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Lombroso in France. A paradoxical reception

Marc Renneville

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The Cesare Lombroso Handbook

Edited by
Paul Knepper and P.J. Ystehede

THE CESARE LOMBROSO HANDBOOK

The Italian criminologist Cesare Lombroso (1835–1909) is the single-most important figure in the founding of criminology and the study of aberrant conduct in the human sciences.

The Cesare Lombroso Handbook brings together essays by leading Lombroso scholars and may be said to focus on four major themes. Initially, it examines the range and scope of Lombroso's thinking; the mimetic quality of Lombroso; his texts and their interpretation. A second theme explores why his ideas, such as born criminology and atavistic criminals, had such broad appeal in the United States and elsewhere. Developing this, the anthology includes articles that considers the manners in which Lombroso's ideas spread across borders; cultural, linguistic, political and disciplinary, by including essays on the science and literature of opera, *La donna delinquente* and 'Jewish criminality'. The final chapters of *The Cesare Lombroso Handbook* investigates examples of where, and when, his influence extended and explores the reception of Lombroso in Britain, France, China, Spain and the Philippines.

This text presents interdisciplinary work on Lombroso from academics engaged in social history, history of ideas, law and criminology, social studies of science, gender studies, cultural studies and Jewish studies. It will be of interest to scholars, students and the general reader alike.

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THE CESARE LOMBROSO HANDBOOK

Edited by Paul Knepper and P. J. Ystehede

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LOMBROSO IN FRANCE

A paradoxical reception

Marc Renneville

In 1835, a man charged with raping and dismembering his child victims was convicted and sentenced to death in Turin. After his execution, the body was handed over for public autopsy. The post-mortem examination, conducted amidst scenes of great pomp and ceremony, revealed, according to one report, 'a sinister face; a ginger beard; coarse, thick, reddish hair; an atrophied right eye; thick upper lips and a flattened nose'. The head was subjected to a phrenological examination with the help of a craniometer. The following result was recorded:

> Those present were astonished by the development of the temporal bones covering the organs of cunning (secretiveness), destructiveness (cruelty, carnivorousness), and of the parietal bones corresponding to the organ of circumspection. The organs of religion, benevolence, educational capacity and comparative perspicuity, on the other hand, were comparatively small.

The top of the skull was removed, and the study of the cerebral convolutions within confirmed the initial diagnosis: the frontal lobe was under-developed, while the lateral lobe was abnormally enlarged and the anterior lobe 'smaller than expected' (De Rolandis 1835). Whatever the pertinence of that verdict, for the historian there is a certain symmetry in the fact that it was in this same Italian city that Cesare Lombroso would spend the major part of his professional life, a life that would begin just a few months after the phrenological examination of the Turin rapist and murderer.

Lombroso before Lombroso: criminal anthropology in France, 1878–85

When the first French translation of *L'Uomo delinquente* appeared in 1887, Cesare Lombroso and his theories were already well known in the country. In fact, the

idea of applying the methods of anthropology to the study of criminals had made its appearance there some thirty years earlier in the period following the decline of the phrenological movement. In particular, a body of work produced in the 1860s by a small but influential group of researchers inspired by the racial theories of Arthur de Gobineau (1816–82), among them Roujou, Bordier and Orschanski, had advanced an atavistic explanation of criminal aetiology well before the publication of *Criminal Man*. By the end of the following decade, the study of the skulls and brains of murderers had expanded rapidly. For example, Arthur Bordier (1841–1910) presented his research on the skulls of thirty-five guillotined murderers to a gathering of the Paris Congress of Anthropological Science in 1878. Like Lombroso, Bordier drew on the theory of atavism to explain the criminal tendencies of his decapitated subjects, noting their anatomical similarity to Man's prehistoric ancestors. In his view, the subjects under study had been born with 'traits characteristic of prehistoric races; traits no longer to be found in the races of today, and which had reached them by a form of atavism'. For Bordier then, like for Lombroso, the criminal was

> an anachronism, a savage in a civilised country, a kind of monster; something comparable to a wild animal which, born to stock tamed and domesticated long ago, suddenly makes its appearance bearing the stamp of that untameable savagery which characterised its distant ancestors.
>
> (Bordier 1879, 297)

Despite this appeal to atavism, Bordier differed from Lombroso in arguing that criminals were neither 'mesaticephalic' nor 'microcephalic', but on the contrary had a larger than average brain. Between about 1880 and 1890, the *Bulletin de la Société d'anthropologie de Paris*, the organ of the Paris Anthropological Society, together with similar bulletins from anthropological societies in Lyons, Brussels and Bordeaux, published a large body of such work on criminal skulls. Gradually, however, research devoted purely to the measurement of deviant skulls would give way to a concern to identify the various pathologies afflicting the criminal brain.

It is against this background of a well-established tradition of French crimino-anthropological research that the first reactions to Lombroso's work in the country need to be seen. As early as 1879 in fact, Alfred Maury (1817–92) had provided his countrymen with a detailed review of the second edition of *Criminal Man*. Although Maury was a close friend of Lombroso, this did not stop him from expressing certain reservations about atavism. However, it was not until the following decade that a coherent French position on Lombroso and his theories began to emerge. The two men who would come to symbolise this French school of criminology, Gabriel Tarde (1843–1904) and Alexandre Lacassagne (1843–1924), were both initially drawn to Lombroso's theories before adopting what would prove to be a consistently hostile attitude to the Italian's work. Indeed, such a critical stance would characterise the French scientific community as a whole in this period, a community which would forge its own criminological theories out of a

thoroughgoing rejection of Lombroso's 'criminal type' and his atavistic conception of criminal aetiology.

Gabriel Tarde was one of the most influential voices in French criminology at the end of the nineteenth century (Renneville 2004a,b). Magistrate, head of the French Justice Ministry's statistical service, *professeur* at the *Collège de France*, and member of the prestigious scientific foundation, the *Institut de France*, Tarde is better known today for his sociological work and his opposition to Durkheim. However, he also played a key role in circulating and discussing Lombroso's ideas in France, probably in the first instance thanks to a suggestion from his friend Alfred Espinas (1844–1922). Espinas had drawn Tarde's attention to Lombroso's work as early as 1879, expressing 'the wish that this book be translated and become a valued reference work for our examining magistrates' (Espinas 1879, 146).

From 1883 onwards, Tarde corresponded regularly with a variety of Italian specialists in the field, among them Filippo Turati, Napoleone Colajanni, Achille Loria and Enrico Ferri, and penned reviews of their work for the *Revue philosophique*. However, as Massimo Borlandi has convincingly argued after a close examination of these Franco-Italian contacts, Tarde's status with his Italian correspondents changed over time, shifting from that of valued ally during the years 1883 to 1888–9, to that of recognised enemy of Lombrosian criminology in the subsequent period (Borlandi 2000). There are signs of this rift as early as 1884 in the pages of Tarde's book, *La criminalité comparée*, where Lombroso's theory of the criminal type is criticised (ch.1); as are the positions of Poletti on the relationship between crime and social development (ch.2); and those of Ferri and Morselli on the question of the law of compensation between murder and suicide (ch.4).

In the first chapter of *La criminalité comparée*, significantly entitled 'The Criminal Type', Tarde provided a closely argued refutation of Lombroso's theory of the born criminal. This chapter had been written in the second half of December 1884, and first appeared in an 1885 issue of the *Revue philosophique.*[1] In this piece, Tarde marshalled anthropological evidence to disprove the existence of a Lombrosian criminal type, arguing that in his view the Italian had confused the characteristics of the criminal, the madman and the savage. Surveying data from a variety of sources on the anatomical, physiological, psychological and sociological bases of Lombroso's 'born criminal', the French magistrate concluded that no such type could be shown to exist. While Tarde stated that the Italian School had over-estimated the importance of anthropological markers of criminality, he was careful to add that his remarks concerned 'only the interpretation given by Lombroso of the physical and other characteristics so frequently exhibited by criminals. They do not in any way seek to deny the existence of the criminal type.' Tarde went on to claim that this criminal type was not in fact 'anthropological' as the Lombrosians argued, but rather 'social', and could in fact be considered a form of 'professional' type, with features derived from a specific occupational background, irrespective of the ethnic origin or physical characteristics of the individual concerned. Certain general features, Tarde went on, were 'present at birth'; others were the result of learned behaviour or imitation, such as tattoos and slang. For Tarde, then, the 'criminal at

birth' (*criminel de naissance*, not to be confused with Lombroso's born criminal or *criminel-né*) could only exist in relation to a particular social context. Thus, if that context was right – or rather wrong – any individual could be born a criminal. However, given that such contexts vary over space and time, the specific features associated with the criminal-at-birth-type would also vary. Tarde also stressed that such types were not to be confused with the criminally insane: 'No-one, except certain monomaniacal arsonists or murderers, and some kleptomaniacs, who should not be confused with born criminals, is born programmed to kill, to burn or to steal from his fellow man' (Tarde 1886, 50–8).

Alexandre Lacassagne, professor of forensic medicine at Lyons' Faculty of Medicine, was the acknowledged head of the city's *Milieu Social* School of criminology, the avowed aim of which, as he put it, was 'the study of social problems in the light of modern science' (Lacassagne 1882, 211). In 1886, along with René Garraud, Henri Coutagne and Albert Bournet, Lacassagne founded the *Archives d'anthropologie criminelle et des sciences pénales*, a scientific journal dedicated to circulating the school's views, and stimulating further research.[2] Like Lombroso, Lacassagne considered that the punishment should match the criminal rather than the crime. He was never a card-carrying Lombrosian, however, for at an early stage he began to elaborate his own theory of criminal aetiology, noticeably different from that of the Turin professor. While rejecting firmly the notion of atavism, Lacassagne nevertheless did not hesitate to use the theory of regression to account for the nefarious effects on the individual of such environmental factors as diet, alcohol, education, economic hardship and revolutionary upheaval. The cerebral instability which resulted from the action of such forces led to what he termed an 'inevitable conflict' in the brain in which 'the posterior part of the brain would come to dominate the anterior part'. What this meant was that action and instinct tended to gain the upper hand over the 'cerebral functions'. In this way, there existed in society individuals who were 'the slaves of fatal organic dispositions' which might be either inherited or acquired (Lacassagne 1882, 255).

Throughout his career, Lacassagne would continue to defend the notion that the wrongdoing of certain criminals could be explained in terms of defective heredity, but at the same time as early as the first Congress on Criminal Anthropology at Rome in 1885, he was keen to stress that his own approach differed from that of Lombroso in a number of important respects. He told the Rome delegates that in his view the Italian School constituted an unwarranted deviation from the traditions of Gall, Broussais, Morel and Despine. He also endeavoured to play down the explanatory power of the Italian's theories, implying that the latter had jumped to conclusions on the basis of inadequate data, and urged instead the need for prudence with his calls not to 'go too quickly' and his warnings of 'the dangers of seeking easy and precipitous solutions'. However, Lacassagne's reservations concerning Lombrosian criminology would make little impact on those attending the Rome congress. This derived in part from the fact that the wide-ranging scope of the Lombrosian project made it difficult to refute in its entirety. Also problematic for Lacassagne's line of attack was the fact that the Italian had gone some way

to placating his critics with his admission that there existed a class of 'occasional' criminals for whom 'the physical and above all the social environment provides the principal cause and determination of criminal behaviour, because of the weak moral sense and lack of foresight of the individuals concerned' (*Actes* 1887, 126). And then there was the question of the balance of forces at Rome. The fact that most of those present were already won over to Lombrosianism before the congress opened its doors contributed to Lacassagne's failure to win support for his position, but it should also be remembered that the distinctiveness of that position had not yet been fully worked out in the mind of the Lyons professor. However, what was clear to all at the close of proceedings in Rome was that there now existed a body of criminological opinion which rejected outright the relevance of Lombroso's atavistic theory to the explanation of crime.

Anti-Lombrosian criminal anthropology in France, 1885–1909

The theory of atavism would constitute a regular target for Lombroso's critics. For French commentators, atavism was to be understood as a form of 'normal heredity', that is to say as 'the *ensemble* of hereditary forces belonging to a race'. This process of 'heredity in reverse' was considered to take precedence over 'individual heredity', subject to the influence of the social milieu (Lacassagne 1876; Sanson 1893). According to this view, atavism corresponded to the transmission of the oldest, most 'fixed' forms of inherited characteristics; those least susceptible to unpredictable short-term variation. It was on this point that there were important differences of opinion between the French and the Italians. Given a choice between according explanatory primacy to the action of processes of slow, pathological degeneration or the kind of sudden, unpredictable atavism which the Italians claimed to be at work in the minds and bodies of criminals, most French specialists opted unequivocally for the former. As anthropologist Léonce Manouvrier (1850–1927) liked to point out, '*Natura non saltus est*' (Nature makes no leaps). French doctors and scientists were thus unanimous in their refusal to consider atavism as a specific form of degeneration. For French specialists from Lacassagne to Sanson and from Féré to Rabaud, such talk verged on heresy. Had not the great Morel himself specifically ruled out such a notion? Gallic patience was thus sorely tested by Lombroso and Ferri's efforts to argue that the two concepts were perfectly compatible.

The theory of degeneration thus developed in French criminological circles as a counter-proposition; one seen as providing powerful ammunition to challenge Lombroso's theory of atavism. The strategic importance of the degeneration argument explains the profusion of work in this area in the 1880s, all of which focused on the criticism of Lombroso's anthropological 'criminal type'. Even the 'professional type' developed by Tarde, Colojanni and others did not escape censure. For the medical advocates of degeneration theory, accused by their detractors of 'seeing pathology everywhere', there was thus no question of accepting the idea that the existence of a collection of 'anomalies' could justify the identification of a new criminal 'type'.

One of the first of the medical critics to plough this furrow was the alienist Charles Féré (1852–1907). An intern at Paris's Salpêtrière Hospital where he studied under the celebrated neurologist Jean-Martin Charcot (1825–93), Féré became in 1882 the head of pathological anatomy in the hospital's department of nervous diseases, before moving on, five years later, to work in the psychiatric ward attached to the city's *Préfecture de Police*, as well as at the capital's Bicêtre Hospital. A year before the Paris Congress on Criminal Anthropology in 1889, Féré published a short work in which he launched a vigorous attack on the theory of atavism and the criminal type. This book provides in many ways a characteristic example of French objections to the Italian School, and indeed would be frequently cited in this context.

The main thrust of Féré's argument was not to deny the existence of the kind of physical 'stigmata' identified by Lombroso, but rather to draw on them as evidence to shore up the degenerationist case. Thus, hare lips, hernias and the possession of supernumerary fingers or toes were all taken as signs of abnormal embryonic development, rather than evolutionary retrogression. For Féré, moreover, such defects were always markers of *localised* pathology, rather than some 'general organised plan' (Féré 1888, 67). His explanation of crime drew explicitly on the theory of physical and mental degeneration, both of which were seen as having a common origin in the action of such forces as alcoholism, the advanced age of the parents at conception, and insalubrious sanitary conditions – all of which causes could incidentally also be found in Lombroso. The existence of families where crime and insanity alternated over the generations was taken as clear evidence for the nefarious influence of such factors.

The categorical refusal on the part of dyed-in-the-wool degenerationists to countenance anything resembling a 'criminal type', be it anthropological or professional, would turn out to be a powerful weapon for critics of Lombrosian theory. Rather than seeing wrongdoing as the result of a distant phylogenetic inheritance, French critics argued forcefully in favour of a conception of criminal aetiology which emphasised the role of acquired characteristics resulting from morbid ontogeny. Advocates of this view hoped that it would come to vanquish all others as an explanation of criminal behaviour, but before achieving the hoped-for victory they would find themselves under concerted attack from home-grown specialists of the sociological school founded by Emile Durkheim.

Among the advocates of this medicalised approach to criminal aetiology was the physician Charles Debierre (1853–1932) who in 1885 published a study of the criminal skull which challenged Lombroso's conception of the anthropological criminal type. Debierre shared the determinist approach characteristic of the French School of the period, but expressed greater caution on the subject than most, preferring to await the results of future research before committing himself. He had similar reservations about degeneration theory. While a supporter of the approach, he argued that the biological causes of criminal behaviour remained to be fully determined. Despite such equivocation, Debierre's conclusions on the possible existence of a 'criminal skull' left no room for doubt. In his view, there was

'no particular feature, no combination of traits, either of the bones of the skull or of the encephalon' capable of 'identifying the murderer' (Debierre 1895, 459).

Two years earlier, Léon Maupaté had defended a doctoral thesis on criminal anthropology before a panel chaired by Paul Brouardel. Maupaté's research, based on the study of a sample of sixty-five child and adolescent offenders aged between 7 and 21, had set out to explore both the physical and moral aspects of crime. His results were then compared with those from a control sample taken from the same psychiatric hospital as the first group, but this time with no record of criminal behaviour. Each offender was examined from an anthropological and psychiatric point of view, and the physical and mental stigmata of degeneration and crime were noted. Maupaté's thesis was intended in part to test the hypothesis of Lombroso's 'born criminal', but above all to verify the existence of the 'criminal type'. His conclusions, like Debierre's, were unequivocal. In his view, there existed 'no regressive or degenerative stigmata making it possible to identify the criminal, and by sequestering him from childhood, prevent crime' (Maupaté 1893, 224). Ten years later, Lyon-based anthropologist Dr Lucien Mayet (1874–1949) would develop a similar argument (see also Rakowski 1897).

Mention should also be made of alienist Paul Legrain (1860–1939), who likewise drew on degeneration theory to argue that degenerates *could* become criminals, and that certain of their number bore distinctive physical stigmata, but that this did not mean that *all* criminals would be found to be in possession of such incriminatory traits (Legrain 1894, 8–9). One of those who shared Legrain's scepticism was the Belgian Dr Jules Dallemagne, one of a sizeable contingent of like-minded specialists from that country including Heger, Houzée, Warnots and Vervaeck. However, this did not stop Dallemagne from taking Lombrosian theories seriously enough to undertake his own search for the physical defects of criminals (Dallemagne 1896). One last example is worth noting in this context. The influential pathologist Professor Paul Brouardel (1837–1906), referred to above, also rejected the criminal type out of hand. Like many of his colleagues, he was hostile to the concept of an in-born 'criminal nature', and followed Lorain in considering that degeneration resulted in a process of arrested development in the child. However, like Lacassagne and Émile Laurent (1861–1904), Brouardel believed in the existence of a degenerate urban type, who resembled in some ways the 'accidental collective type' described by Paul Topinard (Brouardel 1890).

One final example of degeneration theory applied to the study of crime should be mentioned, and that is the work of alienist Valentin Magnan (1835–1916). In a paper given to the 1892 Brussels Congress on Criminal Anthropology, Magnan distinguished between two principal types of criminals. There were on the one hand the criminally insane and on the other those who were of sound mind, but still abnormal since they were unable to control criminal impulses emanating from what he called a 'morbid criminal obsession' (Magnan 1893, 334–5). This view was shared by Émile Laurent, a follower of Lacassagne, for whom crime was 'no more than an epiphenomenon, an accident in the life of the degenerate, the insane, the epileptic and all those who, in a word, live under the burden of degenerative

stigmata'. He went as far as claiming that crime was in reality 'the synthesis of every form of human degeneration' (Laurent 1908, 172).

Lombroso's legacy in France

In an article co-written by Alexandre Lacassagne and his disciple and successor Étienne Martin (1871–1949) in 1905 on the subject of 'the present state of our knowledge in the field of criminal anthropology', it was conceded that virtually every one of the physical stigmata identified by the criminal anthropologists had their basis in fact: 'What is at issue is uniquely the interpretation of those physical anomalies which we have listed at length. Everyone agrees that physical stigmata are to be found in criminals, particularly those weighed down by hereditary defects' (Lacassagne and Martin 1906, 7). In similar fashion, Dr Henri Thulié (1832–1916) noted the following year that while the debate on the born criminal in France had prompted 'eloquent discussions' on the subject, disagreements had been in reality largely a matter of 'squabbling over words' (Thulié 1907, 25).

Even though the influence of Manouvrier and Durkheim would play a major role in weakening the impact of degenerationist medical research on crime and the criminal, the latter only gradually lost ground in the emerging French science of criminology. When one looks beyond the squabbles over words noted by Thulié and Havelock Ellis, there were in reality important lines of convergence between the French medical specialists interested in crime on the one hand and the researches of Cesare Lombroso on the other. After all, was it not the case that Lacassagne's scientific journal *Les Archives* had changed its name in 1893 in order, among other reasons, to give a greater role to the study of what it called 'cerebral physiology'? And had not Jules Dallemagne – as we have seen a stern critic of the Lombrosian school – stated that the study of 'the crime problem' necessitated 'the study of criminal psycho-physiology' (Dallemagne 1896, 208)?

An exhaustive examination of French-language responses to Lombroso is beyond the scope of the present study. While traces of the Italian's influence can be seen in the art and sculpture of Edgar Degas and in the novels of Émile Zola, his theories were never adopted lock, stock and barrel (Becker 2005). Indeed, a critical attitude to Lombroso would remain the dominant response in France, both in literary and in legal circles (Noiray 2005). That being said, the sheer volume of that critical output was not without consequences. By dint of repetition, Lombroso's ideas gained a paradoxical after-life, both in literature and in the collective consciousness, feeding into both Zola's *Bête Humaine* and Bram Stoker's *Dracula*. The way in which the debate on criminal anthropology in France was organised around reactions to a foreign author served, moreover, to conceal certain of the approach's internal contradictions behind appeals to national 'schools'.

Gradually, however, Lombroso was assimilated into the French collective memory as one of the 'founding fathers' of criminology. For example, a 1950 book devoted to criminal tattoos by Jacques Delarue, an inspector in the central bureau of the Paris *Police judiciaire*, made no reference to the controversial nature of the Italian's

theories, beyond noting in passing that Lombroso's ideas had been 'somewhat wide of the mark'. The long-running dispute between the Italian and Lacassagne on the subject of atavism referred to above was apparently forgotten. Indeed, Delarue noted in his book that criminals shared with certain 'primitive' peoples an ape-like anatomy ('excessively long arms' were mentioned), a 'rudimentary mind', 'latent primitivism' and behavioural traits 'the coarseness of which could go as far as brutality' (Delarue and Giraud 1950, 54). In short, the kind of descriptions not unlike those provided by the criminal anthropologists themselves.

In the middle of the 1960s, a French book on cybernetics went as far as claiming that criminology *was* Lombroso (Aurel 1965). Was this a sign that the Turin professor was making something of a come-back in the country? Well, yes and no. Certainly, after the First World War, the detailed critical response to Lombroso in France we have charted began to give way to a recognition of his insights by the country's specialists in positivist penology and social defence theory. In this sense, Lombroso's theories continued to influence medical practice and even the legal profession in the inter-war period. A more recent example of his continuing influence is provided by a conference organised by the Paris Institute of Criminology in 1976 to mark the centenary of the publication of the first edition of *L'Uomo delinquente*. While distancing themselves from the claims of the criminal anthropologists, those involved in the centenary event acknowledged that Lombroso had played a key role in the emergence of their discipline. The jurist Marc Ancel, for example, a theorist of the New Social Defence school, argued that *Criminal Man* had 'created shock-waves' on its publication, and he paid the work the supreme compliment of equating its influence with that of Beccaria's *On Crimes and Punishments* (Ancel 1977). Other speakers at the conference also sought to rehabilitate Lombroso's reputation. Thus, Jean Dupreel, chair of the International Penal and Penitentiary Foundation, argued that the French *Milieu Social* School had been unduly critical of the criminal anthropologists (Dupreel 1977, 540), while Pietro Nuvolone described *Criminal Man* as having heralded 'a veritable turning point in intellectual history' (Nuvolone 1977, 291). As for the magistrate Jean Pinatel, he suggested that 'Lombroso's great achievement was to have founded the discipline of criminology as an independent and autonomous science' (Pinatel 1977, 549).

This recognition of Lombroso's work as having played a role as important of that of Beccaria can be seen as something of a posthumous triumph for the Turin professor. That being said, this apparent victory, like everything linked to his legacy in France, is paradoxical in more than one respect. First of all, the compliment is generally paid by jurists, the same profession which generated Lombroso's most vociferous critics during the Italian's lifetime. Further, this vision of Lombroso as the founding father of criminology is based on a highly selective reading of the man's work; reducing in effect his legacy to an objective (judge the criminal rather than the crime), a method (the scientific study of the offender) and a consequence: the need to reform the criminal justice system according to the principles of social defence theory. Indeed, it is above all for his allegedly pioneering status as a champion of social defence that the name Lombroso continues to be cited in France,

whether in medical and legal circles (Robert 2008) or in the realm of political debate.

However, there are clearly limits to the rehabilitation of Lombrosian theory in France, as a last example, this time from January 2008, makes clear. In a debate in the French parliament on a bill concerning the incarceration of the criminally insane, Elizabeth Guigou, a former Justice Minister, addressed Rachida Dati, the current occupant of the post, with the following words:

> Madame Minister, . . . you are in the process of turning your back on Beccaria and the heritage of the Enlightenment in favour of Lombroso and his 'Criminal Man', while you know full well that it was this very positivist philosophy which led to the worst excesses of Nazi Germany.[3]

That attempt to tar official policy with the Lombrosian brush prompted howls of protest on the government benches, but the resulting controversy did nothing to challenge that erroneous historical interpretation which sees a direct line of descent from Lombroso to Nazism. In other words, the legacy of Cesare Lombroso is selectively – and often inaccurately – remembered but is certainly alive and kicking. Indeed, in France that memory has retained a vitality which the Italian's contemporary adversaries (including home-grown ones like Alexandre Lacassagne) lost a long time ago. His name continues to be evoked outside the narrow circle of academic history, a situation which reveals the extent to which the ideas with which he is (rightly or wrongly) associated continue to resonate with the preoccupations of our time.

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Notes

1 Gabriel Tarde, 'Le type criminel', *Revue philosophique*, 1885, vol. 19, pp. 593–627. This article was republished in 2000 in a special issue of the *Revue d'Histoire des Sciences Humaines*: 'Gabriel Tarde et la criminologie au tournant du siècle', 2000, n 3, pp. 89–116.

2 The complete run of the *Archives d'anthropologie criminelle* (1886–1914) is available online on the Criminocorpus website (http://www.criminocorpus.cnrs.fr).

3 'Rétention de sûreté et déclaration d'irresponsabilité pénale pour cause de trouble mental. Assemblée nationale. XIIIe legislature', Ordinary Session, 2007–8, Verbatim Report, Third session, 8 January 2008 http://www.assemblee-nationale.fr/13/cri/2007-2008/20080094.asp.

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