

The Control of Criminal Heredity

By E. M. PANIS *

IT is a general admitted fact that heredity plays an important role in the determination of criminal conduct as well as other forms of human behaviour. In the study of the phenomenon of reproduction, it is a fact that the fertilized ovum develops true to its species, or, indeed more or less strictly in accordance with the peculiarities of structure characteristic of its parents. Thus, we see how a characteristic mole, a flattened nose, or a typical configuration of the legs, etc., has been transmitted from parents to offspring through several generations.

Statistics, as well as the study of the genealogy of habitual criminals by prominent investigators such as Aubry, Griffiths, Lombroso, Poellman, and Stocker seem to prove that the great majority of criminals have parents who were given to evil propensities, if not criminal habits.

The work of Justice Villamor on "Crime and Moral Education" is quite interesting and helpful in order to better appreciate the influence of heredity among criminals. The learned Justice mentions the interesting study by Aubry of a British family of well-known criminals who had produced a long line of poverty-stricken progeny, mostly criminals, harlots, and vagabonds, who have to their credit an unbroken record of suicide, incest and crimes against chastity, through five generations.

Griffiths, in his work "Misterios de la Policia y del Crimen", tells of the Dunghill family of Yorkshire, whose leading member had been several times banished

for robbery, and whose sons and daughters were imprisoned for theft. The same author relates how "the most notorious Italian bandits were, in so far as their inclination to crime was concerned, the heirs of their parents; that the Coles and Youngers of the Western part of the United States were immediately connected by bonds of relationship, and many members of the Napolitan "Camorra" were brothers. The Italian "Banditti" are mostly related by blood or by marriage, and have followed the profession of robbing their fellow-men through several centuries. It is said that certain Indian tribes of Malabar had the practice of transmitting the propensity to crime regularly from generation to generation.

Lombroso mentions a large number of cases where criminal tendencies were perpetuated through successive generations. "Dummoland, the notorious murderer of women, was the son of another murderer; Patetot was the grandson and great-grandson of two other criminals; fourteen members of the Nathan family were found in prison at the same time and in the same penitentiary. The Nathans constituted a gang of robbers, all related among themselves, either by blood or marriage, in the first and third degrees."

Professor Poellman of the University of Bonn made an interesting study of the descendants of a drunken woman who died in the early part of the nineteenth century. Of the 709 of her descendants for six generations, whose records had been gathered, it was

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found that 107 were illegitimate children, 162 were beggars; 64 were confined in asylums for the poor; 187 were prostitutes; 76 were convicted of grave felonies, and 7 were hanged for murder.

Rev. Dr. Stocker of Berlin made an investigation of 834 descendants of two sisters who died in 1825, and found among them 76 who had served prison sentences, totalling 116 years; 164 harlots; 106 illegitimate children; 64 vagrants; 142 beggars, and 17 ruffians.

The study of the "Jukes" family of New York, as made by R. L. Dugdale, furnishes a very instructive example of the transmission of crime by heredity. The descendants of five sisters, known as the "Jukes", through five generations, reached according to records, 709 members composed mostly of criminals, prostitutes, vagrants, and paupers. Only about 20 of the total number ever learned some trade, and of these 10 learned their means of livelihood in prisons. Of the 709 members, 76 were confirmed criminals; of the women, more than one half were prostitutes, and the average of those having normal habits was only 1.66 percent. It is estimated that the "Jukes" family has cost the State of New York approximately \$1,250,000 without taking in to the bargain the horrible crimes and criminals left to prey on the peaceful citizens.

On the other hand, the study of the Edwards family of new England furnishes a grateful contrast as further proof of the influence of heredity in the perpetuation of family characteristics. Of the 1394 descendants of Jonathan Edwards identified in 1900, 295 received degrees from various col-

leges; 13 became college presidents; 65 were professors, and many others were supervisors of educational centers; 60 were physicians; 100 clergymen, missionaries and professors of theology; 75 were officers of the Army and Navy; 60 were famous authors. Thirty-three states of the Union, several foreign countries, and some 92 cities have felt the beneficent influence of their activities; more than 100 were lawyers; 30 judges; 80 were public officers, one of whom was vice-president of the United States, and three were senators of the United States Congress; while several others were state governor, members of Congress, and state legislatures, mayors, ambassadors, and so forth.

Lombroso ascribed the low percentage of criminality in Great Britain, as compared with statistics of other countries, to the frequency with which capital punishment and summary deportations were formerly resorted to in cases of persons convicted of serious crimes, thus not only eliminating the criminals themselves, but also preventing their reproducing their kind in the home country. In the nineteenth century, for example, the law of England applied the death penalty to more than 150 different classes of crimes. It has also been shown that in New South Wales, Tasmania and Western Australia, where England deported criminals, the percentage of criminality is much higher than in other parts of Australia.*

All these considerations point to the desirability of devising some means by which criminals with marked hereditary taint could be prevented from further reproducing their species. This contention is further strengthened by the fact that the criminal class, as a whole,

* From "Crime and Moral Education," Villamor.

are more prolific, their powers of reproduction being more potent, so to speak, than normal individuals. An ideal means of sterilizing criminals of this class is VASECTOMY.

What is vasectomy? The term "vasectomy" is derived from the Latin word "vas", vessel, and the Greek word "ektom", excision, meaning the surgical removal of a portion of the *vas deferens*. The *vas deferens* is the excretory duct of the testicle, passing from the testes to the ejaculatory duct at the posterior end of the urethra. It is the tube through which the spermatozoa passes from their origin in the testicle to the urethral canal and outside. The operation of vasectomy, for the purpose of sterilization, is commonly performed by incising the skin of the scrotum immediately below the external abdominal ring, exposing the spermatic cord, and dividing it between two ligatures. The operation is quite simple, requires but a few minutes' sitting, practically free from any danger, and may be done under local anesthesia. The subject returns to his work immediately, suffers no inconvenience, and is in no way impaired in the enjoyment of life and happiness, but is effectively sterilized.

Vasectomy is analogous to the operation of salpingectomy, or the ligature and excision of the Fallopian tubes in the female, an operation which is being resorted to by some matrons of the higher society of Manila as an effective means of birth control.

Vasectomy should not be confused with castration, or the removal of the testicle, this latter being a more serious operation and may be followed by grave disturbances in the metabolism of the body. Castration, as was practiced with the eunuchs of the Sul-

tan's harem in Turkey and other oriental countries, removes with it the interstitial cells of the testicles which produce an internal secretion essential for the sexual development of the individual. Castration, when practiced in early youth, before the age of puberty, prevents the development of the secondary characteristics of man. The subject becomes effeminate, his beard does not appear, his voice remains unchanged, and he becomes apathetic, morose, and does not develop the sexual desire. When performed during adult age, the person loses interest in life, his character may change for the worse, and his sexual instinct is lost. Thus castration, as a means of sterilization of habitual criminals, is a form of mutilation, and its application would come under the purview of "cruel and unusual punishment" prohibited by our organic law. But vasectomy, while effectively sterilizing the subject, does not affect him in any other way. The individual, after the operation, feels as normal as usual, his sexual instinct is not lost and his power to perform the sexual act is not affected.

Vasectomy, therefore, as a means of sterilizing the criminal, who, after a thorough physiological and psychological examination, is found to have an unquestionably hereditary taint which is dangerous to society, should be adopted in the Philippines. This operation, when properly performed and in appropriate cases, would effectively serve the ends of social defense through the limitation of criminal heredity, without at the same time violating humanitarian sentiment nor interfering with the future enjoyment by the criminal of his "inalienable" rights of "life, liberty, and the pursuit of happiness."