

UBERTO GATTI

**THEORY AND PRACTICE IN ITALIAN CRIMINOLOGY:
FROM THE LOMBROSIAN CERTAINTY TO THE PRESENT
STATE OF CONTRAST AND CRISIS**

It is true that **Lombroso** also took into consideration a certain number of psychological and social factors, especially as a result of the harsh criticism he came in for. These elements, however, played only a marginal role in his theory, which remained tightly bound to biological factors.

After **Lombroso's** death, Criminal Anthropology no longer had a meaningful, autonomous, cultural role; it was nurtured mainly by specialists in forensic medicine and remained rather isolated from the scientific influence of other countries.

The decline of criminological sciences in the post-Lombrosian period is witnessed by the absence of any official, autonomous teaching of the subject in universities for a very long period, from **Lombroso's** death until 1963.

In that year an autonomous chair of Criminal Anthropology was re-established in Rome. This chair was held by **Benigno Di Tullio** (1896-1979) the founder and first president of the International Society for Criminology. The best-known representative of Italian clinical criminology between the 1930s and 60s, **Di Tullio** (1963) upheld a body-type theory based on **Pende's** (1967) biotypology.

The decline in Italian criminology, after the great success of Criminal Anthropology in the decades around the turn of the century, has been interpreted in various ways. According to **Ferracuti and Giannini** (1969), in addition to the hostile reaction of the classical school of penal law, a crucial role was played by the dominant ideology of the fascist era and the influence of the idealist philosophers, who were opposed to the development of the social sciences in general and sociology in particular.

Moreover, the devaluation of free will, coupled with the positivist approach engendered the opposition of the Catholic Church and of some respected scholars of behavioral science such as **Gemelli** (1911).

On the whole, therefore, Criminal Anthropology lost its former vigor and importance. It was accepted by the fascist government only in some of its worst aspects and insofar as it served the purposes of repressive control (**Seppilli and Guaitini Abbozzo**, 1975).

It was completely cut off from the sociological approach to the study of crime, which was making great strides in the Anglo-saxon countries at that time.

In the 1950s Italian criminology began to feel the influence of modern psychology and sociology, whose tools were used particularly in the field of juvenile delinquency.

While remaining anchored to the clinical method and to a substantially positivist approach the kind of criminology which developed acquired a certain autonomy and was oriented towards the creation of an interdisciplinary doctrine (**Canepa**, 1974).

At the end of the 1960s, criminology was assailed by the criticisms which arose within the youth protest movement.

Issues related to the question of crime and social control came in for scrutiny and criticism on the part of many young people, the press and public opinion.

The struggle to abolish mental asylums, which had been successfully waged by a group of politically committed psychiatrists (**Basaglia**, 1968), spread to prison and rehabilitative institutions (**Ricci and Salerno**, 1971; **Sezzani**, 1970) and was widely

supported by social workers directly involved in treatment.

Criminology underwent a serious crisis in Italy with the introduction of a few sociologically based criminological theories such as interactionism, naturalism and the conflict approach.

Being largely conditioned by the clinical method and the positivist approach, the discipline proved to be an easy target for the dialectic arguments of what, in Italy, became a "new" criminology.

The issues related to the concept of deviance, the awareness of the dark number in crime, the themes of differential immunity, marginalisation and social stigmatisation caused a grave crisis among clinical criminologists, who witnessed the collapse of those certainties on which their convictions were founded.

In 1975, the review "*La Questione Criminale*" provided a focal point for the gathering of a group of scholars (Bricola, 1975; Baratta, 1975; Pavarini, 1975; Melossi, 1980; etc.). From a marxist standpoint and in a mainly legal context, the group proposed a critical criminology related to similar European movements. (The first congress of the European Group for the Study of Deviance and Social Control was held in 1973).

The declared aim of the group was to formulate a "criminal policy of the workers' movement" as an alternative to that of the dominant class (Baratta, 1975). This critical criminology opposed the traditional, positivist, etiological criminology and analysed the processes of criminalisation in a macrosocial context.

In a detailed and comprehensive policy statement, Baratta (1981) put forward some strategic guidelines. First of all, he held that it was important to formulate separate interpretations of the phenomena of deviance among the subordinate classes and the dominant classes. Secondly, he argued that it was essential to strengthen the protection offered by penal law in areas of vital interest to the life of the citizen and the community, such as health, conservation of the environment and safety at work. To achieve such ends, he claimed, there was a need to re-orientate the system of control, with alternative means being used alongside penal measures.

Another aim to pursue was the abolition of prisons. Here, Baratta (1981) stressed the need to engage in a cultural and ideological battle to develop an alternative consciousness in the field of deviance and criminality. The objective of this battle would be to break down the common stereotypes regarding crime and social control.

Critical criminology in Italy, as in other countries, is at present having difficulty making headway. According to Faccioli (1986) this situation is, in Italy, linked, in part, to a social context which has been profoundly changed by new strategies of social control and by new forms of conflict in the area of terrorism and organised crime.

To be sure, the phenomenon of terrorism hindered the criminology debate for a few years and also weighed heavily on clinical criminology, which had begun to operate within the prison system. Only in the last few years has the debate been resumed, with a view to finding new paths in both the theoretical and practical fields.

2. The teaching of criminology

The distribution of courses in criminological subjects in Italian universities provides a useful picture of the main trends in criminology and the relative strength of each.

Allocation to different types of faculty, the position and training of university teachers and course content constitute a useful yardstick for gauging the development of Italian criminology, a discipline which has developed above all in academic circles.

In Italian universities there are at present 27 courses in criminological subjects. Of these, 25 are linked to faculties of Medicine, 16 to faculties of Law, 3 to faculties of Political Science, 2 to faculties of Psychology and 1 to a faculty of Sociology. (All courses are optional and are inserted into study programs at the request of the student).

As can be seen, the discipline is taught mainly in faculties of Medicine and to a lesser degree in faculties of Law.

The 25 courses linked to faculties of Medicine comprise 16 courses in Criminal Anthropology, 2 courses in Criminological Medicine and Forensic Psychiatry, 2 courses in Juvenile Criminology and 2 courses in Forensic Psychopathology.

In the Law faculties, 9 courses are termed "Criminal Anthropology" and 7 courses "Criminology", while in the other faculties the term used is "Criminology".

It should, however, be stressed that the title of a course does not necessarily reflect its content, which depends largely on the conceptions and scientific background of the course teacher.

The medical bias within criminology is further shown by the fact that some 7 out of 9 full professors teach in faculties of Medicine.

As to the content of courses, a survey conducted by **Paradiso** (1982) in 1980 through questionnaires sent to all teachers of criminological subjects showed that clinical themes are those most frequently handled, but that in many cases considerable time is devoted to sociological themes and to practical approaches centred on social reaction.

In many cases, teaching is directed towards a critical evaluation of the penal system and an analysis of the conceptual and working relationships between criminology and penal law.

In addition to the above mentioned courses which are intended for students of various faculties, there are 5 post-graduate Specialisation Schools in Clinical Criminology (in Genoa, Modena, Bari, Chieti, and Milan) housed in medical faculties. These schools offer 3 - year courses to graduates in Medicine, Law, Sociology, Psychology, Political Sciences, Philosophy, Arts and Pedagogy and follow multidisciplinary curricula.

If we compare the present state of affairs with the situation of a few years ago, we can pick out some important trends.

In the academic year 1968-69 in Italian universities, 28 courses in criminological subjects were in operation. These were equally split between the faculties of Medicine

and Law. Almost all of them were entitled "Criminal Anthropology" (Canepa, 1974) and were mainly taught by staff with a background in Forensic Medicine.

The present picture reveals certain changes. The total number of university courses has risen; the number of teachers with legal training has increased considerably and the teaching of criminology has begun to grow, albeit timidly, outside the traditional faculties of Medicine and Law.

3. The development of research

Italian criminological research in recent decades is well documented in a series of bibliographies covering all of the books and articles published in criminological reviews from 1955 to 1980.

The first two bibliographical collections, which cover the periods from 1955 to 1964 (Ferracuti, Fragola, Goggi, 1965) and from 1965 to 1969 (Ferracuti, Giannini, 1969), reveal a marked preponderance of clinical studies. These are mainly of a psychological and psychiatric type and to a great extent are conditioned by the dominance of Forensic Medicine over criminology. There is a scarcity of sociological studies and an abundance of writings of a descriptive, divulgative nature.

In the collections covering the periods 1970-1975 (Coco and Scaramucci, 1976) and 1975-1980 (Fornari, 1982) we can discern a clear shift, determined by a considerable increase in sociological and legal methodologies. This latter collection (Fornari, 1982) shows that current Italian criminology seems to favour a theoretical approach (55.2% of works) rather than empirical research.

The subjects most frequently dealt with are maladjustment and juvenile delinquency (25%), the question of prison and penal treatment (21%), drug addiction (14%) and forensic psychiatry (12%). Research on financial crime, organised crime and female crime is extremely limited. Only in recent years has research been conducted in areas other than conventional crime and investigations have been carried out on issues which are widely dealt with abroad.

One new element which has emerged in recent years in the area of Italian criminology can be seen in research done by sociologists of law (Treves 1972, Tomeo 1973). These researchers introduced investigative methods which had previously been neglected and showed up the inveteracy and inadequacy of the Italian judicial system.

In general, however, criminological research in Italy seems to be characterised by a certain tendency towards abstraction and a considerable eclecticism among scholars, who often lack a real specialisation.

The growth of the doctrinal approach to research, to the detriment of the empirical approach, may be related not only to the scarcity of funds available, but also to certain difficulties arising within the general context of research. In particular, the lack of flexibility of the Italian judicial system does not permit experimentation and empirical testing, which in other countries form the basis of important research projects, in areas such as crime prevention and treatment.

As to the institutions responsible for planning and carrying out research, it should be noted that, in Italy, as well as universities, which constitute the most im-

portant research bodies, there are also national and international centers which play an important cultural role.

In Genoa the International Centre for Clinical Criminology was founded in 1975 and is run by Prof. Giacomo Canepa, the current president of the International Society for Criminology. The editorial office of the review "Rassegna di Criminologia", the official organ of the Italian Society of Criminology, is also located in Genoa.

In Siracusa the International Institute of Higher Studies in Criminal Science is intensely active at an international level, with the organisation of congresses and the publication of studies and research.

The Centro Internazionale di Ricerche e Studi sociologici, penali e penitenziari in Messina has a consultative statute from the Council of Europe and promotes research and international meetings on questions of punishment, treatment and justice.

An important role in the field of research has been played by the Centro Nazionale di Prevenzione e Difesa Sociale, in Milan, which has financed and conducted numerous surveys. Moreover, surveys of the prison system are conducted by the Office for Study, Research and Documentation of the Justice Ministry in Rome. The Ministry of Justice also edits the review "Rassegna Penitenziaria e Criminologica" and, on the subject of juvenile delinquency, the review "Esperienze di Giustizia Minorile".

4. The practical activity of the criminologist

In Italy the criminologist's sphere of operation is very limited and clearly circumscribed. He works almost exclusively within two areas: the prison system and the system for the prevention and treatment of juvenile delinquency.

For what concerns the prison system, it should be pointed out that law n. 354 of 26th July 1975 closed a gap between Italy and almost every other country in the world by introducing into the prison system innovations regarding treatment models. In particular, this law has brought the criminologist into Italian prisons in recent years. As an expert, he has the task of contributing to the observation and treatment of inmates.

This innovation has, however, proved extremely puzzling, in that the clinical criminologist has been effectively precluded from playing an active role in the prison environment and instead has been given a bureaucratic, fiscal and control function.

Indeed, the clinical criminologist has been asked to take part, almost exclusively, in the observation of inmates, with a view to drawing up a correct "individualised treatment", but limiting such observation to those individuals who might benefit from measures other than incarceration.

In actual fact, prison reform in Italy was approved at a time when the correction-

al model was in deep crisis in those very countries, such as the United States, where it was most widespread (Martinson, 1974; Lejins, 1974).

In Italy, moreover, apart from the introduction of a few measures designed to replace custodial sentences, no innovations were brought in which could have any significant effect on the archaic structure and organisation of the prison system. Thus, the criminologist was relegated to a minor position. His work remains almost entirely restricted to diagnostic activity which is not applied to operational programs and which leaves the situation of the inmates practically unchanged.

Criminologists have had greater working opportunities within the system of prevention and treatment of juvenile deviance. In particular, a 1977 law (D.P.R. 616 of 24/7/1977) shifted responsibility for running rehabilitation programs from the Ministry of Justice to local authorities, thus creating favorable conditions for innovation and experimentation.

As a consequence of this legislation, some local authorities, especially the large cities in the north of Italy, began to develop alternatives to the traditional policies, by favoring community programs and establishing small residential facilities. After an initial reaction, which saw an increase in penal measures imposed on minors, the new policies came to be accepted. There followed a reduction in penal measures and custodial sentences for minors which has been maintained up to the present time.

In order to have a clearer understanding of the new operational policy and the practical contribution of the criminologist to the new programs, it may be useful to refer to the experience of Genoa, a city of 700.000 in the north-west of Italy.

Since 1977 Genoa City Council has taken on the task of restructuring the entire system of prevention and education of young deviants. Teaching staff from the Institute of Criminology and Forensic Psychiatry at the University of Genoa have been called upon to act as consultants in the drawing up of programs. Such co-operation was formalised in an agreement stipulated in 1983 between the City Council and the university and promises a fruitful interaction between the theoretical - scientific level and the application-organisation level. The university staff have contributed particularly to planning, training of personnel and evaluation of results (Gatti, 1986). The guidelines for action were based on the decentralisation and integration of services, on the notion of de-institutionalisation and on the need to break free from bureaucratic and administrative constraints.

The traditional procedure frequently involved placing young deviants in institutions which were far from their home environment. The new approach, on the other hand, favored handling minors within their local areas, with a view to facilitating socialisation within their normal surroundings. A further aim of intervention at the local level was to make local communities responsible for handling the problems of minors through participation schemes.

Shifting responsibility to the local authorities meant that the old assistance categories could be abolished and services integrated, thus allowing the needs of minors to be met more fully and with less social stigma.

Before the 1977 reform, there were separate services, with different criteria and methods, to assist orphans, illegitimates, the handicapped, deviants and so on. The

result was that the young person viewed the category to which he belonged as a symbolic reference point and saw himself as being assisted on the basis of his specific inadequacy or defect. The integration of services, however, makes it possible to deal with the specific needs and problems of the individual, regardless of the category he belongs to.

The issue of juvenile crime and rehabilitation has therefore been interpreted in the light of this new social policy. The problems of young delinquents have been examined within the wider context of juvenile marginalisation and the traditional methods of prevention and treatment have been transformed into programs designed to meet the specific needs of the young. The aim of this approach is to reduce juvenile marginalisation and facilitate emancipation, without giving absolute and direct priority to the objective of preventing the commission of crimes or reducing recidivism.

A further aim of the integration of social services is to reduce the stigma attached to assistance to young deviants, insofar as contact between minors and the organs of formal social control is kept to a minimum.

The rationale behind this lies in the assumptions of the theories of social reaction, which assert that delinquency results from a process of interaction between individuals and the bodies designed to define and handle delinquents.

Particular importance has been attached to the process of de-institutionalisation, in that confinement to residential institutions has been seen to constitute one of the most effective stages in the process of juvenile marginalisation. Indeed, research has shown that more than half of the adult prison inmates in Genoa were confined to residential institutions during their youth (Bandini and Gatti, 1987).

On the basis of the above mentioned guidelines, Genoa City Council has organised a complex network to assist deviants and problem youths. This network is closely bound to the 9 local social services which operate in the various districts of the city and which handle all the problems of maternity and childhood, from a medical, psychological and social point of view.

According to the various problems of these youngsters, help is offered in the form of supportive action for the family (such as part-time educational care and placement in socio-educational centers) or substitution of the family (such as fostering, placement in a group home and placement in an institution). The general policy is to keep the child in his own family whenever possible and to seek alternative solutions only when supportive action is either impractical or has failed. The reasoning behind this approach lies in the supposition that "the worst disaster for a child who lives in a problem family is losing the family" (Diatkine and Avram, 1982).

It should be noted that the reorganisation of the system of prevention and rehabilitation has also had a positive effect on the penal field, with the result that the number of offenders under the age of 18 at present in prison in Genoa is extremely low (fewer than 10 minors).

The criminologist's contribution to the new programs for the prevention and treatment of juvenile deviance, in Genoa and other Italian cities, has been both considerable and interesting. A bond has been forged between theoretical elaboration

and empirical testing, which has proved to be extremely productive and able to promote critical thinking, interesting initiatives and well-aimed empirical research of practical use (Gatti, Semino, Verde, 1986; Scatolero, 1985).

5. Conclusions

The evolution of criminology in Italy and the present state of this discipline have been variously interpreted. Indeed, following the period of the now out-dated bio-anthropological approach, there emerged a situation of crisis and uncertainty which is not easy to decipher.

Some authors, such as Fornari (1986), hold that the Italian criminologist is going through a deep identity crisis; that he is torn by the conflict between clinical criminology and sociological criminology; that he lacks autonomy and has little influence on criminal policy. Others, such as Ponti (1982), claim that Italian criminology was completely destabilised by the ideological storm of the late 60s and now needs to find the right balance between its scientific and ideological components, both of which are essential. Others again, such as Faccioli (1986), are examining critical criminology in Italy and urge a reconsideration of the basic hypotheses regarding criminalisation processes and the build-up of social problems.

In the light of the considerations outlined in my brief historical synopsis and in the analysis of the present state of teaching and research, it may be affirmed, paradoxically, that criminology is an extremely young science in Italy. Though Italy may be considered the cradle of criminology, in reality, for several decades, the science clung to archaic and outmoded notions and saw a development only in a very limited sector. Only in recent years has the outlook begun to change, owing to changes in the field of clinical criminology itself and to the development of criminology on a socio-legal basis.

While only a limited number of themes have been developed, and these mainly theoretical, the most recent contributions have upset a long-established equilibrium and opened the door to new possibilities for research and action on the phenomenon of crime. Though some approaches, notable the sociological approach, have been adopted at a theoretical level, their application in the field of empirical research has been extremely limited. In the coming years, however, they should be used more widely.

As regards the relationship between criminology and criminal policy, considerable problems still remain. The influence of criminology on the evolution of legislation is still extremely limited. The empirical side of criminological research is almost never used to verify the efficacy of programs or new legislations. Whenever the recommendations of criminologists do receive some consideration, this happens after a long delay. Such was the case of the prison reform which was approved in 1975 and which introduced some principles inspired by the treatment ideology, at the very time that this ideology was going through its greatest crisis.

In general, the impression we get is that Italian criminology has followed a very peculiar path – one that has often failed to take account of the evolution of modern

criminological science in other countries and yet on other occasions has copied doctrines, methods and theories from abroad, especially from the United States, in an uncritical, abstract way.

Our present need is for an independent, critical elaboration of our various acquisitions in a way which goes beyond the solely abstract dimension and relates to the practical reality of Italian society. This does not mean that Italian criminology should become an administrative criminology, subordinated to the authorities and aimed at rationalising control. Rather, it means that the critical dimension of criminology should interact with reality, in order to push significantly in the direction of progress and the emancipation of man.

BIBLIOGRAPHY

1. BANDINI T., GATTI U. (1987) **Delinquenza giovanile**. Milano, Giuffrè.
2. BARATTA A. (1975) Criminologia liberale e ideologia della difesa sociale, **La Questione Criminale**, 1, 7.
3. BARATTA A. (1982) **Criminologia critica e critica del diritto penale**. Bologna, Il Mulino.
4. BASAGLIA F. (1968) **L'Istituzione negata**. Torino, Einaudi.
5. BRICOLA F. (1975) Politica criminale e politica penale dell'ordine pubblico (a proposito della legge 22 maggio 1975, n. 152). **La Questione Criminale**, 1, 121.
6. CANEPA G. (1974), **Personalità e delinquenza**, Milano, Giuffrè.
7. COCO N., SCARAMUCCI F. (1976), **Bibliografia criminologica Italiana**, Roma, Nuove dimensioni.
8. DIATKINE R., AVRAM C. (1982) Nouvelles voies thérapeutiques en psychiatrie de l'enfant: L'Unité de Soir. **La psychiatrie de l'enfant**, 25, 387.
9. DI TULLIO B. (1963) **Principi di criminologia critica e psichiatria forense**. Roma, Istituto di Medicina Sociale.
10. FACCIOLI F. (1984), Il sociologo e la criminalità. Riflessioni sulle origini della criminologia critica in Italia (1950-1975). **La Questione Criminale**, 3, 603.
11. FERRACUTI F., FRAGOLA S.P., GIOGGI F. (1965), **Bibliografia criminologica Italiana**. Milano, Giuffrè.
12. FERRACUTI F., GIANNINI M.G. (1969) Tendenze prevalenti della ricerca criminologica in Italia negli ultimi cinque anni. **Quaderni di Criminologia Clinica**, XI, 423.
13. FERRI E. (1884) **La sociologia criminale**, Torino.
14. FORNARI U. (1982), Quale criminologia. In G. Canepa, P. Paradiso (ed) **La criminologia italiana. Insegnamento e ricerca**. Siracusa, I.S.I.S.C.
15. GAROFALO R. (1887) **Riparazione alle vittime del delitto**. Torino.
16. GATTI U. (1986) La prevenzione della delinquenza giovanile a Genova. Analisi di una esperienza. **Rassegna di Criminologia**, XVII, 225.
17. GATTI U., SEMINO F., VERDE A. (1986) Comunità alloggio a Genova: un in-

- tervento psicosociale sugli adolescenti in difficoltà. **Rassegna di Criminologia**, XVII, 253.
18. GEMELLI A. (1911), **Cesare Lombroso: I funerali di un uomo e di una dottrina**. Milano.
 19. LOMBROSO C. (1876), **L'uomo delinquente**. Milano, Hoepli.
 20. LEJINS P. (1974) **Criminal Justice in the United States. An overview of developments in Criminal Justice**. Prepared for the Fifth United Nation Congress on the Prevention and Treatment of Offender. Washington.
 21. MARTINSON A. (1974) What works? Question and Answer about Prison Reform. **The Public Interest**, 35, 22.
 22. MELOSSI D. (1980), Oltre il Panopticon. Per uno studio delle strategie di controllo nel capitalismo del ventesimo secolo. **La Questione Criminale**, 2-3, 227.
 23. PARADISO P. (1982), L'insegnamento delle discipline criminologiche nelle Università italiane. In G. Canepa, P. Paradiso (ed.), **La criminologia italiana. Insegnamento e ricerca**. Siracusa, I.S.I.S.C.
 24. PAVARINI M. (1980) **Introduzione alla criminologia**. Firenze, Le Monnier.
 25. PENDE N. (1947), **La scienza moderna della persona umana**. Milano, Garzanti.
 26. PONTI G. (1982), Contenuti e finalità delle discipline criminologiche in Italia. In G. Canepa, P. Paradiso (ed.) **La criminologia italiana. Insegnamento e ricerca**. Siracusa, I.S.I.S.C.
 27. RICCI A., SALIERNO G. (1971) **Il carcere in Italia**. Torino, Einaudi.
 28. SCATOLERO D. (1985), L'esperienza di Torino: risposta della città. **Esperienze di Giustizia Minorile**, XXXII, 55.
 29. SENZANI G. (1970), **L'esclusione anticipata**. Milano, Jaca Book.
 30. SEPPILLI T., GUAITINI ABOZZO G. (1973) The State of Research into Social Control and Deviance in Italy in the Post-war Period (1945-1973). In H. Bianchi, M. Simondi, J. Taylor (ed.), **Deviance and Control in Europe**. London, Wiley.
 31. TOMEIO V. (1973), **Il giudice sullo schermo**. Bari, Laterza.
 32. TREVES R. (1972), **Giustizia e giudici nella società italiana**. Bari, Laterza.