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Criminology in Europe: Birth and Development of Criminology in Italy

Birth and development of Criminology

Marco Ezechia Lombroso, known as Cesare, was born in Verona in 1835 and died in Turin in 1909, the city where he founded the Museum of Criminal Anthropology.

There, even today, one can admire Lombroso's private collection consisting of 684 skulls, 27 human skeletal remains, 183 brains (not exposed to the public), 502 bodies of criminals that used to commit more or less bloody crimes, 42 restraint rods, 100 death masks, 475 drawings of "Insane", thousands of photographs of criminals, madmen, and prostitutes, brigands' clothes and 3 "carnivorous" plant models.

Lombroso's skeleton and face in formalin are also preserved in the museum.

For many, Lombroso is the scientist considered to be the father of modern criminology; for others, he is considered "crazy" but also a "visionary" for his theory of atavism explained in the text "The delinquent man" of 1896.

Inspired by Phrenology, conceived by Franz Joseph Gall and according to which the individual psychic functions depend on specific "regions" of the brain, Lombroso measured the shape and size of numerous skulls.

And from the evaluation of the morphological peculiarities, such as lines and depressions, he determined the psychic qualities of different individuals and specific criminal personalities.

As Lombroso himself said: "*On a grey and cold morning in December 1871, analyzing a skull, all of a sudden it appeared to me, as a large plain under an inflamed horizon, I had solved the problem of the nature of the offender, who thus had to reproduce in our times the characters of primitive men down to carnivores*".

It was the skull of the brigand Vilella in which Lombroso noticed an anomalous dimple that had contained the median lobe of the cerebellum: median occipital fossa, found only in lower, "less-developed" beings.

Fortunately, some skulls are preserved in the Pathological Anatomy Museum of the University of Florence, bearing the vivid definitions of thief, forger, and a clear testimony to Lombroso's theory.

In particular, the cast of the skull of Lorenzo Duke of Urbino is of great interest from a historical-medical point of view, as it visibly preserves the trace of the intervention carried out by the famous Berengario da Carpi, in 1528, when Lorenzo was wounded by a shotgun bullet in the neck, during the siege of Castel Mondolfo.

Berengario documented this intervention in the treatise "*De fracture calve sive cranei*", dedicated precisely to Lorenzo Duke of Urbino, in which the author explains the operation techniques used, referring to this particular case and integrating, therefore, testimonies of the epistolary documentation and official reports.

Thanks to the union Lombroso forged with Enrico Ferri, an illustrious criminal lawyer, and socialist deputy, the so-called Positive School was born, proposing profound reforms in the penal and penitentiary fields.

However, many Catholic scholars opposed the Lombrosian doctrine because it undermined the dogma of free will. Afterward, Criminology was criticized by fascism, an authoritarian regime opposing any idea of studying crime and rehabilitating the offender. The regime's aversion even led, in 1936, to the cancellation of Criminal Anthropology from all the kingdom's universities.

After the fall of the regime and the end of the unfortunate and disastrous war adventure, Criminology was reintroduced into the University system alongside forensic medicine.

The resumption of the discipline was carried out at the University of Rome by Benigno di Tullio with the collaboration of Salvatore Ottolenghi, a pupil of Cesare Lombroso and a fascinating figure. Born in 1861 into a noble Jewish family from Asti, at 23 he graduated in Medicine in Turin, specializing in ophthalmology, anthropology, and psychiatry, embarking on a university career as an assistant to Cesare Lombroso.

Attracted by crimes as a research topic, he became the first modern criminologist and the founder of applied scientific criminology.

Lombroso and Ottolenghi represented the starting point of the Scientific Police in a century marked by growth in the industry, more awareness of social issues, and the dominance of positivism.

But it was in 1895 that Ottolenghi took off, leaving Lombroso and obtaining the chair of forensic medicine in Siena, convinced that this was the only way to make the dead "speak" and tell the truth.

He then organized the first course for his students of scientific police, combining science and investigation. Ottolenghi's most relevant intuition, partly taken up by previous but not specific Lombrosian suggestions, was that of using the discoveries of medical sciences and the practical knowledge of criminal anthropology at the service of a new and modern concept of the police that would, thus, become genuinely scientific.

As such, a real 'investigative epistemology' was born. In this sense, the spoken portrait of Ottolenghi's site inspection was the first methodological procedure that didn't deal exclusively with photographic relief but provided a real handbook for crime scene inspection.

Training of criminologists in Italy

Because of the Lombrosian heritage, Criminology in Italian Universities is included in the scientific-disciplinary sector MED/43 - Legal Medicine. However, there are "optional" elective courses that students can choose from at the Schools of Law and Psychology. Only a few places provide, such as the University of Turin, a specialist criminological course. In all other Universities, the study of Criminology takes place

within Master courses which allow, from a multidisciplinary perspective, overall training and an integrated picture of criminal phenomena.

For this reason, the problem of training criminologists has always been an important and debated topic of modern criminological science, which sought to consolidate acquired positions and carve out new operational spaces in non-traditional fields.

The various studies and research perspectives have also been explored to help better understand the contribution that criminologists can provide to professional activities dealing with crime prevention, social reaction, offender treatment, protection, and support for victims.

It, therefore, follows that criminological training "is not based on given certainties and on constant references over time in a reassuring transmission of knowledge. The only serious way to protect the value of tradition is to criticize its value, with the constructive purpose of throwing away what has lost meaning and preserving what must be kept as a heritage resistant to time and transformation" (Portigliatti, 1995).

Prevention and safety

Since the mid-1990s, the Italian reality of local authorities (regions, provinces, and municipalities) has seen a continuous increase in the request for safety interventions due to growing concerns in public opinion related to social insecurity.

There is objective safety, understood as the statistical risk of being a victim of criminal behaviour, and subjective security, i.e., the one perceived by the community, determined and influenced by multiple social, psychological, and territorial variables.

Certainly, for those who are used to living in a large and turbulent city, the request for security will arise from facts that are objectively different and probably more serious than for those who live in a small and quiet town.

The pragmatic verification of the effects of the various safety programs implemented, identifying their limitations, perspectives, and operational capabilities, constitutes a peculiar scientific task of criminology that goes beyond formulating criminal policy (Bandini et al., 2003).

Prison

Crime prevention represents one of the main functions attributed to the entire penal system in its various bodies and apparatuses. Historically, the use of penal sanctions

has been justified not only with a series of considerations of a "retributive" type but also with a series of arguments of a "preventive" type, which date back to the utilitarian philosophies developed in the eighteenth century.

This means that Beccaria's doctrine contributed significantly to founding the theory of deterrence, which soon became one of the cornerstones of the Classical School of Criminal Law, inspired by the Milanese school.

However, the justification of the penal law through its general preventive function has undergone mixed success. After being in vogue with the Classic School of Criminal Law at the end of the nineteenth century, it was partly supplanted by new approaches derived from the Positive School and oriented toward specific prevention.

According to these, the penalty must adapt to the needs of each individual and be directed to the re-education and social reintegration of offenders by transforming their personality in such a way as to make them law-abiding citizens. The new trends of the twentieth century centered on the rehabilitative function of the sentence, making extensive use of tools from the psychological and social sciences, which were gradually emerging and developing.

Indeed, the history of prison sentences demonstrates that the prison environment tends to be negatively structured, becoming a source of corruption and a criminogenic factor. In Italy, the criticism of the correctional-type approach has had wide prominence and led to an orientation that increasingly tends to separate the educational aspect from the punitive one, even in the juvenile field.

In Italy, the guidelines used for juvenile justice and social services are still subjected to extensive debate and contrasting positions that go beyond the traditional re-educational approach.

In this regard, Law 663/86 (the so-called Gozzini Law) introduced innovations of particular interest, such as alternative measures to the holding and the remission of a debt.

Rather heterogeneous institutes (probation, partial release, licenses, early release) suggest to convicts that adopting certain behaviours in prisons facilitates compliance with the treatment program envisaged for them.

Recent Italian history

The O.P.G. (Judicial Psychiatric Hospital) was a detention facility that, following the prison reform of 1975, replaced the criminal asylums. Offenders suffering from psychiatric conditions such as psychoticism or schizophrenia were sent to these structures when considered incapable of understanding their actions at the time of the crime.

Based on the double-track principle inserted in the Rocco Penal Code (1939), if a person is considered mentally ill and, thus, not charged, but is still deemed socially dangerous, then prison detention is not foreseen. Instead, a security measure is applied.

The O.P.G., therefore, had a dual function: for custody and social defence; or care and treatment, for the reintegration of the individual into society.

The first step towards a change was the transfer of penitentiary medicine competencies from the Ministry of Justice to that of Health.

The second piece was represented by the introduction of R.E.M.S. (Residences for the Execution of Security Measures). The R.E.M.S., introduced with the Law of 17 February 2012, n. ° 9, constituted the answer to the above requirements.

The logic behind these new structures is rehabilitation; the staff comprises health professionals. Moreover, the so-called “white life sentence” was eliminated by the same law, establishing that, unlike before, the duration of a security measure cannot exceed the maximum statutory penalty for the crime.

Clinical Criminology

Clinical criminology (i.e., applying scientific criminology to criminal practice) aims to formulate an opinion on the offender. This opinion involves a diagnosis of dangerousness, a social prognosis, and possibly a treatment intended to prepare for social reintegration. Its aim is, therefore, the recovery of the offender.

Still, to achieve this aim within the framework of the penal system, the latter needed to be reformed both in its general guidelines and in its procedural mechanisms. Therefore, Clinical Criminology has presented itself as a committed and reformist discipline.

After the Second World War, it was mainly supported by jurists close to the doctrines of “social defence”, such as Filippo Gramatica or Marc Ancel.

Clinical Criminology has been subjected to several criticisms by Radical Criminology. According to the latter, a conservative point of view would dominate Clinical Criminology, and its proposed reforms would only lead to strengthening the current *status quo* of society without changing the existing order.

But since the alleged conservatism of Clinical Criminology could not be sustained in the face of its aims, radical criminologists have directed their criticisms toward other fields. They wanted to believe that Clinical Criminology argued for the assimilation of the mentally ill and delinquents: which is entirely false.

Clinical Criminology is not medicine but is methodologically organized like medicine. Finally, radical criminologists have insisted that taking the offenders’ social reintegration as an objective is impossible since this would lead them to accept the established order based on social injustice.

However, this criticism has no foundation because social reintegration in Clinical Criminology simply refers to the fact that it is convenient to make offenders aware of the causes of their conduct so that they can overcome them.

Privileged research fields

I had the pleasure and honour of being included by Prof. Uberto Gatti in the second edition of the International Self Report Delinquency Study, 2006. Due to the scientific importance of the project and thanks to Ineke Marshall, who inherited the sceptre from Josine Junger-Tas, the international project had a third edition (years 2012-2019) and a very recent fourth edition.

The International Self-Report Delinquency Study (ISRD) is a large, international, collaborative study of victimization and delinquency among adolescents in grades 7, 8, and 9.

Pioneered by Dutch criminologist Josine Junger-Tas, the project is built over two strengths.

* First, it uses the self-report survey method, which has long been considered a more valid and reliable measure of offending and victimization than official data. It also enables the exploration of theoretically relevant variables.

* Second, it uses a standardized survey instrument and sampling frame in a multinational data collection exercise that allows the study of similarities and differences between countries and tests of theories in varied social, economic, political, and cultural settings.

This standardized school-based survey is underway for the fourth time (ISR4), with over 50 countries participating.

The first edition, which was pioneering, took place in 1992. Italy participated with 3 cities - Brescia, Firenze, and Messina - under the direction of Prof. Uberto Gatti.

In 2005, the second ISR4 commenced. The ISR4-2 design was a significant improvement over ISR4-1, in particular by focusing on the importance of developing and applying a research protocol to be followed by all participants. The ISR4-2 was conducted in 25 European and 6 American countries. Italy participated with 15 cities - Bergamo, Brescia, Brindisi, Cormanico, Florence, Genoa, Lecce, Messina, Milan, Naples, Padua, Perugia, Sassari, Siena, Ventimiglia - for a sample of over 7000 students.

The ISR4-3 started in 2012, and 24 national teams conducted it between 2012 and 2019. Italy participated with the cities of Brescia, Florence, Genoa, Lecce, Messina, Milano, Napoli, and Siena for a sample of 3508 students.

Conclusions

Italy, the birthplace of criminology, still contributes strongly to the development of this science.

There have been numerous Italian Authors who have outlined the fields of criminological scientific knowledge over the years. Particular attention was paid to the penitentiary phenomenon and, specifically, to the individualized treatment of the offender, a prerequisite for his re-education and reintegration into society.

New patterns in crime are rising. Let's think about the risks associated with the social media jungle populated by different types of new predators (cyberbullying, revenge porn, sextortion, soliciting minors online, etc.).

What can be considered Deviance and Crime in an era of fast social changes?

What can scientists do to understand more deeply the current reality?

Much still needs to be done in Italy to break down gender-based stereotypes and violence. The contrast cannot be only judicial through the introduction of new types of crime (law 69/2019 named Red Code Law) and the tightening of penalties because the problem has solid socio-cultural foundations.

What about the role of criminologists as “teachers”? Criminologists must use a multidisciplinary and interdisciplinary approach in which scientists can join to share the outputs of their particular points of view.

So many questions to answer but there will be time to discuss them during the 23rd Conference of the European Society of Criminology in Florence, which I am extremely proud (and afraid!!!) to organize.

Therefore, we'll meet in two months...Florence is ready to welcome you!

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*"Florence is the city of the Renaissance, The place where it all started: a new beginning of arts and science, after the great plague of the late Middle Ages. And from Florence, the spirit of the Renaissance spread to the rest of Europe, too. La storia d'Europa è una storia di Rinascimenti. Europe is a story of new beginnings. After every crisis came a European Renaissance. And this is what Europe needs in our day and age. This is our responsibility: to end the pandemic and to shape a new beginning for Europe. Europe is able to overcome crises and deliver for the future of its citizens. A few kilometers from Florence, there is a small village called Barbiana. On a hill in Barbiana, there is a small countryside school. Back in the 1960s, a young teacher, Don Lorenzo Milani, wrote two simple words, in English, on a wall in that school: **'I care'**. He told his students that those were the two most important words they needed to learn: **'I care'**. **'I care'** means **I take responsibility**. (President of the European Commission, Ursula von der Leyen, opening the Conference on the State of the Union at the European University Institute, 5-6-2021)*