THE LOMBROSIAN MYTH IN CRIMINOLOGY

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ABSTRACT

The prevailing conception in this country of Lombroso as the founder of scientific criminology may best be described as a myth. Many earlier studies of crime closely parallel contemporary sociological studies. An extensive literature upon juvenile delinquency, professional crime, crime causation, and other aspects of criminology was already in existence when Lombroso began his work. The use of autobiographical documents, the employment of official statistics, the ecological approach, and the study of the criminal "in the open," were understood and applied long before the time of the Italian school. From a sociological viewpoint, the advent of Lombroso represents a retrogression or an interlude in the progress of criminology rather than a step in advance. The eclipse of the earlier work may perhaps best be explained as a result of shifting prestige values associated with the importation of social Darwinism into the social sciences, with the growing popularity, in the later part of the nineteenth century, of psychiatric and other individualistic or biological theories, and with the isolation of American criminology from earlier European developments.

Perhaps the most familiar stereotype in recent criminological literature is the traditional estimate of the place of Lombroso in the history of the scientific study of crime and criminals. Almost unanimously he has been spoken of as the founder of modern criminology,¹ and a host of developments, such as the indeterminate sentence, the Elmira Reformatory, probation, parole, the study of juvenile delinquency, and even an interest in the problem of vagrancy, have been linked with his name.² Writings in the field of criminology


² F. H. Wines in an article ("The New Criminology," Congress of Arts and Sciences, Vol. VII [St. Louis, 1904]) wrote: "It has been said, but without sufficient information, that the researches of the school of criminologists known as the criminal anthropologists were the original occasion and motive of the introduction into American criminal jurisprudence of the principle of the indeterminate sentence. There is no historic proof of this assertion. . . . The labors of the criminal anthropologists logically lead to the acceptance and adoption of the indeterminate sentence, but they were little known, and had made no serious impression in America at the date of the creation of the Elmira institution." Probation and parole, of course, long antedate the appearance of Lombroso's L'Uomo delinquente in 1876. A parole, or "ticket-of-leave system," was established in England in 1853, and probation was practiced before the middle of the nineteenth century in both England and the United States. See F. W. Grinell, "Probation as an Orthodox Common Law Practice in Massachusetts Prior to the Statutory
prior to Lombroso are assumed to be of little importance and are usually dismissed with a bare reference to some of the early reformers such as Howard (1726–1832), Romilly (1757–1818), Beccaria (1738–94), Bentham (1748–1832), and a few others. The developments in England, France, Germany, Belgium, and other Continental countries in the half-century between 1830 and 1880 appear to constitute a sort of no man's land in historical criminology, judging from the almost complete absence of references to that period.

There is no actual evidence in the voluminous criminological literature of the nineteenth century, before or after the time of Lombroso, which justifies the extravagant eulogies that are made of him or that gives the slightest grounds for considering him the first to study crime or criminals scientifically. We shall attempt in this paper to indicate some of the factors which may account for the origin and dissemination of this Lombrosian myth and to give some idea of the true place and significance of the Italian school. We shall also have occasion to call attention to valuable research work in various phases of criminology during the half-century that preceded the appearance of Lombrosianism, i.e., to studies that were carried on in the scientific tradition which had its origins primarily in the outstanding studies of A. M. Guerry (1802–66) and A. Quetelet (1796–1874). It was this older tradition which gave the contemporaries of Lombroso the evidence and standards in terms of which his theories were criticized and rejected and which enabled


Barnes (op. cit.) states: “In the active scientific criminology of today, the doctrines of the classical school and of criminologists prior to 1910 have little more than historical import.” Practically all recent textbooks have more or less uncritically accepted this viewpoint.
sound scholarship of that day to form an accurate estimate of the historical significance of the "new school." 

Although the roots of the scientific study of crime extend far into the past, criminology as a modern social science may be said to have begun approximately in the 1830's with the publication of the works of Quetelet and A. M. Guerry on this subject. Their principal source of inspiration was the official crime statistics which began to be published in a useful and reliable form in most European countries after France had set the standard with her Compte générale, first published in 1825. The influence of Quetelet in attracting the attention of scholars all over Europe to the possibilities of the scientific study of social phenomena and to the study of crime was enormous. The importance of his influence on social science is generally recognized, but his studies in other fields overshadow his work in criminology and as a result he is rarely mentioned today for his pioneer efforts in this field. A. M. Guerry, who devoted his attention exclusively to the study of crime and of "moral statistics," is scarcely less important. In 1829 he and Balbi first made use of shaded maps to represent crime rates, and in a famous volume in 1833 this "cartographic method," as it was called, was further improved and used as a basic technique in isolating causal relationships as "ecological" maps are used today. This 1833 work of Guerry's attracted immediate attention in France and in other countries and was taken as a model by criminologists all over the world.

4 In the absence of any adequate general treatise on the history of criminological theory, comprehensive references to the literature prior to 1882 will be found in A. von Oettingen, Moralstatistik (3d ed., 1882 [1st ed., 1868; 2d ed., 1874]). For the statistical studies from 1882 to 1916 G. von Mayr's Statistik und Gesellschaftslehre, Vol. III (2d ed., 1917), is excellent. In the later editions of his L'Uomo delinquente Lombroso quotes rather extensively from this earlier literature. A useful summary will also be found in A. Bonger, Criminality and Economic Conditions (Amer. ed., 1910).

5 An evaluation of the work of Guerry will be found in von Oettingen, op. cit., esp. I (1st ed., 1868), 132 ff. An extensive review, covering fifteen pages, on Guerry's 1833 work will be found in the Westminster Review, XVIII, 353 ff. W. R. Greg in 1835, in the Preface to his Social Statistics of the Netherlands, stated: "The curious and novel information contained in the elaborate and profound work of M. Guerry, 'Sur la Statistique Morale de la France,' and the startling speculations which are there so carefully developed suggested to me the idea of undertaking a somewhat similar investigation for some other country, to ascertain how far the results to which he arrived for France would bear the test of a more varied and extended inquiry. . . . . I have given coloured
Europe during the next few decades. The “cartographic” or “geographical” method of analysis which Guerry introduced in his *Essai sur la statistique morale de la France* in 1833 and later elaborated in his monumental *La statistique morale de l’Angleterre comparée avec la statistique morale de la France*, (1860) became an accepted and common technique in the analysis of statistical data in criminology and in other social sciences.\(^6\) Besides the use made of it by individual maps, after M. Guerry’s example. . . . Other English writers—J. Fletcher, H. Mayhew, W. Redgrave, and F. G. P. Neison—praised Guerry’s early work, Fletcher speaking of it as “the greatest work of its kind for the time” (*Summary of the Moral Statistics of England and Wales*, 1850). Parent-Duchatelet, a friend of Guerry’s, employed his technique, using shaded maps of Paris and of France in his remarkable study, *La Prostitution dans la ville de Paris* (1st ed., 1837). F. Robriquet, in *Crimes commis dans la Corse* (1841), used much smaller geographical units in preparing the shaded maps which he used in his careful analysis of crime in Corsica and in his comparison of the island with France in respect to crime rates for various types of crimes. Guerry had a number of his maps of crime on display at the London Exposition in 1851 and in the same year exhibited eighteen of them, representing English criminal statistics for sixteen years, ending in 1850, to the British Association for the Advancement of Science. In various meetings of the international statistical congresses special sections were devoted to the consideration of this method (see M. Block, *Traité théorique et pratique de statistique* [1878], p. 67 ff.). In Belgium both Quetelet and Ducpétiaux were influenced by Guerry and employed his method.

scholars, it was also employed by the governments of several European countries in the presentation of official criminal statistics. It is not always recognized that the "ecological approach" to the study of crime as it is carried on today may be fairly said to have been first employed more than a century ago.

The method of Guerry was in a sense opposed to that of Quetelet. Whereas the latter emphasized the regularity of aggregate results and considered the effects of sex, age, climate, and other "natural" causes, speaking of free will as a disturbing element, Guerry broke up aggregate results in terms of small geographical units and attempted to account for the variation in crime rates from one period to the next and from one district to the other in terms of an analysis of general social conditions and of differences in legislation. It was this aspect of his method which no doubt led him to prefer to call it analytique morale rather than "social physics," the term employed by Quetelet.

One of the problems which attracted more attention than any other was that of juvenile delinquency. The advanced conceptions of education of Pestalozzi and Froebel were early applied to young offenders, and in the first half of the nineteenth century a movement for the reformation of juvenile delinquents swept over Europe and resulted in the establishment of literally hundreds of reformatories and agricultural colonies based upon a recognition of social responsibility for the young offender and the desire to reform rather than to punish. Indeed, it is clear that the reformatory movement would not have been possible without these assumptions. In England the period prior to the 1850's (when government support extended to establishments for the reformation of juveniles) was one of agitation.

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H. Joly, *La France criminelle* (1891); Rettich, "Die württembergische Kriminalität," *Jahrbücher für Statistik und Landeskunde* (1894), p. 331; and many others.


by societies, of many conferences, of experiments with methods of treating young offenders, of parliamentary inquiries, and a great deal of public discussion. Not only did this interest take a practical turn, but it was also clearly manifested in many theoretical attempts to isolate the causes of crime, as, for example, in the work of Henry Mayhew.

Considerable agreement as to the importance of the matter of juvenile delinquency was, of course, a necessary basis for the success of the reformatory movement. The realization of the importance

9 Confining ourselves entirely to English publications, the principal parliamentary and other official inquiries into the problems of juvenile delinquency are: Borough of Birmingham, Report of the Committee of Justices Appointed To Consider the Treatment of Juvenile Offenders (1800); London Committee for the Investigation of the Causes of the Alarming Increase of Juvenile Delinquency in the Metropolis (1816); Report from the Select Committee on the Causes of the Increase of Criminal Commitments and Convictions, and into the State of the Police of the Metropolis (1828); Third Report of the Commissioners on Criminal Law (1834); Report to the Secretary of State for the Home Department Relating to Plans for a Prison for Juvenile Offenders (1837); Middlesex, July Quarter Session, Report of the Committee Appointed To Report Their Suggestions for Checking the Growth of Juvenile Crime and Promoting the Reformation of Juvenile Offenders (1846); Committee on Juvenile Delinquency: Report to the Prison Board for the County of Aberdeen (1847); Report of the Select Committee of the House of Lords Appointed To Inquire into the Condition of Juvenile Offenders (1847); Report of the Committee Appointed To Examine into the State of Juvenile Crime in Newcastle and Gateshead (1849); Reports of the Select Committee on Criminal and Destitute Children and Juveniles (2 vols., 1852-53). See also Sir John E. Wilmot, A Second Letter to the Magistrates of Warwickshire on the Increase of Crime in General, but More Particularly of Juvenile Delinquency (1820); John Wigham, Letter to the Citizens of Edinburgh on the Expediency of Establishing a House of Refuge for Juvenile Offenders (1832); William Neale, Juvenile Delinquency in Manchester, Its Causes and History (1840); Sheriff Watson, Crime and Juvenile Delinquency in Aberdeenshire (1847); E. Rushton, Juvenile Delinquency (1842); T. Paynter and Rev. Sydney Turner, Visit to Mettray (1845); Walter Buchanan, Remarks on the Causes and State of Juvenile Crime in the Metropolis with Hints for Preventing Its Increase (1846); B. Rotch, On Juvenile Delinquency (1846); H. Barclay, Juvenile Delinquency, Its Causes and Cure, by a County Magistrate (1848); "Juvenile Criminals," North British Review, X (1849), 1-38; T. Beggs, An Inquiry into the Extent and Causes of Juvenile Depravity (1849); "Young Criminals," Edinburgh Review, XCIV (1851); P. J. Murray, Reformatory Schools in France and England (1854); "Reformatory Schools in France and England," Irish Quarterly Review, IV (1854), 691-702; Reports of Two Conferences Held at Birmingham on Juvenile Delinquency in 1851 and 1853 (1854); Joseph Fletcher, "Statistics of the Farm School System of the Continent and Its Applicability, etc.,” Journal of the Statistical Society, XV (1852), 1-49; S. P. Day, Juvenile Crime, Its Causes, Character and Cure (1858); T. C. Kynnersky, "On the Treatment of Juvenile Offenders in Police Courts and Petty Sessions,” National Association for the Promotion of Social Science (1860); Mayhew, op. cit.
of family and community influences upon the young was an essential aspect of this movement and was stressed in practically all the extensive literature on the subject. The following statement is representative of many others, and serves to reveal the general character of the conceptions of juvenile delinquency both by the public and by scholars during the early part of the nineteenth century:

Juvenile crime is but the blossom of a plant deeply rooted in our social institutions; and to deal with it as a matter of separate growth would be much the same as if a gardener, wishing to make his garden productive, were to cut off some of the buds from the bad fruit trees, and imagine that thereby he would find the rest produce a good crop of superior description. Juvenile crime only tells that a large number of children are without that care for their well-being, morally and physically, which social arrangements are intended to provide; and we shall have to look deep, and inquire long, perhaps ere we shall discover where the first fault lies.10

To this half-century discussion and study of juvenile delinquency, paralleled as we have said by a similar interest in Continental countries, Lombroso and his disciples added little or nothing. On the contrary, it is probable that their doctrines contributed materially to the decline of interest in the problems of juvenile delinquency in the later decades of the nineteenth century. The interruption in the interest of the study of juvenile delinquents which was occasioned by the militant biological determinism of the Italian school may account for a delusion among contemporary students that a “scientific” interest in juvenile delinquency emerged for the first time with the establishment of the juvenile court in Chicago in 1899.12


11 See, e.g., E. Ducpétiaux’s summary of the Continental development in Colonies agricoles, écoles rurales et de réforme, etc. (1857), and Fuchs, Die Vereins-Fürsorge zum Schutz für entlassene Gefangene in ihrer geschichtlichen Entwicklung während des letzten hundert Jahre (1888).

12 M. van Waters, in her article on “Juvenile Delinquency and Juvenile Courts” in Encyclopedia of the Social Sciences, claims that the first comprehensive formulation in legal terms of the concept of juvenile delinquency was made by a committee of the Chicago Bar Association in 1899 and adds: “To attribute to the early lawmakers the concept of child delinquency is pure guesswork, based on the desire to produce an ancient genealogy for a modern development.” Such a point of view represents an almost incredible lack of historical perspective. W. Healy, in “The Close of Another Chapter in Criminology” (Mental Hygiene, XIX [1935]), writes: “It is only twenty-five years ago
Another aspect of the crime problem which was isolated and studied before Lombroso was that of the professional criminal. The existence of crime as a social institution or as a trade, as distinct from crimes of accident or of passion, was recognized and the relationships of the criminal group with legitimate society were described and made the subject of many investigations. The historical continuity of the traditions and language of thieves, prostitutes, receivers, and swindlers was the topic of frequent comment and the subject of many excellent studies.

One of the most remarkable works in this field was that of Ave-Lallemant. In this work the author traces the historical development of professional crime as an organic part of the social structure in terms of the persistence of criminal argot. He finds that crime as a social institution, carried on as a trade by an integrated and, in a sense, organized group of persons, originated in the breakup of slavery and the feudal order. In a society of serfs attached to the soil there was no room or possibility for the growth of a vast mobile pauper and vagabond population out of which professional crime is born and wherein it conceals itself. As the old social order broke up, that science began an attack upon the problem of the juvenile delinquent. . . . If the roots of crime lie far back in the foundations of the social order, it may be that only a radical change can bring any large measure of cure . . . . until a better social order exists, crime will continue to flourish.” This was precisely the point of view of the generation of students before Lombroso.

See especially Ave-Lallemant’s famous Das Deutsche Gaunerthum in seiner sozial-politischen, literarischen und linguistischen Ausbildung zu seinen heutigen Bestande (4 vols., 1858–62), and von Oettingen, op. cit. Other works dealing with this subject are “The Schoolmaster’s Experiences in Newgate,” Fraser’s Magazine, Vols. V and VI (1832); F. E. Vidocq, Les Voleurs (1837); H. A. Fregier, Des Classes dangereuse de la population dans les grandes villes (1840); C. Rohlitz, Das Wesen und Treiben der Gauner, Diebe und Betrüger Deutschlands (1846); C. W. Zimmerman, Die Diebe in Berlin (1847); “Thieves and Thieving,” Cornhill Magazine, Vol. III (1860); W. Crofton, The Immunity of Habitual Criminals (1861); unsigned article, “Professional Thieves,” Cornhill Magazine, Vol. VI (1862); H. Mayhew, op. cit.; unsigned article, “The Science of Garrotting and Housebreaking,” Cornhill Magazine, VII; J. B. E. Laurent, Le Monde des voleurs, leur esprit et leur langue (1863); Mary Carpenter, Our Convicts (1864); Moreau-Christophe, Le Monde des coquins (1865); W. E. Wahlberg, Dass Mass und der mittlere Mensch im Strafrecht (1869) and Das Princip der Individualisierung in der Strafrechtspflege (1878); Maxime DuCamp, Paris, ses organes, ses fonctions et sa vie, etc., III (6 vols., 1872); A. Ragotzky, “Das Verbrecherthum in Berlin,” Blätter für Gefängnisskunde (1872); H. Joly, Le Crime (1888); G. Moreau, Le Monde des prisons (1887); T. Schräder, Das Verbrecherthum in Hamburg (1879); and many others.
and as the growth of towns and the practice of almsgiving encouraged and made possible a vagrant life on a large scale, those who were disinherited by the vicissitudes of economic fortune took to the road. In this setting the traditions of thieves, brigands, burglars, receivers of stolen goods, and of swindlers began to develop as Ave-Lallemant demonstrated by pointing out that in this period criminal argot emerged for the first time. He especially emphasized the intimate relationship between crime and prostitution and discussed the importance of the role played in the German underworld by Jews and gipsies. He described how the closer organization of society, and especially the development of a police system, caused the professional criminal to be absorbed into the very structure of the social order, where he continued to operate by stealth and deception, concealing his identity in the anonymity of great cities. Crime was treated by Ave-Lallemant simply as an aspect or product of social organization.

The preoccupation of the Lombrosians with anatomy and with Darwinian concepts and their assumption that the causes of crime were to be found in the nature of the criminal taken "individually" rather than in his relations to others led them to fail entirely to appreciate the importance of the type of historical research done by Ave-Lallemant and others. What Lombroso did was to reverse the method of explanation that had been current since the time of Guerry and Quetelet and, instead of maintaining that institutions and traditions determined the nature of the criminal, he held that the nature of the criminal determined the character of institutions and traditions. Guerry in 1833 wrote:

In each epoch there are certain general causes by means of which one attempts to explain everything, and the effects of which are noted everywhere. Thus, in France, for example, the differences observed in the moral character of peoples and in their modes of thought, have been successively attributed, always according to the dominant ideas of the time . . . to the influence of temperature, nourishment, and finally recently, to elementary instruction, to

14 Other early studies of these two groups which reveal their unique relationship with the underworld are A. F. Thiele, Die jüdischen Gauner in Deutschland (1840); E. Tarnowsky, Die jüdischen Gauner (1850); A. F. Pott, Die Zigeuner in Europa und Asien (2 vols., 1844-45); and P. Bataillard, De l'apparition et de la dispersion des Bohémiens en Europe (1844). See also the recent book by A. V. Judges, The Elizabethan Underworld (1930).
industry, to religious influences, and to the influence of political law. Today . . . . there is a tendency to see in the moral character of peoples nothing but the variable effects of institutions.\textsuperscript{15}

H. Mayhew devoted his efforts to a refutation of what were perhaps three of the major current theories of crime causation in his day (ca. 1850), namely, that crime was due to poverty, to ignorance, and to density of population. By correlating crime rates in the various counties of England and Wales with each of these factors in turn he came to the conclusion that none of them was the cause of crime. The theory which he proposed in place of these was, briefly stated, that professional crime was the heart of the problem, and that it was a profession into which children were born and bred, so to speak, receiving their qualifying training in the low neighborhoods of England's great cities and in her prisons and jails. His description and analysis of London crime and criminals has probably never been surpassed. He conceived the juvenile offender as evolving in a natural process of social evolution into the adult professional thief. In 1863 John T. Burt came to somewhat similar conclusions when he said: "The great producing cause of habitual criminals is, I am persuaded, the criminal classes already existing. Crime is reproductive."\textsuperscript{16} Before the National Association for the Promotion of Social Science in the same year Burt made the following statement:

The amount of crime in any locality will be determined, partly by the number of persons in a population possessing less than average mental capacity, partly, and especially in times of distress, upon the amount of ignorance among the population, partly by the extent to which the population was subjected to the pressure of poverty, and obviously by the accumulation of valuable property in places which make it easily available for plunder. It has been pointed out that all these conditions are found combined in the highest degree in towns of the first magnitude.\textsuperscript{17}

It is unnecessary to describe the changes in the conceptions of crime causation which occurred under the influence of Lombrosianism. The growing prominence of mechanistic and biological theories in the later decades of the century are clearly reflected in the space which von Oettingen devotes to their refutation in the successive

editions of his *Moralstatistik*. In the second edition in 1874 Lombroso is not mentioned but the arguments later used against him are already essentially sketched. In the third edition in 1882 they were simply expanded and specifically applied to the Italian school.

In addition to the statistical methods in the study of crime which were employed fifty years before Lombroso by Guerry and Quetelet, there was also employed in the early nineteenth century a method of obtaining data which has come to be called the method of the “participant observer.” We refer by this term to the use of life-history documents, to the observation of criminals in their unsupervised moments, and to what has been called the study of the criminal “in the open.”

A body of objective descriptive material on the lives of criminals accumulated during the first half of the nineteenth century, and before, and began to be emphasized in the attempt to understand criminals and to isolate the causes of crime. Testimony by thieves and criminals, life-history documents, sympathetic accounts by outside observers with extensive practical contacts with criminals of all types abound in the literature of this period.\(^8\) For centuries the

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\(^8\) Vidocq, e.g. (*op. cit.*), who was frequently quoted by students of professional crime, was himself a thief. The approach which we have mentioned here is either explicitly emphasized or employed by practically all of the previously cited works on professional crime. H. Mayhew supplemented his statistical studies with numerous autobiographical documents. E. Ducpétiaux, as quoted by Rubbens in *Edouard Ducpétiaux* ([1922], chap. ix), speaking of the search for the causes of crime, said: “Il faut descendre des généralités de la statistique criminelle aux détails et aux cas spéciaux pour chaque localité.” A writer in *Cornhill Magazine* (unsigned article, *op. cit.*) wrote as follows: “Thieving considered as an art is only just beginning to be understood in this country; it is scarcely thirty years since honest men turned their attention to the subject with a determination to master it. . . . But obviously crime will never be cured until its origin and career are thoroughly understood. . . . Would that the professional thieves would be induced to come forward and candidly tell us about it. We will never fully understand them until they explain themselves. Police, prison discipline, fence masters, penal servitude, on each of these subjects a conference of old thieves, earnest and outspoken, would speedily teach the public more than they can ever learn from associations for the promotion of social science, parliamentary committees, government commissioners, prison inspectors and police reports. Believing that we cannot understand people of any class or character unless we go among them, see them in their open hours of unreserved communication, and hear what they have to say for themselves I have for some time past made the most of every opportunity of becoming, as a clergyman, acquainted with the origin, character, acts and habits of professional thieves.”
criminal had been regarded as a human being living in society; Lombroso's contribution seems to have been to have inaugurated the study of the criminal as an animal or as a physical organism. The assumption of the Lombrosians that the weighing and measuring of criminals was the only scientific method of studying criminals was particularly ironical in view of the notoriously slipshod methods of the father of criminal anthropology and in view of the neglect of control groups which has characterized the movement to the present day.

The resumption in recent years by sociologists of an interest in studying the criminal "in the open" and through informal conversation and life-history documents is now considered an important innovation in the progress of scientific method in criminology—and rightly so. It was precisely this approach of Lombroso's predecessors which led the Italian positivists to condemn the early work as "unscientific" and to conceive their own methods as the only scientific ones. From the standpoint of sociological research the shift in emphasis "from the crime to the criminal," in the sense in which this phrase is an actual description of what occurred, was an unfortunate error, for in the preoccupation with the criminal as an "individual" that followed, the social nature of crime and collective responsibility for the conditions in which crime arises were gradually lost sight of.

How did it come about that present-day sociologists who study crime along the same lines that it was studied before Lombroso should accept the myth that prior to the writings of the Italian school nothing that merits attention had appeared? Although we have not been able to do more than sketch a few of the significant developments of early nineteenth-century criminology, the vol-

19 E. Laurent (L'Anthropologie criminelle [1893], pp. 7-8), wrote: "Les questions des criminels a préoccupé les penseurs de tous les temps et de tous les pays. Mais on s'était plutôt attaché à l'étude sociologique du criminel; on s'était peu préoccupé du criminel pris individuellement." Schlapp and Smith (The New Criminology [1928], p. 66) say the same thing. Moreover, the fact that the earlier literature and the earlier statistical studies were known to the members of the new school, as is demonstrated by the references in their books, makes it necessary to assume that they did not consider this previous work scientific. H. Joly (Introduction to Le Crime) stated: "Enfin tout un nouveau groupe a voulu s'approprier l'étude du criminel et se la réserver presque toute entière. Il a semblé que nulle recherche ne pouvait être scientifique si l'anatomie et la physiologie n'y prenaient une part prépondérante."
minous literature of that period contains many studies which are in no sense outmoded. How did the Lombrosian myth become established in criminology and obliterate this period of development from the attention of present-day criminologists?

In attempting to find an answer to this question it should be noted that the origin of the myth cannot be associated with any general acceptance of Lombrosian theories in any country. On the contrary, the theory of the born criminal was received with a storm of vigorous protest and was so sharply criticized that its author himself soon modified it and allowed some place for social factors. The very fact that opposition to Lombrosianism was so extensive in Europe and that Lombroso’s contemporaries were able to evaluate his theories as accurately as they did is alone sufficient to demonstrate that there must have been in existence in this field older traditions and standards of research. Von Oettingen expressed astonishment that theories as obviously unsound and uncritical as Lombroso’s should have attracted any attention at all after fifty years of development in the science of criminology. He adds that if something like Lombrosianism had appeared fifty years earlier in the infancy of the science it would have been easier to understand how it might have been taken seriously.

Although disciples of the new school appeared immediately in many Continental countries, Lombrosian theories met with severe criticism from the majority of scholars and, in their original form, soon ceased to be taken seriously. In England, the new doctrines

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20 Von Oettingen, op. cit., p. 444.

21 In 1895 G. Bonjean (Enfants révoltés et parents coupables: Etude sur la désorganisation de la famille et ses conséquences sociale, p. 228) wrote: “Je ne veux pas, quant à present discuter plus longtemps des doctrines dont tout le monde aujourd’hui (sauf certaines exaltés qui sont peut-être eux aussi des malades) reconnait et la fausseté, et les dangers.” In 1903 Aschaffenberg (Crime and Its Repression [1913; 1st ed., 1903]) stated that “all of Lombroso’s attempts to separate the born criminal from the normal man by bringing him into connection, partly with atavistic, partly with pathological states, have come to grief; so has the endeavor to characterize the criminal ‘clinically and anatomically’” (p. 199). Tarde in 1903 remarked: “At this very time the enthusiasm of the Lombrosians has cooled off a great deal. . . . No one believes in the criminal type any more, excepting Lombroso” (Penal Philosophy [trans. 1912], p. 49 n.). G. Papillant (“Sur quelques erreurs de méthode en criminologie,” Revue anthropologique, XX [1910], 323 ff.) stated, speaking of the opposition to the Lombrosian school: “Elle reste victorieuse dans les pays les plus cultivés, comme la France, l’Angleterre et l’Alle-
enjoyed a short period of attention between 1890, when Havelock Ellis introduced them to English readers, and 1913 when Goring is generally credited with having demolished them. In the United States, Lombroso received little attention before the 1890's. The literature of the new school remained untranslated into English until after its theories had already been discredited in Europe. Lombroso’s theories have been viewed in this country as being of purely historical interest in the sense that, although he was credited with having emphasized what was regarded as a promising viewpoint, his specific theories were rejected.

The myth that Lombroso was the father of criminology appears to have been primarily an American product. As early as in the nineties it was widely disseminated in this country by physicians and alienists who were attracted to the problem as a result of the publicity given to the efforts of the “new school.” This notion, the fact that Lombroso altered his original views to take account of social factors implies that the criticism that was leveled at him and a perusal of some of the literature that preceded him may have led him to realize that his original theory was untenable. Lombroso’s later discussion of social factors in crime was chaotic and confused, as J. van Kan pointed out, and was in no sense a contribution to criminology (see van Kan, *Les Causes économiques de la criminalité* [1903], pp. 57–58).

22 Hamilton D. Wey (“Criminal Anthropology,” *Proceedings of the Annual Congress of the National Prison Association of the United States* (Cincinnati, 1890), pp. 286–87. “Little is being done in this country in criminal anthropology that can compare with the studies and researches that are being carried on in Italy, France and Germany. The student unacquainted with the languages of these countries pursues his studies at a disadvantage owing to the paucity of literature in English upon the subject. Beyond résumés and brief reviews there are no translations.”

23 Special factors existed in the United States which encouraged the popularity of Lombrosian theories and of individualistic theories generally and contributed materially to the acceptance andcontinuance of the myth. The popularity of economic and political individualism and the romantic idealism connected with ideas of “equality of opportunity” provided fertile soil for the importation of Italian criminal anthropology. The importance attached to instincts in human behavior through the influence of such men as William James, E. Thorndike, and W. MacDougall, and the introduction of Binet-Simon intelligence tests and the subsequent I.Q. fad were other significant influences. The early publications of M. Parmelee (*The Principles of Anthropology and Sociology in Their Relation to Criminal Procedure* [1908]) and William Healy (*The Individual Delinquent* [Boston, 1915]) also served to help maintain the popularity of biological, hereditary, and psychiatric viewpoints. The publicity given to Lombrosianism by the American Institute of Criminal Law and Criminology (founded in 1909) and the translations of foreign work sponsored by this organization may also be mentioned.
which was no doubt derived from a misunderstanding of the claims of the criminal anthropologists themselves, went comparatively unchallenged in this country, probably because of the absence here of any body of theoretical knowledge or tradition of research comparable to that which had developed in Europe after Guerry and Quetelet. The absence of reliable centrally collected criminal statistics was no doubt an important factor in retarding this branch of study in the United States. The publications of European criminologists prior to Lombroso have remained untranslated into English to this day, and this, along with the vague character of the information that reached here indirectly concerning the new developments, the absence of translations of the writings of the criminal anthropologists, and especially the absence of translations of the writings of the opponents of Lombroso, all contributed to create the impression among American students that the scientific study of crime was being undertaken for the first time. European social scientists who devoted attention to criminology during the first part of the twentieth century—as, e.g., G. Tarde, H. Joly, G. von Mayr, J. van Kan, A. Bonger, and J. Lottin—did not accept this view, and all give credit to Guerry and Quetelet as the founders of criminology. The Lombrosians themselves, as we have indicated, were fully aware of previous work in the field and only considered themselves the first to study criminals scientifically in the modified sense which depended upon the characterization as "unscientific" of all the sociological research that had preceded them.

The immediate attention attracted by L'Uomo delinquente was no doubt due to a number of factors in the intellectual life of the times which caused the acceptance of Lombrosianism as a logical development of already existing tendencies in the social sciences. Chief among these was the spread of Darwinism. After the publication in 1859 of Darwin's Origin of Species, Darwinian concepts not only swept through the biological sciences but were also applied in a wholesale manner in the social sciences—in anthropology, political science, and sociology. The ideas of Lombroso, although they were by no means new, were stated in an extreme form which attracted the attention of those who were preoccupied with Darwinism and its applications to other fields of thought.

In the same year that the Origin of Species appeared, an anthro-
The Sociological Society was founded in Paris and the next decades witnessed considerable development of interest in this field. Galton and Pearson in England were engaged in anthropometric studies and were improving statistical methods. Medical science, psychiatry, and abnormal psychology had made considerable advances. In general, it may be said that an increased prestige of the natural sciences and especially of biology led to the beginning of a series of importations from one or the other of these fields into the realm of the social sciences. Lombrosianism represents the first major importation of this character into criminology.

The happy application of such terms as "new" and "positive" to the Lombrosian theories no doubt also was a factor in causing them to seem to fit into the spirit of the late nineteenth century, when a sense of newness, of unlimited possibilities in science, and a general exuberance of spirit seemed to prevail. It became fashionable in the nineties to use the term "new" and to apply it indiscriminately in a wide variety of fields. Havelock Ellis, who introduced the "new school" to English readers in 1890, was also a leader in the "new" literary movement and published his *The New Spirit* in the same year. William James, commenting on the rapid growth of the prestige of physiological psychology, said that the "new psychology" did not merit the name. The presence of a general popular superstition, which has existed for centuries, that the physical features of man somehow directly reflect his character and that criminals may be distinguished by obvious anatomical peculiarities was no doubt also an important factor in causing Lombrosian theories to receive considerable popular attention and publicity.

The growth of the Lombrosian myth is to be accounted for,

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25 *Talks to Teachers on Psychology and to Students on Some of Life's Ideals* (1899), p. 6. "We have been having something of a 'boom' in psychology in this country. Laboratories and professorships have been founded, and reviews established. The air has been full of rumours."

26 B. DeQuiros (Modern Theories of Criminality, p. 4) points out that the Lombrosians referred to this popular belief as a corroboration of their theories. Outstanding criminologists prior to Lombroso, e.g., H. Mayhew and Ave-Lallemant, casually mention this popular notion as a discredited superstition unworthy of serious scholarly attention (see Mayhew, *The Criminal Prisons of London*, p. 413, and Ave-Lallemant, *op. cit.*, p. 4 of Part II).
basically, not so much in terms of the acceptance or rejection of theories or methods of research as in terms of a changing personnel. After Lombroso’s attempt to appropriate criminology to biology and medicine had attracted wide publicity in Europe, physicians and psychiatrists were attracted to the problem in greater numbers and gradually displaced in public attention and prestige the magistrates, prison authorities, lawyers, philanthropists, journalists, and social scientists who had previously dominated the field, although it should be noted that physical factors in crime had been noted and studied long before Lombroso made his abortive attempt to make them the sole or the chief causes. The Lombrosian myth arose, therefore, as a result of the “seizure of power,” so to speak, by the medical profession. Medical men compiled medical bibliographies and traced the history of criminology as a branch of medicine through the works of Gall, Lavater, Pinel, Morel, Esquirol, Maudsley, etc., ignoring the voluminous sociological literature. Sociologists have uncritically accepted this medical conception of the history of criminology, and they too have ignored the older sociological tradition of Guerry and Quetelet.

The wide attention that Lombrosianism attracted was felt by the opposition to constitute a threat to the very existence and continuation of sociological research. Its practical implications were seen to constitute a negation of the very principles upon which centuries of legislation and reform efforts had been based.27 The militant propagandistic organization of the movement, as well as the resentment it aroused by its doctrinaire views, led to the crystallization of the

27 Von Oettingen argued that the history of human legislation, and especially of criminal legislation, was a constant demonstration that the tendency toward crime dare not be regarded as a natural force in which nothing can be altered and that it is not justifiable to regard criminal law as a mere sort of physical defense in the struggle for existence (op. cit. [3d ed.], pp. 443 ff.). Tomel and Rullet, in Les Enfants en prison (1892), maintain that even if the criminal type were established among children it could not be admitted into the law as a principle. Concerning the denial of the “responsibility” of criminals, Bonjean (op. cit., pp. 226-27) quotes Guillot as follows: “En prétendant s’appuyer sur l’observation physiologique la nouvelle école cherche à ébranler les bases sur lesquelles repose depuis des siècles la puissance de juger et de punir. Le débat se place aujourd’hui sur ce terrain. ... Ne l’oublions pas et disons sans crainte à ceux des anthropologistes qui s’obstinent à l’ignorer, qu’ils feraient certainement fausse route dans leurs recherches parce qu’il n’y a pas de société possible sans la responsabilité.”
opposition into "schools" as well. This cleavage took place roughly along the lines of the professional affiliations of the members. The bitterness of ensuing controversies was enhanced by the fact that theoretical disagreement was symptomatic of a deeper antagonism between competing professional groups representing conflicting practical interests and fundamentally different orientations toward the world.28

For more than a century before criminal anthropology came into existence society's responsibility for its criminal classes had been recognized and embodied in the legislation of all civilized countries. It may be that the theory of the born criminal offered a convenient rationalization of the failure of preventive effort and an escape from the implications of the dangerous doctrine that crime is an essential product of our social organization. It may well be that a public, which had been nagged for centuries by reformers, welcomed the opportunity to slough off its responsibilities for this vexing problem.

In 1854 an English writer stated some of the problems confronting criminologists of that day as follows:

The treatment and disposal of our criminal population is a topic involving some of the subtlest speculative, and some of the knottiest practical questions which we can be called upon to consider. Whether in dealing with it we are to consider only the safety of the Community, or the interests of the guilty members of it likewise,—whether we are to treat offenders in a spirit of retribution, or of benevolence, or of simple self-defence,—whether we are to regard them as patients to be cured, or as victims to be rescued, or as enemies to be suppressed,—whether punishment is to be proportional to the offence, or to the circumstances of the offender, or the object of deterring others,—What system of prison discipline is best, out of so many recommended—whether gaols should be made self-supporting in spite of economic science, whether they can be made such, and whether economic science really forbids them to be made such—in what manner to deal with juvenile criminals, in what manner with the penitent, in what manner with the hardened—how are we to secure to the prisoner on his release at least a chance of abandoning his guilty career and entering on an honest course of life—Whether to protect him against the necessity of relapse

28 This same situation has frequently been noted today also. See, e.g., E. D. Monachesi, "Trends in Criminological Research in Italy," American Sociological Review, Vol. I (June, 1936). "The fervent pre-occupation of the modern Italian criminologist with the biology of crime may be explained in part by the fact that the majority of them are doctors of medicine." N. Cantor, in "Recent Tendencies in Criminological Research in Germany," ibid., notes the same thing in Germany.
by throwing as thick a veil as we can over his unhappy antecedents, or to pro-
tect society against the probability of his relapse by keeping him constantly
under surveillance—in what manner we are to prevent our respect for indi-
vidual liberty from interfering with the measures which the safety of the com-
community requires—in what mode we are to provide for the health, cleanliness,
the safe custody, and the reformation of the criminal, without rendering his
condition more comfortable than that of the honest hard working, independent
labourer,—how to dispose of the thousands whom we used to transport, and
the thousands whom we are still annually liberating and remanding back to
the alternatives of destitution or of crime—how, in fine, we are to dispose of
existing criminals, and how to cut off or diminish the supply of them in the
future?—These are some of the urgent questions to which we have to devise
a prompt, a satisfactory, and a practical reply.29

The failure to find solutions to these problems no doubt prepared the
way for a new approach.

The progress of science is often portrayed as a majestic and in-
evitable evolution of ideas in a logical sequence of successively closer
approximations to the truth. We have shown that this conception
does not apply to criminology wherein myth and fashion and social
conditions have often exercised an influence quite unrelated to the
soundness of theories or to the implications of accumulated evidence.
One of the sources of protection against invasion by fads, and against
these extra theoretical influences, of which criminology of today has
not availed itself, is a sound appreciation of its own past.

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29 "The Management and Disposal of Our Criminal Population," Edinburgh Re-
view, C (1854), 569.