

Cesare Lombroso and his theories

Cesare Lombroso and his theories in the field of criminology are still very prominent in the teaching of criminology, even if so many have criticized them since their publishing. Still, a lot of people only know the most basic principles of his theories and the controversies around them. But what was the content of his work? And are there any positive consequences from his theories for the field of criminology? These questions shall be answered in the following.

The Italian started his research in criminology after receiving his medical degree in 1858 and writing his doctor thesis a year later.¹ He then volunteered in the army until 1863 in the field of the medical service, which allowed him to conduct systematic measurement and observation of 3000 soldiers. With the information he collected, he tried to analyse differences in the physicality between the soldiers depending on the region which they came from in Italy. But at the same time Lombroso observed the tattoos of the soldiers, which as he stated himself, was one of the reasons why he became interested in criminology.² Later he identified the kind of tattooing he saw during his time in the army as a characteristic of a criminal. Another reason of his growing interest in criminology was his dissatisfaction with the current procedures in psychiatry, arguing that there should be more focus on the patient himself, not the disease during the investigation.

His growing interest in clinical psychiatry helped him get the permission to study patients with mental issues in the hospital of S. Euphemia. Two subjects of his studies were cretinism and pellagra. Cretinism is a form of severe iodine deficiency³, pellagra a nutritional disease caused by deficient vitamin niacin and the essential amino acid tryptophan⁴. Lombroso examined these diseases in regard to the mental changes and found that pellagra could cause

¹ "Pioneers in Criminology: Cesare Lombroso (1835-1909)" by Marvin E. Wolfgang, *The Journal of Criminal Law, Criminology, and Police Science*, Vol. 52, November-December 1961, No. 4

² *Criminal Man*: According to the classification of Cesare Lombroso, Gina Lombroso-Ferrero

³ *Lifetime Nutritional Influences on Cognition, Behaviour and Psychiatric Illness*, S.A. Skeaff, 2011

⁴ *Encyclopedia of Food Sciences and Nutrition (Second Edition)*, D.A. Bender, 2003

such changes, even leading up to violence and similar criminal behaviour. His 1863 published “Introduction to the Clinical Course on Mental Diseases” was the first work where he described the supposed relationship between crime and insanity, based on his study with pellagra.

Other early work from him dealt with the topic of brain pathology, the changes happening in the brain because of diseases and illnesses. To this topic he published several papers like "Some Cases of Lesions of the Central Nervous System"⁵, “Memoir on a Tumor of the Cerebellum”⁶, “Supernumerary Cerebral Convolutions in a Murderer and Satyrist”⁷ and “Existence of a Median Fossette in the Cranium of a Criminal”⁸.

Already this early work of his makes it clear, that his general theory of criminality saw criminal behaviour as caused by biological factors which are recognizable and predictable by physiognomic features⁹. Besides his research in psychiatry, he also studied inmates in prisons, documenting their behaviour and feelings, but also measuring physical traits.

With the publishing of “L’Uomo Delinquente”¹⁰, which was translated into French and German before English, set the foundations for the development of his new, positivistic school of criminology. It started to grow in Italy but soon had followers from all over the world¹¹.

“L’Uomo Delinquente” contained Lombroso’s theory of the born criminal. The “delinquente nato” developed from the thesis, that all children are born with this evil character traits. He

⁵ “Some Cases of Lesions of the Central Nervous System”, Cesare Lombroso, 1861

⁶ “Memoir on a Tumor of the Cerebellum”, Cesare Lombroso, 1863

⁷ “Supernumerary Cerebral Convolutions in a Murderer and Satyrist”, Cesare Lombroso, 1871

⁸ “Existence of a Median Fossette in the Cranium of a Criminal”, Cesare Lombroso, 1871

⁹ Neuroscience’s new techniques for evaluating future dangerousness: are we returning to Lombroso’s biological criminality, J.W. Looney, University of Arkansas at Little Rock Law Review, Volume 32, Issue 3, Article 2, 2010)

¹⁰ „L’Uomo Delinquente“, Cesare Lombroso, 1876

¹¹ Cesare Lombroso – A Glance at His Life Work – Adalbert Albrecht (Volume Information.” Journal of the American Institute of Criminal Law and Criminology, vol. 1, no. 1, 1910)

argues, that these so-called moral anomalies, like jealousy, envy or cruelty, are more frequent in children than adults, because the right upbringing including a good school education can erase or minimize them. All criminals show some kind of degeneration mark according to Lombroso. Normal people can also have some of these marks, but they appear less frequently. A mark can be a receding forehead and a certain size of the head in proportionality to the body, which is why Lombroso and his school measured the size of the head of inmates, inter alia during his time as a prison physician in Turin. His observations made him conclude that murderer had bigger heads and that bigger heads occurred less often in female criminals than male ones. Other atavistic marks according to Lombroso are varieties of the ear like handle ears, broad hips for men, different number of vertebrae, unusually long hands¹². But having one or more these physical characteristics wouldn't cause a person to commit a crime, they are rather an outward sign which point to other anomalies, like malformations of the brain, which could lead to committing a crime.

The born criminal isn't the only type of criminal Lombroso distinguished during years and years of observation, examination and research. A criminal of habit is the closest to the delinquente nato however shows no or few anomalies. This group of people becomes criminal due to negligence as children, for example the lack of care by their parents which makes it hard to overcome the "naturally bad habits of the child"¹³, while normal children lose these habits as they get older. Surroundings and factors such as alcohol, poor education, community can also lead such person towards crime, for example organized crime groups like mafia or camorra which would lead people to commit crimes by association to them¹⁴. But without a predisposition, Lombroso states, social factors won't make a normal person criminal. If there is a biological disposition, they can constitute a trigger for crime.

¹² See Footnote Nr.11

¹³ Cesare Lombroso – A Glance at His Life Work – Adalbert Albrecht (Journal of the American Institute of Criminal Law and Criminology, vol. 1, no. 1, 1910) page 76

¹⁴“Pioneers in Criminology: Cesare Lombroso (1835-1909)” by Marvin E. Wolfgang, The Journal of Criminal Law, Criminology, and Police Science, Vol. 52, November-December 1961, No. 4

Another type of criminal is the criminal of passion. As stated in “Woman as a Criminal and a Prostitute”¹⁵ passion crimes develop rather quickly because of subconscious feelings or feelings like honour or platonic love which were offended. They are often proud of their crime, so they don’t deny it and also aren’t as cautious as other groups of criminals. According to Lombroso more women become a delinquente de passione, disappointed love being the most common motive. To the group of delinquente d’impeto o passione belong also other criminals of violence: the political criminals. They are described by Lombroso as intellectuals which have patriotic, religious or scientific ideals¹⁶. Among this type of criminals, he observed a high number of suicides, signalling an unhealthy state of mind¹⁷. But he also notices that these criminals of passion are the most likely to improve.

Furthermore, there is the criminal of opportunity. This group shows little outward marks but they are disposed that circumstances and opportunities make them commit a crime. The delinquente d’occasione acts out of a sudden impulse but isn’t as religious as a criminal of passion, but confesses easily. They don’t actively seek for crime, but coincidentally get attracted by it. In connection to this type of group Cesare Lombroso developed his theory of the epileptic impulse, which he later took back in “Crime: Its Causes and Remedies”¹⁸, stating that occasional criminals are the only ones who don’t have any connection to atavism or epilepsy. Not just for the criminal of opportunity, but in general Lombroso says epilepsy as a key to explain all psychological and mental illnesses¹⁹. In “Crime: Its Causes and Remedies” he also emphasizes the geographical and social factors; which critics have accused him of neglecting before.

¹⁵“Woman as a Criminal and a Prostitute” Lombroso and Ferrero

¹⁶ “Pioneers in Criminology: Cesare Lombroso (1835-1909)” by Marvin E. Wolfgang, page 372

¹⁷ L’Uomo Delinquente, Cesare Lombroso, page 204-65 (5th ed.)

¹⁸ “Crime, Its Causes and Remedies.” Cesare Lombroso, M. D., Professor of Psychiatry and Criminal Anthropology in the University of Turin. Translated by Henry P. Horton, M. A., Boston. Little, Brown & Co.

¹⁹ Lombroso’s theory of crime – Charles A. Ellwood (Charles A. Ellwood, Lombroso's Theory of Crime, 2 J. Crim. L. & Criminology 716 (1912)

Another group of criminals which Lombroso distinguishes are the female offenders whom he even dedicated a whole book. “The Female Offender”²⁰ was written by him together with his son-in-law, Guglielmo Ferrero. According to them, women have a weaker sensibility than men. Based on experiments with the five senses he argued that women prefer strong scents like perfume, because their sense of smell isn’t as good as men’s sense of smell. He argued further that women were not only less sensible to pain²¹, but that they also lacked the highest intelligence as well as creativity, originality and had only little logic and abstract thought, just like children and savages did²². Women supposedly also have common traits with children like revengefulness, jealousy and vengeance. Normal women don’t share these traits, as Lombroso argues, for they are normally neutralised by piety, maternity, weakness and underdeveloped intelligence. This makes a female offender a “monster”²³. He stated that most prostitutes belonged to the group of born criminals, more than other female offenders, knowing only the honour of sex. According to Lombroso prostitutes had the typical marks as the born criminals, tattoos while their language also gave away their criminality²⁴. Prostitution was perceived by him as an atavistic phenomenon but lacked, just like all female criminals, the “mother-sense”²⁵. Still, female criminals seemed like a double exception as criminals are an exception in civilization and women being exceptions among criminals. But he is still convinced, that there is more female criminality than statistics show, as many crimes go undetected²⁶.

²⁰ *La Donna Delinquente, La Prostituta e La Donna Normale* (in collaboration with G. Ferrero) (Torino 1893)

²¹ “Cesare Lombroso – A Glance at His Life Work”, Adalbert Albrecht, page 79

²² See Footnote Nr.11

²³ “The Female Offender”, pages 150-152

²⁴ “Cesare Lombroso – A Glance at His Life Work”, Adalbert Albrecht, page 80

²⁵ “Pioneers in Criminology: Cesare Lombroso (1835-1909)” by Marvin E. Wolfgang

²⁶ See Footnote Nr. 11

After his death in 1909 his daughter Gina Lombroso sent “Crime and Insanity”²⁷, an unpublished paper of his, to the “Journal of the American Institute of Criminal Law and Criminology” for publishing. In this paper, Lombroso states that even if the reforms suggested by his school were enacted, he gives the example of London and Geneva, crime wouldn’t disappear as it is only on one hand caused by social conditions, but on the other hand by human nature as well²⁸. This shows how his theories developed from an excessive focus on anatomical and anthropometric data to a theory of atavism and concepts of degeneracy as causes of crime²⁹, but also now taking into account other factors as social ones.

Even though Lombroso developed his theories over time, adjusting them, he faced a lot of criticism. While he used a lot of statistics with material and data, which he collected over the years on his examinations, Charles A. Ellwood accuses him of using these statistics too loosely³⁰, others claim he only used rough estimated figures and proportions, e.g. when it comes to the amount of born criminals among all types of criminals³¹. Ellwood also criticizes Lombroso’s argumentation that crime has biological roots, asking whether or not these are actually the cause of crime or if crime would still happen without these apparent biological traits. He further condemned the lack of acknowledgment of social factors contributing to crime³², which as stated earlier Lombroso included in his later work.

Another part of Lombroso’s theories that was criticized was the supposed link between degeneration marks, as he called them, and mental diseases which he saw as the cause of crime. Erich Wulffen argued in contrary to that, that degeneration isn’t a disease itself and therefore the argumentation by Lombroso is faulty³³. Further, the link between epilepsy and criminal behaviour was criticized by many. A group that was rather opposed to Lombroso’s

²⁷ Crime and Insanity- Cesare Lombroso (Cesare Lombroso, Crime and Insanity in the Twenty-First Century, 3 J. Crim. L. & Criminology 57 (1912))

²⁸ See Footnote Nr. 27

²⁹ See Footnote Nr. 14

³⁰ See Footnote Nr. 19

³¹ See Footnote Nr. 1

³² See Footnote Nr. 19, page 718-720

³³ See Footnote Nr. 11

school was the German respectively Northern school of criminology, of which members were Erich Wulffen, Paul Naecke, Gustav Aschaffenburg and others³⁴.

Another opponent of Lombroso's theories was Charles Goring, who conducted a whole investigation to test the claims made by Lombroso³⁵, accusing his criminology as being superstitious³⁶. Goring comes to the conclusion in his investigation that he managed to disprove that a born criminal exists³⁷.

Furthermore, there is criticism towards the positivist approach to criminology Lombardo and others chose, not acknowledging or accepting empirical criticism³⁸. Empirical evidence, according to the authors Don Weatherburn and Mark Findlay, opposes the belief that criminality or its causes can be explained by individual examples where Lombardo's hypothesis seems to fit³⁹.

Despite all this criticism and research that rather disproves Lombardo's theories in the field of criminology, there are also positive assessments of his work. Charles A. Ellwood states that his papers and books, including "Crime: Its Causes and Remedies", had a heavy influence on the development of criminology in the United States of America⁴⁰. Further, Lombroso's work showed that the criminal itself as a person was worth investigating,

³⁴ See Footnote Nr. 11, page 81

³⁵ "Charles Goring's "The English Convict: A Symposium" 1. The Results Of An Official Investigation Made In England By Dr. Goring To Test The Lombroso Theory.", Gina Lombroso-Ferrero (The Canadian Law Times vol. 34 (1914) Charles Goring's the English Convict: A Symposium)

³⁶ See Footnote Nr. 35

³⁷ See Footnote Nr.35

³⁸ Positivism, empiricism and criminological theory - Don Weatherburn, Mark Findlay (Legal Studies, Volume 5 Issue 2, July 1985, p. 191-204)

³⁹ See Footnote Nr. 38

⁴⁰ See Footnote Nr. 19

including the reasons and causes why he committed a crime, not only the crime itself⁴¹. This helped to develop individual punishment according to Charles A. Ellwood⁴².

Adalbert Albrecht goes even further and calls him the godfather of criminal anthropology, as he used anthropometric data in a practical way, basing on that said system of judging not only crimes but also taking notice of the criminal⁴³. According to Albrecht, Lombroso's theories paved the way for modern criminology, even if they were faulty themselves⁴⁴. As quoted in Albrecht's work, Lombroso supposedly was a researcher with a lot of intuition and a genuine interest in improving criminology⁴⁵.

As the title of Marvin E. Wolfgang already shows, he regarded Lombroso as one of the pioneers in criminology, who's work had a massive influence on the continental criminology⁴⁶, even calling him father of modern criminology. Wolfgang emphasizes as well that Lombroso should be recognized for moving the focus from the act of crime to the criminal and introducing new ideas about punishment and even with all the controversy he sparked, this created a new interest in criminology which helped improve it⁴⁷. He also acknowledges the broadness of Lombroso's investigations and research, which made it possible for the science of modern etiology of crime to exist⁴⁸. Additionally, Marvin E. Wolfgang accentuates that Lombroso's school of criminology brought innovations to pathology and police work, changing the applied scientific methods⁴⁹.

⁴¹ See Footnote Nr.19, page 723

⁴² See Footnote 19

⁴³ See Footnote Nr. 11, page 72

⁴⁴ See Footnote Nr,11, page 78

⁴⁵ See Footnote Nr. 11, page 83

⁴⁶ See Footnote Nr. 1

⁴⁷ See Footnote, Nr. 1, page 361

⁴⁸ See Footnote Nr.1

⁴⁹ See Footnote Nr. 1, page 363

Even Charles Goring, who as stated earlier, widely criticized Lombroso's work, is still convinced that Cesare Lombroso should be credited for the sincere work and intent he had in looking for new theories in criminology, even if those were proved to not be correct⁵⁰.

Concluding, it is obvious that Lombroso and his new school of criminology have faced a lot of criticism and negative assessment since the publishing of his works. Still, it is impressive how broad and extensive the research, investigation and all the examinations the Italian criminologist conducted was. But it is clear that the theories of the born criminal and physical characteristics which are typical for criminals aren't provable anymore, making them irrelevant to modern methods in criminology as they aren't applied. That being said, his work wasn't irrelevant to the development of the field of criminology, putting more focus on the criminal and the causes which make him commit a crime. Therefore, his theories did have positive consequences and outcomes, as they and the criticism towards them changed the field of criminology towards the contemporary criminology we know today.

⁵⁰ See Footnote Nr.35

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