo—the classification of criminals—can only be resolved by the totality of the evidence. The complete investigation of the criminal can alone enlighten justice. The crime by itself is insufficient to class the criminal, just as the most senseless act is not enough to characterize a lunatic. The morning session was closed by some remarks from M. Herbette, the official director of the *Administration Pénitentiaire*. The Administration, he observed, were following the results of criminal anthropology with close attention, ready to adopt all conclusions that were proved, as they had already adopted some. While recommending zeal and confidence in the pursuit of these studies, he urged that the conclusions should be as mature and as assured as possible, or criminal anthropology would risk its authority and *prestige*.

At the afternoon session, presided over by Prof. Ladame (Geneva), M. Ferri read a paper on the determining conditions of crime—individual, physical, and social—and their relative value. M. Ferri is perhaps the most accomplished and philosophic advocate of the new criminal anthropology, and his paper, and its subsequent eloquent elucidations, were listened to with great attention. Crime, he said, is at once biological and social. Out of 100 persons living in the same conditions of misery and abandonment, sixty commit no crimes ; of the other forty, five commit suicide, five become insane, five are beggars, twenty-five commit crimes ; therefore the social environment is not the exclusive cause of crime. But, again, we must not neglect the social environment, for to mention one piece of evidence only, the maximum of crimes against property is reached in winter. And, again, the most delicate biological modifications must be considered, for rapes and crimes of violence are most common when the temperature is high ; and climate and barometrical pressure play a certain part. If the thermometer had marked ten degrees less, or the barometer a few millimetres more, perhaps such and such a crime

would not have been committed. The conclusion is that, on the one hand, we must ameliorate social conditions for the natural prevention of crime, and on the other hand exercise measures of temporary or perpetual elimination of individuals, according as the biological conditions in each case seem more or less curable. M. Alimena attached great importance to education, especially to its hereditary effects. The criminal ought not to be able to say to his judge: "Why have you not made me better?" He agreed with the words of Lacassagne at the former Congress at Rome: "Societies have the criminals that they deserve." M. Manouvrier considered that Ferri did not attach enough importance to the social factor; no two persons lived in the same social environment. This was also the opinion of M. Drill. M. Tarde expounded his views as to the characteristics of criminals being due to the professional exercise of crime. M. Féré would not believe in any professional type until it had been established by precise measurements. Turning to another aspect of the question, M. Motet advocated special asylums, like Broadmoor and Montelupo. M. Bajenoff said that, after visiting Broadmoor and the asylum at Perth, he was not at all enthusiastic about such special asylums. The discussion on the whole showed that, as M. Van Hamel said, society to defend itself must have an eye on every side.

On Thursday the Members of the Congress visited Sainte-Anne, where M. Magnan demonstrated the subject of degeneration. They also visited the Prefecture of Police, where M. Alphonse Bertillon showed his anthropometrical method of identifying criminals in action, and M. Moleschett succeeded with little trouble in identifying a man who had given a false name.

On Friday morning M. Tarde presided, and M. Pugliese, of Trani (Italy), read a report on the criminal trial from the sociological point of view. The evidence which demonstrates the existence of a crime and of a criminal can only be duly weighed by a magistrate possessing much technical knowledge. It is not enough for him to be a judge or a jurist; he must be well acquainted with anthropological and sociological science; he must know the environment in which crime is produced, and the people who are born to live and die in this environment. He advocated the establishment by the State of a college for the education of magistrates. At present there is great confusion, and the magistrate is called upon to decide complex questions of which he is quite ignorant. The duty of the judge to demand the decision of science with the power to tread it under foot was a manifest contradiction. It was not reasonable that a medico-legal judgment should be over-ridden by a jury, and it was time to reverse the ancient maxim that the judge is the expert of experts. When it is a question of legal medicine, the medico-legal expert must be the judge. There should be a medico-legal commission, whose duty it would be not to express opinions, but to give decisions. That is the only way to avoid many scandals. M. Brouardel, from the medico-

legal standpoint, said he was not able to accept the present which Pugliese offered him. Every trial had issues which were not medical, and here the medico-legal expert would be incompetent. Apart from this, he would be cautious as to using anthropological data at all. It was still premature, and to go too fast was to risk compromising everything. M. Benedikt agreed with M. Brouardel, and advocated the scientific education of lawyers, which M. Lacassagne also considers desirable.

The next paper was by MM. Taverni and Magnan on the childhood of criminals, and the natural predisposition to crime. M. Taverni had made a number of investigations on children in reformatories—a study which he called pedagogic biology—and had traced backwards the childhood of criminals, and forwards the career of unpromising children. The chief indications he had found in the childhood of criminals were inaptitude to education, resistance to family order, and the revolt against social conventions. Among adult criminals one found in childhood the same characters of inaptitude and resistance. For M. Magnan the child was often already a complete criminal, as the result of physical and moral degeneration, due to nervous, insane, or alcoholic heredity. He regarded the matter as a purely clinical one (following Moreau, of Tours, and Morel). He brought forward many interesting examples, and pointed out that in all of them sexual aberration played a very prominent part. An interesting discussion followed. MM. Motet, Dalifol, Roussel, and Herbette regretted that the State did not undertake the care of children at an earlier age, when there was greater hope of the favourable influence of physical, moral, and intellectual education. M. Lombroso, while expressing his great esteem for M. Magnan (the Charcot of alcoholism, as he called him), was not able to agree with him. What he had himself said about children was founded on the observations of Perez, Taine, and Spencer. Moral sense was often lacking in the child. He was an embryonic criminal. MM. Moleschett and Van Hamel spoke in defence of the child who is unconscious. He was not chaste, because he had no ideas of modesty. He had no respect for truth, and the destructive instinct is strong in him. M. Moleschett referred to the anecdote in which Goethe recorded the delight with which, as a child, he once produced a terrible carnage among the crockery. But we must not confuse a phase of evolution with the conditions of disease or criminality. M. Rollet, the advocate who pleads before the tribunals at Paris the cause of all children who are arrested (about 20 to 30 boys and 8 to 10 girls every day), said that he always pleaded irresponsibility, and demanded an acquittal. The child was then either handed over to its parents, or to the philanthropic society of which Th. Roussel is president. If the child appeared vicious, he demanded that he should be sent to a reformatory until the age of 20. He judged by the physiognomy and the history, but thought it would be a great advantage to have the competent advice of a criminal

anthropologist. This wish was immediately satisfied. M. Manouvrier offered to come to the Palais de Justice every day. Mme. Pigeon said that in her experience she had never met a child of five or six, however perverted and vicious, who was refractory to education. It was, however, a task requiring great care and devotion. The regeneration of the child, as M. Eschenauer said, could only be by love. M. Roussel, who has devoted his life to the cause of the disinherited children of society, spoke of the progress that had been made, and said that the tendency was to enlarge more and more the sphere of the State.

At the afternoon session, presided over by M. Drill, M. Brouardel called the attention of the Congress to troubles of development appearing at puberty. He drew a vivid picture of lively and intelligent Paris *gamins* whose precocious development is arrested at puberty, both physically and mentally. The sexual organs do not develop, hair does not appear on the body. Instead of this, at 16 or 18 they become plump and feminine in appearance and manners, and there is sexual impotence. Previously brilliant at school, they now become lazy, and incapable of sustained attention or effort. In later life they may become artists, poets, or painters, if born in easy circumstances, but their work does not give proof of the higher artistic qualities. Their devotion to those who surround them is often of almost feminine tenderness. The chief factors in producing this acquired degeneration are complex, such as overwork, unhealthy dwellings, precocious sexual habits, and early alcoholism. M. Herbet then described the efforts of the French Government in what he described as moral orthopædics. They endeavoured to remove from the child every idea of fatalism. M. Bérillon said he had been very successful in treating vicious children by suggestion, and had succeeded in curing inveterate habits of masturbation at one sitting.

M. Tarde then gave a summary of his report on the old and the new foundations of moral responsibility. In this interesting and ingenious paper, of a somewhat metaphysical character, he tried to show how moral responsibility harmonizes at once with the human conscience and with contemporary science. Responsibility rests on identity, and by identity he meant individual identity and social identity. This responsibility rests on the determination of our actions, and is only relative. Mme. Clémence Royer replied from a strictly scientific standpoint. All our acts are determined by our physical nature. M. Coutagne refused to enter the domain of metaphysics. The question was a practical one, and every individual, sane or insane, must be treated as responsible. M. Motet said the question was a clinical one. If the individual is normal, his responsibility is complete; if he is abnormal or degenerated, his responsibility is limited; if he is insane, his responsibility is *nil*. M. Manouvrier would reject metaphysics absolutely. M. Ferri said that we must not accept the conceptions of merit and demerit. All men are responsible before society, but society



has no right to punish. It has only the right to protect itself. M. Tarde, in a spirited speech, defended his position. He protested against the confusion of the criminal and the insane. There is a profound reason for the fibres of indignation and contempt that are rooted in us, and as long as they persist we shall turn them against the criminal who acts in accordance with his native and not morbid character. This peroration was applauded by the Congress.

On Saturday morning Prof. Lombroso presided. A proposition declaring that it is desirable that every Government should adopt Bertillon's anthropometric method for the identification of recidivists was unanimously adopted. M. Semal then read a paper on conditional liberation and conditional detention. The beginnings of these have already appeared in several countries, but to carry them on safely on a more extended scale it is necessary to practise the most careful physical and psychical examination of the prisoner. This would create, under the shield of medical science, a clinical field of the bar. It would also necessitate the spread of knowledge which is now lacking, and a re-organization of the administration and medical inspection of prisoners. M. Bertillon trusted that anthropological considerations would not lead the prison administration to neglect its duties of moral reformation. M. Benedikt said that prison chaplains agreed with medical men in recognizing the incorrigibility of certain criminals. M. Drill thought that we must clearly distinguish judgment from punishment. Reference had been made to the sentiments of hatred and revenge, but those sentiments were the outcome of habit or atavism. Formerly they were exercised in the same way against the insane. The change of feeling towards the insane is due to a true appreciation of the nature and causes of insanity. We do not sufficiently consider the conditions under which criminals are placed. It is not without reason that our Russian people speak of prisoners as "unfortunates." M. Vesnitch (the official representative of Servia) desired that the legal side of the question should not be lost sight of. The study of anthropology and of law ought to be compulsory for all those who desire to become governors of prisons.

M. Sarrante then read a paper on the judicial applications of criminal sociology. Law students should be examined in criminal anthropology and legal medicine. Imprisonment should be for an indefinite period, and the prisoner carefully observed and examined. The jury should be modified. M. Tarde observed that advocates were already using the results of criminal anthropology, and it was necessary that magistrates should be in a position to appreciate the bearings of such arguments.

M. Taladriz then read a paper on "Criminality in its relations with Ethnography," drawing his illustrations largely from Spain, where crime differs greatly in different parts of the peninsula. He desired the establishment of an international penal code, protecting the rights of nationalities.

In the afternoon Prof. Benedikt presided, and M. Van Hamel read his report on the "Cellular System from the point of view of Biology and of Criminal Sociology." He concluded that there should be a very careful selection of cases for cellular isolation, subject to psychical and medical examination. The results depend quite as much on the treatment adopted during the cellular confinement as on the confinement itself.

On the proposition of M. Garofalo a commission was appointed to carry on a series of observations on 100 criminals and 100 honest persons whose antecedents were perfectly well known. On the proposition of M. Semal, the Congress affirmed the necessity of a psychomoral examination of the prisoner as a preliminary to conditional liberation. It was resolved also that it is desirable that law students should be instructed and examined in legal medicine; and, on the proposition of M. Eschenauer, that the direction and instruction of young children in reformatories should be confided to experienced women.

In his closing discourse Prof. Brouardel remarked how various and complex are the issues raised by criminal anthropology. They were dealing with one of the most interesting and profound of all problems—a problem which had in all ages exercised the human mind. The Congress had brought together some of the materials for a future edifice, although they were not yet able to raise it.

The "Archives de l'Anthropologie Criminelle" was the official journal of the Congress, and the number for last September was entirely devoted to its proceedings. The "Actes" will probably be published during the present year. The next Congress will be held at Brussels in 1892.

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## 2. *Australian Retrospect.*

By D. HACK TUKE, M.D.

*Insanity in Australian Aborigines, with a brief Analysis of thirty-two Cases.* By F. NORTON MANNING, M.D., Inspector-General of the Insane in New South Wales.

*A Case of Sporadic Cretinism, with remarks* by Dr. MANNING.

These reprints from the "Intercolonial Medical Congress of Australasia Transactions" are of much interest, and if our space allowed we should transfer them entire to our pages.

It appears that insanity, if we may credit the accounts of the early colonists, was very rare among the aborigines of Australia. As, however, the survival of the fittest was carried into practical effect, by slaughter of the maniacs, the permitted suicide of melancholiacs, and allowing dements to die, it is difficult to assert positively that there