

**Fingerprinting at the Bar
Criminal Identification in Liberal and
Fascist Italy**

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FINGERPRINTING AT THE BAR

CRIMINAL IDENTIFICATION IN LIBERAL AND FASCIST ITALY

Submitted by Massimiliano Pagani, to the University of Exeter as a thesis for the degree of Doctor of Philosophy in Sociology, September 2009.

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I certify that all material in this thesis which is not my own work has been identified and that no material has previously been submitted and approved for the award of a degree by this or any other University.

A handwritten signature in black ink, enclosed within a faint circular outline. The signature is written in a cursive style and appears to read 'Massimiliano Pagani'.

ABSTRACT

Between the end of the nineteenth and the first half of the twentieth century, criminal anthropology was a very influential theory for criminologists throughout the western world. Proposed by the Italian alienist Cesare Lombroso, its theoretical core centred on the figure of the “criminal man,” a character atavistic instinct forced to live a life of crime. By filling a gap in the literature, this work deals with the historical and sociological circumstances in which criminal anthropology emerged and prospered, and concentrates on the impact Lombroso’s theory had on the development of scientific policing in Italy since the beginning of the twentieth century. A detailed account of the causes that favoured the rise of Lombroso’s scientific police provides an explanation for the appeal criminal anthropology exerted on western political elites. In Italy, the Lombrosian approach left his mark on the development of highly specific forensic tools like fingerprinting, and this had a strong impact on their utilisation by fascist authorities as the account of a famous case of identity fraud occurred in Italy in 1927 revealed. As a result, it is argued that the production of Lombrosian scientific policing was shaped by the wider cultural and social goals of the actors involved, as it is of any other form of knowledge. By choosing to sideline Lombrosian techniques, fascist authorities favoured the exploitation of un-scientific methods of crime prevention that, it is argued, were not perceived as inferior, anachronistic, or unreliable. Such a choice was dictated by specific social goals that favoured the implementation of constitutional anthropology on Lombrosian science of the deviance. Finally, it is suggested that this socio-historical reading of the Italian case could cast more light on the complex relationship between totalitarianism, technology, and forms public surveillance.

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INTRODUCTION

Identity Matters

In 1927, a case was brought before the Royal Penal Court in Turin, Italy. Giulio Canella, a World War I veteran missing in action who had returned home after eleven years without memories of his recent past, was accused of being the swindler Mario Bruneri, who had been in hiding for years. The two families involved were emblematic of two different parts of the Italian society: the Canella's were the well educated, politically influent and rich bourgeois family; while the Bruneri's were a miserable, working-class family. Five trials engaged the two families from 1927 to 1931. In these judicial arenas, the social and economic gap suddenly disappeared and inexplicable and gratuitous legal and technical supports, combined with the personal commitment of major representatives of both the Fascist regime and the Vatican, transformed a private confrontation into a national case. In the courtroom, both parties made use of the most advanced scientific weaponry of the time: psychological exams, hypnosis, blood tests, testimony evaluations, photography, anthropometry, and fingerprinting. Almost completely unknown abroad, the Turin story is a popular chapter of Italian contemporary history. The fact inspired a vast amount of historical and fictional texts, theatrical plays, radio drama, cinema, and television movies; and it even influenced the common parlance.¹

As for most of the Italians, a sketchy account of the story of the *smemorato* has always been part of my background. Yet, I became quite interested to it only recently, arising from reading philosophical issues in a book I came across few years ago. Since my first philosophy class, I have been engrossed in the issues to define the essence of the individual identity. I remember my excitement when I first grasped Hume's explanation in *A Treatise of Human Nature*: a church remains the same, the philosopher claimed, as long as the inhabitants of its parish consider it so.² Hume's insight was powerful. The individual response to social inputs could be considered a sign of her identity. If this was true, if the social acknowledgment of her response was enough to define one person's identity, then the individual could have potentially as many identities as unrelated social intercourses. The degree of this "identity flexibility" could then be strongly dependent on the characters of the society where the individual lived. A family-structured society like Italy, for instance, where even working environments are as intimate and devoted as families, could be incompatible with the presence of enduring unrelated social dimensions, resulting in a quiet rigid structure characterized by a lower degree of "identity flexibility." For this reason, extreme stories, such as impostures and famous

¹ Even though it is less frequent nowadays than when I was a boy, the idiom *smemorato di Collegno* (the amnesiac from Collegno) is in the vernacular. Referring to a "very heedless person, who forgets everything, or even who pretends not to understand" (Castoldi and Salvi 2003: 363) this way of speaking represents the popular closure of the debate exposed in chapter five.

² "In like manner it may be said without breach of the property of language, that such a church, which was formerly of brick, fell to ruin, and then the parish rebuilt the same church of free-stone, and according to modern architectures. Here neither the form nor materials are the same, nor is there any thing common to the two objects, but their relation to the inhabitants of the parish; and yet this alone is sufficient to make us denominate them the same." (1978: book one, part four, p. 258)

frauds have always attracted my attention. It was during the reading of one of them that I came across another aspect of the problem. I was enjoying Natalie Davis' account of the return of Martin Guerre, an incredible story of an imposture involving cultures and family business in seventeenth-century France, when I read the note at page sixty-three: "even with fingerprints, there can be dispute, as shown by the celebrated Giulio Canella case in Turin in 1927-1931."³

As already anticipated by Davis, it was the unexpected rejection of fingerprinting as a reliable identification technique that represented the most astonishing outcome of the Turin case. During the golden age of scientific criminal identifications, the court turned to traditional practices of identification following David Hume's suggestions rather than Francis Galton's. Indeed, claiming that the essence of the individual identity is written somewhere in the body, the biometric approach to identification seemed in open opposition to Hume's approach. But was it the case? Could the scientific character of personal identity really be dismissed as non-social and separate from a history of criminal identification techniques? And if science really offers the objective and ultimate solution to the problem of identification, why did the Italian juries reject fingerprinting in 1927? The present work took shape around those questions.

Key Issues

Studying the history of criminal identification techniques, I realised that personal identification practices had experienced major theoretical innovations since the second half of the nineteenth century. New methods claiming that they could objectively detect evidence of the individual uniqueness in the body itself flanked the more traditional identification practices based on personal recognition. In Hume's example this meant that, despite neither the form nor materials were the same, the new church still showed something in itself that linked it to the old brick church previously fallen in ruin. The "link" was written somewhere on the body, as highlighted by criminal identification techniques like anthropometry, judicial photography and fingerprinting, that inaugurated such a trend since the 1880's. The dominant account of the history of criminology suggests a technological deterministic approach. Claiming that since the end of the nineteenth century science has offered a major contribution to personal identification; it links former scientific technologies and modern DNA typing by a linear rising curve.⁴ One of the aims of this work is an evaluation of the factual impact of fingerprinting on criminal identification practices in Italy since its appearance at the beginning of the twentieth century, in order to provide evidence of the supposed major technological revolution.

³ Davis (1984: 63).

⁴ Although there is much debate on whether we can consider forensic techniques like fingerprinting scientific (Cole 2002; 2005; 2006), in this thesis I choose to leave the philosophical question aside. I am not going to focus the issue on scientific methodology. I am simply considering everything scientific that is labelled to be by social groups and actors who played significant role in the event at the time. Specifications and distinctions have been added whenever the term has given rise to discussions. Technological deterministic accounts on the history of fingerprinting are numerous. See for example, Beavan (2001), Lee and Gaensslen (1991).

This issue is not merely historical. Recently, scholars have emphasised how a similar technological deterministic approach to criminological issues can lead to a radical renegotiation of individual civil rights today.⁵ The problem arises when entrusting science by political and social functions that do not limit themselves to establish the physical identity of the individual; rather, they dictate the rules to reshape her personal history and to plan her future social role. A reductionist reading of human behaviour as biologically determined is reminiscent of the racial theories of the last century, when the trial studied in this work took place. Furthermore, nowadays more than in the recent past, such an approach represents a real threat, due to the policies inspired by the so called “war against terrorism.” Indeed, within a context of widespread fear and distrust, governments have charged science with the task of offering solutions for the prevention of ordinary crime, the repression of terrorist acts, and most of all, the shaping of ways in which individual identities are conceptualised and managed.⁶ In this context, the growing credibility of forensic sciences, together with their progressive shift toward the scientific identification of biological criminal tendencies, threaten to deprive citizens of their most fundamental legal and civil rights.

The Bruneri/Canella trial can provide the greatest way to understand the emergence of legitimating the scientific identification techniques; in this case fingerprinting. The debate that involved fingerprinting offers what Latour calls a “freeze-frame” of the black box, allowing an analysis of the social dynamics that contributed to the rise of the golden standard in forensic science in Italy.⁷ Such an analysis unveils the importance of Lombroso’s criminal anthropology and its stigmatisation of crime. At the beginning of the twentieth century, Lombroso’s theories strongly shaped the development of Italian scientific policing.⁸ Due to the primary social and juridical importance of honour, and consequently libel and defamation in the Italian history, there were consequences on the credibility of Italian scientific policing that characterised the development of techniques like fingerprinting in the 1930’s and 1940’s, by stigmatising Lombrosian practise, as stated in chapter three.⁹ Lom-

⁵ See for example, Greenfield (2008), Rafter (2008), Gibson (2002), Lazer (2004), Lynch (2008) and Bennet and Lyon (2008).

⁶ An increasing number of governments entrust private societies and institutions with the task of establishing individual identities through scientific ways in order to provide social services and anticipate a risk analysis on their future behaviour. A wide range of social consequences due to the total deference to the scientific authority implicit in the techniques adopted by such actors can be found in Bennet and Lyon (2008).

⁷ For “black box” in S&TS literature is referred by scholars to mean a device that is described only in terms of its inputs and outputs. Opening the box, then, means understanding what goes on inside it, and it usually requires a social constructivism approach. See for example Bijker and Law (1992) and Latour (1987); for an application in forensic science see Derksen (2000) and Lynch (2008). Fingerprinting has been considered the golden standard in forensic sciences until the advent of DNA typing at the end of the 1980’s. For an account of the passage of the award to DNA typing, see Lynch (2008).

⁸ Adopting Allan Sekula’s distinction between criminology, the theory of “the” criminal, and criminalistic – the art of distinguishing “this” from “that” criminal, (1986: 18) I prefer to use a more technical vocabulary that allows me to distinguish between police practices and criminological researches. As such, I call the former “police science” and the latter “scientific policing.” Accordingly, “scientific policing” entails any theorization of the criminal nature, such as Quételet’s and Galton’s researches, while “police science” represents police practices of identification and crime scene evaluation. Both terms can be applied to Cesare Lombroso’s work, as explained in the next section.

⁹ Scholars like Goffman (1959; 1967), Scheff (1990) and Barnes (2000) have considered honour and deference major characters of micro-societal dynamics. A “deference-emotion system” established on basic emotional states, as pride and shame, have been depicted as the basic engine of social intercourses. For the system is

broso's mark on Italian scientific policing made the Italian corps different from its foreign counterparts. The Italians introduced unique standards of criminal identification, promoting practices routinely applied by psychologists in asylums and prisons all over the western world. Inspired by the belief that any criminal act was the expression of degeneracy, the ultimate goal of such analysis consisted in understanding the criminal mind and performing its scientific categorization.

This approach was politically supported and considered highly credible by Italian Liberal governments at the beginning of the twentieth century. But why was it so? Already in 1909, at the time of Lombroso's death, his Positive School had lost his appeal on the new generation of scholars, and started losing terrain on many aspects of the national cultural production.¹⁰ How could Lombroso's scientific policing be so influent in 1910 to dictate the conditions for the modernisation of the national security network? In order to identify the basis of such credibility, I found useful a social constructionist approach.

In the history of science, social constructivism considered scientific theories as vectors of material and cultural resources rather than the interpreters of natural laws pre-given and independent of human action.¹¹ The first consequence for my work was that the supposed superiority of Lombroso's scientific techniques of criminal identification with respect to traditional police methodologies could not be considered the cause of its credibility. As social constructionist accounts in the history of science and technology have emphasised, there is no "best" way to implement criminal identification systems or to integrate them into social networks. Paraphrasing Paul Ceruzzi, what eventually "emerges as a stable configuration is as much the result of social and political negotiation among a variety of groups as it is the natural emergence of the most efficient or technically best design."¹² As far as the history of criminology is concerned, accounts on fingerprinting revealed that the meteoric rise of this golden standard was not favoured by a fixed and universally accepted theoretical core; on the contrary, the meanings were conveyed by the practice and were created by acts of use. In England, for instance, colonial needs, evolutionary researches and eugenic applications provided quite different scientific discourses that inspired quite different social applications: as a result, while some actors promoted fingerprints as unique individual marker, others depicted them as inherited characteristics, vector of racial and familiar information.

Not only the role of the "acts of use"¹³ as vectors of meanings suggested to me to take a neutral stance about terms like "best" and "worst" and "true" and "false;" it also suggested to me to adopt a finitist approach to the subject. Finitism was introduced by Barry Barnes and David Bloor in or-

culturally dependent, I propose that in a country like Italy, where disgrace is aroused by penal punishment (Ortalli 1979; Edgerton 1985), it played a major role in determining the public acceptance of scientific policing. An adequate account of the role played by codes of honour in Italy in the making of the Italians from the end of the nineteenth century and the end of the 1940's, is in Hughes (2007).

¹⁰ See Villa (1985).

¹¹ See Golinski (2005).

¹² Ceruzzi (2003: 5).

¹³ Bloor (1997: 25).

der to explain how the meaning of a concept evolves in society.¹⁴ According to them, the meaning of a concept must always be open-ended, flexible and would result in “the result of the contingent action of situated actors.”¹⁵ As such, it inspires discourses and influences practices that can be traced and analysed,¹⁶ as well as it is inevitably entangled with power.¹⁷ To trace the causes of Lombroso’s scientific policing credibility, I followed the diffusion of practices and detected the casual connection between socio-cultural conditions and the production of this specific scientific knowledge. I concentrated on the interests that sustained scientific policing credibility among networks of social actors, what Latour calls long chains of associates or allies,¹⁸ and the action scientific policing exercised on those same interests progressively reshaping them.

Under this perspective, the Italian case is an exception within an international survey. Contrary to what had happened abroad, where a long and troubled negotiation between different social actors eventually resulted in a closure that fixed the meaning of criminal identification practices like fingerprinting, in Italy, scientific policing was related to a unique social group since its first development. Deprived of almost any social function but the one given to it in police headquarters, the chain of associates or allies that had interest in promoting scientific policing was restricted to a limited number of members of the political, academic, and judicial system. Lacking the closure, the meaning of police identification techniques, like fingerprinting, was conveyed only by Lombrosian practices and discourses. When the Fascist regime began taking form in the second half of the 1920’s, and the chain of allies fell apart as seen by quantitative data and archival sources, the social credibility of scientific policing suffered consequently.

The “credibility crisis” cannot be attributed to modification in the procedure or to different social interpretations. Still, this situation gives life to a contrasting reading with respect to what happened abroad. An example is Peter Becker’s recent account of criminal identification and anthropometry in nineteenth and twentieth-century Germany. In his work, Becker describes “identification technologies” as “boundary object.”¹⁹ Moving within the Latourian actor-network theory, Susan Star and James Griesemer coined the term “boundary object” in an influential paper on the fruition of

¹⁴ *Ibid.*, and Barnes (1995). Application of finitism to science is in Barnes (1982), Barnes et al. (1996).

¹⁵ Mazzotti (2008).

¹⁶ In S&TS literature, the analysis of scientific discourses and practices inspired different empirical enquiries that used discourse analysis methodologies (Knorr Cetina 1999), as well as ethnomethodological techniques (Latour 1986, Collins 1985). Other accounts analyse society beyond the strict community of scientists and identified social forces like “interest” as relevant in the scientific work (Barnes 1977; MacKenzie 1981).

¹⁷ Foucault (1982; 1994).

¹⁸ Latour (1987). I am not using Latour’s term “actant” because it would point to humans, things or concepts without distinction. Latour’s attribution of agency to the inanimate members of the family of actant (1986; 1987; 1992), in the case of fingerprinting represented a big problem. Studying the actual practice of fingerprinting I realised how difficult it was to give any form of definite meaning to prints or criminal individual cards. As the modern history of fingerprinting reveals (McKie 2007), during identification, the expert’s reading of the print is fundamental and can vary from human to human. Performing identification, experts execute polymorphic actions, “they draw on their understanding of their society” (Collins and Kusch 1998), and this is what makes Collins and Yearley’s critiques of Latour’s interpretation of inscription devices (1986) so convincing.

¹⁹ Becker (2008).

the zoological collections at the Berkeley Natural History Museum.²⁰ Being both “plastic enough to adapt to local needs and the constraints of the several parties employing them, yet robust enough to maintain a common identity across sites,” boundary objects served as interface between different groups of actors. Becker sees German fingerprinting and anthropometry as practices that attracted the diverging interests of the anthropological and police community, and were highly developed just because of their being a common boundary object. I could not follow the same path. In fact, besides its operational stability, which is the only character in common with a boundary object, fingerprinting did not establish any form of collaboration between different social groups, nor showed any other meaning other than the ones inherited by Lombroso’s group. Remaining within a traditional STS approach, I read the Bruneri/Canella trial as the resolution of a scientific controversy that showed how the advent of Fascism created the conditions for an overall renegotiation of the credibility of scientific policing in general, consequently weakening the authority of fingerprinting. Without saying that the controversy on fingerprinting was characteristic, mediating Wittgenstein and Collins, of different forms of life,²¹ I tried to show how new political needs empowered some scientific groups against others, and how in the shaping of the new Fascist nation, Lombroso’s conception of man as embedded in his scientific policing was no more functional.

The present work should be read as an attempt to provide answers to three basic questions. What caused the rebuttal of fingerprinting as a reliable identification technique in the 1927 Turin trial? Which consequences, if any, did such a result have on the application of fingerprinting in Italy after that time? By using an innovation-perspective²² in the history of criminology, the question arises of whether a different approach is needed on the actual diffusion and application of technologies rather than its introduction?

In order to understand the rationale behind the 1927 Turin sentence, I pieced together the history of Italian scientific policing from its Lombrosian roots in chapters one and two, to its relationships with Fascism in chapters four and six. Only a close look to the way in which new identification technologies spread across the country and the way in which their function was limited to specific criminal areas suggested solid motives behind the courts decisions. As explained in chapter five, we are not dealing just with one sentence here, rather with five different verdicts and with national historical accounts that concealed a historical truth: namely, that all the sentences sidelined fingerprinting and gave results in different ways of determining the identity of an individual, methods that praised personal encounters as more reliable vectors of personal information. Scholars and journalists, who have proposed their reading of the events since 1931, have presented the affair mainly as a political and religious issue. They were correct in the sense that fingerprinting, as explained in chapter three, has never being a “neutral” identifier. The values it laid were no longer easily accepted in the 1927 historical context and strongly contrasted with the values defended by the actors in courts.

²⁰ Star and Griesemer (1989).

²¹ Collins (1985). The citation of Wittgenstein is at page 74.

²² Edgerton (2006).

As a consequence, the trial was a matter of beliefs, and in Fascist Italy, as explained in chapter four and six, forensic sciences' credibility was weaker than ever.

Those arguments rest on three types of sources. In trying to assess the rate of use of scientific policing in Italy, I relied on financial data published by the Ministry of the Interior from 1919 and 1971, and the statistics about the production of the School of Scientific Police's central identification bureau, published in the School's *Bulletin* from 1910 and 1939. I designed a map of the impact of scientific identification techniques on Italian society, and more importantly, on Italian police. Consequently, the next query that needed to be addressed was what happened inside the School of Scientific Police during those years, and the archival source dedicated to the School of Scientific Police at the Central National Archive in Rome, a fund made public only recently, provided me with the information I needed. The other aspect of the problem was the reaction of police detectives and clerks to the imposition of such invasive techniques. This was more difficult to accomplish in that the archives of the Italian *questure* (peripheral police headquarter) are very scanty of valid documents concerning the activity of the identification laboratories. Furthermore, because *questure* were placed in the biggest cities, they suffered the consequences of the Allies' bombing after 1943. Most of the data survived is not at disposal of scholars. In order to get a reliable account of the activity of the identification bureau in one of the greatest police headquarters, the Milan *questura*, I relied not only on the files of the *questura*, but also on the correspondence between the *questore* (the police administrator in charge of a *questura*) and the prefect. This revealed a valid source of information that allowed me provide evidence of the application of criminal anthropology in the routine detective task, as shown in chapters three, four and six.

Structure of the work

The structure of the thesis is essentially chronological, with thematic interludes dedicated to fingerprinting in chapters three and five.

Chapter one deals with the emergence of criminal anthropology as the primary scientific approach to crime in Italy during the second half of the nineteenth century. I present criminal anthropology as functional to the political ideals that were at the basis of the political movement that pursued national unification. Indeed, Lombroso's theory offered a pragmatic solution to more than one political problem: addressing the political resistance of southern region to the unification movement, all the way to the anarchist problem at the beginning of the new century. An analysis of the international roots that inspired the formation of Italian scientific policing seen as an extension of modern state control on the population is also included. The core factor is represented by the emergence of a statistical analysis of society, which inspired a new approach to crime that eventually required new practices capable of satisfying a brand new concept of police efficiency.²³ In the end, an explanation

²³ On the emergence of statistics as a reliable answer to social problems, see Porter (1985; 1986). On Bertillon's contribution to the mechanization of police practices, see Sekula (1986), Piazza (2008) and About (2008).

of the success of Lombroso's criminal anthropology in Italy and abroad is presented as the resultant of two components of Lombroso's activity; namely, his being at the same time a trustworthy interpreter of the cultural movement that made the unification of the country, and an active vector of diffusion of international criminological theories emerging at that time. Eventually, far from being an isolated thinker, Lombroso was a celebrated scholar whose theories were taken very seriously until the end of the century.

Chapter two gives an account of the many factors that contributed to the foundation of the School of Scientific Police in Rome at the beginning of the twentieth century. I identified three main factors: the international pressure on Italian government in favour of the application of scientific identification techniques against anarchists; the reform of the national public archives and bureaus started in the 1890's; and Ottolenghi's personal connection within the General Direction of P. S. (Italian Public Security, the civil police force). A comparative analysis with the English case is sketched. The comparison can clarify the primary role of scientific policing within the promotion of Lombroso's criminal anthropology in Italy and the resistance caused by such a strong connection. The medical reading of the offenders is at the core of the specificity of Italian scientific policing, and it demanded a revolutionary approach to the idea of criminal prevention. Lombroso's and Ottolenghi's plan predicted the shaping of the network of the Italian national security system around the School of Rome. The central identification bureau was supposed to become the gatekeeper of any form of police task in Italy, a powerful role that undermined the traditional autonomy of prefects and *questori*. The government promoted Ottolenghi's plan because it was functional to the establishment of a centralised control of peripheral bureaus and boosted police officer's social status. Resistance from police officers revealed the resiliency of the Italian police system to any form of innovation. A quantitative account of the actual impact of scientific policing is documented in order to support the opinion that the Italian P. S. was undergoing a process of innovation nonetheless, a process that gained political and cultural support at least until the beginning of the 1920's. Such a success represented the most lasting result of Lombroso's theories, resisting the anti-Positivist cultural stream that to all practical purposes erased Lombrosian teaching from all other aspects of the Italian cultural life.

After presenting the agenda embedded in police scientific identification techniques in general, chapter three finally focuses on fingerprinting. Following a brief international historical account, a detailed description of the Italian fingerprinting is provided to better understand the pros and cons underlined by the Italian police at the time of its introduction. Like bertillonage at the end of the previous century, fingerprinting was functional in the nation-building process carried out by the Italian Liberal regime, resting on the same philosophical approach to crime and the criminals supported by Lombroso's theory of the born criminal. The stigmatising character of Italian fingerprinting shared its theoretical tenets with 1890 Galton's evolutionary studies of *finger-prints*. The specific development of fingerprinting in England, with Galton's approach sidelined in favour of the development of what Simon Cole called a "neutral identifier," is crucial to understand why things

evolved differently in Italy. Honour, then, becomes a central cultural aspect to take in consideration in order to understand why Italians opposed to the extended use of fingerprinting in other areas of everyday life as proposed by Lombrosians. A specific section is dedicated to this issue, and to its crucial importance in the developing of fingerprinting both in Liberal and in Fascist Italy. Honour, I suggest, can be considered the key concept in revealing the peculiar Italian approach to criminal identification, linking Lombroso's scientific police to the Fascist conception of crime and society. The Italian fingerprinting system is a clear example of this phenomenon. Soon after its development by Lombrosians at the School of Rome, fingerprinting faced resistances for its wide civil application by almost every part of the Italian society. Limited to the penal area, and embedded by Lombrosian discourses about crime, it gained a strong stigmatising character that Fascist political elites were keen to recognise and exploit in their new policy for national security. As a consequence, fingerprinting became an instrument of disgrace, a defaming technique, disregarding at most its function as a powerful individual identifier. Such a reading was so influential that decades of use of fingerprinting as the basis for an efficient criminal database were denied at the expense of the reliability of Fascist political criminal archives.

Chapter four describes forms of opposition to Lombroso's theories that affected further developments of Italian scientific policing. After Lombroso's death, and especially during the second decade of the twentieth century, the status of Lombroso's theories in Italy began changing drastically. Exploiting national political and cultural change, a concerted rank of opponents criticised the positivists' tenets on almost every subject. Psychiatrists, philosophers, Catholic intellectuals and judges all attacked positivists' positions, leaving Ottolenghi's scientific police as the only authoritative representative of Lombroso's theories in Italy. Such an authority, though, became progressively limited to courts of justice and police barracks, while Ottolenghi's plan for a medical reform of the national security network, whose seeds were planted by Lombroso at the end of the previous century, had to be postponed. At the beginning of the 1920's, the School of Scientific police found itself in a polarised situation marked by its most enduring success on one end of the spectrum, and by the emergence of reliable alternatives to the application of Lombrosian reading of criminal behaviour on the other. One of the most important successes in the entire history of the Italian scientific police concerned the identification of the assassins of socialist Member of Parliament, Giacomo Matteotti, in 1924, a striking demonstration of the power of scientific techniques such as latent fingerprinting identification and, at the same time, the emancipation of scientific police from political authority. One of the most reliable alternatives to Lombrosian approach to crime was Nicola Pende's biotology and orthogenesis. Renowned Italian endocrinologist and a deputy member of the Fascist senate, Pende's social engineering was in line with the new regime. The confrontation with Pende's approach to crime and criminals revealed the limitations of Lombroso's rigid conception of the human constitution and consequently the limits of its application in the nation-building process Fascists had in mind.

Chapter five offers a detailed account of the Bruneri/Canella trials. In this chapter I use the case of Giulio/Mario as a crucial point in the history of fingerprinting in Italy. At the end of 1920's, fingerprinting was the most reliable criminal identification technique, routinely used in courts. The theoretical attack to Lombroso's theories described in chapter four, and the intimate relationship that tied up Italian scientific policing and criminal anthropology described in chapter one, two and three, reshaped the boundaries of fingerprinting reliability and enhanced its stigmatising function. It is my opinion that the development of fingerprinting as the core of a modern and scientific national security network stop at the end of this decade, when its function as a accurate "neutral" identification technique in the sense presented in the previous chapters, left room to its meaning as a sign of stigma. The trial I deal with in this chapter offers the best evidence of this fact.

Chapter six draws attention to the relationship between Lombroso's criminal anthropology and the Fascist policy of national security. Three different intervals characterise the Fascist national security policy and its relation with scientific policing, a structure that superimposes on more traditional divisions of the Fascist *ventennio* reported in literature. During the first period, which goes from 1922 until 1926, Fascists take control of Liberal institutions and their approach to crime is characterised by a continuance with the Liberal policies, scientific policing included. In an interregnum between 1927 and 1935, Fascists pose as the basis of the totalitarian regime inaugurating an alternative policy of national security that began restricting the leeway of scientific policing. Finally, from 1935 to 1943, Fascists realised their model of state and carried out a policy of national security that disposed of scientific policing. At the same time, Fascist social engineering involved sciences and technologies that represented more or less radical variations to the one implemented during the Liberal period, progressively excluding Lombrosian applications from any area of the Italian society. This chapter takes also into consideration a different reading of the Fascist use of scientific policing that can be found in literature. A book on Lombroso written by historian Mary Gibson has been taken into particular consideration, as she examines a more extended account on Italian scientific police in English. Working on financial data and testimonies of the time, the author claims that Fascists contributed to a further expansion of the School of Scientific Police and promoted scientific policing in all the territory of the Empire. Resting on first hand information extracted from an archival source dedicated to the school made public only recently, as well as on quantitative analysis of financial and statistical data published by the School itself, my reading goes in an opposite direction and makes evident the incompatibility of Fascist policies of crime prevention and Lombrosian practices.

CHAPTER 1

1876 - 1898

THE BORN CRIMINAL EXPOSED.

LOMBROSO AND ITALIAN SCIENTIFIC POLICING

This chapter explores the rise of criminal anthropology as the primary scientific approach to crime in Italy during the second half of the nineteenth century. One of many biological theories of crime existing at the time, criminal anthropology revealed an uncommon rapid diffusion throughout the western world. Such a theory gave life to a literature focused on Italian criminal rates and of comparative analysis of the national security system in the years that followed the national unification.¹ Surprisingly enough, not a lot has been written either on the founder of criminal anthropology, the Italian Cesare Lombroso (1835-1909); or on the relationship between his theories and the cultural background of the country soon after the unification.² The few who investigated such a connection, attributed the international success of criminal anthropology to many factors. Nicole Rafter, in particular, made a list of four “intellectual feats” that makes Lombroso’s theory “overwhelming significant for the development of criminology.” Those feats are: 1) criminal anthropology represented a synthesis of other sciences and fields of enquiry of the study of crime available at the time, 2) it promoted the medical model as the frame within which the criminal behaviour could be completely understood, 3) it could produce “blueprints” that gave Liberal governments new ways of dealing with deviants, and 4) it represented the constitution of criminology as a “full-fledged science.”³

In this chapter, following Rafter’s points, I will carry out an analysis of the political and social context where Lombroso operated in order to provide an explanation for the success of Lombroso’s theories in Italy. In my study, I present criminal anthropology as functional to the ideals that were at the basis of the political movement that pursued national unification. In particular, Lombroso’s theory helped the Piedmont government to see the unification venture as a colonial enterprise achieved at the expenses of a less developed population, avoiding at the same time, strong racial tenets. Contrary to more radical theories, like the one supported by Italian anthropologist Giuseppe Sergi, who classified the ethnical components of the Italian population in a strictly hierarchical order, Lombroso’s focus on individuals was more functional with the forging process of the new Italian citizen from a pre-Unitarian ethnic melting pot. Within this context, Lombroso’s theory went

¹ As far as the English literature is concerned, see, for instance, Davis (1988), Dunnage (1997), Hughes (1987; 1990; 1994), Barbagli and Sartori (2004).

² A part from Wolfgang’s contribution to the series of monograph on the *Pioneers in Criminology*, in 1961, we cannot find a biography of Lombroso in English language (Wolfgang 1961). A limited number of works deal with specific aspects of his theory. Within this group, see Gibson (2002; 2006), Horn (1994; 2003), Rafter (2008). Pick (1989) in particular reads Lombroso’s theories as functional to the anti-anarchy policy promoted by the Italian government after 1898. This is discussed in chapter two. The complete edition of Lombroso’s masterpiece, *L’uomo criminale*, had to wait until 2006 to be translated in English (Lombroso 2006). The literature in Italian is equally short, being composed mainly by Bulferetti (1975), Villa (1985), and Frigessi (2003).

³ Rafter (2008: 84).

well beyond dealing with deviants (Rafter's point 2 and 3), offering a pragmatic solution to various political problems, such as political resistance of southern region to the unification movement and the anarchist problem at the beginning of the new century.

The inheritance of the *Risorgimento*, the cultural stream that inspired the unification, was a pragmatic conception of science seen as a powerful shaping force of society. Centred on the activity of intellectuals like Carlo Cattaneo and his review of *Il Politecnico*, the Italian scientific culture that sustained the *Risorgimento* considered science and political issues like independency and national unification intertwined with one another. According to this perspective, science had to focus on issues with a strong social spin-off becoming the mean in which to impose the real national cultural identity over a dismembered country. *Il Politecnico's* first series, for instance, published articles about prison reform, linguistic, phrenology, and theories of art restoration.⁴ Such a vision was made public in 1871 during the invasion of Rome, when Prime Minister Quintino Sella proclaimed that science would suggest the guideline to build up the new country, becoming the lay substitute of the national catholic faith.⁵ Concerning Italian astronomy, as demonstrated by Mazzotti, even the more abstract discipline like natural and mathematical sciences played a starring role in this process.⁶

Lombroso's plan of a new scientific approach to crime was strongly related to this conception of science. The cultural model used by sixteen-year-old Lombroso was by anthropologist and linguistic Paolo Marzolo, regular collaborator on Cattaneo's *Il Politecnico*, as pointed out by historian Renzo Villa.⁷ Moreover, Lombroso's project for the creation of a centralised and standardised system of police practices was in line with the pragmatic vision of science as promoted by Cattaneo and his followers in the first half of the century. Its purpose was to be functional to the military strategy of unification to be carried out by the Savoy in the southern regions. Since 1861, a continuous state of civil war had put the process of unification at a stall, putting many areas of what was previously known as the Naples Kingdom in the hands of outlaws. Without understanding the real needs of a population that lacked a common cultural background with the rest of the country, the liberal elites insisted in the development of a national order characterized by a powerful central control. A control that could be enhanced by the modernization of police techniques Lombroso was proposing. Under these circumstances, criminal anthropology also offered a reliable solution to overcome the troubled state of Italian police forces that were divided between military and civil corpses and lacked a general popular acceptance.⁸

⁴ Redondi (1980). Paradoxically, the conception of science promoted by the Italian scientist movements was a pure cognitive discipline totally disentangled from the national productive activity, what historian like Roberto Maiocchi called the "ideology of the pure science" (1980). According to Maiocchi, this conception was the result of a state of industrial backwardness that characterised Italy in the second half of the nineteenth-century. See also Bardini (1988).

⁵ Reported in Redondi (1980) and in Mazzotti (forthcoming).

⁶ Mazzotti (forthcoming).

⁷ Villa (1985).

⁸ Regarding the state of the Italian police soon after the unification, and the problems due to the presence of a multitude of different and independent forces see Emsley (2000), Davis (1988), and Hughes (1996).

This perspective put Italy on par with the other European countries, with relation to promoting scientific policing by the end of the nineteenth century. An analysis of the international scientific roots that inspired the formation of Italian scientific policing, seen as an extension of modern state control on the population, is presented here. Accordingly, I shall sketch the theoretical shift from the concept of individual crime – considered a consequence of a free choice, to the idea of social crime – a malady that individually overcomes individual free will becoming a social problem. The emergence of statistical analysis is the core factor that inspired the new approach to crime that eventually required new practices capable of satisfying a brand new concept of police efficiency. In the 1880's, Alphonse Bertillon introduced a standardization of police practices based on a series of elementary serial tasks that aimed at a mechanization of the procedures.⁹

Despite that Lombroso is the main character of this essay; this chapter also traces a line from Quételet's statistics to Lombroso's criminal anthropology passing through Bertillon's identification techniques. This exemplifies the embedding of Lombroso's theories within police practices. A wider approach will put major figures of medical and legal professions into evidence and show a connection between Lombroso's vision of criminal and other areas of Italian society (Rafter's point 1). In the end, an explanation of the success of Lombroso's criminal anthropology in Italy as well as abroad is presented as the resultant of two components of Lombroso's activity: his being a trustworthy interpreter of the cultural movement that made the unification of the country, and an active vector of diffusion of international criminological theories emerging at that time. Lombroso was a celebrated scholar whose theories were taken very seriously at least until the end of the century.

1.1 - The Dream - Anthropological Shaping of Modern Societies

According to Italian anthropologist Paolo Mantegazza (1831-1910), as explicitly written in his science fiction book *Il Sogno* (The Dream), in year 3000 A.D. electrical-flying machines will carry honeymooning married couples from throughout the world to world capital Andropoli. This futuristic world, society is based on extreme division of labour and governed by technocrats, proffers solutions to all the major problems of the humanity: war, demographic growth, unemployment and crime. The *Igei*, custodians of the secrets for a healthy organism, are at the apex of the scientific caste ruling in Andropoli. They shape the future society in hierarchical levels by controlling birth rates both quantitatively and qualitatively. In the *Istituto della Salute* (Institute of Health) *Igei* and *Psicoigei*, a sub-group of physicians specialised in brain functions, visit newborn children using electrical instruments that establish whether the child is fit for living (*atto alla vita*) or otherwise, and whether he shows any sign of future illness or criminal behaviour. There is a light beam that shines down from the ceiling that makes the body transparent to the eye of the expert; this expert gauges the baby's future behavioural disposition as well as his expected style of life. The *Igeo* is aware of the ethical boundaries of his job, and he limits his action to the informative step. The parents of the

⁹ Regarding the emergence of statistics as a reliable answer to social problems, see Porter (1985; 1986). On Bertillon's contribution to the mechanization of police practices see Sekula (1986), Piazza (2008), About (2008).

child are the ones who must carry the burden of the final decision, and according to Mantegazza, the parents are responsible for “shaping the social life in such a way that crime becomes useless and detrimental for whoever makes it.” The few who still choose to save their child contrary to the medical advice, confine the future individual to a life at the margins, which is characterized by periods of deprivation of freedom and social distrust. Even though the separation of the criminal from honest people still remains a must, “the punishment doesn’t end there, though. Once free again, the convict must wear for a while a yellow ribbon attached to the buttonhole of his jacket; it is the *mark of infamy that will make everyone look at him with a suspicious and diffident gaze.*”¹⁰

Paolo Mantegazza’s dream was a vision shared by most of the western ruling classes at the end of the nineteenth century. Suddenly western elites responded to Prince Nekhlyudov’s question, “Why and by what right does one class of people lock up, torture, exile, flog, and kill other people, when they themselves are not better than those whom they torture, flog and kill?”¹¹ with a reassuring answer, “Indeed, we are better.” Regardless of what was exposed in Mantegazza’s dream, it was science that provided the answer. Science actually showed a difference – a natural gap between a civilized citizen and a savage criminal – with such a difference inscribed on the body itself. Variations in cranial indexes, nose and ears shapes, chest volumes and arms lengths could unveil individual racial membership and his expected behavioural practices. Science justified the social order by setting up a natural hierarchy among men by promoting a biological view of human society and the corresponding conception of crime as a social malady.¹²

This science underwent a sort of international planning and was successfully promoted and accepted by scholars from different cultural backgrounds and politicians belonging to contrasting political affiliations.¹³ Studying the scientific identification techniques implemented by police forces around the world, such as: anthropometric measurements, judicial photography and fingerprinting, is like gauging the development of a similar plan. As we shall see in this chapter, police identification techniques embodied the biological vision of crime as a social malady, becoming instruments of shaping society. Furthermore, similar forms of punishments were coherent with the expansion of mechanisms of control and discipline in modern societies, characterized by rituals that left “mark of infamy” respectful of the new conception of inalienable individual rights.¹⁴

Nonetheless, these new sympathetic but still stigmatising methods made their victims different members of society, someone to look at “with a suspicious and diffident gaze,” determining marginal individuals from the mass of “normal” citizens by grouping them in classes of deviance.¹⁵

¹⁰ Mantegazza (1897: 111) emphasis added.

¹¹ Tolstoy (1966 [1899]: 402-403). Reference extracted from Gould (1997: 173).

¹² This biological view can be seen as the result of the methodological shift occurred in the prevailing of the Romantic thought over the Enlightenment. See, for instance, Bloor (1991: 62-64).

¹³ As reported, for instance, in Smedley (2002).

¹⁴ Following Foucault (1991) we can see such techniques as a further example of the development of the “technology” of punishment in nineteenth-century western societies.

¹⁵ Normality here must be interpreted in the sense of Durkheim (1982). In this sense, a normal fact is something “which appears in the common form,” (1982: 91) an average phenomenon. As brilliantly reconstructed

Within the organicistic paradigm of society, criminal identification had the function of preserving the *status quo*: namely, removing pathologies. Both the preventive and the repressive actions police forces were supposed to promote, focused mainly on the homologous of the biological parasite, the individual that was represented by pathological, abnormal points on a normalization curve of the population. According to this reading, police methodologies both in their theoretical background and in their practical adoption, must be seen as stigmatising practices.

The rise of the scientific policing is strictly related to the biological conception of society as a macro-organism understandable by scientific analysis. Every society interpreted such a vision according to its dominant cultural background, giving life to national variants that had not been subjected to careful analysis yet.¹⁶ The Italian case is particularly relevant because of its strong philosophical reading of crime represented by Cesare Lombroso's criminal anthropology. Far from being an isolated phenomenon, Lombrosianism was coherent with the organicistic reading of society and crime, and became for a long period a theoretical benchmark for criminologists in Europe and beyond. Only in Italy, though, the Lombrosian School achieved its ambition to give life to a real scientific police, embedding these stigmatising techniques into the national policy of pacification and public control. After 1876, Lombroso's thesis represented the most effective way to face the critical situation of Italian national security. Criminal anthropologists had plans to increase the efficiency and the reputation of police forces, offering at the same time, the best political way out from the civil war that had exploded in the aftermath of the unification of the kingdom. In the international context, the Italian scientific police distinguished itself by endorsing such plans in every aspect of police practices.

1.2 - Scientific Roots - The Statistics of Quételet

Statisticians, physicians and anthropologists started applying the successful methods that had let them decrypt the secrets of nature to the human society since the beginning of the nineteenth century. Under the light provided by statistics, what had hitherto been seen as an unpredictable event guided only by the power of the will, started revealing predictable pattern of occurrence: suicide, mental illness and criminal behaviour became henceforth subject of scientific surveys carried out in academics as well as asylums and prisons. The power of numbers invaded all the aspects of every-

by Hacking (1990) such a conception must be seen in a normative sense, as the right way to be in preserving the *status quo*. This links the biological analogy to the political vision of crime and criminals as a destabilizing pathological aspect of the society as we shall see later. Controlling individuals by the management of their social identities is part of a bigger process of taking control of the public social life as occurred across the nineteenth and the twentieth century. An example is the extension of the use of ID documents as reported in Caplan and Torpey (2001).

¹⁶ Interdisciplinary approaches to the raise of scientific policing around the world constitute a new field of studies. Since 2001 papers appeared in Caplan and Torpey (2001) and in the more specific Becker and Wetzell (2006). The centrality of the Italian case in this evolution has been recognised by Gibson (2002) who dealt with it in chapter four with contrasting results, and by About (2005) who limits his comparison of the Italian and the French case until World War II.

day life: from clinical treatment to patients, to the evaluation of working performances; from the reorganisation of public administration routines, to the modification of police services.¹⁷

As far as criminology is concerned, Cesare Lombroso's philosophy was no exception. As Marie Christine Leps explained, Cesare Lombroso's philosophy was part of long and articulated cultural movement that contributed to medicalise aspects of western societies from the end of the eighteenth through the entire nineteenth century, a statement widely accepted in literature.¹⁸ Among his "precursors", Villa emphasizes the work of Belgian astronomer and mathematician M. J. L. Adolphe Quételet (1796-1874) for his influence on both criminology and criminalistic practices.¹⁹

Quételet intended to give a mathematical foundation to the science of society by importing statistical analysis from astronomy to social studies. His brand new social mechanics was intended to analyse the regularities that he observed in both the natural world and the social world, or the world of the social facts (*les faits sociaux*). In order to correctly apply the mathematical tools that revealed so powerful in astronomy, he needed a great amount of data. The Bureau de Statistique publications such as the *Compte général de l'administration de la justice criminelle*, established in 1827, and the *Recherches statistiques sur la ville de Paris et se département de la Seine*, published in 1821, 1823, 1826, and 1829, provided him of the needed figures.²⁰ The regularities emerging from the variation of mortality rates, human heights and chest measurements cross-tabulated with sex, age, occupation and geographical region and clustered around a set of average data that eventually would form the figure of what he called the average man: *l'homme moyen*. For data that was geographically realistic, information was collected per region and therefore created a *population moyen* respectful of the existing political borders. A fundamental point, as we shall see soon.

The figure of the average man exerted a paramount influence on both scientific policing and police science. At present, my aim is to show how a straight line connects Quételet's statistical distribution of traits to Bertillon's police identification practices in France in 1882, and how both of them affected Lombroso's idea of the criminal man in Italy since 1884. In the following chapters this line ends in the Italian identification practices promoted by Salvatore Ottolenghi, Lombroso's former assistant, since 1902.

To create his average man, Quételet imported from astronomy the curve of error distribution, giving it a new reading. In evaluating several measures of actual phenomena, astronomers rely on the normal distribution of the results. This distribution is represented by a mean value and a standard deviation. Whenever the individual measurements groups around the mean value, the average is

¹⁷ There is a rich literature on this process. See Porter (1986), and Hacking (1990) for the main picture; Beirne (1987; 1993), Wetzell (2000), Becker and Wetzell (2006), to have an idea of how statistics influenced criminology and police practices.

¹⁸ Leps (1992). See also Villa (1985), Davis (1988), Horn (2003), Gibson (2006), and Rafter (2008).

¹⁹ See Introduction, footnote 8.

²⁰ The *Compte général de l'administration de la justice criminelle*, in particular, provided the statistics that found Quételet's laws of crime. (Porter 1985)

considered reliable. Quételet applied this concept to social phenomena, “transforming mean into real quantity”²¹ and making “living person [as] flawed replicates of the average man.”²²

According to Quételet, since both physical and moral human characters were ordinary natural features, the distribution of their individual occurrences took place according to the law of nature, and gathered homogeneously around a characteristic value formed by the binomial distribution. In his 1871 book, Quételet considered anthropometry the most important mean in obtaining such occurrences, showing how the normal distribution could emerge from the collection of bodily data. The project was clearly presented:

In the absence of a human type, with the dissimilarity of individuals due to the lack of a common natural law rather than to the effect of accidental causes, every set of measurements, the heights, for instance, would not show any peculiar character within the individual measures; there wouldn't be any precise numeric relationship. [...]

On the contrary, if all the individuals come from a common original mould and they differ from each other only by means of pure accidental differences, the sets of measurements wouldn't form a disordered cluster; rather, thanks to the theory of the probability, the numeric values will be subjugated by preset laws in such a way that we can assign in advance the quantity which stands for each group. In this special case, though, a character exists such that we can admit the membership of different individuals to the same type and we can attribute the presence of individual differences to the effect of fortuitous causes.²³

Once the collected data regarding a population was placed on the axis of a graph and the number of individuals who shows those characteristics put on the other, the numbers collected formed a normal curve of distribution; a Gaussian bell.

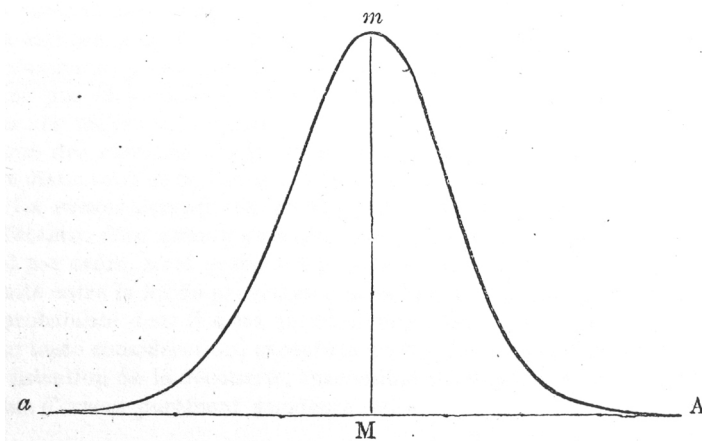


Fig. 1.1 - *Quételet's normal distribution of natural characters.* (Quételet 1871)

The kind of information conveyed by such a figure was twofold; on one hand the vertex of the bell assured the existence of a mean value around which the whole population of an area gathered, M; on the other hand, the amplitude of the bell gave the visual representation of the space that divided minority deviances from the “original mould,” aM and MA. Moreover, in the middle, in proximity

²¹ Hacking (1990: 107).

²² Porter (1985: 67).

²³ Quételet (1871: 14-15), my translation from French.

of the apex of the bell, the standard, “normal” value took its place, becoming “natural,” while at the borders deviant, “abnormal” values were translated as “unnatural.”²⁴ The farther those points were from the average value, the greater was the degree of deviance they represented, and the lower the number of individuals that showed that character. In this way the mathematical description of the human type mixed up quantitative and ethical aspects all together. While “normal” values referred to the mathematical average according to the frequency interpretation of statistics, and because nature had a type proper to a country, the most spread value stood for that type. Conversely, the more a value distinguished itself from the average, the more it was “unnatural,” with the “unnatural” value representing negative and threatening qualities in a human society. The curve was reassuring also in a strong way: deviant characters that were distant from the average value were consequently less numerous.

The *binomial lois*, the *symétrie étonnante* that characterised natural set of things and formed the bell curve of figure 1.1, enlightened also the relationship between the physical harmony of the body and man’s moral beauty. Still in 1871, drawing on cases excerpted by the history of art, Quételet affirmed, “Both the delicacy and the regularity of body traits are generally considered related with corresponding delicacy and the regularity in man’s thoughts.”²⁵ Consequently, gauging physical abnormalities became a way of detecting mental illness and abnormal behaviours.²⁶ But which were the body more apt to be measured? Taking into consideration extremes like giants and dwarfs, Quételet concentrated on important parts of the human body such as arms and heads, making a paramount distinction inherited a few years later by the father of criminal anthropometry, Alphonse Bertillon. In general, he said, “two laws concerning human proportions work roughly head-on; the knowledge that 1) the head and the most needed parts of the body are the most developed at birth; and that 2) at any age, the human head as well as the most needed parts of the human body vary between the scantiest ranges.”²⁷ The same law that controlled body characters such as human height, also controlled human weight and force too.²⁸

Quételet’s influence on nineteenth-century criminology is paramount. His use of statistics in understanding the social behaviour revealed characteristics otherwise hidden: “Many social phenomena,

²⁴ The use of “natural” stands for “socially accepted in the region considered.” Remembering that the average data comes from measurements that must be geographically homogeneous, coming from population living in the same geographical area, this approach reveals a relativistic theoretical approach that has nothing in common with twentieth-century racial conception of crime and social pathologies. As we shall see at the end of the chapter, Lombroso is a major ambassador of such a vision.

²⁵ Quételet (1871: 377).

²⁶ This assertion echoes more or less ancient cultural tradition like physiognomy and phrenology, and indeed those philosophical and scientific predecessors are part of the history of criminology, as underlined by Rafter (2008). The main difference here lies in the massive use of maths, in a more general schema of degeneration that renounced to link mental or psychic defects to specific part of the body, and a self-referential explanation of degeneracy.

²⁷ Quételet (1871: 58).

²⁸ *Ibid.*: 379.

including crime, which appear to be accidental and random in their nature utterly cease to be so when the observations of their occurrence are extended over a very large number of incidents...”²⁹

Although Quételet’s argument were purely theoretical, belonging to what it is usually defined as scientific policing, his intuitions were soon applied to everyday police practices, giving birth to what can be called police science.

1.3 - The Taylor of Criminology - Bertillon and the Measures of Crime

When statisticians started collecting raw data concerning human facts and put them together in tables, politicians began to take that data into serious consideration. From there, police officers found a way to apply Quételet’s conception in the everyday task of criminal identification. When Alphonse Bertillon (1853-1914) presented his system of anthropometric criminal identification at the 1885 International Congress of Criminology in Rome, he couldn’t help showing the centrality of both Quételet’s curve of normality and his idea of man emerging from that figure. Bertillon’s use of Quételet’s rule of statistical distribution was clearly visible in his measuring techniques, as in the case of gauging suspect’s height, for instance.³⁰ Bertillon, a police clerk with a family background in anthropology, was by that time head of the *Service d’Identité Judiciaire* in Paris. Son of a renowned anthropometrician, he was known to have dealt with one of the most imperative issues of French national security in the Third Republic: the recidivist problem.³¹ Although the problem of the “nature” of habitual criminals and repeat offenders found a visual response in Quételet’s figurative grouping of every kind of deviant behaviour, such as: anarchism, alcoholism and unemployment at the margin of the bell; the seek for a solution to this social danger became a major issue that stopped at the very first step of the physical identification of recidivists. At the beginning of the Third Republic, the strong social demand for the deportation of the dreadful hordes of habitual criminals who threatened the metropolitan areas met consent within parliamentary groups that approved a deportation law on 27 May 1885. Since 1882, Bertillon’s solution to the problem was the introduction of a practice of identification based on the rationalization of police techniques that soon spread across the French border giving life to what has been called the “Bertillonian Revolution.”³²

Borrowing from Quételet’s basic bodily measures, Bertillon reduced the physical characteristics of a man to a set of eleven measurements. In detail: body height, arms length, trunk height, head length and width, right ear length and width, left foot, left middle finger, left little finger and forearm lengths. Those measures, along with a mug shot and biographical data were documented on an identification card and represented the building block of a criminal database. As clearly underlined by Allan Sekula, Bertillon worked on two levels: the standardization of the “microscopic” individual criminal record based on “highly standardized” photographic, measuring, and descriptive proce-

²⁹ Quoted in Horton (2000: 269).

³⁰ See Becker (2001).

³¹ See Sekula (1986), Caplan (2001), Valier (1998), Piazza (2008). On Bertillon’s family see Cahen (2009).

³² Piazza (2008).

dures that condensed abbreviated written notes on a single *fiche* (individual card); and the creation of the “macroscopic aggregate,” the central criminal archive that organised “these cards within a comprehensive, statistically based filing system.”³³

Bertillon’s method transformed police officers’ tasks in a series of elementary acts, gaining a two-fold result: on one hand he accelerated and optimised police identification techniques, introducing protocols that unified the fragmentary police practices adopted by police in France, and employed effectively the service of unskilled clerks. On the other hand, an approach focused on the “atomisation of bodies” reduced the individual identification to a set of simple operations that the “*savages de notre civilization*”³⁴ (the savages of our civilization) was forced to suffer, re-equilibrating the power relations between legality and illegality within the walls of the bureau.³⁵ For this reason, scholars like Sekula and Gilardi insist in considering Bertillon the criminologist homologous of Frederick Winslow Taylor, the father of the scientific organisation of industrial work.³⁶ The standardisation of the identification technique was based on basic measuring tasks as shown in Fig. 1.2, on rigid instructions in performing mug shots, together with the adoption of a specific language to use in describing the convict.

³³ Sekula (1986: 18).

³⁴ Bertillon quoted in Piazza (2008: 34).

³⁵ I’ll deal with this aspect in chapter three where I better explain the stigmatising nature of scientific identification techniques. This issue follows Foucault’s historical account of the development of criminal punishments (1991) and it has been recently vindicated by Piazza (2008) who emphasizes the double role the “atomisation of the body” played in Bertillon’s techniques: a formative practice for police clerks, and a humiliating experience for offenders and suspects.

³⁶ See Sekula (1986) and Gilardi (2003).

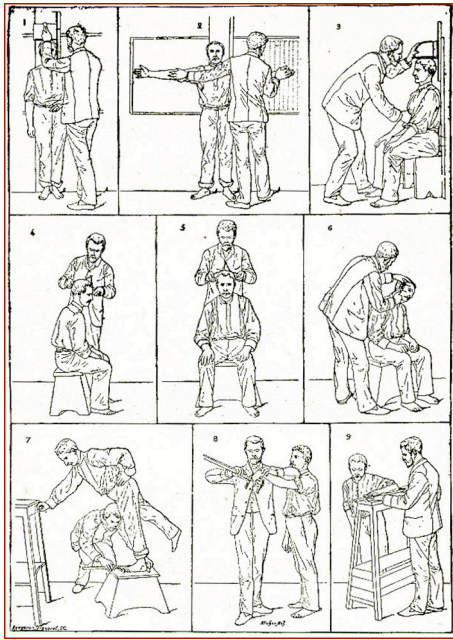


Fig. 1.2a: measuring tasks according to Bertillon. (Bertillon 1893)

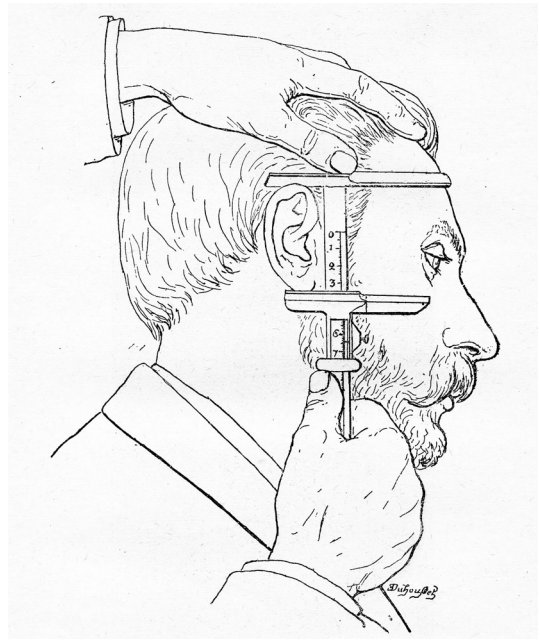


Fig. 1.2b: detail of the measuring procedure applied to the right ear length. (Bertillon 1893)

The chosen terminology regarded shapes and dimensions to be assigned to body parts, and avoided misunderstanding by connecting every term to tables illustrating the whole variety of bodily parts like profiles and ears as shown in Fig. 1.3.



Fig. 1.3a: list of profiles from Bertillon (1893).

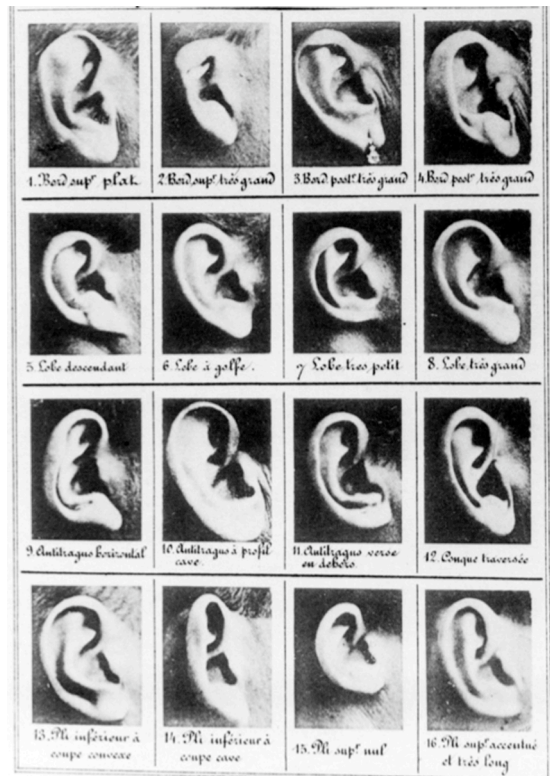


Fig. 1.3b: list of ears from Bertillon (1893).

In order to help police officers to apply the new methods during their patrolling, Bertillon introduced a *portrait parlé*. This was a description of the offender that transformed the individual card into an oral description of anthropometric characters together with other useful annotations like hair and eye colour, presence of tattoos, scars and so on. Even in this context, bodily measures were ordered according to Quételet's curve in seven groups: very small, small, medium small, medium, medium large, large, very large. In this way, every body part was compared to the average feature; whichever feature was more natural looking, it was believed he was less dangerous.

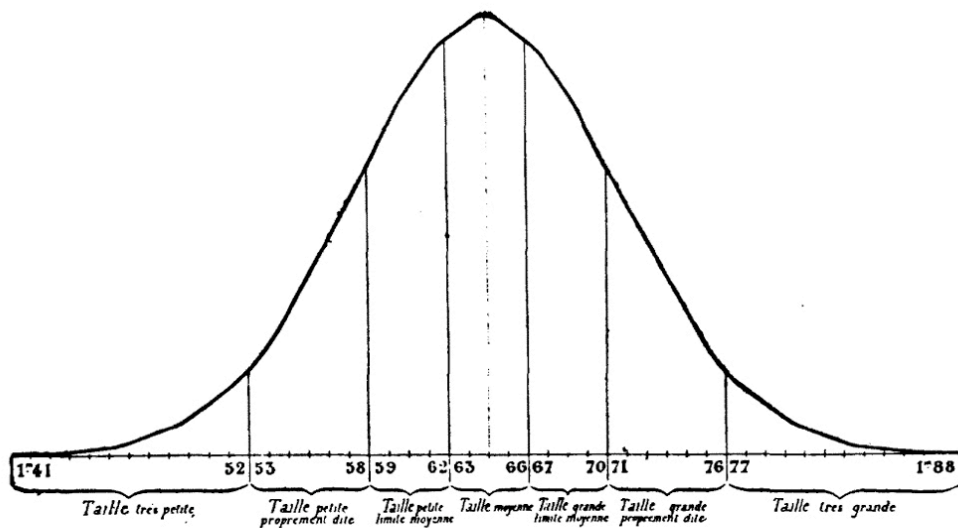


Fig. 4. — COURBE BINOMIALE DE LA TAILLE SUR LAQUELLE ON A SÉPARÉ PAR DES VERTICALES l'emplacement des sept catégories de taille.

Fig. 1.4: Bertillon's application of Quételet's binomial distribution on bodily measures. (Quoted in Sekula 1986: 46)

Despite the influence Quételet's mathematical representation of the average man exerted on bertillonage, Bertillon struggled to present his identification techniques as a neutral "identifier."³⁷ Apparently not touched by criminological quarrels, Bertillon claimed that his technique was designed to transform identification police tasks in a scientific, hence infallible, enterprise:

[The] task is always the same: to preserve a sufficient record of a personality to be able to identify the present description with one which may be presented at some future time. From this point of view signalment is the best instrument for the proof of reciduation, which necessarily implies the proof of identity.³⁸

Accordingly, bertillonage soon became the distinguished character of police science around the world, a practical instrument not influenced by any criminological theory. As such, police science was detached from any form of scientific policing that, on the contrary, aimed at detecting the causes of criminal behaviour and promoting possible remedies to the criminal malady. Such a reading is misleading. The embodiment of Quételet's average man, with its ethical implications, is evident in the use of the binomial law in the oral portrait of criminals as well as in the organisation of

³⁷ Simon Cole has introduced the concept of neutral identifier in his history of fingerprinting (2002).

³⁸ Bertillon (1893: xiii) quoted by Sekula (1986: 25).

the archive. Bertillon himself didn't deny it. When he introduced his *anthropometrie* at the 1885 Rome Congress, this same connection was used by Bertillon himself to gain scientific authority. In that occasion, Bertillon alluded to a straight link between his methods and Quételet's binomial curve, identifying his activities with those of Paul Broca "who had steered anthropology in a medical direction which made use of quantification with his statistical craniology."³⁹ More importantly, this link between Bertillon's anthropometry and Quételet's relationship centred on "delicacy and regularity of body traits [and] man's thoughts," and was considered something natural by the majority of the audience. During the meeting, Cesare Lombroso was the first who praised bertillonage as the "practical (*pratica*) side of anthropology." Since then, as we shall see, the Italians continued to put into evidence the line that connected Quételet, Bertillon and Lombroso as a remark of the scientific validity of criminal anthropology.⁴⁰ A similar reading was not reserved for Italian criminal anthropologists only. If criminologists and police representatives insisted on determining the distinction between scientific policing and bertillonage police science and physicians working in penitentiaries, psychologists and statisticians made use of that connection to accumulate useful data for their theories. The next year, at the Penitentiary Congress in Rome, the Argentine scientist Samuel Gache openly challenged Bertillon himself to estimate his degree of criminal tendency by taking his measures.⁴¹ In 1896, the Physician McCorn asserted the importance of bertillonage as a precious means of collecting raw data for the detection of criminal behaviour before the American Association of Assistant Physician.⁴² Then in England, both Havelock Ellis and Charles Goring made use of anthropometric measurements to integrate police science into a wider program of social engineering promoted by Galton's eugenics.⁴³ In doing this, they followed the same path initiated by Quételet and solidified by Cesare Lombroso's criminal anthropology, as claimed by Italian criminal anthropologists since 1914.⁴⁴

1.4 - The Inner Border - Lombroso and the Colonization of Southern Italy

As stated by parliamentary debates on national security after the unification of the country in 1861, the second half of the nineteenth century Italian crime rate caused international embarrassment, placing Italy among the most dangerous nations in Europe, a position soon renowned as the "sad primacy."⁴⁵ A small minority of radical political deputies insisted to carry out a social explanation based on the national state of industrial and social backwardness, reading signs such as high rate of

³⁹ Quoted in Valier (1998: 99).

⁴⁰ The primacy of Bertillon's measurements and Quételet's statistics is strongly put forward by the father of the Italian scientific police in more than one occasion. See for example, Ottolenghi (1901; 1910).

⁴¹ Reported by Ruggiero (2001: 189).

⁴² Mccorn (1896).

⁴³ Even though Goring presented his research as the official refutation of the Lombrosian theory of the born criminal, his acceptance of criminal diathesis - constitutional propensity to commit crimes - and especially his use of anthropometry as a reliable technique to detect such proclivities, made him closer to Lombroso than it could have appeared to his contemporaries. See Beirne (1988).

⁴⁴ See for example Lombroso and Borosini (1914), De Sanctis and Ferrari (1914), and Ferri and Ferrari (1914).

⁴⁵ The definition is in Lombroso (1879); see also Davis (1988: ch. 12) where the paternity is attributed to Turati 1882 publication on crime and social disorder.

unemployment, seasonal massive internal migrations of hired men (*braccianti*), the inherent problem of illiteracy, and an insufficient political representation that defended private interests as the main cause of the criminal high rate.⁴⁶ Far from encouraging a debate that would have led to rethink the economic and political balance of the newly unified Kingdom,⁴⁷ politicians started supporting the positive school's invocations for a scientific treatment of the problem of crime. Among them, Cesare Lombroso's criminal anthropology offered an intelligible plan for improving the efficiency of the Italian national security system.

An alienist mainly concerned with the mystery of the mental faculty of mentally ill patients, Lombroso used his experience in asylums with respect to the analysis of criminal behaviour, ending eventually with the connection between epilepsy and many forms of criminal acts.⁴⁸ In his studies the distance separating civilised people and criminals or mentally ill is maximum: "I insisted that we should study lunatics as we would a special variety of the human race, noting the skin, the form, the skull, and particularly the functions, sensibility, etc."⁴⁹

This idea of criminal as a member of sub-species of humankind, a harsher conception than in Bertillon's *sauvages*, echoed throughout the years after the unification of Italy, and can be ascribed to all the major figures who were involved with crime and disorder in Italy after the 1871 conquest of Rome, the last step of the national unification process.

The criminal figure at the heart of the public's concern in the 1870s was a side product of the unification itself. The government of the Piedmont Kingdom tended to impose harsher violence than compared to the rest of the nation, cultural clashes became evident. Especially in the southern regions, the passage between the Naples and the Piedmont governments were followed by more than ten years of war. Redistribution of lands, massive expulsions of white collars considered unreliable by the new rulers, and a military control of the social order created popular groups of resistance that organized in small squads spread throughout the southern territories, and was dismissed by the northern government as *briganti* (bandit). The war against *brigantaggio* (banditry) lasted more than ten years, made more victims than the unification wars, and engaged two-fifths of the royal armies. This increased the level of attention towards forms of criminality that was so alien and almost incomprehensible to the northern officials who fought them. It in turn stimulated a deeper study of the problem. During those years, people of very different cultural, linguistic, and moral backgrounds were forced to confront one another on the battleground without ever understanding each other. War diaries written by northern officials during the southern campaigns lucidly reported the shock suffered by people who saw themselves abandoned in an uncivilised country, inhabited by

⁴⁶ Particularly clear in this respect is the parliamentary debate about the *brigantaggio* reported in Adorni (1997). See also the debate about the "Southern question" in Lumley (1997).

⁴⁷ A proposal supported by the members of the radical party as the renowned economist and future Prime Minister Saverio Francesco Nitti, see Saitta (1958).

⁴⁸ Gibson (2006).

⁴⁹ Lombroso (1895) quoted in Horton (2000: 67).

savages who fought, talked, and lived “like animals.”⁵⁰ The war on those southern *briganti* ended in massacres of civilians by the systematic use of unconstitutional methods causing special laws to be justified. “The more *brigantaggio* could be put outside the juridical space, the easier was to legitimate the exceptional measures chosen to suppress it.”⁵¹ Lombroso’s approach provided a scientific way of getting exactly this result.

Brigantaggio wasn’t the only matter of concern for Italian ruling classes. In Europe and in America, the social alarm against crime spread across the cultural salon as well as the houses of parliaments from the second half of the nineteenth century until the end of World War I.⁵² The industrial revolution radically changed urban social equilibriums, and bunches of new pariahs wandered through streets of cities that were becoming bigger and bigger day after day. Effects of the revolutionary ideas that had spread across Europe since 1848 concretized in the political movements that originated almost everywhere in the continent. Whenever possible, they organized themselves into political forces that aimed to change their society and modify the productive balances in favour of the weakest classes. Otherwise, they could always feed the burning flame of anarchy, the enemy at the top of the list in almost every state of Europe.⁵³

Governments reacted by tightening their hold over society. They increased the number of crimes liable to be punished, and made the system of punishment more inflexible and impersonal; almost invisible and for that reason more dreadful. This caused a renegotiation of the set of rules that disciplined the living in urban areas, and a global rethinking of both jails structures and the penal system. In the foucaultian tradition was conceived as collapsed of the Enlightenment’s conception of the relation crime-punishment.⁵⁴

As far as Italy is concerned, we must consider additional factors at work. The unified country inherited incompatible duplicates of penal codes, police forces, prisons, universities, etc. In some cases, the copies were simply erased (police forces of the Bourbon reign, for instance) or incorporated in the pre-existing northern copy, (Zanardelli penal code in 1889) and eventually let be as they were

⁵⁰ For a general account see Dickie (1991) and Adorni (1997). An example of the letters from the southern campaign is General Farini’s to Cavour, where South-Italy is seen more “barbaric” than Africa, and southern *caffoni* (rough peasant) animals compared to Bedouins; quoted in Muzzioli (1993: 10). See also the 1861 report of the first Lieutenant-General of Sicily, a Piedmontese, who declared, in a tone typical of a colonial ruler: “I doubt very much whether the character of the people in Kabylia is more ferocious than that of the Bedouins in this part of the island.” (Quoted in D’Agostino 2002: 321) Other examples are in Lumley and Morris (1997), particularly in Dickie’s and Gribaudi’s contributions. A comprehensive account of the time is Cesari (1920).

⁵¹ Martucci (1980: 64).

⁵² Signs of concerns can be found for example in Lombroso (1904), Fletcher (1891), Brasol (1930). An historical account can be found in Horton (2000), Beirne (1987).

⁵³ A better account of the anarchy problem and of his influences on the Italian political system will be given in the next chapter.

⁵⁴ Foucault (1977), Wetzell (2000).

(prisons). This policy did not put the government in the best position to start a penal reform, let alone a reorganization of the prisons.⁵⁵

Moreover, Italy faced another major obstacle during the unification process: a capital hosting two different political powers as represented by Rome. The papal hostility jeopardized the plan for the unification as well as the incompatibilities of regions characterized by completely different lifestyles, cultures, economies and languages, making the situation worse and postponing the rethinking that was happening abroad. With regard to the popular political movements that were shaking Europe, the unified Italy chose to confront them militarily. More than 6,000 strikes took place in the country between 1868 and 1903, and many of them resulted in fatality.⁵⁶ The “Rome question” introduced another main character: Catholics who didn’t recognize the new government, and were offended by the Porta Pia breach and the Italian invasion of Rome, began organizing politically and gave birth to a movement that broke into the parliament at the beginning of the twentieth century.

At last, from a juridical point of view, Italy was the country where Cesare Beccaria was born, and where his penal philosophy was forged; and the Natural Law School, the offspring of that philosophy, wasn’t keen to put the Enlightenment conquests under scrutiny.⁵⁷ On the other hand, the cultural primacy of law studies within parliament members was contrasted by another major cultural stream: medicine. A clear predominance of the chairs in law and medicine within the Italian academies before and after the unification explains why the majority of funds destined to Italian academies during the second half of the nineteenth century flowed into those two areas.⁵⁸ This last point could also explain why “the threat from the biological degenerates who had haunted Lombroso’s dreams,” in Davis’ words, was so influent within the Italian society and why it soon became the national nightmare representing the new fears posed by the reality of mass politics.⁵⁹

⁵⁵ The problem of the modernization of prisons is a never ending argument in the history of this country. Living in a constant period of emergency, national security policies in Italy have never been financially able to provide a new, organic modernization plan for its jails, that in the best situations, remained at least “dark and dreary” for years, giving life to sporadic, as well as unproductive, political reactions. For an account on the Italian penal system at the beginning of the twentieth century see Speranza (1914), Rusticucci (1925), Novelli (1931), Cantor (1935), Wolfgang (1954). Concerning the Italian penal policy during the Giolitti era, from 1900 to 1914, see Modona (1972). The permanent state of emergency that characterizes Italian policy for a national security is well presented by Motzo (1967).

⁵⁶ Figures emerge from Snyder and Kelly (1976). According to the authors, the Italian strikes distinguished from other European movements like French and English, for their motivations: Italian strikers acted on the basis of strictly economical reasons, and mainly without unionist leadership at least until the end of the nineteenth century. The larger the size of the protest, the more violent it became. Violent strikes ended largely by police repression and without concessions to the workers, likely one of the reasons that welcomed a massive use of police during the whole period. See also Carocci (1961) for a general account. Nitti (1893) offers a contemporary reading of official reports on strikes that confirms Snyder and Kelly’s conclusions for strikes occurred until 1891.

⁵⁷ See Grosso (1997).

⁵⁸ See Maiocchi (1980).

⁵⁹ Davis (1988: 358). For a conclusive account about the social role of physicians in the Italian society at the end of the nineteenth century, see Panseri (1981).

1.5 - The Criminal Man - Lombroso's Solution to the "Social Malaise"

In 1859, Lombroso volunteered as a doctor in the army, and in 1862 he spent a whole year in Calabria helping fight the "fierce plague" of *brigantaggio*. Far to be marginal, this experience was a milestone in Lombroso's career, providing the insight of atavism triggered by the autopsy of a supposed major figure of the illegal southern independent movement: the bandit Vilella. In noting the presence of an "enormous median occipital fossa in place of the occipital median spine which occurs in the interior of the skull," a feature lacking in superior apes as he wrote in 1895, "I instantly perceive that the criminal must be a survival of the primitive man and the carnivorous animals."⁶⁰

Lombroso explained the presence of such a primitive character, introducing his theory of atavism. Echoing other influent hypotheses like Morel's degeneration theory and Lucas' hereditary transmission of criminal characters, Lombroso assumed that both outer and inner causes could affect the growth of the individual. These effects could make the normal development of a single human character stop before the precedent level of human evolution, and the individual could consequently show mental characteristics directly related to his incomplete development: abnormal degrees of aggressiveness, lack of morality, enhanced tolerance to pain, etc.

The more horrendous, inhuman crimes, all have a physiological origin; they are atavistic animal instincts kept under control for a while by human education, environment, and fear of punishment, but that suddenly spring up again under the influence of circumstances like illness, climate (*meteore*), imitation, spermatic intoxication caused by excessive abstinence; indeed, they can always be noted in puberty, or caused by palsied (*paretici*), or in savages, or in individual forced to live chaste or solitary lives, priests, shepherds, soldiers.⁶¹

Even though his conception of heredity changed in time, Lombroso could not define exclusively in biological terms the mechanism of hereditary transmission. This was a reaction to the many critiques collected after the first edition of *L'uomo delinquente* in 1876, as he admitted in the preface to the further editions.⁶² After the third edition, edited in 1884, he proposed the integration of Haeckel's law of recapitulation into his theory of atavism, pushing the outbreak of the degeneration event within the foetal development, but never limiting it to the childbirth. The propensity to crime still remained the resultant of both occasional and primary actions, like the predisposition to an illness. The resulting picture was that of a foetus developing a set of behavioural potentialities due to his parents' deviant behaviour and habits, as well as to social and climatic conditions, but whose

⁶⁰ Lombroso (1895); also in Brown (1930). Lombroso referred to this event in numerous publications, generating contradictory descriptions thus generating the "Vilella Myth," in Villa (1985).

⁶¹ Lombroso (1876: 201).

⁶² *L'uomo delinquente* had five editions, published between 1876 and 1897. In his long life, the book faced major revisions that deeply influenced his contents as well as its structure. This book can be seen as a litmus paper to measure the extent of growing fame of Lombroso's theory in Italy in the second half of the nineteenth century. Indeed, with his masterpiece changing from the one volume of 255 pages in 1876 into the 1,705 page, four volumes, beautifully illustrated criminal atlas in the 1897, and the contents gradually spreading from penal theory to moral philosophy, zoology, ethnography, linguistics and history of art and civilization, we see a consequent expansion of his school in Italy from medicine to law and penology, to anthropology and zoology, with a growing number of courses kept in Italian faculties around the country. Eventually, the curve revealed a parabolic behaviour with the vertex in the 1910s and the inversion of tendency after 1920s as well explained by Villa (1985: 240-241).

actualization depended on the way the child actually grew up; a reading aligned with the primacy given by Lombrosians to juvenile education.⁶³

The environmental influence on the hereditary process echoed Lamarckian tones with respect to an evolutionary frame, a result of the Italian reading of Darwin made by Canestrini that Lombroso referred to intensively in his courses and papers.⁶⁴ According to this reading, Lombroso's theory of atavism was not adopted from Darwin, but rooted back to phrenology and the Italian reading of the pre-Darwinian concept of evolution.⁶⁵

This distinction between the abnormal criminal and the rest of the population was supported by a national plan for the innovation of national security. Lombroso had already proposed such a plan in 1879 favouring the application of criminal anthropology to police tasks, a project his former assistant would praise retrospectively in a festschrift volume published after Lombroso's death.⁶⁶

In *Sull'incremento del delitto in Italia e sui mezzi per arrestarlo*, Lombroso advanced his solution to the "sad primacy" issue. He felt police guards and *carabinieri* should be relieved from the administrative burden caused by the inefficiency of the Italian penal system. In order to reach this result, Lombroso suggested the abolition of many degrees of appeal, the introduction of prisons for habitual criminals, and the institution of criminal asylums where offenders would spend life sentences. He suggested a prison reform centred on a new conception of jail. Lombroso's scientific prison would be designed to extend the isolation of the offender in order to oppose the spreading of the moral corruption among the prisoners. Corporal punishments and the intensive turn to hard labour would enhance the educative function of prisons with beneficial spin-offs in society. By making punishment more severe, Lombroso claimed that at least half of the total number of police officers would be freed from administrative duties and could substitute unsuited soldiers in those regions where the sad primacy was the real issue. In such a way, politicians could use trained *detectives* in a more efficient way against *camorra* and *brigantaggio* in the southern regions. The figure of the trained detec-

⁶³ For an account of Lombroso's focus on youth and juvenile policing, see for example Gibson (2002: ch. five).

⁶⁴ A convincing account of the peculiar reading of Darwin by Lombroso is in Pancaldi (1991) and in Villa (1985). According to Rafter, Lombroso's evolutionism took the form of a synthesis of evolutionary thoughts that mixed together Lamarck, Geoffrey Saint-Hilaire, Haeckel, phrenology, and Paolo Marzolo. (2008) Marzolo in particular, the anthropologist Lombroso considered the "Darwin of Italian anthropology," in his 1871 *L'uomo bianco e l'uomo di colore* (The White Man and the Coloured Man), is the main inspiration to Lombroso's focus on criminal forms of communication. An inspiration to a sixteen-year-old Lombroso, Marzolo stressed the link between psyche and language, a link Lombroso put to good use later on in his studies of prison palimpsests. A contrasting reading, emphasizing Lombroso's use of Darwin's theory can be found in Hacking (1990), Gibson (2002), and in R. Weikart (2004) where Lombroso reading of Darwin is presented as not mediated by Lamarckian influences. The parallel between degeneration and hereditary transmission of characters is not an isolated Italian feature. For an account on the complex evolution of the concept of heredity, see Mueller-Wille and Rheinberger (2007).

⁶⁵ A leading advocate of the Italian biological approach to race, Giuseppe Viola advanced a similar interpretation already in 1932. In his *La costituzione individuale* (The Individual Constitution), Viola traced back the origin of both the constitutional school and of Lombroso's criminal anthropology to "Gall and Lavater [as well as to] the sixteenth-century physiognomists, who were more than a few, and most of all to Della Porta." Viola (1932: 196-197) quoted also in Canosa (1979: 165-166).

⁶⁶ Lombroso (1879) and Ottolenghi (1908).

tive was the main subject of the 1879 book. Lombroso depicted the ideal police officer as a member of a scientific organisation. Police, he claimed, should operate on the basis of “rational scientific rules.” The perfect detective should be considered as “*any staff official capable of taking advantage in his investigations of the scientific resources offered by researches in statistics, criminal anthropology; capable, in other words, of multiplying his intelligence with the help of the vast and, more importantly, exactly governable forces of science.*”⁶⁷ Being acquainted with the criminal man meant recognising him, and according to Lombroso’s scientific identification techniques, this could improve Italian detectives’ competences, transforming unprepared agents in squads of national “Ulysses and Achilles.”⁶⁸ Lombroso also understood that for such a mighty army to have a real chance to win its war against crime, a sound backup by the entire penal system was needed. Besides what has already been suggested in the first edition of *L’uomo delinquente*,⁶⁹ where judges were asked to adjust their sentences to criminal anthropology’s prescriptions, Lombroso insisted for the modernisation of the technical equipment at police stations’ and prisons’ disposal: telegraphs, cameras, and a radical modification of the prisons’ admission procedures. “Nobody – he wrote in 1879 – should be ever released from jail without being first photographed. His picture, together with his personal file, should be sent both to local police headquarters and to the Central Identification Bureau in the central police headquarter.”⁷⁰

1.6 - Criminal Anthropologist in Court

Criminal identification, according to Lombroso, was divided in two steps. The first step is a physical description made by fixing the external physiognomy of the culprit by anthropometry and photography. The second step is a further psychological analysis derived from the powerful guide of criminal anthropology. The latter step represented the core of Lombroso’s vision of a scientific criminal identification. In his account on bertillonage, Sekula distinguished Bertillon from Galton as “two [...] poles of the positivist attempts to define and regulate social deviance.”⁷¹ Sekula states, whereas the former aimed at the foundation of a “neutral” police science, the latter, sought evidences of the hereditary laws, was inspired by theoretical aims. Lombroso’s beliefs fell somewhere in between. Like Bertillon, his theoretical approach to criminals was inspired by practical tasks. Like Galton, his classifications of criminal type were attempts to configure a general theory of the criminal nature. As a physician, his practical task could not be separated from a theoretical approach, and contrary to Bertillon, Quételet’s laws could only be interpreted as a good starting point to a medical explanation of social deviation.

⁶⁷ Lombroso (1904: 80).

⁶⁸ In Lombroso (1897, 5th ed.: 321; 1904: 80). Already in Lombroso (1879) there is a critique to the actual state of the Italian police seen as relying only on a few “clever *questori*, similar to Ulysses and Achylles.” This, according to Ottolenghi (1908), is the first time Lombroso clearly presents his plan for a scientific police.

⁶⁹ Lombroso (1876: 2).

⁷⁰ Lombroso (1879: 133).

⁷¹ Sekula (1986: 19).

This twofold aspect of his approach represented the main obstacle to the process of making criminal anthropology the core of the national public security system. Especially since the fifth edition of *L'uomo delinquente* in 1897, Lombroso's classification of criminals had become a very complex matter. The elementary profile of the criminal man, inspired by his theory of atavism and based mainly on the identification of physical stigmata, was enriched with nuances that aimed to protect the theory from to the most severe criticisms made especially by criminologists. Lombroso's criminal typology became the structure represented in the Table 1.1.

Primary Classification	Sub-Classification
Lunatic (<i>Pazzo</i>)	
Criminal man physically detectable (<i>Somaticamente identificabile</i>)	1. The Born criminal
	2. The Moral insane
	3. The Epileptic
Criminal man of the middle area (<i>Area intermedia</i>)	1. The Passionate
	2. The Alcoholic
	3. The Rather mad (<i>Mattoide</i>)
Occasional Criminal (<i>Occasionali</i>)	1. The Pseudo-Criminal
	2. The Criminaloid
	3. The Habitual Criminal

Table 1.1: Lombroso's classification of criminals after the 1897 edition of *L'uomo delinquente*. (Villa 1985)

The procedure demanded a level of culture and of medical education that could hardly be found among police officers, making the psychological step a hard task to accomplish. A good example of such complexity is represented by the popular reaction to Lombroso's testimonies in court. One of the most renowned is about a shocking murder trial that occurred in Milan at the beginning of the twentieth century.

On 16 May 1903, in Milan, via Macello 25, the accountant Alberto Olivo chose to put an end to a quarrel with his young wife, Ernestina Beccaro, by slashing her to death. With her body in pieces and packed in a suitcase full of mothballs, Olivo bought a train ticket to Genoa. There, he went to the harbour and abandoned the suitcase in the waves among the astonished passer-bys. A couple of days later, an anonymous phone call alerted the police and allowed for the successful reconstruction of the events. Eventually, the police succeeded in recovering the suitcase, and made Olivo to confess the murder. During the trial, Olivo's lawyer maintained his plea of the mental insanity, but Olivo's objections led to a second hearing and Cesare Lombroso was called in to testify about Olivo's mental status. Because of the brutal nature of the crime, the hearing occurred in front of a popular jury with the task of judging Olivo's culpability by secret vote.

This trial was also a chance to map the trajectory of criminal anthropology in the Italian culture, and to sketch a general account of the relationship between science and society in Italy. At the hearing, Lombroso's survey was the paradigm of the criminal anthropologist examination, and the best

way to understand what Lombroso meant when he spoke of “*resources* offered by researches in statistics, criminal anthropology, capable, in other words, of multiplying [the police officer’s] intelligence.” Although Olivo was a murderer and not a suspected deceiver, what is important to keep in mind is that Lombroso aimed to the complete acquaintance of the criminal mind, and that, from his point of view, this task was accessible only through a complete physical and psychological examination.

In studying Olivo’s psychology, Lombroso carried out an accurate morphological and biographical analysis involving a complete physical examination (skin and hair, skeleton, skull, face, ears, mouth), a biological survey (secretions, sexual life, breathing, blood circulation, muscular and ocular reflexes), a psycho-physical analysis (tactile sensibility, left handedness degree, pain tolerance, magnetic and heat sensibility, space and time cognition, sense of the proportions, smell and taste sensibility, visual and acoustic receptivity) and a psychological exam (analysis of past episodes of Olivo’s life, as he recalled them in his autobiography, and of poems and writings the literate Olivo loved to compose). Hence, in his testimony Lombroso underlined the interdependence of psychological and the physical levels probing Olivo’s emotional sphere both by the means of a physical exam, and by the literary analysis of his writings. In particular, both the physical probe, carried out by a machine capable of measuring differences in blood pressure (a sort of ancestor of the lie-detector), the plethysmograph,⁷² and the literary analysis, revealed traces of epilepsy. This, along with the fifth edition of *L’uomo delinquente*, Lombroso considered a valuable clue that supported the diagnosis of born-criminality.

In this case, Olivo was not a born-criminal. His being epileptic was only the endogenous cause of the crime, and the chaotic behaviour of his wife was the exogenous cause. Lombroso made his point stating that Olivo was not a born-criminal because “he didn’t commit the crime without a reason, or moved by the pleasure of evil, or he was precocious for crime (*precocità al delitto*),”⁷³ furthering the confused typology of criminals. According to Lombroso, Olivo is a *criminaloide* (criminaloid), and further explained, “the join ring between born-criminals, occasional and emotional criminals, and normal men characterised by an epileptic background.”⁷⁴ According to Lombroso, such a diagnosis should prescribe a sentence to “permanence in a criminal asylum [...] for the rest of his life.”⁷⁵ However, the complexity of his reasoning, after assessing Olivo’s epileptic nature, making him thus a dangerous individual “likely to become a recidivist” and at the same time, evaluating him as a victim of endogenous causes, the criminal behaviour of his wife – a “quasi-prostitute” – put the jury in an impasse that eventually became an unanimous non-vote. The judge, confronted with a collection of white cards, decided to free Olivo not taking in any consideration Lombroso’s advises.

⁷² For an exhaustive description see Horn (2003).

⁷³ Lombroso (1904: 654).

⁷⁴ *Ibid.*

⁷⁵ *Ibid.* The creation of criminal asylums, as we shall see in the next chapter, together with the introduction of scientific policing were the most important application of Lombrosian tenets at the institutional level.

The unexpected reaction of the jury was somewhat a consequence of the behaviour of scientists in Italian tribunals. Considering courtrooms as places where scientists and other parts of society share their vision of the world with the consequence of influencing each other in practices and beliefs,⁷⁶ the Italian judicial system can be considered a powerful filter in regulating such a relationship. Contrary to the British judicial system, where the frequent confrontation with juries made lawyers “solidifying their control over the production and presentation of evidence,”⁷⁷ improving the effectiveness of scientific expert testimonies in front of a jury, the Italian judicial system was still centred on the judge, who is considered the only author of the legal statement. With the role of popular juries relegated in rare case of particular significance, and limited only at the initial step of the legal confrontation, experts were expected to write their reports for the judge’s eyes only, and only more rarely, to introduce their sciences to laymen. This fact obviously influenced the way surveys were conducted, with a detrimental effect on the efficiency of the communication, as well as of the acceptance of the role of scientists in courts. In the rare occasions when scientists faced a popular jury, their performance was more similar to a “*fin the siècle* academic lecture”⁷⁸ than a presentation of a reasoning to a jury of peers. The rhetoric strategies, as well as the “didactical auxiliaries equipments” adopted, often made a jury, formed mainly by scientifically uncultured individuals, a passive and confused audience of the scientific duel between the parts.⁷⁹ Moreover, within the Italian legal system, a legal judgement was literally considered a logical construction in the form of a classic syllogism: the *sillogismo decisorio* (decisional syllogism). Such reasoning started from a general premise – always a judicial norm – passed through a minor premise, the actual fact, and finally to reach a conclusion. A judge could understand the nature of the fact in a direct or indirect way, meaning with or without the help of experts, but still in the logical form of syllogism, called *sillogismo strumentale* (instrumental syllogism). This syllogism involved the expert testimony only in the minor premise, keeping as a general premise a judicial norm or a rule of experience.⁸⁰ In such a schema, the scientific expert testimony was completely subjugated by the magistrate’s freedom of judgement. It is exactly this dependence that Lombroso tried to weaken, raising criminal anthropology from the level of “source of presupposition,” or the clue, to that of “source of evidence *stricto sensu*,”⁸¹ a fact used by the judge to deduce the truth about the middle premise in the decisional syllogism.

1.7 - Focus on Families - Heredity and Race in Lombroso

Even though Lombroso’s focus on the nature of criminals made his theories well accepted by part of the political arena, his vision of man as an old dog who cannot learn new tricks, together with

⁷⁶ Jasanoff (1995: 50).

⁷⁷ Golan (2004: 44).

⁷⁸ Babini (2004: 161-162).

⁷⁹ *Ibid.* For a clear account of the cultural backwardness of Italy at the end of the nineteenth century, see Cipolla (1969: 33-93).

⁸⁰ Di Serego (1930).

⁸¹ *Ibid.*

the primacy of the criminal nature over race aspects, made Lombrosian join the incoming discussion about the Italian stock with difficulty.⁸²

Paolo Mantegazza, whose fantastic vision of a future society freed of crimes and wars opened this chapter, is a key figure in understanding the state of Italian anthropology at the end of the century. Anthropologists formed a restricted community characterised by a multidiscipline approach to cultural issues, personal connections, and different positions with respect to the international debate. As such, the relationship between Paolo Mantegazza and Cesare Lombroso can be judged emblematic. Colleagues at the university of Pavia founded the *Società italiana di antropologia e di etnologia* (the Italian Society of Anthropology and Ethnology), the most influential anthropological institution in Italy, together with the anthropologist Giuseppe Sergi. At the end of the 1860's, Mantegazza and Lombroso shared a common interest in physiology and medicine considered useful sources of anthropological data. Their opinions clashed when they talked about the techniques for measuring and reading the body. As explained by historian David Horn, Mantegazza and Lombroso represented two different approaches symbolic of the Italian anthropological community.

In 1867, at the time of Lombroso's first algometrical experiments, Mantegazza was professor of pathological physiology at the University of Pavia and was working on a lengthy volume on the physiology of pain.⁸³ Like Lombroso, he considered pain sensibility an important anthropological characteristic because pain established a link between the body's surface and the interior states. Despite Lombroso, he raised questions about the stability of pain thresholds and the suitability of electrical algometers for administering pain. If different individuals reacted differently to electrical stimulation, he claimed, electrical currents were unreliable instruments that could not test real physiological reactions. As a consequence, pain thresholds detected by algometers could not be considered quantifiable or reliable, and could not be compared to other anthropological data like the cephalic index (the angle of the jaw and bizygomatic diameter of the face). As a celebrated scholar and an expert on the subject, his critics produced harsh reactions by Lombroso and undermined their professional and personal relationship resulting in Lombroso's dismissal from The Italian Society of Anthropology and Ethnology in 1880.⁸⁴ The algometric measurements debate became a sort of public duel between them and revealed a methodological contrast that divided the Italian community. Mantegazza followed a hermeneutic tradition that relied on qualitative data, quoted naturalists and Darwin, and produced pain by means of traditional techniques; while Lombroso was strongly critical of data that he could not quantitatively gauge, chose to limit his investigation on humans, and made extensive use of modern electrical equipments. While Mantegazza's *Igei* used science fiction electrical instruments to make the body transparent to the medical gaze, Lombroso's

⁸² The vision of man as an old dog, actually a shoal in an aquarium, is in Lombroso (1891). On the difficulty in accepting the racial discussion of crime see Lombroso (1894), especially pages 34-40.

⁸³ Mantegazza (1880).

⁸⁴ Horn (2003), Villa (1985), and Zagatti (2003). To have an idea of the central position of Mantegazza in the Italian cultural background of the end of the nineteenth century, see Mantovani (2004).

algometric apparatuses limited their investigation to the surface of the body hiding the real subject of investigation.

As far as the problem of race was concerned, again the Italian Society of Anthropology and Ethnography was the nerve centre of the Italian racial debate beginning in the 1880's. The peculiarity of the Italian debate in comparison to the international confrontation between polygenists and monogenists was characterised by a multidisciplinary approach shared by such a restricted community of scholars.⁸⁵ Inside the Society, Paolo Mantegazza discussed the problem of race with orientalist and philologists like Angelo de Gubernatis, ethnologists like Franco Pullè, psychologists like Enrico Morselli, craniologists like Luigi Pigorini, and obviously with other founders Cesare Lombroso and Giuseppe Sergi.⁸⁶ They all shared the common task of revealing the puzzling nature of the Italian race. A famous adage attributed to the Italian patriot Massimo d'Azeglio, "We made Italy, now it's time to make the Italians" (*Abbiamo fatto l'Italia, si tratta adesso di fare gli italiani*), can be taken as the perfect slogan of the society. What could ever be the common trait between a Sicilian and a Piedmontese? To what extent could the Italian history support the idea of the unique people in the whole country?

Giuseppe Sergi, one of the founders of the Society, was the author of the main racial theory emerging from the Society. Refuting the quantitative approach to the classification of races like the one based on the cephalic index, Sergi proposed a morphologic approach to skulls, promoting the adoption of the shape of the skull as the main selective character. His qualitative approach, together with the primacy given to the skull, was similar to the semeiotic analysis performed by Lombroso, who extensively quoted Sergi in his *L'uomo delinquente*. But Lombroso needed numbers and those quotations, and the respect and admiration they had for each other, never played a starring role in Lombroso's theory of criminal.⁸⁷ In fact, while Sergi distinguished two main races, the Euroafrican or Aryan and the Euroasiatic or Italic, abandoning Blumenbach's grouping of five,⁸⁸ by the adoption of two primary skull forms, the elliptic and the spherical, it discriminated between mesocephalic and brachicephalic skulls, Lombroso remained anchored to Quételet's approach to criminal behaviour, with a primacy of the geographic approach over racial theory. In particular, Sergi detected the core of the Italian stock in one of the varieties that composed the Euroafrican race, the

⁸⁵ Smedley (2002).

⁸⁶ De Donno (2006).

⁸⁷ This is for example the position of Gibson who frames the racial theory of Sergi and Lombroso within the international debate in Gibson (2002: 113) labelling the former as a polygenist and the latter as a monogenist. While Sergi's polygenism is something I can agree with, my position on Lombroso points toward a personal and confuse idea of race that can hardly be called a theory.

⁸⁸ In 1795 Johann Friedrich Blumenbach proposed "the most influential of all racial classifications" (Gould 1997: 401) of human kind in five main groups: Caucasian, Mongolian, Ethiopian, American, and Malay. One of the first classification, that according to Gould strongly influenced Blumenbach's, had been advanced by Carolus Linneus who divided men into Asiaticus, Africanus, Europaeus and Americanus, on the basis "on physical features, but also [...] geographical locations" (Smedley 2002). According to Sergi, physical features like the colour of the skin were external character that couldn't define a race, rather a variety within the same race (Ottolenghi 1910: 212).

Mediterranean; Lombroso, on the contrary, rarely talked of races in such terms.⁸⁹ In describing the natural phenomena of crime, he founded his analysis based on statistics *à la* Quételet, limited by definition to a geographical distribution, along with mixing up concepts like race, stock, population, family and blood.

Especially after the third edition of the *L'uomo delinquente*, whenever Lombroso needed to talk of natural phenomena, he spoke in terms of normal and abnormal degrees, framing the analysis within Quételet's *binomial lois*, and using the graphical distribution we saw in the previous sections - see figure 1.5a and 1.5b. Lombroso understood the geographical limitations of this approach and he calibrated the scale of his analysis accordingly.

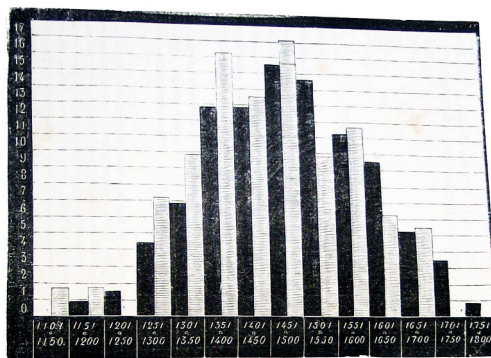


Fig. 1.5a: normal distribution of cranial capacity in criminals (white) and normals (black). (Lombroso 1889: 136)

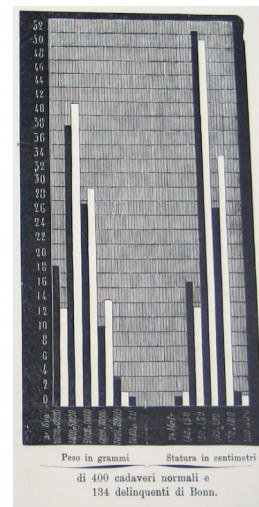


Fig. 1.5b: normal distribution of physical characters like weight and height. (Lombroso 1897 Atlante: tav. XXV)

Whenever he spoke of “savage man” in the first edition of *L'uomo delinquente* he spoke of tribes: Native American tribes – Yuris, Coriacchi, Mhava, African tribes – Bagnous, Balanti, Caramansa and Indian tribes – Zucka-Khail; all deep-seated in their territory and without clear biological distinctions.⁹⁰ Sometimes he made distinctions within a single race - intended as a population geographically distributed in a territory - like when he spoke of Bedouins: “Among the Arabs (Bedouins), there are honest and industrious tribes, but many are parasitic, known for their impulse to adventures, their thoughtless courage, their need of constant mobility, their lack of occupation, and their tendency to steal.”⁹¹

Refining the analysis, Lombroso distinguished individuals within a single tribe and focused his study on them.

⁸⁹ The only clear exception is represented by the comparison between African and European people, especially in his 1871 *L'uomo bianco e l'uomo di colore* (White Man and Colored Man) but this distinction faded away when he treated crime in the various editions of *L'uomo delinquente*.

⁹⁰ Lombroso (1876: 123).

⁹¹ *Ibid.*

Among the Hottentots and the Kafirs there are savage individuals, unfit for any form of job, and who lives of other's resources, vagrants [...] Similar data let us sense the importance of race on crime. Unfortunately, as far as the civilized world is concerned, the data that could support such a proof are poor and uncertain. We know that the majority of the thieves in London are sons of Irish migrated to London; that the most skilful thieves in London are born in Lancashire. In Russia, according to Anutshin, Bessarabia and Cherson offer the most part of the crimes if we exclude the capital; rather, comparing accused and condemned, the latter are in greater number; *crime goes from family to family*.⁹²

His turn to racial explanations remained at a very general level, never gaining a primary role in revealing the causes for criminal behaviours. In the end, the criminal was always linked to his territory and his cultural roots, bound by the limits of application of Quételet's binomial law. Families indeed seemed to be the main characters of the Lombrosian drama. Families influenced by the geographical, geological and historical background of Italian cities, like Lerici in Liguria,⁹³ or like the "rapacious tribes Berber and Semitic" that migrated to the Gold basin in Sicily where "the anatomic type, customs, the politics, the moral still show an Arabic mould."⁹⁴

The same shift from race to families and from blood to culture can be found whenever Lombroso spoke of Jews and Gypsies. When discussing the former, he easily mixed up biological explanations, such as Jews were considered a Semitic race,⁹⁵ with historical justifications and described their crimes as a reaction to "the exclusion from every job and public assistance, the backlash against persecutor and armed races."⁹⁶ His approach to Gypsies completely lacked any biological description. In this case, the "vivid representation of a whole race of criminals" was characterised only by a list of culturally and morally deprived customs, many clichés and second hand experiences presented as real anthropological data.⁹⁷

The same integration of geographical and biological definitions of race, with the latter logically conditional on the former, can be found in the following editions of *L'uomo delinquente*. In the third and the fourth editions, Lombroso offered his reader a personal rogue gallery, with photographs taken of criminals from various countries. Among the Americans, Germans, and Italians, Lombroso did not put in evidence of any racial distinction, and considered the national group as homogenous group in Quételet's sense. Moreover, in extending his connection between mental deficiency and criminal behaviour, he stated that it was the same case "than in the case of cretins, even if in a minor scale; namely, that the morbid substitute the racial characters."⁹⁸ In the next edition, in 1896, he better explained his position with regard to Sergi's racial theory. In a section dedicated to

⁹² *Ibid.* italics mine.

⁹³ Lombroso (1876: 123-124).

⁹⁴ *Ibid.* Already in *Tre mesi in Calabria* (Lombroso 1863), where Lombroso first revealed his theory of the enduring presence of Semitic people in the Southern regions, his description of the racial melting pot progressively focused to the family level, supported by strong cultural evidences more than physical descriptions.

⁹⁵ Lombroso (1876: 128). A few years later, in a book dedicated to a scientific approach to anti-Semitism, Lombroso easily spoke of Jews' origins as a mixture of Aryans and Semitic population, extending then his cultural reading of the "nature" of Jews and eventually rejecting a biological definition for the Judaic race (Lombroso 1894).

⁹⁶ Lombroso (1876: 126).

⁹⁷ *Ibid.*: 127.

⁹⁸ *Ibid.*: 254.

the importance of cranial capacity as a reliable detector of criminal behaviour, he recalled a critique to this connection made by Sergi. Sergi, he first conceded, was right in saying that

the “individual variety” cannot be defined on the basis of the deviation of the individual skull capacity from the average capacity of the region. It should rather be detected on the basis of the differences between the capacity of the individual skull and the capacity of the average skull of that same variety in the same region.

This point of view turned the hierarchy between biological and geographical conception of race upside down, rejecting Quételet’s approach to crime statistics as merely not racist in a pure biological sense. Despite this admission, Lombroso clearly stated, a page later, that Sergi’s discovery didn’t generate “any real practical application in Criminal Anthropology.”⁹⁹

Other examples in favour of the inconsistent use of racial terminology in Lombroso’s theory are easy to accomplish. The geographical adoption of conception of the race, a kind of lay and popular conception, was something that led Lombroso to use Quételet’s statistics in his study of criminals. This provided a solid mathematical background to his criminal anthropology, without complicating too much of the generalization of his conclusions.¹⁰⁰ From a political point of view, the Italian political elite welcomed this approach to race. For decades, after of the unification of the country, the political problem of forging the national conscience of the Italian people was dominant and pure biological racial differences did not offer a useful solution. On the contrary, flexible conceptions like the ones that emerged from The Italian Society provided a positive solution. In this respect, despite their methodological differences, both Lombroso and Mantegazza promoted a cultural notion of race strongly rooted in the Italian cultural tradition, declaring that on earth “we can find neither races nor species, but only families.”¹⁰¹

1.8 - Conclusions

The development of actual techniques of criminal identification can be seen as a direct consequence of the shift in the conception of society from what Bloor defined an “Enlightenment style” to what he called a “Romantic” one. Seeing society as a living organism allowed criminologists to treat criminals as parasites. As Durkheim clearly stated, crime was considered natural, a constituent of any healthy society. Judicial systems conformed themselves to the new paradigm and gradually calibrated their sentences introducing deportation and specific punishments for the newly created classes of criminals, like habitual offenders and recidivists. As a consequence, the need for reliable means of detection of criminal diathesis became the subject of police reforms and criminologists’ studies. Hidden in the statistical spirit that inspired similar reforms, the idea that the criminal could

⁹⁹ Lombroso (1896: vol I, 154-155).

¹⁰⁰ This is clearly seen in Lombroso’s testimony about Alberto Olivo. The racial argument offered a sort of overture when, at the beginning of his report, Lombroso cited “the ethnic heredity” (Lombroso 1904: 628), namely the ethnic origins of the Olivo family. After page 628, though, the reference to the Albanian-Greek and supposed Spanish influence disappeared, making room for pure criminal anthropological data: individual physical characters and personal experiences within the family. In the end, the criminal remained an individual, not a sample of a race.

¹⁰¹ Mantegazza (1890: 521). A similar reading of nineteenth century Italian racism is in Maiocchi (1999).

not be trusted took the form of stigmatising identification procedures. Discriminatory theories like Lombroso's biological reading of criminal behaviour made good use of similar procedures exploiting them at their maximum.

In a society like Italy, such a reading was a culturally accepted result. As clearly represented by Mantegazza's "dream," Lombroso's attempt to mark criminal behaviours was based on cultural tenets shared by the Italian elites. Social and political factors like the prolonged civil war with southern populations and the political earthquake caused by the emergence of popular political parties helped Lombroso's criminal anthropology to gain a wide popular consent, at least until the end of the nineteenth century.

In particular, since the publication of *Tre mesi in Calabria* (1862), Lombroso's scientific explanation of criminal behaviour of Italian southern populations contributed to what Gabriella Gribaudi has called the "inventions of borders."¹⁰² The northern elites failed to understand the culture and the institutions of the southern people, believing that beautiful wild landscape sings of the savage spirits of its population.¹⁰³ The southern regions became a "paradise inhabited by devils," an alien land attached at the rest of the country by chance. In the parliamentary discussions, the expression "emerging from barbarism" was always associated to the military solutions proposed to solve the "southern question." Such a mentality was shared by the most eminent cultural and political southern representatives like Alfredo Niceforo and Francesco Crispi, and gave rise to a series of laws that actually had put the southern regions in a permanent state of emergency since the 1862 Pica law.¹⁰⁴ Still at the end of the century, even leading members of the radical party like Nitti, echoed Lombroso in asking for a differential treatment of the southern criminals, considered the result of superstition and anti-modern culture.¹⁰⁵ The military solution found a scientific justification in Lombroso's conception of criminals as individuals more than representatives of a race. The elimination of the dangerous individuals by any means, according to Lombroso, was considered the only solution to the "social malaise" that was affecting the country.

Specific aspects of Lombroso's theory that played a functional role in the nation-building process must take into consideration with respect to an explanation of the rapid diffusion of criminal anthropology. His scientific stigmatisation of criminals, his solution represented mainly by the isolation of the offender and eventually in his elimination, embodied many of the basic values of the Italian *Risorgimento*, the cultural movement that inspired the political reunification of the country.

¹⁰² In Lumley (1997).

¹⁰³ A clear example is again in Lombroso: "Docks are insecure and unfit for commerce; the sea is often untrustworthy and dangerous and opposing streams tend to isolate Calabria rather than join them to the civil world." (1862: 399)

¹⁰⁴ Still in 1898, Niceforo depicted the northern military repression in his *L'Italia barbara contemporanea* as a moral duty: "Here modern Italy has a lofty mission to accomplish and a great colony to civilise." Quoted by Dickie in Lumley (1997: 118). Giuseppe Pica's law, approved on 15 August 1863, suspended the constitutional rights of the southern populations inaugurating the military governance of the southern regions that was put forward by Minister of Interior Peruzzi again in 1865 and by Francesco Crispi in the 1890s. (Adorni 1997)

¹⁰⁵ In Saitta (1958: 482).

The same fact that ruling elites considered science as one of the main source of social reconstruction, seen as a way to spread a shared culture in a country divided by many local traditions, was a key argument in favour of Lombrosianism. Moreover, Lombroso's quest for the national standard in criminal identification techniques played a primary cultural role within the Italian border as well as an important function of legitimating the new country at the international level. These two points will be the subject of the next chapter, together with the historical account of the birth of the Italian scientific police.

CHAPTER 2

IN THE WAKE OF LOMBROSO

THE FOUNDATION OF THE ITALIAN SCIENTIFIC POLICE (1898-1920)

The Rome School of Scientific Police represented the most successful incarnation of Lombroso's plan for a new national security system. Founded in 1902 by Lombroso's former assistant Salvatore Ottolenghi, the School soon became the core of a network of police scientific laboratories scattered throughout the country. The Italian scientific police's methodologies strongly affected police daily practices and, in the long run, the standardized procedures taught by the School created a common cultural background shared by the national police forces. Such a reform of the police was not easy though. This chapter provides an account of the many factors that contributed to the foundation of the School in Rome. The factors included are: the international pressure on Italian government in favour of the application of scientific identification techniques against anarchists; the reform of the national public archives and bureaus established in the 1890's; and Ottolenghi's personal connection within the General Direction of P. S. (Italian Public Security, the civil police force). In 1927, Fascist authorities promoted a security policy more apt to the needs of the new totalitarian dictatorship, causing those factors to eventually dissipate.

A comparative analysis with the English case was first carried out. The analysis allowed the comparison to better enlighten the primary role of scientific policing within the promotion of Lombroso's criminal anthropology in Italy, and the resistance caused by such a strong connection. Not only was Lombroso's medical reading of the offenders distinguished Italian police science, it also promoted a revolutionary idea of criminal prevention. Lombroso's and Ottolenghi's plan predicted the shaping of the network of the Italian national security system around the School of Rome. The central identification bureau was supposed to become the gatekeeper of any form of police investigation in Italy, a powerful role that undermined the traditional autonomy of prefects and *questori*. The government promoted Ottolenghi's plan because it was functional to the establishment of a more centralised control of peripheral bureaus, as well as it represented a promotion in the status of police officers.

Resistance from police officers and clerks revealed that the Italian police system was resilient to any form of innovation. A quantitative account of the actual impact of School on the Italian judicial system was presented. The reason was to support the opinion that the Italian P. S. was undergoing a process of innovation nonetheless, a process that gained political and cultural support at least until the beginning of the 1920's. Such a success represented the lasting result of Lombroso's theories, resisting the anti-positivist cultural stream that eventually erased Lombrosian teaching from all other aspects of the Italian cultural life.

2.1 - The International Anti-Anarchist Conference (1898)

Toward the end of the nineteenth century, Europe burst into flames of anarchy. Between March 1892 and June 1894 eleven explosions rocked Paris. In June 1894, French President Carnot was stabbed to death. In 1897 Spanish Prime Minister Canova met the same fate, and a murder attempt was made against the Italian King Umberto I that same year. The new enemy moved in small groups, lacking central direction, and was almost undetectable by traditional police methods. Panic spread soon within the city dwelling bourgeois populations of the old continent. Railroad stations, cafés, theatres, hotels, Stock Exchanges and institutional buildings became targets of violent attacks carried out without warning or consideration for the identity of the victims. Despite many government approved laws specifically against anarchists between the 1880's and the 1890's, they focused on limiting the use and the ownership of explosives. The move resulted useless against enemies who easily crossed national borders and could still count on the protection of a few national havens.¹ It took the killing of Empress Elizabeth of Austria, occurring on 10 September 1898, to give rise to an international cooperation against what was finally considered a common enemy. That act shook consciences and moved wheels, and between 24 November and 21 December 1898 an anti-anarchist international conference was set up in Rome.²

In promoting the conference, the Italian government set out to target those terrorists who were attributed to Italian anarchists, like those that were part of the assassination of the Austrian Empress. The government also relied on records of criminal rates, something the Italian political class itself identified with the term "sad primacy." In 1879, when Cesare Lombroso first coined the expression, the Italian police were in relatively bad shape. The corps acted according to what Lombroso defined an "empirical" methodology. They lacked any standard training and any form of coordination with the activities of military police force, the *carabinieri*, and the municipality police, the *guardie di città*. The few successes of the P. S. were due only to the natural skills of few experienced men. Notwithstanding, in the 1890's, the Italian police rejected any form of implementation of scientific methodology. The "clever *questori*, similar to Ulysses and Achilles," cited by Lombroso in his 1879 book on the causes of crime, obviously were not clever enough to fight anarchy successfully.

The thrust toward a change in the national security policy came from different parts of the Italian society. The loudest requests transpired from within the ranks of the P. S. itself. These were statements that invoked a modern organisation inspired by the examples of England and France.³ At the same time, experts of criminal behaviour directly related to Lombroso's criminal anthropology, de-

¹ One of those heavens was believed to be London as reported in Collyer (2005). The different national behaviour toward anarchists is taken from the analysis of the 1898 international conference made by Jensen. (1981).

² *Ibid.* Even countries that didn't suffer direct attacks by anarchists, like England for instance, considered anarchy a real political issue. The only English plot deserving a notice, the 1894 Greenwich bombing, was a complete failure from the terrorist point of view, becoming instead a great front of inspiration for artists and novelists. For a public opinion account on the impact of anarchy on English, see Shpayer-Makov (1988); as far as the impact on English literature is concerned, see Sherry (1967).

³ For an account of the Italian admiration for the English *bobby*, see Hughes (1996). References to the French model can be found in Bonino (2005).

nounced the flaws of a national security system technically and culturally inadequate. Such remarks pointed to the lack of up-to-date investigation methodologies and basic scientific culture seen as the worst deficiencies of the Italian national security system. Arguments in favour for an adoption of rational and centralised organisation of police information systems, and for the embracing of scientific methodology in criminal policing were enhanced in journals edited by relevant elements of the national security system. Renowned police officers like Giuseppe Alongi, Emilio Saracini, or government officials like Francesco Leonardi, made their appeals clearly audible on the *Rivista di polizia scientifica* (The Scientific Police Review) and the *Manuale del funzionario di sicurezza pubblica e di polizia giudiziaria* (The Handbook of the Public Security and Judicial Police Officer).⁴ This insistence on promoting the plan for a new Italian police was inspired by police corps in England, United States, and France, and found charismatic leaders within Lombroso's criminal anthropology, like the alienist Cesare Lombroso himself, and his former assistant, the physician Salvatore Ottolenghi (1861-1934).⁵

Since 1894, the Italian administration had replied to critics and tried to eliminate Italy as the number one leader in the top ten most dangerous countries in Europe. To do that, Prime Minister Francesco Crispi intensified the military control of the territory introducing the Martial Law in three regions and declaring both catholic and socialist parties illegal. Crispi inaugurated a campaign for the rationalisation of the national security system to further positive social effect of a sound bureaucratic system.⁶ In the same year, a team of experts and future chief of the police Francesco Leonardi met together to discuss the topics of rationalisation and the improvement of police practices. Among them, this team included Cesare Lombroso and Salvatore Ottolenghi.⁷

The 1898 conference was a successful event for those European countries eager to set up a common policy against enemies whose actions were so difficult to predict and neutralise. The goal of the conference, consisting of diplomats and police experts, was the establishment of a common policy of prevention, detection, and punishment of the anarchist movement. While the diplomats eventually found it impossible to create an international common policy against anarchists, the police experts were successful with respect to optimising national prevention and repression techniques. Police officers of most of the European countries shared their methods and chose the adoption of Bertillon's scientific oral description of offenders as a common starting point for a

⁴ Francesco Leonardi, appointed in charge of the political branch of the national security in the 1880s, became chief of the Police during the Giolitti era, at the beginning of the twentieth century. According to Giovanna Tosatti, the first modern organization of the police is itself a consequence of the anarchist problem, namely the attempt to murder King Umberto I made by anarchist Giovanni Passanante (Tosatti 1997b).

⁵ Lombroso had been promoting the development of Italian scientific policing since 1879, as already discussed in chapter one. (1879) Salvatore Ottolenghi inaugurated the first course on scientific policing when he was a junior lecturer at the Royal University of Siena. In 1897 he co-founded Alongi's *Rivista di polizia scientifica* and remained the strongest supporter for a modernization of the Italian police until his death in 1934.

⁶ An account of the infamous *repressione crispina* (the Crispi repression) can be found in Davis (1988) and in Tosatti (1997a). For the Italian Liberal elites' faith in bureaucracy, see Melis (1988).

⁷ Tosatti (1997b: 223).

standard international police identification technique.⁸ At that time, with the exclusion of the Ottoman Empire, Italian police were the only continental corps ignoring Bertillon's identification techniques. The conference, though, represented only an initial incentive to the development of new criminal identification methods.

2.2 First Steps Toward an Italian Scientific Police

By the end of 1880's, scientific police laboratories had emerged in many western countries, as well as in colonies of the British and the French empire. Besides Paris, where Alphonse Bertillon introduced his anthropometric system of criminal identification,⁹ other countries soon acknowledged the advantages offered by a scientific approach to crime. Anthropometry was congruent with the biological reading of crime, and functional to the professionalising trend of penology and policing.¹⁰ Soon the original task of measuring criminal body features became a professional business, with major police departments implementing the scientific rationalisation of tasks in the criminal identification of offenders.¹¹ At the same time, countries like the United States valued the contribution of scientific experts on issues like immigration control, where anthropometry, inspired by strong criminal anthropologic tenets, proved to be functional with respect to new restricted policies on immigration.¹²

By the end of 1890's, almost every country in Europe had already implemented bertillonage in criminal identification tasks. British colonies and South America, like Argentina, were already experiencing the next step in the development of criminal identification techniques: fingerprinting. William Hershel and John Henry, both royal officials in India, chose to modify the ordering structure of their criminal archives and organized them on the basis of Bertillon's anthropometry, implementing fingerprinting between 1886 and 1893. In 1891, Juan Vucetich, head of La Plata Office of Identification, introduced a similar change in criminal archives in Argentina.¹³ In order to better understand the opposition the scientific movement faced in trying to implement a scientific policing in Italy at the end of the nineteenth century, it is useful to look at the English case.

The development of police science in England revealed a wide social commitment. The implementation of scientific criminal identification techniques was the result of political decisions embedded

⁸ Jensen (1981).

⁹ See chapter one, section 1.3.

¹⁰ A reading proposed by Rafter (2006: 164).

¹¹ Gilardi analyses the photographic practices promoted in Bertillon's laboratory. The subdivision of the complex photographic procedure in simple tasks, carried out by ordinary police officers after a short training, is comparable to industrial productive practices. As explained in chapter one, this analogy made him name Bertillon the "Taylor of criminology" (Gilardi 2003).

¹² D'Agostino (2002).

¹³ For a general account, see Cole (2002). More comprehensive work on the introduction of fingerprinting in India, see Sengoopta (2003) and with regards to Argentina, see Ruggiero (2001). Among the reasons that inspired British governors' distrust toward bertillonage in India, there are a number of bad qualities with respect to measuring procedure and measuring devices carried out by Indian police officers, as well as problems in applying Bertillon's measurements to categories of offenders like children and women. For a contemporary account of the problems related to bertillonage, see Garson (1900).

in the broader process of modernization of the state.¹⁴ After the establishment of the metropolitan police in 1829, the United Kingdom's traditional police (based on local autonomy of communities and built up around the figure of the constable), suffered a trend to modernisation represented by the specialisation and the division of labour requested by the formation of a new professional figure. During the nineteenth century, many efforts were promoted to limit localism. The coordination of police activities in the countryside and cities required the promotion of higher bureaucratic practices and a standardisation of the procedures.¹⁵ The emergence of scientific criminology not only raised the status of police officers, but changed the perception of criminals as well. In all European countries it became "a well-recognised principle of justice that persons who make crime their calling or professional life, should be dealt with in a different manner from one who, for the first time, commits a criminal offence."¹⁶ As a consequence, attempts were made to improve the efficacy of police techniques of identification of recidivists. In the United Kingdom, a register had been established by the Parliament to help police identify habitual criminals since 1869. The register included the name, description of the crime and any other identifying details of each convict. Later on, a "register of the distinctive marks on the persons of habitual criminals was also instituted and distributed with the register."¹⁷ Besides the numerous photographs of convicts, known as the rogue galleries and collected by the Metropolitan Police Office, systematic observations and inspections by police and prison officers were given to arrested persons to help improve the rate of recognition of habitual criminals.¹⁸ Growing criticisms on the reliability of such methods and the need for a more useful archive of the information, together with the successful application of bertillonage abroad, required a further step. In 1893, the Home Secretary of the State appointed a Committee to consider the best techniques available to identify habitual and professional criminals. The Committee, chaired by Mr. Charles E. Troup and composed by representatives of the penal system, police department, and government visited Bertillon in France and met with Francis Galton to choose the best system to implement in England. Combining Galton's fingerprinting and what was then known in England as the "metric system of identification," a hybrid system was devised based on anthropometry along with recording fingerprints on identification cards. John Garson was put in charge of the Anthropometric Office.¹⁹

In 1900, Garson gave a talk at the Royal Anthropological Institute of Great Britain and Ireland presents the British criminal identification system.²⁰ On that occasion, he emphasised and broke down the major characters of the anthropometric system employed in the British prisons. Firstly, the British approach was mainly pragmatic. Garson focused on the difficulties faced by both Galton and

¹⁴ See Cole (2002).

¹⁵ For a general account on the development of English criminology see Wiener (1990), and Leps (1992). For a more specific description of the evolution of English police, see Emsley (2005).

¹⁶ Garson (1900: 162). As already stated in chapter one, Lombroso's shift of focus from crime to criminals cannot be considered an Italian innovation, but a variant of a wider international phenomenon (Leps 1992).

¹⁷ *Ibid.*

¹⁸ Already in 1836, Charles Dickens had provided a sketch of this procedure called "sitting for your portrait," in his tales of Mr Pickwick. Such visits continued until 1903 according to Claire Valier (1998: 95).

¹⁹ Cole (2002: 91-93).

²⁰ Garson (1900).

Henry in creating a system of identification centred on fingerprints. The main critics to fingerprinting focused on the classification of the prints. He claimed that there was a lack of a sound classification, and consequently of a practical way of creating an archive comparable to Bertillon's.²¹ Secondly, economic and legal issues were considered. Through the Bertillon's system, Garson explained, Quételet's tripartite division of all measurements enabled the search to be made with great rapidity and without any biased approach to identification, a further assurance of reliability:

The cards bearing these records upon them are arranged on certain mathematical principles, according as the size of the parts of the body measured is small, medium or large, in what are termed "search cabinets," in a given order, without any reference to the name of the individual to whom it relates. A duplicate description of the prisoner is also classified alphabetically according to his name, but it is the first-mentioned classification which is one of the characteristic features of what is known as the "Bertillon System".²²

		SMALL.			MEDIUM.			LARGE.				
		SMALL.	MEDIUM.	LARGE.	SMALL.	MEDIUM.	LARGE.	SMALL.	MEDIUM.	LARGE.		
LARGE.		1	2	3	4	5	6	7	8	9	LARGE.	SMALL.
		10	11	12	13	14	15	16	17	18		
		19	20	21	22	23	24	25	26	27		
MEDIUM.		28	29	30	31	32	33	34	35	36	MEDIUM.	SMALL.
		37	38	39	40	41	42	43	44	45		
		46	47	48	49	50	51	52	53	54		
SMALL.		55	56	57	58	59	60	61	62	63	SMALL.	SMALL.
		64	65	66	67	68	69	70	71	72		
		73	74	75	76	77	78	79	80	81		

Fig. 2.1: Garson's search cabinet with divisions of measurements à la Quételet. (Garson 1900: 182) See the analogy with Bertillon's reading of Quételet's binomial curve in chapter one, fig. 1.2.

Thirdly, the technique of body measurements was considered. It was subdivided according to Quételet's conception of *symétrie étonnante*, the "amazing symmetry" that characterised any natural set of things and was represented by the bell curve introduced in the previous chapter. This satisfied more than a single social need. Placing his job on the line with Galton's eugenic movement, Garson un-

²¹ Despite Garson's opinion, fingerprinting was already in use in the British Empire. In 1897, Henry presented his system of cataloguing fingerprints. With the help of his assistants, Azizul Haque and Hem Chandra Bose, a reliable and practical identification procedure came into use in India. Time required for the recovery of the identity from the archive were consistently reduced, "The men whose duty is to look up the originals, in no case took more than five minutes to produce the original" (Quoted in Sengoopta 2003: 139). In a direct comparison with the time needed by bertillonage, Henry declared that the whole procedure of identification was quicker, taking less than "one quarter of the time needed for measuring" (Henry 1922: 73).

²² Garson (1900: 165)

derlined that the Bertillon's system could provide valuable racial information on the population of the British prisons.

In all races of people these measurements have a considerable range of variation, and in mixed races they are but slightly correlated; for these reasons they are admirably adapted to demonstrate the individuality of persons measured and likewise for purposes of classification, the special desiderata in criminal anthropology. They are equally well adapted for indicating race characters, because in different races they vary proportionately to one another very considerably, but in persons of the same race, if the race be what we term pure, their proportionate variation is small or has a nearly similar ratio [...] In criminal work the direct linear dimensions of parts are used, while for distinguishing race characters it is relative proportion which is sought for and used, the actual size of the head being usually expressed by cubic dimension or by some empirical formula worked out from the linear dimensions.²³

From the same set of measurements, therefore, two kinds of information, collected for totally different purposes, could be equally well ascertained.

Fourthly, it was focused on that such an enquiry was deemed to be highly scientific and should not be carried out by officers or clerks employed in police stations. Instead, it should be carried out by educated and well-trained personnel working in scientific laboratories rather than.²⁴ Collaboration with Galton's laboratory of statistics, and Pearson, and the training of more than 600 prison officers guaranteed the quality level required, and turned British anthropometry into a respectful scientific enquiry.²⁵

Despite Garson's optimistic prediction, bertillonage had a very short history in England. Eventually, its focus on Quételet's averages put Bertillon's anthropometry in contrast with Francis Galton's and Karl Pearson's eugenics program. Galton's interest in distribution and deviation from the average concluded to be the problem of the control of the inheritance of the characters, something Garson's pure descriptive method could not help to solve. Three years later, during a speech at the Anthropological Institute of Great Britain and Ireland, the "metric system of identification" was deemed to be a poor scientific enterprise, "indeed, if physical anthropology is to be a science, its results must be capable of expression in mathematical formulae." With the rise of statistical eugenics, "the study of living forms [was] passing from descriptive to the quantitative aspect," and physicians, as well as police officers are well in the past.²⁶ By not taking part in the theoretical quarrel on the race problem, fingerprinting had revealed a reliable system of individual identification both in British India and in South America. In response, another Committee was appointed, chaired by Lord Henry Belper, to establish if fingerprinting could be valuable enough to be intro-

²³ *Ibid.*: (197).

²⁴ Distinguishing a scientific enterprise on the basis of standard training of the people involved and the technological apparatuses used is what Michael Lynch identifies as one of the steps in fixing a scientific controversy in order to perform a closure. Dealing with the history of DNA typing, the turn to technical instruments and to standardised training is what Lynch calls technical and administrative fixes of the controversy. In explaining the reason why standard practices and technical instruments can be considered part of a scientific reasoning, Lynch talks of a sense of objectivity, promoted by such things, in Weberian and Mertonian sense: "They are 'rational' in the Weberian sense of rational bureaucratic administration: normalized, hierarchically supervised, standardized, iterated, coded, recorded, and subject to review" (Lynch 2008: 245).

²⁵ Mackenzie (1976).

²⁶ Myers (1903: 38). For a general account on Galton's and Pearson's refined use of anthropometry, see Porter (1986).

duced in England as well. The Committee's report determined the end of Garson's system of criminal identification to be replaced by Henry's fingerprinting.²⁷

In Italy, things evolved in a completely different way. The "sad primacy" was generally considered a consequence of the inefficient and unreliable police system. Inherited by pre-unitary states, the national security system was a mixture of a centralised administrative organisation, and peripheral political centrifugal forces. Governments had attempted unsuccessful reforms of the police system repeatedly. Historians today have different theories that can explain the resiliency of the Italian system even with the many attempts at reform. The presence of a highly centralized system of police administration of Napoleonic origins, with little distinction between politics and the administration of law, made every *questura* and *prefettura* a junction between central and peripheral political power. Furthermore, the coexistence of more than one police force, depending on different Ministries, guaranteed a division of power that was considered protection from the emergence of a dictatorship. Thus began a widespread conception of political police as an armed force at the service of the government. Prefects resisted any amelioration of selective methods of enrolment, as well as any substantial reform in the mechanism of promotion and of economic salary improvement. In the end, such a patchwork of corps worked against any form of collaboration and undermined the efficiency of the system at its basis.²⁸

Proposals for a change came from within the police and echoed for years in parliamentary discussions. In 1896, under Francesco Crispi, a Committee was appointed to solidify a reform of the Italian police and, in particular, to establish "whether newly scientific innovations like the telephone and the anthropometer can facilitate the service and make it less bothering for the citizens."²⁹ The 1897 murder attempt on King Umberto I by anarchist Giovanni Acciarito, initiated the approval of a Reform, along with introduction of scientific methodologies in police practices.³⁰ Former prefect Colucci, was sent to Paris with the task of evaluating the real state of the French police and collecting suggestions for the Reform for the Italian corps. The political instability that characterised the end of the century, though, did not facilitate a reform of the police or the promotion of a police science. From 1897 to 1899 Crispi, Di Rudini and Pelloux, prime ministers of that period, supported diverging policies on the matter and concluded that an innovation introduced by the one government was doomed to be torn down by the other.³¹

In 1892 Lombrosians made a first attempt to shape criminal national policy. The alienist Abele De Blasio, assistant professor at the University of Naples, proposed to the *questore* of Naples, Ermanno Sangiorgi, the institution of an "anthropometric office." Sangiorgi proved to be sensible to the ar-

²⁷ Cole (2002: 91-92).

²⁸ Dunnage (1997: 1), Davis (1988) and Hughes (1987; 1994).

²⁹ Saracini (1922: 109).

³⁰ Acciarito was not able to kill the King, however fellow anarchist Gaetano Bresci did succeed in 1900. A direct consequence of the murder was the institution of personal archives of political dissidents in every *questura* (Saracini 1922).

³¹ Saracini (1922: 111).

gument, “no official system of identification of habitual criminals has ever been adopted in the Royal *Questure*” he admitted, adding that it “was on the basis of a personal initiative that I had some particular classes of malefactors been photographed, particularly muggers.”³² By the prefect’s authorization, a cabin was set up in the middle of the barrack’s courtyard, thus becoming De Blasio’s laboratory. Rather than becoming a starting point for the scientific turn of police methods, the event enlightened the fragmentary character of the Italian police, as the operation made possible owing in part to the reciprocal respect between Sangiorgi and De Blasio, and De Blasio himself paying for the actual set-up of the laboratory. De Blasio was eventually forced to leave the lab after few years.³³

Consequently, the 1898 International Anti-Anarchist Conference put Italy in an embarrassing position. The final proposals of the Conference favoured the international collaboration between national police while combating the common enemy of anarchy on the basis of six points, A-F. Point C and F in particular recommended the creation of a direct channel of communication between national police corps and the government with respect to shared data originating from Bertillon’s *portrait parlé*. The Police Central Administration and government adhered to the proposal in December 1898 and July 1899, respectively, dictating how the scientific methodology should be introduced in Italy: “in March a clever official will be send to Paris to be taught on ‘portrait parlé’ in order to introduce it in all our offices.”³⁴ Prime Minister Pelloux confirmed in a letter dated 4 July 1899 the presence of the “clever official” in Paris.³⁵

“Clever official,” Federico Mathieu, made a tour well beyond the initial destination, visiting Paris, Hamburg, Vienna and Berlin. When he returned, though, he discovered the uselessness of his mission. Back in Italy, he realised how strong the resistance was to any reform within the police itself. His knowledge, as well as De Blasio’s experience in Naples, was completely forgotten.³⁶ Still, in 1906, with the scientific methodology officially applied to the Italian police in Ottolenghi’s School in Rome, Mathieu intervened in Astengo’s *Manuale del funzionario* explaining why the standard Italian officer did not consider scientific methodologies of identification a must. In Italy, Mathieu wrote, “[w]e identify, arrest, and carry out recognitions without costs or scientific methodologies. We simply put the a unknown individual in a cell on the basis of a *potential suspicion* and, if he refuse to clarify his identity, we keep him segregate until the privation of freedom convince him to speak the truth.”³⁷ And yet, contemporary advocates of a police reform accused bureaucracy to be the main

³² Falco (1937: 165).

³³ Falco (1937) and Giuliano (2007).

³⁴ ACS - Fondo PS - AAGGRR - Atti Speciali (1898-1943), b. 3, f. 16.

³⁵ In the same letter, Prime Minister Pelloux supported the introduction of the *portrait parlé* as a reliable method of identification of “villains in general and anarchists in particular” (ACS - Fondo PS - AAGGRR - Atti Speciali (1898-1943), b. 3, f. 16).

³⁶ A few years later, Mathieu wrote down his memories in Mathieu (1912). Although Mathieu’s memorial did not focus on the issue, the book attracted the attention of Salvatore Ottolenghi, at that time the director of the Italian School of Scientific Police, who kept note of the review (See ACS - Fondo Scuola Superiore di Polizia, b. 108, f. 1388).

³⁷ See Astengo’s *Manuale del funzionario di sicurezza pubblica e di polizia giudiziaria*, 1906, p. 117.

obstacle to innovation, ironically soon provided the principal rationale for the coveted scientific turn of the Italian police.

2.3 Scientific Police Officers and the Making of Italian People

In police practices in the western world, along with the introduction of anthropometry and judicial photography, the *portrait parlé* represented one of the major implementations of scientific knowledge to criminal police technique. Since the 1880s, when Alphonse Bertillon showed the possibility of a scientific approach to criminal identification, it was clear that the application of the practice in criminal identification required standardisation of the procedure and a precise degree of reliability for results. The first scenario involved a policy of prison clerks and police officer's training. They were expected to learn how to describe suspects avoiding any form of uncertainty. This required implementing a specific terminology and exerting a new specialised observation on suspects. Face and body parts ratios, physical particulars previously discarded like the shape of ear lobes, and the location and form of scars and tattoos, became primary objects of any police control. The use of a precise colour palate in describing the colour of hair, eyes, and skin, was implemented together with the utmost attention to the shape of noses.³⁸

Once taught such a technical approach, many police departments found the application of science to criminal identification extremely successful.³⁹ As scholars pointed out, by the end of the nineteenth century the problem of identification had become a major one. The creation of urban, uncontrolled and nomadic environments caused traditional identification techniques based on mere testimony to become extinct, and in turn, the explosion of recidivism. The rate of people who were arrested more than once increased, heightening the belief that criminals are alienated individuals, sick and incurable. In order to solve the problem of detecting recidivists in a reliable way, the employment of anthropometry and fingerprinting, as well as the promotion of a rational organisation of police forces, was considered the more promising strategies. The systematic application of science to crime policy contributed to solving another important problem. As Lòpez, Lu, Lucassen and Emsley explained regarding French, American, German and English police, the scientific methodology, together with an augmented level of bureaucracy applied to police duties, contributed to promote the status of the police officer in the eyes of the population. This transformed what was

³⁸ Ginzburg has brilliantly described this cognitive shift. Linking Giovanni Morelli's method of attribution of old masters in art history with Sherlock Holmes's criminal methodology and Freud's psychoanalytic investigative procedure in his *Clues, Myths and the Historical Method*, Carlo Ginzburg depicts it as typically medical (1989). The core of Morelli's method gives primary attention to particulars and "trivial details [like] earlobes, fingernails, and shapes of fingers and of toes" (1989: 97) in conferring the paternity of a masterpiece. This path leading from clues, details to the assignment of authorship is strongly related with the Hippocratic diagnosis of disease based on the study of symptoms, as well as with Sherlock Holmes' criminal investigation focused on the reading of "trivial details," and it roots back in time to divinatory methods of interpreting interiors and bird's flight, and hunters' abilities in "deciphering" tracks left by preys.

³⁹ Salvatore Ottolenghi reported the international diffusion of bertillonage with envy after a visit to the Police Section at the 1898 International Exposition in Paris. Countries listed are: Germany, Denmark, Holland, Spain, Austria, Romania, Russia, Switzerland, Indian British colonies, Argentina and Egypt. (Ottolenghi 1901) For an account of the development of bertillonage in the western world before 1900, see Becker and Wetzell (2006). An interesting survey on the diffusion of Bertillon judicial photography is in Gilardi (2003).

perceived as mostly corrupt and unprepared individuals in white collars, as experts of crime and criminals.⁴⁰

Italian police definitively suffered a problem of public image and acceptance. At the time the conference was set up, the Italian police still lacked both any scientific identification technique and a rational organisation. This was considered a sign of regression, or social malady, like Ottolenghi underlined in his remarks at the 1898 Conference.⁴¹ The *questori*, nominally dependent on local representatives of the central political power (the prefects), were exposed to local political pressures and enjoyed a level of autonomy that continuously frustrated any attempt of a national organisation. There was a high level of corruption and a low level of education that characterised the Italian police agents and deputies. This and the dramatic lack of coordination between national police forces and royal *carabinieri* (an army force with the task of territory control – depending directly by the Ministry of the War) all contributed to reinforce the population's distrust in the police.⁴² The introduction of modern forms of police organisation was considered helpful in promoting the status of police officers before the public eye; however all remained stagnant until the set up of the conference.⁴³

When the International Anti-Anarchist Conference was proposed, again the best expert at disposal revealed to be Cesare Lombroso. A few years before the congress, he had published a couple of books applying his theories to political criminals. For the same reasons listed in chapter one, Lombroso's solution was in line with the cultural approach to crime along with popular rallies by Liberal elites at the end of the century.⁴⁴ In two books written in the 1890's, *Il delitto politico e le rivoluzioni in rapporto al diritto* (Political Crime and Revolutions Compared to Law) and *Gli anarchici. Psicopatologia criminale di un ideale politico* (Anarchists. Psychopathology of a Political Ideal), Lombroso dealt with forms of social and political rally, from political demonstration to anarchist bombings. He made his position clear when speaking on political situations in Italy at that time:

Man and the human society are instinctively conservative; and if the organic and human development can only move slowly, being the result of powerful frictions caused by both outer and inner events, it follows that any yank toward progress, expressing itself too abruptly and violently, is not a physiologic event. Even though it sometimes represents the need of an oppressed minority, it still is judicially an antisocial event, hence a crime.⁴⁵

⁴⁰ See Lòpez (2006), Lu (2005), Lucassen (1997) and Emsley (2000). Lòpez is especially clear when he explains that despite the fact that the technique was too complex to expand outside the circle of few initiated, “police attached a science gage to its identification techniques in order to legitimate budget requests and preserve its inquisitorial role” (2006: 72).

⁴¹ Ottolenghi (1901).

⁴² Regarding the historical account of Italian police officers' discredited reputation, see Davis (1988) and Hughes (1987; 1994). For an account of the side effects of the proliferation of Italian police corps, see Emsley (2000).

⁴³ See Ottolenghi (1897b) and Alongi (1897).

⁴⁴ Lombroso and Laschi (1890) and Lombroso (1894). The main consequence of Lombroso's clinical treatment of anarchism and political turmoil in general, was that it denied any form of dignity to political seditions, reducing them to forms of ordinary criminal behaviours. For a clear explanation of the political advantages of such a view, see also Jensen (2001).

⁴⁵ Lombroso and Laschi (1890: 31).

His sympathetic statements for the socialist party did not restrain him from taking position against the *Associazioni di Mutuo Soccorso* (Association of Mutual Assistance), one of the most successful self-organized forms of welfare at the end of the nineteenth century.⁴⁶ In 1876, Lombroso wrote:

The eruption of the modern civilization, together with a real forgery of freedom, imposed political laws and new forms of popular government, favouring any kind of popular association (*sodalizio*) like popular exultations (*tripudi*), or the constitution of political, administrative enterprises, or of association of mutual assistance. What happened in Palermo, Livorno and Ravenna shows the short distance between those innocent and magnanimous enterprises and crime.⁴⁷

Such statements echoed police officers' and prefects' anxiety about popular forms of association like the *Consociazione Repubblicana Romagnola* (Republican Consociation of Romagna), a "union of more than 200 associations of mutual assistance, cooperatives, and cultural, entertaining (*ricreative*) and more properly political associations,"⁴⁸ seen as "the real engine of socialist enrolment."⁴⁹

Lombroso wrote even more rudely about anarchists. They were depicted mainly as "*tipi delinquenti* (criminal types)"⁵⁰ in *Il delitto politico*, and defined insane, abnormally characterised by morphological stigmata easily recognisable by means of the application of criminal anthropology in his 1894 *Gli anarchici*. Such a conception offered a solution to the political impasse of the government, which was unprepared to deal with both the new popular forms of political representations and the social rallies around that arose in many regions of the country. Lombroso's approach, again, found a fertile ground especially in the periphery, in prefectures and police barracks. The 1878 prefect's report from Modena, for instance, echoed Lombroso's opinion: I "exclude the internationalists from the political parties. Aiming at the destruction of the status quo, at the massacre of wealthy citizens and at the expropriation of their goods, they can be considered common criminals (*autori di reati comuni*) whom the Penal Code takes good care for (*ben provvede il Codice penale*)."⁵¹

⁴⁶ Bulferetti explains this apparent inconsistent behaviour recalling that Lombroso was a member of the moderated and bourgeois branch of the socialist party in Turin, and that in the 1899 political election the party was ready to sign a formal ally with the Liberal bourgeoisie with whom they shared common interests. The same rejection for the militaristic turn of the Crispi government in 1898, that chose to repress the popular rally with the help of the army, according to Bulferetti, places Lombroso within the moderated political stream of the socialist party in Turin (Bulferetti 1975).

⁴⁷ Lombroso (1876: 132-133).

⁴⁸ Ridolfi (1990: 171). Association of Mutual Assistance appeared in Italy around 1860s. Most of them had limited relations with political parties, representing more in a way for the bourgeois class to occupy the social and political niches left by the aristocracy committed with older regimes. Mostly the Associations provided financial help and sanitary assistance to members of the working class, guided by elements of the same social class in charge of the municipalities. In a few cases, though, especially after the 1870s, they became a way for working class leaders to forge the core for future labour unions. In particular, the *camera del lavoro* (labour chamber), an institution founded to help workers to defend their rights to work, was the most successful attempt to link the socialist movement, with a strong support by city workers, and the working class in the countryside. For an account on the Association of Mutual Help in Italy after the national unification, see Azzi (1970) and Ridolfi (1990).

⁴⁹ ASM rel. Pref. 1899, quoted in Azzi (1970: 281).

⁵⁰ Lombroso and Laschi (1890: 250).

⁵¹ ASM – Rel. Pref. gab. 221, II sem. 1878; quoted in Azzi (1970: 256). Richard Bach Jensen has solidly supported this point. His statement is that criminal anthropology played a primary role in the Italian war against anarchists at the end of the nineteenth century. According to the author, the adoption of "a policy towards miscreant anarchists that was congenial to that advocated by such criminal anthropologists [...] allowed the government to reframe the whole question of anarchist assassination attempts, defusing and diminishing their

Lombroso's solution was functional to the political intention of denying a political status to the criminal movement. If the anarchist was insane, abnormal characterised by morphological stigmata easily recognisable by means of the application of criminal anthropology, his acts could be easily deprived of any political meaning. Such a conception reflected the cultural and political ways Lombroso was living in Turin. As a member of the socialist party of Turin, Lombroso tried to trace substantial difference between healthy political forms of rebellion and morbid expressions declaring anarchy in 1890, "an anti-social fact, and hence a crime," and classifying most of the anarchist mostly mad, lunatic, or morally insane in 1894. He was very careful to distinguish between the political revolution like the Risorgimento unrests that inspired the unification of Italy and riotous rebellion as the anarchist bombing. Studying the portraits of 518 leading characters of Risorgimento, Lombroso could find 454 normal types and only three criminal types, a figure "a lot lower than the percentage of criminals that can be found 'among the honest'."⁵² On the contrary, "*within the ranks of the anarchist party* we can find many criminal types."⁵³ Again in 1894, Lombroso was very careful to underline the distance between the socialist party and anarchic movement.⁵⁴ This distinction between the abnormal criminal and the rest of the population, as already stated, was the rationale for a national plan for the innovation of national security; a national plan Lombroso introduced in his 1879 book on the causes and remedies for crime.⁵⁵

2.4 -The Crime Doctor - Ottolenghi and Italian Scientific Policing

In line with this project, University of Siena lecturer, Salvatore Ottolenghi, inaugurated the first national course of scientific policing in 1897. The idea of the lectures dated back to 1895, and paralleled initiatives from abroad, like Hans Gross's courses in Vienna. With respect to what was taught abroad by Bertillon, Edmond Locard, Rudolph A. Reiss and Hans Gross,⁵⁶ the major difference was represented by the inclusion of criminal anthropology as a basic element of the future scientific police officer's toolbox. According to Ottolenghi, the main task of police officers was the accurate record of both physical and psychical character of the offender, considering this the first step of the process toward the acknowledgment and the accurate classification of the criminal mind.⁵⁷ If foreign police officers used modern techniques like anthropometry, *portrait parlé*, and judicial photography to objectively represent the physical identity of the convict, Ottolenghi insisted that the physical identification was nothing more than an initial step. He promoted instead a Lombrosian classic: the analysis of the relationship between physical and psychic characteristics, including her

impact by looking at them basically as the deeds of the mentally unbalanced, juvenile delinquents, and common criminals rather than of social reformers or political activists" (Jensen 2001: 31-32).

⁵² Lombroso and Laschi (1890: 250).

⁵³ *Ibid.*

⁵⁴ In his book on anarchy, he declared: «Socialism, in the end, refutes anarchic theories.» (1894: 107)

⁵⁵ Lombroso (1879).

⁵⁶ Edmond Locard, former assistant of Alexandre Lacassagne, had been head of the criminal laboratory in Lyon since 1910. Rudolph Reiss was the founder of the Institut de Police Scientifique of Lausanne in 1909. Hans Gross, renowned Austrian criminal jurist, established the Institute of Criminology in Graz.

⁵⁷ Beside the vast number of articles published on reviews like Lombroso's *Archivio di psichiatria, scienze penali ed antropologia criminale per servire allo studio dell'uomo alienato e delinquente*, Alongi's *Rivista di polizia scientifica*, *La Rivista Italiana*, *Zacchia*, and on the School of Scientific Police's *Bollettino*, Ottolenghi promoted this viewpoint also in his most renowned publications. See Ottolenghi (1910; 1932a).

behaviour, posture, slang and habits, would lead indisputably to the appreciation of her degree of social dangerousness, and eventually to the nature of her personality.

The Italian school's specific contribution to the study of crime, seen in the whole continent as a "pestilential germ... contagious... [sometimes] hereditary,"⁵⁸ was therefore a mixture of the main ingredients already introduced: Quételet's average man, Lombroso's criminal man, Bertillon's anthropometry and the physicians' mission evolved from the defence of individuals to the defence of society from degenerative threats. It is easy to see all of them at work in most of Ottolenghi's writings during the building process of the Italian scientific police. In Ottolenghi's 1897 *Prolosione al corso di polizia giudiziaria scientifica* (Opening Lecture of the Course of Scientific Police), Ottolenghi explained that the main goal of the police was prevention. This could be achieved by being acquainted with the criminals' nature; knowing the criminal by foreseeing his actions, which could lead to the preservation of society from his contagious threat, the main goal of any police officer. This knowledge could be achieved with the valuable help of the criminal anthropology that "laid bare [both] the physical and the psychical nature" of criminals. Without training in criminal anthropology, the P. S. remained the "empirical" corps that could count only on a few Achilles and Ulysses. The P. S. flattered itself in knowing who the criminals were just like those women who, with their empirical information, flattered themselves in knowing how to cure diseases they really knew nothing about.⁵⁹ Drawing on criminal anthropology to improve the status of police officers could help win the war against crime, as it transformed the empirical police force into a scientific one.

Anthropologists showed the nature of those criminals, their differences from the average man, their differences from one another, what they are made of, the ways their heart beats, their skin feels, the ways they elaborate their ideas, the nature of their feelings, their passions, the causes that make them commit crimes; sociologists proved the powerful influence of the environmental conditions which are the incubators of such disastrous microbes.⁶⁰

Such a powerful form of knowledge should be applied first to a reform of the penal policy, in order to focus on criminals and consider punishment as a social cure and no more a vengeance; and secondly to the improvement of the Italian police. For that purpose, Ottolenghi proposed the introduction of two new instruments: a *notiziario statistico grafico* (statistical-graphic bulletin) and a *casellario giudiziario biografico e antropologico* (judicial, biographical and anthropologic register). They both led directly to the achievement of the two goals just listed: the statistics needed to build up the figure of the average man and the gathering of all the cases of deviances from that average, region by region. Ottolenghi believed data collection was most important. In the *Rivista di polizia scientifica*, a section entitled *Monografie locali* (Local Monographs) was reserved to officers' descriptions of the areas under their jurisdiction. This section could remind us of the articles published by early "criminalists," descriptive forms of narrative that were very common among police officers at that time. Ottolen-

⁵⁸ Quételet's words quoted in Beirne (1987: 1160); see also Horton (2000) for an overview on American and European opinions on crime.

⁵⁹ Ottolenghi (1897b: 15). Echoes of Lombroso's 1879 book are visible. The adoption of the old master's mythological metaphors is another clue that Ottolenghi and Lombroso are pushing the same project through.

⁶⁰ Ottolenghi (1897b: 67). Quételet's approach is easily recognisable.

ghi wrote a note exhorting more precise and diffused descriptions, asking for “numbers – local statistics” and recommending the authors to refrain from spreading “any opinion on people, should had the monographs a purely objective character.”⁶¹ Following in Quételet’s tracks by the collection of statistical data, the criminologist should scientifically acquire the map of the population by region, class, age, gender, etc. All of that data could then be compared with the direct anthropometric measure of a convict, confronted with the anthropometric values of the homogeneous group the convict belonged to, interpreted under the light of the theory of the criminal man, and eventually written down in the *cartella biografica dei pregiudicati* (criminal biographic file), categorised alphabetically in the central register. Instruments to improve the anthropometric measurements were most welcome too, and in the *Rivista* there was plenty of room for the descriptions of the Anfosso’s anthropometer and craniographer - an instrument that could reproduce a skull profile in a easy and precise way, as well as of the Ellero’s Twins – two cameras coupled at ninety degrees that could simultaneously snap to produce mug shots needed in the Bertillon’s identification album. Thanks to the information included in the criminal biographic file, judges, officers and jailers would know the tendency to crime and recidivism degree for each individual, and, consequently, could easily choose the most appropriate course of action.

Ottolenghi once again followed Lombroso with respect to the issue of the Italian police officers’ lack of education. He aimed at the adoption of the criminal anthropological techniques under an experienced medical lead. In his plan, police officers had to gain what he considered a minimum level of a criminologist culture. Such a culture could not just be limited to chemistry, physics and ballistics. In fact, contrary to what was proposed by another notable chief of scientific forensic laboratories of the time, Edmond Locard, Ottolenghi did not see Sherlock Holmes’ figure as the symbol of the individual excellence, the model of the scientific detective.⁶² According to Ottolenghi, the presence of several Holmes’ within the police ranks was comparable to that of Achilles and Ulysses seen by Lombroso few years before, and equally useless. His goal was to create an army of Italian Lestrade, trained enough to carry out the basic scientific identification tasks in a standard way, and placing them under the lead of a selected number of forensic experts educated in criminal anthropology. Ottolenghi compared Holmes genius level to the level of a well-trained clerk, under the guide of Lombroso. The technical level, as Locard preferred to call it, needed a real scientific backup, and only criminal anthropology could provide such.⁶³ It was the scientific methodology, thus, that distinguished the empirical from the scientific police,⁶⁴ and for it to be accepted as scientific, had to satisfy a few conditions: it should be quantitative, replicable and universally applicable. Regarding the universality of the descriptions and the quantification of the phenomena, Quételet’s statistics and Bertillon’s measuring techniques provided observed regularities that let emerge the average sets of data, constituting the precious figure of the average man. Sharing Quételet’s belief,

⁶¹ Quoted from RPS (1897), p. 160.

⁶² Locard (1919).

⁶³ Rusticucci (1927).

⁶⁴ Ottolenghi (1907).

Ottolenghi believed that human phenomena, when observed on a large scale through the prism of statistics, resembled the patterned behaviour of physical phenomena and could be studied within the same range of accuracy. The general lines of this methodology can be seen in Ottolenghi's 1907 *Quadri Sinottici* (Synoptic Tables) where he maintained that

[Forensic scientists'] Judgments must rely on facts.

Facts must be inferred through a direct or indirect exam of the individual, namely studying the subject.

Facts must be collected through the application of a rational methodology.

Facts must be collected in manifolds, unquestionable, and well related.⁶⁵

Still, in his 1910 *Trattato di polizia scientifica* (Treatise on Scientific Police), he was very clear about the primacy of the collection of the average features. Almost quoting Quételet, as already underlined in chapter one, he explained how collections of natural characters formed homogeneous groups, and how in each group, the average value stood for the most common feature of the population under exam. It was this grouping, represented by the well known bell shape figure (Fig. 2.2), that characterised a scientific description of nature, and it was in this way that human features should be collected and described.⁶⁶

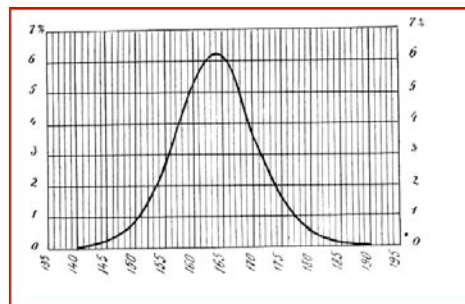


Fig. 2.2: Livi's curve representing the distribution of heights measured on men in Emilia Romagna in 1910. This is an emblematic scientific description of a natural character. (Ottolenghi 1910: 393)

As far as the “replicability” of the scientific observations was concerned, Ottolenghi relied on sound training. Once the methodology was taught it could not be forgotten, and when applied on the same criminal by different students, it always concluded with the same identical result. In 1898, echoing Galileo's words, he wrote: “the human face is like the page of a book that nobody can read but the ones who know the language it is written in.”⁶⁷ The core of this special training, then, was based on the *segnalamento descrittivo* (descriptive technique), “the basis for the institution of a real sci-

⁶⁵ Ottolenghi (1907: 127).

⁶⁶ Ottolenghi (1910: 390-3).

⁶⁷ Ottolenghi (1898a: 205). Compared with Galileo most famous claim: “Philosophy is written in this grand book – I mean the universe – which stands continually open to our gaze, but it cannot be understood unless one first learns to comprehend the language and interpret the characters in which it is written.” Quoted in Biagioli (1993, 306-7).

entific police”⁶⁸ embedded in the *portrait parlé*. Once the officer acquired the method, even when the offender left the prison, “his *personality* [...] remain[ed] in the [police] office.”⁶⁹

Assuming Ottolenghi felt Galileo’s metaphors and language were not enough, he went for Descartes’s authority to obtain a definitive authoritative cover of his scientific methodology.⁷⁰ He was confident that the scientific basis of any investigation depended uniquely on the *method* followed in doing it. In Ottolenghi’s newly achieved view, his scientific status of forensic enquiries would have also provided support to Lombroso’s criminal anthropology at large.

The 1898 International Anti-Anarchist conference was the chance for Lombrosians to push forward on by becoming a symbol of the reorganization of the national bureaucracy inaugurated by Francesco Crispi four years before.⁷¹ The concomitance of national and international pressures eventually overcame the resistance of traditional political interests within the Italian police corps. As we already saw, the structure of the Italian system of national security was characterised by a distributed network of isolated and almost autonomous nodes, the *questure*. Those nodes were the places where information about criminals were recorded and preserved. Personal files collected traces of criminals’ history since their first arrest. Contrary to Ottolenghi’s plan, similar procedures involved neither scientific identification techniques nor a central repository where the files would be stored together. In such context, the moving of a criminal from a city to another was comparable with a complete change of identity. Furthermore, the lack of resources and of suitable men in the *questure* caused embarrassing gaps of information in the archives, with personal files not updated properly and scarcely alphabetised agents put in charge of the compilation of the documents.⁷² Ottolenghi’s system required a massive political intervention with the promotion of a higher level of education for agents, a more efficient information management, more rigid practices for identifying offenders and a reliable way of communication with respect to the criminal biographic files.⁷³

By 1902 things began to change. Francesco Leonardi, general director of P. S., pushed for a centralisation and rationalisation of police administration. In order to improve and optimise the personal record of offenders, which every *questura* had to be filled out since 1889, Leonardi proposed

⁶⁸ Ottolenghi (1898b: 244).

⁶⁹ Ottolenghi (1898b: 245), italics in the original. The ideal scientific police officer Ottolenghi had in mind differed consistently from similar figures abroad as underlined by Ottolenghi himself during the first International Congress of Legal Medicine in 1910 (Ottolenghi 1911b). Objectivity, according to Ottolenghi, was a consequence of a sound and consistent training. Accordingly, this definition of objectivity can be related to Daston and Galison’s “trained judgment” form of objectivity (2007).

⁷⁰ “The methodology of police investigations must be essentially analytical [...] This is the “method that helps us follow the real order and enumerate exactly all the circumstances of what we are looking for; it entails as much certainty as the rules of arithmetic do” (Descartes)” in Ottolenghi (1932a: 18).

⁷¹ Saracini (1922: 166).

⁷² Complaints about the low cultural level of Italian police officers are a popular belief at the time (Alongi 1898). Administrative police work has always been a heavy burden to carry for police officers. Ministry of Interior’s circulars promulgating instructions for a correct filling out of the criminal individual cards are a frequent refrain in the communication between *questure* and Police General Administration. See, for instance, the correspondence between the Milano *prefettura* and *questura* in ACS - Fondo Prefettura Gabinetto Serie I, b. 170.

⁷³ Davis (1988).

his former colleague of the “Crispi Committee,” Salvatore Ottolenghi, to collaborate in the planning for a new criminal biographic file.⁷⁴ Ottolenghi worked hard on the pre-existing document – an eight pages narration of the criminal’s biographical and juridical history introduced by Crispi at the end of the 1880s - and that same year he submitted the new, scientific *cartella biografica dei pregiudicati* (criminal biographic file), filled with a simplified version of Bertillon’s *portrait parlé*, and a full set of instructions targeted on the cultural level of the police officers who held the responsibility. Ottolenghi realised that this was his best chance to push for the introduction of scientific methods of identification in police administration practices; hence, adopting the rigour of Bertillon’s *portrait parlé*, he designed the new document according to the Lombrosian aim of classifying the criminal minds.⁷⁵ Taking into consideration the low level of education of Italian police agents, Ottolenghi designed training courses in scientific policing reserved for deputy commissioners and police officers.

The Minister of the Interior, Giovanni Giolitti, accepted the idea sponsored by Leonardi, and the course started in October 1902. Held in a room in Regina Coeli, Rome’s main prison, the course represented the foundation of the School of Scientific Police. The initiative soon became functional to the training modern class bureaucrats needed by the new state. A few months later, Ottolenghi was asked to organise a regular training course on scientific police reserved to “the new students of the police Administration with the scope of gradually introduce new scientific criterions into the national administration bureau.”⁷⁶ The 25 October 1903 Royal Decree held that courses at the School, an institution yet to be legally founded, were made compulsory to all police officers. The number of room increased and a small lab was added to the lecture room. The teachings were based both on theoretical modules and on intense workshops focused on the physical examination of criminals generously provided by the director of the prison. Despite the School soon moved to a better location at via delle Mantellate, which faced the prison, evident logistical difficulties still characterised the didactic activities. Still in 1913, an American visitor can testify the precariousness of that accommodation:

The school is a modern building [...] constructed expressly for its purposes. [it’s composed by] the office of the director, a small museum of criminology, the Bertillon and dactyloscopic records and the Rogue’s gallery [...] a modern laboratory for the microscopical and chemical examination [...] a psychological laboratory [...] the service of identification and dactyloscopy [...] the rooms of the staff, the library and the classroom. The latter is an amphitheatre with antiquated, uncomfortable seats for the pupils, which would not be tolerated in a primary school [...] the toilet rooms are of inferior type and there are no lavatories [...] cleanness is rather marked by its absence. Moreover the classroom is overcrowded [...] the auditorium is fitted up so that cinematographic and stereopticon performances may be given. The criminals, who have consented to appear before the class for study purposes, are brought here directly from the prison.⁷⁷

⁷⁴ The number of the *questure* in Italy varied significantly regarding the way to politically increase the number of *questori*, hence a political way to control dissatisfactions of police officers. Before 1919, in particular, a *questura* could be set up only in cities with more than 100.000 inhabitants.

⁷⁵ Falco (1938).

⁷⁶ Saracini (1922: 164).

⁷⁷ Von Borosini (1913: 883-4).

In 1904, the School was entrusted with the identification task of all the offenders arrested in the area of Rome. At that time, scientific police was mainly characterised by Bertillon's anthropometry and judicial photography, and measures and mug shots filled in the areas of the *cartellino segnaletico* (individual card).⁷⁸ It took at least four years for fingerprints to become the most sensible data of the document. During that period, as explained more extensively in the next chapter, Italian fingerprinting emerged from a pre-existing set of systems previously promoted by the Lombrosian community of scholars. While those systems entailed an anthropological function of fingerprint patterns, putting fingerprint and other physical stigmata on the same footing, the School's fingerprinting distinguished by loosening this Lombrosian function.

In order to promote scientific policing at the national level, the School developed expertise in three different areas: "identification," with the creation of a *casellario centrale* (the central identification register); "technical investigations," focused on the chemical, physical analysis and on the scientific crime scene investigations; and the "anthropo-psychological and biographic profiling" (APBP hereafter). This last area represented the Lombrosian core of the School, the area that enhanced the link between physical characters and psychological profiles.

When on 7 December 1919 the royal decree n. 2504 legally founded the Italian School of Scientific Police, the institute was already in charge of more than 500 *posti di rilievo segnaletico e dattiloscopico* (fingerprint survey rooms) spread throughout the police barracks across the country, courses were regularly given to officers belonging to police, *carabinieri*, navy, penitentiary and colonial police. Case studies were published on the brand new *Bollettino della scuola di polizia scientifica* (Bulletin of the School of Scientific Police), and the School was very well known abroad.⁷⁹

2.5 Lombrosian Experts

Ottolenghi informed all the three areas by Lombrosian philosophy, distinguishing Italian scientific police experts from their colleague abroad. If the APBP was explicitly Lombrosian, the other two embedded the same philosophy into bureaucratic practices taught at the courses and later on implemented in every official act of identification performed in peripheral *questure*.⁸⁰ Nothing was left unchanged, not even Bertillon's *portrait parlé*, which, in the Italian version approved and promoted by Ottolenghi, reserved more attention to behavioural physical traits and stigmata like tattoos and physiological twitches.⁸¹

⁷⁸ Among the Italian accounts for the history of the School, see Falco (1934), Pasanisi (1966), Paceri (1978), Ministero dell'Interno (2004), Giuliano (2007). A first-hand account on lessons and structures of the School can be found in von Borosini (1913). See also Gibson (2002) for an account of the history of the School in English.

⁷⁹ Von Borosini (1913), Ottolenghi and von Borosini (1913).

⁸⁰ Regarding the teaching of Lombrosian tenets in class, see Ottolenghi (1907). The accuracy that characterised the evaluation of such training can be checked in ACS - Fondo Scuola Superiore di Polizia - b. 20 and b. 21.

⁸¹ Italian adjustments are in Ottolenghi (1907; 1910).

The Lombrosian influence shaped the practices carried out within the identification task. These practices focused on the physical identification of criminals carried out by using four different techniques: scientific description (*portrait parl *), judicial photography, anthropometry and fingerprinting. To give a better idea of the Lombrosian focus on the psychological meaning of any body expression made by Ottolenghi, let me introduce an earlier proposal for the introduction of identity cards supported by the Lombrosians a few years before the foundation of the School.

In 1898, Luigi Anfosso, introduced the craniograph in a short article published in the *Rivista di Polizia Scientifica*.⁸² (Fig. 2.3)

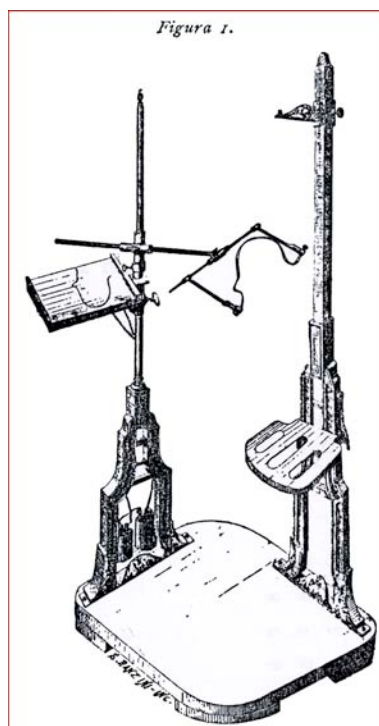


Fig. 2.3: Anfosso's craniograph

The instrument was supposed to reproduce the profile of any skull and release a graph to be kept along with the identification document. Whenever requested, the graph would be submitted to the police officer for a comparison as an unalterable proof of identity. The craniograph offered few attractive features to Ottolenghi; not only the skull's shape was a major physical identification character,⁸³ rather as a *connotato* (personal description), it was directly linked with the personal biographic file through the *portrait parl *, and eventually it was a strong marker of atavism and a link to well known criminal types (As shown in Fig. 2.4a and 2.4b).

⁸² For a description of the craniograph see RPS (1898) no. 6; or Horn (2003).

⁸³ As stated repeatedly in Ottolenghi (1904a; 1907; 1910).

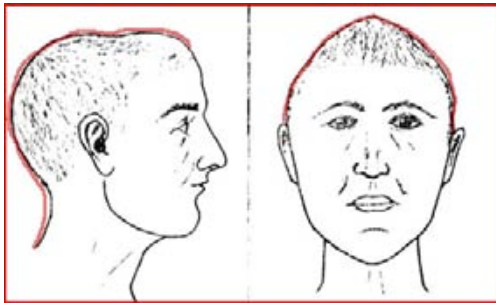


Fig. 2.4a: enhanced main cranial features. (Falco 1923)



Fig. 2.4b: identification of the correlated anthropologic type; in this case the inferior type in Ottolenghi's classification. (Ottolenghi 1932a)

Resulting in a real anthropometrical measurement, the craniograph provided the kind of data that satisfied the homogeneity condition of Quételet's statistics; hence, according to Ottolenghi, it was real science. Unfortunately, there were problems in using such information as the unique key at the basis of a practical and reliable criminal archive. At the same time, like bertillonage, it was hardly reliable in the identification of children and women.⁸⁴

Ottolenghi and the Lombrosians proposed two different kinds of anthropometric measurements. The first set of measurements was meant to be of daily use as a portable description of the suspect, with measures taken on his typical posture, without recurring to any constrained and unnatural position. The second was made up on precise and accurate Bertillon measurements. Regarding his set of eleven body measures, it was used as primary step for a complete comprehension of the suspect's personality. Moreover, because according to Ottolenghi, a trained eye was always needed to make a reliable morphological description, the utilisation of white-collar ignorant of anatomical and psychological knowledge in anthropological tasks had to be rejected.⁸⁵ Spelling out what he defined the semeiotic approach to crime (*lettura semeiotica*), he stressed the importance of a topological approach to the descriptions of body characters, and of the correct use of medical terminology.⁸⁶

The practice of fingerprinting in Italy was influenced by Lombrosian's tenets as well. The construction of the formula that described the set of the ten patterns was emblematic. The Italian formula was the result of statistical studies on the distribution of the patterns that echoed in their aims and methods classical Lombrosian studies on abnormal characters among criminals. As such, it lacked

⁸⁴ See Ottolenghi (1910), Gasti (1912). Regarding gender problems concerning anthropometry, see Cole (2002).

⁸⁵ "The eye can see only what the mind knows already; in the same way that a layman can look at the sharpest specimen through the microscope without understanding a thing, nothing must be expected by an observer who isn't familiar with the elements he is expected to see before actually seeing them" - Ottolenghi (1910: 314). Another renowned physician sustained a very similar thesis in the 1930s. See Fleck (1935; and especially 1947).

⁸⁶ Ottolenghi was aware that overemphasizing the period of training could lead to objections. On one hand, he wanted to make the course compulsory to the formation of the expert eye; on the other, he didn't want to alarm institutions with exorbitant requests. The result was a proposal of three month courses for the formation of the perfect scientific detective, while one week only was considered enough to train "even an average IQ lad [...] to corroborate an individual identification in few minutes" (Rusticucci 1927: 10).

any use of control groups, and aimed at establishing connections between fingerprint patterns and criminal tendencies. Moreover, the structure of the central identification register, based on alphabetic as well as fingerprinting ordering, respected the Lombrosian focus on the criminal and not on the crime.⁸⁷

Technical investigations had a strong Lombrosian imprint too. Ottolenghi worked personally on a scientific approach to crime scenes, and he developed a *ritratto parlato del sopralluogo* (crime scene portrait) that was a description of the crime scene carried out following rigid rules and using an appropriate terminology. The correct method involved a topographical approach to the scene carried out in a strictly ordered series of steps – description should start from the outside and move to the inside of the scene, from left to right, from top to bottom, etc. Identical to the topographical composition of Ottolenghi's *portrait parlé* of suspects, its aim was to let officers “see” the clues in the crime scene without being there. Strengthening the similarities with the *portrait parlé*, the “crime scene portrait” played a primary function: it was to let the officer understand the personality of the criminal through the studying of his *modus operandi*. The account of the modalities the criminal chose in breaking in and moving on the crime scene, offered precious indications about ways of performing crime as well as about criminals' psychology; in the same way that the offender's descriptions and identification marks were the founding bricks of the complete understanding of his nature.⁸⁸

Fingerprinting played a primary role even in crime scene investigations, even though it was a brand new technique. Technical investigations results of crime scenes were reported in cards put into a special archive called the *modus operandi* register. Whenever the intruder or burglar was identified, the mathematical description of his fingerprints together with a print of his left index were recorded in a card and pigeonholed by the method followed during the crime. In this way, the *modus operandi* archive and the central identification register remained linked together. Whenever a latent fingerprint was found on a crime scene, it was withdrawn and photographed. As soon as the crime scene identification marks pointed in direction of one specific *modus operandi*, the examiner could turn to the *modus operandi* register and request all cards collected in that specific drawer. The analysis of the latent fingerprint would give indications on the possible hand that left it, and this would lead to the comparison with the fingerprint formula on the *modus operandi* cards. Every match would be followed by the actual confrontation of the latent fingerprint with the one related with the *modus operandi* card and collected in the main archive. Otherwise all the fingerprints of all cards found in that specific drawer would be compared, finger-by-finger, with the latent one.⁸⁹

⁸⁷ Regarding the Lombrosian nature of Italian fingerprinting, see chapter three.

⁸⁸ Ottolenghi (1932a: 363-364) and Giri (1939).

⁸⁹ Using the database as an “active agent of criminal investigation” created a population of suspects, a “suspect pool” as Simon Cole and Michael Lynch explained regarding the introduction of DNA at the end of the 1980s. According to the authors, “the exact composition of the suspect pool is a product of conventional police investigation and of common assumptions about patterns of criminality in neighbourhoods. As a way to handle this problem, forensic organisations used rough racial or ethnic classifications” developing “sepa-

It was the APBP, though, that represented the most distinctive character of the Italian scientific police. Ottolenghi understood it as the ultimate task for a scientific detective: the grasp of the criminal's mind. Aware of the unpractical nature of Lombroso's elaborate typology of criminal, Ottolenghi developed a new classification (see Table 2.1).

Abnormal State	Attitude	Type of Criminal
Lifelong	congenital	Born
		Criminaloid
temporary	acquired	habitual
	passional	
	emotional	

Table 2.1: Ottolenghi's typology of criminals. (*De Sanctis and Ottolenghi 1913*)

The job required the compilation of the four sections of the criminal biographic file, a two-step procedure: first anthropometric measurements, alongside with the evaluation of the neural-muscular status, pain tolerance level and left-handiness degree should provide medical data to establish the sanity degree of the subject. The latter step was based on detailed interviews and on an accurate study of the suspect's personal history, ending up with the ascertainment of his degree of social dangerousness written down in the biographic personal file ready to be seen by judges.⁹⁰ In Ottolenghi's words:

It begins with the physical examination, similar to the one needed for a description, which is to ascertain anomalies and characteristics of the delinquent's nature, and the very interesting marks of his life, like certain traumatic scars (from falls or wounds) or certain tattoos. The examination of the wrinkles, and of the contractions of facial muscles, will disclose even the slightest mimic reaction and special mental manifestations. Next comes the psychological examination as to his intelligence, his senses, and his volitional attitude by appropriate questions suggested by the special case, which ought to furnish a good opportunity for the manifestation of desires, impressions and aspirations of the constantly observed subject, especially while telling the story of his life and during his self-defence.⁹¹

rate allele frequency tables" for ethnic population in the country (Cole and Lynch 2006: 42). The *modus operandi* archive worked in the same way, discriminating a pool of individuals among the rest of the population on the basis of a powerful stigmatising idea of man. Used to search freely for a possible source of the evidence among the pre-suspected population, this method, as made clear by the authors in the case of DNA typing, "commonly known as database trawling, comprises a new way of constructing suspects, one that bears close connections with new data mining technologies for prospectively identifying terrorist suspects" (ibid. 39). In 1938 this possibility already attracted FBI's attention. Edgard J. Hoover wrote to the Director of the School in Rome: "Desiderous obtaining any prepared literature which you may have available describing the method of filing *modus operandi* and *portrait parlé* information in you bureau. Information is also desired as to whether you utilize in connection with such files any mechanical sorting devices" (ACS - Fondo Scuola Superiore di Polizia, b. 59, f. 682).

⁹⁰ A 1941 filmed documentary on the activity of the school can be watched on the internet (Franchina 1941). The link is: <http://www.archivioluca.com>, keyword "Polizia scientifica" last visited June 8, 2009.

⁹¹ Ottolenghi and von Borosini (1913: 878-879).

2.6 - The National Security Network (1914-1922)

This section deals with the difficult task of gauging the influence of Ottolenghi's School within the Italian national security network.⁹² In researching this, the realisation came that the mere analysis of the diffusion of the scientific practices within the police daily work was not enough. In some years, the accumulation of data concerning scientific identifications, crime scene investigations, and Lombrosian profiling gave rise to figures contrasting one another. To understand the data properly, a wider context needed to be taken into consideration. Such context was represented by the positive action of a political support, something that characterised the life of the School at least until the 1920's, and the negative influence of traditional police's resistance to the introduction of scientific practices. This last character, in particular, was a constant and present danger according to Ottolenghi, who denounced it in his annual report published in the School's *Bollettino* and can be linked to a wider cultural opposition to Lombroso as explained in chapter four. What must be understood is that the period in consideration represents the creation of a brand new kind of police corps. The overall trend ended up in a rising curve, testifying the rising presence of scientific police officers within the Italian police, the birth and growth of scientific labs in the *questure*, and, most importantly, the continuous Lombrosian mapping of the population of Italian offenders.

The collection of data takes into consideration figures emerging from criminal official reports published by the Italian ministers as well as statistics published by the School itself.⁹³ The increasing number of scientific laboratories set up inside the *questure*: twenty-six in 1914 and thirty-three in 1922 (see the Appendix, Tab. 7.1), twenty years of lectures and courses, about 1,292 students (see the Appendix, Tab 7.2); changed slightly but sensibly the weight of police science within the Italian system. The expansion of police science was fought back by "traditional personnel's fear for novelties (*misoneismo*)" that, as explained in the previous sections, represented the strongest opposition to innovation in police practices.⁹⁴ The figures concerning the conviction rate due to the application of scientific methodologies were still low and revealed a waving trend that suggests the marginal but constant role of the School in police practices (see the Appendix, Chart 7.1). Although the judicial activity remained almost at the same level - with a maximum of 132,096 convicts in 1914, a minimum of 72,366 in 1918, and 127,989 convicts in 1922 - the percentage of sentenced on the basis of a scientific identification showed a maximum of 1.80% in 1914 decreasing to the minimum 0.90% in 1920. This decline can be explained by the negative trend of the production of individual cards (figures are in the Appendix, Tab. 7.1), hardly justified as a side effect of the war period and con-

⁹² Following Foucault's suggestions, that power "traverses and produces things, it induces pleasure, forms of knowledge, produces discourse [...] it needs to be considered as a productive network that runs through the whole social body" a specific focus has been maintained on the diffusion of police practices and identification procedures, believing that the diffusion of practices promoted by the School could be a reliable sign of the power acquired by it (Foucault 1994: 120). However, as explained in the chapter, police practices could not be considered the only form of "things" produced as a consequence of the introduction of a scientific police order.

⁹³ Figures are taken mainly from Ministero di grazia e giustizia (1940) and statistics published in BSP. Raw data and tables can be found in the Appendix.

⁹⁴ Saracini (1922: 164).

nected instead to the rising force of police resistance favoured by the weakening of the political support.⁹⁵ The production of the individual cards went from a maximum of 16,855 in 1914 to the minimum 8,110 in 1920, ending with 8,675 cards in 1922. The overall amount of identifications carried out by the School forms a curve with a maximum of 2,379 identifications again in 1914, a minimum of 794 identifications in 1918 and the relative maximum of 1,313 identifications in 1922. The rate of recidivists identified by the School was additional data that unveils the expansion of police science. The maximum of 5.79% in 1914 and an overall negative trend that ended with a 2.90% rate in 1922 say a lot about the judicial practices of identification of habitual criminals more than twenty years later the International Conference that sponsored bertillonage in Italy.⁹⁶ Moreover, even the production of individual cards per scientific laboratory provided a negative trend, decreasing from the maximum of 597 in 1914 to the minimum of 230 of 1920 and ending with the slightly superior amount of 235 in 1922.

A positive and encouraging trend can be found in the Lombrosian practices carried out by members of the School. The number of convicts undergoing the APBP shows a very positive trend: going from 135 in 1914 to a maximum of 174 in 1922, and showing only a flex in 1920. Moreover, the increasing number of crime scene investigations offers another positive result. In this case, figures form a solid trend showing a growing curve with a peak in 1922, increasing from 75 interventions in 1914 to 186 in 1922.

By reading the official communications between the School, the Ministry of the Interior, and the *questure*, we can frame the figures reported above within a wider and clearer picture. What emerged from the correspondence is the almost undisputed political backup Ottolenghi's School have enjoyed since its foundation.⁹⁷ In particular, it is worth noting the incessant political support the Ministry of the interior gave to Ottolenghi in keeping pressure on the *questure* identification offices to keep the quality of the identification tasks high. Every time the head of the School lamented a poor attitude, collapse in the production of individual cards or inadequate fingerprinting, ministerial circulars were given to prefects and *questori* with rebukes and admonitions. There were at least twenty-one recorded important memorandums between 1907 and 1920. All of them gained the due con-

⁹⁵ Such a justification is presented by Gibson (2002) but rejected in 1937 by Giuseppe Falco, director of the School, after Ottolenghi's death in 1934 (see BSP (1937) no. 16) and contrasting with the analysis of the figures of Tab. 7.1.

⁹⁶ See the Appendix, Chart 7.1. Unfortunately, I could not find any statistics comparable to the one published on the BSP in order to carry out an international approach to the impact of scientific methodologies on police practices in Europe. Even works like Lòpez's or About's focused on the scientific identification, not quantitative data. (Lòpez 2006 and About 2005) If the precious statistics published by the Italian Scientific police can be considered another distinguished character of its Lombrosian nature, then they it speaks volumes in acknowledging the real impact of the positive thinking on Italian police practices well beyond the declared aims of Ottolenghi and his associates.

⁹⁷ Such a solid political support emerged even on those occasions when critics were against the assignment of the main gatekeeper of criminal information like Ottolenghi. Still in 1910, during the discussion for the passage of the Ministry of the Interior budget, Senator Salandra proposed to replace Ottolenghi with an expert and cultured high-ranking police officer. Underlining the key role of criminal anthropology in police science, Salandra stated that an officer would be "more apt to the School's nature (*indole*)" (ACS - Atti del Parlamento Italiano - camera dei deputati - discussioni disegni di legge - 8 March 1910).

sideration in the *Bulletin*. The 24 July 1910 ministerial memorandum by the Minister of Justice is one of the most quoted. In that communication, Senator Fani gave instructions to magistrates about the correct behaviour to keep on a crime scene:

It is a must [...] for the judicial authority to take advantage of the new methods of investigation and to promote and encourage the application of such methodologies [...]

For that reason I think it is useful to suggest the following rules, concerning the characters of the new investigation on crime scenes and of the staff assigned to them.

- 1) In every crime scene investigation [...] the first intervention must be a complete and regimented examination, so that nothing can remain unobserved [...]
- 2) Attention must focus particularly on the quest for and preservation of the so-called prints [...]
- 3) For the same reasons listed in the previous points, it is indispensable that the judicial authority took care first of all of the preservation of the crime traces [...]
- 4) In case an unidentified corpse is found on a crime scene, before carrying on the autopsy and burying of the body, all the signalling investigations needed for a future ascertainment of the unknown corpse's identity must be carried out. Such investigations consist in collecting photographic evidence, fingerprints, personal descriptions and identification marks and, depending on the circumstances, anthropometric measurements.⁹⁸

From 1902 until 1922, the political support did not change, and was echoed by the Police General Administration both under Leonardi and, later, under Vigliani. Ottolenghi's School was functional to governmental policy of standardisation of police tasks and of their integration within the state administration, and the political representatives underlined this role supporting the School's strategy of quality by official pressures on the prefects and on the *questori*. In line with that, since April 1918, the School had been entrusted with the organisation of special courses reserved to soldiers as well as students of the public administration.⁹⁹

The 1919 statute of the School provided even more clues of the institutional role gained by Ottolenghi's School: the figure of the managing director was described as an academic professors "with specific know-how in scientific policing,"¹⁰⁰ a figure that not only guaranteed Ottolenghi his seat, but assured a Lombrosian future to the School. Moreover, point eighteen explicitly stated that the *questure* scientific laboratories should send to the School all the individual cards concerning the great majority of the offenders contemplated by the 1889 Penal Code, a fact that placed the School and its central identification register at the centre of the national security network by law as shown by Fig. 2.5.

By 1919, Lombroso's influence had almost vanished in Italian universities.¹⁰¹ Criminal anthropology was unable to make new proselytes among the younger generations, and the main group still gath-

⁹⁸ Quoted in Rusticucci (1927: 93-6), see also Giri (1939).

⁹⁹ Saracini (1922: 242-243).

¹⁰⁰ ACS - Personale PS versamento 1963 - b. 200 bis.

¹⁰¹ The only chair in criminal anthropology was still the one originally created for Lombroso himself in Turin and held by one of his former assistant, Mariano L. Patrizi. By that time, though, even Patrizi had taken his

ered around the famous leaders of twenty years before. In such a situation, the School of Scientific Police stood as the most vital manifestation of Lombrosianism and was the source where Lombroso's tenets could eventually enter and shape Italian culture.¹⁰²

In 1919, Ottolenghi and his staff were well aware of this situation and pushed for a further development in line with Lombroso's original plan. Giuseppe Falco, assistant of Ottolenghi at the School, proposed the introduction of an individual document of identification, an ID card. He designed the document to contain a brief physical description of the owner, a photograph, and a specific space for the print of his middle finger. It was supposed to be the ultimate identification document, the linear evolution of Anfosso's craniograph. At the same time, it was thought as the bridge to connect the preventive function of the police to its ultimate target: the general anthropological map of the Italian population.¹⁰³

In that same year, Salvatore Ottolenghi made another move toward a complete institution of a real Lombrosian police. One of the main problems encountered by the scientific police was the resistance of traditional police elements inside the *questura*, resulting in lacunae and imperfections in the identification procedures. Ottolenghi therefore suggested the creation of a new professional figure that should take direct control of any peripheral scientific investigation: *il medico di questura* (the police physician). Once put in charge of the scientific laboratories, the new physician could carry out a quality control of their work and check that a major use of scientific identification techniques was in use in every *questura*. According to Ottolenghi's plan, the School then had to be placed in a central and fundamental node of the network of the Italian national security, invested of the role of gatekeeper of criminal information represented in Fig. 2.5.

distances from aspects of Lombroso's theory concerning the psychological reading of body stigmata (Patrizi 1916; 1930),

¹⁰² My reading of the development of the positive school in the twentieth century roots back to a rich literature. Such tradition focuses on the application and divulgation of Lombrosian tenets like the central role of atavism, the subdivision of men in types with the consequent defence of the criminal man, the primacy of the morphological approach to criminals embedded in the practices proposed by Lombroso and adopted in the School of Scientific Police. There are authors, though, who do not accept such a restrictive conception and consider theoretical traditions like Patrizi's monogenism and Pende's biotypology a direct development of Lombroso's philosophy. See chapter four for an account on Pende. As far as Patrizi's criticisms to Lombroso are concerned, see Becker and Wetzell (2006; ch. eight).

¹⁰³ Falco (1923) and quoted also in Rusticucci (1927). Juan Vucetich in Argentina proposed a similar plan; see Ruggiero (2001).

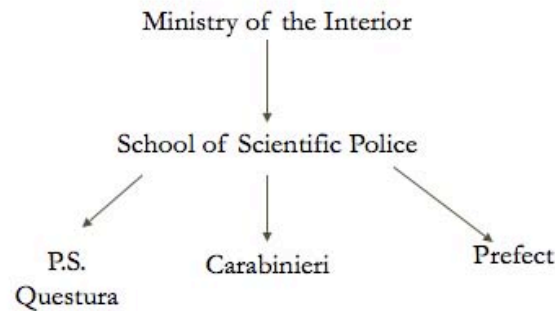


Fig. 2.5: Authority relations between Ottolenghi's School and the other main actors of the Italian national security network.

In such a schema, the School was supposed to provide a theoretical basis to the investigations of *carabinieri*, police forces, and the public administration. As a result, the trained officer would be able to understand the importance to reject the direct influence of politics on administrative and police duties. Furthermore, by the exclusive use of the central identification register, and the direct control of the scientific laboratories, the School could exert strong influences both on *questura* and prefects, limiting their political autonomy. The political acceptance of the School's strategies by the Minister of the Interior as well as by the Police General Administration, enforced such a pressure on prefects and *questura*.

2.7 - Conclusions

The founders perceived the activity of the School of Scientific Police inaugurated in Rome in 1902, as the natural development of Lombroso's plan for a modern national security system. Cultural dynamics similar to the one that promoted Lombroso's anthropological approach to criminal in the 1870's and 1880's supported the introduction of scientific policing in the early 1900. The School was functional to the Liberal elites' ongoing national building process. Among other things, this process supported a reorganisation of police headquarters under the central control of Rome, and responded to international calls for the introduction of scientific identification techniques of criminals in Italy. The Italian school stood out for its application of the strictly Lombrosian reading to the scientific identification techniques imported from France and England. According to this view, the medical reading of criminal behaviour was embedded in the Italian national security system since the beginning. In the long run, this project involved the massive mapping of the population reserving to medical professionals the control of police tasks. For this reason, cultural oppositions to Lombroso's theories, together with the popular distrust in the bureaucratic efficiency, and the

inner resistance of supporters of traditional police methods to the introduction of scientific methodologies, affected the development of this plan. The fluctuations displayed by the qualitative data of the production of scientific criminal identifications can be explained by taking in consideration these forms of resistances. The analysis of the quantitative data and of the personal correspondence between the Direction of the School and representatives of the Police General Administration revealed the continuous status of control by the School and the Ministry carried out on the peripheral *questure*. This is more proof of the trust with which Liberal elites invested in the Lombrosian approach to crime until the 1920s. The active support of the government and the Italian Liberal elites in favour of Ottolenghi and the School lasted until 1922, when Fascist regime changed dramatically the political and institutional landscape.

CHAPTER 3

PATTERNS OF STIGMA.

ATAVISM, HONOUR, AND THE ITALIAN SCIENTIFIC POLICE.

After presenting a detailed account in police scientific identification techniques in general, I shall now focus on fingerprinting. Following a brief historical account of fingerprinting, a detailed account on the Italian system is provided to better understand the pros and cons underlined by the Italian police at the time of its introduction. Like bertillonage at the end of the previous century, fingerprinting revealed functional to the nation-building process carried out by the Liberal Italian regime, resting on the same philosophical approach to crime and criminals represented by Lombroso's theory of the criminal man. The stigmatising character of Italian fingerprinting shared its theoretical tenets with Galton's evolutionary studies of *finger-prints* in 1890. Eventually, the specific development of fingerprinting in England favoured the development of what Simon Cole called a neutral "identifier," and it is crucial to understand why things evolved differently in Italy. Honour becomes a central cultural aspect to take into consideration in order to understand why Italians opposed to the extended use of fingerprinting in other areas of everyday life as proposed by Lombrosians. A specific section is dedicated to this issue, and to its crucial importance in the developing of fingerprinting, both in Liberal and in Fascist Italy. Honour can be considered the key concept in revealing the peculiar Italian approach to criminal identification, linking Lombroso's scientific police to the Fascist conception of crime and society. The Italian Fingerprinting system is a clear example of this phenomenon. Soon after its development by Lombrosians at the School of Rome, fingerprinting faced resistances for its wide civil application by almost every part of the Italian society. Limited to the penal area, and embedded by Lombrosian discourses about crime, it gained a strong stigmatising character that Fascists were keen to recognise and exploit in their new policy for a national security. In their use of fingerprinting, Fascists saw it as an instrument of disgrace, a mark of infamy, disregarding its function as a powerful individual identifier. Such reading was so influential, that decades of using of fingerprinting as the basis for an efficient criminal database were denied at the expense of the reliability based on Fascist political criminal archives.

3.1 - Stigma and Honour in Italy

A fingerprint tells more than the physical identity of an individual. Along with the analysis of the political characters of police identification techniques like bertillonage, this chapter will focus on fingerprinting and its function in the creation of a new society in Italy at the beginning of the twentieth century. Asserting anthropometric measurements, judicial photography and fingerprinting were instruments for shaping society according to specific political ideologies,¹ this chapter states

¹ The community of historians working on history of scientific criminology commonly accepts this thesis. Such studies can be more or less framed within Foucault's schema presented in (1991). See for instance, Caplan and Torpey (2001), Becker and Wetzell (2006) and Cole (2002).

that in societies like Italy, where honour and disgrace had a primary role in interpersonal relationships, such instruments had a distinctive impact.

A general definition of honour is hard to grasp. Instinctively, honour can be distinguished as something that is possessed, that is related to people's moral or ethical characters, as well as some kind of social status that others attribute to others. In law, the former can be presented as a "subjectified honour," while the latter is considered the "objectified" version.² Something similar has been very clearly stated in the Italian law since before the national unification.³ Italian jurists separated the two aspects linking them to two different crimes: *ingiuria* (libel) and *diffamazione* (slander); and extending the impact of both crimes beyond the individual, considering his familiar aura as an injured part as well. At the beginning of the century, Vincenzo Vescovi, author "Ingiuria e diffamazione" in the law national encyclopaedia, *Il Digesto Italiano*, underlined how article 398 of the 1889 Italian Penal Code established that relatives and parents of a victim of a defaming crime held the right to proceed against the offender because "they have all the interest that the honour of a name that is their too remained pure, like a holy and precious legacy."⁴

Italian authorities considered defaming crimes very serious still at the beginning of the twentieth century as the vast number of articles dedicated to them can easily show.⁵ Jurists gave defaming crimes the same social importance pre-unitary country Italian jurists had given them. There has been a time in Italy when infamy was even a powerful army in the hands of municipal jurisdictions. Between the thirteenth and sixteenth centuries, in cities scattered all throughout the central and northern part of the country, municipal codes sentenced crimes like treason, fraud and theft with additional punishment – *pitture infamanti* (defaming portraits) were painted on the walls of the most important buildings of the town. Such punishment was supposed to affect a specific class of criminals in specific circumstances, as Samuel Edgerton underlined:

The Italian "defaming picture" was an officially sanctioned insulting portrait of a guilty citizen in contempt of court and out of reach of the local constabulary. The culprit's effigy was painted in an appropriate public setting so that all the townsfolk could witness his humiliation, pressuring him, if he was still a man of honor, to give himself up and repent. Many famous Florentine artists, including Andrea del Castagno and Sandro Botticelli, participated in this popular defaming art, which flourished in Florence between the thirteenth and the sixteenth centuries.⁶

Gherardo Ortalli documented the adoption of such form of "art" by many municipalities in the northeast areas. In his 1979 book on the subject, Ortalli explained the judicial consequences of such punishment on the social status of the victim. The "mark of infamy" excluded the culprit from any

² These terms were introduced by criminologist Moritz Liepmann at the beginning of the twentieth century and quoted by Stewart (1994: 15).

³ Vescovi (1902-1905).

⁴ *Ibid.*, 1095.

⁵ Vescovi's topic was more than two-hundred and fifty pages in length, covering more than ten codes. Vescovi justified such an extended focus on honour by maintaining that "slander and libel are the most common and diffuse forms of crime" (*Ibid.*: 910). Statistics ranked such crimes in fourth place, following violation of the law, thefts and bodily injuries. Denounces rose dramatically between 1887 and 1900, reaching the ratio of 251.88/100,000 inhabitants in 1900 (*Ibid.*: 911).

⁶ Edgerton (1985: 15).

future public post, exposing him to the risk of more severe punishments in the future than those reserved to *persone per bene* (good people). The criminal could testify only under torture, with the canon law forbidding him any kind of ecclesiastic as well as secular right,⁷ ensuring humiliation by both culprit and his affiliates. Ortalli specified that this punishment could “go beyond the individual directly affected by the portrait, expanding its influence on consanguineous, friends, executors, even affecting the whole community.”⁸

Ortalli linked the origin of such punishment to the Church policy of visual communication and especially to catholic repression of heretic communities implemented after the fourth Lateran council in 1215. On that occasion, the secret of confession was in some way weakened and priest dilation encouraged. The introduction of the confiscation of heretics’ properties, something inherited in lay codes in Spain and Italy after 1550, started making of the individual punishment and disgrace a punishment and a mark extended to a family or a community.⁹

Even though Ortalli’s account did not cover the period under examination here, it can nonetheless consider the codex of honour a disturbing element to the introduction of criminal identification techniques, and of fingerprinting in particular. Regarding a society “where it was and is important to cut a good figure in public (*fare bella figura*),”¹⁰ swords and knives decided the honours and disgrace between high and low social classes still in the 1930’s. In such a country, even a single visit of the police in a private house was considered a political problem.¹¹ During Fascism, family policies and the primary focus on moral crimes enhanced the conception of honour as something transcending the individual, making Italy an “honour society.” As Mabel Berezin has underlined, “[a]n Italian man’s honor was tied to sexual purity of his wife, sisters, and daughters. An unwed mother brought dishonor on the family. The legal system overlooked crimes in the name of family honor.”¹² Moreover, Fascists were particularly sensible to honour issues. On one hand, the regime promoted honour first as a spiritual revolutionary force and then as a moral social cohesive factor to be regimented in the new totalitarian state.¹³ On the other hand, the 1930 Fascist penal code included crimes against the stock, and among them crimes against the family honour, in the list of those that had to be treated directly by special political tribunals, revealing once more the social and political primary role of honour.¹⁴ In such context, the Lombrosian tendency to explain every form of political and social dissent as forms of atavism, together with their exclusive use of fingerprinting

⁷ Ortalli (1979: 32-33).

⁸ *Ibid.*: 91.

⁹ *Ibid.*: 133.

¹⁰ For an account of the importance of personal reputation in Italy, see Burke (1987: 150).

¹¹ On duelling as a prominent social character of the Liberal and Fascist Italy, see Hughes (2007). An example of parliamentary interrogation caused by personal disgraceful encounters with the police can be found in *Atti del parlamento Italiano, Camera dei deputati*, Roma, 1912, stating “invading the house of a pacific citizen [by police officers], and putting everything upside down is making him discredited and suspicious to the public.”

¹² Berezin (1997: 54).

¹³ See Hughes’s account on the Fascist political and social exploitation of Liberal chivalric code of honour before 1935, and its regimentation through the proliferation of courts of honour after the 1935 (2007: ch. six).

¹⁴ See for instance, Alessandra Gissi’s account (2006) on the mechanisms underlying investigations and sentences against midwives during Fascism.

to detect criminals, it would likely to have contributed to strengthen its discrediting character. To see how this could have worked, the term honour must be studied in all its meanings.

Considering honour an intrinsic feature, something that is possessed, is problematic. Weberian account of “status honour,” though, can be a good starting point.¹⁵ Considering it as a fluid process subjected to wider social dynamics, as Goffman explained it,¹⁶ honour becomes the resultant of an interaction between the individual and the social group. In his work on honour among Bedouins, Frank Henderson Stewart used a slightly similar conception of honour, something that could be more helpful in this work. Following Stewart, one can “look on honor as a right, roughly speaking, the right to be treated as having certain worth.”¹⁷ The “right to respect”, as Stewart called it, was a fundamental right that is granted by the society to every member. At the same time, the lack of respect, defined as the insult derived from being considered unworthy of attention, is the deprivation of the right to be respected. Individuals in this situation experience forms of social alienation that cannot be changed by things they can do. Their influence in a social intercourse is strongly affected by an external element attached to them: the stigma.

Stigma can mean “an attribute that makes [the bearer] different from others in the category of persons available for him to be,” and has the power of reducing the bearer in the opinion of the community that welcome him “from a whole and usual person to a tainted discredited one.”¹⁸ The stigma has the power to eliminate the right to be respected as a peer, defaming the bearer in the eyes of the community. Furthermore, a stigma is a sign conveying social information, a symbol that is “especially effective in drawing attention to a debasing identity discrepancy.”¹⁹ Such a symbol must be read more as a relationship that links individuals to society rather than a mere physical attribute; more a “designation or a tag that others affix to the person” rather than “something *in the person*.”²⁰ Dissociating the social identity of the individual from his face-to-face behaviour moved the focus of the self from the individual’s hands to expert bureaucrats’ hands. This is like Mantegazza’s *psicoidei* or Lombroso’s scientific detectives, from bodily scars to “yellow ribbons” or fingerprints, bureaucratic prerogatives of a deviant past and “mark of infamy” for the future.

In summary, the problem of social identity involves a set of elements which are supposed to prove the uniqueness of an individual: something like a positive mark that Goffman named “identity peg”; and a complex of personal information name-bound, what Goffman called “biographical history.”²¹ In one aspect, those elements played a differential role, granting people their individual uniqueness proved, for example, by the information conveyed by the IDPeg. However, they also had a dis-

¹⁵ Weber (2009: 186-187).

¹⁶ See Goffman (1967), Scheff (1990).

¹⁷ Stewart (1994: 21).

¹⁸ Goffman (1968: 12).

¹⁹ *Ibid.*: 59.

²⁰ *Ibid.*: 13; also quoted in Link and Phelan (2001: 366).

²¹ Goffman (1968: 73-74).

criminating function; for example grouping individuals together according to their biographical history, or by the discriminating use of their IDpeg.²²

Adopting a terminology proposed by Simon Cole,²³ scientific criminal identification techniques would carry out at least three different assignments: a “forensic” task linked an individual to a crime, an “archival” task connected a store record to a particular body and a “diagnostic” task read biological markers as signs of the psychological and behavioural traits of individuals. All of them were related in a more or less direct way to the concept of honour and infamy. This link gave to all three characteristics of identification techniques the stigmatising function.

The “archival” task rested on the measurement of individual bodily parts. This operation was stigmatising at least in two ways: firstly, it was part of a ritual carried out almost everywhere exclusively by police officers or prison clerks and targeted only to criminals. Individuals who underwent such a ritual could easily find their honour, in the sense explained above, weakened within their community. Secondly, as explained in chapter one, the ritual imposed the loss of basic human rights, most of all, the right to resist it.

The “forensic” task stigmatised a part of the population that had a file in the criminal register. In this case, the presence of a criminal record would make the individual a potential suspect for the rest of his life. Since the beginning of forensic analysis of the crime scenes, a specific protocol required the comparison of the forensic data found in a crime scene with the data stored in the criminal register as a first step. Depending on the degree of authority forensics had in a specific country and in a specific time, a positive result could have ruinous effects on the investigations.²⁴

The “diagnostic” task played a theoretical stigmatising function that rooted back to Quételet, as explained in chapter one. This theoretical stigma became one of the reasons why Lombroso was so attracted by Bertillon’s anthropometry and why Galton developed his studies on fingerprints, as discussed in chapter two.

The purpose of this chapter will be to unveil the stigmatisation process in the fingerprinting system. Despite the fact that some technicians were inspired by Lombroso in their activities in penitentiaries and asylums throughout the world, the Italian scientific police were the only case of institution-

²² The former function is what Simon Cole defines a neutral “identifier” referring to fingerprints once they made a clean sweep of any eugenic reading. See Cole (2002: ch. four) along with the next two sections of this chapter. The process to control individuals by managing the two components of their personal identity is part of the bigger process of taking control of the public social life as occurred across the nineteenth and the twentieth centuries. An example is the extension of the use of ID documents as reported in Caplan and Torpey (2001).

²³ Cole (2002; 2007). Cole uses such a terminology in his Position paper at the 2008 Oxford Identinet meeting (The Documentation of Individual Identity: Historical, Comparative & Transnational Perspectives since 1500 First Network Workshop, University of Oxford, 26-27 September 2008).

²⁴ See Cole (2005) for a list of cases concerning fingerprinting and DNA typing.

alization of Lombrosianism within a police corps.²⁵ The focus on all the discriminating characters of identification techniques: forensic, archival and diagnostic, will expand as did the previous analysis on fingerprinting. Simone Cole, for instance, who dealt with the development of fingerprinting in England and in USA, stated that,

criminality, rather than being indicated by the body itself, through the stigma of supposedly “criminal” fingerprint, was “proved” by using the fingerprint as a link between the criminal body and the criminal record. The fingerprint was no longer a stigma, a sign containing its own meanings and indications about the character of the bearer. Instead the fingerprint had become merely an indexical sign which referred the eyes of the authorities to another message - the text contained in the criminal record.²⁶

The aim of this chapter is not only to show how Lombroso’s influence made Galton’s idea more enduring, but also to give an account of the consequences of the stigmatising function of fingerprint patterns “properly indexed” within the Italian police records, namely the power of the forensic and archival stigmata.

Since Lombrosian advocates of Italian scientific policing strengthened the stigmatising nature of their identification techniques, this Italian case is particularly useful to understand similar dynamics in more actual situations. The medical vision of criminals together with new methods of investigation introduced by the creation of criminal databases, caused “a new way of constructing suspects,” echoing problems related to fingerprinting and DNA typing today. At that time, as today, the confrontation was between wars against terrorism and the defence of civil rights, and found expressions in public debates, court sentences, and parliamentary discussions. At that time, though, the confrontation terminated with the unexpected sabotage of national plans for a national security developed according the tenets of criminal anthropology.²⁷

3.2 - Exporting Fingerprinting from the British Empire

A fingerprint is a pattern made up by the wrinkling of the skin on the fingertips. According to an unknown author of *The American Journal of Police Science* in 1931, “If you examine the smooth surface or friction skin of the nail joints of your fingers, you will readily see the ridges of the skin that make up different patterns.”²⁸ Every ridge is separated from another by a depression, furrow and along any of the ridges there are microscope skin pores that exude oily perspiration. Those secretions leave the shadow of the pattern of our fingerprint on every surface we touch, a mark that repro-

²⁵ For a detailed survey of the international application of criminal anthropology tenets in penitentiaries and asylums, see Becker and Wetzell (2006). The originality of the Italian scientific police was clearly acknowledged as something alien from police officer’s social role, and as a unique anomaly within the international scene. See debate between Locard and Ottolenghi as reported in Tomellini (1913: 237), and in Ottolenghi (1914: 64-72). For a contemporary account of the Italian scientific police in English, see Gibson (2002).

²⁶ Cole (2002: 118).

²⁷ The three stigmatising aspects of police identification techniques have been individually analyzed by others; see Hacking (1990), Sekula (1986) and Cole (2002). Some problems involve more up-to-date identification techniques like DNA typing as shown in Cole and Lynch (2006) and in Williams and Johnson (2006). Taking into consideration the stigmatising nature of DNA typing can help understanding problematic issues concerning privacy, individual rights and the efficiency of the technique itself raised after the adoption of NDNAD in 1995.

²⁸ Anonymous (1931: 302).

duces the “complicated patterns” from fingertips.²⁹ What is so special about that? To answer this question, a short introduction to history of fingerprinting is needed.

There is an obvious problem in trying to give paternity and date to the “invention” of fingerprints. As Simone Cole underlines in his *Suspect Identities*, “they have always been right at everyone’s fingertips.”³⁰ Nonetheless, the literature tends to go back to ancient China’s fingerprints in clay seals. Also Tibet, Japan and India were referenced as to where they were used as signatures and seals.³¹ There have been speculations regarding fingerprints being used for commercial purposes by the ancient Egyptians, Romans, and Greeks.³² The first evidence of fingerprint “uniqueness postulate” dates back to 1303 in Persia. Historian Rashid-eddin reported a Chinese belief: “no two individuals have fingers precisely alike.”³³ In Europe, researchers showed an increasing interest in fingerprints from the seventeenth century, when three anatomists and microscopists, Nehemiah Grew, Bovard Bidloo and Marcello Malpighi, made observations about the human papillary ridges. Since that time, literature focused on many names: Jan Evangelista Purkyně, Czech physician who in 1853 carried out the first comparative study of fingerprints in human and apes, and elaborated the earliest taxonomy of fingerprint patterns;³⁴ Henry Faulds, a British surgeon working in Japan who first linked a fingerprint left on a crime scene to a thief, thus starting in such a way the prosperous fingerprint forensic tradition;³⁵ William Herschel, a British administrator in Bengal who adopted the fingerprint signature as a warranty of the keeping of the contracts made with locals;³⁶ Francis Galton and his 1890’s first statistical approaches to fingerprints, where the father of eugenics introduced its four-patterns taxonomy and gave a statistical proof of Rashid-eddin’s uniqueness postulate;³⁷ Juan Vucetich, head of the Office of Identification in Argentina, who in 1891 first adopted systematically fingerprints in criminal investigations and devised more effective classification system than Galton’s; and Edward Henry, another British colonial officer who introduced fingerprints in Scotland Yard’s investigation bureaus and created the Henry system of classification, which in few years will be the model for most of the other fingerprint databases across the world.

²⁹ Lee and Gaensslen (1991).

³⁰ Cole (2002, 60).

³¹ See for example, Jordan (1926), Polson (1950), Lee and Gaensslen (1991), Cole (2002) and Beavan (2001).

³² Anonymous (1931: 303).

³³ Polson (1950); the quotation is taken from Cole (2002: 61).

³⁴ He enumerated nine basic forms.

³⁵ Faulds (1894).

³⁶ There is reasonable doubt that Herschel had that idea all by himself. *Tip sahi*, the signature by pressure of the fingertips, had been a long tradition in Bengal since “a time not know to us,” an influence that probably came from China (Cole 2002: 63-65; also Sengoopta 2003). Besides, both Faulds and Herschel stated they made experiments on the persistence of fingerprint patterns, and eventually proved they did not change during man’s life – what shall be called the fingerprint “invariance postulate” (Faulds 1880; Herschel 1880).

³⁷ The Galton proof has been followed by a number of corrections and assessments that ended in others statistical proofs of the uniqueness postulate. Notwithstanding, Galton’s is still one of the most quoted in police and criminological publications. See for example the *Rivista di Polizia*; see also Robertson and Vignaux (1995), Giuliano (2004). One of the latest statistical proofs is in Maltoni et al. (2005). For a study of the Galton statistics applied to fingerprints, see also chapter five.

As a result, at the end of the nineteenth century the political trends towards social discipline and punishment as sketched in previous chapters, in their requirement for an individual targeted action of prevention, provided favourable conditions for researches on fingerprints to grow up prosperously. At its first stage of development, fingerprinting showed exactly the same twofold function as the other police techniques already introduced; not only an individual “identifier” but also a technique of racial discrimination as Galton’s initial eugenic reading of fingerprints revealed.³⁸ The emergence of fingerprinting as the most reliable technique of personal identification was the final result of a complex negotiation between zoologists, anthropologists, and eugenicists on one side, and public officers, especially police officers on the other side. Anthropometry presented the same dynamics with the difference that fingerprinting lacked any direct connection with authoritative scientific tradition, such as phrenology or degeneration theory. Most of all, fingerprinting was mainly the production of a colonial dominion. Colonial exigencies requested the institution of an easy and inexpensive system of public control. In the struggle to obtain such a system, colonial administrators, like Henry, gave less importance to the relationship between the new technique and scientific theories that were speculating on it, like Galton’s. In this way, they did not read the distribution of fingerprint patterns in human individuals as signs of their racial membership, sidelining fingerprinting’s “diagnostic task.” In Italy, where such a social negotiation did not occur, and where colonial exigencies did not acquire a primary importance, the stigmatising aspect of fingerprint patterns remained a major issue within the Lombrosian background with its focus on the domestic problem of political and social unification presented in the previous chapters.³⁹

Another theory connecting colonial policy, fingerprinting and literature, affirmed that the occurrence of fingerprinting between scientific literature like Sherlock Holmes’s adventures and scholars’ treatises, like Galton’s 1892 *Finger-Prints* formed, a “consistent link.”⁴⁰ This “consistent link” created a virtuous ring with at least two positive results: the colonization of the minds of English citizens, with “the detection and policing of criminal identity in England [...] deeply implicated with the suppression of the foreign nationalities commanded throughout the Empire;”⁴¹ and the enthusiastic acceptance of scientific methodologies of criminal identifications as “unassailable because they are machine-like in their scientific objectivity, uncontaminated by the detective’s emotional involvement or cultural bias.”⁴²

³⁸ See next sections.

³⁹ Concerning the colonial origin of fingerprinting, see Cole (2002), and especially Sengoopta (2003).

⁴⁰ This theory is taken from Ronald Thomas. (1994) An interesting point, still to developing, is the reason why Italian crime literature never focused on scientific characters like the English Holmes, the French Lecoq and the American Dupin, and the influence of such deficiency of the history of Italian scientific police. Such an absence can be detected in the history of Italian crime literature, see Rambelli (1979). In the few examples appearing in Italian novels, where scientific detectives “imported” from abroad, like Sherlock Holmes, were forced to pay homage to more Italian characters resembling Achilles according to Lombroso, like Almanzi’s Ben Wilson (Almanzi 1915).

⁴¹ *Ibid.*: 659.

⁴² *Ibid.*, 656.

3.3 - Following the Line - A Closer Look to Fingerprinting

Contrary to what the lay reader of Sherlock Holmes' adventures liked to believe, the "machine-like [...] scientific objectivity" promised by fingerprinting criminal identifications lacked a solid and unique scientific base. Cultural biases seemed to be involved in the creation of pattern classifications, for instance, as can be seen studying the differences between Purkyně, Galton, Vucetich and Henry systems. Patterns groups varied from three basic types (Galton), to four (Henry system), nine (Purkyně) and 101 (Vucetich's *icnofalangometrica*).⁴³ Incentives for a classification of the patterns originating from medical-anthropological studies, and from crime identification requirements as well, at first promoted the possibility of the hereditary transmission and the racial distribution of the figures. Those researches carried out comparative pattern analysis with ape's fingerprints, investigated pattern generative processes and, especially among the Italian Lombrosian community, searched the possible link between special classes of figures and diseases or abnormal behaviours.⁴⁴ As police needs became more pressing and academic research on hereditary transmission of patterns did not offer any promising results, the focus shifted mainly to the connection between the individual and his fingerprint, refining previous classifications of Purkyně and Galton to order the fingerprints, creating efficient archives. In this last case pattern classification was just the first step of a complex procedure that ended in the creation of an individual file inserted in a double ordered archive. The following will explain how a fingerprint classification is carried out.

A taxonomy query basically implies the accomplishment of two main operations: 1) the abstraction of universal templates from a multitude of individual elements and 2) the measuring of the membership degree of every single individual to the categories just defined. With respect to fingerprints, the first step historically ended up in a set of four basic patterns. They can change depending on the country but basically can be summed up in arches, loops, whorls and composite figures. All of them have been eventually adopted by the two main systems, Vucetich's and Henry's, and by the multitudes of national systems that have appeared since the beginning of the twentieth century. As far as the definition of those figures is concerned, this information was taken from the official explanations included in the SWGFAST (Scientific Working Group on Friction Ridge Analysis, Study and Technology) glossary below:

Arch: a fingerprint pattern in which the ridges enter on one side of the impression, and flow, or tend to flow, out the other with a rise or wave in the centre.

Loop: a type of pattern in which one or more ridges enter upon either side, recurve, touch or pass an imaginary line between delta and core and pass out, or tend to pass out, on the same side the ridges entered.

⁴³ The *icnofalangometrica* (finger-sign measurement, a quantitative reading) was Vucetich's first attempt of a fingerprint patterns classification. 101 basic types hardly suited the features of a practical and efficient criminal archive, and eventually Vucetich had to turn his analysis of quantitative science of measurement into a qualitative visual study of fingerprints, reducing the basic pattern to four and transforming *icnofalangometrica* to dactiloscopia (The science of looking at the fingers, a qualitative reading – see Locard 1925; Cole 2002.).

⁴⁴ Obviously, since Lombroso thought crime was a form of disease, pure Lombrosian study of fingerprint patterns tried to show a link between special kind of patterns and special classes of criminals.

Whorl: type of fingerprint pattern which consists of one or more ridges which make, or tend to make, a complete circuit, with two deltas, between which, when an imaginary line is drawn, at least one re-curling ridge within the inner pattern area is cut or touched.

Composite: consists of rare patterns “including “central pocket loops”, “lateral pocket loops”, and “accidentals””.⁴⁵

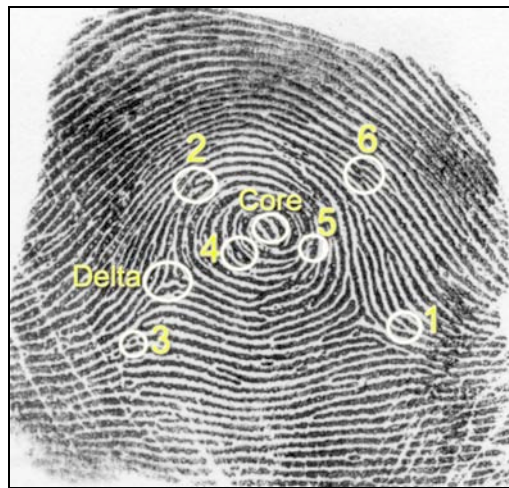
Delta and *core* are the “points of reference”⁴⁶ that provide the macro description of a fingerprint: the delta is the point on a ridge at, or nearest to the point of divergence of two type lines, and located at, or directly in front of the point of divergence; the core is the approximate centre of a pattern. (See Fig. 3.1) To make fingerprinting a perfect individual identifier, a deeper level of cataloguing was required: the four classes of patterns could not be enough. Referring to mathematical nomenclature, it can be said that while the relationship between an individual fingerprint and one class is many to one, the identification requirement imposes a one to one relationship. Even the adoption of the pattern of all the ten fingers as a basis for a possible identification could not be enough. Since 1890, Galton had proved that, for example, more than six percent of the population in England showed loops on all ten fingers.⁴⁷ Therefore, in order to reach the biuniqueness fingerprint-individual scholars drew on the tinier characteristics of the ridge design. Galton referred to this as *ridge characteristics* or *minutiae* and that served him to found his statistical proof of the uniqueness postulate.⁴⁸ The number of *minutiae* can vary widely. Galton listed the seven basic types enlightened in Fig. 3.1, but this was far to be a conclusive taxonomy. The Italian fingerprinting system involved a set of nine basic ridge characteristics, while nowadays, most algorithms used by automated fingerprint recognition systems typically reduce this number to two. The Galton class was composed by: “ridge termination” if the ridge ended abruptly; “bifurcation” if it split in two; “independent ridge” if it was composed by a short segment; “dot” or “island” if it was formed by a very short segment; “lake” if it split and then rejoined; “spur” if it split and one branch ended with a U-turn; and “crossover” when two parallel ridges were joined by a short segment.

⁴⁵ Ratha and Bolle (2004: 5).

⁴⁶ Galton (1890: 4).

⁴⁷ Galton (1890).

⁴⁸ *Ibid.*: 9.



Minutiae:

1. Ridge termination
2. Bifurcation
3. Dot
4. Lake
5. Spur
6. Crossover

Fig. 3.1 Print of my right thumb.

At this point, all the elements needed for the use of fingerprints in police investigations were available, and a fingerprint system of identification could be set up. An officer applying the Henry system, a useful and important tool to measure the Italian system that is examined in the next section, was expected to apply both levels of abstraction. With respect to a convict's file, the equipment needed was very cheap and the procedure did not require too much practice compared to the Bertillon's anthropometric eleven basis measurements.⁴⁹ In fingerprinting an offender, the officer needed only alcohol to clean the prisoner fingers, a metal plate, a fingerprint card and an inkpad. Each fingerprint was recorded by applying in a rotating movement and pressing to make the most clear and complete print. Prints were recorded in two sets of four fingers together at the bottom, or five prints in a separated page, depending on that particular country's regulations. After, the fingerprinting record was then passed to a dactyloscopist for the comparison and the identification task. The examiner applied the Henry system to identify the type of fingerprints and to describe the succession of pattern with a mathematical formula. To do that, he first carried out a primary classification. The system numbered the fingers one through ten, beginning with the right thumb and ending with the left little finger. It associated a numerical value to fingers that presented a whorl. The values were sixteen for both fingers one and two, eight for fingers three and four, four for fingers five and six, two for fingers seven and eight, and ended with one for fingers nine and ten. The fingerprint record's primary classification was determined by the formula listed below:

$$\text{Henry 1st classification} = \frac{1 + \text{sum of even finger value}}{1 + \text{sum of odd finger value}}$$

The secondary classification ended up with a ratio that characterised the pattern of the right hand fingers in the numerator and the ones on the left hand fingers in the denominator with letters (capi-

⁴⁹ For a contrast between fingerprinting and anthropometry, see next section; for international comparisons, see Fosdick (1915) and Cole (2002).

tals for index fingers only): A/a for arch, T/t for tented, R/r for radial loops and U/u for ulnar loops (whorls were omitted).

There was a third classification that made use of *ridge tracing* for the whorls. This was an operation that tended to determine if an outgoing ridge passed one delta inside, outside or met with the other. This would assign a letter I to any inner whorl, an O to any outer and an M to meeting whorls.⁵⁰

The fourth classification characterized *ridge counting* for the loops that regarded the number of intervening ridges between the delta and the core, with the values for the little fingers put in the fourth ratio.

There were even more levels of classification but the purpose of this section is giving only an idea of the application of the Henry system. Therefore, suppose an examiner ended up with the following formula:⁵¹

$$\frac{15}{17} \quad \frac{R}{U} \quad \frac{OO}{II} \quad \frac{19}{8}$$

In this case, the four-ratio formula meant that there were whorls in both thumbs, a radial loop on the right index and an ulnar in the left index finger. There are nineteen-ridge-count loops on the right little finger and eight on the left. At this point, the examiner would go to the cabinet and open the fifteenth pigeonhole on the seventeenth horizontal row, as required by to the primary classification, ending his research comparing the card with the small number of fingerprint cards kept in the drawer. (See Fig. 3.2)



Fig. 3.2 Photograph of the Henry Filing Cabinet. (Henry 1922)

⁵⁰ A whorl implies the presence of two deltas but it is not always so straight forward. Later on in this chapter deals with problems concerning fingerprints taxonomy.

⁵¹ The example has been taken from Ratha and Bolle (2004: 6-7).

3.4 - The Closure of the Fingerprinting Debate in England

At least for a brief period, fingerprinting was one tool among many police science techniques, representing a powerful instrument of scientific policing as well. Galton's research, in particular, pointed to an inclusion of fingerprinting into eugenics. Since "[e]ugenics is the science which deals with all influences that improve the inborn qualities of a race,"⁵² and "the aim of eugenics is to represent each class or sect by its best specimens; that done, to leave them to work out their common civilization in their own way,"⁵³ fingerprinting could yet provide another physical racial characterization. However, one of the problems was represented by the presence of more than one race in the national territory, as reported in chapter one referring to Garson's presentation of anthropometry. Within the mixed criminal population, J. G. Garson stated, anthropometric measurements could provide a map of distinctive racial characters. By supplying the statistical connection between crime and race, anthropometry proved to be more than a powerful criminal identification technique; rather, it was a valuable instrument of scientific policing. Despite this ideal program, soon difficulties emerged. In Garson's words:

In the division of each measurement used in metric identification, a true balance must be struck between the various race elements in different parts of the country, the modifications caused by the admixture of these races in various proportions, and the frequency with which one or other of the special characteristics of each of the two early races reappear. The problem is a difficult one, and the balance might be upset at any moment and require readjustment by a marked increase of criminals from one or other part of the country, or by an increase of criminals possessing the characteristics special to one or other race, or of the resultant modification produced by admixture of races.⁵⁴

Since the ethnic composition of a country is a unique entity, similar difficulties prohibited scholars to import frequency distributions from other countries and, in this specific case, they conducted Garson to Pearson's and Galton's door, forcing him to mathematically adapt the data in order to obtain a regular distribution for the English population.

Embedded in his eugenics project, Galton actually thought that a distribution of patterns could be considered a racial character. Galton had found a reliable and competitive mean to discriminate not only between members of what Garson called "pure races," but also between members of the resulting "mixture" of the crossing of the races. Already in 1890, he was quite aware of the difficulties implicit in the racial reading of fingerprints.

There is reason to believe that the patterns are hereditary. I have no adequate amount of data whereby to test the truth of this belief by a direct inquiry, but rest the belief partly on analogy, but more especially on the ascertained existence of a considerable tendency to symmetry. When, for instance, there is a primary pattern on one thumb, there are not far from ten chances to one in favour of its been found on the other. Again, if there is a loop in one thumb, there is a strong chance that it will be found in the other thumb also. Similarly as regards each pair of corresponding fingers. Therefore the causes of the pattern must not be looked for in purely local influences. Part of the causes why it and not another pattern is present, are common to both sides of the body and may therefore be called constitutional, and be expected to be hereditary.⁵⁵

⁵² Galton (1904: 1).

⁵³ *Ibid.*: 2.

⁵⁴ Garson (1900: 185).

⁵⁵ Galton (1890: 21).

The next year, presenting his “finger-mark” classification to the Royal Society of London, he stated:

It must not, however, be supposed that the use of indexing finger marks is limited to the above purpose [enriching Bertillon’s system of criminal identification], the power of doing so being equally needed for racial and hereditary inquiries. I do not dwell upon these applications now, simply because I am engaged in making them, and the results are not yet ready to be published.⁵⁶

Unfortunately, when the data was eventually ready for publication, the results were disappointing:

The number of instances is of course too small for statistical deductions, but they served to make it clear that no very marked characteristic distinguished the races [...] Still, whether it be from pure fancy on my part, or from the way in which they were printed, or from some real peculiarity, the general aspect of the Negro print strikes me as characteristic. The width of the ridges seem more uniform, their intervals more regular, and their courses more parallel than with us. In short, they give an idea of greater simplicity, due to causes I have not yet succeeded in submitting to measurement.⁵⁷

1892 was a landmark in the history of police science. Galton published his *Finger Prints* in which he presented his fingerprint classification and his mathematical proof of the “uniqueness postulate” of the individual fingerprint. That same year René Forgeot published his studies on twins’ fingerprints showing how even twins had unique sets of fingerprints.⁵⁸ The emergence of fingerprint as a reliable individual identifier, some unique result of a random process of individual anatomic development, became a mainstream in scientific identification practices immediately. The application of fingerprinting in penal institutions, courts and police barracks was growing rapidly. This reading of the prints, which the same mathematical proof published in *Finger Prints* inspired and scientifically authorized, accelerated the marginalization of the Galton project. Although, as Cole says, “the imagined correlations between fingerprint patterns and race, ethnicity, or criminality were never disproved,”⁵⁹ the fingerprint became quickly a reliable individual identifier, something personally and unique, the perfect IDpeg.⁶⁰

By 1893, time had run short for unscientific criminal identifications, at least within the English empire. Since that year, Edward Henry added fingerprints on the anthropometric criminal cards kept in the Bengal criminal archive. In fact, anthropometric “measurements were used only to locate a card in the register: once a likely record was located, the fingerprints recorded on it were compared to the suspect’s. Only if these were identical would identification be considered positive.”⁶¹ Since 1894, Henry and Galton kept in constant contact, with Henry promoting an identification *fiche* exclusively based on fingerprints. In 1897, Henry announced the creation of a reliable system of fingerprint classification in India. A fingerprinting archive had been set up in his province with a con-

⁵⁶ Galton (1891: 540).

⁵⁷ Galton (1892: 195-196); quoted also in Thomas (1994: 667) and Cole (2002: 105-106).

⁵⁸ René Forgeot’s studies were considered important causes of the renegotiation of meaning, as stated also by Cole (2002: 99).

⁵⁹ *Ibid.*: 106.

⁶⁰ Cole describes the marginalisation of this project, as well as of the evolutionary reading of fingerprint. He also underlines the feminisation of the morphological researches promoted mainly by women since the beginning of the century - Ethel Elderton in Pearson’s biometric lab, Inez Whipple in the USA and especially Kristine Bonnevie in Norway, the only one who adjusted the normal distribution of fingerprint patterns in a bell curve (Cole 2002: 111).

⁶¹ Sengoopta (2003: 135).

sistent reduction of identification times: “The men whose duty is to look up the originals, in no case took more than five minutes to produce the original.”⁶² On this basis, in 1900, the Belper Committee approved the introduction of fingerprinting as the main way to order English criminal archives. As Simone Cole has clearly illustrated:

Fingerprint examiners strengthened their authority by disassociating themselves from their colleagues who speculated about the predictive powers of fingerprints to tell, not only the past, but also the future. By turning the fingerprint into an empty signifier - a sign devoid of information about a body’s race, ethnicity, heredity, character, or criminal propensity - fingerprint examiners made fingerprint identification seem less value-laden, more factual.⁶³

Such a negotiating process between members of the state administration and anthropologists, though, never occurred in Italy.

3.5 - Atavistic Patterns - Lombrosian Reading of Fingerprints

In Italy, fingerprinting had been associated to criminal anthropology since its very first appearance.⁶⁴ The first Italian account was Giuseppe D’Abundo’s brief article published in the *Archivio di psichiatria, scienze penali ed antropologia criminale per servire allo studio dell’uomo alienato e delinquente*.⁶⁵ D’Abundo reported results of research on mental patients’ fingerprints, focusing exclusively on occurrences of the patterns, recurrence of the most frequent figures and correlation between patterns and mental illness. Compared to the international situation, Italian scholars were paying less attention to fingerprints.⁶⁶ On the contrary, things were evolving at great speed abroad, as explained in the previous section, with Francis Galton presenting his system of classification of “Finger-Marks” to the Royal Society that same year, and with Ivan Vucetich introducing dactyloscopy in the police identification office at La Plata, Argentina. In India fingerprinting was becoming an ordinary system of identification in Edward Henry’s province in Bengal, while a bloody fingerprint had already been used for criminal identification in the United States. Furthermore, in 1894, fingerprinting was added to anthropometry as a police technique of criminal identification also in France.⁶⁷

With respect to Italian research framed within the Lombrosian conceptual approach, fingerprinting was considered primarily as another way to detect signs of atavism. Unlike the English case, what

⁶² Sengoopta (2003: 139).

⁶³ Cole (2002: 100).

⁶⁴ In France something similar happened at the end of the 1880s, with Charles Féré’s and René Forgeot’s efforts to link fingerprint patterns and forms of degenerative behaviour. See Cole (2002: 106-107).

⁶⁵ D’Abundo (1891).

⁶⁶ On some occasions they were swimming counter-currently. Indeed, still in 1898, only a few articles were dedicated to the subject. In one of the articles, published in a review close to the Ministry of the Interior, the comparison between bertillonage and fingerprinting reserved a laconic comment to the latter: “the identification obtained in this way [by fingerprinting] is not certain, the procedure being too long and requiring excessive application,” in Giannelli and Pardo (1898: 454). Even Lombroso paid poor attention to fingerprints. In the fifth edition of *L’uomo delinquente* he framed his comments to it in just one page, with a succinct report on Forgeot’s investigation (Lombroso 1896, vol. 1: 248).

⁶⁷ For Galton’s memoirs at the Royal Society, see F. Galton (1890; 1891). A clear and complete account of fingerprinting in the United States can be found in Cole (2002) together with a report of the activity of the British government commission that suggested the use of fingerprinting, the Troup Committee, see also Joseph (2001). A concise survey of Edward Henry’s activity in India along with a deep analysis of the development of Indian fingerprinting can be found in Sengoopta (2003).

characterised atavism in Italy was the lack of social confrontation between members of public administration and scholars.⁶⁸ Before the end of the nineteenth century, no Italian “law enforcement officials” interested in fingerprint was known. The loss of the evolutionary and hereditary character was the first step for fingerprinting in becoming an individual identifier, the IDPeg *par excellence*. Galton’s belief of fingerprints as hereditary would undermine the uniqueness of individual fingerprints was abandoned under pressures of police needs. Forgeot’s study on identical twins with different prints was considered a definite answer to the debate. This was harder to accomplish in Italy, where Lombrosians monopolized practices related to fingerprinting, and natural selection was reinterpreted within the national cultural background. Even Darwin’s argument on the variability of rudimentary organs, an argument used by both the Irish anthropologist David Hepburn and by the American Anatomist Harris Hawthorne Wilder to promote the evolutionary reading of fingerprint patterns in the early 1900’s, was never successful in Italy.⁶⁹

The field remained restricted to criminal anthropologists with scholars like De Sanctis, Toscano and D’Abundo focusing on the same Lombrosian issues.⁷⁰ Even the proliferation of Italian fingerprint classification systems remained in that contest. At least four different attempts have been counted before 1910. Three of them, published at the beginning of the twentieth century, were promoted by celebrated scholars like Morselli, Carrara and De Sanctis; the fourth, dated 1908, was published in Lombroso’s *Archivio* in three different parts by the two young physicians, Cevidalli and Benassi.⁷¹

The anthropological approach of fingerprinting was characterised by a key target: the identification of the evolutionary distinction between animals (apes in this case), and humans. The digital pattern was considered a marker of the “anthropologic dignity of the group the animal belongs to.”⁷² Establishing a dignity scale based on digital patterns allowed the criminologist to add another important factor to the APBP. Before that, though, a fingerprint classification based on degrees of degeneracy was needed. And here is where problems emerged. The anomalous patterns frequency rate, uniformity (namely, the occurrence of the same pattern on different fingers) and symmetry (the occurrence of the same pattern on the same finger in both hands), remained the key features all scholars took in consideration in building up their classifications. The set of basic figures as well as of the anomalous patterns chosen, though, varied a lot from scholar to scholar.

⁶⁸ See previous section.

⁶⁹ In the *Origin of Species*, Darwin articulated that “rudimentary organs, from being useless, are not regulated by natural selection, and hence are variable.” Quoted in Cole (2002: 108).

⁷⁰ De Sanctis and Toscano compared fingerprints of oligophrenics, deaf and mute children with those of “normal” children searching for differences in distribution and frequency of the patterns in De Sanctis and Toscano (1902). D’Abundo detected many “degenerative signs” in fingerprints of 140 criminals, most of them murderers, held captive in Nisida prison in D’Abundo (1895). For a general account on Italian researches on fingerprints at the end of the nineteenth century, see also Horn (2003: 23).

⁷¹ Cevidalli and Benassi (1908; 1909a; 1909b).

⁷² Ascarelli (1906: 812).

At the end of the nineteenth century, Italian anthropologists drew on zoological studies about apes carried out by Kollmann, Alix, and Morselli, highlighting the occurrence of anomalous digital patterns in apes' hands and feet, together with an overall trend to uniformity shared by apish fingerprints. Starting from there, criminal anthropologists divided fingerprints in “ordinary, or evolved” and “primitive, abnormal or inferior.”⁷³ The former set was characterized by intricate shapes, by their presence in normal human beings' fingerprints; the latter, by their occurrence in apes' fingerprints and the plainness of their shapes. Besides the logicalness underlying this distinction, it was the plainness/intricacy dichotomy that rose insurmountable difficulties against this unique classification. First, there was the problem of reading the zoological results. While both De Sanctis and Cevidalli agreed in putting the tent and the onion-like shape patterns in the primitive set, they disagreed completely on what both tent and onion-like shapes looked like. According to De Sanctis, as well as Ascarelli, a tent was formed by the progressive flexure of the transverse ridges next to the third phalange joint (see Fig. 3.3a). Cevidalli and Benassi claimed that Kollmann discovered that “the real tent is characterized by the presence of a longitudinal median line, over which the lines diverging towards the basis of the phalange lay on.”⁷⁴ (See Fig. 3.3b)



Fig. 3.3a: De Sanctis and Toscano's tent pattern.

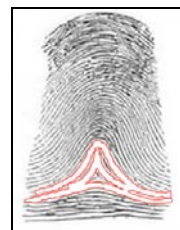


Fig. 3.3b: Cevidalli and Benassi's tent pattern.

The same difficulties occurred within the onion-like pattern. (See Fig. 3.4a and 3.4b)



Fig. 3.4a: De Sanctis and Toscano's onion-like pattern.



Fig. 3.4b: Cevidalli and Benassi's onion-like pattern.

Secondly, scholars followed different protocols when recovering fingerprints. Ascarelli opted for a traditional typographic ink and a metal plate, and suggested a precise rotating movement while softly pressing the fingers on the inked plate. Cevidalli and Benassi accused that same procedure to be “often ineffective [...] very long and boring.”⁷⁵ They introduced a wooden ergonomic mould that did not require the rotation of the finger nor caused the consequent distortion of the print.

⁷³ De Sanctis and Toscano (1902).

⁷⁴ Quoted from Cevidalli and Benassi (1909a: 17).

⁷⁵ Cevidalli and Benassi (1908: 339-40).

According to the authors, the benefits of such an innovation were an increased surface of contact and the easiness in taking infants' fingerprints.

Such differences led to discrepancies in the fingerprint classifications proposed by Italian anthropologists.⁷⁶ As a consequence, accounts like Morselli's and Tamburini's study on "idiots" fingerprints, D'Abundo's paper on the anomalies discovered in 140 criminals' fingerprints could hardly be easily accepted. At the same time, De Sanctis and Toscano's appreciation for the forefinger, regarded as a "finger characterized by the most evolved physiologic development,"⁷⁷ was put under scrutiny. Ascarelli's paper on the fingerprints of one hundred prostitutes' was not easily accepted, as well as their expectations concerning hereditary transmission.

To appease the situation, in 1909 Cevidalli and Benassi proposed a brand new classification. Their conclusions took the form of a political compromise between the anthropologic aim to include fingerprinting in the analysis of the criminal's personality, and the variety of existing contradictory classifications. On one hand, they claimed that "basing on the data collected [we] cannot say if symmetry and asymmetry must be considered as degenerative characters for papillary finger patterns, as well as they are for the other parts of the body,"⁷⁸ on the other: they confirmed the difference between fingerprints of "lunatics" and "regulars." They argued there was a gender difference in the frequency and distributions of the patterns, denying at the same time a clear pattern of hereditary transmission. As a remedy, they were willing to propose *hereditary trend* for fingerprints patterns, namely "the repetitive trend of the same or similar figures, but without the exact reproduction of the number and the symmetry of the configurations,"⁷⁹ stating that in the genetic transmission, "atavism, probably, plays its part."⁸⁰

After an initial period of chaotic enthusiasm, with scholars dispensing expert testimonies in court, which included atavistic reading of fingerprints patterns, Ottolenghi's School provided the standard fingerprint system of classification turning such readings into a marginalised program of research.⁸¹ The School's system, as explained in the next section, filled a gap in the management of the central identification register and brought Italian police science in line with international standards. But something went missing; despite scientific police officers' efforts built up a very practical way to

⁷⁶ To give an example of such discrepancies, consider De Sanctis and Toscano's classification compared to Cevidalli and Benassi's. The former involved three main sets of patterns: common, rare and unclassifiable fingerprints. In the first set, the authors put circular and elliptical figures as well as loops and double whorls; in the second, arches, tents and onion-likes; and in the last, all the unclassifiable figures. Cevidalli and Benassi, on the contrary, considered an eleven type fingerprints classification, without circles and ellipses in it, and with the completely new class of the "small core" figures.

⁷⁷ De Sanctis and Toscano (1902).

⁷⁸ Cevidalli and Benassi (1909a: 37).

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

⁸¹ An example of a Lombrosian reading of fingerprints in an expert testimony was 1909 Audenino's discovery of "a tactile figure similar to those often characterizing ape's fingerprints" in murderer Guido Casale's fingerprint patterns, published in Audenino (1909). Still in 1927 Ottolenghi talked of "degenerative and ape types" in "idiot's fingerprints;" see Rusticucci (1927: 28). The hidden agenda connecting fingerprints and types of criminals popped up again in the 1950s - see Niceforo (1957). Such a reading still survives in academic publication dedicated to magistrates and police officers like Lusa and Cioeta (2005).

transform a huge set of files in a reliable criminal archive, Ottolenghi admitted that such a classification was not scientific and that “At this point anthropometry must be preferred because the distribution of bodily measurements forms homogeneous groups according to Quételet’s law.”⁸²

3.6 - Lombrosianism and Fingerprinting

In 1941, young Italian director Basilio Franchina shot a short-filmed documentary focused on the Italian Scientific Police.⁸³ Divided into three sections, the movie disclosed the secrets of this special branch of the P. S. to the public. The first part showed the identification office, where two suspects arrested and handed over to the Italian scientific police were first fingerprinted, and then identified in spite of their attempt to disguise their status as recidivists. A series of shots took inside the School in Rome gave a comprehensive idea of the structure and the functionality of fingerprinting identification procedures; from the arrival of the request by a peripheral *questura*, to the successful identification of the suspects. In the second part, a team of detectives are called on a scene of a burglary. The clues on the scene allowed them to reconstruct the broad sequence of events. Following a rigid methodology of the reading of the tracks left on the scene, they provided the modality of the crime (*modus operandi*). The clues collected together with the meticulous reconstruction of the crime, provided detective scientists with the chance to establish the building blocks of the suspect’s personality, and eventually to detect the criminal who actually committed the crime by matching the profile with those kept in the central identification register. For “any crime is the manifestation of a personality which must be analysed both physically and psychically in order to assess his degree of social dangerousness,” as the narrative voice explained, in the last section police scientists wore the criminal anthropologists’ white coat providing an example of criminal identification in pure Lombrosian sense. After accurate anthropometric measurements of the offender’s head, ears, chest, finger and arm, the experts in uniform took note of any physical body marks, like tattoos, scars and corns. Soon after, they made the offender undergo various mechanical and electrical tests in order to establish his tolerance to pain and his muscular resistance. The inspection ended with the offender fixing emotions and memories on file by recording a detailed history of his life on a Dictaphone. In the last shot, three northern doctors, both tall and athletic, stand immaculate in their white coats, shooting a piercing look to the young southern peasant seating silently on a chair, overwhelmed by graphs, and scientific instrument. The last scene depicts a close-up of the offender making room for the exterior shots of a prison, the narrative voice concluded: “Studying, questioning to know and finding remedies. There is still hope that, once served his sentence, this man can become a helpful member of the society.”⁸⁴

⁸² Ottolenghi (1910: 388).

⁸³ Basilio Franchina, Sicilian filmmaker, started writing and directing intensely after the fall of Fascism. Between less popular movies, he collaborated to major realist movies like *Riso Amaro*, and *Legione straniera* and wrote *The Fall of the Roman Empire*.

⁸⁴ (Franchina 1941). The film can be seen online at the Istituto Luce website - <http://www.archivioluce.com/archivio>; title “Polizia Scientifica” last visited 8 June 2009.

Broadcasted in cinemas, the documentary was one of the rare efforts the School made to explain to the general public what a criminal identification was and why fingerprints were so important. Ottolenghi entrusted Giovanni Gasti with the development of the Italian fingerprinting system. A chief constable with a degree in law, Giovanni Gasti (1869-1939) was one of the students that attended Ottolenghi's 1902 lecture on scientific policing in the room of the Regina Coeli prison.⁸⁵ Gasti surveyed the classifications most commonly adopted abroad. Unsatisfied by both Henry's and Vucetich's classifications, he eventually developed a brand-new system inspired more by the second classification. Studying the statistical distribution of patterns, he developed a catalogue based on five main figures. He ended up with a primary classification associating six groups of numbers to those five classes in the following way: number one assigned with a simple arch or ulnar loops with at most one ridge in the core; number two assigned with radial loops; number three, four and five assigned with open figures with just one delta, namely ulnar loops, with the difference depending on the number of ridges between the delta and the core; six, seven and eight assigned with close figures delimited by two deltas, with the difference consisting in the relative position of the deltas; nine, assigned with a pattern with two cores; and zero, assigned with a missing finger or unreadable pattern.

Unlike Henry's system, the Gasti system was not mathematical; it did not required algebraic operations other than the simple substitution of patterns with the corresponding numbers. Shaped by the statistical methodology of investigation typical of criminal anthropological research, characterized by a disproportionately distribution of criminal samples, it was considered, in other words, as typically Italian. The formula was composed of three parts: the *series* – formed by the number associated to the left index, thumb and ring finger – the *section* – same finger in the same order but belonging to the other hand – and the *number* – the remaining four numbers related to the other four fingers. Once the officer determined the formula, he would write it both on the *schedina dattiloscopica* (fingerprint card) - Fig. 3.5 - and on the *cartellino segnaletico* (individual card) - Fig. 3.6 - and put the first in strictly numerical order inside the *shedario dattiloscopico* (fingerprint cabinet) - Fig. 3.7 - and the second in alphabetic order inside the central identification register.



Fig. 3.5: fingerprint card. The front side (on the right) shows the serie part of the Gasti formula; the rear (on the left) has the remaining part of the formula and name of the offender.

⁸⁵ Andrea Giuliano, officer of the Italian scientific police in Turin, recently dedicated two volumes to Giovanni Gasti. See Giuliano (2004; 2007).

Serie 796 Sez. 599
 MINISTERO DELL'INTERNO - DIREZIONE GENERALE DI P. S.
 Scuola di Polizia Scientifica - Servizio Centrale di segnalamento e identificazione

COGNOME *Franchina* NOME *Ennio*
 PATRONIMICO *franchina* MADRE *Franchina*
 N. di nascita *19-1-1909* a *Roma* Domestico *Roma, 11 Settembre 1909*
 Istruzione *Elementare* Professione *Poliziotto*
 Motivo dell'arresto *propaganda sovversiva*
 Identificato per *franchina*

CONNOTATI FOMATI
 Iridi: Aureola *cast* Capelli *cast. se.*
 Periferia *id* Sangue *rosso* Sopracciglia *id*

1941
 Ridentone fotografico di lit.

41229

Impresioni della mano sinistra
 Pollice *9* Indice *7* Medio *9* Anulare *6* Mignolo *11*

Ord. 54, 1-3-35, Tip. Marescalchi, Rom.

Data e luogo del primo impiego
 Anno *1909*
 Anzianità relativa alla fotografia ed alla impronta

Fig. 3.6: individual card, front side. The first two parts of the Gasti formula can be seen on the top left side of the card.



Fig. 3.7: in the centre the fingerprint cabinet, School Central Identification Office in Rome. The alphabetic cabinets are placed along the wall. (Picture extracted from Franchina (1941))

The two forms were linked by the Gasti formula and could be easily crosschecked. However, this formula was not easily translatable into a formula of the Henry system, or into any formula of the any other European systems of the time. As an example, take into consideration a simple set of ten prints: whorls on both thumbs, on the right ring finger as well as on the left middle finger; radial loops on every other finger except the left index. By first approximation, considering ulnar loops characterised by the minimum number of ridges between the delta and the core wherever the Henry first classification does not give information, in the Henry system the set of patterns gives rise to the following formula:

$$\frac{15}{17} \quad \frac{R}{U} \quad \frac{OO}{II} \quad \frac{19}{8}$$

In the Gasti system it takes on a completely different form:

$$362 \qquad 266 \qquad 6245$$

Ottolenghi saw the irony represented by the emergence of competing and alternative scientific systems as a response to the need of a unique standard of communication among national police forces invoked at the 1898 conference against anarchist. However, a nation still striving to improve communication within its own borders, could understandably postpone that part of the problem.⁸⁶ Besides, if on one hand being aware of the imperfections and the artificiality of the Gasti system of classification could weaken any trust in its use, the same was true of any other system.⁸⁷ Giovanni Gasti was not the best man with whom Ottolenghi could share his concerns about the lacking of mathematical representation of the natural distribution of patterns. Gasti was mainly a police officer, and hardly a criminal anthropologist. He was more concerned with the identification of criminals than with the study of their minds. In designing his fingerprinting system, he wanted it to be handy and reliable, not “scientific” according to Ottolenghi’s definition. In developing the Italian fingerprinting system, he was inspired more by Henry and Vucetich, than by the zoologist research that influenced French scholars and Galton. As a consequence, he carried out a statistical study of the occurrence of the fingerprint patterns on fingertips in order to optimise the space distribution of the central identification register, without caring whether the result would satisfy Quételet’s grouping conditions.

Despite his poor anthropological know-how, Gasti had already revealed to be a brilliant student. Before fingerprints, he had worked with Ottolenghi on anthropological studies on prisoners’ artwork, and in 1910 he designed an original tool that optimised anthropometric measurements of

⁸⁶ The problem became an official agenda of the School in the second decade of the twentieth century, when Ottolenghi and Ugo Sorrentino, head of the School from 1951 until 1956, worked on the transmission of the prints by telegraphs and on the optimization of an international translation of the national systems. See Sorrentino (1938).

⁸⁷ Ottolenghi (1910: 388).

offenders.⁸⁸ In 1907, Gasti published a comparative study between 200 offenders and vagrants, both Italians and foreigners, and one hundred “normal people.” This exemplified Gasti’s best work in which Gasti showed his skills in criminal anthropology, not without conflicting outcomes. There were several interesting aspects to note about that paper, a main example being the taxonomy chosen. The cognitive filter adopted in examining the group of 3,000 fingerprints was already the Gasti system and not one of the classifications developed by criminal anthropologists. This choice was the symptom of the leading role the Gasti system was supposed to play also among the community of criminal anthropologists. In the paper, Gasti claimed three different results. Firstly, he discovered a “manifest ethnic distinction between Italians and foreigners,” a character that could explain why he didn’t adopt one of the foreign systems of fingerprints classification at disposal. Second, he found that criminals showed a “predominance [...] of papillary figures characterized by multiple central lines,” namely intricate figures, and a shortage of plainness figures, namely arches and radial loops. That fact led him to the unexpected conclusion that “arches and radial patterns [did not] represent a degenerative character.” As already stated, this was a result in open contrast with previous criminal anthropology studies on fingerprints. This result explained why he did not choose a classification that emphasized the anthropologic hierarchy between plainness and intricate figures, rather than one based on “neutral” topological consideration.⁸⁹ Thirdly, he discovered that “the frequency and the disposition of fingerprint figures follow rules of uniformity in both hands. Radial loops and arches are the most frequent patterns.”⁹⁰

The last result could have exercised some influences on the ratio between numerical figures and fingers that was the basis of the Gasti formula, but the other anthropological considerations, as well as the debate within criminal anthropologists about the contradictory outcomes of the anthropologic studies of fingerprints, were not apparently of any importance to him. His opinion was very different from Ottolenghi’s as well;⁹¹ he did not contemplate the integration between anthropometry and fingerprinting as something useful to the knowledge of the criminal psyche, for instance. On the contrary, he considered fingerprinting a much better physical identifier than anthropometry. The physical identification of offenders as well as of clues on crime scenes were the main jobs of scientific detectives. Far from original, this opinion resembled those of foreign scholars like Locard’s and Reiss’s, as well as those of nearly all the foreign departments of scientific police.⁹²

⁸⁸ Ottolenghi and Gasti (1904), Gasti (1912b).

⁸⁹ Gasti (1907b).

⁹⁰ *Ibid.*

⁹¹ For example, his interpretation of fingerprints as something completely taken out from any anthropological reading was quite different from Falco’s work on fingerprints in 1920. Giuseppe Falco, the head of the School after Ottolenghi’s death, imposed a strong evolutionary interpretation on his fingerprints classification, grouping the figures inside an evolutionary graph that showed the simplest and most ancient pattern, the arch, into all the others. Fingerprint patterns’ evolutionary transformation did not occur at the same speed for all races and all individuals, and this personal inertia allowed Falco not to throw away Gasti’s individual identifier (Falco 1920).

⁹² See Gasti (1912a). While Ottolenghi clearly maintained anthropometry’s importance and superiority for the definition of the criminal psychology, Gasti’s inclination in favour of anthropometry rested only on considerations of precaution. In 1912 he declared, “I assign only a mission to anthropometry [...] to act as finger-

Nonetheless, Gasti was a key figure in supporting two other stigmatising aspects of Italian fingerprinting. Famous for his techniques of taking prints despite suspects' resistance,⁹³ his research supported the image of fingerprint as something to be related mainly to criminals, reinforcing a public perception of the technique as a non-“neutral” and stigmatising one. In 1914, he had the chance to make the procedure something exclusive of criminals and of their environment. On 20 January, the administration of Naples penal institution replaced the signature of analphabetic prisoners in personal files with the print of their right thumb. Informed, Gasti immediately provided the Minister of accurate suggestions about the number and types of fingers to be printed, and recommending that this procedure should be carried out in a more theatrical way. The psychological anxiety exerted on prisoners through the accurate pressure of the fingers on the paper, Gasti wrote, “recalls in some way the formalities of ancient oaths; thus [...] it will coincide with the traditional symbolic declaration of faith, and truth.”⁹⁴

In 1910, the General administration of Prisons communicated the list of criminals that had to be fingerprinted when admitted to prison.⁹⁵ According to the circular, political and ordinary criminals would be fingerprinted if requested by the government, and always in case they were swindlers, thieves, recidivists, or if they had been sentenced to more than fifteen years. Prison clerks had to fill out fingerprint cards in two copies and send one to the central register in Rome while keeping the other in the prison archive. At the end 1910, fifty-eight prisons were already contributing to the School's fingerprint archive.⁹⁶ By that time, fingerprinting was being adopted extensively, and its positive results promptly affected the development of the School. Between 1907 and 1910, the School identified 3,500 offenders, filing 12,000 individual cards. It also trained more than 550 students, coming mainly from the ranks of the police and *carabinieri*; the students attended lessons in its rooms, improved their descriptive skills with the inmates of the prison, and became familiar with fingerprinting in the central identification register - see the Appendix, Table 7.2.

Gasti's career was only partially linked to the School. Between 1906 and 1910, Gasti was put in charge of the scientific bureau in the most important *questura* of the country, Rome central *questura*. During World War I, he was in charge of the Bulletin of wanted criminals as well as of the reformed Secret Service Office. In 1918 he was promoted *questore* and moved to Milan. There, in 1921, he investigated and contrasted Mussolini's *fasci di combattimento*, groups of combatants formed by former soldiers, revolutionary syndicalists, patriotic socialist and futurists (founded in March

printing lightning rod” (Gasti 1912a: 7). According to Gasti, forgeries and intentional skin abrasions were fingerprinting most dangerous enemies. Allowing anthropometry to stay alongside fingerprinting could be the best way to discourage criminals in carrying on those threatening countermeasures. Similar concerns were far to be removed even today. For an account on the current situation see Giuliano (2008).

⁹³ Ottolenghi recalled with admiration one of the favourite techniques. During interrogations, Gasti walked around the table and behind the suspect and suddenly grabbed his hands and pushed them on the table that had a carbon paper on it, obtaining in this way the ten prints without permission. (Rusticucci 1927)

⁹⁴ BSP (1917) no. 5, p. 34. The Ministry sustained Gasti's idea with the circular n. 53879-25-A-40, dated 23 March 1914.

⁹⁵ Circular n. 53991 - 25 - C, dated 4 May 1910.

⁹⁶ BSP (1911) no. 1, p. 41.

1919, the movement will change name in *Partito nazionale Fascista* (National Fascist party - PNF) the following year). In occasion of the investigation concerning the murder of the socialist Inversetti Giuseppe and the consequent assault to a Fascist depot, he had the chance to confront the future Duce personally.⁹⁷ During that period he wrote down a psychological profile of Mussolini still frequently cited by historians,⁹⁸ a document that can be considered exemplar of how Ottolenghi's training inspired police officers' tasks.⁹⁹ In 1921 his figure emerged again owing a great deal to the successful arrest of a group of anarchist bombers accused of a terrorist act in a hotel in Milan.¹⁰⁰ In 1922 he inaugurated a small criminal museum in his *questura*. In 1923, one of the former Fascist *quadrumviri* (the four leading commanders of the 1922 Fascist march on Rome), and the new chief of police, Edoardo De Bono, made him his assistance for a few months. One of the first Fascist prefects, Gasti, ended his personal career after Mussolini's purge in 1927.¹⁰¹ He died at the end of the thirties, mentioned only in a short obituary published in the School's *Bollettino*: "The name Giovanni Gasti will be remembered forever by Police Officers, as well as by students and teachers of the School of Scientific Police."¹⁰²

3.7 - The Pool of Suspects - Libel, Slander, and Usual Suspects

Ottolenghi considered the Gasti system an artificial codification of a natural phenomenon. By not satisfying the Quételet's binomial distribution, it failed to describe objectively the characters of the natural characters of fingerprints. Nonetheless, things were different in the eyes of the layman. The mere fact that fingerprinting was a police affair, developed and adopted mainly by the scientific police, reinforced its stigmatising effect. Ottolenghi's effort to extend its social acceptance as a universal system of individual identification was opposed by many parts of the Italian society.¹⁰³ Resisted by Italian "normal" citizens, fingerprinting was approved to be adopted in colonies and limited to

⁹⁷ FPG - Fondo Prefettura Gabinetto serie I, b. 118.

⁹⁸ See for instance De Felice (1965; 1966).

⁹⁹ This point will be deepened in chapter six, where the Giovanni Gasti activity in Milan will be analysed further.

¹⁰⁰ Gasti (1922).

¹⁰¹ A prefect since 2 November 1922, he was kept at disposal, namely without any assignment, until 16 February 1923 when he was assigned to the city of Palermo. On 24 January 1924 he was in Novara, and in May 1925 in Ferrara. The next year he was in Trieste, until December 1926 when he was put back at disposal. (Missori 1989)

¹⁰² BSP (1940) no. 27-28-29, p. 295.

¹⁰³ In 1927 Ottolenghi complained about what he considered unreasonable oppositions to the use of fingerprints in civil affair. On 4 July 1919 the Ministry of Postal and Telegraphic Communication had required his opinion about the plan to promote a postal chequebook of identification including mug shot and fingerprints. Ottolenghi replied enthusiastically recalling that in America banks had successfully introduced something similar. To prove the feasibility of the project, he produced practical information: the training of the clerks would not last more than ten days, and the cost of the fingerprint box - containing one zinc plate, one roller, one bottle of ink, one of benzene, one magnifying glass, and one diaper - would be Lit. 11 each (ACS - Fondo Scuola Superiore di Polizia, b. 108, f. 1374). Eventually, the Ministry rejected the idea. In 1921, it was the Ministry of War that refuted to add fingerprints to soldier's badge, as reported by Ottolenghi in Rusticucci (1927: 10).

certain specific social groups, underlying once more the stigmatising function of the supposed neutral technique.¹⁰⁴

Due to the Lombrosian view of criminal adopted within the scientific police, it was no surprise that people, no matter their social or political background, avoided any contact with the School and its methods. As a consequence, resistance to anthropometric measurements had been reported since 1905, and became a political issue in 1912 when the French socialist Gustave Hervé was arrested during a non violent socialist rally in Rome and underwent the anthropometric survey like a common criminal.¹⁰⁵ The head of the School, however, was able to maintain a position of force at least on criminal matters, owing mostly to the network of former students across the country, their personnel connection with judges, and to full Ministerial support.¹⁰⁶

The Italian case is emblematic; however similar forms of resistance occurred also abroad. In 1897 the French press reported ridiculous prejudices “consisting in seeing ignominy in measurements.”¹⁰⁷ In France, the intensive use of anthropometry reserved especially to marginal ethnic and racial groups reinforced the stigmatising use of such a practice.¹⁰⁸ Attempts to avoid anthropometric measurement or, at least, to obtain the removal of the personal data from police databases, were mostly unsuccessful. Anthropometric measurements soon acquired institutional and legal protections, with the same happening to fingerprints, even though also fingerprinting faced acts of resistance both in the United States and in Europe. Those forms of resistance were mostly directed against the stigmatising and ritual aspects of police measurements, considered a bodily violation that demarcated the distance between the “normal” citizens, never touched by police officers, and the “abnormal” criminals, violated in their more “intimate” parts.¹⁰⁹ Since 1903 there have been reports on the use of Bertillon measurements as a means of libel against innocent citizens even in

¹⁰⁴ The Royal Decree n. 1005 dated 1 August 1913, dictated that “any acquittance paid to Arabs must show the Arab’s fingerprint” quoted in Rusticucci (1927: 12). The easy use of fingerprinting in colonies recalled the British racial adoption as reported by Thomas (1994). During the Great War, the Ministry of War made an exception to his strong opposition to fingerprints. Promoting the stigmatising function of fingerprints, the army introduced them only on files of deserters.

¹⁰⁵ Parliamentary discussions lasted between 26 November and 16 December 1912, and soon focused on what was called the “Ottolenghi case.” Being the director of the School, he was the one who carried out the measurements on Hervé - in *Atti del Parlamento Italiano, Camera dei Deputati*, Roma, 1912. Levelling political sedition to ordinary crime was another famous Lombrosian tenet as already explained in chapter one; see Lombroso and Laschi (1890), Lombroso (1894; and 1897, vol. 2). In 1912 Primo Fagioli, a man showing an anarchist tattoo, was fingerprinted without having committed any crime, according to Gibson. Mary Gibson provided a contrasting explanation, considering this a political use of fingerprinting by the scientific police that supplied “the director general of the P.S. with a list of ‘subversive’ every two months” (Gibson 2002: 147).

¹⁰⁶ The fist sentence against an individual who refused to undergo anthropometric measurements was dated 9 September 1905. The victim, smallholder Gualtieri Vincenzo from Lepignano, near Ferrara, was sentenced to five days. Ottolenghi kept trace of any sentence that supported the mandatory character of anthropometric measurement and communicated it to officers and constables who faced any hindrance and called for instructions (ACS - Fondo Scuola Superiore di Polizia, b. 1, f. 14). Ministry of the Interior’s circulars addressed to prefects and police headquarters regularly echoed school instructions about identification procedures and their degree of reliability.

¹⁰⁷ Reported in Valier (1998: 96-97).

¹⁰⁸ See Caplan and Torpey (2001: 131-132).

¹⁰⁹ The term “intimate” is taken from the legal debate surrounding the withdrawal of bodily samples to record in the U.K. national DNA database. See Lynch (2008: 142-154).

the United States.¹¹⁰ Fingerprinting didn't ameliorate the situation. In 1940, for instance, migrants passing through Louisiana and needing medical assistance were forced to submit to fingerprinting. "Deterrents and stigmatism such as this belong to the 17th century," a representative of the Louisiana Department of Public Welfare lamented.¹¹¹

Similar dynamics involved at least two classes of actors: supporters of the use of the techniques, namely political elites, member of the public administration and police officers; and opposers, usually members of the lower classes, immigrants and representatives of leftist popular parties. In some case, though, the resistance was more blurred involving many areas of the society. In situations like in Italy and Argentina, for example, police scientific identification needs conflicted with basic cultural values and faced the opposition of the most part of the population. In the 1920's, Vucetich supported the institution of fingerprinting as the core for a universal system of identification both on criminal and civil fields. Designed to be adopted at every level of the national administration, all the South American governments approved the plan. When the time came, though, fingerprinting faced a strong and unexpected opposition at every level of the Argentinean society. In this case, the Latin conception of honour became an obstacle to the conception of fingerprinting as a neutral identifier. Implemented without any opposition for immigrants since 1912, extended to illiterate municipal employees, police officers, prostitutes, convicts and mendicants, "dactyloscopy" could not be extended to other areas of Argentinean society until a "shift from the idea that identification was only for criminals, to the view that it had become an increasingly important means of safeguarding civil rights."¹¹²

In Italy, Ottolenghi pushed for a similar resolution; though, he was unable to make that "shift" occur. On the contrary, when Fascists came to power after 1922, the stigmatising character of fingerprints became gradually more evident. In 1926, for example, Fascists introduced the ID card with a dedicated area for a fingerprint in it - see Fig. 3.8. What seemed a clear victory of Ottolenghi, the ID card had been proposed since 1919 by Ottolenghi's former assistant Giuseppe Falco, soon became a manifest failure. In promoting the card, in fact, the Ministry of the Interior refused to make the apposition of the print mandatory, leaving room for "the instinctive, and unjustified aversion of large part of the population to fingerprints" that preferred to leave it blank.¹¹³

¹¹⁰ For American opposition to bertillonage, see Harvard Law Review (1903: 142). Resistances to fingerprinting in United States are reported in Jordan (1926).

¹¹¹ Falk (1940: 53). A similar use of fingerprinting has been recently proposed by the Italian government as a mean to "keep the location of Gypsies in the country under control" - see 'Famiglia Cristiana: "Razzista e indecente l'idea sulle impronte per i bimbi Rom"', in *Corriere della sera.it*, Milano, June 30, 2008.

¹¹² Ruggiero (2001: 194). This conceptual shift occurred in Argentina in the 1930s, while it had not yet occurred in Italy, where ID cards still nowadays lack the fingerprint in their dedicated empty space.

¹¹³ Barbanti (1964: 167).



Fig. 3.8: 1927 Italian ID card. The right index fingerprint is withdrawn below the photograph, which is a front mug shot. The entire structure of the documents recalls an individual card as it is easily seen also in the bottom left side where there is a space dedicated to a list of connotati e contrassegni salienti (main description and marks).

Giuseppe Falco, who would take over Ottolenghi's chair after his death in 1934, admitted the failure, acknowledging the "common prejudice of seeing fingerprinting as a police action which only suspects undergo, an action instinctively avoided by honourable men."¹¹⁴

It was not merely a prejudice, though. Fascist Italian society became rigidly disciplined in all its aspects, with identity control exerted by social organizations, like institution in charge of workers' free-time activities, the unions, the party, and juvenile associations, with all of them providing members' cards with the function of individual identification - see Fig. 3.9.

¹¹⁴ Quoted in Ibid., 167; see also Saracini (1929: 373), where the chief constable acknowledged "the unwillingness of honourable people in doing an act that makes them appear individuals worthy of special surveillance."



Fig. 3.9: Fascist membership card. Its main differences with the ID Card are a not-judicial photograph (taken from a $\frac{3}{4}$ position), the lack of fingerprint as well as of any form of physical description. The signature of the political secretary of the party on the right is the most reliable testimony of an individual identity after 1921.

The ID card soon lost the competition against all the others cards also due to a clear governmental policy in favour of other available documents.¹¹⁵ One of the reasons why the Fascist administrations did not rely completely on documents like the ID card was because such document was directly linked to police and criminal institutions, the only places where the card could be written out according to the rules.¹¹⁶ Only prisons and police *questure*, and *carabinieri* headquarters possessed both the expertise and the tools to record fingerprints and put them on the card. This transformed the card itself as sort of a document proving an individual's criminal record. The other cards, on the contrary, far from being "neutral" in Cole sense, offered the way of showing an individual's social status through honourable means: the artistic photograph, the signature of the individual and the signature of the institution's representative. Similar documents were more functional to the shaping of the new Fascist Italian citizen, grouping all individuals by political affiliation rather than anthropological profiling, leaving the possibility to everyone, even dissidents and ex-criminals, to be reintegrated into society once proved their loyalty to the party.

Another reason why ID cards were rejected by the most part of the population was linked to the concept of honour within the Fascist law. After the approval of the new Penal Code in 1930, libel and slander were linked together under the concept of *Delitti contro l'onore* (Crime against Honour) and both deprived of the burden of the material evidence. Libel could now be demonstrated by the

¹¹⁵ In 1937, the Ministry of the Interior's circular n. 10/139 established that the Fascist party membership card was to be considered as equivalent to the ID card (Gentile 2008: 174).

¹¹⁶ This was true at least in theory. In fact, as soon as the document was introduced *questure* and prisons started seeing as the optimal substitution for the more detailed and expensive identification procedure, with deleterious effects on the central identification service. In 1932, *questure* in many cities stop writing out individual cards of people already in possession of an ID card. Giuseppe Falco complained about the procedure, explaining that "while the individual card, even though with only fingerprints in it, will always allow a perfect identification [...] the ID card, on the contrary, very often cannot do the same" (ACS - Fondo Scuola Superiore di Polizia - b. 1, f. 14).

mere reference to an intention to insult, due to the suppression of the *exceptio veritatis*.¹¹⁷ As explained by Alfredo Rocco himself, the Fascist Minister of Justice who signed the new penal code, both libel and slander became now “*reati di pericolo*” (crime potentially dangerous), according to which:

The mere possibility of affecting even only partially individual honour makes a word or a pamphlet an injurious act, even in those cases when such an attack remains a possibility; that means that the law equalizes the menace to individual honour (*diritto all'onore*) and the actual damage or violation of such a right.¹¹⁸

For this class of crime, evidence was not required. A tribunal needed only to establish the mere intention to offend and the degree of the potential offence. In the case of honour, then, Rocco was clear: “Honour,” he declared, “is a immaterial and individual possession (*bene individuale*) the law must protect to let the individual fulfil his own moral personality.”¹¹⁹ This fact made the possession of a public document showing a criminal individual historical record, in Goffman’s sense, a source of crime against honour codified in the penal code.¹²⁰

In a society where the new code introduced special tribunals to crusade against libel and slander, the Argentinean “shift from the idea that identification was only for criminals, to the view that it had become an increasingly important means of safeguarding civil rights” never occurred. Due to its Lombrosian heritage, fingerprinting was restricted only to specific criminal issues and, at the same time, progressively deprived of its function of an individual identifier. The new Fascist conception of police matters focused on undisputed belief in and submission to the hierarchical authority, considered the previous use of fingerprinting and submitted only to the scientific authority, in conflict with the political system. According to that, the reading of fingerprinting was modified to let it play a more functional role. As its use as a mark of infamy on the ID card shows well enough, the power of fingerprinting did not rest anymore on the scientific information it transmitted, rather on its function as a stigma reserved to a specific social class of citizens, a vehicle of disgrace; a function subjected no more to scientific authority, but to the will of the political elites.

3.8 - Conclusions

In the history of criminology, fingerprinting is usually presented as the perfect example of a scientific identification. Scholars listed its main characters, scientific qualities like objectivity, accuracy, and reliability. This chapter was meant to show some of the cultural and social meanings associated with fingerprinting in Italy and in several other national contexts. It was underlined how Italian fin-

¹¹⁷ See the “Ingiuria e Diffamazione” in the 1938 new edition of the Law Encyclopedia *Il Nuovo Digesto Italiano* (Rende 1938).

¹¹⁸ Alfredo Rocco’s comment on the new penal law was quoted in Musco (1974: 16). In the previous code, crimes against honour were still considered damage crimes (*reati di danno*) requiring the burden of the evidence to be evaluated. For a discussion about the differences concerning this fact in the Zanardelli’s and in the Rocco’s penal code, see Rende (1938: 1107-1109).

¹¹⁹ Quoted in Rende (1938: 1105).

¹²⁰ Rende is clear about it: “The slander involves the communication of the offence against one’s honour. In order to do this, the means of the offence isn’t important at all, being it represented by a verbal as well as a written or a factual offence.» (ibid., 1106)

gerprinting had been developed within a strong philosophical context since the beginning. In promoting their scientific policing, Lombrosians imported fingerprinting from abroad attempting to make it suitable to a psychological reading of the criminals' mind. Unable to reach a common agreement about developing the system, they finally accepted the one promoted by the School of Rome, even though it lacked one basic scientific character: a mathematical distribution of fingerprint patterns that satisfied Quételet's binomial law. The lack of a proper mathematical structure did not avoid a stigmatising use of fingerprints by the Italian scientific police. Such a use was approved and sustained by the Italian government because it was functional to the wider plan for a modern and efficient system of national security. Giovanni Gasti, whose activity at the School has been inspected in this chapter, represented the most successful outcome of Ottolenghi's training. His successful career under the Liberal government revealed the magnitude of the political support to Lombroso's scientific policing.

Something changed after World War I. As soon as Fascists started shaping state administration according to their nation-building plan, scientific policing entered in open opposition with it. Because of its stigmatising character, and contrary to other police science tools, fingerprinting found a proper niche in the new system. As a "mark of infamy," fingerprinting had a primary function in an honour society like the one Fascists were building. More than an individual identifier, fingerprinting became a mark that represented a specific social class of pariah. Even though each use did not exclude the other, in the political and cultural context of the *ventennio* this new functions literally obliterated the traditional. The new practice imposed the loss of any scientific reading of the prints that became a simple bureaucratic label to be assigned or deleted according to precise political orders. The specific adoption of fingerprinting during the Fascist period was striking when the criminal archive at the School is compared to the archives of political dissidents kept at the Ministry of the Interior, which was deprived of a fingerprinting order. Even after the promulgation of the racial laws, when, according to what Galton had proposed at the end of the nineteenth century, the potential use of fingerprinting as an instrument of racial identification could have been more functional to political needs, nothing happened.¹²¹ In the end, all these facts revealed a shift in the use of fingerprints that was strictly related to a cultural, political and social shift.

¹²¹ The only reference in favour of a racial use of fingerprinting is Guido Landra's 1939 paper published on the Fascist radical journal *La difesa della razza*. This reinterpretation of Giuseppe Falco's evolutionary reading was not followed by any serious attempt to exploit fingerprinting in this way (Landra 1939).

CHAPTER 4

LOMBROSIAN SCIENTIFIC POLICE UNDER ATTACK (1922-1927)

After Lombroso's death, and especially during the second decade of the twentieth century, the status of criminal anthropology in Italy changed drastically. Exploiting national political and cultural change, a concerted rank of opponents moved harsh remarks to the positivists' tenets on almost every subject. Psychiatrists, philosophers, catholic intellectuals and judges all attacked positivists' positions, leaving Ottolenghi's scientific police as the only authoritative representative of Lombroso's theories in Italy. Such an authority, though, was limited to courts of justice and police barracks, while Ottolenghi's plan for a medical reform of the national security network introduced in the previous chapter, had to be postponed together with the extension of the use of the APBP in other areas of civil society.

At the beginning of the 1920's the School of Scientific Police found itself in a polarised situation marked by its most endurable success, yet by the emergence of reliable alternatives and to the application of Lombrosian reading of criminal behaviour. One of the most important successes in the history of Italian Scientific police was the identification of the assassins of parliament socialist member Giacomo Matteotti in 1924. It was a striking demonstration of the power of scientific techniques like latent fingerprinting identification and, at the same time, of the emancipation of scientific policing from political authority. One of the most reliable alternatives to Lombrosian reading of criminal matters was Pende's biotypology and orthogenesis and his social engineering entirely in line with the new regime. Pende's approach to crime and criminals revealed the limits of Lombroso's rigid vision of human kind and consequently the limits of its usefulness as an instrument of the nation-building process Fascists had in mind, as explained in details in chapter six.

This chapter describes the growing opposition of Lombroso's theory in Italy. A detailed analysis of the Matteotti trial is offered as an example that reveals the status of the Ottolenghi's School in the 1920's. At that time, an aim of defining specific boundaries around the new profession figure of the forensic expert took many other areas of the Italian academy to oppose to the rise of Ottolenghi's criminal science. The emergence of the figure of Nicola Pende characterised the beginning of the decline of Ottolenghi's influence, and the signal of the inexorable decline of criminal anthropology.¹

4.1 - The Growth of Forensic Sciences in the 1920s

The history of the Italian School of Scientific Police was marked by constant growth until at least 1924. As explained in chapter two, since the very first year of its foundation, Ottolenghi's theory had never been simply a school. Before even gaining its official regulations in 1919, the School's didactical activity was strictly embedded in a general plan of crime prevention, a plan that involved both radical structural change in the national security network, and the modernisation of routine

¹ See Villa (1984).

police practices. Lombroso's theories were at the origin of such a reform, as it was his vision of criminals as social, mostly incurable parasites. He considered them menaces that needed to be eliminated by *confino* (confine), criminal asylums, and even death sentences.

Lombroso and Ottolenghi's long term plan gradually flourished, and its result became evident at the beginning of the 1920's. In 1924 there were thirty-nine *gabinetti di polizia scientifica* (police forensic laboratories) scattered throughout the country, a number that increased during the next decade reaching the peak of sixty-four forensic labs in 1939.² The policy of crime prevention Ottolenghi had been promoting for years was finally welcomed both by government and jurists; at least so it seemed. Articles published in the *Archivio di Antropologia Criminale, Psichiatria e Medicina Legale* and *Bollettino della Scuola di Polizia Scientifica*, as well as the great number of books available in this golden age of Italian criminology, are collections of successes of scientific police methodologies.³ A palpable self-confidence and pride inspired by the awareness of the incoming ultimate success emerged from those pages. In a summary presented in 1936 and published in the School's *Bollettino*, it can be quantified by the degree of excitement shared by the members of the School. If the overall number of individual cards reached "only" 16,000 units in the first ten years of the School's history, it read, "[t]he next decade registered a remarkable improvement in spite of the period of war, so remarkable that on 31 December 1919, the central identification register contained 148,190 individual cards." During the third decade of the twentieth century, the positive trend improved. Between 1920 and 1930, the growing number of individual cards reached number 172,489. By then, Ottolenghi was sure that soon "a complete criminal identification register,"⁴ would be completed, by which he meant a register that contained enough personal information to constitute an anthropological map of the entire population.

Despite the upward trend in identification and technical investigation tasks, not everything was going according to Lombroso and Ottolenghi's plan. Still, at the end of the 1930's, the APBP had not taken off yet. Ottolenghi considered this survey the perfect Lombrosian probe whose aim was the accurate knowledge of the criminal's mind. Anthropometry, along with the assessment of the neural-muscular status of the pain tolerance level, left-handiness degree and detailed interviews, were meant to provide the scientific detective of the complete account of the criminal's personality. Supporters of the biological origin of criminal behaviours applied those practices on offenders throughout the world, both in prisons and in asylums, but only in Italy police officers routinely wore white coat while carrying out such analysis (Fig. 4.1).⁵ The survey involved an ordered series of steps and required long periods of time and many resources; so many that the School could not perform more than one-hundred and twenty-seven examinations per year. Furthermore, in 1936,

² See BSP (1930) no. 27-28-29; data reported in the Appendix, Table 7.3. For a critical reading of that data where the actual number of the laboratories is strongly questioned, see Locard (1925).

³ See AAC, no. 31, 32, 35, 37, 38; BSP every volume between no. 5-6 and no. 21-22-23; see also Falco (1923), Ottolenghi (1932), Sorrentino (1946; 1948), Rusticucci (1927) and RdP (1948). See also the figures reported in the Appendix, Table 7.3 and Graph 7.3.

⁴ BSP (1927) no. 24-25-26, p. 16.

⁵ See Beirne (1993), Wetzell (2000), Becker and Wetzell (2006).

the number of subjects the anthropologists of the School could examine per year did not go beyond fifteen units.⁶



Fig. 4.1: scientific police officer measuring the dimensions of the skull of an offender. The image is taken from Franchina (1941).

Despite all the difficulties, the APBP was the most important step of the study of the criminal; it was the Lombrosian core, the main character that distinguished the Italian School of Scientific Police from foreign “technical police” forces, as Ottolenghi and his fellows declared in more than one occasion.⁷

State of the art technology in 1924 composed a contrasted picture: police science promoted by Ottolenghi spread throughout crime scenes all over the country, welcomed by politicians, police administrators, and judges; while Lombrosian scientific policing was still kept at bay. In the rest of this chapter, an explanation will attempt to show how the same rationale at the basis of police science success in the 1920’s was a justification for the stall of Lombrosian scientific policing. In the first decade after the School’s foundation, police scientific testimonies were elevated to the status of legal proof. The professional relationship between the School’s experts and judges worked so well that the number of judicial sentences that clashed with forensic experts’ testimonies was few and far between.⁸ The reasons behind the success can be ascribed to the historical context. As a poor country with a high level of illiterates and a rich but patchy ethnical milieu, Italy’s jurisprudence was to prevent any form of social disorder. Both magistrates and scientific experts, like psychologists and physicians, were well aware of their task. Under this perspective, even experts from the School shared with magistrates what Ada Lonni has called the “cultural affinity.” This form of kinship was based on the sharing of a similar social background, the use of professional dialects of a unique

⁶ In the whole history of the School, the number of APBPs never exceeded that amount, see Appendix, Graph 7.2). Numbers oscillated frequently with the complete interruption of service between 1924 and 1927. The School was able to restore the service; however the maximum number of examinations per year was reduced to forty.

⁷ See Ottolenghi’s accounts published in BSP and Ottolenghi (1897b; 1910; 1911a; 1911b; 1932a); also De Sanctis and Ottolenghi (1913), Falco (1923), and Sorrentino (1946; 1948).

⁸ See chapter two; see also RDP (1948); BSP (1927) no. 24-25-26; Sorrentino (1946; 1948).

educated language, and the awareness of a common mission. In view of that, both magistrates and scientific experts thought they defended society from the chaos caused by the rising number of working class outlaws.⁹ Both members of the upper-middle class, they respectfully valued each other's differences concerning anthropological theory and respected the boundaries of their own science. This affinity not only defended society, rather it favoured the expansion of their own professional roles.¹⁰ Since the 1910's, Ottolenghi affiliates had learned to promote their expertise in courts by having respected such boundaries. Offering the more frequent forensic clues to Italian penal trials, fingerprinting in particular became the field where such a diplomatic skill reached its maximum. A historical example can help us better understand this fact.

4.2 - The Matteotti Affair

On 10 June 1924, the citizens of Rome were enjoying a sunny and hot afternoon. At 16:30, Giacomo Matteotti left his house and made his way through via Flaminia toward the parliament. He was one of the leaders of a coalition of parties that was trying to oppose the consolidation of Fascist power.

Since the "red October," the 1919-1920 peak of unrest, leftist parties had grown suspicious on the ruling classes and economic elites. This same sentiment reinforced by the socialist political victory of 1919 with 156 seats in parliament, had contributed to the rise of paramilitary Fascist forces. In this climate of growing violence, Italian governments were unable to control the situation, and on 28 October 1922 the Fascists marched fully armed to Rome. With the king refusing the Fascist advance militarily, Prime Minister Facta resigned and Mussolini found himself in charge of his first government formed by Fascist elements together with a coalition of parties.¹¹

⁹ Lonni (1984).

¹⁰ Lacking any historical account of scientific expert testimony in Italy comparable to what Golan did for England and America (1999), it must rely on works focused on famous trials like Bianchi et al. (1893), Babini (2004), Gaurneri (2006), Lonni (1984). In line with what was happening in the rest of Europe, the 1889 penal code extended the number of crimes against property with an aim to prevent forms of social redistribution of wealth favoured also by the social instability in the aftermath of the unification (Cavaglia 1915). The anthropological distance prevented judges and forensic scientists from understanding the whole social background of the crime, a limit that favoured the success of biological theories of crime since the 1870s as reported by Guarnieri (2006).

¹¹ After the first political Fascist breakthrough during the 1921 parliamentary election, with 23% of votes and thirty-five seats in parliament, resulted something unexpected. Problems due to the lack of data concerning the social composition of the movement since 1919 opposed an overall accepted social reading of the Fascist movement in Italy (Wellhofer 2003; Mann 2004). The same historical interpretations that were considered the outburst of the *biennio rosso* (red biennium) as the main reason of the rise of the Fascism, the overall popular unrest that shook Italy between 1919 and 1921, cannot withstand an international comparative analysis (Mann 2004: 60). Hence, a different interpretation of the origin of Fascism must be found, something that distinguishes the movement from an instrument of the bourgeoisie and of the economic power - the leftist traditional reading that roots back to Gramsci - and from a degenerated derailment of an otherwise safe and democratic Italian culture - an interpretation positively accepted by the Catholics after the war but that roots back to the Italian philosopher Benedetto Croce. According to this, and following Emilio Gentile's approach, Fascism can rather be seen as a movement with its own ideology and a proper idea of state and society (Gentile 1990; 1999; 2008a; also Berezin 1997; for a survey on the cultural focus of modern Fascist studies, see Gentile 2005; Griffin 2001; 2002).

The novelty represented by the paramilitary use of the force by a political party took the unprepared leftist parties by surprise and led to the 1921 internal schism that generated the foundation of the Italian Communist Party on 15 January. New parliamentary elections were indicted that same year. Affected by the Acerbo's law, a proportional law characterized by a premium of seats assigned to the party that obtained the majority of the preferences, and marked by Fascist violence against supporters of political opponents, the 1924 elections ended in the political success of Fascists. Fascists conquered 356 seats in parliament securing the absolute control of both chambers due to the 61.3% of preferences obtained.

According to the majority of the members of the opposition, 10 June 1924 could have been the day of reckoning. Proofs that the past elections had been fixed, with evidences attesting the corruption of Mussolini himself by one of the biggest American oil company (the Sinclair), were in possession of Matteotti who was planning to make them public in few days. Companions of the party were waiting for him at the Chamber of deputies where Matteotti had spent days to prepare his speeches. Yet they waited in vain for he never arrived at the parliament. His body was discovered two months later after massive investigations that were less than effective. Hundreds of *carabinieri*, police dogs, seaplanes, divers and even 200 pigs had been mobilised¹² without result – a choreography that will repeat itself in the future history of this country.¹³ When the body was eventually found badly buried in a park of the city, it was in a bad state of conservation. Matteotti's identity had to be confirmed through the reading of the remains pressed in the narrow trench, and by a jacket found in the area nearby.¹⁴

On 15 June, the School of Scientific Police was asked to carry out an analysis of the car used to kidnap the socialist Member of Parliament. Filippo Filippelli rented a Lancia in the name of the Ministry of the Interior (Fig. 4.2). Filippelli was the editor of the *Corriere Italiano*; both the newspaper and the man were very close to Mussolini. The car was found parked in the secured area of the Viminale, home of the Ministry of the Interior. The car was considered evidence and was supported by witnesses who had noticed that same car nearby Matteotti's house the day before. Another eyewitness also spotted the Lancia during the kidnapping of the politician.

¹² Diemoz (2005).

¹³ For instance, see the description of the search for the Christian-democrat member of the parliament Aldo Moro in March 1978 in Sciascia (2001).

¹⁴ Capecelatro (2004), and Canali (2004).

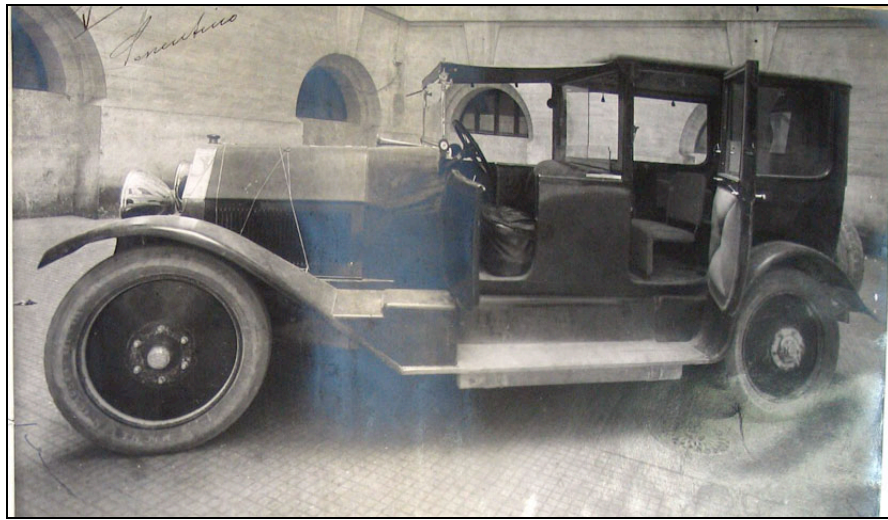


Fig. 4.2: the car used to kidnap Giacomo Matteotti. (ACM - b 459)

A few days later, police investigations led to the arrest of six people and to the discovery of robust Fascist infiltration both within the P. S. of Rome and within the royal *carabinieri*.¹⁵ Five of the six perpetrators of the crime, Amerigo Dumini, Albino Volpi, Aldo Putato, Giuseppe Viola, Amleto Poveromo, Augusto Malacria, Filippo Panzeri and Otto Thierschald, were arrested between 12 and 28 June, and the investigative circle closed dangerously around the highest members of the regime. The chief of Mussolini's press office, Cesare Rossi, together with Emilio De Bono, chief of the P. S. and one of the four leaders of the march on Rome, were directly involved in the investigations, along with Benito Mussolini who was also a suspect.

Matteotti's corpse was found on 16 August. The bad state of decomposition suggested to the two judges in charge, Mauro de Giudice and Guglielmo Tancredi, to request further forensic investigation for carrying out identification and establishing the cause and time of death. The results were remarkable. All of the testimonies, carried out mainly by scholars connected with Ottolenghi, showed the full explanatory power and the accuracy of modern forensic sciences.¹⁶ Reassembling the skeleton, measuring the remains using anthropometric techniques and carefully analysing the skull and the teeth, forensic anthropologists confirmed that the body found was Matteotti's. Studying the accretion time of the maggots found on the body, allowed experts to establish the probable length of time the body spent underground, and therefore, the probable *ante quem* moment of the killing.¹⁷ Most of all, the expert survey performed by constable Ugo Sorrentino on the latent prints recovered from the Lancia in June, and the consequent comparison of those prints with the suspects', were a key point of the judicial enquiry. From a couple of latent fingerprints left on the right front window, handles and windscreen of the Lancia recovered by Sorrentino – see Fig. 4.3a and 4.3b – Falco could confirm that Amerigo Dumini and Albino Volpi, two of the suspects arrested,

¹⁵ Canali (2004: ch. three).

¹⁶ At that time Ottolenghi was also a professor at the University of Rome and the editor of the medical journal *Zacchia*. All the experts involved were either contributors of the journal or worked with Ottolenghi at the University.

¹⁷ Capecelatro (2004). The technical surveys can be found in FM b. 459 - 460.

were actually in the car with Matteotti, adding a factual element to the uncertainty of the witness testimonies.

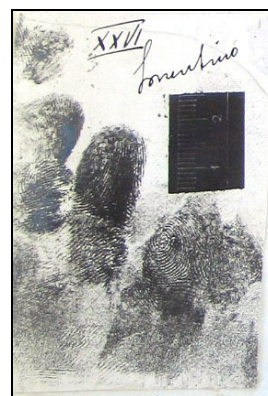


Fig. 4.3a: latent palm print recovered from the front windshield of the Lancia. (FM - b. 459, f. 56)

Fig. 4.3b: latent fingerprints recovered from the handles of the Lancia. (FM - b. 459, f. 58)

The prints were smudged; however, this was not an unusual situation for Sorrentino and his colleagues. During their career, they had learned to make judges accept their results in a way that prevented people from criticising the methodology applied. The role of fingerprint in the Italian courts had often concerned cases of burglary, fraud and homicide that involved specific class of citizens; citizens who hardly understood the ways in which the charge against them was sustained, and for this reason could not provide an adequate defence. Such a situation made fingerprinting a powerful ally in supporting accusations and sustaining sentences, a role that was surely appreciated by judges. The expansion of the School and the high rate of conviction supported by fingerprints, as Sorrentino suggested in 1946, can be considered symptoms of the acceptance of fingerprinting among police, *carabinieri*, and judges too. In his *Scienza contro il crimine* (Science against Crime), Ugo Sorrentino gave the number of such an unquestionable success in courts: between 1917 and 1943, he totalled 2,274 convictions supported by fingerprints with only six acquittals.¹⁸ The following statement written in a court verdict in 1915 is emblematic: “the evidence provided by fingerprints isn’t questionable at all because it has the same validity of the mirror reflex of a person’s face.”¹⁹

In this sense, Falco’s testimony was paradigmatic of the rhetoric promoted by Ottolenghi. In order to make the judges see that the conclusion of fingerprint reading was a direct consequence of a natural topographical structure, a “mechanical objectivity” that avoided problems of interpretations by the expert, the fingerprint testimony had to be based on these neutral description of facts:²⁰ 1) the physical and chemical procedures used to retrieve the print from the surface, together with a detailed description of the transposition processes in place and colour when needed; 2) the plain description of each print with the detection of the pattern and of any other clear detail (Galton’s *minutiae*); 3) the list of all the points of matching between the print retrieved on the crime scene and

¹⁸ Sorrentino (1946: 62) is an extension of the previous account made by Falco (1918).

¹⁹ Quoted in Rusticucci (1927: 215).

²⁰ The term is imported from Daston and Galison (1992; 2007), and has been applied to fingerprints by Cole (2002: 165).

the suspect's, labelled from the core of the figure and moving in a counter-clockwise direction; 4) the conclusions that are a direct consequence of point two and three; and 5) a graphical appendix strongly supporting point three. The survey relied on sensible use of illustrations by placing the pictures of the original latent print recovered from the crime scene – Fig. 4.4a – on the same page of the print taken from the suspect in the controlled environment of the police scientific bureau (Fig. 4.4b). This fostered judges to accept their similarity.

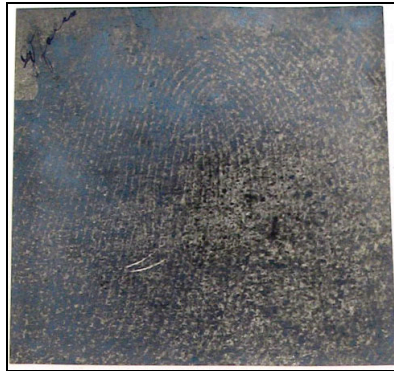


Fig. 4.4a: detail of the latent palm print retrieved in the car, the same of fig. 4.3a. (FM - b. 459, f. 468)

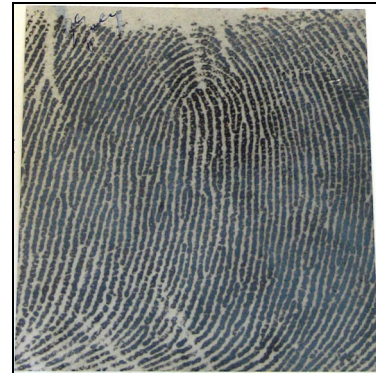


Fig. 4.4b: detail of the palm print taken from Amerigo Dumini by Falco. (FM - b. 459, f. 468)

An ordered list of matching points between prints was then superimposed on the pictures - Fig. 4.5a and 4.5b - in order to guide the judge's evaluation of the matching procedure carried out by the expert and also suggest the objectivity of the process that led to the identification.

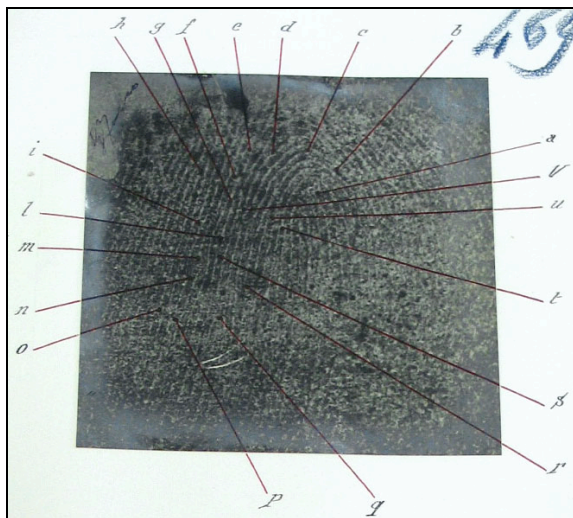


Fig. 4.5a: list of matching points on the latent palm print. (FM - b. 459, f. 469)

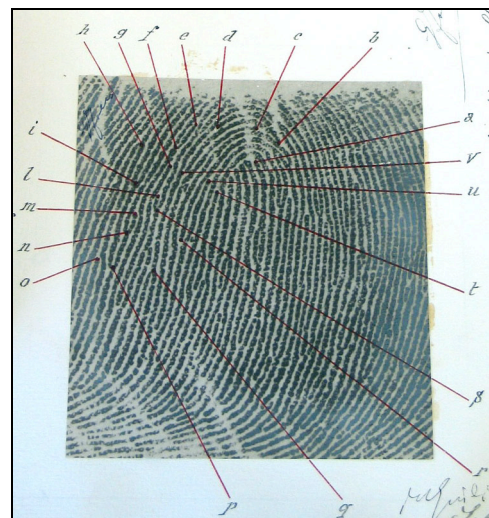


Fig. 4.5b: list of matching point on the palm print of Amerigo Dumini. (FM - b, 459, f. 469)

Lastly, Fig. 4.6a and 4.6b represented further visual support for the acceptance of the expert's results, with the coloured lines enhancing the only areas of the print that supported the conclusions, and leaving the smudged and blurred grey shadows in any other area.

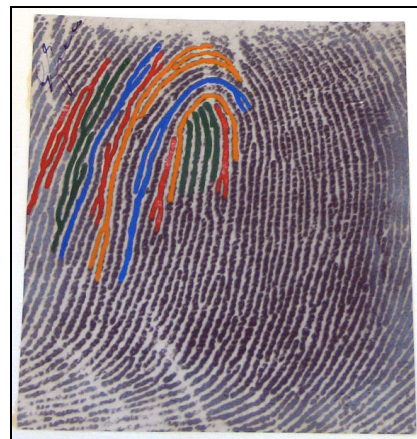


Fig. 4.6a: coloured marks on the latent palm print retrieved from the Lancia. (FM - b. 459, f. 470)

Fig. 4.6b: coloured marks on Amerigo Dumini's palm print. (FM - b. 459, f. 470)

Sorrentino recovered thirty-seven prints from the Lancia. Falco deemed twenty-seven of them “useful for identification,” but eventually three prints were enough to solve the case. Despite Ottolenghi’s hostility to a mere quantitative approach, the final reading was supported also by the number of similarities between the prints found on the car and the ones taken from the suspects. Despite the difference between the palm print and the fingerprints taken in consideration, Falco found twenty congruent points in the palm print and fourteen and sixteen respectively in the two fingerprints.

This was a winning tactic as long as the postulates of fingerprinting were accepted, without questioning the “presence of several congruent points, and [most importantly] the lack of any incongruent points”²¹ and the partial nature of the latent print.²² Such acceptance, widely proved by almost twenty years of legal successes, was a consequence of the general agreement between magistrates and scientific experts about the legal boundaries of expert testimonies in courts. As far as fingerprinting was concerned, its presupposed scientific background had nothing to do in establishing such boundaries; rather it was its role as an influential verification tool of judges’ decision that counted most. As long as fingerprint experts respected judges’ hierarchical superiority in court, many social actors maintained their interest in keeping fingerprints untouched by any form of critical analysis. Indeed, in considering fingerprinting a necessary investigation technique the School was flanked by the Ministry of the Interior and by most part of the legal representatives who applied it routinely in courts. A similar support was doomed to end briefly, as will be depicted in this

²¹ Falco’s testimony is in FM - b. 459, f. 449.

²² Current Italian police fingerprint testimonies follow exactly the same line, in some case using this survey as a scientific support. In 2008, for example, palm prints were considered a reliable mean of identification and a useful way to prevent the diffusion of self-alteration of fingerprints carried out by offenders in “substantial proportions.” (Giuliano 2008: 9) In supporting the point, the paper explicitly quotes the Matteotti survey as a scientific historical example of the effectiveness and reliability of the technique. (*Ibid.*: 15)

chapter, with consequences for the acceptance as well as the promotion of fingerprint within the Italian police.²³

In 1924, the forensic examination submitted during the Matteotti trial put Ottolenghi, Falco, Sorrentino and the other forensic scientists at the very centre of the national scene. Even the fiercest adversaries could not help to admit the brilliant success and the importance of Ottolenghi's approach to the crime scene, as well as the juridical value of their scientific expert testimony. According to Sorrentino, the power of fingerprints could not be questioned; it could only be politically opposed. The political situation, though, was perplexing. In December 1924, the consequences of the Matteotti murder had put Mussolini in a political stall. With the leftist parties united again and the public opinion confused by the development of the judicial enquiry, Mussolini had not taken a clear position. Besides the mass manifestations of sympathy for Matteotti's family, the inner opposition was growing, threatening his leadership and gathering a consensus around the figure of *ras* Roberto Farinacci.²⁴ During the 1920's, the power of the peripheral Fascist leaders gave birth to a dialectical tension with local representatives of the government, the prefects, and with the centralised party itself. To pacify the situation, Mussolini tendered his resignation as *dux* of Fascism to impose discipline to the rebellious leaders in 1921. During the 1924 crisis, it was the turn of Farinacci, Grandi and other influential representatives of the Fascist militia to dictate the political strategy of the party. They convinced Mussolini to assume the political responsibility of the murder, which favoured the development of the movement into the foundation of the dictatorship. Farinacci himself became counsel for the defence of Amerigo Dumini, making it clear that all the Fascists were a party to the suit.

According to Sorrentino, in 1924, "the political authorities unsuccessfully attempted to convince the former director of the Advanced School of Police [sic], Salvatore Ottolenghi, to declare my expert reports erroneous."²⁵ Ottolenghi was forced to oppose to Fascist pressures that revealed a radical change in the government attitude toward scientific policing. It is difficult to see when Ottolenghi realised the coming of the political changing then and the support for his scientific organization of the national security network had been withdrawn.

²³ Ottolenghi and Falco were very explicit in praising the judges who welcomed the growing use of fingerprints in courts; see, for instance, Falco (1918) and Ottolenghi (1932a). Sorrentino (1948) recalled Falco's paper adding even more numbers. The uncritical approach to fingerprinting was still a distinguished character of the Italian jurisprudence in 1969, when the Supreme Court considered the fingerprinting testimony as "the reproduction of objective data" - quoted in Ramajoli (1980).

²⁴ *Ras* is a term coined during the rise of Fascism as a party at the end of the 1910's. In that context, the *ras* was the leader of a region or a province who exerted an absolute and uncontested domain over his area. Mussolini himself alluded to the first Fascism as the "Fascism of the Ras," putting the accent on the regional and local dimension of the movement, and on its federal and decentralised structure. Roberto Farinacci in particular, was one of the most representative *ras* of the northern Fascism. Member of the Grand Council of Fascism, General Secretary of the party between 1925 and 1926, he was seen as the most genuine representative of the Fascism of the origins. Although he found himself often in opposition with Mussolini, he was one of the few who opposed the decision of dismissing him from his office during the 25 July 1943 Grand Council meeting. He followed his beloved leader in the Salò Republic where he was captured and executed by partisans in 1945.

²⁵ Sorrentino (1946: 118).

4.3 - Depraving Lombrosian Police of Its Scientific Character

Italian academic culture as well as professional groups exhibited hostility to the promotion of the Italian scientific police that grew stronger during the 1920s. This hostility could be ascribed to two reasons. Firstly, it was a consequence of the strong bond between the School of Scientific Police and Lombroso's criminal anthropology that further explained that human criminal behaviour was only due to causes that science could explain and laboratory experience enlighten, rejecting any form of metaphysics and theism. Secondly, it was also due to the ambitious plans Ottolenghi had for his scientific police, as well as to the institutional niche the School was trying to carve out for itself. The strategy adopted by most of the opponents after the Matteotti trial aimed at redefining the role of the scientific police, and its importance in the Italian society. This was done by separating its unquestionable operative efficiency from its scientific ambitions. This strategy however, was not a new one.

In 1909, Italian philosopher Giovanni Gentile (1875-1944) had already traced the line of attack against a positivistic philosophy.²⁶ In a series of articles published in the authoritative literary review *La Critica*, edited by the other major Italian philosopher of the time, Benedetto Croce, Gentile challenged his critics on the detrimental sociological side effects conveyed by the materialistic philosophy positivism was promoting into the Italian society.²⁷ Concerning Lombroso, Gentile's attack focused on the controversial theory concerning his depiction of the genius as a psychopath, and the anthropologic theory of crime advanced by Lombroso and a few of his followers such as Raffaele Garofalo and Enrico Ferri. Known as *Scuola positiva* (Positive school), this anthropological approach promoted a Copernican shift in penology that placed the criminal at the centre of the penal code and regulated the punishment on the individual propensity to commit a crime, rather than on the offence committed. Gentile addressed his rebuke on the materialist core of this approach, drawing a picture of the consequences within the criminology area that occur. He started presenting the portrait of man according to Lombroso. Despite the clear distinction made by Descartes between *res cogitans*, the active essence traditionally identified with the soul, and *res extensa*, the passive substance that composes reality, Gentile stated Lombrosians maintained that the first did not exist. According to the philosopher, this thesis had dreadful consequences. Not only man's psychological activity would become a mere by-product of man's physical constitution, but free will would disappear, and there would be no room left for transcendental dimensions, not even for God. Reality would become nothing else than the Lucretian bunch of moving molecules "bound to the same chain whose

²⁶ Giovanni Gentile is one of the major Italian philosophers of the twentieth century. His opposition to positivism in general, and to the Lombrosian School in particular, is of the greatest importance here, especially because of the institutional role Gentile played during the entire Fascist course. Chosen as Minister of education, he was the author of one of the most radical school reforms in Italian history, as well as an influential and powerful man of the regime. He was put in charge of nearly all the most important cultural projects and he influenced all the supported and permitted cultural activities of the Fascist era; namely, the Academy of Italy, the Italian Encyclopaedia, the National Centre of Researches – CNR. To get an idea of Gentile's influence on the development of the Italian cultural system, see Belardelli (2005), Fogu (2006). Regarding the relationships with scientific institutions and universities, see Maiocchi (1999; 2003), Guerraggio and Nastasi (1993; 2005), and Simili and Paoloni (2001).

²⁷ Gentile (1909; 1910).

both the first and the last links are nothing else than morbid states.”²⁸ Gentile’s philosophy was on the opposite side of the spectrum with respect to materialism. His “actualism,” strongly influenced by Hegel’s philosophy, promoted thought as the purest act. Thinking was an activity attributed to a spiritual substance never reducible to matter. Because of that, he read any materialistic philosophy as a personal attack, a direct threat to his of spirituality.²⁹

Regarding Lombroso’s materialism, however, Gentile aimed to unarm only his philosophical pretences and its scientific ambition. As he was ready to concede at the beginning of his 1909 paper, regarding the part “more properly [...] empirical [...]” it was obvious that “Lombroso and the Lombrosians gained first-class credits as reformers of the tools adopted to deal with crime.”³⁰ And the appreciation of the “empirical” activity presented side by side with the firm condemnation of its Lombrosian theoretic basis, would be the strategy often adopted by several opponents of the Italian scientific police since the 1920’s.

Gentile’s conception of Italian scientific policing as merely police science, was an implementation of his conception of the scientific knowledge as mere instrumental, hence a mere technical approach to crime rather than a scientific theory of criminal behaviour. With respect to the real knowledge represented by philosophy, religion and art that directly participated of the action exercised by the spirit over nature, Gentile’s “actualism” downgraded any form of empirical knowledge. Because science objectified its subject relegating the creative process of the spirit outside its boundaries, scientific knowledge could not be considered “real.” Far from original, this critical approach to science echoed a primary character of Italian culture of the nineteenth century that praised classics and humanities over scientific studies. During the Fascist era, the political central role played by Gentile would only worsen the situation.³¹

4.4 - Italian Psychologists and the Lombrosian Heritage

The newborn Italian experimental psychology community and the members of the Italian psychiatric school were among the professional groups who followed this strategy.³² Despite the common empirical approach to mental illness, there were strong resistances to Lombroso’s theories, espe-

²⁸ Gentile (1909: 270).

²⁹ “If the psyche must be reduced to a physiological function, then psychology cannot exist [...] and, not existing the psychology anymore, the Spiritualism, which makes its philosophical intuition depending directly on the existing of the soul, will loose its own foundations! Thus, it is an attack to Spiritualism” (Gentile 1910).

³⁰ Gentile (1909: 263).

³¹ On the unscientific characteristics of Italian culture and its relation with the Italian scientific research see Quaranta (1972). On the characteristics of Gentile’s “actualism” and his vision of society, see Harris (1960), Boas (1926), de Burgh (1929) and Horowitz (1962). For a critical account of Gentile’s approach to science see for instance de Santillana (1938). For a historical account of the consequences of Gentile’s policy on the Italian scientific community, see Guerraggio and Nastasi (1993; 2005).

³² The opposition between Lombrosians and Italian psychiatrists is questionable. Most historians of the Italian psychiatry found a common link between the two schools in the end of the nineteenth century. Contrary to that opinion, Canosa documented how the two schools acted pragmatically at the end of the nineteenth century allying together to promote the development of experimental psychiatry, the legal institution of criminal asylums, and to enhance the professional status of psychiatrists in courts. Since 1905, though, the two schools remained in different and sometimes contrasting positions with regards to the figure of the born-criminal as shown in the text. (Canosa 1979)

cially the theory of a causal connection between mental illness and criminal behaviour. The alliance between Lombroso's School and psychiatrists that characterized their relationship until the end of the nineteenth century, revealed the reorganization of Italian asylums.³³ This problem emerged in the 1870's, when psychiatrists opposed to the growing tendency to detain socially dangerous individuals together with innocuous patients in asylums. Being short of personnel and depending financially and operationally by local political authorities, asylum directors claimed that the rising population of dangerous patients in the asylums made the control of the facilities almost impossible. The rising number of institutions did not help either.³⁴ According to psychiatrists, the only fix would be an overall re-organization of the asylums based on the autonomy of the director, and the division of the population of patients in dangerous and innocuous. Lombroso's suggestion to create criminal asylums went in the same direction.

Since 1905, though, the main figures of the major psychiatric schools, important members of the *Società di freniatria* (the Freniatric Society), Eugenio Tanzi and Ernesto Lugaro, started demarcating their differences from Lombrosian conceptions on the nature of mental illness. From the theoretical point of view, they underlined the distinction between the "constitutional anomalies," seen as possible causes of a mental trauma, and Lombrosian "anthropologic signs," stating that "the value of such anthropologic signs [was] quite questionable."³⁵ They suggested to abandon "this anthropologic vision of mental illness [that read] every perturbation as a pathologic exhibition and to associate psychiatry and medicine (*clinica generale*)."³⁶

The president of the psychiatric society, Augusto Tamburini, shared the same disdain for Lombroso's "monogenic" approach, supporting a more holistic medical approach. In a paper published in the *Rivista d'Italia* in 1905, he stated that "newly readings of the influence of the regeneration, as well as experimental researches on the aetiology of nervous anomalies [...] rightly reevaluated the importance of pathologic factors and of the wide-ranging medical approach."³⁷

Under the auspices of an alliance with criminal anthropologists the autonomy of the management of the asylum was eventually obtained in 1904.³⁸ On the contrary, the creation of criminal asylums had to be postponed.³⁹ In the twentieth century, psychiatrists' theories about the causes of alienated behaviour opposed Lombrosian materialist tenets, creating a situation of competition especially in courts. Lombrosians could be seen as a dangerous threat to psychiatrists' newly accomplished role in the society, as well as to their scientific autonomy.⁴⁰ If psychology could be reduced to physiol-

³³ De Peri (1984).

³⁴ Canosa (1979: 90-92).

³⁵ Tanzi (1905: 649) also quoted in Canosa (1979: 71-72).

³⁶ Lugaro (1906: 10) and Canosa (1979: 73).

³⁷ Canosa (1979: 76-77).

³⁸ Law nr. 36, 14 February 1904.

³⁹ The institution of criminal asylums faced strong political oppositions. The result was the creation of four experimental facilities in 1904. In 1930, the only criminal asylums within the Italian territory were those same four experimental institutions.

⁴⁰ See Mecacci (1998), Gemelli (1952) and Cosmacini (1985).

ogy, then Lombroso and Ottolenghi could rightly claim that only the analysis of the body could reveal the mystery of the mind and, consequently, that only the criminal anthropologist could perform a reliable psychological expert testimony on the criminal. Far from denying the benefit coming from the introduction of criminal anthropology into police practices, psychiatrists denied any benefit coming from a similar approach to psychiatry.⁴¹ Neither positive psychologists nor former Lombrosians, like Sante de Sanctis, missed the opportunity to underline their differences from a strictly materialist approach, as well as to draw their positivism on the mere ground of the scientific methodology, remaining “*indifferent* with respect to every philosophical position whatsoever.”⁴²

The same conflict could be found abroad, where psychiatrists reacted to Lombrosian expansion into their field. Emile Kraepelin was one of the most influential German psychiatrists at that time. Furthermore, he was the one who introduced *L'uomo delinquente* in Germany, reviewing and translating the third edition of Lombroso's main work. Although interested in Lombroso's work, Kraepelin was inclined to refuse the author's reductive paradigm that foresaw psychology as subordinate to morphology. In particular, regarding the diagnostic strategy when examining criminals, he “did [...] reject Lombroso's claim that the born criminal's physical characteristics could provide valuable evidence in individual cases [...] In individual cases, he cautioned, physical characteristics were irrelevant, and only a psychological analysis of the offender's personality could reveal whether he or she was a “born criminal.””⁴³ This would be an analysis that considered the psychical life as something irreducible to the mere physical level. At the same time it required the adoption of a very different technique with respect to Lombroso and the ways scientific police were carried out.

While promoting the same empirical approach regarding the symptoms of the mental illness, psychiatrists and Lombrosians differed in their experimental procedures as well as in the focus of their analysis of the alienated and, in courts, of the criminal. Alfredo Coppola (1888-1957) was a renowned student of both Lugaro and Kraepelin, and a non-tenured university lecturer at the end of the 1920s when he carried out his most famous expert testimony. To better explain his methodology, a brief comparison between Coppola's and Lombroso's testimony in the Olivo trial, published in 1904, could be useful.⁴⁴ It must be noted that still in the 1920's the teachers of the School of Scientific Police considered Lombroso's investigative methodology the only methodology scientifically valid.⁴⁵ Although Olivo was a murderer, and Coppola's patient a suspected deceiver, Lombrosian experts' and psychiatrists' quest was the same: the complete acquaintance of the criminal mind. In his testimony, Coppola wanted to understand if the amnesia of his patient was true or simulated. In evaluating the degree of reliability of his statements, Coppola thought that he could do it only through a complete physical and psychological examination of the subject.

⁴¹ Tanzi (1905).

⁴² De Sanctis (1929: VIII), italics in the original.

⁴³ Wetzell (2000: 44).

⁴⁴ Coppola (1931), Lombroso (1904b). Coppola's patient, the famous *smemorato di Collegno*, will be the main subject of chapter five.

⁴⁵ Sorrentino's contribution in BSP (1922) no. 9-10-11, pp. 192-3.

As explained in chapter one, in studying Olivo's psychology, Lombroso carried out an accurate morphological and biographical analysis involving a complete physical examination (skin and hair, skeleton, skull, face, ears, mouth), a biological survey (secretions, sexual life, breathing, blood circulation, muscular and ocular reflexes), a psycho-physical analysis (tactile sensibility, left handedness degree, pain tolerance, magnetic and heat sensibility, space and time cognition, sense of the proportions, smell and taste sensibility, visual and acoustic receptivity) and a psychological exam. In this last phase, Lombroso's approach revealed some similarities with Coppola's. In spite of all the manifested differences between the two backgrounds, this fact underlined once more the common idea that psychic anomalies can be traced only on the basis of the clues emerging from an empirical investigation.

The two methodologies had common exams such as attention tests based on visual search (Bourdon test) and visual recognition (Heilbronner test), mental calculation skills, short-term memory and anterograde as well as biographical memory assessment. Differences emerged when Coppola added to the list an appraisal of spoken language, a semantic memory and visual imagery analysis and eventually, a procedural memory study. Lombroso, for his part, had investigated the interdependence of psychological and physical levels probing Olivo's emotional sphere both through a physical exam, and the literary analysis of his writings. In particular, both the physical probe, carried out by a machine capable of measuring differences in blood pressure, a sort of ancestor of the lie detector, (the plethysmograph),⁴⁶ and the literary analysis were the key tests that made Lombroso detect traces of epilepsy and estimate Olivo's degree of social dangerousness.⁴⁷

The importance Lombroso gave to the plethysmograph can be particularly representative of the differences between the two approaches. One of the fathers of Italian psychoanalysis, Cesare Musatti (1897-1989), was a young psychiatrist at the time of Coppola's testimony and developed a series of studies on the reliability of eyewitnesses inspired by the 1927 famous trial in which Coppola was involved. Musatti adopted a method invented by his former teacher that correlated physiological reactions and pure psychic states by applying it to police interrogation. He used a pneumograph to measure the changing in the suspect's breathing during an interrogation (See Fig. 4.7b). The change of breath rhythm, shown on the graph by an inked needle connected to the machine, could be considered a side effect of the mental effort in making up a lie. Lombroso measured this direct relationship between mental and physical states using Mosso plethysmograph (see Fig. 4.7a) that detected changing in blood pulsations. Musatti's experiences revealed all the difficulty of such an assignment, showing how physiological reactions could never be directly related to an objective reality; instead, they should be seen as tied up with subjective psychical states that could be interpreted only within the context of the psychical history of the subject, and never be used in court.⁴⁸

⁴⁶ For an exhaustive description see Horn (2003).

⁴⁷ See chapter one, section 1.6.

⁴⁸ Musatti (1989).

In both the cases cited here, though, the result of the testimony was a failure. If, according to Lombroso, his diagnosis of latent epilepsy should have resulted in a sentence of “permanence in a criminal asylum [...] for the rest of his life,”⁴⁹ even the “sophisticated cognitive assessment strategies [that were] rediscovered and investigated only many decades later,”⁵⁰ innovative and extremely solid, Coppola chose to carry out in his patient did not reveal sound enough to prove the suspected simulation.⁵¹

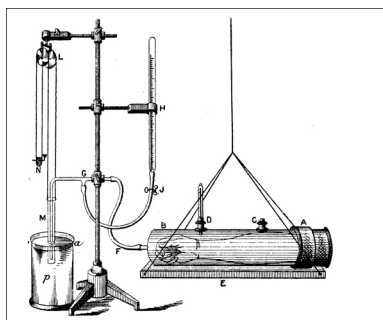


Fig. 4.7a: Mosso plethysmograph detected changes in blood pulsations attributed to an untruthful state of mind. Fig. 4.7b: Marey pneumograph used by Musatti measured the changing in breathing during an interrogation. (Musatti 1989)

4.5 - Defining the Juridical Boundaries of Forensic Expertise

In 1886, Senator Luigi Lucchini (1847-1929), a renowned representative of the Italian Natural Law School, published a book dedicated to criminal anthropologists, psychologists and sociologists whose attempts to enter the Italian courts was seen as a move to tender the judge’s autonomy.⁵² Chapter two reserved a specific treatment to Lombroso’s organic analogy between criminals and pathogenic elements and the consequent representation of the criminal anthropologist as a social physician. “The analogy with medical sciences cannot withstand,” Lucchini stated, for “even in case of pandemic diseases [physicians’] main task will always concern the complete rehabilitation of the patient [whereas] the reasoning of the “new school” point to the carnage of socially infirm elements.”⁵³ Lombroso’s conception of the human being itself was the target of critical remarks like this.⁵⁴ During the eleventh national congress of the Psychiatric society, in 1901, Tamburini projected a detailed proposal to lower the number of patients in the asylums. Point “D” of that proposal was in total opposition to the Lombrosian reading of the criminal behaviour as atavistic and irrecoverable. At the same time it opposed Lombroso’s vision of asylums as places where social parasites like Olivo should be locked-up for the rest of their life. “[We must] redirect the asylum to

⁴⁹ Lombroso (1904b: 654). Remember how in 1904 only four experimental institutions constituted the whole set of criminal asylums in Italy.

⁵⁰ Zago et al. (2004: 519).

⁵¹ See chapter six.

⁵² Lucchini (1886).

⁵³ *Ibid.*: 24-25.

⁵⁴ See chapter one.

its original goal,” stated Tamburini, “which consisted primarily in curing the acute cases as well as the curable.”⁵⁵

The psychiatric opposition to the monogenic explanation of mental derangement proposed by Lombroso, with his focus on the physical level, was useful to the supporters of the Natural Law School. Charging the Lombrosian progeny of materialism and atheism helped jurists extend hostility to the Positive School’s invasion of the penal arena. This meant limiting the influence of Ferri’s Positive School on the projects for a new penal code, especially during the first decades of the twentieth century.

As far as this point was concerned, jurists faced a two-fold problem. The first part concerned the role of the expert in court. As depicted in chapter one, there were specific judicial consequences that Lombroso derived from his criminal anthropology in the first edition of *L’uomo delinquente*. Accordingly, Lombrosians had requested the criminal anthropologist to be held at utmost importance for the first half of the twentieth century.⁵⁶ According to them, judges should put forensic experts in charge, not only of the analysis of clues left on a crime scene, but also with the very goal of the scientific police - allowing forensic experts to perform the analysis of the suspects as well. Indeed, they should let criminal anthropologists explore every aspect of the offenders’ morphology and psychology by the help of the most advanced technologies available.⁵⁷ During his career, Ottolenghi promoted the implementation of a great number of instruments for a range of different purposes. Besides callipers and scribing compasses, there was the Anfosso tachoanthropometer,⁵⁸ the craniograph,⁵⁹ and Gasti pantropometer.⁶⁰ The Edelman farad meter was used to perform scientific analysis on handwritings.⁶¹ Dynamometers, tachometers, Erb bipolar electrode and current generators measured strength, reflexes and pain tolerance.⁶² Dictaphones and plethysmographs transformed empirical interviews into scientific ones.⁶³

According to Ottolenghi’s view, the anthropological results should have been taken into consideration by judges who were expected to adjust their sentences to the forensic experts’ advises. On the contrary, the repudiation of the Lombrosian materialist tenets allowed judges to defend the existence of a dimension other than the mere physiological level, and to claim for the independence of their judgment from the criminal anthropologist’s testimony. This was possible without dismissing the practical benefits the penal system could have the application of the physical identification techniques within police matters. As read in Luigi Lucchini’s *Rivista Penale*, the most important

⁵⁵ Quoted in Canosa (1979: 93).

⁵⁶ See Ottolenghi’s papers on RPS, above all (1897b; 1910) and Ottolenghi and Ostero (1898).

⁵⁷ See also Lombroso (1904a) and for a real application (1904b).

⁵⁸ Ottolenghi (1897c).

⁵⁹ RPS (1898) no 6, p. 242.

⁶⁰ Gasti (1912b).

⁶¹ AAC (1894) no. 15.

⁶² AAC (1890) no. 11.

⁶³ Still at the end of the 1950s, the forensic laboratories of the School of Scientific Police used many of the technologies Ottolenghi promoted at the beginning of the twentieth century. (De Porcellinis and Camposano 2000)

journal of the Natural Law School is the review of the first volume of Ottolenghi's 1910 *Trattato*, "we always opposed, as we shall always do, to the philosophical juridical, or rather, anti-juridical doctrines people want to draw from anthropology; but never to the technical applications useful to the police and to the prison disciplines [...] *The problem concerns the good setting of boundaries and authorities.*"⁶⁴

Another crucial issue was the juridical principle of responsibility. The Positive School supported the conceptual shift from the crime to the criminal, and modifications to the Italian penal code proposed before the 1930 Fascist penal code were in a way a result of such a shifting.⁶⁵ Eventually, the Fascist penal code did not follow those advises. Although Enrico Ferri, leader of the Positive School, was directly involved in the 1921 project for the promotion of a new penal code,⁶⁶ as soon as the Fascist regime dedicated its full attention to the project, both the influences of the Positive School and the Natural Law School ceased to be affective and were evaluated with respect to their functional role within the policy of the regime. On one hand, the code supported Ferri's suggestions to focus on the degree of social dangerousness of the criminal over the classical abstract deduction of the punishment from the typology of crime committed; on the other hand, it strongly defended the traditional autonomy of judge's decisions from authority others than political. Having judges at the Minister of Justice's direct dependences became crucial in a regime that requested a stronger political control on judges.⁶⁷

Since part of the accusatorial system empowered by the Fascist code, scientific police enjoyed new advantages from the 1930 penal code. From the forensic expert's point of view, the most important novelties were characterized by new rules for the gathering of clues and evidences. The code facilitated the collection of evidences by making the participation and the acknowledgement of the defence representatives optional, and gave police officers increased freedoms of actions in dealing with suspects. Both tasks were seen as a natural by-product of the new political conception of security that degraded individual rights with respect to the needs of the community.⁶⁸ The new code, apart from any previous legal tradition, sought to satisfy the political needs of the regime in the de-

⁶⁴ RP (1910) no. 72, p. 384. The duel at a distance between Ottolenghi and Lucchini went on for years. It can be interpreted as a reliable sign of the times. Whether the admission of the importance of the scientific police's empirical activity was clear in 1910, the occasion of the Matteotti trial Lucchini's review took a quite strong and different position: "we are force," they write, "to take note of the [scientific police] non-stop series of successes: yesterday there was the murder of the delegate Pietravalle; today Matteotti's; yesterday the doing in of the vintner in via De Pretis, in the near neighbour of the Minister of the Interior; and the bombing of the Fascist head quarter in Napoli; and the carnage in via Ostiense [...] by boasting of admirable control, and discovery methodologies, and techniques drawn from the most astonishing and modern sciences – anthropology, psychology, sociology - [...] 'scientific... police' will always make newspapers and magazines speak well of those sciences that fill your mouth and your mind with the most noisy phrases and promises, but practically don't last a minute." In 1924, times were mature for stronger forms of opposition to the Positive School (RP (1924) no. 100, p. 106).

⁶⁵ Grosso (1997) and Gibson (2002).

⁶⁶ Gemelli (1927), Scarlata (1909), Cocurullo (1920).

⁶⁷ De Grazia and Luzzato (2005); Neppi Modona and Pellissero (1997). The Minister Alfredo Rocco personally involved Enrico Ferri in the initial draft of the Code. This fact has been read more as tribute to an old leader than an actual request of participation. Ferri died before the task ended however, and the job was entirely made by Alfredo Rocco and Vicenzo Manzini (De Grazia and Luzzato 2005).

⁶⁸ Neppi Modona and Pellissero (1997).

fence of Fascist morality, in the promotion of Fascist party interests, and in the condemnation of every kind of political opposition.

This could also explain why the main tenet of the Positive School, namely the need to erase the concept of free will and, consequently, of the notion of moral responsibility as a fundamental part of the penal judgment, was never taken in serious consideration by the panel of experts appointed by the Fascists. The Catholic reactions to the introduction of the new penal code can represent a good marker of this opposition to an extreme materialistic approach. After all, the Church had been fighting a war against any form of determinism from centuries, and positivism was not an exception. From this point of view, the positive comments to the anticipation of the new code published on the Jesuit *La Civiltà Cattolica* was an interesting sign of the Catholic appreciation of the Fascist penal code, and a confirmation of its law positivistic character.⁶⁹

4.6 - Agostino Gemelli and the Catholic Critiques to the Born Criminal

As far as the free will problem was concerned, jurists had powerful allies indeed. If they saw the reduction of psyche as a threat to the principle of responsibility of the penal system itself, others were trained to detect the shadow of more dangerous and ancient enemies. It is the case of Catholic scientists like Franciscan friar Agostino Gemelli (1878-1959), a renowned Italian psychologist, co-founder with Giulio Canella of the *Rivista di filosofia neoscolastica* (*Review of Neo-scholastic Philosophy*) and founder of the Catholic University of Sacred Heart in Milan. Gemelli is a key figure in this story; not only he was the most authoritative witness called at the bar during the trial at the core of this thesis; he was also a famous experimental psychologist who strongly sided with the adversaries of the Positive School introduced at the beginning of this section.⁷⁰ He was also the most famous religious scientist of the time, an undisputed authority in research on mental diseases, criminal behaviours, aptitude tests and screening techniques applied to soldiers, pilots and bank clerks.⁷¹

Before taking his vows, Agostino Gemelli was a socialist and a positivist at his own admission;⁷² and eventually a scholar with a good relationship with the emerging Fascist regime.⁷³ As a psychiatrist and a Catholic, Gemelli was keen to follow Gentile's discrediting strategy. Gemelli's attack was primarily methodological: Lombrosian statistics, the use of Darwinian evolution, and a supposed misleading interpretation of the process of heredity were the main subjects of his remarks. Gemelli went on to blame criminal anthropologists for not taking into consideration the data they manipulate in "absolute sense [...] drawing deductions from the clusters of numbers their measurements

⁶⁹ The project for the new penal code presented by Minister Rocco was praised to "honour the Italian Law School [...] is based on the steady principles of morality and religion" (*La Civiltà Cattolica* (1927) no 3, p. 481; see also *La Civiltà Cattolica* (1927) no. 6, p. 562).

⁷⁰ Like his fellow psychiatrists, Gemelli defended the autonomy of the discipline by placing boundaries to the influence of criminal anthropologists. As far as the insane were concerned, for example, in his *Le dottrine moderne della delinquenza* (*Modern doctrines on crime*) he maintained that: "the imperfections on the body don't reveal mental imperfections" (Gemelli 1920: 29), and thus that "such an individual cannot be the object of the criminologist's study but of the psychiatrist's" (Gemelli 1920: 104; see also Cosmacini 1985).

⁷¹ Cosmacini (1985).

⁷² Gemelli (1952); see also Cosmacini (1985).

⁷³ De Grazia and Luzzato (2005), Cuomo (2005), Cosmacini (1985).

give them,” while in more civilized countries methods of reductions of errors due to statistical measurements were already taken into consideration. In Italy, he stated ironically, “it is preferable making comparison between a hundred of supposed honest individuals and few criminals.”⁷⁴

In the same way, Gemelli blamed the blind acceptance of stronger theory of Darwinism. Referring to the expression of atavism adopted after the third edition of *L'uomo delinquente*, Gemelli claimed that the concept of atavism of the basis of Lombroso's theory of the born-criminal was based on a wrong theory. In that edition, Lombroso relied on Haeckel's biogenetic law to explain the causes of atavism. During the foetal development, each individual recapitulates all of the evolutionary steps of the human evolution and Lombroso identified with an interruption of this path the origin of a degenerate behaviour. In 1920, Gemelli challenged Lombrosians to refer to Darwin, Morel and Haeckel to support their own theories without keeping up with the more recent results of embryology. If they did, he concluded, they knew that there was not recapitulation at all.⁷⁵

Heredity itself, Gemelli explained, “hasn't got that much unlimited power that it was normal attributing to it until few years ago [...] the organism resists [...] thanks to a very efficient recovery mechanism that brings him back to the normal type.”⁷⁶ Such recovery mechanism was in contrast to any form of evolutionary reading of human nature. Taking part only marginally in the international debate that opposed supporters of Mendel's law of hybridization to advocates of Galton's law of ancestral heredity, Gemelli rejected both positions because functional of a materialistic and reductive vision of life.⁷⁷ He did not reject their experimental results, though. On the contrary, he referred to them whenever they supported his critical reading of theories like Lombroso's. In this case, Gemelli used Mendel's law of inheritance to explain the presence of the individual recovery mechanism, recalling a process of inheritance of characters that was alien to Lombroso's thought.

Lombroso belonged to a different scientific tradition that saw heredity as a vector of environmental influences, and source of evolutionary attributes. His concept of heredity was a key notion for the creation of a class of degenerates to be treated as social viruses. Accordingly, he could explain the presence of a born-criminal in an otherwise healthy society as the source of a social disease that could not be cured relying upon the power of the individual's will. Lombroso's methodological approach echoed the work of the early nineteenth-century French physicians who considered heredity as a source of madness rather than Gemelli's most hated Darwinian evolutionary theory.⁷⁸

The negation of atavism, then, as well as the denial of any strict correspondence between corporal imperfections and psychic defects, constituted the barbican from where Gemelli protected the most precious gift God gave to his children: the existence of free will and the consequential statement of

⁷⁴ Gemelli (1920: 35).

⁷⁵ *Ibid.*: 66.

⁷⁶ *Ibid.*: 39.

⁷⁷ On the debate about Mendelians and Darwinists, see Falk (2005) and Porter (2005).

⁷⁸ Mueller-Wille (2007: ch. seven).

the born-criminal non-existence.⁷⁹ “Whatever the hypothesis adopted to explain the criminal deviation, there will always be ‘something’ that cannot be explained in a determinism way. This residual is our freedom.”⁸⁰

Regarding Gentile’s appreciation for Lombrosian techniques employed in police practices, Gemelli agreed with the renowned philosopher. In his 1911 booklet on Lombroso, Gemelli explicitly quoted Gentile’s 1909 article⁸¹ but remained strongly committed to the negation of the born-criminal theory until 1940. The study of criminal behaviour required a much deeper analysis he attacked; an enquiry that went beyond the skinned surface of the criminal and involved sociologists, endocrinologists, anatomists, and, most of all, psychologists.⁸²

In the 1920’s, these considerations became the source of inspiration for a new and independent medical approach to criminals and degenerates, a movement that in the 1930s took the form of an actual opposition even to the use of Lombroso’s theory in police practices.

4.7 - Shaping Individuals - The Biological Engineerig of Nicola Pende

One of the most distinguishing aspects of Lombrosian determinism was its rigid conception of human nature. Once the body was formed, once the age of puberty had passed, and the “degenerative stigmata” emerged, Lombroso believed that the physical, as well as the psychological development of the individual was settled. Enrico Ferri’s Positive School supported this tenet. Ferri’s theory of the “occasional criminal” was, in a way, useful to this conception, aiming to defend the educative function of penal punishments, and to support the validity of reparations of the damage, of the hard labour and the temporary segregation on agricultural colonies only for those criminals that were partially free from their atavistic nature. This distinction allowed Ferri and the criminal anthropologists to insist that as far as the born-criminal was concerned, no prison could ever be of any use, and the only social defence against the born-criminal was the introduction of permanent segregations on penal colonies and criminal asylums, located in areas as far as possible from the “normal” community.⁸³

The Italian medical milieu did not sustain Lombrosian positions; rather it showed a vast range of appreciable variations that, together with psychiatrists, rejected such a rigid vision of man.⁸⁴ Among them, as far as the analysis and the explanation of degeneration is concern, emerged the major figure of Nicola Pende (1880-1970).

⁷⁹ Gemelli (1911; 1920; 1940). Regarding the strong link between corporal and mental states, the Lombrosian thesis assumed a very embarrassing form if applied to Catholic’s beliefs, especially when Lombroso presented saints’ stigmata as the side effect of epileptic attacks. Unfortunately, Lombroso’s desecrating analysis did not end up with stigmata: his descriptions of degenerated behaviours often recalled the legendary actions of Catholic saints; a particular Gemelli did not pass over (Gemelli 1911).

⁸⁰ Gemelli (1920: 127).

⁸¹ Gemelli (1911: VI).

⁸² Gemelli (1940).

⁸³ See for example Ferri (1897; 1920).

⁸⁴ Maiocchi (1999), and Mantovani (2004).

Pende stood out in Italy at the beginning of the decade, with writings concerning the purity of the race, published in the journal *La Difesa Sociale* (The Social Defence). At that time, he was already a well-known endocrinologist, professor at the University of Messina and the leading character of the neo-Hippocratic medicine movement.⁸⁵

At the beginning of the 1920s, he focused on the creation of a theoretical new branch of clinical studies with a strong affiliation in social engineering. Pende put forward a methodology that founded the analysis of the individual's constitution upon his morphological exams, but not restricted to them; he named it biotypology. Like Lombroso and Ottolenghi, he worked on a scientific methodology that would allow him to disclose the essence of the individual personality; like them he made use of anthropometric measurements to obtain useful data. Following the clinical tradition of constitutionalists like Giacinto Viola and Achille De Giovanni, Pende's approach focused on the conception of corporal harmony more than on deviances from the average ratio of bodily parts. This difference was visible in the tools Pende employed in carrying out his anthropometric measurements, namely the *tavole testo* (table-texts). Those instruments remarked his distance from the Lombrosian tradition by representing the benchmark of the individual evolution through several stages of his history, and most of all, by being racially defined (See Fig. 4.8).

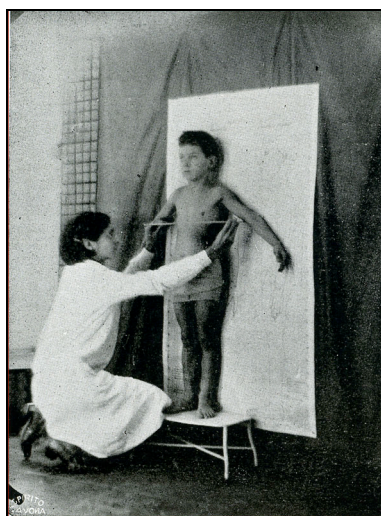


Fig. 4.8: The use of Pende's table-text during the evaluation of the stage of development of a kid. (Barbara and Vidoni 1933)

Such a method summed up in a graphical model all factors that contributed to the individual evolution, sidelining the monogenetic vision based merely on morphological examinations. In his 1939 book on biotypology, Pende was clear about this point. Promoting once again his “clinical synthesis” as the only way to grasp the individual's personality, he could not help to enter again in the ra-

⁸⁵ The neo-Hippocratic, also known as the neo-constitutionalism movement, was the Italian variant of the nineteenth-century powerful medical tradition called constitutionalism. In Italy, the movement gained great acceptance and stood in opposition against the microbiological and histological trend imported from Germany. The primary importance given both to the synthetic and unitary knowledge of the overall constitution of each individual body, and the need to keep a constant and direct relationship with patients, represented the main tenets of the school, in clear opposition to the German medical approach based on laboratory analysis of body samples (Cosmacini 1981; Mantovani 2004). As far as Pende's influence on criminology is concerned, see Villa (1984).

cial dispute caused by the publication of the *Manifesto degli scienziati razzisti* (The Manifest of the Racist Scientists) he had subscribed to the year before. The *Manifesto* had officially initiated the racial policy of the Fascist regime in Italy, but such policy had been at work in the Italian colonies since the invasion of Ethiopia.⁸⁶ Although Pende signed the *Manifesto*, his position could be ascribed to the racist tradition inaugurated by Giuseppe Sergi,⁸⁷ as characterised by the opposition to the biological definition of racism promoted by the *Manifesto* in 1938.⁸⁸ Despite that Pende's signature was most important in supporting the *Manifesto*, his theoretical activity since 1938 can be seen as an attempt to promote a different and more traditional conception of the Italian race, refuting the vision of a "pure Italian race" based on an "Aryan" nature as stated in the *Manifesto* that young anthropologist Guido Landra and Mussolini apparently wrote. In 1939, Pende wrote:

In order to make the modern racism [*razziologia*] progress, we must establish new racial theoretical principles and a brand new terminology. Rather than seen as a fossil, a static type, the human being must be deemed as a living psychosomatic unit, capable to reproduce within a specific natural [*cosmico*], social, and political environment, namely a national environment; such is the only actual and real [*concreto e reale*] human being.⁸⁹

The final picture that emerged from his analysis was the *razza-sintesi* (race-synthesis), a concept of race based on the vision of a "structural-dynamic type of the individual."⁹⁰

Pende's dynamic vision of human nature openly contrasted with Lombroso's rigid representation. It was clearly marked by the distance Pende put between his studies and Lombroso's tradition.⁹¹ Pende based his theory on the Aristotelian distinction between potential and actual characters, and on the theorisation of the four faceted nature of every individual biotype that were represented in the biotypological pyramid, "the geometrical schema of the basic components of everyone's 'integral biotypological profile'."⁹² According to this theory, the "structural-dynamic character of every individual biotype" rested on four different types of factors: hereditary, meteoric post-conceptual, humoral, and dominant neuro-psychological. None of these aspects were fixed at the time of the birth, and a few could be lead to their optimum by acting on the four facets of the biotypological pyramid: morphologic, dynamic-humoral, intellectual and moral (See Fig. 4.9).

⁸⁶ See Dominiononi (2008).

⁸⁷ Introduced in chapter one.

⁸⁸ On the controversy between Pende and the other subscribers of the *Manifesto* see Gillette (2001).

⁸⁹ Pende (1939: 575).

⁹⁰ *Ibid.*: 1.

⁹¹ After 1920, positive references to Lombroso in Pende's works are nearly impossible to find. Ottolenghi denounced the fact that Pende's theories showed many theoretical lacunae that "are in contrast with the rich morphologic and criminal anthropologic literature, and most of all with the rigorous methodology criminal anthropologists adopted since Sergi's reform of craniology at the Royal Medical Academy of Rome in June 1922." Similar gaps, he continued, could be filled in by the adoption of criminal anthropology's methodology that "must impose itself on endocrinologists not only in morphology but even in psychology" (Ottolenghi 1922b: 1040).

⁹² Mantovani (2004: 228)

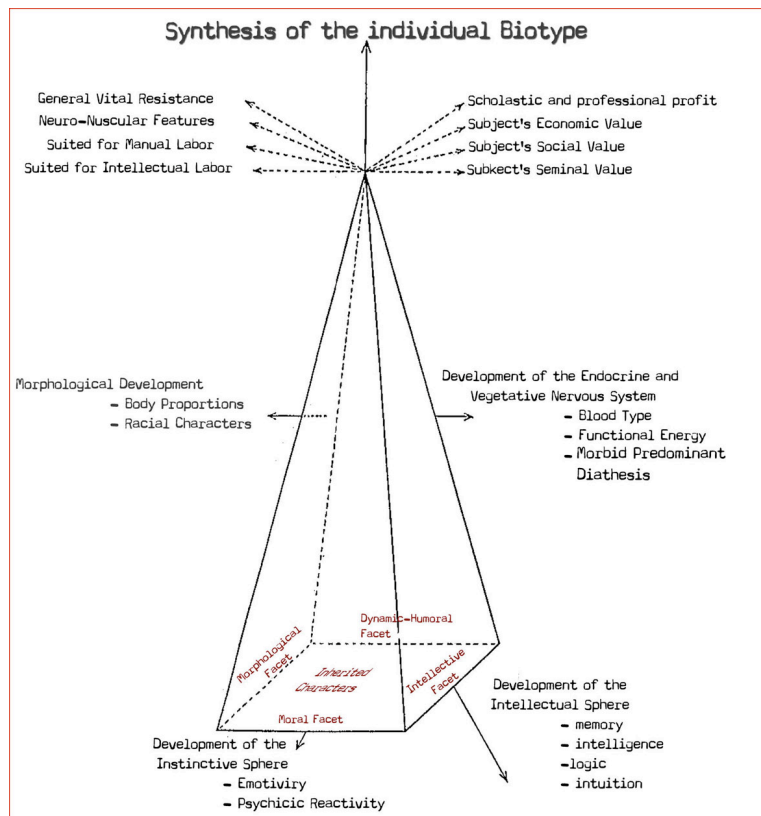


Fig. 4.9: Pende's biotypologic pyramid enlightening the complexity of human constitution. (Pende 1939)

The state of each of the sides of the individual pyramid could be monitored and adjusted by proper medical treatment. According to this scope, Pende founded the *Istituto biotipologico-ortogenetico* (Biotypologic and Orthogenetic Institute) in Genoa, a medical facility that based its functioning on four specific areas: 1) the “morphologic-functional section” where the inherited individual assets were estimated through chemical, anthropometric, and radiological exams; 2) the “psycho-pedagogical section” where the best pedagogical approach was tailored to meet individual’s intelligence; 3) the “psycho-criminological section” where “minors’ moral development was assessed in order to design the right prophylaxis and prevent future immoral and crime tendencies;”⁹³ and 4) the “psychotechnical section of vocational guidance” where the future professional and social role of patients were evaluated.

Pende claimed that the individual constitution was something plastic. At any stage of individual life, the evolution of the pyramid represented the actualisations among a vast range of potential forms. His theory, could help in identifying the best actualisation possible for each single body; the individual biotype. By exercising his science of orthogenesis and relying on the powerful development of endocrinology, he could even guide the individual development and optimise the individual constitution. Underlying this aspect he affirmed, “[i]n other words, biotypology is the science of the single human body architecture and engineering.”⁹⁴

⁹³ Anonymous (1927: 103).

⁹⁴ Pende (1939: 1).

Already in the 1920's, such a vision was strongly supported by Fascist institutions. In 1926, Pende found his Institute due to the funding of four different ministries. By that time, Pende's project of population screening and social ordering interested the army, primary and secondary schools, corporations, firms and insurance companies.⁹⁵ Pende's Institute became the core of a network of other institutions that represented Fascist policy of human reclamation (*bonifica umana*), being considered since 1927:

[t]he national centre of study of the human growth (*crescenza*) [...] the national organ for the reclamation and correction of all human constitutional weaknesses, and the national college (parauniversitario) in charge of the cooperation of all the others actual medical-sociological institutions that the State is going to found in order to ameliorate Italian individuals and the Italian stock.⁹⁶

Biotypology, then, could offer solutions to crime issues. It is in this area that Pende and Ottolenghi's ideas clashed. The differences between the two were vast. Not only did Pende consider morphology as just one dimension among many to study in carrying out the constitution of the individual equilibrium, he also refused to see stigmata as a sign of degeneration. Ottolenghi, on the other hand, believed criminal psychology mainly on the analysis of body signs. Whereas Pende claimed that "the individual could change" because of unexpected actualisations of hidden potentialities, Ottolenghi considered the criminal a solid and steady unity. The conflict spread onto the methodological aspect as well. Besides promoting a totally independent set of anthropometrics measurements, the set introduced by former mentor, constitutionalist Giacinto Viola, Pende took a strong position against Lombrosian techniques, declaring that before Viola "anthropometry was only perfunctorily applied to the diagnosis of the biotype."⁹⁷ Furthermore, he specified that statistical measurements should only be considered an instrument and should never be confused with the diagnosis as diagnoses that had to rely on synthetic judgements based on the study of all the individual's dimensions.⁹⁸ On the contrary, Ottolenghi could not help turning specifically to statistics, and most of all to Quételet's mathematics and Bertillon's anthropometry in order to give Lombrosian thinking a solid scientific guise. Consequently, he strengthened the traditional study of biological deviances promoting anthropometry as the main road towards the complete knowledge of the personality of the criminal. In the end, Ottolenghi's conception on normality as based on Quételet's average man, had nothing in common with Pende's conception founded on the "physical and most of all psychical concept of normal man in clinical sense."⁹⁹

The table-texts were not the only instruments Pende used in reconsidering the role of anthropometry. He also promoted the introduction of completely new machines and techniques apt to the an-

⁹⁵ Relationships between the Fascist party and Pende are reported in Vidoni (1927); for a historical account, see Ipsen (1996) and Mantovani (2004). The adoption of Pende's techniques by the army is described in Pende (1937). The improvement of recruitment methodology is in Pende (1932).

⁹⁶ Anonymous (1927: 103-104).

⁹⁷ Pende (1939: 48).

⁹⁸ *Ibid.*: 48-49.

⁹⁹ *Ibid.*: 51.

analysis of all the four facets of the individual pyramid.¹⁰⁰ He increased his theoretical distance from the Lombrosian School by inheriting Viola's typology, applying it to his biotypes, and promoting a biotypologic diary (*Quaderno Biotipologico*) - the equivalent of Ottolenghi's criminal biographic file, he openly put on competition with. In Pende's writings rough comments can be found on Ottolenghi's document, regarded as "the mutilated and most superficial biographic file which still deludes educators as well as criminal biologists with the complete knowledge of the body and the soul of individuals,"¹⁰¹ hardly the admission of any Lombrosian influence on his theorizing.¹⁰²

At the end of the 1920's, Pende became a very powerful figure within the academy. As his scientific career improved, his relationships with political members of the party grew stronger. The analysis of the success of Pende's biotypology can suggest another explanation for the failures of Ottolenghi's scientific police during the Fascist regime. Renowned Italian scientist with a solid international profile, Pende's background rooted back to famous Italian medical traditions free of inconvenient links with the previous Liberal government as well as with a declared Jewish culture. Contrary to Ottolenghi's plan for a scientific national security network, Pende's theories were fully functional to different aspects of Mussolini's policy. Pende's biotypology contributed actively in many fields of the Italian policy, offering solutions to the decrement of the population,¹⁰³ suggesting ways of refining the Fascist reorganisation of the scholar system¹⁰⁴ and becoming one of the resources of Mussolini's policy of reclamation of the new "Italic extraction" (*stirpe italica*).¹⁰⁵

Even Mussolini's wavering racial opinions found a scientific background in Pende's conceptualization of the Italian race.¹⁰⁶ As reported in the 1940s by another influential member of the Fascist government, Giacomo Acerbo, Pende's concept of race-synthesis was perfectly in line with a racial policy that did not limit the biological aspect, reducing human beings as "subjects of zoology,"¹⁰⁷ but supported the Fascist approach to the race problem, "preserving the spiritual and ideal substance of our stock."¹⁰⁸ Indeed, his dynamic conception of the human constitution provided a powerful scientific background to Mussolini's project of social engineering, namely the building of the

¹⁰⁰ For a complete analysis of all the innovative practices introduced by Pende, see Vidotti (1927), and Barbara and Vidotti (1933) and Mantovani (2004).

¹⁰¹ Pende (1926: 5); also quoted in Mantovani (2004: 321).

¹⁰² Pende (1939; 1935). Compare the historical filmed document of the Italian Scientific Police already cited (Franchina 1941) with the one dated 1933 can be found on the historical database section of the Istituto Luce website, to see differences (L.U.C.E. 1933).

¹⁰³ Pende (1936).

¹⁰⁴ Proposing a school that forged the "productive and reproductive citizen" needed by the Fascist society (Pende 1938).

¹⁰⁵ Pende's Institute in Rome became one of the main attractions in the area reserved for the universal exhibition wanted by Mussolini to celebrate the twentieth anniversary of the march on Rome. Founded beside the monument of Guglielmo Marconi and the Palace of the Italian civilisation, the new institute represented the barrack "of the human policy for the defence of the stock" (L.U.C.E. 1939).

¹⁰⁶ On Mussolini's racial opinions, see Spinosa (1994), Fabre (2005) and Gentile (1999).

¹⁰⁷ Acerbo (1940: 26).

¹⁰⁸ *Ibid.*: 23.

new man, the man of the future Italian empire, strong in his will and powerful in his sound body; but also an influential scientific coverage to Mussolini's racial policy at the end of the 1930s.¹⁰⁹

Moreover, Pende's biotypology and his careful distinction between body and soul – namely the difference between the modalities of the development of the human constitution and the knowledge of the real causes of the human agency – made him win Catholics' confidence and approval.¹¹⁰ As the years went by, with Pende a powerful member of the academy, as well as a senator of the Fascist government, he found himself the most prominent signatory of the 1938 *Manifesto*, the document that inaugurated the official anti-Semitic policy of the Fascist regime.¹¹¹

While Pende was gaining ground on the national scene, and the Fascist regime was extending its influence over society, Ottolenghi's influence, and the status of his forensic scientists, gradually slipped out of sight. Losing an ongoing battle, Ottolenghi introduced significant cracks to Pende's position.¹¹² Benigno De Tullio, former assistant of Ottolenghi at the University of Rome, the only School member enrolled in the PNF before 1932, and the man in charge of the APBP at the School, introduced Pende's classification of human types beside Ottolenghi's in 1925. As stated by Ottolenghi only three years before, Pende's classification was based on "incomplete and wrong anthropometry."¹¹³ Nonetheless, the innovation was substantial, with the two classifications lasting in the School's registers until the end of World War II. However, this innovation cannot be read as a harmonic fusion between two visions of human being that remained very much different. Still in the 1930s, after Ottolenghi's death, on the pages of the *Bollettino*, and in the courses offered by the School, the two classifications remained distinct. Pende's criminology, supported mainly by De Tullio, represented what Villa defined as the "tomb of the criminal anthropology."¹¹⁴

4.8 - Conclusions

In the 1920's the growth of the Italian scientific police was counterbalanced by attacks coming from different areas of the Italian culture. Representing the most vital heritage of Lombrosianism, the School attracted the critiques of traditional opponents of Lombroso's theory, such as Catholics

¹⁰⁹ Gentile (2005), De Donno (2006).

¹¹⁰ "The human constitution is the potential favourable condition for the onset of the phenomenon, a condition that can even stay latent and in the potential state for the whole life of the subject; however, it represents the *how*, not the *why*; that same why that the human individuality, always considered as a psycho-physical unity, keeps hidden under a mysterious Causalism, and especially under the mysterious enigma of the individual soul." (Pende 1935)

Pende welcomed the Catholic support. In particular, Gemelli and Pende often contributed to the same reviews, quoted each other's theories and attended to the same congresses. There is wide support to Gemelli's psychotechnique in the courses kept by Pende in Genova, (Barbara and Vidoni 1933) and Gemelli's approval in his praise for the Italian endocrinologist studies is clearly acknowledged in his autobiography (Gemelli 1952).

¹¹¹ Cuomo (2005), and Ipsen (1996). A clear account on the origins of the Manifesto can be found in Gillette (2001).

¹¹² As already stated, Ottolenghi's critiques root back to 1922 and to a pair of contributions Ottolenghi published in *Riforma Medica* - (1922a; 1922b). There Ottolenghi attacked the morphological section of Pende's pyramid, based on De Giovanni's and Viola's anthropometry, that he evaluated as "incomplete and wrong" with respect to Lombroso's.

¹¹³ Ottolenghi (1922b: 1040).

¹¹⁴ Villa (1984: 1177).

and jurists, as well as the hostility of new competitors, like psychiatrists and representatives of specific medical traditions. The strategy of attack revealed two-fold. In the beginning, the Ottolenghi's corps was praised for its technical successes in criminal investigations, like the astounding work carried out in the 1924 Matteotti affair, while the scientific status of those investigations was rejected. According to the philosopher Giovanni Gentile, as well as the friar scientist Agostino Gemelli, the Italian scientific police should limit its role to the application of scientific techniques, and abstain from any form of scientific theorisation on the nature of the criminal behaviour. The denial of any scientific ambition, that characterised this first strategy against Ottolenghi's School, was in line with the dominant philosophical consideration of science in general, considered mere instrumental and distinct from the real knowledge represented by philosophy, religion, and art. A second line of attack aimed at restraining Ottolenghi's scientific police officers from increasing their professional status. Psychiatrists, jurists and physicians intensified their opposition in order to delimit the professional boundaries of scientific police officers in society, as well as in courts. Among those who better succeeded there was the physician Nicola Pende. Promoter of a more active social role of medicine in society, Pende put his biotypology in open contrast with Ottolenghi's criminal anthropology. He started contrasting the adoption of Ottolenghi's criminal biographic file for medical scope, as well as for job recruitment. His own biotypologic diary won the competition and was adopted by juvenile organisations, the army and private societies. In 1925, the officers working on the APBP at Ottolenghi's School adopted Pende's classification of human types. The success of Pende's biotypology has been analysed to better understand the reasons that can explain the decreasing influence of Ottolenghi's scientific police after the 1920's. Among others, a radical change in the demographic policy, and consequently in the criminal policy, was at the basis of the failure of Ottolenghi's plan for a complete medicalisation of the national security system. At the basis of this new policy, there was a conception of man contrasting with Lombroso's and Ottolenghi's; a conception scientifically backed up by theories like Pende's, more functional to the political needs of the rising regime.

CHAPTER 5

FINGERPRINTING AT THE BAR.

A CONFLICT OF LOGICS

In 1927 a landmark case was brought to Turin before the Royal Penal Court: Giulio Canella, a World War I veteran missing in action who returned home after eleven years, was accused of being swindler Mario Bruneri in hiding for years. The families of the two men were engaged in five trials that lasted five years. In those arenas, both parties made use of the scientific weaponry of the time: psychological exams, hypnosis, blood tests, testimony evaluations, anthropometry, and, of course, fingerprinting.

The main point of this chapter is to use the 1927-1931 trials as crucial points in the history of Italian fingerprinting. As seen in the previous chapters, at the end of the 1920's fingerprinting was the most reliable criminal identification technique, routinely used in courts. In 1946, Ugo Sorrentino, head of the School in the 1950's, claimed that the School had carried out 2,280 identifications between 1917 and 1943, and that "the judicial authority has always welcomed Schools identifications based on fingerprints because founded on facts."¹

The theoretical attack against Lombroso's theories described in chapter four, and the intimate relationship that tied up Italian police science and criminal anthropology described in chapter one and two, had fixed boundaries for the applicability of scientific policing. As seen in chapter three, fingerprinting too was subjected to a Lombrosian aura. This aura functioned in proving the uniqueness of an individual, as routinely considered abroad and the additional role of stigma, something that was characterised negatively via biographical history of the individual. The development of fingerprinting was the core of a modern and scientific national security network and reached its peak at the end of this decade, when its function as an accurate "neutral" identification technique presented in the previous chapters, was gradually replaced by its stigmatising function. The trial dealt with in this chapter offers the best evidence of this fact. The 1927 verdict that claimed the unreliability of fingerprinting was due to the impossibility to reconcile such function with the performance by the *smemorato di Collegno* (Collegno amnesiac) and his family both in the court and in society. Judges, as well as a significant part of the public opinion, considered the Canellas highly credible people, and the only likely exit the logical impasse offered was a re-negotiation of the function of fingerprinting identification. This situation allowed scholars to provide the first and only constructivist analysis of fingerprinting in Italy. In their account, they opened the black box and revealed the social mechanism hidden inside with consequences that influenced the other four trials and created a unique case in the Italian juridical history. Despite the fear of ruining the Italian system of police investigation denounced by scholars and journalists as a logical consequence of the

¹ Sorrentino (1946: 62).

1927 verdict, and even in occasion of the 1931 final verdict, fingerprinting could not be promoted as the main rationale of the sentence.

5.1 - Picking up a Name - Identity and Justice across Centuries

At 9:50 a.m. in Turin, Italy, on 10 March 1926 a man was caught stealing bronze vases from a Jewish graveyard. Taken to the police *questura*, he showed a deranged state of mind not remembering anything of his past and attempting to commit suicide. Police officers followed procedure and opened the file concerning theft. Frisking him in search of clues, officers found an unstamped postcard signed “your most affectionate son Beppino,” a commercial type letter dated 10 August 1924, Constantinople, and a few anarchic statements pencilled on a small sheet of paper. Accordingly, they checked for the subject’s registered criminal record and filled in an individual card with the suspect’s mug shot, fingerprint, and a complete physical description, and dispatched a copy to the Rome Advance School of Police for a comparison with the records in the central identification register.²

Subsequently, the officers created a second file related to the insane behaviour, and submitted the subject to an evaluation of the alienist by the bureau, Dr Casimiro Biey, who declared the subject insane, socially dangerous and suggested his immediate confinement in an asylum. Before the end of the day, the unidentified individual received a registration number at the Collegno asylum near Turin. From this moment on he would be known by certainty only by his new legal name: Number 44170. Because the Advance School of Police sent a negative response, on 27 May examining magistrate Giulio Carron Ceva declared the *smemorato* not chargeable of the theft in the cemetery.

All was quiet until 5 February 1927, when reporter of the national newspaper *La Stampa* Ugo Pavia, visited the asylum in search for a story to tell. At this time, Italy was full of families with relatives who had disappeared in the trenches of World War I. As most of these families still held out hope of meeting their missing ones again, asylums were places where survivors could be found and where families flocked to. Ugo Pavia knew this as well. He also published a popular illustrated weekly magazine, *La Domenica del Corriere*, whose editor was sensitive to articles that focused on World War I veterans’ misadventures, and was constantly feeding hope to the hundreds of families with stories like the one that occurred on March 1926 in a village near Caserta. The “miracle,” reported in a short article told the story of Diamante Chiavarone. Missing in action nine years before and officially declared dead, Diamante walked back into his home after travelling thousands of miles from Austria, where he had spent a period of imprisonment.³

² It is the former School of Scientific Police. The name changed in 1925 as a consequence of the Fascist reform of advanced instruction.

³ In Anonymous (1926b). This is not a phenomenon limited to Italy. A story in a way similar to the one told in this chapter happened also in France almost ten years before. French asylums at that time hosted the majority of psychically injured veterans of World War I; among them, a number of absent-minded became the subject of the desperate demand of families who hoped to get their loved ones back. Jean-Yves Le Naour dedicated a beautiful book to the story of one of them, showing how the problem of assessing the identifica-

Ugo Pavia was searching for stories like Chiavarone's when his attention was caught by patient no. 44170. In the article he published that same month in *La Domenica del Corriere*, Pavia addressed him as "a cultured and distinguished man, about forty-five years old [...] with a very slight inflection that may suggest a long stay in the Venezia Giulia [the north-east part of Italy]."⁴ The photograph however, portrayed the patient looking physically fully recovered, even though he still could not remember anything of his past.

The article prompted a vast number of responses. From throughout the country widowers and parents pleaded to meet the *smemorato*. Professor Federico Rivano, who ran the facility at that time, agreed to let a lecturer from the University of Padua named Renzo Canella come to the asylum and was able to convince the *smemorato* to meet him.⁵

Padua is in the northeast part of Italy. People from that area speak with a distinguishable accent, with a pitch absent in the northwest area where Turin lies. According to the letter to the professor from Renzo, the published photograph of no. 44170 resembled the face of Renzo's brother, the missing Giulio Canella.

At the time of his disappearance, Giulio was a renowned Italian Catholic philosopher, an editor and a professor of ethics in a School of Verona. He disappeared in 1916 during a battle on the eastern front in Macedonia, near the city of Monastir (Bitola today), leaving behind a wife and two children. After eleven years, Renzo, his brother Cesare and Giulio's wife, Giulia, were still waiting for him to return home. Renzo and old friends from Padua and Verona met the *smemorato* a couple of times before Rivano wanted Giulia involved. The encounters did not provide strong evidences about patient no. 44170's real identity; the most he had conceded was a weak feeling of familiarity expressed with a vague *seno una rispondenza* (I feel a correspondence).⁶

When Giulia arrived to the asylum, though, things changed completely. After recognising him during a "casual" encounter in the facility alienists had accurately planned, Giulia ultimately declared him to be Giulio in a private meeting in the office of Giovanni Marro, renowned anthropologist and psychiatrist, and at that time, manager of the asylum anatomy laboratory. She could even provide the definitive evidence for a positive identification declaring that the stamp-less postcard possessed by the *smemorato* was the one Giulio's son, Beppino, included in a Red Cross bundle sent to his father at the front. Giulio's disappearance in the eastern front, then, together with the typed letter dated Constantinople, became a further clue in favour of the identification as Giulio Canella.

tion of such subjects became crucial to a new approach to mental derangements and psychic traumas caused by the war (2003).

⁴ In Pavia (1927); also quoted in Julini et al. (2004: 14) and Roscioni (2007: 4).

⁵ Roscioni identified at least six letters in the *smemorato*'s case history still in the Asylum's archive, although newspapers talked of an overall amount of requests received by the management of about forty letters (Roscioni 2007: 18-19).

⁶ Quoted in Julini (2004: 105), also in Vescovi (1942).

On 2 March 1927, Giulia took her beloved husband back to Verona with the consent of the asylum administration. On 3 March, the Turin police *questura* received an anonymous letter suggesting the “real” identity of patient no. 44170. According to the anonymous author, the well-known hero of the eastern front was Mario Martino Bruneri, a rather a dangerous anarchist and swindler, adulterous and a criminal condemned for frauds and attempted murder, who had been hiding for years. Copies of the letter reached authorities in Turin and in Verona, as well as the Canellas and those related.⁷ If the information true, the potential outcry would have been embarrassing for the police. Despite the Advance School of Police’s having no record of the *smemorato*’s fingerprints, and one year of reassuring remarks by the staff at the asylum, detectives decided to carry out an explorative survey that same day. They began by getting in touch with Mario Bruneri’s sisters and his wife.⁸

Even though the Bruneris could not provide any “factual evidence” to validate police suspicions, they confirmed Mario’s past judicial history, and introduced detectives to his only son: Beppino. Not only did the two characters have a son bearing the same name, and almost of the same age, but Mario’s second name was Martino, a name that since the end of the 1920’s, facilitated the comparison of this story to the one of another renowned Martin, he himself a genius of identity frauds. The misadventures of Martino Guerra – properly Martin Guerre as he was a French – was considered historical lesson to follow, even proof of the reliability of scientific approaches to the case of patient no. 44170.⁹

In 1549, Martin Guerre abandoned his father’s house, his “beautiful young wife,” and the newborn child, leaving small village of Artigat, Languedoc. According to historian Natalie Davies, family tensions ascribed mainly to Martin’s difficulties in breeding and to a case of Martin stealing “a small quantity of grain from his father,” violating a quite clear family behavioural code that could be read as “a struggle for power between the two heirs.”¹⁰ Martin left the household for a long period, returning home only in the summer of 1556. He was first welcomed with embarrassment by his wife Bertrande and his uncle Pierre, however, he eventually won all of their reluctances and his life seemed to blossom back on track. Showing an unexpected entrepreneurial spirit, Martin soon roused suspects in Pierre who were persuaded to join an impostor, an inhabitant of the village of Sajas, in the diocese of Lombez, at least one a day-ride northeast from Artigat, with an alias of Arnaud du Tilh.

In judging the actual identity of Anaud du Tilh/Martin Guerre, the 1560 Court of Rieux first, and the Supreme Court of the parliament of Toulouse later, realised what Edward Higgs called “the indeterminacy of the body as a means of identification.”¹¹ Bodily evidence pleaded equally in favour of both factions, halving the testimonies symmetrically and leaving the court short of evidence. Fol-

⁷ Roscioni (2007).

⁸ See Bruneri (1931) and Parisi (1946); also Julini et al (2004) and Roscioni (2007).

⁹ The first rhetorical use of Martin Guerre’s story as a successful precedent in the history of scientific signalling is in Falco (1923), while the first comparison between the two stories is in Marchese (1930).

¹⁰ Davies (1984: 24).

¹¹ Higgs (forthcoming).

lowing a path that would become the centre of the Turin trial, the court concentrated on Bertrande's behaviour and status, and on the memories of live experiences expressed by the behaviour of the accused.

In the state of equilibrium and uncertainty, before an unexpected event shifted the scales of justice in a definite direction,¹² the fragility of standard procedures in judging witnesses and evidences was made evident by the extraordinary contextual situation of this trial. The judges' attitude in the case was affected by the prisoner's and Bertrande's performances, and by their behaviours as reported by witnesses.¹³ It did not matter that Martin had bigger feet than Arnaud, or he was taller, darker and thinner, even if the prisoner was not Martin Guerre he made Martin's life his own, and he did it in a way that made him accepted as an upstanding member of his community. He did it so well that, to adopt a phrase that dates back to the Italian case, "even if he was [Arnaud] he could have been promoted [Martin]."¹⁴

Even though technology should have led to advancement in scientific evidence in court, other famous cases of imposture have proved opposite. The Tichborne claimant case is exemplar. Butcher, Tomas Castro aka Arthur Orton, from Wagga Wagga in New South Wales, Australia, wore the clothes of Baronet Sir Roger Tichborne for a certain time before being recognized a trickster. The trial, "the longest criminal trial in English legal history until the 'McLibel' case of the 1990s," according to Higgs, recorded also the use of modern criminal identification techniques like photography, however without success.¹⁵ Such cases cause different kinds of clashing beliefs, opposing "common sense" beliefs and echoed by individual performances and theoretical ones depicted by scientific identification techniques. Such conflicts can sometimes cause a renegotiation of the meanings and the limits of application of the technique involved, in the Bruneri/Canella trial, for instance, of fingerprinting.

5.2 - "Indeed, sir. You are my husband!" - Detecting Malingering and Assessing Identities

What was first thought to be just a name on a scrap of paper, "Beppino" was first the definite confirmation of the identity of Giulio Canella, and became then one of the major pieces of evidence supporting police's suspects.¹⁶ The chief constables in charge of the investigations, Inspectors Finucci and Palma were persuaded that prudence was needed. Mario Bruneri was a recidivist with four convictions for fraud and forgery, the last one sentenced by default in 1926. Furthermore, the news of the return of Giulio Canella had caused a stir in a country seeking to break the boredom created by the national newspapers enthusiastic conformity to Fascist information policy.¹⁷ Also,

¹² The "real" Martin Guerre made his appearance in court just before judges could have acquitted Arnaud who, then, was sentenced to be hanged.

¹³ What Goffman defined as the front stage and the backstage performances (Goffman 1959).

¹⁴ Quoting Cesare Musatti of the Canella/Bruneri trial many years later (1989: 256).

¹⁵ Annear (2003), Higgs (forthcoming).

¹⁶ The first reflections on this subject are due to Vescovi (1942); see also Sciascia (1981).

¹⁷ Sciascia (1981).

inspectors thought they could not afford to give the “professor” any chance to disappear somewhere in Veneto. They could not arrest him, though. A decision was taken anyhow, and on 6 March Finucci met personally with the *smemorato* and brought him back to the asylum under the pretence of further exams. With the supposed recidivist back in the cage, police officers could check every detail of the case from the beginning.

Mario Bruneri had left his fingerprints in the filing archives of the Turin prison three times. Police officers decided to check the prison’s archive to make a copy of them. They also took new mug shots of the *smemorato* and sent all information collected back to the Advance School of Police, together with the individual card drawn up at the time of his 1926 arrest.¹⁸ The School replied quickly, and this time it was a positive identification.

On 11 March 1927 the Stefani agency, the Fascist office in charge of public information, broadcasted the results to all national newspapers with the usual triumphant style:

Investigations carried out under the supervision of the Turin head of the police administration Com-mendatore Chiaravallotti and Inspectors Palma and Finucci showed him [the supposed Giulio Canella] to be a deceiver, identified with the previous offender Mario Bruneri, a printer from Turin, wanted for fraud and with sentence still to serve.

Besides irrefutable scientific evidences, like the successful comparison of fingerprinting details personally carried out by the experts of the Advanced School of Police, the identification relies also on the comparison of distinctive characters and on the reconnaissance by relatives and acquaintances.¹⁹

As seen in the previous chapters, by 1927 fingerprinting was police’s crown jewel. Its judicial value had never been seriously questioned before. By the end of 1927, the balance of the renamed Advanced School of Police’s central identification register added up to 251,242 individual cards, with a production rate of about 13,000 cards per year. Forty-five forensic laboratories distributed throughout the country carried out, mainly by means of fingerprinting only, more than two hundreds identifications per year, and not one had ever been contested during judicial debates.²⁰

¹⁸ Parisi, in his account of the events, disagreed completely on this point. He claimed that police officers filled in a brand new individual card on 10 March, and that they dispatched this new document together with the fingerprints collected at the prison. (1946: 72) Since this thesis focuses on the renegotiation of the validity of fingerprinting evidence, and not on the impossible mission of establishing, without any reasonable doubt, the “real” identity of patient no. 44170, according to the purpose of this thesis, both versions are exactly the same. It follows the one reported in all the judicial accounts. See Corte Penale di Turin (1931); the account of the sentences in GI (1930) no. (I):1, pp. 419-29, and GI (1931) no. (II):1, pp. 387-438; see also Vescovi (1942) and Sorrentino (1946).

¹⁹ Quoted in Parisi (1946: 72), and Roscioni (2007); but almost every newspaper reported it word by word.

²⁰ Sorrentino (1946).

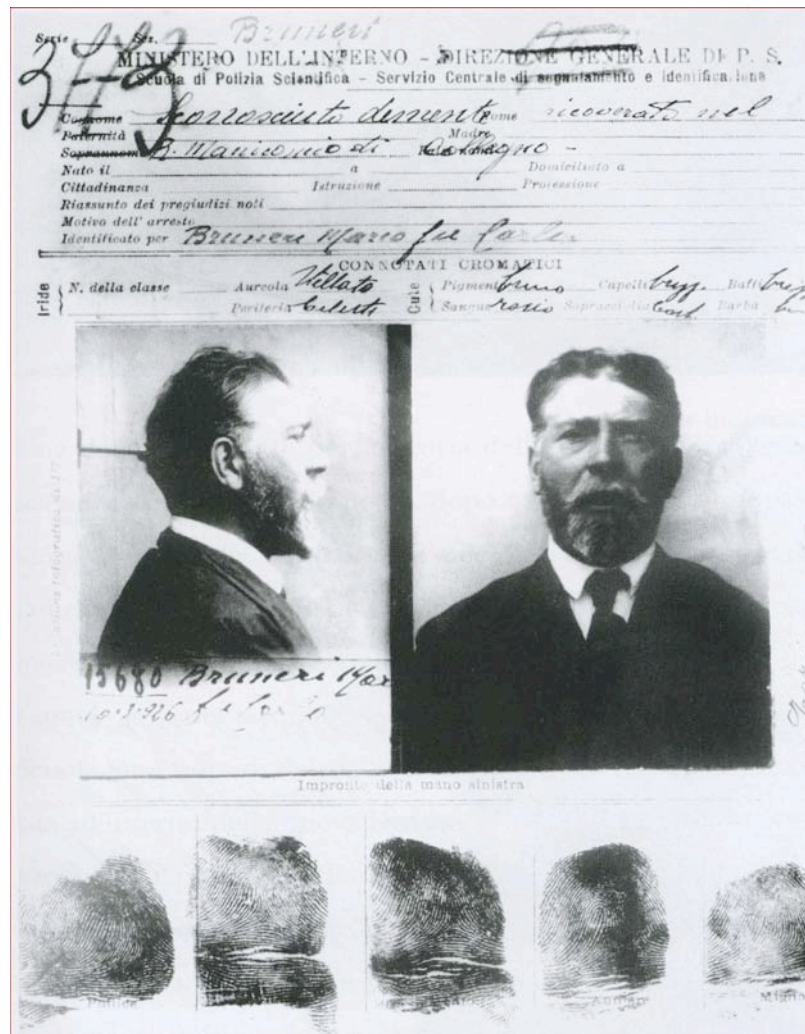


Fig. 5.1: the smemorato's individual card dated 10 March 1926. (Rusticucci 1927; Sorrentino 1932; Ottolenghi 1932)

5.3 - The Rascal and the Martyr - Personal Histories and ID Pegs

The public and police could not understand how Mario Bruneri could have been easily passed off as Giulio Canella. Despite their declared, though dubious, aristocratic heritage,²¹ the Bruneris were considered a typical working-class family both by lifestyle and upbringing. Head of the family Carlo Bruneri passed away, leaving five-year-old Mario, his older brother Felice and two other siblings to be looked after by their young mother, whose only income was six-hundred lire per year and a failing family business. Because of that, the Bruneri brothers started working very young. Mario entered a promising career as an apprentice printer with a famous publisher in Turin. He was fascinated by the publishing world, as well as by the strong materialist and socialist influences it channelled, believing the promises of justice it carried along with it. He planned to rise above his social condition and create his own culture, reading everything he could, working hard and counting only on what his brother called an “education and aptitude a little above the average level.”²²

²¹ Bruneri (1931).

²² *Ibid.*: 18.

The Canellas, on the other hand, were a well-off family of Verona, with an important connection both in the political and religious arenas. One of the friends who first came to meet the *smemorato* in Collegno was Count Ugo Guarienti, a member of the parliament. Considering the political under-representation Veneto suffered during the first three decades of the century,²³ this relationship was a very symbolic in evaluating the social role the Canellas played in Verona. On the religious front, the Canellas were very close to Count Francesco de Besi, president of the Verona diocesan council, and don Giovanni Calabria, Giulio's former confessor who was canonized by Pope John Paul II on 18 April 1999.

Accordingly, their urban backgrounds were very different. Turin was one of the most important cities in Italy, home of the royal family, and an important industrial centre. Verona and Padua were small cities characterised by a network of even smaller agricultural and textile enterprises. The former was the homeland of big working-class movements, nourished by the active presence of Antonio Gramsci and Palmiro Togliatti, and thriving leftist publishing industries such as Piero Gobetti's journals.²⁴ On the contrary, the political and social life in Veneto was shaped by a Catholic tradition strongly rooted both in cities and in the countryside by means of a thick network of oratories and chapels.²⁵ Furthermore, the contained dimensions of cities like Verona and Padua, together with the proto-industrial activities that distinguished the region, were not favourable to the formation of a strong working-class movement, or the spread of popular forms of socialism. Giulio Canella's personality and social status took form coherently with this environment. He had studied at the Padua Episcopal seminary and philosophy courses at the University of Padua. At that time, his faith was already strong enough to confront the battle of modernism as well as the socialist culture represented in Padua by one of the most historical leader of the Italian socialist movement, Roberto Ardigò.

In courts, the judges tried to detect cultural differences in order to produce identification. By following their investigation it was easy to see their uneasiness: it was unconceivable to them that such palpable social and cultural differences should not be obviously apparent. This much-shared opinion influenced descriptions and induced bewilderment in everyone who was involved in the case. Correspondents, for instance, appeared disorientated by Mario Bruneri's appearance on the scene. The Catholic Turin newspaper, *Il Momento*, was the only exception. *Il Momento* was the only magazine to have doubted the Canella identification since Renzo's visit, and the one that first published the anonymous revelations, as well as the following unmasking of Mario Bruneri. With the exception of this newspaper, all the others had routinely referred to patient no. 44170 as well educated; acculturate, with a distinguished look and propriety of language that could identify him at least as a

²³ Fiuman (1984).

²⁴ For a complete account of the Turin urban and cultural environment see Castronovo (1977) and d'Orsi (2000). A portrait of the communist community in Turin is in Sonnessa (2003; 2005). A relevant study on Turin as the core city in the Fascist war against political dissenters with strong implication in Mussolini's anti-Semitic campaign can be found in Blatt (1995).

²⁵ Roverato (1984).

white-collar worker of the northeast.²⁶ On the contrary, after the publication of the Stefani agency's announcement references to the *smemorato's* personality disappeared completely from the press leaving room to the bare description of facts. Even when detailed accounts of Mario Bruneri's personality were offered, by friends and relatives' testimonies, journalists never compared them with the actual behaviour of the *smemorato*. Rather, they let the expert surveys make the comparison. Alternating results between Canellas test and the testimonies of Bruneri's old frauds, journalists reporting the trial gradually described the *smemorato* as to Mario Bruneri's personality. Thus, at the end of the 1927, the original "solemn look" was hidden by an "old worn-out overcoat;" his "educated behaviour" became a "controlled simulation;" his "culture," "refined literary taste," and "botanic and linguistic knowledge," became a "patched up superficial factual knowledge." Even the *smemorato's* pitch changed completely, shifting quickly from the northeast area to the northwest.²⁷

Since those differences would be soon placed at the core of the judicial activity of identification, they would not be considered a mere matter of terms and nuances. On the contrary, the new attributes contrasted with previous conceptions based on more than a year of clinical observation carried out by high-qualified staff. Dismissing this fact as merely the consequence of a "collective psychosis," would be misleading.²⁸ Furthermore, the unconceivable contrast between the strong physical resemblance and the equally strong moral dissimilarity of Mario Bruneri and Giulio Canella could not be easily explained with regards to the Lombrosian categorization of criminals the Italian police was supposed to apply in those years.²⁹

²⁶ *Persona colta e distinta* (a cultured and respectable individual) in *La Domenica del Corriere*, 6 February 1927; *il gestire sobrio dell'uomo abituato al ragionamento interiore, il passo grave e posato*, (the solemnity and the quiet amble of a man familiar with inner reflection) in *Gazzetta del popolo*, 27 February 1927; *buona cultura generale, conoscendo bene il latino e il francese [...] buon gusto in fatto di letteratura [...] non digiuno di botanica* (good general culture, he knows well Latin and French [...] a refined literary taste [...] with basics in botany) in *Corriere della sera*, 6 February 1927. See also the statements quoted in Parisi (1946), Vescovi (1942), Julini et al. (2004), and Roscioni (2007).

²⁷ *Aitante nella persona, se non veramente distinto nei modi [...] discretamente istruito per essere un operaio* (he is charming, even though his behaviour isn't truly respectable [...] and very well educated for a workman) in *La stampa*, 12 March 1927; *mai uscita un'espressione, una frase una parola in veneto* (never heard him speaking a single expression, or a phrase, or even a word in Veneto [dialect of the northeast]) in *Corriere della sera*, 13 March 1927; *sa di imparaticcio* (he exhibits a patch worked knowledge) in *Corriere della sera*, 22 March 1927. For an account about the behaviour of the press, see Julini et al. (2004) and Roscioni (2007).

²⁸ Ottolenghi (1932a: 534). This was not supposed to be a defence of the work of the scientific police expert, rather a formal advice of an expert in the field. Coming directly from Lombroso's entourage, Ottolenghi had always been attracted by the physical causes of credibility as well as of any other irrational behaviour, publishing at least two books on credulousness (1891; 1900).

²⁹ Although the use of Lombrosian terms was very common at that time, chapter four depicted how Italian culture changed during the 1920's. Taking this change into consideration, sentences like: "Trying to escape the police, he [Bruneri] turns to the changing of his own personal particulars, a typical Lombrosian man's wit" (Ferretti 1931), should not be seen as direct testimonies of a philosophical acceptance of Lombrosian tenets, but more as an inertial use of the terms deprived of their scientific original meaning. In this reshaping of the meaning of Lombrosian terms, though, the Bruneri/Canella enigma not only made the comparison between the two different personalities difficult, also it revealed how even the *smemorato's* intelligence degree was hard to assess. This was generally a problem in Italy, where the effort in adapting a phrenologist approach to the racial exigencies of the time created rough admissions like: "the ratio between the weight of the cephalic mass and the degree of intelligence [...] is true only when we measure the degree of civilization of specific races and ethnic groups, the same thing, though, cannot be true for individual cases." (*La Tribuna illustrata*, 15 May 1927)

One of the main puzzles to solve was Giulia Canella's behaviour. A respectable member of the Verona upper-class and loyal Catholic, said she never would have introduced a rascal such Mario Bruneri into her house, and worse of all, into her bed. Like in the Martin Guerre's trial, the weight of her honesty became key evidence admitted in court. In the end, the judges had to compare Giulia's credibility with the amount of evidence in favour of the identity of Mario Bruneri.

The quest for the identity of patient no. 44170 was a matter of honour since the beginning. Giulia's honour was put at the bar together with the honour of a well-educated family. Giulia's honour put the reputation of fingerprinting as a reliable, neutral and objective mean of identification as it put almost thirty years of Italian forensic history at the stake. As the Vatican newspaper, the *Osservatore Romano*, pointed out immediately after the appearance of the anonymous letter, "if this uncertainty will resolve in favour of Professor Canella, then fingerprinting, a theory so far considered foolproof and for this reason often rightly taken as the only foundation of countless and also serious judicial decisions, would be seriously damaged."³⁰ This threat provoked the strong reaction of the forensics community, which almost unanimously sided in favour of the Advance School of Police's report. The reaction prompted the Canellas and their lawyers to mobilise highly respectable scientific authorities in defence of their case.

5.4 - Comparing Pedigrees - Class Struggles and Philosophical Issues

Day-by-day, book-by-book, the young printer assistant climbed the scale of the Book Federation, and reached important managing roles. At the beginning of the century, printers could count on effective trade unions that were highly socialized associations. Young Mario "didn't attend bars and cafes, didn't smoke, didn't drink either wines or spirits, and he disdained women with ostentation."³¹ He lived with his family until the age of twenty, and together with Felice, whose enrolment in the *carabinieri* lasted between 1901 and 1906; he provided the main financial contribution for his mother and sisters. If not a Catholic, he was still an honest and admirable man.

His political activity and his job seemed to meet his expectations. During the trial, witnesses who had met Mario during this period of his life testified on his passion and activity both in relation to the printer's federation and protest rallies. Within the trial, such behaviour would be considered a mark of a violent personality and of innate propensity to resist to authority.³²

In 1909, Mario's personal life flourished. He met Rosa Negro, the woman who would become his wife and the mother of his son, Beppino. According to his brother Felice, year 1910 became a turning point in Mario's life.³³ Rosa was a fervent Catholic, and could hardly bear Mario's political and social role at the Book Federation.³⁴ Soon, economic problems made the couple move to Rosa's mother home outside Turin, and Mario had to fight harder to retain his many commitments. Al-

³⁰ The *Osservatore Romano*, 14-15 March 1927.

³¹ Quoted in Julini et al. (2004: 44), see also Bruneri (1931).

³² Vescovi (1942).

³³ Bruneri (1931).

³⁴ See also Julini et al. (2004).

though the marriage deteriorated further after the birth of Beppino in 1914, it was only after World War I that Mario's life melted down completely. Mario managed to avoid being recalled in the World War I trenches due to the remnants of an old otitis. In 1918, the Spanish flu attacked Europe and struck him hard. Bronchopneumonia did not kill him, but it left him weak and depressed. He lost his job, his marriage was in ruins and his dreams had faded away. In 1918, Mario the printer, the honest socialist, turned into the rascal Bruneri.

Bruneri wandered away from his family and far from Turin, and into company of women with bad reputations. Former prostitute Camilla Ghidini was his last and most loyal companion. He committed frauds, thefts and criminal enterprises that could also be seen as desperate attempts of taking his old life back; he wrote a treatise on religion that he could not manage to publish; he fraudulently convinced people to sponsor the publication of a magazine that, despite his efforts, lasted only one number. In 1919 he began assuming forged identities: he was Ettore Mingozzi from 1922 until 1923, Enrico Montaut in 1923, Raffaele Lapegna in 1924, and Alfonso Mighetti from 1925 until 1926. His criminal record began during those years; and as a consequence, he left his fingerprints three times in the Turin prison: on 21 January and 2 July 1920, and on 14 January 1922.

Giulio Canella's pedigree, however, was very different. A graduate of philosophy and history of literature from the University of Padua, with a dissertation on the philosophy of William of Ockham, he started teaching pedagogy and ethics in a high school in Verona in 1906. His activity as a fervent Catholic, though, was not limited to teaching. Catholics fought both politically and culturally to characterize their identity and their role within Italian society. Squeezed by materialist and positivist philosophies on one hand, and still suffering a difficult relationship with the Liberal governments inherited from the *Risorgimento* on the other, they also started fearing to modernity and progress promptly condemned by the Roman hierarchies.³⁵ Giulio Canella was a key figure in contemporary neo-Thomistic philosophy, and considered faith the foundation of any certain knowledge, and reasons a useful instrument only if in complete harmony with the former.³⁶

The year 1906 was a milestone in Giulio Canella's life. In Verona he met his cousin Giulia, the love of his life. They married in 1913, after a long and strenuous battle fighting the resistance of parents and relatives. Their shared values and beliefs, together with a common vision of the world formed the glue that gave life to a perfect union.³⁷ In Milan, Giulio met father Agostino Gemelli, the new champion of Catholic orthodoxy. Embodying a strong personality, he was a tireless scholar and

³⁵ At the beginning of the century, the Catholic movement called "modernism" spread quickly from the northern cities attracting great part of the Catholic intelligentsia. Among those captured by the promises of a real opening to social and political commitments, and to scientific progress, it can number political leaders like Romolo Murri, writers like Antonio Fogazzaro and future champions of the Roman orthodoxy, like Agostino Gemelli (Cosmacini 1985). It was only after Pope Pius X's 1907 encyclical *Pascendi domini gregis* that Vatican hierarchies promoted a clear policy of condemnation of the movement, interrupting the internal haemorrhage.

³⁶ Canella and Gemelli (1909). On neo-Thomism in Italy see for example Geymonat and Quaranta (1972). The impact of neo-Thomism and Gentile's idealism on the Italian scientific community is well exposed by Gramsci in (1949).

³⁷ Canella (1930); Parisi (1946).

former promising assistant of 1906 Medicine Nobel Prize recipient, Camillo Golgi. By that time, Gemelli was the man of the Vatican in the fight against any modernist heresy.³⁸ The Roman Church's reaction to modernism exercised through Gemelli's activity following a twofold strategy. At the institutional level, Gemelli was entrusted with the creation of the Catholic University of Milan where the Dogma could forge a harmonic syncretism between results of modern sciences and the eternal moral Catholic values. At the cultural level, Gemelli was asked to create a journal that was to become the voice of the Catholic philosophy in the playground ruled at that time mostly by idealism, positivism and materialist thinking.³⁹

Giulio Canella is likely to have played a primary role in suggesting an entire journal dedicated to the Thomistic philosophy, and in following the line of renewed scholastic thinking in defending the values of the Roman Church. In 1909, the first issue of the *Rivista neoscolastica di filosofia* (Neo-Scholastic Review of Philosophy) went public. Initially the project satisfied mutual needs; if Gemelli was a self-made philosopher who could take advantage of a professional by his side, Canella made the most of Gemelli managing ability, his direct relationship with the Pope and the highest Vatican hierarchies.⁴⁰ In 1909, Gemelli and Canella attended the third national congress of the Italian Philosophical Society in Rome. A correspondent reported a portrait of Giulio Canella at the acme of his success: "His wide forehead, his quiet and bright look, his face framed by a perfect squared beard, gives his figure the characteristic forms of the scientist and of the philosopher."⁴¹

One year later, things changed abruptly and Giulio found himself expelled from the premier league of the Italian cultural milieu. Gemelli took it upon himself to control the entire review and Canella was forced to quit. He declared his definitive abandoning in an article published on a Verona Catholic newspaper.⁴² In 1915, with the war vastly approaching, Giulio was recalled for military service, only to be sent back to Verona in whole to the intervention of influential friends. In 1916, together with two friends, he founded the Verona Catholic newspaper, *Corriere del mattino*.⁴³ Unfortunately, he barely had the time to get acquainted with the new project as the army called him back in May. Put in charge of a company, he was dispatched to Macedonia where the Italian expedition

³⁸ Gemelli (1952); Cosmacini (1985).

³⁹ Cosmacini pointed out the strong link between Gemelli's strategy and Desiré Mercier's, archbishop of Malines, who founded both the *Ecole de philosophie de Saint-Thomas*, in 1889, and the *Revue néoscolastique de philosophie* in 1894, showing how both the conservative politics of the Roman church in Italy was not to be ascribed only to Gemelli's merit, and rooting both those experiences back to Leo XIII's encyclical *Aeternis Patris*, representing the original Vatican choice to promote thomistic philosophy as the only theoretical reply to the attacks of science and materialist philosophies. (Cosmacini 1985: 100-101) Canella and Gemelli directly linked their cultural program to Mercier's in the opening article of their review (Canella and Gemelli 1909: 8).

⁴⁰ Cosmacini (1985).

⁴¹ *La nazione*, 13 November 1928; quoted also in Cosmacini (1985: 119).

⁴² Quoted in Cosmacini (1985: 124). The reasons behind the rupture are not clear. Cosmacini talked about a supposed conditioning by the Vatican with a request for a more direct role in the war against any materialistic philosophy. (*Ibid.*: 123) The fact was read differently by the Canellas and by the *smemorato* himself many years later. The *smemorato* wrote directly to Agostino Gemelli, providing his opinion on the event in 1931. According to this letter, contrasts concerning the control of the contents of the review as well as a theoretical rivalry were the main causes of the 1910 rupture. The letter is quoted in Parisi (1946: 338-340) and partially also in Cosmacini (1985: 208).

⁴³ Parisi (1946).

was supposed to engage the Bulgarian army. During a mission, near Monastir, his company fell into an ambush and was almost completely annihilated. Some survivors recalled Captain Canella wounded and surrounded by enemies. As of 25 November 1916, this was the last news heard of him.

5.5 A Sentence Against Italian Forensic Science?

The 1927 trial was not an ordinary criminal trial. The *smemorato*'s denial of serving sentences against Mario Bruneri based on his recognized identity as Giulio Canella, turned into what the Italian penal code considered an *errore di esecuzione* (a collateral proceeding).⁴⁴ In such a case, the interested party could not turn to the usual penal defensive warranties having the chance of submitting only one written defensive memorial. In the court of Turin, the parties were represented by the Royal Prosecution's office on one side, and by the *smemorato* on the other. Well-known and respected magistrates composed the court,⁴⁵ while the suspect, counting on the Canellas' vast economic resources, could afford the expert guide of an equally renowned lawyer, Professor Eugenio Florian, and the support of an array of celebrated forensic experts.

In presenting a credible history in support of their belief that the *smemorato* was Giulio Canella, the Canellas needed to cover huge gaps in his life before 1926. In so doing, they collected memories and testimonies of soldiers who claimed they witnessed Captain Canella prisoner over the east front, and of families who testified their encounter with an unknown man dressed like a veteran and in a clear state of confusion. The Canellas patrolled the regions in the northeast collecting information and witnesses, an effort rewarded by the court in acknowledging the validity of the testimonies, speaking of "a considerable amount of information that add solid presuppositions to the hypothesis that Professor Giulio Canella did not die during the war."⁴⁶

The unknown wanderer became known as the "stray," and along with the double record opened by the police on 10 March 1926, Florian used a defense of mistaken identity that involved both Bruneri and Canella being in the same *questura* on the same day. According to this theory, Mario took advantage of his incredible resemblance with Giulio, dressed him up with his own coat (the same coat a solid witness remembered he offered to Mario), and then he managed to escape and disappear. Evidence did not support the theory and the court withheld it.

This account of the events follows the logical schema exposed by the court itself in the sentence dated 27 December 1927.⁴⁷ There are expert surveys that came from testimonies and were dealt

⁴⁴ Carnelutti (1929).

⁴⁵ Eminent personalities composed the 1927 court of Turin from the president, Grand Officer Martinengo, to the judge baron Ripa di Meana, and marquis Gaspare Fava.

⁴⁶ Corte penale di Torino (1931: 6).

⁴⁷ Corte Penale di Torino (1931). In 1931, the entire court proceeding of Turin was brought to Florence, the city where the last trial took part. The 1927 sentence was also published in the form of a booklet in 1931, though in very few copies. Because of the 1966 flood that hit the city of Florence, this caused the loss of a large part of the patrimony of the National Library, and Milo Julini reported he could not find copies of it. (Julini et al. 2004: 117) Which I did.

with separately. The set of surveys is divided into four blocks: psychological, anthropological, forensic and cultural.

5.5.1 - The psychological survey

From the *smemorato's* point of view, this one was the most debated and dangerous stage. If the Royal Prosecutor proved that the supposed alienation was in fact the result of a clever malingering, additional accusations of new frauds could be added to the list already in the hand of the police. One would have expected that after one year spent in an asylum and submitted to innumerable exams and under continuous observation, his psychological status should have been considered uncontroversial, but the scandal had put this very point under scrutiny.

The court commissioned Dr. Alfredo Coppola, the Palermo Psychiatric Hospital head physician and untenured university lecturer, to carry out the psychological survey. His analysis was both a clear example of the methods applied by the newborn Italian school of experimental psychology, and the consequence of the determination of a young and ambitious scholar. The result, written in a seven hundred page account, was based on the more advanced psychological experimental techniques,⁴⁸ but was also strongly influenced by the public debate. Coppola's task was supposed to be a mere analysis of the *smemorato's* mental state, but Coppola constantly compared his experimental results with the psychological profiles of both Mario Bruneri and Giulio Canella. Not only was the comparison gratuitous, it was in open contrast with the methodological approach Coppola proudly presented as the "Italian way to psychiatry."⁴⁹ The two profiles, in fact, were not the results of a direct and experimental analysis, they were rather due to second-hand, unchecked information. The court dismissed the survey as not responding to the task and dictated by a biased approach.

Unfortunately for Coppola, other eminent members of the Italian psychiatric community had very different opinion on the subject. The same staff of the Collegno asylum, for instance, enlisted experts in malingering detection, such as Professor Carlo Ponzio, ward doctor at the asylum and assistant professor of Kiesov at the Psychology laboratory of the University of Turin.⁵⁰ He did not detect any form of malingering in more than one year of medical surveillance. Moreover, the Canellas hired other psychiatrists and their surveys, as well as their authorities as renowned experts that clashed with Coppola's theory. One survey in particular was considered in the highest regard by the court: Professor Mingazzini's diagnosis of "polyglot's aphasia" and "protracted sub consciousness on a hysterical basis," in the attempt to justify the complete loss of Greek and Latin knowledge,

⁴⁸ Coppola (1931); see also the detailed analysis of Coppola's testimony in Zago et al. (2004) and Roscioni (2007). In trying to detect a supposed malingering, Coppola carried out his psychological analysis examining all aspects of the *smemorato's* mental activity by evaluating the presence of any damage due to the alienation. In examining his level of attention, he recognized behaviour ascribable to proofreaders, a clue that could be linked to Bruneri's activity as a printer. The visual recognition exam, as well as the assessment of spoken language concluded in a diagnosis of healthy behaviour. Mental calculations showed a remarkable performance, while according to Coppola, the short-term memory test was incompatible with Giulio Canella's cultural level, and also lower than normal. Together with the poor results of the semantic memory, the visual imagery assessment and the procedural memory test performed on piano skills, was considered a sign of malingering.

⁴⁹ Coppola (1928).

⁵⁰ Musatti (1989) and Zago et al. (2004).

mastered languages of Giulio Canella. Mingazzini's memorial, together with Coppola's *petitio principii* of using the final result of the trial, namely the identification between the *smemorato* and Mario Bruneri, to get evidence of a supposed malingering, made the psychological surveys useless.⁵¹

5.5.2 - The Anthropological survey

Famous Italian criminal anthropologist Mario Carrara was in charge of the anthropological survey. Former assistant of Lombroso, Carrara had inherited his former teacher's chair and taught legal medicine at the University of Turin since 1927. His job was apparently simple: he had to carry out a meticulous physical analysis on the *smemorato* and compare the results with the known somatic types of both Giulio Canella and Mario Bruneri. Unfortunately, this task revealed to be harder to accomplish than originally thought. Carrara had the problem of dealing with documents drafted many years before the trial whose accuracy was unchecked, and validity could not be confirmed. Carrara found that on the one hand the *smemorato* was shorter than Canella, 1.73 centimetres compared with Canella's 1.75; on the other, though, he was taller than Bruneri, 1.73 compared with Bruneri's 1.725. His foot was bigger than Bruneri's; his brow seemed different from Canella's. If scars on the face and on the back, and a tooth outside its proper dental arch put forward evidences in favour of the identification with the printer, Bruneri's freckles and skin spots seemed no more in their position on the *smemorato*'s body. Even considering that faces had aged, weights had fluctuated and scars could have changed over the years, the *smemorato*'s feet sizes did not match Bruneri's, a fact that was put in great evidence by the court.⁵² Eventually, the court considered Carrara's survey as to support Bruneri, with a small but meaningful contribution, foot size, in support of Canella-*smemorato*.⁵³

5.5.3 - The Forensic testimonies

The group of forensic testimonies concerned a fingerprint and photographic comparison performed by the experts of the Rome Advanced School of Police. The experts compared Mario Bruneri's fingerprints, prints he left when arrested in the past, and Giulio Canella's old photographs with the *smemorato*'s. Ugo Sorrentino was the expert who carried out all the comparisons, and although he was an "experienced and competent technician,"⁵⁴ Canella's experts Professor Giangiacomo Perrando and Professor Rinaldo Pellegrini, took the opportunity to criticise the expert. The reason behind Perrando and Pellegrini's criticism was because Sorrentino was not following the guidelines for a correct identification procedure promoted by the School itself. According to Otto-

⁵¹ Concerning the *petitio principii*, the court justified his convincement in this way: "because [...] by identifying the subject as Mario Bruneri, he [Coppola] comes to the conclusion that he is not a lunatic, instead a deceiver, whilst, on the contrary, it is the clinical assessment of the supposed existence, or not existence, of the mental alienation that should be useful in the achievement of the request identification." (Corte penale di Torino 1931: 21; italics in the original) As far as Mingazzini is concerned, the court emblematically limited his comments to his authority, never entering into the merit of the survey: "Professor Mingazzini, illustrious name of the Italian psychiatry [...] declares that the *smemorato di Collegno* is really affected by a form of mental alienation." (Corte penale di Torino 1931: 21)

⁵² Julini et al. (2004), Roscioni (2007) and Corte penale di Torino (1931: 27-28).

⁵³ Corte penale di Torino (1931: 27-28).

⁵⁴ Vescovi (1942).

lenghi and Gasti, in fact, one of the conditions required to avoid any kind of mistaken identification, involved the presence of at least two experts working on the same clues at different times.⁵⁵

As far as the photographic comparison is concerned, the methodology applied was an identical replication of the techniques the experts of the School used to detect fake identities of recidivists. The only difference in this case was that they were not dealing with a pair of homologous photographs - see Fig. 5.2a and 5.2b. That same year, the School's journal, the *Bollettino di scuola superiore di polizia e dei servizi tecnici annessi*,⁵⁶ had published an article on a similar case.⁵⁷ The article played a precise pedagogical intent, being that the School was interested in the maximum diffusion of scientific techniques of identification among police laboratories and headquarters. Thus, the lines for a perfect photographic identification were written down precisely. Among the main conditions, when comparing the enlargement to apply to the original, the position of the subject inside the photo and the illumination that had to be the most alike possible; if all those conditions were satisfied, the two pictures could be considered homologous.⁵⁸

It was on the basis of those guidelines that Canella's experts opposed Sorrentino's survey. Lights, position and enlargement were totally different, as Fig. 5.2a and 5.2b show. The picture of Giulio Canella was an old snapshot taken in the outside, in a completely uncontrolled environment, whereas the *smemorato*'s were mug shots. Furthermore, issues concerning the use of photographic testimony as reliable means of identification had been already raised more than ten years before. In 1912, an anarchic assassin in Milan failed to be identified despite the public distribution of his portrait. Rodolfo Namias, one of the fathers of the Italian photographic movement, conducted a detailed exam on judicial photography.⁵⁹ The problem of criminal photo-identification was twofold: it could be reached either through the matching of two mug shots or the recognition of a face in a

⁵⁵ See BSP (1911) no. (1) and Falco (1923); see also Giuliano (2004). The importance given to the hiatus between norms and practices is part of the methodology of this research. Following Foucault's lead, and micro-historical studies, the purpose is to understand the discursive practices of criminal identification also by considering those differences as meaningful and representing precise social strategies. As far as the deviation from norms is considered in relation with forensic surveys, Sorrentino's is not the first deception and is far from being a rare case. During the investigation for the 1924 Matteotti murder reported in chapter four, Giuseppe Falco himself, future head of the School, admitted to be the only one responsible for the comparison of the fingerprints of one of the suspects, Augusto Malacria, with the latent print found in the car where the politician was killed. (FM b. 460, f. 933) Back in 1920, in tracing a balance of the identification service activity between 1919 and 1921, Ugo Sorrentino declared that of 42,808 comparisons required in those years, "almost all of them [were carried out] by the present vice-inspector Sorrentino Dr. Ugo, with the help of *brigadiere* [...] Reineri Angelo." (BSP (1922) no. 9-10-11, p. 36)

⁵⁶ The journal was born in 1910 with a different title, the *Bollettino della scuola di polizia scientifica e del Servizio di segnalamento*. In 1918, the name changed to *Bollettino della scuola di polizia scientifica e dei servizi tecnici annessi*, and later in 1925, the name became the definitive title reported in the text.

⁵⁷ BSP (1928) no. 16-17.

⁵⁸ The School of Scientific Police had introduced standards in criminal photography since 1903, following guidelines Bertillon himself promoted at the end of the nineteenth century. (Ottolenghi 1910; Jaeger 2001; Cole 2002) Nonetheless, still in the 1920's many Italian police headquarters and forensic laboratories routinely turned to external professionals to carry out the identification photos, with detrimental effects for the standards guidelines.

⁵⁹ Namias (1912). Rodolfo Namias, professional photographer, was the editor of one of the most important photographic review, *Il progresso fotografico*, considered the reference point of the photographic Italian community. For this reason, the article could not pass unobserved, and police experts, like Constable Ellero, replied immediately to the attack. For an account on the debate see Gilardi (2003).

photographic portrait. Namias concluded that in both cases “it is never a matter of matching between the individual and his portrait, rather of matching between two copies of the portrait made under the same conditions.”⁶⁰ To reproduce the same conditions, photographers must follow the rigid law of projective geometry like in art, and like in art, they must be able to manage shadows and lights properly. A rational lighting, together with a scientific and technical approach to photography, was a *conditio sine qua non* of photo-identification, a condition that “could never be present in the room dedicated by the police to judicial photography.”⁶¹

Because of the efforts and the initiative of one of the former teacher of the School, Constable Umberto Ellero, technical problems in criminal photo-identification were often dismissed as marginal. An expert in judicial photography, he tried to standardise both procedure and result of police photographic identifications, contrasting the frequent and expensive recourse to private photographers in police investigation. Beside the publication of text and popular books, and his activity in defending police work against criticisms coming from professional photographers like Rodolfo Namias, he invented tools that could improve the contribution of photography in criminal identification.⁶² As far as the judicial photography was concerned, Ellero invented a device made up of two cameras that focused on to the same point, shifted at ninety degrees, and with shutters controlled by a single release. The “Ellero twins,” as they were called, were supposed to take front and side mug shot photographs at one time, simplifying the hard work of dealing with uncooperative subjects. They spread quickly across police laboratories due in part by the supposed advantage by halving the time of the procedure and producing a front/profile portrait scientifically reliable. However, the lighting difficulties caused by the two shifted cameras, the large and unwieldy dimensions of the device, and its expensiveness soon created the opposite results, as Falco openly admitted in a letter to the CNR (National Centre of Researches) in 1939.⁶³

⁶⁰ Namias (1912: 366).

⁶¹ *Ibid.*, 368.

⁶² See, for example Camposano (2006).

⁶³ See ACS - Fondo scuola di polizia scientifica - b. 59, f. 675. The standardisation process of judicial photography can be considered only patchy; indeed, already in 1918, the identification of deserters was performed with the help of professional photographers, and still in 1949 police stations usually made use of private photographers to produce mug shots as can be seen in ACS - Fondo scuola di polizia scientifica - b. 1.

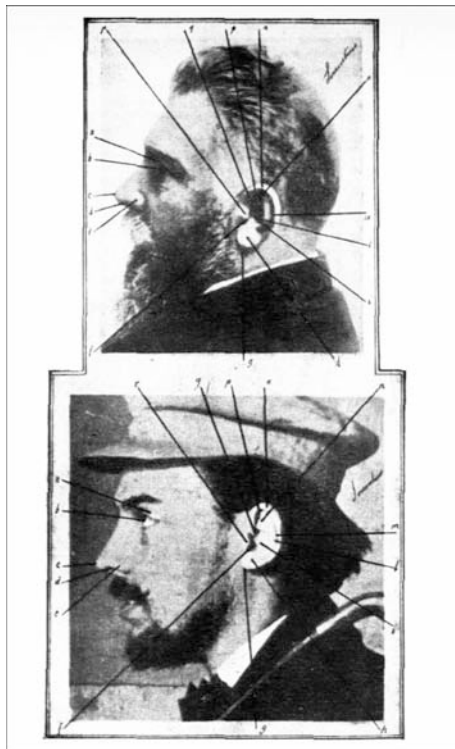


Fig. 5.2a: comparison between the smemorato's mug shot (above) and an old Canella's photograph (below). (Sorrentino 1946)



Fig. 5.2b: comparison between the smemorato's mug shot after the arrest, on 10 March 1926 (above) and the smemorato's one year later (below). (Leto in Morland 1953)

As a result, the photographic testimony was sidelined in the 1927 trial, with the court apparently considering it as a valid support to the Public Prosecutor's thesis, reducing the differences caused by "the well-known photographic illusions,"⁶⁴ but eventually recurring to other clues as rationales of the sentence.

5.5.4 - The cultural responses

The cultural surveys were numerous. They were carried out acting on two very distinct levels: one was personal, with the focus kept on Giulio Canella's and Mario Bruneri's individual histories; the other was social, carried out with the intention of detecting class differences.

Giulio Canella was a piano player, a philosopher, a Catholic and an expert in Latin and Greek. Thus, the piano test, the interrogation on religious and philosophical subjects and the exams of the vast amount of letters written by the *smemorato*, all represented the individual level of the analysis. Investigations had contrasting results until the Prosecutor discovered a notebook full of Latin mottos and expressions under the *smemorato*'s mattress. This discovery initiated the Prosecutor to declare the asylum library off limits to the *smemorato*. After that, cultured references and Latin phrases vanished from the *smemorato*'s letters to Giulia, a fact accounted as evidence in favour of Bruneri. Things were more complicated and even Vescovi, the judge presiding the 1931 Florence court of appeal, was forced to admit that the supposed cultural difference between the renowned philosopher and the despicable printer was hardly detectable; after all, the judge admitted, "the writings

⁶⁴ Corte penale di Torino (1931: 30).

produced by the pen of patient of Collegno during the year spent in the asylum cannot be considered miserable and dull, both in form and substance.”⁶⁵

Experts Alfredo Ghio and Costanzo Carlevero carried out a survey on the *smemorato*'s handwriting and found that it fluctuated, although it seemed to gradually become more similar to that of Giulio Canella's since his visit to the Canellas in Verona. This was another clue that, based on witnesses who attested Mario Bruneri's ability of emulating others calligraphies, could be read as a point in favour of Bruneri.

Among these sets of surveys, it can be listed that Father Agostino Gemelli and Count Dalla Torre visited between the end of March and the beginning of April 1927.⁶⁶ There were two brief meetings with questions concerning both the personal life of Giulio Canella and fundamental principles of Catholicism. The *smemorato* “failed” in both subjects. The court did not attach any importance to the fact stating that “inferring a fake amnesia by the detection of manifest ignorance and oblivion, it is a self-contradictory argument.”⁶⁷ It was Father Gemelli's prolonged silence, though, that the Canellas considered the most threatening act of accusation, being the Franciscan an indisputable authority as a renowned psychologist and a man of faith very close to the Pope, and as a former close friend of Giulio.

Since those encounters, Gemelli became the adversary to whom the Canellas addressed all the responsibility for the supposed plot against the *smemorato*. Although the 1927 anonymous letter accusing the *smemorato* of being Mario Bruneri that inspired the accusation could not be attributed to Gemelli, the Canellas considered his firm opposition to the identification of the *smemorato* as a mark of guilty conscience. The origin of the supposed dishonest behaviour rooted back to the rupture in the *Rivista di filosofia neoscolastica* editorial office and to a supposed legacy of quite a few millions that Father Salesian Lojacono had left to Giulio Canella in order to develop a Catholic University.⁶⁸ As soon as Giulio was declared missing in action, the Canellas suggested, the money disappeared, probably taken by the Turin Salesian community who were the authors of the 1927 anonymous letter,⁶⁹ as well as of the attacks the Turin Catholic newspaper *Il Momento*. Besides those unconfirmed facts, the accusation of Gemelli and Dalla Torre behind the campaign against the Canellas was something people perceived.⁷⁰ According to the report of a police *fiduciario* (trusted informer), Dalla Torre's editorial policy was strongly contested by the higher sphere of the Vatican that could not appreciate that the *Osservatore Romano* reserved more than sixty articles to the trials.⁷¹ As far as Gemelli was concerned, the confrontation with the Canellas reached a peak in 1928 when Gemelli

⁶⁵ Vescovi (1942: 75).

⁶⁶ Count Dalla Torre was the influent editor of the official Vatican newspaper *L'Osservatore Romano*.

⁶⁷ Corte penale di Torino (1931: 24).

⁶⁸ The story is told first by Parisi (1946); quoted also in Cosmacini (1985); Julini et al. (2004), and Roscioni (2007).

⁶⁹ Vescovi (1942).

⁷⁰ *Ibid.*

⁷¹ The *fiduciario*'s report is cited by Roscioni who identified him as Tommaso Arrigo Pozzi, a renowned Catholic journalist. (2007)

sent a letter to prefect of Milan, Fornaciari, denouncing intimidations by the Canellas and defending his loyalty to the regime, a loyalty put under scrutiny by an anonymous letter found by the Canellas that was made public.⁷² Furthermore, despite the fact that Felice Bruneri had previously declared his intention of not suing the *smemorato* in case of a Canella victory in the 1927 trial (the Bruneri victory would not bring any advantage to Mario Bruneri, or to his family, they admitted), he did just the opposite in 1928. Even considering the grant of legal aid the Bruneris were suitable for, the presence of one of the most famous lawyer by their side, Professor Federico Cammeo, was a clear sign that in the 1928 hearing someone else was sitting alongside the Bruneris at the bench. Because of the strong relationships occurring between Cammeo and the Vatican,⁷³ Gemelli was considered the most probable candidate.⁷⁴

The last set of cultural responses was composed by remarks coming both from the experts involved and from the press. They were remarks focusing on the *smemorato*'s love for Cyrano the Bergerac, his passion for the Opera and the philosophy of Nietzsche, none of which was a distinct element of a strong Catholic and upper-class education at the time. The reference to his acknowledgement of popular literature, focused mainly on the work of Turin artists, made the point even stronger.

To this set of exams, focused on the class differences between Bruneri and Canella, an additional survey can also be helpful. This survey was carried out by an expert appointed by the court concerning the analysis of a syphilitic scar. Mario Bruneri was supposed to show traces of syphilis because of his frequent relations with his last lover, former prostitute Camilla Ghidini, and his "shameful and ignobly libertine life after the war."⁷⁵ Giulio Canella, on the contrary, was not expected to exhibit symptoms on the basis of his personality and his social pedigree. The positive result to the Meinike test, revealing signs of a past syphilitic infection, faced two negative results of the Wasserman reactions carried out in the asylum. In this case, the contrasting results, as in the case of Professor Bruzzone's survey unearthing the rest of an old otitis, which read as a trace of the one that saved Mario Bruneri from the First World War recruitment, and as a sign of otosclerosis suffered by Giulio's father – played only a marginal role in the sentence. The court admitted that the surveys "in their totality, amount to an impressive group of reasons in favour of the Prosecutor's thesis of an identification [of the *smemorato*] with Bruneri,"⁷⁶ however every survey was considerably weakened, put through the same analytic and critic treatment reserved to the technical testimonies reported above.

⁷² Gemelli's letter is in ACML - Fondo Prefettura Gabinetto Serie I - b. 759. An account of the duel between the Canellas and Gemelli can be found in Cosmacini (1985), Julini et al. (2004), and Roscioni (2007).

⁷³ Cammeo collaborated to the drawing up of the new Vatican law code, and he was in very friendly relationship with monsignor Pacelli, brother of the next Pope Pius XII.

⁷⁴ Vescovi (1942); Cosmacini (1985); Julini et al. (2004). The long war between Gemelli and the Canellas did not end with the death of the *smemorato*. In 1956, Captain Parisi and father Alberti, another tireless Canellas supporter, openly accused the Franciscan to be the murderer of Giulio Canella. The accusation remained without any judicial sequel (Cosmacini 1985; Julini et al. 2004).

⁷⁵ Perrando and Pellegrini (1927: 84).

⁷⁶ Corte penale di Torino (1931: 18).

The cultural aspects and the lack of “Basquety” Judge Coras of the Toulouse Supreme Court dismissed as a mere justification of financial disputes in the Martin Guerre trial for example, now became real evidence judges took into consideration with the greatest attention. The difference in this case was represented by the magistrates’ direct involvement in the dispute, the lack of the “ethnographic safe distance,” of the “view from afar”⁷⁷ that could provide the detection of internalized aspects of the culture in which the *smemorato* grew up accustomed to. In Toulouse, Coras’s empathic tendency toward Arnaud was limited by his affiliation with a different social class and this reduced the complexity of the judicial task. On the contrary, what the judges of the court of Turin had to admit in 1927 was the lack of any undisputable method to distinguish between the swindler Mario Bruneri and the professor Giulio Canella. The *smemorato*’s behaviour during the year spent in the asylum, and his “performance” in court, what Erwin Goffman baptized in a theatrical style the “front stage performance,”⁷⁸ were so persuasive that he really appeared as a “cultured and distinguished man,” a character hardly comparable with the anarchist and libertine swindler Mario Bruneri.

The Lombrosian scientific approach promised to solve exactly these types of problems, providing the basis for an anthropological discrimination of the criminal that guaranteed the scientific understanding of his mind. However, this approach was originally calibrated and applied to members of specific social classes. Lombroso’s criminal man was modelled after peasants and farm labourers’ profiles and inspired by the anthropological differences he detected during his period in Calabria. When Lombroso extended his approach to include metropolitan working-class members in the north of the country, his descriptions appeared to local magistrates and police officers “alien to a day-to-day experience, incomprehensible, and useless.”⁷⁹

To better understand the impasse, the Italian social situation in the 1920’s must be considered. A recent historical reading of Fascism presented the regime as a modern form of dictatorship, with a proper ideology, powerful techniques of public control and social shaping that aimed to transform individuals belonging to the traditional Liberal country in elements of a new standardized society. According to this view, at least in the beginning, certain groups of people took advantage and actively participated to the formation of the regime, namely the lower-middle class individuals returning from World War I.⁸⁰ Those people aggressively faced the old Liberal oligarchy at every cultural and economic level of the society, breaking well-established social boundaries. The Liberal political class, unable to anticipate the consequences of such a social convulsion, remained attached to moral and cultural values of a world at the end; the social rigidity of the Liberal society strongly recurred on techniques of social control that at the end of the 1920’s showed all their limits. The same fo-

⁷⁷ Eriksen (2001: 62-63).

⁷⁸ Goffman (1959).

⁷⁹ Villa (1985: 186).

⁸⁰ See for example Gentile (1999; 2008), De Bernardi (2006); although without consistent data on the social composition of the Fascist National Party (PNF), as reported by Mann (2004), there is a sound sociological description of the PNF executive cadres between 1921 and 1943, composed “largely by members of the lower middle class, enrolled before the march on Rome.” (Gentile 2008: 178)

rensic techniques chosen to defend the Liberal society, fingerprinting among them, inherited in a way this social upheaval. In this specific case, fingerprint experts took the chance to free their judgment from the rigid logic of the legal process. In a paradigmatic case of identity fraud like this, fingerprint experts could not let fingerprinting be just one piece of the puzzle; in their opinion, it would be the alpha and omega of the investigation. Judges, obviously, thought differently. Fingerprinting, as many other police identification practices, had always been reserved to lower social classes, thus judges considered its application in a case involving honour and moral issues within the higher class inappropriate and unreliable.⁸¹

This was the reason why the Canella/Bruneri trial was the case when the police routine techniques faced their first complete social assessment. And this is one of the reasons why judges of the four further trials did not admit new scientific exams on the *smemorato*. Actually, the whole amount of supporting documents was collected for the 1927 trial.⁸² That's why at the end of December 1927, a few days before emitting their verdict, Grand Officer Martinengo and the court members wanted to meet and to talk personally with the *smemorato*.⁸³ It was the cultural and social background of patient no. 44710 one of the main subjects of the analysis. According to the court, the core of the trial was the attribution of a name, and of a personal history attached to it. Because of the interests at stake, such a task was no more considered matter for bureaucrats or police officers, but a more complex operation that required the recognition of the individual's behaviour by peers,⁸⁴ a complex social exam that needed the evaluation of the context and that eventually forced the judge to encounter the *smemorato*.⁸⁵

The first steps in the evaluation of the *smemorato*'s social background had taken judges and experts on different paths, focusing mainly on the one thing the two characters at stake had in common: their passionate writing. Words and text became, as according to another famous trial, "an exhibit in evidence,"⁸⁶ and the battleground that provided the "intersection of discourses that differ in origin, form, organization, and function;"⁸⁷ from judges of the penal hearing and four subsequent civil trials, the psychiatrists, members of the new political regime, representatives of the Church and influential members of the scientific community. Each actor promoted a specific discursive context, with the purpose of defending a group interest in the new social order. Judge Vincenzo Vescovi compared it with the Tichborne case and its social consequences, highlighting the stall of the scien-

⁸¹ Vincenzo Vescovi, chief judge of the 1931 Florence court of appeal, repeatedly pointed at "moral issues," honour, and religious values as the real issues at stake in his 1942 book on the case.

⁸² Vescovi (1942).

⁸³ The importance of the meeting was considered crucial even by the press: "it could determine a new and unexpected orientation of the court's attitude" (*La Stampa*, 27 December 1927).

⁸⁴ The decision to meet the *smemorato* revealed the court's low trust in the credibility of scientific testimonies and experts in this case. The belief that the encounter among peers could provide the evidence that the scientific probes failed to give, is reminiscent of Steven Shapin's studies on the credibility of scientific theory, scientific experts and the results of scientific experiments in seventeenth-century England (Shapin 1994; and Shapin and Schaffer 1985).

⁸⁵ An application of what Goffman and Scheff considered complex result of personal encounters, see Goffman (1959; 1967) and Scheff (1990).

⁸⁶ Foucault (1982: 200).

⁸⁷ *Ibid.* x.

tific testimonies in order to advocate the social importance of court judgement.⁸⁸ Scientists like Ottolenghi insisted in dismissing the Bruneri/Canella trial as a mere matter of bodily details comparison,⁸⁹ as they did with the Martin Guerre trials,⁹⁰ in order to defend the role forensic sciences had acquired within the national security system during the previous governments. The decision to dismiss fingerprinting made by the court of Turin in December 1927 was in clear opposition with this last a perspective.

5.6 - Deconstructing the Premises - Uniqueness and Invariance Under Scrutiny

On 14 April 1927, Constable Ugo Sorrentino was entrusted with the task of carrying out the fingerprint survey.⁹¹ Sorrentino was the same officer who lifted the prints from the Lancia used to kidnap Giacomo Matteotti in 1924. The presentation of his results followed the rhetorical path already presented in chapter four. First, Sorrentino provided the original prints received by Turin prison on 10 March 1927. Figure 5.3 shows the three sets of prints Mario Bruneri deposited at the prison on 21 January 1920, on 2 July 1920, and on 14 January 1922. Then he introduced the *smemorato*'s prints taken on 11 April 1927, as reproduced in Fig. 5.4. Finally, after evaluating the prints, Sorrentino discharged the left set of Fig. 5.3 because “excessively inked [hence] useless for the comparison.”⁹²

⁸⁸ Vescovi (1942).

⁸⁹ Ottolenghi (1932).

⁹⁰ Falco (1923).

⁹¹ Even here there is confusion about the date of the survey: Sorrentino mentioned the 14 April, (1932) Ottolenghi the 25th of the same month, (1932) Roscioni cited Ferretti (1931) and reported only the 25 March, and the date of the first comparison of Bruneri's set of prints with the one taken from the *smemorato*.

⁹² Sorrentino (1932: 142). The dates concerning Mario Bruneri's fingerprinting at the Turin prison are taken from Sorrentino (1932). They differ in Perrando and Pellegrini (1929) who refer to a slightly different list: 28 January 1920, 20 July 1920 and 14 January 1922. They differ also in the 1927 Court sentence where we can read 27 January 1920, 29 July 1920 and 12 January 1922.

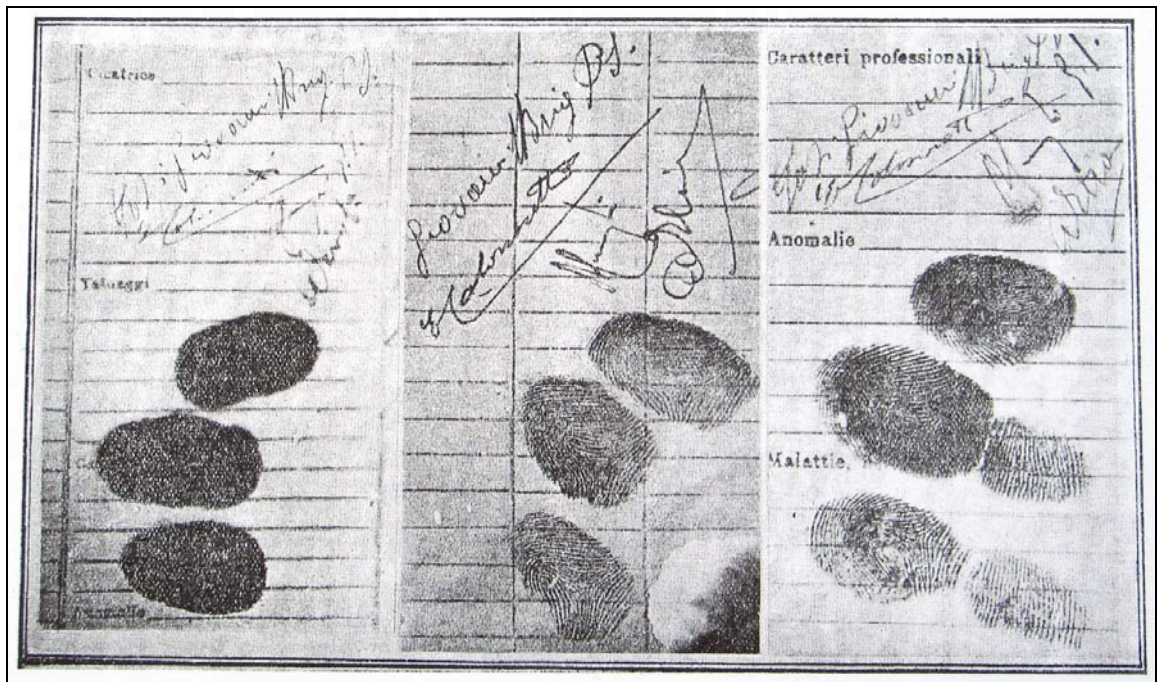


Fig. 5.3: Mario Bruneri's prints recovered from the Turin prison archive and dated respectively 21 January 1920 (left), 14 January 1922 (middle), and 2 July 1920 (right). (Ottolenghi 1932)

After a detailed account of the patterns, Sorrentino took a look at the *smemorato*'s prints reproduced in Fig. 5.4, providing a pattern description of all the ten prints. At this point, the comparison between the *smemorato*'s right hand forefinger, the middle finger, the ring finger and the prints taken from the prison archives was performed with the usual algebraic inscriptions, as reported in Fig. 5.5.

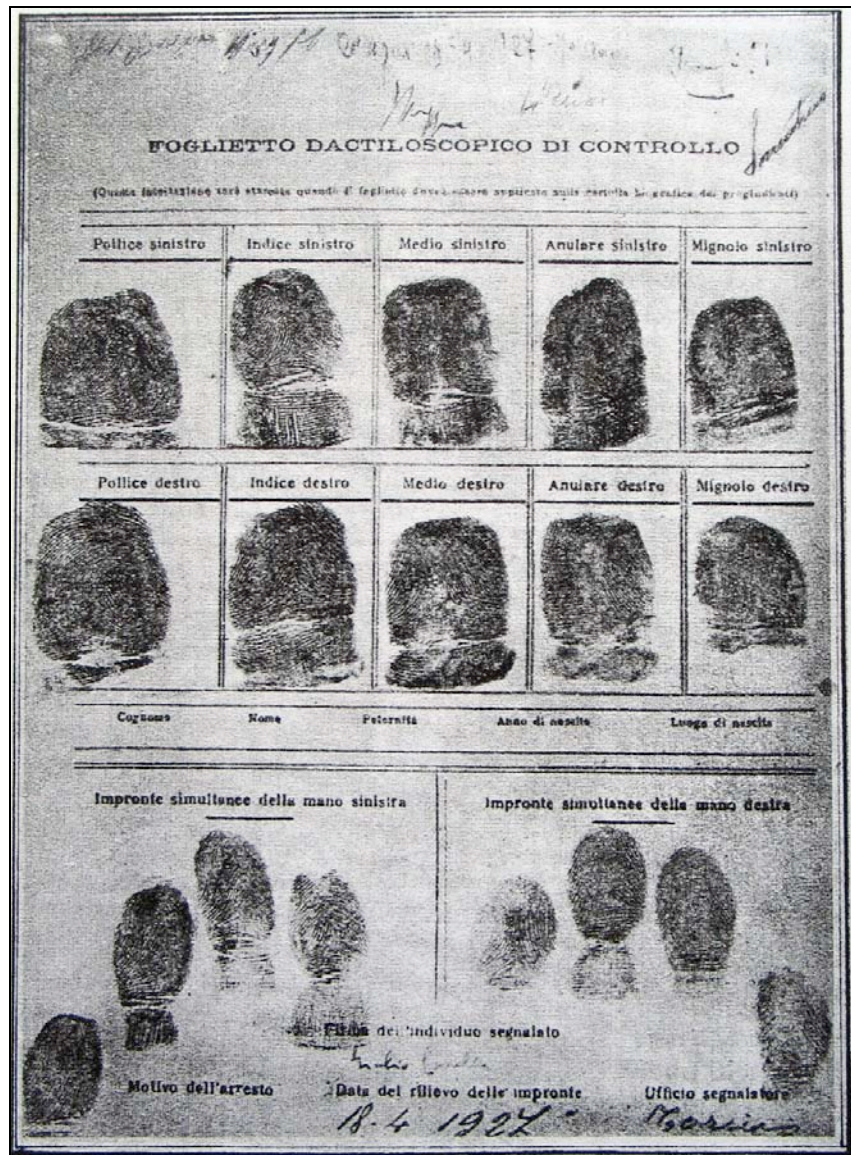


Fig. 5.4: the smemorato's prints taken on a foglietto dattiloscopico di controllo (police fingerprint control sheet) on 11 April 1927. (Sorrentino 1932)

The identity of the “general features” as well as of the “particular details,” Galton’s *minutiae*, was evaluated in a “vast number of matching corresponding ridge characteristics.”⁹³ The precise number of the corresponding matching points identified in the three prints was thirteen for both the forefinger and the middle finger, and eleven for the ring finger.

⁹³ *Numerosissimi caratteri di identità.* (Ibid. 146)

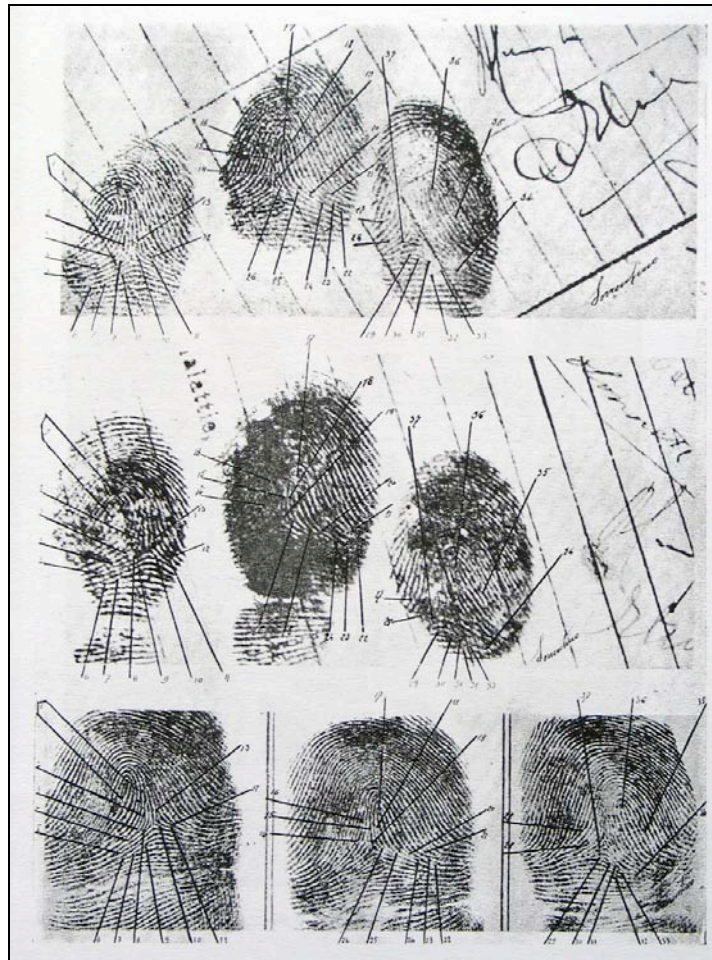


Fig. 5.5: Sorrentino's result of the comparison between Mario Bruneri's fingerprints (above and in the middle) and the smemorato's (bottom). (Sorrentino 1932)

Eventually, the usual coloured enhancements of similar areas of the prints were combined to help the judge to see the similarities more easily. The presence of a “vast number of matching corresponding ridge characteristics,” and the lack of any sign of difference between the prints, provided the evidence of the real identity of the *smemorato*; namely, that of the swindler Mario Bruneri. The Canellas opposed the scientific evidence *par excellence* with a memorial written by two renowned physicians, Gian Giacomo Perrando and Rinaldo Pellegrini.

Perrando was the senior figure, member of the Advanced Education Board between 1915 and 1917, director of the fourth army corps military hospital during World War I and author of famous legal medical text books.⁹⁴ At the end of the 1920's, he was professor of legal medicine at the University of Genoa. At that time, Genoa was a city characterised by a distinct tradition in forensic sciences. In 1913, while streams of novelties coming from within the police and from the criminal anthropology community condensed in the School of Rome, Luigi Tomellini, assistant to the Father of the Italian school of legal medicine, Alberto Severi, wrote a manual of scientific police.⁹⁵

⁹⁴ Perrando (1935).

⁹⁵ Tomellini (1913). Tomellini “French” reading of forensic sciences is clear especially on what concerns fingerprinting. Considered a useful method of individual identification, fingerprinting was discharged as a pow-

Tomellini spent months *chez* Bertillon in Paris importing the bertillonage to Genoa and beginning collaboration with the local *questura* that lasted more than three years. His textbook consciously ignored Lombrosian scientific policing, promoting a police science inspired by Locard's "technical police instead."⁹⁶ According to Tomellini, the exclusive function of anthropometric measurements, judicial photography and fingerprinting in crime scene investigations was to provide evidence in support of the investigation. Such a role had nothing to do with the understanding of the criminal mind as pursued by Ottolenghi. Consequently, even Tomellini's practices did not match those used by the scientific police in Rome, clashing in particular in the case of the approach to a crime scene and in the use of anthropometry. In the 1920's, Perrando took over Severi's chair in Genoa. In those years the city provided another alternative approach to Ottolenghi's criminology. Nicola Pende's bio-typology emerged in Genoa where the first Biotypological Institute was founded in December 1926. Even though his biosocial model of the human nature was dedicated to civil applications, Pende's activity soon expanded its influence on military and criminal issues contributing to the progressive isolation of Ottolenghi's approach after the 1920's.⁹⁷

Such a traditional distance from Lombrosian positions, and the practical isolation of the Genoa school as consequence of the political success of Ottolenghi's School, allowed Perrando and Pellegrini to approach the fingerprint problem with a critical approach.⁹⁸ A few scholars paid attention to this memorial, but all of them underestimated its theoretical importance.⁹⁹ Published in 1928, this work survives only in the library of the same Jesuit Seminar in Padua where Giulio Canella graduated as part of the family archives of the Canellas.¹⁰⁰ The book comprehended a critical account of more or less all the scientific testimonies described so far, reserving a major section to the analysis of Sorrentino's survey.

5.6.1 - The Actual Examination of the Fingerprint

Perrando and Pellegrini started asking what could make the fingerprint examiner realise a successful comparison of two different prints. The question might have sounded peculiar; after all, they were talking about a simple match between two greyscale images. It was a job anyone who was not blind could do. But this was not the case of fingerprinting, claimed the authors. The accuracy of the exam

erful ordering system of criminal archive, sustaining Bertillon's anthropometric ordering as the more scientific still in 1913.

⁹⁶ Locard (1931). In 1924, Locard himself listed Tomellini's lab as a distinctive entity with respect to Ottolenghi's network of police laboratories. (Locard 1924) Concerning a comparison between Italian and French scientific police at the time, see About (2008).

⁹⁷ See chapter four and six.

⁹⁸ Dismissing those theoretical and practical differences as minor nuances can convince historians to group scholars like Pende, Perrando, Lugaro, Coppola, Tanzi and Morselli under the same Lombrosian label, considering them examples of the same theoretical tradition. (Gibson 2002) Differences emerge once focused on the practices promoted in society by those actors, their goals, their theoretical roots that differentiated them from Lombrosians both within their own community and in society. Gian Giacomo Perrando and Nicola Pende can be considered emblematic characters of those differences.

⁹⁹ Apart from the authors more or less directly involved in the affair, only a couple of scholars studied the trial from an academic point of view; Julini et al. (2004) dismissed the survey as merely an unscientific testimony, while Roscioni (2007) hardly refers to it.

¹⁰⁰ Information from Tom Carneiro, one of the nephews of the *smemorato*, for this information.

“strongly depends on the accuracy and the reliability of the withdrawal,”¹⁰¹ a fact that should not be dismissed easily. As seen above, in this case at least, a set of fingerprints was excluded by Sorrentino because “excessively inked,” a set the authors more properly defined as being “two black spots.”¹⁰² Similar inaccuracies cast a shadow on the entire technique and this shadow enlightened a major flaw in the system. The first request for fingerprint identification on 10 March 1926, ended up in a negative result. This fact needed an explanation, and the Turin civil court proposed one in 1928: “it is well known even to judges [...] that *not all* the fingerprints taken in the prisons must be sent to the central register in Rome.”¹⁰³ Instead of clarifying the issue, this reply revealed rather a major weakness of the system. In chapter three it was already mentioned the Ministerial circulars that made use of fingerprinting in prisons for specific categories of criminals compulsory since 1910. Perrando and Pellegrini knew better than the court that, “being Bruneri a thief, a swindler and a recidivist, his individual card well deserved to be kept in the register in Rome with care!”¹⁰⁴

The matching of two or more fingerprints could not be considered a simple and mechanical result. Mistakes could occur at any stage of the procedure. At that time, every fingerprint was recorded at least twice: first when you were arrested and then when you were checked for a second control. Every step of the recording and checking was subjected to a series of possible errors: too much ink during the recording session, wrong movement and wrong pressure of the finger, wrong classification and wrong retrieval. The point Canella’s defence attorneys were aiming at was clear: how could the court be sure that defects of the recording did not preclude the good functioning of the identification procedure? Defenders of the system sustained that in the worst case, a no-identification would occur but there would never be a case incrimination of an innocent. They said that it never happened in the past otherwise there would have been news of it. The statement was untenable, replied Perrando and Pellegrini, because the impossibility of detecting the mistake was built into the system itself; the only place where such detection could occur was in the court, but “fingerprint testimonies are committed to those same experts who should be put under critical examination.”¹⁰⁵ Furthermore, “lay persons’ blind and absolute faith in fingerprinting prevents lawyers from requiring party testimonies.”¹⁰⁶ This behaviour reinforced the amount of “positive” results of the technique.¹⁰⁷

5.6.2 - The Theoretical Foundation

After introducing the possibility that fingerprinting could be a fallible identification system, Perrando and Pellegrini attacked its very theoretical foundation. The phrase that will soon become recurrent in Italian fingerprinting publications, and a sort of rediscovery of Parmenides’ philosophy,

¹⁰¹ Perrando and Pellegrini (1929: 99)

¹⁰² *Ibid.*: 112.

¹⁰³ *Ibid.*: 103.

¹⁰⁴ *Ibid.*: 104.

¹⁰⁵ *Ibid.*: 114.

¹⁰⁶ *Ibid.*

¹⁰⁷ There have been similar arguments raised recently regarding historical and sociological accounts on the use of fingerprinting in English and American courts. For a list, see Cole (2005; 2006).

made fingerprint experts claim that “a thing is what it is and it cannot be identical to anything else.”¹⁰⁸ Therefore two different fingerprints, even two prints of the same finger, could not be considered the same thing, but only two different things more or less similar to each other. Thus, performing fingerprint identification meant evaluating the degree of commonalities between two different prints, and fixing a similarity threshold under which identity would fall. Here the experts faced a serious problem. How could the threshold be fixed in order to support the expert’s claim that the two prints belonged to the same finger?

Perrando and Pellegrini provided an account of several approaches to the matter. Two major ways of dealing with the problem could be listed: the “*minutiae* counting” method and the “expert judgement” criterion. The two approaches provided a different kind of objective result. Adopting the terminology introduced by Daston and Galison, the methods could be ordered in the continuum that linked the “mechanical objectivity” to the “trained judgment.”¹⁰⁹ At first glance, the “*minutiae* counting,” based the validity of the first fingerprinting postulate on the mechanical counting of points of similarity, relied more on the “mechanical objective” approach. If statistics depicted that the minimum number of *minutiae* two prints coming from two different fingers could share was seventeen, then whenever the examiner was able to detect more than seventeen common points between two fingerprints, he was authorized to declare that they came from the same finger.¹¹⁰ Understandable, but the authors could easily find a plethora of contradictory thresholds deduced from both statistical and empirical approaches. Numbers varied from the minimum of eight points required by the chief of the Scotland Yard identification office Collins, to a maximum of sixteen proposed by Bertillon himself. The question was trivial: “how can one attribute absolute accuracy to a method whereby some scholars make identification on the basis of sixteen points and others of eight?”¹¹¹

An international standard on the minimum number of *minutiae* at the basis of a fingerprinting identification does not exist, and the adoption of different fingerprint identification thresholds is far too common even today. Also, there are authoritative declarations that discredit this line of reasoning: the IAI (International Association for Identification) the oldest and largest forensic organization in the world, stated in 1973, that “no valid basis exists for requiring that a pre-determined minimum number of friction ridge characteristics must be present in two impressions in order to establish a

¹⁰⁸ Slogan attributed to Locard by Falco (1923) and was systematically adopted by Italian fingerprint experts, see for example Falco (1938) and Sorrentino (1972).

¹⁰⁹ Daston and Galison (2007: ch. three and six).

¹¹⁰ Two *minutiae* in two different fingerprints were named “identical” if 1) they are of the same type; 2) they are in the same position and 3) show the same orientation with respect with the core. It was not always easy to establish if the three conditions are always respected. Moreover, the operation was comparable to a yes/no experiment: if the data on both the print were quantitatively and qualitatively adequate, and the analysis was allowed, then it would end in only with a match/no match result, 100% or 0% identity. Things changed a little after the introduction of DNA profiling causing a “shifting of paradigm” that shook the forensic community. (Saks and Koehler 2005)

¹¹¹ Perrando and Pellegrini (1929: 132).

positive identification.”¹¹² Moreover, as far as the validity of the postulate of the uniqueness is concerned, in March 2000 the US Department of Justice admitted that a “scientific basis of fingerprint individuality” does not exist.¹¹³ It is very interesting seeing how, besides the two contrasting forms of objectivity that inspires them, the two approaches both benefit of a scientific credibility and how they enter in open competition only in very rare occasions.¹¹⁴

According to Perrando and Pellegrini, the alternative view of relying entirely on the judgment of the experts did not provide a better method. Reading fingerprints was an interpretative result, hence an activity that was subjected to human mistakes. Even though only one difference between two fingerprints could invalidate the identification, as Ottolenghi declared defending the expert approach, “how can we be sure [...] that that same difference cannot escape the analysis of the expert?”¹¹⁵ Then, “trial judgment” was not as objective as it claimed to be, and things could not go better in the “expert-judgment” area. Since there still were no historical and current testimonies of false convictions due to erroneous fingerprinting identifications, police supporters easily boasted that the confidence in fingerprint experts was well placed.¹¹⁶

The theoretical core of fingerprint criminal identification systems, are the so called two “premises,”¹¹⁷ already introduced in chapter three, stated there as two “postulates” of fingerprinting. They are introduced again, this time using Salvatore Ottolenghi’s words:

Uniqueness: It’s scientifically proved that there are no two fingerprints alike.¹¹⁸

Invariance: Fingerprint patterns appear during the sixth-month of the intrauterine life and won’t disappear in a lifetime.¹¹⁹

The former is considered a scientific truth due to the Galton proof. However, other proofs would capture the attention since the 1920’s, especially Balthazar’s. This was certainly true when Ottolenghi wrote those words in 1910; while the latter is a consequence of “empirical observations as well as [of] the anatomy and morphogenesis of friction ridge skin.”¹²⁰ However, the two physicians re-

¹¹² Quoted in Cole (2002: 262); see also Robertson and Vignaux (1995).

¹¹³ See www.ojp.usdoj.gov; quoted in Maltoni et al. (2005: 258).

¹¹⁴ A famous case in Scotland occurred at the end of the 1990s is likely to be the most important of such occasions. For an account, see Cole (2002; 2005) and McKie (2007).

¹¹⁵ Perrando and Pellegrini (1929: 133).

¹¹⁶ Nowadays this is no longer the case, and questions concerning the reliability of the system are emerging on both sides of the Atlantic. Under this point of view, Perrando and Pellegrini proposed a sociological explanation well accepted today. “Our confidence in the identification system is the result of a social negotiation that is well established as long as the social balance that approved it remains unchanged” (Barnes 2000). Furthermore, changes in the Italian society contributed to make the fingerprint system identification “inconsistent” and “unreliable” during the Bruneri-Canella trial. A similar effect can be seen very clearly nowadays, with DNA typing weakening the public confidence in fingerprinting. Especially in the United States, such action takes the form of court debates with public confidence in DNA relying more on background cultural negotiations than on the mere confrontation of scientific facts. For a detailed account, see Lynch (2008).

¹¹⁷ Maltoni et al. (2005).

¹¹⁸ Ottolenghi (1910: 353).

¹¹⁹ *Ibid.*: 344.

¹²⁰ Maltoni et al. (2005).

plied that the reliability of fingerprinting could not stand merely on the confidence in two assertions.

As far as the former postulate was concerned, the Galton proof had been subjected to careful analysis unveiling theoretical weaknesses. In 1892, Galton covered a fingerprint with twenty-four six-ridge wide square regions. The dimension was the smallest chosen that could allow him to reconstruct the underlying ridge path with a probability of one-half, by looking at the surrounding ridges.¹²¹ Accordingly, the probability of a specific fingerprint configuration given the surrounding ridges was $(1/2)^{24}$. Thus, given the probability of occurrence of the same general pattern in two fingerprints $(1/16)$, and the probability of guessing the correct number of ridges entering and leaving each square region $(1/2)^8$, the probability that a particular fingerprint configuration could be observed in nature was given by:

$$P = 1/16 \times (1/2)^8 \times (1/2)^{24} = 1.45 \times 10^{-11}$$

This number led to the ratio of one to sixty-four billions, namely the most famous estimation of the discovery of two identical fingerprints coming from two different fingers. This is not the only statistical proof found in literature. The problem is that Galton's result of a 1/64 billion ratio, is far from being the only result.¹²² Perrando and Pellegrini's attack here did not point to the mathematical passages, rather to the meaning of the phrase "statistical proof" and its legal consequences. Defence attorneys rarely understood this point, and even more rarely would use it to invalidate or at least to ask for a counter evaluation of a fingerprint. Perrando and Pellegrini argued for uniqueness as an absolute value; accordingly, it could not rely on a probable statement but needed the absolute certainty. Accepting this point would cause the rebuke of the Galton proof, the most authoritative proof of the fingerprint uniqueness at the time. This, again, would advance the request for a real "scientific basis of fingerprint individuality."¹²³ Making fingerprinting a highly reliable criminal identification technique took resources and motivation away from scholars and prevented studies from relying too much on the sharable characteristics of fingerprint patterns among relatives or ethnic groups. Galton himself inaugurated this direction at the beginning of his studies on fingerprints, and Ottolenghi and the Italian anthropological school, together with a few American and German researchers, as well tried to read fingerprint patterns as inherited, ethnically determined and gendered influenced as well.¹²⁴

¹²¹ The explanation of the Galton proof as proposed in Maltoni et al. (2005) and in Ratha and Bolle (2004).

¹²² Galton (1892), Henry (1922), Balthazard (1911), Bose (1917), Wentworth and Wilder (1918), Pearson (1930, 1933), Roxburgh (1933), Cummins and Midlo (1943), Amy (1948), Trauring (1963), Kingston (1964), Gupta (1968), Osterburg et al. (1977), Stoney e Thornton (1986), and more recently Pankanti, Prabhakar e Jain (2002). Results vary, with figures ranging from two identical prints every 1.45×10^{-11} according to Galton, 1.09×10^{-41} according to Pearson, 6.87×10^{-62} according to Wethworth and Wilder and 5.47×10^{-59} according to Pankanti et al. For a complete list see Maltoni et al (2005).

¹²³ Maltoni et al. (2005: 258).

¹²⁴ Cole (2002).

The author's rebuke of the invariance postulate was based on a problem of method. Faulds and Herschel's experiments, as well as Malpighi's studies, appeared far from being scientifically exhaustive. The best explanation emerging from their studies, according to the physicians, was that ridge patterns formed during the sixth-month period of the intrauterine life, and remain the same for a lifetime. Scholars added that in their formation, patterns were influenced both by the individual and the environmental conditions in action during the embryo's growing.¹²⁵

An empirical account of this phenomenon Perrando and Pellegrini concluded that it needed not only a vast statistical approach, but also a scientific approach that was not in the cards of police constables.¹²⁶ If fingerprinting had to be scientific, then, it should be taken away from police officers' hands; otherwise the technique could not be properly credited with scientific authority.¹²⁷

5.6.3 - The biased reading

Reading the fingerprint seemed to be the easiest step of the process. After all, it was simply a comparison between two greyscale figures. According to Perrando and Pellegrini, this was not an easy and simple task. The problem here involved human cognitive capacities and functionalities, the quality of the objects (already analysed) and the operative conditions, thus creating a three-step problem.

There was a phrase Ottolenghi utilized quite often and can be found in some of his writings.¹²⁸ In dealing with the education of forensic experts, he wrote: "The eye cannot see anything that the mind doesn't know already; in the same manner that one can observe the sharpest specimen with the microscope but he cannot understand anything, and that nothing must be expected by an observer who isn't familiar with the elements he is expected to see before actually seeing them."¹²⁹ This refers to traditions in sociological, philosophical and psychological studies. Norwood Russell Hanson's concept of observation and psychologist Richard Gregory's famous thesis of the brain interpretation of visual data were points of reference for philosophical approach to science in the 1960's.¹³⁰ The concept of sight as influenced by knowledge is still a key theoretical point of many approaches to science and technology today.¹³¹ At the same time, it was at the basis of Daston and Galison's definition of objectivity as "trained judgment" and at the very foundation of the credibility of the fingerprint experts.¹³² Such credibility rested on the amount and quality of the information transmitted by the professional training, information that literally transformed the expert's eye.

¹²⁵ Dallapiccola (1968), Lusa and Cioeta (2005), and Cole (2002).

¹²⁶ Perrando and Pellegrini (1929: 113).

¹²⁷ Faulds and Garson chose the same strategy in 1901 during a famous trial in England. (Cole 2002: 173) The same strategy was successful in a famous 1990's trial in the USA, where DNA typing suffered the same assaults by the lawyers of OJ Simpson. (*Ibid.*)

¹²⁸ Ottolenghi (1898a; 1910).

¹²⁹ Ottolenghi (1910: 314).

¹³⁰ Kuhn (1962).

¹³¹ The sociological literature on science and technology in general refer to cultural influence of our perception of the world. See for example, Knorr Cetina (1999), Collins (1985) and Latour (1986). For an account see Barnes et al. (1996: ch. one).

¹³² Daston and Galton (2007: ch. six).

With respect to dealing with the processes of transmission of the knowledge, Barry Barnes stated “[i]t’s wrong to say that a figure, no matter how realistic it could seem, represents reality. It always represents something different, something culturally based.”¹³³ If applied to fingerprint examiners, it was easy to see how the edges of the matching problems start fading out from the distinct lines that was thought of in the “after all” part. This is what Perrando and Pellegrini did. The focus was no longer on the figures, but on the professional training the experts attended, the way things were taught to them and the way things were carried out when they dealt with a case. The authors discussed the “self-respect” of police officers that made them eliminate the “dubious case” and read the prints with a “poor critical attitude.”¹³⁴ Moreover, having the whole dossier at his disposal, and working side-by-side with the same men who were presenting the charges, a technician’s reading of the print could result an influenced, biased veil of the final result.¹³⁵ Quoting Locard, the authors asserted that every expert should rely only on “her microscope, her own logic and her conscience.”¹³⁶

Regarding this last part, and from a different perspective with respect to Barnes’s works, Itiel Dror recently conducted experiments on fingerprint expertise that highlighted the same criticisms sustained by Perrando and Pellegrini, and with very alarming results. Dror managed to manipulate what he called the “bias context,” the amount of information coming from the environment and was capable of exerting influence on examiners during the matching procedure. In this way, he could pilot the results of a high percentage of experts to “wrong” results.¹³⁷ Back in 1927, as far as the operative conditions were concerned, the authors insisted on the fallibility of the use of a single expert. If not controlled, the expert could even perform “very serious mistakes”¹³⁸ unnoticed, with serious legal consequences, like the one their client was suffering.

Even nowadays, across both sides of the Atlantic, voices are raising again in favour of a blind double check in every fingerprint evaluation. Both in the American and UK system, at least two experts must work out the matching of a single fingerprint. These individuals usually know each other and work together in the same office. According to scholars, “[u]nder zero-blind conditions, if the first examiner has made an identification that is erroneous, the second examiner is likely to *ratify* the error, rather than discover it.”¹³⁹ According to Perrando and Pellegrini, the Italian situation was even

¹³³ Barnes (1977: 9).

¹³⁴ Perrando and Pellegrini (1929: 113).

¹³⁵ *Ibid.*: 90.

¹³⁶ *Ibid.*

¹³⁷ See Dror et al. (2005); Dror and Charlton (2006); Dror et al. (2006). Though Dror’s results are shocking in a way, his conclusions are far from ultimate. His experiments can be seen as similar to the experiment of social psychology Stanley Milgram carried out in the 1960s. Milgram was interested in studying the degree of influence authority had on people. The detailed analysis of those experiments is the purpose of this work, but Milgram’s attention to the influence of authoritarian figures could easily applied to Dror’s situations and slightly modified his conclusive interpretation. For a critical reading of Milgram’s experiments, see Barnes (1985: ch. three).

¹³⁸ Perrando and Pellegrini (1929: 111).

¹³⁹ Ratha and Bolle (2004: 349), see also Cole (2005; 2006).

worse, with the legal status of fingerprint wavering between a clue and evidence, and with the matching of the prints exclusively reserved to police officers, not by law, rather due in whole to the “blind fate” of ignorant judges and lawyers.¹⁴⁰

5.7 - Protected Systems of Beliefs - Fingerprinting vs. Mother Giulia

Despite this huge amount of evidence and testimony, judges of the 1927 penal court took their final decision only after a visit to the asylum. The *smemorato* was requested a final performance to help the judges put the pieces all together.

The main problem, as already mentioned, was that the *smemorato*'s public life could be properly evaluated only in comparison with his private life, which was reflected by the credibility of his friends and relatives.¹⁴¹ To do that the court had to evaluate the credibility of all testimonies. According to their different social status and public importance, witnesses had been received in Collegno and Turin in due time and in different order. The resulting number was vast: excluding relatives, Vescovi counted at least sixty-four persons only on the Canella side. The list of the testimonies recalled by the Royal Prosecutor was put together according to a patient and precise reconstruction of Mario Bruneri's life, and besides the Bruneris, it included Mario's friends from the time of the Book Federation, people who met him during his wandering period, victims of his frauds, and Mario's lover and companion, Camilla Ghidini.

At the beginning of the investigations, Camilla “Milly” Ghidini was reluctant and silent. When police finally arranged the meeting, and the *smemorato* dealt with her like she was a perfect stranger, though, she began to “sing.” She revealed details of the morning of his arrest and also evidence of a correspondence kept in secret with the *smemorato* during his permanence at the asylum. Letters were shown and accomplices denounced and enrolled as witnesses. Milly was the perfect witness, and a powerful one. She informed the court she had been with Mario Bruneri until the arrest, and the risks taken by the *smemorato* by carrying out the correspondence with her during his staying at Collegno. This revealed a sentimental relationship that could be turned against the deceiver, and that relegated Rosa Negro, Mario's wife, to the second lines.

According to public opinion, though, Milly could not match up to Giulia Canella. While Giulia was always described as a virtuous woman, Milly's former experience as a prostitute was never forgotten.¹⁴² To the bourgeois moral, as well as to the Fascist promotion of the traditional family values, a working-class, vagrant ex-prostitute who had complied for years with Bruneri's fraudulent wishes, could not be put on the same level of a woman who waited patiently for twelve years for her husband to return from the war, while taking care of her family and bringing her children up all by herself.

¹⁴⁰ Ramajoli (1980), Giuliano (2004).

¹⁴¹ Goffman (1959).

¹⁴² Perrando and Pellegrini (1929), Vescovi (1942) and Parisi (1946).

This was the core of the trial, indeed. Recent studies on Fascism underlined Fascist policy of public control based on the creation of a general consensus within the population.¹⁴³ Such a policy was centred on the social role of the family as a basic political unit, controlled by the *pater familias*, to whom the Fascist culture assigned the social primary role, and integrated within a social ordering system that included the school as well as party youth organizations. The family was also the source of confrontation with the other major conservative force of the country: the Catholic Church. Whether the traditional conception of the family promoted by the Fascists was something the Roman Church could easily approve and support, it was the way in which family education should be planned that made the Church and the regime's interests clashed more violently. Indeed, the Fascist conception of the family as a pre-party unit broke the instable equilibrium the Church had tried to regain after the attack of modernism since the end of the nineteenth century.¹⁴⁴ Like the Church, Fascists opposed the Liberal vision of the family as a private node within the social network, and agreed in interpreting the familiar relationship as a public matter, even though the two interpretations clashed.¹⁴⁵ Contrary to the Church, the Fascist idea of a totalitarian control of any aspect of the Italian life legitimated every kind of political intrusion within the family, even in the more intimate aspects, and hardly tolerated alternatives like the one proposed by the Church.¹⁴⁶ The Liberal attempts to make the marriage a secularized form of union occurred at the beginning of the century,¹⁴⁷ as well as the re-evaluation of the Catholic ideal of marriage before and after the Lateran Treaty focused on the intimate inviolability of the relationship between husband and wife. Moreover, the religious union characterized mainly by the female devotion to the husband's will, the preservation of the family union, and the care in the breeding of the children became such a strong social Fascist value that even all of the invasive interferences in the matrimonial life promoted by the positive Italian eugenic movement could not help supporting it.¹⁴⁸

In this perspective Catholics saw in Giulia the perfect wife and the beloved mother, "steady like an unshakable tower"¹⁴⁹ in her faith in God, and in her love of her recovered husband. For different reason Fascists loved her too. She did not represent either the *donna-madre* promoted by the regime, "national, rural, floridly robust, tranquil and prolific," or the *donna-crisi* so badly represented by the demographic propaganda, "cosmopolitan, urbane, skinny, hysterical, decadent, and sterile."¹⁵⁰ Nonetheless, her loyalty towards her missing husband, her impeccable behaviour as a war widow, as well as the courage and dignity shown during the most embarrassing phases of the affair, won the sympathy of many as attested by few articles published, including one in Mussolini's newspaper. It was the strength of such a figure that stood against all the forensic and psychiatric surveys during

¹⁴³ Gentile (1990; 1999; 2008), Berezin (1997), Mann (2004), De Bernardi (2006) and De Grazia (1992).

¹⁴⁴ Dau Novelli (1994).

¹⁴⁵ De Grazia (1992).

¹⁴⁶ The Bruneri/Canella trial has been read also under the perspective of the confrontation between the Church and the regime, seeing in the five trials the remnants of the problems left open by the Lateran Treaty. (Roscioni 2007)

¹⁴⁷ Kelikian (1996); Seymour (2005).

¹⁴⁸ Ipsen (1996), Maiocchi (1999) and Mantovani (2004).

¹⁴⁹ *La Stampa*, 17 May 1927.

¹⁵⁰ De Grazia (1992: 73).

the five trials. It was such a figure that could not be reconciled with the dishonourable meaning conveyed by Mario Bruneri's fingerprints.

The Fascist family policy did not flatten the feminine role into the figure of the mother. Despite the strategic importance of this figure as the provider of future soldiers, women had to become good mothers. To do that, the Fascist channelled the rising demand of modernisation coming from the Italian women into precise social spaces outside the family. The regime encouraged the formation of feminine groups of supporters, made use of women in the Fascist youth organizations, and did not oppose the rising demand for a feminine access to academic studies. The Fascists created new social spaces and new roles for women and promoted a new kind of sexualised femininity. At the same time, Fascists precluded any major social change that could release the female from the male domination, enhancing, on the contrary, this dependency everywhere in society, in the family as well as in the brothels.¹⁵¹

According to this vision of the female role, Giulia and Milly embodied very different figures that the public easily recognised. Milly was *corruciata e petulante* [...] *grassoccia* (gloomy and nagging [...] chubby),¹⁵² while Giulia was always "a beautiful example of brown-haired, characterized by an aura of great goodness. She smiled at the two children she was carrying in her arms: the one still in swaddling-bands, the other not yet two years old."¹⁵³ She was the *povera e buona signora Canella* (poor and good Mrs. Canella),¹⁵⁴ a noble and fierce figure, silent and irremovable, ready to fight against *troppe armi* [...] *unite* [...] *per ferire il suo cuore fedele* (Too many weapons [...] united [...] to hurt her faithful heart).¹⁵⁵ The moral gap that divided the two women was further underlined by the fact that they had never met. Although Giulia successfully confronted Rosa Negro and her son Beppino, and comforted Bruneri's sisters during a meeting with the *smemorato*,¹⁵⁶ she was never in touch with Mario Bruneri's lover.

Regressing back to the sixteenth-century trial that opened this chapter, Giulia could only be comparable with Bertrande. Indeed, they played the same role of victims, doubly persecuted; victims of the fate first, and of the human wickedness later. Their equally laudable, impeccable behaviour and indomitable faith was like a weapon that pointed toward the magistrates, threatening and ready to

¹⁵¹ For an account of women under Fascism see De Grazia (1992). The social use of female sexuality in the cinema, within the brothels, for example, is common of Fascist and Nazis regime. In this latter case, a good point on how "the cultural liberation of sexuality in performance art [...] served in a number of cases to fortify the otherwise restrictive sexual politics of the state," has been advanced by Gordon (2002: 166). Quoting Marcuse, Gordon lists three aspects of Nazis family politics: a connection between released sexual desires and the formation of a new state, the eradication of any form of private sphere, and the connection between sexual privileges and a conception of racial superiority. Take into consideration the peculiarity of the Fascist racial policy, this vision could be considered valid for the Italian case too, even though to prove that further and more specific studies are required.

¹⁵² *Corriere della sera*, 27 March 1927.

¹⁵³ *La Stampa*, 25 February 1927.

¹⁵⁴ *Corriere della sera*, 16 March 1927.

¹⁵⁵ *Corriere della sera*, 15 March 1927.

¹⁵⁶ Vescovi (1942), Julini et al. (2004) and Roscioni (2007).

shoot to the next injustice. Magistrates of the Parliament of Toulouse trial wobbled, stated Natalie Davies;¹⁵⁷ magistrates of the 1927 criminal trial wobbled as well.

The 23 December 1927 sentence was a consequence of that tremor. The influence exercised by the reputation of Giulia Canella, as well as by the *smemorato*'s willingness in finding a solution to the case, played a major role. Putting aside the expert testimonies, magistrates evaluated the witnesses and found them equally distributed among the fronts. Underlying once again that Giulia sincere identification "must be considered as the core of the inquiry,"¹⁵⁸ they concluded that they could not reach a decision, because of the existence of "two sets of evidences that do not invalidate each others, but on the contrary they coexist and develop side by side, and point toward different solutions."¹⁵⁹

5.8 - A Family Issue - The Social Network of Italian Academies and the Strong Point Against Fingerprinting

Ottolenghi and his followers considered the verdict a rout for science. Reviews from the positivists reacted by complaining about a cultural deficiency. They blamed the resistance of magistrates who contrasted the application of scientific inquiries in criminal proceedings and identified on the elderly state of most of the members of courts, causing one of the main obstacles in the scientific progress.¹⁶⁰ The positivists' complaints did not limit to the adoption of scientific methodologies in criminal proceedings. Rather, they rejected the subjection of the scientific truth to the magistrate's assessment. In order to facilitate the relationship with magistrates, the Advanced School of Police managed to organize reserved courses of scientific literacy. The project required years to be accepted, with pressures carefully exerted in the Parliament. On 9 March 1928, during the discussion for the approval of the Ministry of Justice's budget, the MP Alfredo De Marsico insisted on the need for the forensic techniques promoted by the School to be considered mandatory both by police inspectors and by magistrates too. He advanced the hypothesis of specific courses organized by the School.

¹⁵⁷ Davies (1984: 80-81).

¹⁵⁸ Corte Penale di Torino (1931: 32).

¹⁵⁹ Ibid., 38. The 1927 sentence caused scandal among the supporters of forensics sciences. The foremost Italian psychiatrists, criminal anthropologists and scientific police representatives urged to defend the "pure science" against "silly women's gossip" and accused the judges of illogical behaviour (Quoted in Coppola 1928; see also Ottolenghi 1932 and comments in Rusticucci 1927). The logic underlying the 1927 sentence is very similar to the Azande logic described by David Bloor in his *Knowledge and Social Imagery* (1991). Like in the Azande case, judges accepted the validity of fingerprinting as a reliable identification technique, but they refused to accept the conclusions of this reasoning in the case in question. For them, fingerprinting could not identify the *smemorato* as Mario Bruneri. Another system of beliefs played the starring role in the magistrates' "game;" namely, the bourgeois, upper-class consideration of the institution of marriage and their evaluation of the figure of Giulia. In this case the Canella marriage reflected the ideals of marriage as it was represented and defended by the law and promoted by the government (Rizzo 2003). It is because they routinely accepted the inviolability and the reliability of the inner relationship in such a union that they adjusted their reasoning and reached a different conclusion with respect to the expert surveys' logic (See also the example of the bomber pilots in Bloor 1991: 143).

¹⁶⁰ Quoted in BSP (1928) no. 16-17, pp. 185-187.

The initial proposal aimed at the institution of specialization courses inside the courts of appeal, with modules reserved to forensic techniques. A few of them were actually set up in 1937 and 1938, in the form of single lectures. Constables Enrico Giri and Ugo Sorrentino prepared the lectures carefully, making use of any technical aid at their disposal; carrying posters, anthropometric instruments, and didactical slides they moved from north to south, from one court to another.¹⁶¹ Despite nine years of negotiation, and the energy spent in organizing them, the courses went mostly deserted, and after about three months, suspended.¹⁶²

The age of officers and judges was often blamed as one of the causes to reject scientific policing. Giuseppe Falco, head of the School of scientific police since 1932, ascribed the causes for the malfunctions of the scientific procedures for detecting criminals, to a “generational gap” in 1925, a fight between tradition, defended by old officers, and science understood by the new generations.¹⁶³ This explained the attention the *Archivio di Antropologia Criminale* reserved to the young judge in charge of the first civil Bruneri/Canella trial in 1928.¹⁶⁴

A completely different reaction came from important sectors of the regime. Ministers, for example, had already advanced explicit criticisms against the supporters of forensic sciences and those judges too inclined to give rooms to forensics in the court.¹⁶⁵

A quite interesting side effect involved the Italian psychiatric community. In few years, and owed in whole to the outcry the trials were causing in the judicial circles, another celebrated lawyer Francesco Carnelutti, enrolled on the Canella front, commissioned Cesare Musatti, the future father of the Italian psychiatry, a series of lectures about the reliability level of eyewitness testimonies. Musatti did not limit his lectures to a mere update of what was already known abroad, especially in Germany, namely that “psychology of testimony was essentially critical of the eyewitness testimony.”¹⁶⁶ On the contrary, dealing exclusively with students in law, he thought it would be interesting to analyse every important legal aspect of the testimony.¹⁶⁷ In so doing he introduced experiments aimed to undermine the validity of assessments about the truthfulness degree of a testimony by the direct measurement of the breathing, or by the mere observation of physical reactions. These were techniques normally applied by the scientific police, inherited by the Italian criminal anthropology tradition as already seen in chapter one and two.

For all of those reasons, when Felice Bruneri sued the *smemorato* in the civil court of Turin everyone’s attention was directed to the magistrates’ consideration of the scientific evidence. In 1942,

¹⁶¹ ACS - Fondo Scuola Superiore di Polizia - b. 162, f. 3424.

¹⁶² Quoted in RP (1966), p. 100 and Saracini (1929: 388).

¹⁶³ BSP (1926) no. 14-15, p. 131.

¹⁶⁴ AAC (1929) no. 49, p. 509.

¹⁶⁵ See Roberto Farinacci’s aggressive articles concerning the trial on *Il regime Fascista* (Farinacci 1927) and Minister Federzoni’s memorandum urging a lesser impact of “pseudo-scientific investigation” in courts (Quoted in AAC (1926) no. 46, p. 745).

¹⁶⁶ Musatti (1989: 176).

¹⁶⁷ *Ibid.*

Vincenzo Vescovi, president of the 1931 Florence Court of appeal, made clear that since the 1927 penal trial, the amount of evidence and expert testimony remained the same.¹⁶⁸ What did change, however, was their disposition to them; and those changes could be detected already in 1928, due to the lead of the “egregious judge [...] Forneris, one of the most young and studious among the magistrates of the court of Turin.”¹⁶⁹

Changes could be traced back to three causes. The first cause was that the judicial difference between the 1927 penal collateral proceedings and the 1928 civil trial modified the legal balance in favour of the Canellas. Indeed in a civil trial, both parties had almost the same rights and could present clues and testimonies at will. The extrajudicial surveys the Canellas advanced in 1927, Perrando and Pellegrini’s and Mingazzini’s for instance, could now become part of the admissible evidence, with the concrete possibility to enrich them with new surveys and a stronger critical analysis of the evidence for the prosecution. Unfortunately for them, judges denied this right, considering the amount and the kind of surveys collected during the penal investigations. Also, the Canellas could only present new testimonies and a new memorial, and rely only on the surveys already listed.

Secondly, as seen at the end of the last section, after the 1927 sentence a mobilization occurred in the forensic community, both in defence of fingerprinting and of Coppola’s psychiatric survey. The perspective of a major collapse of the penal system due to the disqualification of fingerprinting, as presented by *L’Osservatore Romano* since March 1927, was echoed by other newspapers like *Il Momento*¹⁷⁰ as well as by renowned experts like Salvatore Ottolenghi and Sante de Sanctis. At the same time, foremost psychiatrists put their authority against Mingazzini’s and supported Coppola’s survey.¹⁷¹

A third set of reasons is directly connected with the second one. As we saw in the last section, the 1927 sentence embodied two different systems of beliefs. If, the centrality of fingerprinting in the repressive system could be defended openly, then the attack to the inviolability and the reliability of the marriage could not, due to the upstanding figure of Giulia Canella, who was considered the

¹⁶⁸ Vescovi (1942: 14-15).

¹⁶⁹ AAC (1929) no. 49, p. 509.

¹⁷⁰ *Il Momento*, 29 December 1927.

¹⁷¹ Ottolenghi supported Sorrentino’s testimony entirely in 1927, intervening on newspapers (*La Tribuna*, quoted in Julini et al. 2004: 70), as well as on technical reviews (*Zacchia*, see Ottolenghi 1927) and books (Rusticucci 1927). De Sanctis, foremost forensic psychologist replied in annoyance to a journalist of *Il Momento* who introduced him the opposition to fingerprinting enhanced by the Canellas’ experts testimony stating: “I believe firmly in fingerprinting reliability. And every anthropologist knows why” (*Il Momento*, 18 March 1928; quoted also in Coppola 1928). As far as the Coppola’s survey is concerned, a rancorous dispute between Professor Ernesto Lugaro, head of the department of Neuropathology at the University of Turin, and professor Mingazzini took place in the media for the first part of 1928, (Lugaro appeared in *Il Momento*, 31 December 1927; Mingazzini replied by a program broadcasted by the *Radio Nazionale*, on 9 January 1928: quoted also in Coppola 1928) a quarrel that enrolled other renowned characters of forensic sciences to the Bruneri side like Eugenio Tanzi and Enrico Morselli, giving the idea of a solid front in favour of the “pure science.” As seen examining the survey of Perrando and Pellegrini, not only did this front represent only a part of the Italian forensic community, but it revealed inner contrasts that couldn’t have been possible few years before, and that were strictly related with the reading of fingerprinting that is at the core of this work.

“purest figure of model bride and mother.”¹⁷² The “crusade for morality”¹⁷³ promoted by the Catholic newspapers offered a doubled solution to this conflict of logics: or the reliability of Giulia’s feelings and her mental faculties could be doubted – a strategy by the Bruneri’s lawyers Dagasso and Cravera¹⁷⁴ – or her honesty could be suspected on the basis of the strong support she gave to the *smemorato* during the inquiry.¹⁷⁵

Finally, the youth of judge Giambattista Forneris would be considered, as it was, a reason for the court’s different criteria in the treating of the forensic sciences.

On 5 November 1928, the first civil case ended in a verdict of certain identification and declaring the *smemorato* to be Mario Bruneri. Despite a clear statement of approval for the contribution of the forensics in the trial, and for fingerprinting in particular, the main body of the accusation was still based on testimony.¹⁷⁶

The now publicly recognised Mario Bruneri appealed asking for new expert surveys and on 7 August 1929 the Turin court of appeal, rejected the request for new surveys and confirmed both the faith in the forensics sciences and the sentence of the first civil court.¹⁷⁷

At this point players had already raised their bets, and the situation was becoming more complicated. Giulia and the *smemorato* had two babies already: Elisa Francesca Maria born in November 1928, and Camillo in December 1929; but they could not officially name them Canella because of the 1928 sentence. They tried to oppose the authorities’ prohibition with a petition on the occasion of Elisa’s birth.¹⁷⁸ With great difficulties, the children were baptized, only because to their good personal relationships with the local diocese. This state of affairs became a source of strong embarrassment for the Catholics, as underlined by the *L’Osservatore Romano* in November 1928.¹⁷⁹ Thus, on 24 March 1930 when the Supreme Court decided to cancel the sentence of the Court of Appeal

¹⁷² *Il popolo d’Italia*, 29 December 1927; also quoted in Roscioni (2007: 169).

¹⁷³ Roscioni (2007: 150).

¹⁷⁴ Cravera blamed Giulia for being unable “to safeguard herself against her own inner feelings,” (quoted in Roscioni 2007: 161) while Dagasso exposed the correct line of judgement to the court: “the burden of science must be worthier than Mrs. Canella’s persuasion on the scales of justice.” (Dagasso 1928)

¹⁷⁵ The Canellas promoted a similar strategy against Milly, looking for evidences that she was using the *smemorato*’s derangement to make Mario Bruneri’s fugitiveness easier in order to weaken her importance as a witness. (Parisi 1946)

¹⁷⁶ “All civilized nations recognize the validity of the medico-legal sciences’ postulates in this subject” the court stated. “The negation of the value of the results obtained by those instruments it is not more a chance for magistrates and Justice, or for the acculturate man or the clever one.” As far as scientific identification practices were concerned, the court emblematically linked Galilean science and forensics: “The declared incredulity about the scientific principle that guide today’s signalling services can be considered like the vulgar guffaw of the illiterate yokel when someone explains him that, contrarily to what he believes, the sun doesn’t turn around the earth.” (Quoted in AAC (1929) no. 49, p. 509; see also Sorrentino 1946; Julini et al. 2004)

¹⁷⁷ Among the new surveys required by the *smemorato* the blood group analysis was considered crucial. The *smemorato* made strong request of it aiming to prove the exclusion of any parental relationship with Beppino Bruneri. Vescovi declared his negative opinion about it (Vescovi 1942). Concerning fingerprinting, the court dwelled on the rejection of Perrando and Pellegrini’s survey, and the defence of Sorrentino’s.

¹⁷⁸ GI (1929) no. I:(2), pp. 458-461.

¹⁷⁹ *Osservatore Romano*, 7 November 1928; 8 November 1928; and 11 November 1928.

because the denial of further technical surveys lacked a “fair and exhaustive rationale,”¹⁸⁰ very influential political and religious personalities became involved with the trial.

The last act of the drama was played out at the Court of Appeal in Florence. The legal teams appeared much more impressive than in the first trial. Among the others, the Bruneri front enrolled a governmental delegate like Deputy Filippo Ungaro, and a renowned Church representative, like already mentioned Professor Francesco Cammeo. On the other side, an eminent name of the regime, like Roberto Farinacci seated together with an already renowned jurist, like Francesco Carnelutti. The personal involvement of members of the Fascist parliament in the trial, especially Farinacci, gave room to the hypothesis of a political dimension of the event, and various speculations on the involvement of Minister Rocco and even Mussolini circulated among the Bruneri supporters.¹⁸¹

On 1 May 1931 the final verdict declared the *smemorato* to be Mario Bruneri. He had to serve sentences for an overall amount of three years and eleven months.¹⁸² In his 1942 book, Vincenzo Vescovi clearly emphasised the reasons that supported the verdict. Despite the maintained confidence in forensic sciences, and in fingerprinting in particular,¹⁸³ he admitted that three facts had provided the court with a grip to reach the most clear and undisputable sentence: 1) the correspondence between the *smemorato* and Milly during his permanence inside the asylum, 2) the coat the *smemorato* still wore when he was conducted to the asylum, a garment a very reliable witness recognised as the one he gave to Mario Bruneri, and 3) the testimonies that attested the *smemorato*'s confessions of being Mario Bruneri during his permanence in the asylum.

The odyssey of the newly named Mario Bruneri did not end here. On 5 June 1931, while Mario Bruneri entered the prison, Giulia was facing financial problems. The five trials, the defence “dream team” she employed, all required a vast amount of money. To cover her debts, she was forced to sell her house in Verona. Furthermore, she had lost her husband once more, and now had two more children to take care of. Giulia's father, an important contractor in Brazil, persuaded her to leave Italy and move to Brazil.

¹⁸⁰ GI (1930) no. I:(1), p. 419.

¹⁸¹ For an account of the hypothesis, see Canella (1930); Sciascia (1981); Cosmacini (1985); Mecacci (1998); Julini et al. (2004); for a different reading, see Roscioni (2007).

¹⁸² Julini et al. (2004).

¹⁸³ Vescovi seemed to adopt an extended version of the Frye rule in promoting fingerprinting. In 1923, in a murder trial in the federal court of appeals for the District of Columbia Circuit, the court established with a few words a principle that was destined to rule expert testimonies in the American courts until the 1990s. The Frye rule stated that whenever the judge dealt with new techniques and scientific principles, he should check that “the thing from which the deduction is made must be sufficiently established to have gained general acceptance in the particular field in which it belongs.” (Quoted in Jasanoff 1995: 61; see also Cole 2002) Vescovi, on his part, maintained that “science entirely is in agreement in defending the validity of fingerprinting as a fully reliable method for the personal identification: in fact, this is the method adopted by all the most advanced nations.” (Quoted in GI (1931) no. II:(1), p. 407) More interesting is the reason why Vescovi decided not to make use of fingerprinting: “There is no need for the judge to take it [fingerprinting] in consideration whenever its technical practices are subjects of controversy, and at the same time he can reach the identification by other equally valid evidences.” (1942: 387)

In 1932, Mario Bruneri benefited of a general amnesty and was awarded freedom. Somehow he managed to get a passport and left Italy forever. He disembarked in Brazil that same year, reaching Giulia and “his” four children. In Brazil, the supposed swindler lived an intellectual life, publishing philosophical papers in local reviews, mainly addressing the Italian myth of the wrongly accused. In Italy, the public opinion remained divided, surviving the regime, the war and even the *smemorato*'s death in 1941. Still in 1960, one of the most passionate supporters of the Canellas, Captain Parisi, did try to initiate a judicial attack on Father Gemelli, accusing him of being the mind of the persecutions suffered by Giulio Canella. Popular publications, theatrical plays, radio drama, and even movies channelled the story of Giulia and the *smemorato* through generations, eventually inspiring a new way of more serious historical analysis.¹⁸⁴

5.9 - Conclusions

One of the most famous trials in the Italian judicial history revealed the existence of a twofold nature of fingerprinting. As seen in chapter one, every criminal identification technique was influenced by a highly stigmatising theoretical approach. In this trial, *de facto* and for the first time, such an approach invalidated the identification result of the technique. The unexpected result was the consequence of social factors at work in Italy since the beginning of the century, as illustrated in the previous chapters.

Amidst the abundance of words spent in explaining who was who, with interpretations fluttering strongly from one side to the other, only one truth emerges in the literature on the subject: the infallibility of fingerprinting. With the years passing by, police officers, forensic scientists, and official publications made use of the famous case to support the idea of the absolute reliability of fingerprinting. Sentences were forgotten completely, fingerprinting became the main instrument that incriminated the *smemorato*, and Ottolenghi's explanation of the event in forms of a “public psychosis” was maintained.¹⁸⁵ Sorrentino's testimony was repeated again, even after more than fifty years,¹⁸⁶ and in the flourishing of the “CSI effect”¹⁸⁷ this case is still considered one of the best demonstration of the effectiveness of the scientific approach to crime.¹⁸⁸

The close analysis of the trials unveiled a divergent truth. Despite the revisionist coverage of the case, the debate on fingerprinting during the first trial was very much alive and the choice to exclude this testimony made by the court a result of pertinent and logical objections echoed by the unusual circumstances of the case. Only the weakened authority of Lombroso's scientific policing at the end of the 1920's could limit the perception of fingerprinting to a stigma created by previous social acceptance of its rules of employment more than a scientific tool that revealed unquestionable biological information. The performance played by both the *smemorato* and Giulia, then, high-

¹⁸⁴ Especially Julini et al. (2004) and Riscioni (2007).

¹⁸⁵ Ottolenghi (1932), Sorrentino (1946), Morland (1953), Giuliano (2004), Julini et al. (2004) and Ministero dell'Interno (2004).

¹⁸⁶ In 1989 as reported in Giuliano (2004).

¹⁸⁷ Cole (2007).

¹⁸⁸ Ministero dell'Interno (2004).

lighted the contrast between the stigma and the civilised behaviour of the victims, reinforcing the criticisms to the faith in scientific policing. The following four verdicts supported this opinion in a different way. Besides the rhetorical support to forensics that had been requested by the general academic insurrection bolstered by the School, the courts based their judgments on testimony only, sidelining fingerprinting. Judge Vescovi's justification of such a strategy was emblematic: "There is no need for the judge to take it [fingerprinting] in consideration whenever its technical practices are subjects of controversy, and at the same time he can reach the identification by other equally valid evidences."¹⁸⁹ The most shocking consequences of the five trials were listed in this sentence: fingerprinting became optional, and could be considered controversial. The two facts represented a judicial precedent in the Italian penal code.

The profusion of concordant opinions about the golden age of Italian scientific police was anchored to this case and to the brilliant solution of the Matteotti murder. This version covered a different truth: namely, the lack of other successful application of Italian scientific policing after the 1930s. This fact is likely to be ascribed to the marginal role scientific methodology played within the Italian national security system in the republican era. Although the decline of scientific policing in the 1950s and 1960s is an international phenomenon,¹⁹⁰ The Bruneri/Canella trial played a primary role within the Italian context. In that case, all the sentences put into evidence a more or less critical approach to fingerprinting, as Perrando and Pellegrini rightly underlined. This judicial behaviour, and the consequent weakened status of fingerprinting, could also be attributed to the rejection of Ottolenghi's vision of the scientific police, a fact that characterized the Fascist approach to forensic sciences, as the next chapter further explains.

¹⁸⁹ Vescovi (1942: 387).

¹⁹⁰ See Radzinowicz (1961).

CHAPTER 6

LOMBROSO, MUSSOLINI, AND ITALIAN FORENSIC SCIENCES (1931-1943)

This chapter draws attention to the relationship between Lombroso's criminal anthropology and the Fascist policy of national security. The growth of the Italian network of forensic laboratories in the first twenty years of the century, together with the remarkable impact of forensic testimonies in the Matteotti affair, can let one think that scientific policing reached a high level of social credibility in the 1930's. In line with this opinion, a few scholars have recently claimed that Fascist national security policy not only endorsed, but also explicitly exploited scientific policing. This theme has been analysed and discussed at the beginning of the chapter in the form eloquently advanced by Mary Gibson in her 2002 *Born to Crime*. The direct analysis of financial data and of an archival source recently made public allowed for the dismissal of Gibson's thesis and opted for a new hypothesis. Accordingly, the Fascist approach to scientific policing was characterised by a complex strategy that developed in three distinct periods. From 1922 until 1926, a period characterized by the continuance of Liberal policies, Fascists tried to take control of the Liberal institutions. Between 1927 and 1935, Fascists inaugurated a new security policy more functional to the future totalitarian character of the regime, resting only partially on Liberal police structures and institutions. Finally, from 1936 until 1943, Fascists imposed their model of the state and carried out a policy of social engineering that involved sciences and technologies different from the one implemented during the Liberal period. Though scientific police applied Lombrosian "racial" theories to criminals, the use of scientific methods of prevention and repression of crime was put aside during the Fascist regime, and often considered in relation with pre-Fascist government and Jewish sciences.

To prove this point, this chapter keeps tracks of the personal history of Giovanni Gasti, chief constable and *questore* under the Liberal governments, and prefect during what I called the Fascist period of continuance of Liberal security policies. Gasti represented the ideal scientific police officer in the eyes of Ottolenghi; as such he explained what the Italian police would have been if Ottolenghi's plan for the improvement of the police network according to the original plan of Lombroso had been successfully accepted by the Fascist government. The chapter will delve into the features of the Fascist policy of crime prevention highlighting the marginal role played by scientific policing in a society that potentially entrusted every individual with the function of control and prevention of crime.

Finally, the chapter will put into evidence the contrasting theoretical approaches to the making of the Italians that characterised the most prominent Fascist authorities, and from the other Ottolenghi and his fellows. Those contrasts ended up with further marginalisation of Lombrosian thinking as a useless support to the needs of a country that was facing an Imperial enterprise and preparing itself to war.

6.1 - Measuring the Decline - Scientific Policing Under Fascism

After more than twenty years of successful history, and the remarkable results achieved during the Matteotti affair, with the network of scientific laboratories still expanding in *questure* spreading throughout the country, one could expect scientific policing fully embedded in Fascist national security policy since the beginning of the regime. Indeed, this was what historian Mary Gibson claimed in her account on the history of the Italian scientific police. Published in 2002, his book on Lombroso reserved chapter four to the history of Italian scientific police.¹ There, Gibson stated that the Fascist regime made good use of the School's criminological know-how. Being the most comprehensive account on Ottolenghi's School in English, and a valuable work by a renowned expert of Italian nineteenth-century history, this section is entirely dedicated to the analysis of Gibson's argument.

Gibson's thesis rests on three main arguments: 1) the top management of the School joined Fascism since the beginning; 2) the forensic know-how was functional to Fascist repression of political crimes; and 3) the School international fame helped the regime to promote a positive image of Fascist Italy. Concerning the first argument, there were no documents assessing the management of the School spontaneous enrolment to Fascism. Gibson quotes the 1934 lesson in honour of Ottolenghi, when Falco declared that his beloved master had embraced Fascism since the beginning, having participated to the march on Rome.² This "evidence" of Ottolenghi's prompt adhesion to Fascism cannot be confirmed in any of the publications dedicated to the march.³ Contrary to a minority of other members of the School, De Tullio representing the most significant case, members of the School administration did not enrol in the party until it became compulsory in 1932. Ottolenghi praised Fascism here and there in opening lectures and official events, apparently getting only the marginal attention of Fascist authorities. Indeed, contrary to the confidence reserved to other representatives of the police forces, Ottolenghi could not boast a direct link with Mussolini. The only time he tried to attract Mussolini's attentions on scientific policing by asking for a private encounter in order to offer the Duce a detailed account of his strategy for a better prevention of crime, he was rejected and diverted to the P. S. General Office.⁴

To better evaluate the impact scientific policing had on Fascist national security policy, it is imperative to study the School's statistics, as well as its financial data. The numbers suggested that Fascist authorities made major significant changes in the identification bureaus. Signs emerged from the statistics the School drew up on the *Bollettino*, and the analysis of the financial numbers focused on the lifetime of the Fascist regime, between 1922 and 1943, as separated in three distinct intervals. As a result, the impact of Fascism on scientific policing is characterized by a two contrasting strategies separated by a period of uncertainty. On one hand, the first Fascist chief of the police, General

¹ Gibson (2002).

² Falco (1934).

³ See for instance Repaci (1963), Casati (1972), Santomassimo (2000) and Albanese (2006).

⁴ ACS - Fondo DGP.S. - Div. Personale di P.S. - Vers. 1863-1965, b. 199, 9054.1.

Emilio De Bono, was in need of professional assistance and turned to the experienced former manager of the *Ufficio Centrale di Investigazione* (Central Bureau of Investigation), the Italian intelligence's centre during the World War I, Giovanni Gasti, who became his assistant for a few months. This gave the Ministry's policy a direction that tended to increase the use of policies of public control previously promoted by the Liberal governments. The criminal biographic file, the *Bollettino delle Ricerche* (Bulletin of the Wanted), a weekly publication of the most wanted criminals distributed to all the police stations and designed to implement the use of the *portrait parlé* as well as of mug shots since 1913, and scientific crime scene investigations were among those instruments.⁵ A second strategy emerged after 1927, in the aftermath of the Matteotti crisis. Covering what scholars called the "consolidation" and the "consensus period,"⁶ the promulgation of the so-called *leggi Fascistissime* (very Fascist laws)⁷ promoted a paradigm of the national security system in open contrast to the past and, most of all, to Ottolenghi's project. In the beginning, this new strategy partially involved the School's technical know-how. In an interregnum between 1927 and 1935, the regime's strategy greatly exploited the School's forensic photographic and chemical laboratories, sidelining at the same time, its main Lombrosian activities (See data reported in Appendix, table 7.3 and 7.6 and charts 7.2 and 7.3).

The two-fold Fascist behaviour toward scientific policing, as well as the interregnum between 1927 and 1935, emerged from the School's statistics. The supposed Fascist exploitation of scientific policing was evident by the rising curve representing the production of the School's identification bureau. On the contrary, the 1914 relative maximum of the ratio between recidivists and identifications, namely 5.79%, was overtaken only in 1930, with a quote of 9.20%. The total amount of scientific identifications showed the same trend with the slope starting after the maximum of 4,687 in 1933 (see Appendix, Table 7.6, Table 7.7 and Chart 7.4); the total amount of individual cards sent to the School displays the same trend with a slope starting after 1935. During the interval 1927-1935, Fascists made a massive use of the School's photographic laboratory to reproduce and magnify photos coming from OVRA agents spread across Italy and Europe (See Appendix, Table 7.3).⁸ On the contrary, Lombrosian services like the APBP suffered of a total lack of support. The service was even put to a stop between 1924 and 1927 due to a lack of personnel,⁹ and its peak of activity

⁵ The relationship between Gasti and De Bono are in Tosatti (1997b); see also De Felice (1974).

⁶ See for instance Berezin (1997) who divide the Fascist *ventennio* in five different periods: the Matteotti period (1922-1924), the consolidation period (1924-1929), the consensus period (1929-1935), the period of mobilization (1935-1940) and the World War II period (1940-1943). Berezin's approach is clearly inspired by De Felice (1966; 1968; 1974; 1981; 1990).

⁷ Canali (2009).

⁸ Figures taken from statistics published in the *Bollettino* from 1910 until 1939. Regarding the intensive photographic service required by the OVRA, see Ottolenghi's complains in 1930 in ACS - Fondo Scuola Superiore di Polizia - b. 138, f. 3167. Figures are: 26,591 copies of photos required by the Central Political Archive, 670 copies of files required by the political police, 3,187 copies of photos required by the Ministry of the Interior and 50 by the Royal *questura*.

⁹ Following Mussolini's vision of the police officer as a man of action, in 1925 the Ministry of the Interior denied Ottolenghi the authorisation needed to employ the six best students of that year, explaining that "P. S. officers [must not] for any reason, be removed from active services" (ACS - Fondo Scuola Superiore di Polizia, b. 20, f. 296).

after 1927, fifty-nine surveys per year in 1929, is much lower of the maximum of 174 recorded in 1922 (See Appendix, Table 7.3 and Chart 7.2).

Besides, when in 1931 the School needed to acquire two more filing cabinets where storing the APBP files, the Ministry opposed resistance, delaying the acquisition until 1939. During the negotiation, 48,000 cards found their place elsewhere, with detrimental consequences in the service.¹⁰ The School's contact at the Ministry of the Interior changed after the 1926 Fascist reorganization, and the relationship between the Ministry and the School deteriorated. For example, the School administration faced problems even acquiring books for the library in 1940.¹¹ Finally, the School didactic activity suffered changes after 1927 and further deteriorated by the mid 1930's, with police technicians no longer trained in standard courses. Falco made an implicit admission on the failure of Ottolenghi's plan for the scientific acculturation of police officers when he claimed that the closure of the courses was due to the student's low cultural level.¹² Since that year, the School prepared individual lessons for a limited number of technicians, whose length and intensity rested on their culture and good will; at the same time, three month courses reserved for constables and deputies that were compulsory since a 1909 Royal decree, became optional.¹³

Considered explicitly Liberal, Ottolenghi and Falco's promotion of a Lombrosian scientific policing faced a prompt political opposition. It is important to note, though, that the 1938 inauguration of the official racial policy worsened the situation even more. It was only after 1938 that the consistent presence of Jews among the ranks of scientific police officers and collaborators became an issue. The Ministry of the Interior's racial bureau, the *Direzione Generale della Demografia e Razza*, started protesting for this abnormal situation delaying the last publication of the *Bollettino* until every quotation and reference to Jews was removed.¹⁴ At the same time, Jews who had previously worked as staff members or had collaborated with the School now turned to the institution for morality certificates and recommendations in order to avoid the withdrawal of their civil rights.¹⁵

Other arguments against Gibbons's points 2 and 3 have already been presented in chapter four and five, and a few more will be examined in the following sections of this chapter. Gibson's arguments, though, rest strongly on a financial rationale. Her account of the School's budgets unveils

¹⁰ ACS - Fondo Scuola Superiore di Polizia - b. 80, f. 850.

¹¹ ACS - Fondo Scuola Superiore di Polizia - b. 37, f. 454.

¹² BSP (1937) no. 24-25-26, p. 6.

¹³ The example given by the Milan *questura* is paradigmatic. In 1931, Constable Luigi De Palma was in charge of the identification office. His duties involved the coordination of the identification procedures and the management of the interrogatory of offenders in order to fill in the biographic section of the criminal biographic file. He was assigned to the task after attending a twenty-day course at the School and three police deputies lacking any knowledge of scientific identification assisted him (ACMI - Fondo Prefettura di Milano - Gabinetto - Serie I - b. 170).

¹⁴ References to Ottolenghi and Lombroso included (ACS - Fondo Scuola Superiore di Polizia, b. 138, f. 3165).

¹⁵ ACS - Fondo Scuola Superiore di Polizia, b. 58, f. 648; b. 171, f. 3479.

the substantial economic support the regime reserved to Ottolenghi and Falco. For this reason, this section will focus mainly on this issue.¹⁶

Initially, the funding of the School increased under Fascism, rising from 70,000 Italian lire in 1922 up to 200,000 in 1923, with a 185.71% of rate increase. Splitting the main voice into its components, though, and considering the two diverging Fascist policies of public control previously introduced, the figure changed. Before 1926-1927, Fascists were still trying to take control of a Liberal bureaucratic apparatus, and used Liberal means to get control of the territory. In this former period the increment of the School's budget was smoother than presented by Gibson: the costs of the identification service became the most important voice of the budget, covering mostly the publication and distribution of the *Bulletin of the Wanted*, at the disposal of the Ministry of the Interior and not directly connected with the School or the *questure*.¹⁷ Gibson's statement that "Mussolini more than doubled this allotment to 136,000 lire in 1925," was still valid (See Appendix, Table 7.9).¹⁸ A comparison of the average budgets of the School between 1919 and 1923 and after 1923 still supports Gibson's reading, with Liberal annual average funding of the School amounting to 58,394.64 Lire and average funding for Fascism to 863,215.19 Lire.

Those figures, though, did not sustain Gibson's thesis that "the budget for the school rose at roughly the same rate [of the overall expenses for the P.S.], illustrating its acceptance by both Liberal, conservative, and Fascist prime minister."¹⁹ The thesis is valid before 1926, but things changed if using 1927 to split up the *ventennio*. With the foundation of the paramilitary forces, and the crea-

¹⁶ Budgets are taken from ACS - Atti del Parlamento Italiano - camera dei deputati - discussioni disegni di legge. Ministerial Budgets' structure changed over time following policies that were not always clear. As far as the allotment for the School is concerned, before 1923, the budget of the Ministry of the Interior shows only a single voice covering both the costs of the School maintenance and those of the growing identification service. In the latter, the expenses regarding the central identification register, those due to the publication of the *Bulletin of the Wanted* and eventually the expenses for the setting up of forensic laboratories across the country were included. In a short period of time from 1923 until 1926, a clear distinction between the costs of the identification service and the didactic activities of the School was reported. The former label does not include the central identification register costs, or the publication of the *Bulletin*, and it is related only with the forensic laboratories expenses. The latter is further divided between the School of scientific police in Roma and the *carabinieri* technical school. After 1926 we find again a single label that, after 1939, stands for the costs of the brand new police dogs section too.

¹⁷ In 1925 the budget of the School was 536,000 Lire while in 1926 it became 3,270,000. At a closer look, however, the amount reserved to the School is just 290,000 Lire, while 2,080,000 Lire is going to the publication of the *Bulletin of the Wanted*, and 900,000 to the *carabinieri* Technical School (Amount reported here are in current values, not yet converted and taken from ACS - Atti del Parlamento Italiano - camera dei deputati - discussioni disegni di legge.).

¹⁸ Numbers reported by Gibson do not always match the numbers in this thesis. The reason could be due to Gibson's choice to examine budget provisions instead of the final budgets. Figures do not match also for another reason: in comparing the data within a range of twenty five years, this thesis applied a currency conversion, a methodology normally adopted in the comparison of monetary data in long intervals, a methodology justified also by two inflation and one deflation situations that struck Italy during this period. (De Bernardi 2001: ch. four) The coefficient of conversion used is taken from ISTAT (2006). The original figures underwent a calibration according to the value of the Italian Lira in 1934. 1934 was chosen because it is stuck in the middle of the *ventennio* understudy, and because it is the year of Salvatore Ottolenghi's death. Any other year, like 1936, a popular choice in economic studies on Fascism, does not change the results here obtained. See the consequence of the conversion on the reading of the budgets in Appendix, chart 7.4.

¹⁹ Gibson (2002: 140).

tion of the political police, the percentage of budget allotment reserved to the School diminished shaping the curve reported in Appendix, Chart 7.5.

With the budget for the national security following a positive trend during the entire period, showing after the 1938 racial turn a 17.70% average annual increase, the School's budgets showed a 9.52% negative average annual trend between 1938 and 1943. Moreover, the percentage weight of the School budget on the national security policy changed, decreasing from 0.7759% in 1926 of the total amount to 0.2298% in 1938 and ending with 0.0683% in 1943, a figure comparable with 1919's 0.0579%. The same 1926 peak shown in the Appendix of Chart 7.5 is reevaluated if considering that the costs of one of the main components gathered in the single voice presented in the Ministerial budget and related with the School, the identification service, increased vastly after the 1920s due to the growing number of forensic laboratories throughout the country. On one hand, this fact was another indication of the School flourishing under Fascism, but on the other hand, it was in contrast with the financial slope. The School budget remained almost the same, oscillating from 930,410 Italian Lire in 1927 to 831,135 ten years later, and 426,900 in 1943, with the number of forensic laboratories rising from twenty-seven in 1925 up to sixty-four in 1939. Obviously, the amount of money left for the central identification register and the School itself had to be reduced.²⁰

After 1927, as far as the annual budgets could be considered reliable indexes, it is visible that the School was not a benchmark for the Fascist national security policy. On the contrary, if looking at the budget of the three security forces founded in 1927, a different trace can be followed. Budgets of the political police give the stronger suggestion that Fascists were looking at a different method of investigation. The three new forces represented the scientific policing's historical nemesis. Their methodologies were completely empirical, their members untrained and uncultured in scientific and forensic subjects, as well as in criminal anthropology, and their strategies were politically dictated by the chief of the police, Arturo Bocchini. At the time, it was 21.6145% of the total amount of the national public security budget, forming a linear curve that reached the unbelievable peak of 255,471,878.16 Lire in 1943 – 40.8618% of the global budget reserved to the national security. The average percentage covered by the other two paramilitary forces was represented by the 2.0174% of the Fascist militia, and by the 6.6264% of the border police. Compared with the School's 0.3003% miniscule amount, between 1927 and 1943, it suggests direction where money was going in those years.

6.2 - Using Second Hand Tools - The Fascist-Liberal National Security System

During the 1922 first Fascist government, things could have offered a different perspective to Ottolenghi. By 1922, the number of police scientific laboratories - fully equipped areas for fingerprint-

²⁰ The problems faced by the administration of the School in preserving the functionality of the laboratories and reported above were a sign of the daily financial difficulties caused by this change in the national security policy.

ing identifications and crime scene investigations placed in *questura* and police stations - amounted to thirty-three. That same year the central identification register received more than 8,000 individual cards, and Ottolenghi could proudly show the 186 scientific crime scene investigations, and the remarkable number of 174 anthropologic-biographic profiling (See Appendix, Table 7.2).²¹ The amount of APBPs was vast considering the complexity of the work needed; as Ottolenghi admitted, the task required at least two days of work with two people involved.²² Although figures formed a rising curve, problems were still numerous. The increasing number of individual cards concealed the decreasing rate of cards transmitted by each laboratory, figures that fell from a maximum of 603 per lab in 1912, to 235 in 1922. The peak of scientific approach to crime scenes incorporated the high rate of investigations carried out by the personnel of the School in Rome, a percentage that covered more than 52% of the total amount in 1922. Lastly, the quality of the individual cards was lower than expected, lacking precise terminology, scientific description of the criminals and in few cases mug shots and fingerprints too.

These facts reveal a strong resistance by police officers to the new scientific order, a problem denounced on more than one occasion by Ottolenghi in the School's periodical publication. The marginal role the scientific police exercised within the Italian policing system in 1922 became visible if compared with the number of recidivists convicted during that year - 45,295 - with the number of identification made by the School - 1,313 - assessing the rate of scientific identification of recidivists at 2.90% of the total amount (See figures reported in Appendix, Table 7.1).²³ Although the overall number of criminal identifications made by the School could exceed the mere identification of recidivists, the School's minor influence on the judicial system emerges clearly. In spite of this marginal role, until 1924 Ottolenghi could have drawn on a favourable and regular support by political institutions. Because of this regular backup, Ottolenghi thought the time had come to push the promotion of a national scientific policing further. In 1920, he proposed the establishment of a new professional figure, someone who could manage scientific identification properly. It was the project for the *medico di questura* (police physician), a professional figure in charge of every police scientific lab, capable of assuring the scientific know-how that the School three months courses could not provide. The advent of Fascism would put an end to this project too.²⁴

In Ottolenghi's mind the police physician was supposed to become the peripheral promoter of the scientific management of police investigations. From crime scene investigations, to the reliable gauging of offenders' criminal propensity, the new professional figure, expert of criminal anthropology and enriched by a sound medical background, would represent most of all the reliable node

²¹ Figures from School's *Bollettino* (BSP (1924) no. 11-12-13).

²² ACS - Fondo Scuola Superiore di Polizia, b 149, f 3263.

²³ Numbers taken from Ministero di Grazia e Giustizia (1909-1940), and BSP (1924) no. 21-22-23.

²⁴ Ottolenghi's delusion filtered clearly by hand notes and letters kept in the archive of the School (ACS - Fondo Scuola Superiore di Polizia, b. 108). Two of those are crucial: a 1933 letter received by Falco, Ottolenghi's assistant and future director of the School, where he summed up the efforts done in favour of the project; and a 1935 letter to Bocchini, the chief of the police, where Falco lamented problems in filling out the criminal biographic file underlying once more the importance of creation of the this new professional figure.

within the network of national security system planned by Ottolenghi since the foundation of the School.²⁵

The most successful attempt to fulfil this ideal was represented by the newly promoted *questore*, Giovanni Gasti, who worked at the Milan police headquarters between 1919 and 1922. Gasti, already introduced in the previous chapters, was neither an anthropologist nor a physician. His approach to scientific identification was more in line with the “technical” task promoted by Locard and other foreign criminologists than with Ottolenghi’s psychological assessment.²⁶ Nonetheless, the time spent at Ottolenghi’s disposal made the ex-chief constable appreciate the power of the anthropological approach, especially in the perspective to influence judges and prefects’ opinions on criminal and suspects.

Official files, documents, and data coming from the Milan *questura* disappeared during the bombing of the city in the 1940’s, but traces of the activity of the *questori* remained both in their communication with Milan prefect, and in the statistics published by the School in the *Bollettino*. At that time, Milan offered one of the biggest *questura*, placed in one of the most expensive cities in the entire country. With police officers’ wages established in Rome without any consideration of the differences of costs of living in the various parts of the country, the Milano *questura* was commonly considered a transit station in the career of a capable officer, and more often a punishment for less skilful policemen. As a consequence, the bureau was perpetually short of men, especially of expert and clever officers.²⁷ With peaks of 1,000 arrests per month, and a “vast amount of duty services on the streets that kept busy officers and detectives,” it was almost impossible for a *questore* to accomplish its bureaucratic duty and keep the filing cabinets in good order.²⁸

The *questura* had a scientific laboratory settled before 1910, with a rate of identifications that was always a matter of concern to Ottolenghi who estimated quantity and quality of the identifications unsatisfactory in the annual statistical accounts published on the *Bollettino* (Figures concerning the Milan *questura* production of individual cards are in Appendix, tab. 7.3). When Gasti was in charge, though, those difficulties did not affect the scientific tasks, with figures increasing sensibly and taking the production of individual cards to the relative maximum of 10.76% of the national amount in 1920, as can be seen in the Appendix, Table 7.3. The data are likely to confirm the *questore*’s concern for scientific techniques of criminal identification, stimulating, among others, the adoption of his fingerprint system. Beside fingerprinting and the production of individual cards, Gasti promoted also a more general scientific *modus operandi* against criminals, fostering a “medical” reading of suspects’ behaviour. This medical interpretation was a *unicum* in current police practices, and can be considered an incarnation of the police physician’s ideal task according to Ottolenghi. The “medi-

²⁵ See chapter two, fig. 2.3.

²⁶ See remarks in chapter three.

²⁷ Gasti described the problem in a communication to the prefect in 1919 (ACMI - Fondo Prefettura Gabinetto Serie I - b. 169).

²⁸ Figures taken from ACMI - Fondo Prefettura Gabinetto Serie II - b. 69. The quotation is from a letter Gasti sent to the prefect on 21 March 1921 (ACMI - Fondo Prefettura Gabinetto Serie I - b. 170).

cal” reading, in Gasti’s work, became the active instrument of police investigations, going well beyond the analysis of the crime scene as can be seen clearly by the examination of two particular police reports.

On 20 January 1920, the police found Ida Lucarelli stabbed on a couch inside her shop, a rotisserie shielded by a shutter that was found partially raised. Suspicions soon fell on a well-known offender, Giovanni Fumagalli, who a few witnesses noticed with the victim the day before. In a letter to the prefect dated 28 January, Gasti numerated the clues in favour of the indictment of Fumagalli as the killer. Fumagalli, wrote Gasti,

came back home on Sunday morning, at thirty past six, and slept until the next day at seven o’clock; he slept twenty-four hours uninterruptedly, a sound sleep. This is a recurrent behaviour of perpetrators of brutal crimes who spent high quantities of psychic and of physical energy, or committed the crime overwhelmed by the excess typical of epileptics; and, as a result of the inquiry on his past, I’m told that Fumagalli is indeed an epileptic.²⁹

Here a specific behaviour, not a criminal per se, became strong evidence in support of the police’s indictment against Fumagalli due to the pragmatic interpretation of this case using Lombroso’s scientific theories. Gasti’s account did not find similarities on other *questor’s* reports, or in standard police investigations, but it has an important antecedent in Ottolenghi himself. Ottolenghi presented the 1904 Olivo case, the one introduced in chapter one, to his students at the School. Ottolenghi described Olivo’s behaviour in the aftermath of the murder using almost the same words: “[Olivo’s] sound sleep after the crime is itself a morbid symptom that suggests an epileptic cause. His behaviour after the crime is really uncommon.”³⁰ No other police reports of the time made use of the “medical” reading in this way, not even the OVRA informers’ reports. The 1930’s Fascist secret police avoided similar traces of Lombroso’s theories in their *veline*, the thin carbon paper where the reports were printed and classified within the Ministry of the Interior political archive. They opted to restrain their report to the description of “facts” such as family and personal data, moral conduct and reputation, type of professional activity and rumours.

Moreover, requested by the Ministry of the Interior to provide information about Mussolini’s newly founded political groups, the *fasci di combattimento*, on 4 June 1919 Gasti sent a detailed report not limited to the financial structure and the political plan of the group, rather centred on the personality of Mussolini himself.³¹ His psychological profiling was strongly based on the evaluation of Mussolini’s physical characters according to the well-known lines of Ottolenghi’s investigations, but also backed up by a full biographic account of Mussolini’s life. The report was structured according to the criminal biographic file promoted by Ottolenghi at the beginning of the century, with the psychological insights of Mussolini’s mind functional to the evaluation of his degree of social dangerousness. Physically vigorous, very ambitious but deeply impulsive and emotional, Mussolini,

²⁹ ACMI - Fondo Prefettura - Gabinetto Serie I - b. 227.

³⁰ Ottolenghi (1904: 2).

³¹ ACS, Min. Interno, Dir. Gen. P.S., Div. Aff. Gen. e ris. (1922), b. 62. The “Gasti report,” as De Felice named it, is entirely quoted in De Felice (1965).

according to Gasti, was a sincere patriot despite his many changes in political alliances. Such a character, suggested the *questore*, had a:

punctum minoris resistentiae [that made him vulnerable to be controlled by] a person of high authority and intelligence who can [...] first creep into his mind without contrasting his political opinions and plans, and then show him the real benefit to Italy (for I believe he is a patriot).³²

Without denying the risks of such a move - “Because of his mental disposition, no one can be sure that put in presence of other conditions and men he will defect from the pact at the next opportunity”³³ - the *questore* considered more useful, or less dangerous, to involve Mussolini in the government than to exclude him from it. According to historian Renzo De Felice, the report made a great impression on the government. As a result, Gasti was entrusted with a political intermediary between Mussolini and Giolitti, playing a key role in the shaping of the winning conservative front at the 1921 political elections.³⁴ His report as well as his “political” role as a mediator must not be interpreted as a sign of Gasti’s adhesion to Fascism. Gasti was an example of scientific police officer even in his relationship with political powers. As expressed in chapter one and two, positivists’ opinion on the matter was represented by the officer’s only trust in “his microscope, his own logic and his conscience,” with a precise suggestion to keep political influences at bay.³⁵ Loyal to this role, trusting mainly on his scientific background, Gasti contrasted anarchists, socialists, and Fascists in occasion of riots and disorders.³⁶ Because of his behaviour and his experience, during the period of continuance of Liberal policies that ended in 1927, he became one of the first Fascist prefects as well as the impartial and authoritative representative of the 1922 conservative government in occasion of delicate political matters like the 1922 “Turin massacre.”³⁷ Things changed for Gasti as soon as the Fascist national security policy entered its second stage.

6.3 - Mussolini’s Idea of a New Police - Old themes and paramilitary corps

The assassination of socialist Giacomo Matteotti in 1924 contributed to change Fascist control of the national security system. The murder, and the process that followed, represented the worst political crisis of the emerging regime, forcing Mussolini to rethink his plan for the conquest of the power. The killers of Matteotti were members of the Fascist CEKA, the early expression of what will become the Fascist secret police, and linked directly to the chief of the police Emilio De Bono and to Mussolini himself. Their conviction was based mainly on strong forensic evidence provided by the technicians of the School as well as by Lombrosian physicians directly related to Ottolen-

³² *Ibid.*

³³ *Ibid.*

³⁴ De Felice quoted a letter Gasti sent to the Ministry of the Interior dated 2 April 1921. See De Felice (1965: 64).

³⁵ See chapter two.

³⁶ Gasti arrested and contrasted Fascists especially during the 1921 riots of Milan. Only the direct action of the prefect could help Mussolini free his men. See De Felice (1965: 93).

³⁷ Sonnessa (2005). The massacre resulted in three days terror campaign carried out in December 1922 by the local Fascist squads against the Turin communist community, and ended in eleven deaths. Gasti was put in charge of an investigative commission together with Francesco Giunta, a Fascist deputy in Trieste. Both the Fascists and the leftist parliamentary parties welcomed the commission. Sonnessa explains how the investigation ended in the suppression of independency trends of the local Fascist groups, embedding Gasti’s enquiry within a wider political agenda that reshaped the role of prefects during the regime.

ghi.³⁸ This ended in De Bono's resignation, Mussolini's loss of direct control of the Ministry of the interior, and the reaffirmation of the danger represented by a politically independent penal system.

The end of the crisis signalled the return of the original manifestation of Fascist policy, mainly based on the use of the force as the principal political language. This choice took Mussolini further steps toward the constitution of a police state that started in 1925 with the institution of a special Bureau against subversive political group. On 6 November 1926, after three attempts on Mussolini's life, the Duce took back the control of the Ministry of the Interior, and on 25 November, he promoted the new ordinance for the Public security. Any form of political opposition to the regime was deemed outlaw by the ordinance that handed over such crimes to the brand new special tribunal that represented a stronger political control over courts.³⁹

In 1927, the crisis ended and Fascist totalitarianism, represented by Mussolini's famous conception of an omnipresent state started taking form. Mussolini introduced his new political conception by the formula "everything in the state, nothing outside the state, nothing against the state."⁴⁰ To promote such a vision, he increased the number of political prefects, replaced old Liberals with trusted Fascists like Michele Bianchi and Leandro Arpinati at the Ministry of the Interior, and promoted a new profile of police officer. This figure in particular resulted in clear opposition to Ottolenghi's Liberal conception of an independent, politically autonomous scientific police.⁴¹ As far as the cultural level of police officers was concerned, for instance, Mussolini's ideal could be identified with the layman in uniform that was so detested by Ottolenghi. Indeed, as the Duce declared in his famous speech at the deputy chamber on 26 May 1927: "before even sensing the need for culture, man felt the need for order. In certain way, we can say that history saw the birth of the police officer before that of the professor."⁴² The official foundation of three brand new corps was at the core of the new national security policy. The political police, the border police force, and the paramilitary Fascist *milizia*⁴³ became now the front-line troops entrusted with the task to prevent crime and to secure the national territory.⁴⁴ Prevention rested on the capillary control of the territory, as

³⁸ Concerning the assassination of Matteotti, see Capececelatro (2004) and Canali (2004; 2009). Information about the Fascist CEKA can be found in Franzinelli (1999) and Fucci (1985). The experts who examined Matteotti's corpse, Angelo Belussi, Giulio Alessandrini and Nicola Sette, were all part of the staff of the University of Rome and published their papers on Ottolenghi's review *Zacchia*. Scientific surveys can be seen in FM - AS - Corte d'Assise di Roma, b. 457-463.

³⁹ See accounts in De Felice (1968) and Gentile (2008).

⁴⁰ The motto is in one of the most famous speeches of Mussolini (ACS - Atti del parlamento italiano - camera dei deputati - discussioni e disegni di legge - 26 May 1927).

⁴¹ Regarding the 1927 Fascist reorganization of the Ministry of the Interior, and the purge of prefects, Giovanni Gasti included, see Tosatti (2001).

⁴² In presenting the new policy for the national security, Minister Volpi numerated the pillars of such a new building. Among his praises for the new political police, constituted by "selected and well paid personnel," the new role of the Fascist militia and the foundation of a "regular border police," Volpi did not spend anything for scientific policing (See ACS - Atti del parlamento italiano - camera dei deputati - discussioni e disegni di legge - 26 May 1927). Mussolini made clear his conception of an ideal police in that same speech, asserting "police must be composed by irreproachable, zealous and silent citizens." Prizing the role of the *carabinieri* as "one of the pillars of the Fascist regime," he never openly consider science as a valuable weapon against crime. (*ibid.*)

⁴³ Founded in 1922, they were voluntary troops at the party's disposal mainly formed by Fascist squads.

⁴⁴ Cosmo (1952).

attested by Mussolini himself: “nobody even dared to think that I do not know what is happening in the country, even in the smallest village.”⁴⁵ A network of shadow agents, forming the dreadful Fascist secret police, the OVRA, together with a vast number of informers, dispatched detailed personal information to the central office in Rome.⁴⁶ Here, personal files were created and classified in a dedicated archive under the supervision of the Political Bureau of the Ministry of the Interior, totally separated from the archive managed by the scientific police. Since then, political and common criminals’ files were separated, undergoing completely different cataloguing processes. Repeatedly reorganised, in 1931 the political archive ordered dissidents in fourteen different categories, did not make use of a fingerprint ordering, and showed a system based on the type of crime committed rather than the personal criminal tendency of the offender.⁴⁷ Ottolenghi complained restating the tenets of his Lombrosian approach to crime. On the volume eighteen of the School’s *Bollettino*, Ottolenghi included an article about the relationship between Fascism and police originally published on 15 May 1929 in *Echi e Commenti*. In that contribution he openly opposed the formation of a specific archive of political criminals, repeating the Lombrosian tenet that “a vast part of political criminals is made by common criminals” and insisting that “from the psychological point of view [...] the legislative separation of common and political crime is not objective.”⁴⁸

Police and OVRA practices revealed a very different approach too. The toolbox of the OVRA agent was mainly based on “observation and shadowing,”⁴⁹ on instinct – the empirical “nose” praised by the chief of the police Arturo Bocchini as well as by the last commander of the OVRA Guido Leto⁵⁰ – miles away from the scientific method invoked in the halls of the School.⁵¹ The

⁴⁵ ACS - Atti del parlamento italiano - camera dei deputati - discussioni e disegni di legge - 26 May 1927.

⁴⁶ Informers remained anonymous and reported on everything and everyone. One of them thought that even a meeting chaired by Ottolenghi could be of some interest for the regime. On 20 October 1933, invited to the meeting for the creation of the new Society of Criminal Anthropology and Psychology, the OVRA informer reported of a harsh debate between Professor Palopoli, the judge of the Court of Appeal at the Ministry of Justice, and Ottolenghi. According to Palopoli, said the OVRA *confidente*, “Ottolenghi’s never-ending intellectual dodging did gain him a bad name;” one day “Lombrosian at sight” the other “promoter of codifications contrary to the School.” He is a supporter of the “immunization of the criminals” first, and later he acts as a “detractor of the very laws of heredity.” In his attempt to “attract the Ministry, judiciary and the penal law faculty” he failed, as Palopoli concluded underlying the personalities of the regime who denied the invitation to the meeting (ACS - Polizia Politica - Fascicoli Personali, b. 929). The annotation concerning the “laws of heredity” was directly connected with the Lombrosian conception of heredity transmission avoiding a strict biological reading, and clashing eventually against Fascist policy in the late 1920’s (See chapter one). The absence of representatives of the regime is a constant in the relationship between the School and Fascism (See ACS - Fondo Scuola Superiore di Polizia, b. 20, f. 295.). In 1935, the Society of Criminal Anthropology and Psychology passed to more welcomed hands. Men well accepted by the regime like Nicola Pende and Agostino Gemelli, inaugurated the Milano section at the presence of the Minister of Justice himself, prof. Arrigo Solmi (ACS - Fondo Scuola Superiore di Polizia, b. 153, f. 3199).

⁴⁷ ACS - Casellario Politico Centrale - b. 2162; also Tosatti (1997a); and Verdolini (2003).

⁴⁸ Ottolenghi (1929: 162). In the paper, Ottolenghi explicitly quoted statements previously published in De Sanctis and Ottolenghi (1913) that defended core principles that had inspired the structure of the School’s criminal archive since the beginning. The original structure based on alphabetic and fingerprint ordering changed only after 1925, when Fascist concern for specific social classes of criminals caused a reorganization of the archive with the addition of sections dedicated to political and moral criminals. (Tosatti 1997b; Franzinelli 1999) The 1929 paper is obviously not aggressively critical; Ottolenghi managed to keep a good balance between a respectful approach to the regime and his theoretical loyalty toward Lombroso. Such behaviour was considered by Mary Gibson one of the clues of a Fascist positive use of Lombroso scientific techniques.

⁴⁹ Quoted from Leto (1951: 48).

⁵⁰ Franzinelli (1999), Fucci (1985). Arturo Bocchini was the powerful chief of the P. S. from 1926 until 1940.

psychiatric examination, for example, was considered “a debatable... opinion!”⁵² The ideal policeman that Leto and Bocchini had in mind was quite different from the one Ottolenghi was promoting since the beginning of the century. They demanded blind obedience, fidelity to the Fascist regime and to authority in general, *cameratismo* (comradeship) ideal, which was the core of Fascist lifestyle, and traditional “Lestrade” methods in exercising police control over society.⁵³ If in Ottolenghi’s opinion prevention was a consequence of a scientific activity, since his 1927 speech at the deputy chamber Mussolini himself had kept aloof from a similar conception of police investigation. Seen as a product of the Liberal elite that Fascism had sworn to ban, police investigation methods Mussolini promoted instead were characterised by traditional practices carried out under the influence of the ubiquitous political needs. Such a “modern” conception of police tasks justified the institution of the parallel police structure of the OVRA, the transformation of the Fascist militia in a paramilitary police force, and influenced every type of police investigation. A famous case of child rapes and murders occurred in Roma between 1925 and 1927 and represented a clear example of the precarious equilibrium that characterised even the criminal investigations under Bocchini’s leadership. The pre-eminence given to traditional lines of action – shadowing, indictments based mainly on witnesses who recognized the suspect “unequivocally and without any possible mistake,” “convincing police interrogations” and poor reliability on facts – disguised under a commonly accepted Lombrosian language – “a real kind of degenerated”⁵⁴ – led to the arrest of Gino Girolimoni, proven innocent only after one year of public blame, and to one of the major investigative flops of the *ventennio*.⁵⁵

By dismissing scientific policing as inappropriate and out-of-date, Fascist police marked a clear distinction not only from Liberal crime policy, but also from what Nazis would do in the 1930’s. Although a comparison between Fascist and Nazi dictatorships is well beyond the scope of this work, the different role played by science and technology within the crime control policies of the two regimes is striking. The Nazi’s turn to technology and science to prevent political opposition and control ethnic and political minorities had been the subject of recent brilliant enquiries such as Aly and Roth’s work on Nazi censuses.⁵⁶ Statistics and information technology helped Nazis to promote the scientific shaping of the society by framing any German individual into a rigid bureaucratic identity. Since the second half of the 1930s, mathematical models promoted by statistical scientists of the

⁵¹ The lack of anthropologic know-how was evident in the description of the wanted dispatched by the Ministry of the Interior after 1927. In communicating the personal descriptions of a Yugoslav citizen suspect, for example, on 12 September 1927 the circular enumerated only the suspect’s high stature, burly look, and his stylish outfits (ACMI - Fondo Prefettura - I Serie - b. 230). On 27 May 1929, in transmitting the personal details of five Yugoslav spies who were suspected of infiltrating the national borders, the Ministry circular described Anita Mihelcic as a woman characterised by “average height, and dotted and oval countenance, brown hair, and very beautiful legs”(ACMI - Fondo Prefettura - I Serie - b. 230).

⁵² Leto (1951: 26).

⁵³ Bocchini’s ideal policeman is in Leto (1951) and Dosi (1973); as far as the Fascist lifestyle and conception of repression is concerned, see Gentile (2005), Neppi and Pelissero (1997), De Grazia and Luzzato (2005), Cosmo (1952), Senise (1946) and Leto (1951; 1952; 1961).

⁵⁴ Ambrosini (1997).

⁵⁵ An account of the famous case is in Ambrosini (1997) and Damiani (1972). A direct testimony about the investigation carried out by the police is in Dosi (1973).

⁵⁶ Aly and Roth (2004).

Reich reduced the individual's identity to one *sprechende Zahl* (talking number). By embedding the major social information about the individual, the Reich Personnel Number was indeed a digit that granted a centralised control of the population over the whole territory of the Reich. Aly and Roth showed how this plan for a complete “mathematization” of the German society played a key role in any Nazi policy of population control. To support the thesis, the authors listed all the bureaucratic tools Nazis introduced before the 1943 Reich Personnel Number. All of them, including the 1938 *Volkskartei*, the 1939 mandatory ID cards, and the 1938 Reich Registration Order, founded their validity on massive central archives controlled by different bodies, but were all managed by Himmler, the Gestapo, and the *Ordnungspolizei* (the regular police). The efficiency of such archives relied heavily on the advanced technologies of punch card machines and the work of scientists and physicians at any level of the society.

As far as the political role of science and technology is concerned, the comparison with the Italians manifests a major difference. The approach to science that had characterised Italian cultural development since the unification, heavily shaped the regime's turn to technology and science. As recent works on the development of statistics during the *ventennio* show, Italian statisticians' researches were highly influenced by a conception of science seen as a pure cognitive discipline totally disentangled from the national productive activity. Respectful of what historian like Roberto Maiocchi has called the “ideology of the pure science,”⁵⁷ the political implication of the researches made at the ISTAT (National Institute of Statistics), limited itself in producing a scientific cover to Mussolini's demographic and economic self-sufficiency policies without directly influencing them.⁵⁸ Even when a direct comparison with the Nazis was made, during the visit of Arturo Bocchini to Himmler in 1936 for instance, Italians did not appreciate the intensive use of science in police matters. Entrusted with the analysis of the German techniques of identification and control, official Tommaso Petrillo dismissed the use of graphs and tables as “merely statistical and theoretical.” As such, “they were not embedded with the characteristic of practicality that identifies a police technique.”⁵⁹

As a consequence, in 1936, the only police institution that made regularly use of statistics and advanced criminal archives was Ottolenghi's school in Rome. Its production, though, suffered an isolation that did not limit itself to erect walls around scientific police practices; rather, it acted to oppose the diffusion of Lombrosian scientific policing. The lack of political support had consequences on the use of the criminal biographic files. In 1925, wishing to put an end to the annoying problem regarding the correct way to fill out the biographic file, Ottolenghi sent a questionnaire to all *questure* asking for feedback and suggestions. Almost all the replies proposed a simplified version of the document in the direction of a mere collection of judicial information. The Ministry of the

⁵⁷ See chapter 1, footnote 4.

⁵⁸ Cassata (2006). The most scientists could do was to present scientific alternatives in support of political decisions. The political and economical contribution given to Nicola Pende's, Corrado Gini's, or Livio Livi's research projects strongly depended on the efficacy of such a support.

⁵⁹ Quoted in De Felice (1993: 549). Tommaso Petrillo was a high official of OVRA as attested by Franzinelli (1999) and Bosworth (2009: 229).

Interior sustained this proposal and asked for a simplification that eventually reduced the space and importance reserved to the Lombrosian sections. The questionnaire was published in the School's *Bollettino* together with the replies and Giuseppe Falco was entrusted of commenting on it. He could not help noting that many *questure* still declared their faith in a conception of dangerousness that was "not based on the physical and biographical constitution of the individual, rather on the so called "juridical position" of the villain."⁶⁰ The close was telling: "was the rewriting of the form really necessary? According to me, it wasn't indeed."⁶¹

Since 1926, the Ministry of the Interior had stopped sending regular circulars to the prefects because of complaints from the School. Consequently, whenever problems in the identification procedures occurred, the School was now forced to open a direct channel of communication with each single *questura*.⁶² After 1926, the Ministry resorted to circulars mostly regarding crimes highly offensive of the Fascist morality, such as case of rapes against minors. Even in such cases, though, orders concerned the transmission of individual cards to the School lacked specific instructions about the scientific requirements regarding a proper identification needed, creating confusion and a harsh reaction by the School.⁶³ In 1926 the Minister of the Interior, Luigi Federzoni, sent out a circular that generated bitter reactions within the Lombrosian community. In order to cut the average length of penal trials, the minister ordered "to banish from court any pseudo-scientific investigation." The reply was published anonymously on the pages of Lombroso's *Archivio* where the answer claimed that only the real science could save the penal system from "pseudo-sciences," and that only the minister had the power to "give back to the medico-legal testimonies rapidity not disjointed from moral dignity and technical value."⁶⁴

Fascist authorities' contempt for Lombrosian scientific policing, though, was ultimately inscribed in the 1930 penal code. While articles 312-317 dictated the use of expert testimonies in court in general, it was article 314 that clearly established new limits for Lombrosian experts. Focusing on criminal anthropology's main task, it established that "expert testimonies carried out with the task of assessing offenders' degrees of recidivism, their professional crime standards, their tendency to crime, their characters and personalities, and in general about any psychic qualities independent from pathological causes were no more admitted."⁶⁵ If this norm was supposed to reduce the time and costs of civil and penal trials by eliminating the excessive turn to expert testimonies, as attested

⁶⁰ Falco (1926: 139).

⁶¹ *Ibid.*: 140.

⁶² See Ottolenghi's correspondence with Deputy Alfredo De Marsico in ACS - Fondo Scuola Superiore di Polizia - b. 59, f. 685. On that occasion, Ottolenghi identified the 1923 circular by chief of the police De Bono as the last one supporting School's viewpoints. De Marsico was a judge who participated in the elaboration of the Fascist penal code. During the discussion for the budget of the Ministry of Justice, in 1928, he strongly promoted the introduction of technical forensic courses for magistrates, praising the School's activity and social utility as extensively quoted in BSP (1928).

⁶³ ACS - Fondo Scuola Superiore di Polizia, b. 1.

⁶⁴ Anonymous (1926: 745).

⁶⁵ Pisciotta (1931: 318). Falco advanced a weak defence of the School approach to crime in Falco (1934: 11).

by Minister Rocco in his report to the King in 1930,⁶⁶ the main purpose appears to be the expulsion of criminal anthropologists from tribunals. An analysis of the real impact of the law on the presence of expert testimonies in court before and after the 1930s is hard to accomplish. At a first sight, the number of experts required by tribunals during that period shows a regular growth since 1927 until 1939. (See Appendix, Table 7.5.) It is difficult to establish if the official ban did actually succeed in excluding criminal anthropologists from court. What is clear is that absolutions for mental insanity formed a linear curve during the all period, while sentences for habitual, professional, and occasional criminals formed a scanty quantity. It is likely that this group of sentences were the result of the action of educated magistrates more than the “illegal” involvement of criminal anthropologists.

6.4 - The Network Problem - Prefects, Party, and the Odd Man Out

The role the School played within the national security system during the Liberal government soon became an obstacle to the promotion of the Fascist national security policy. During the first twenty years of its history, the School had exerted a mounting influence on everyday police duties, dictating procedure to apply in crime scene investigations, in recording facts concerning crimes and criminals and in coordinating research and investigation among *questure*. Practices taught in class created a unique operative background shared by all the major police national forces, creating a better coordination between the *carabinieri* and the P.S. Its institutional role and the unique criminal philosophy promoted in more than twenty years created a centralised system that designated the School's archive and laboratories as the key national gatekeeper of criminal information. Figure 2.5 of chapter two well illustrates the centrality of the School in the national security network in the Liberal regime. The main consequence of such a plan was that the direct control of the *questure* exerted by the School was detrimental to the prefect's political management of police control of the territory.

Prefects were of a Napoleonic heritage that the Italian government extensively put to use immediately after the unification. The peripheral governors were considered a mean of control by which the central government could restrain peripheral tendencies toward autonomy.⁶⁷ Robert Fried described that a political figure “was designed for and has continued to serve the purposes of social conservatism and national unity in a society with perhaps no other nationally integrative institutions apart from the state bureaucracy itself.”⁶⁸ Fried characterised the prefect not only as the political and social representative of the central government, but responsible for law and order in the periphery too. This fact put the prefect in a delicate political situation: on one hand, he was considered a powerful instrument of control to be supported, while, on the other, his control of peripheral police forces and administrations was seen as the source of potential despotic power to be prevented and limited. For this reasons, Liberal governments established that administratively various

⁶⁶ Quoted in Neppi Modona and Pelissero (1997: 880).

⁶⁷ See Fried's account on the 1859 Act, art. 3, where the legislator introduced the figure of the governor, shortly after the prefect (1963: ch. two).

⁶⁸ *Ibid.*: 297.

state field services could remain substantially independent from the prefect, and the resulting scattering of “ministerial power among the heads of the several central departments encouraged the drive of these departments toward self-sufficiency in the field as well as in the national capital.”⁶⁹ This double strategy ended in what Fried has named an “unintegrated prefectural system,”⁷⁰ within which the prefect was invested in the most important peripheral political role being, at the same time, deprived of the entire control of the technical services in the province.

The School’s role as unique gatekeeper of criminal information and promoter of the correct police methodology, not only represented a strong limitation of the prefectural power over the *questure*, it also promoted a “functional system” of control of the territory. This control was characterised by the lack of a general representative of the central government on the territory and a line of command that run directly from the school to its field units.

The role of the prefect during Fascism remains difficult to establish. Beside scholars who defined Fascism as “prefectoral government,”⁷¹ focusing to the renowned 1923 and 1927 circulars Mussolini sent to prefects assessing their role as “the highest authority of the State in the Province,”⁷² others claimed that “Fascism does not appear to have made any basic innovation in the prefectural system, betraying this its link to traditional statist conservatism.”⁷³ To better understand how such contrasting interpretations can be possible, an account of a specific historical case can be helpful. Again the personal story of Giovanni Gasti comes handy.

One of the first Fascist prefects in 1922, Gasti was appointed to Palermo on 16 February 1923. The state of affairs he faced in Sicily recalled problems he had faced in Turin the year before, where he contributed to put an end to the autonomy of the local Fascist section.⁷⁴ In Palermo, though, Gasti also faced other kinds of problems concerning, among other things, a limited effect of the Fascist propaganda on the Sicilian people, a bad state of police services and a well organised and massively spread of criminal activities. His task consisted of taking control of the autonomous as well as undisciplined Fascist movements on the island, by promoting the coordination of the prefects of all the provinces. Contrary to what happened in Turin, Gasti soon found himself crushed between the centrifugal and centripetal forces that characterised the Fascist political control of the territory. Already in 1924, the central government chose to cope with many peripheral actors in order to exert a strong centralised control. All of those actors were in direct communication with Rome and completely untouched by the prefect’s authority. Among them were the representatives of the Fascist militia who reported directly to their commanding general, and the party federal secretary who depended only on the national secretary. Gasti’s political inability to swim in such troubled water, and his insistence on the centralisation of power in the hands of the prefect, caused his removal

⁶⁹ *Ibid.*: 299.

⁷⁰ *Ibid.*: 307.

⁷¹ See for instance Cicala (2008), De Felice (1968) and Gentile (2008).

⁷² Quoted in Cicala (2008: 157).

⁷³ Fried (1963: 300).

⁷⁴ See footnote 37.

from Sicily the next year.⁷⁵ Gasti did not understand the nature of Fascist totalitarianism. By paraphrasing Hannah Arendt, a Fascist totalitarian state did not possess a monolithic structure.⁷⁶ On the contrary, as Arendt has underlined, what characterised Fascist political control was the co-existence of at least a dual authority, the party and the state. This co-presence gave rise to conflicts and degenerated into the proliferation of minor political actors that created a polyphonic and redundant control of civil society. Every political actor – the police, *carabinieri*, the party, and the Fascist militia – enjoyed a great degree of self-government and, at the same time, lived in strict connection with the vertex of the political system. As such, Gasti’s plan that promoted the figure of the prefect as the only political referent in the province, revealed the inadequacy of the prefect to the new political system.

After 1927, the number of actors in the national security network increased. Figure 6.1 shows the position of the School, and of scientific policing consequently, within such a network. With respect to the graph presented in chapter two, the role of the prefect results in all his importance as the direct emanation of the central political power in the periphery. Prefects were in direct communication with the Duce himself, and considered the “highest authority of the State in the Province” by law.⁷⁷ At the same time, though, their movements were limited by a series of other actors, all of them in more or less direct communication with Mussolini. Personal contacts were routinely established between the Duce and the chief of the police, the General of the *carabinieri*, the prefects, and the national secretary of the party. In this network, power and control flow top-down, with higher nodes managing the information that pass through them: the power of the chief of the police exerts on prefects the Ministry of the Interior Political Bureau and the Police General Administration, affecting politically, as well as administratively *questure*, OVRA assets and the School’s policies and resources.

⁷⁵ Gasti added a note to his report to Mussolini about the third regional congress of the prefects in July 1923. The note was dedicated to the problem of cattle stealing and the solution Gasti proposed, echoed his system of identification of criminal based on fingerprints. He conceived a new livestock brand constituted of three numerical parts that conveyed information on the owner as well as the animal’s history and could be of some aid in the constitution of a regional registry of the herds. Even the part of the animal body where the mark had to be burned was telling, transmitting information of the province where the animal was originally bred and facilitating a visual identification of stolen cattle by officers. According to his past expertise at the School, Gasti thought that the diffused problem of cattle stealing could be solved merely in a technical way. See Sonnens (2008: 215-237).

⁷⁶ Arendt (1951).

⁷⁷ Law n. 660, 3 April 1926.

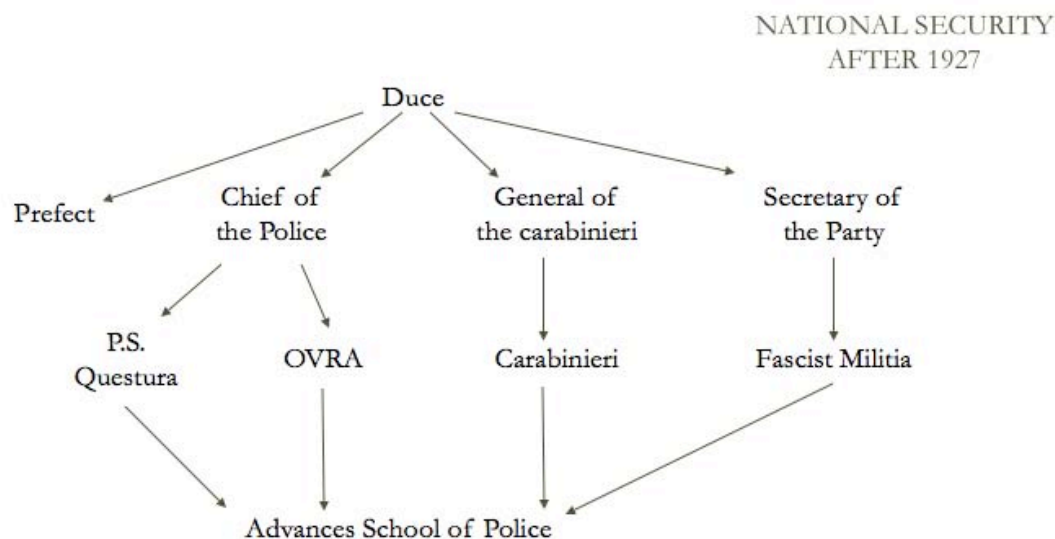


Fig. 6.1: Authority/Power relations in the Italian national security network after 1927.

At the same time, the Ministry of the Interior Political Bureau directly conditioned the practices of police and municipalities, through the prefects; and *carabinieri*, OVRA agents and School's laboratory activities, as in promoting photographic identification at the cost of other services.

The party, by means of the Fascist militia, strongly modified crime scene investigations practices, which were carried out mostly by untrained agents who acted in open competition with police and *carabinieri* agents.⁷⁸ Furthermore, the party dictated the terms under which the School's courses could be kept, imposing the length and the contents of the courses reserved to agents and officers of the militia in leaving for the colonies since the late 1920's.⁷⁹ At the same time, the party promoted a capillary network of social control that replicated the police regular inspection of hotels, guesthouses, and taverns, and the network of OVRA informers. Such network of agents was based on Fascist *gruppi rionali* (local groups), composed by *settori* (sectors), divided in five *nuclei* (nuclei) of *capofabbricato* (tenant chiefs), who reported immoral and suspected behaviours directly to the local party headquarters. For "the *gruppo rionale* was in charge of every political initiative, as well as of charity works and public events,"⁸⁰ the political rituals strongly promoted by the regime could be

⁷⁸ An example is given by the attempt on the King's life in Milan that occurred on 12 April 1928. A bomb was thrown toward the King's car missing the target but causing many fatalities. Only men of the militia and ordinary police agents carried out crime scene investigations, without involving forensic experts. Moreover, militia agents did not call forensic experts even when on 9 April, a plastic bag containing unexploded nitrogelatine was found on the railroad near Milan central station. Even in this occasion, despite the dangerous consequences of the criminal act, common militia procedure did not involve a scientific analysis of the scene (ACMI - Fondo Prefettura di Milano - Gabinetto - Carteggio fino al 1937 - Serie I - b. 1084).

⁷⁹ ACS - Fondo Scuola Superiore di Polizia - b. 18, f. 281.

⁸⁰ Gentile (2008: 196).

seen not only “‘liminal’ space in which new identities may form,” but also effective instrument of social control and criminal prevention.⁸¹

Without the Ministry of the Interior’s support, the call for an accurate application of scientific police techniques lost its authority with police *questure* and *carabinieri*’s barracks. In ordinary as well as extraordinary duties, *questori* and many private inspectors enjoyed a direct link with the chief of the police, where the provincial commander of the *carabinieri* reported exclusively to the commanding general of the corps.⁸² Increasing the hierarchical dependency of the nodes of the network resulted in the removal of the School from its previous influential position. At the School, data now flew down more often from the higher nodes instead of coming up from the lower, with attempts to relegate the School to the mere didactical role. On 4 June 1933, for instance, the chief of the police consulted the manager of the School regarding the project for a new version of the criminal biographic file. More than a variation of Ottolenghi’s document, the *Registro nominativo dei pregiudicati e delle persone socialmente pericolose* (Personal register of Offenders and social dangerous individuals) was a brand new file reserved to the *carabinieri*. Deprived of most of Ottolenghi’s innovations like the “modus operandi” section, it showed an extremely simplified description of physical features and marks. This register was supposed to replace Ottolenghi’s biographic file as a building block of a completely separated criminal database, creating a duplicate of the School’s central identification register in the hands of the *carabinieri*. This new database represented a dangerous step backward lacking any sign of fingerprint in it, as a disconcerted Giuseppe Falco underlined in his 15 June reply to Bocchini.⁸³

6.5 - The Raise of the New Man - Police, Racial Policies, and Biological Engineering

Italy experienced a form of totalitarian government that lasted twenty years. This political experience revealed peculiarities due to the cultural national uniqueness as well as characters in common with other forms of totalitarian nationalisms. Those are the “the revolutionary boost,” the “foundation of the new state centred on the single party,” the extension of the political sphere over every form of social life and what Emilio Gentile called the *politicità integrale dell’esistenza* (total politicization of human existence).⁸⁴ Among the exclusive characters of Italian Fascism, Gentile underlines:

the anthropologic revolution that was supposed to shape the individual and the mass in order to regenerate the human being. The new being so created would be devoted with body and soul to the

⁸¹ Following Geertz, Berezin insists on the primary role of the public piazza in shaping a new political identity during the *ventennio* (1997: 28). See also Mann (2004: 97).

⁸² A clear example is the Girolimoni case introduced above, as Dosi described it in (1973).

⁸³ ACS - Fondo Scuola Superiore di Polizia - b. 108, f. 1394. Notwithstanding Falco’s insistences, the chief of the police did not keep Falco informed of the development of such a register, such that on 8 May 1934, Falco wrote a new letter asking for news both “for didactical and service purposes.” On 26 May, the Ministry of the Interior informed Falco that the experiment was still on the run and that the module presented the previous year cannot be considered definitive.

⁸⁴ Gentile (1984: 272; 2008: 18).

achievement of the revolutionary and imperial plans carried out by the totalitarian party, in order to create a new supranational civilization.⁸⁵

Such a revolution was centred on the idea of the “new man,” a citizen soldier who fully embraced the collective ethics based on the *credere, obbedire, combattere* (believing, obeying, fighting) motto; “an ethics that exalted will over intelligence, faith over rationality, uniformity over individual initiative;”⁸⁶ an ethics that exacted the annihilation of the private into public self, and can be correctly seen as an anti-Liberal reaction. The party played the primary role in promoting this new figure.⁸⁷ Mussolini’s plan for the new Italian empire, though, could not rest only on the promotion of the citizen-soldier; rather it relied on its massive production. When the party was put in charge of the management of the Fascist policies for the improvement of the stock, the word “improvement” meant more a quantitative development than a qualitative one. “Gentlemen, if we reduce in number we don’t found an empire, we become a colony!” the Duce stated in his 1927 famous speech at the deputy chamber.⁸⁸ In line with this new policy, Fascists promoted juvenile policies that could provide the proper army for the future empire. The party’s efforts to build Fascist youth associations was just one of the signals of such a need, the other being represented by the financial and political primacy reserved to those scientific theories that could guarantee both the maximum qualitative result and the minimum quantitative waste of human being. The 1931 World Population Conference in Rome was the occasion to boost this strategy. In order to support Mussolini’s pronatalist policy with sound scientific data, the head of the Central Institute of Statistics, Corrado Gini and the founder of the Biotypologic and Orthogenetic Institute, Nicola Pende, coordinated a population survey that combined statistics with biotypological screening in the search for the profile of the optimal maternal and paternal Italian type. To that end, as reported by historian Victoria De Grazia, “[f]or nearly a year, with the aid of local officials, a score of young researchers assiduously ranked correlations between family size and morphological features such as pelvic size, body fat, height, hormonal secretions, and hirsute upper lips.”⁸⁹ If Nicola Pende’s biological engineering introduced in chapter four was entrusted with such a delicate task, Ottolenghi’s approach, as the last representative of Lombroso’s science of man, was completely ignored.

A comparison between Ottolenghi’s School and Pende’s Institute can offer other clues of the different roles played by those institutions during the *ventennio*. In particular, a quick look at the technologies the two institutions made use of can be helpful in understanding the financial weight the two institutions exerted over the state finances. In the 1930’s, Ottolenghi was still relying on fifty-year-old Bertillon instruments and techniques (see Fig. 6.2a), few innovative machines introduced in the first two decades of the century and on the old electric apparatuses introduced by Lombroso. Pende’s Institute on the contrary, employed a completely different set of brand new machines: Vi-

⁸⁵ Gentile (2008: 18).

⁸⁶ *Ibid.*: 52.

⁸⁷ Of the same opinion is Berezin: “The Italian regime that governed Italy from 1922 to 1943 aimed to create new men and women, a new ethos, a new culture. In contemporary parlance, the regime sought to forge new identities”(1997: 4-5).

⁸⁸ ACS - Atti del Parlamento Italiano - camera dei deputati - discussioni e disegni di legge - 26 May 1927.

⁸⁹ De Grazia (1992: 48-49).

ola's anthropometer, Pizzoli's craniographer, Thoris's massmeter, laboratories for modern blood and tissues tests, expensive machinery to measure coordination, sensitivity, reflexes and even an hyperbaric chamber (see Fig. 6.2b).

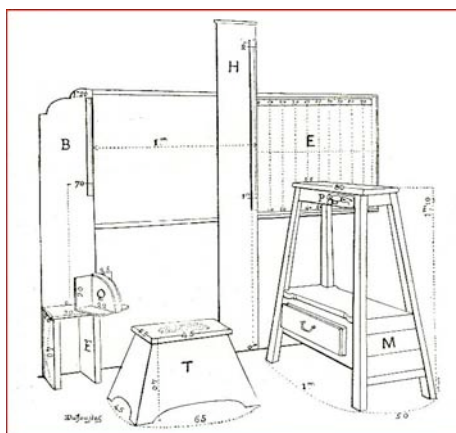


Fig. 6.2a: set of instruments required by Bertillon's anthropometry. (Falco 1923)

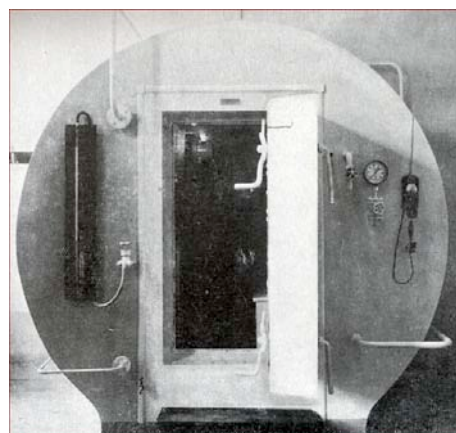


Fig. 6.2b: Hyperbaric chamber at the Genoa Biotypologic and Orthogenetic Institute. (Barbara and Vidoni 1933)

The centrality of Pende's dynamic vision of the human being was evident well before Pende's involvement in the 1938 racial *Manifest*. As explained in chapter four, a simplified version of Pende's biotypologic diary was adopted by the youth Fascist organization, the Organizzazione Nazionale Balilla in 1934.⁹⁰ Two years before, the Genoa Biotypologic and Orthogenetic Institute received the govern authorization to monitor 60,000 young Fascists per year in order to develop a national policy of social control based on individual propensities to work and fight.⁹¹ In 1936 the regime introduced the health card, undoubtedly influenced by Pende's theories, and made it mandatory for children as well as soldiers. Furthermore, in 1938, on the occasion of the Rome World Expo, the Duce approved the construction of Pende's *Istituto di bonifica umana ed ortogenesi della razza* (Institution of Human Improvement and Racial Orthogenesis) with ten million Lire in funding.⁹²

Contrary to this successful application of Pende's theory, Ottolenghi's support for the expansion of criminal identification techniques into other areas of society was contrasted. It was not only a matter of difference between the easy acceptance of Pende's health card, widely distributed and mandatory, but also the opposition to the adoption of fingerprinting both in civilian and military areas. Even apparent successes like the introduction of the identity card, with its area reserved to fingerprints, turned out to be a boomerang, with party organisations' documents playing major social roles and gaining a better political consideration as already explained in chapter three. The 1921 institution of the *Casellario Centrale degli Infortuni* (Accident Central Registry), a central database that collected personal information of workers who suffered accidents at work, promoted by the Legal Medicine Society of Rome, could be considered the only exception to this general rejection of Ot-

⁹⁰ Mantovani (2004).

⁹¹ The biotypological screening of the young population was inaugurated in 1927 when the newborn Institute utilized Pende's methodologies with primary schools students in order to establish their future professional skills. (Vidoni 1927)

⁹² Ipsen (1996).

tolenghi's approach. Strongly supported by Ottolenghi, the Registry was primarily devoted to the report of simulators but relied ultimately on the introduction of a *libretto dell'operaio* (the worker's card) designed on the same paradigm of Ottolenghi's personal biographic file and to be filled out by the *medico di fabbrica* (factory physician). Both the professional figure and the annexed card would never become a reality.⁹³

6.6 - Conclusions

The financial analysis did not support the theory of a complete and harmonious link between Fascist policy and scientific policing as advanced by historian Mary Gibson. On the contrary, the data suggested a complete disentanglement between the amount of resources invested in national security policy and the budgets reserved to the School of scientific police, promoting instead, the vision of Fascist authorities more interested in traditional forms of public control. The archival information suggested something similar, showing a gradual marginalisation of the Lombrosian practices of the Italian scientific police. In a way, Fascists secured the Italian anomaly in line with the corresponding scientific institutions abroad, closing the debate started by Locard and Reiss in the 1910's.⁹⁴ The Italian police officer wore again the standard uniform removing the fine psychologist garment Ottolenghi had put on him. Fascists however, were not interested in a technical police like the one promoted by Locard or Reiss either, as figures of the activity of the central identification register revealed. The regime used only partially and selectively the technical potentiality of the School, recurring mainly to its photographic lab, and more rarely to the chemical analysis of items. Fingerprinting and scientific crime scene investigations never entered the scene, making 1924 and the surveys on the Matteotti case the climax of a historical development that would have to wait the 1980's to shine again.

The reasons for such a policy, rests in part on the strictly hierarchical structure imprinted on the network of police *questure* and *carabinieri* barracks, a structure that did not give any room to scientific authority, but praised the political function of police investigations. Furthermore, the Fascist system of prevention of crime entailed a rigid network of social control that spread from OVRA informers to public manifestation in squares and stadiums. A diffused system of control that rested on gossip and rumours and that involved any citizen, could apparently dispose of scientific policing otherwise. The School's main function soon became didactical, and even here its role was hardly considered important. Officials of the militia, members of the colonial police, as well as police officers, started to bend the length and content of the courses to their own particular interests, praising the technical expertise and dismissing the Lombrosian theoretical teaching as irrelevant. As a consequence, photographic techniques and administrative tasks gained the interests of the new clients, therefore

⁹³ Ottolenghi provided an account of the Registry in an article kept in Agostino Gemelli's archive at the Milan University of the Sacred Heart. Entitled 'La personalità fisico-psichica del lavoratore e le funzioni del medico di fabbrica,' and deprived of any bibliographical information, this article can be dated between 1932 and 1934.

⁹⁴ Locard and Reiss considered the Lombrosian task a sort of denaturalization of police officers' job (Ottolenghi 1914).

putting fingerprinting in second row, a fact attested also by the lack of fingerprint ordering in the criminal archives managed by the police of the Italian Africa (PAI) in the colonies.⁹⁵

In the end, Fascist authorities rejected fingerprinting and police science not because they did not understand the theories behind them, but because such practices were not functional to the social order the regime that was building. Involving the population in police duties like patrolling and denouncing was a direct consequence of the totalitarian character of the Italian dictatorship, which considered every Italian a Fascist and every anti-Fascist an enemy of the country. Furthermore this ordered society as an army where everyone was a soldier and nobody could escape the battlefield. In this society, the individual credibility rested on the social network that could attest pros and cons of the behaviour and the personal history of everyone. As seen in chapter three, even ID pegs and scientific probes fell under this system, with fingerprints changing progressively from scientific evidence of the individual identity to the stigmatising mark reserved to specific social groups. Ottolenghi's approach still maintained that the Liberal elitist character that separated good citizens from criminals that should be disposed of, and that praised science as the most reliable source of information. In a country permanently in a state of war, the key political aim was finding the right place for everyone without reducing the ranks of the national army. Filtering between good and bad citizens was no longer accepted. Ottolenghi did not realise this shift and in 1932, two years before he died, insisted on promoting orthodox Lombrosian criminology.

⁹⁵ Dominioni (2008) does not explicitly deal with this subject but his account of the leaks in the police archives supports this hypothesis.

CONCLUSIONS

The history of Italian scientific policing is a fascinating subject to study, and surprisingly almost unnoticed by both national and international literature. In 2006, Clive Emsley yearned for accounts of the practices developed and promoted by the Italian School of Scientific Police founded by Salvatore Ottolenghi.¹ My work just scratched the surface of the subject, as many issues were only marginally tackled, and others remained completely untouched. I chose to deal specifically with fingerprinting, which resulted in leaving aside the remarkable development of Italian anthropometry. Anthropometry was touched on briefly in chapters two, four and six, but much more could be said on its application with regards to the selection of soldiers before the Great War, and with regards to the views of Nicola Pende during the Fascist regime.

The study of Italian fingerprinting emphasized many features in common with other criminal identification technologies. Fingerprinting was born under the mark of Lombroso and his criminal anthropology, and developed in the School of Scientific Police, one of the most active Lombrosian centres since the beginning of the twentieth century. As shown in chapters one and three, this link strongly influenced the development of the technique, as well as the diffusion of scientific policing in the country. At the beginning of the century, fingerprinting benefited from being part of the most renowned criminological theory of the time. Criminal anthropology and scientific policing were functional to the process of building the new country, a process that even twenty years after the conquest of Rome, was still in the making. Lombroso's plan for centralised control of police corps and the massive use of science in criminal matter became the mission his former assistant, Salvatore Ottolenghi, aimed to accomplish since the end of the nineteenth century. As explained in chapters one and two, the Liberal governments eventually promoted the plan and supported it since the advent of the Fascists in 1922.

The relationship between Ottolenghi's School and the Fascist regime is a complex issue. At least until the aftermath of the murder of socialist Giacomo Matteotti in 1924, the Fascist national security policy exploited Liberal's technologies and methods, scientific policing included. Since 1927, a new trend in criminology became clear and scientific policing was gradually sidelined in favour of more traditional policies of crime prevention. This new tendency required a massive part of the Fascist party to be regimented and flanked by other police forces, involved a vast network of shadow agent made up mainly by ordinary citizens and introduced a direct, strictly hierarchical, and purely political control of every node of the network of the national security system. As a consequence, the School's activity was partially reshaped, sidelining its Lombrosian services and putting its chemical and photographic laboratories at the immediate dependency of the political bureau of the Ministry of the Interior. From the beginning of the 1930's, with the gradual formation of the totalitarian regime, many other parts of the Italian society were entrusted with the task of control-

¹ Emsley (2006: 9).

ling and preventing criminal acts. Pension and hotel tenants, private condominium door-keepers, managers of leisure centres and many other professionals were involved in the day-to-day control of the life of the Italians, not only looking for anti-Fascists, but also informing on amoral and abnormal behaviours the regime was keen on getting rid of dedicated judicial channels. As a consequence, scientific policing lost most of its authority. The courses promoted by the School became optional and often unattended by members of the police forces, funding decreased and the political support disappeared together with the good relationship with the General Administration of the Police. After 1938, scientific policing was associated to Liberal and Jewish science and the School's administration faced the increasing opposition of the Racial Bureau of the Minister of the Interior, as explained in chapter six.²

Italian Fingerprinting

The history of Italian fingerprinting revealed a complexity that is typical of other technological developments. Its diffusion was characterised by a trend that depended on many factors: the time and the context of the innovation, its flexibility as an identification tool, its economical weight in absolute and relative terms (meaning its cheaper cost with respect to competitive technologies), its stimulating effect on other areas of society (creation of spin-off), the influence of the social groups directly involved in or openly against its diffusion, etc. With the aim to understand the amount and influence of such factors, I chose to alternate the “innovation-perspective” with the in “use-perspective,”³ shifting from an international comparative analysis of the development of fingerprinting to a diachronic study of the use of fingerprinting in Italy.

Working on the development and innovation of the practices of the technology, from the chemicals to enhance the prints, to the magnifying glass with a hair attached to count the ridges of the print, and from the introduction of standard procedures, to the routine registration of individual cards in the central identification register, respectively, I could emphasise few of the characteristics typical of the Italian case. The successful introduction of fingerprinting in Italy was the consequence of the adaptation of foreign innovations to the criminal anthropological tasks of the Italian police. From this viewpoint, the developing of the Gasti formula, the numerical transcription of the ten fingerprint patterns on the individual digits, the organisation of the criminal central register, as well as the structure of the School of Scientific Police's facilities were all functional to the development of an institute that supported the Lombrosian study of the criminal, as explained in chapters two and three. As the centralisation of the criminal archive and the modernisation of police procedures were part of the Liberal policy of rationalisation of the national bureaus, the application of fingerprinting to criminal identification was welcomed by political and judicial elites. Simplifying accusatorial procedures, especially those concerning robberies carried out by the poorest parts of the population, fingerprinting had no adversaries in courts and was highly supported at the political level. As explained in chapters three and five, after more than twenty years of history, only six acquittals could

² The identification of criminal anthropology as a Liberal and Jewish science is made explicit in Evola (1938).

³ Edgerton (2006).

be counted, and none of them were considered a rebuttal of the fingerprint as evidenced by the court. This social filtering function, the accusatorial use of fingerprinting mainly directed on the lower sectors of the population, can be seen as a consequence of police application of criminal anthropology in Italy and a highly stigmatising practice functional to the modelling of the Italian society according to the Liberal elites.

At the same time, being born under the mark of Lombroso did not stimulate the application of fingerprinting in areas of the society other than police barracks, prisons and asylums. Furthermore, the exclusive use of fingerprints in criminal identification depended on a central database that was managed only by police officers, and this not only prevented negotiation of fingerprints testimonies by attorneys, it also excluded other professionals from adding the new technology to their toolbox. This marginalisation of fingerprinting limited its economical impact on the Italian society and, consequently, gave life to poor, if any, spin-offs. The tools that composed the fingerprint box delivered to every police office in the country since 1912, ten years after its release, were all objects created for other purposes and adapted to compose a sort of “Creole technological mixture:”⁴ typographic ink and roller, one bottle of benzene, one magnifying glass and one zinc plate. The tools that could be seen in police scientific laboratories were adaptations as well: photographic cameras, papers and gelatines; chemical fixatives and powders; any form of packaging material, from modified wooden crates to adhesive tapes used to transport objects with latent fingerprints from a crime scene. Even the filing cabinets were adaptations of pre-existing bookcases modified to fit the purpose of the central identification register.

The shaky trend of the production of the central identification register during the first twenty years is due also to the opposition of “nostalgic” police officers not acquainted with science, and to the perennial state of emergency of the Italian *questure*, lacking men and expertise, and employing the few agents trained as scientific technicians for other tasks, as explained in chapter four. An aspect that I could not study is the influence bad maintenance could have played on the identification tasks in the *questure* and in the prisons. This fact emerged only sporadically in the judicial case I dealt with in chapter five and in writings of members of the School and other criminologists. In those works, the poor maintenance of the rollers, or of the zinc plate, was deemed a major cause of failure of the identification task.⁵

Yet, this marginal technology, limited to a very specific professional area, became the fulcrum of the renovation of the Italian police, and soon became one of the distinctive elements of Italy at the

⁴ “Creole technology” has been coined by Edgerton referring to a basic technology that, imported from one rich country to a poorer one, acquires “a new lease of life” (2006: 43-45). In my use of the term, Creole refers to a technology imported from a professional area to another undergoing a different use and purpose. The fingerprint box was delivered to all the police barracks lacking a scientific laboratory according to the circular 29 June 1912, n. 11200.8 of the General Administration of the Police. The cost of the box was estimated of 4.5 Lire each (BSP (1912) no. 3, p. 9). Identical fingerprint boxes constituted the core of the police identification offices in Albania still in 1940, costing this time 44 Lire each (ACS -Fondo Scuola Superiore di Polizia - b.1, f. 17.).

⁵ See for example, the notes made by the Italian translator of Locard (1925) and Falco (1923).

international level. Attending conferences throughout the world, the members of the School testified that Italy was no more a country where scientific policing and modern techniques were dismissed as useless, but instead, was finally admitted in the selective club of the most advanced western countries.⁶

The Trial

The *smemorato di Collegno* affair, which is the topic of chapter five, was about identity. Since the beginning, the core of the event has always been the essence of individual identity. Like other famous cases of identity fraud, Martin Guerre or the Tichborne claimant both cited in chapter five, the trial of Turin embedded the practices of identification in an extreme context. Unlike the other cases, this trial involved scientific techniques of individual identification well tested and still in use today. Furthermore, in what is usually known as the golden age of scientific criminal identifications, with practices and technologies adopted by all the most civilised countries and deemed as the most accurate ever made, the five trials dismissed fingerprinting as not relevant to the case. What happened is not a case of “collective psychosis”⁷ or the result of strong political actions in favour of one of the two parties. What happened is that fingerprinting, usually the identification technology carried out to investigate robberies by the poor, uneducated lower class that were unable to defend themselves, was now applied in a case involving a wealthy, educated, and influent family of the civilised north of the country. Crossing of the boundaries of application made fingerprinting vulnerable to the influence of other elements: the impeccable behaviour of the accused since the beginning of the judicial vicissitude, the cultural context strongly critical of Lombrosian theories and practices, and the charismatic figure of Giulia Canella, the most prominent character of the story. All of those factors revealed something unexpected; namely, that determining individual identity was a matter of belief. Indeed, the performance of Giulia and her supposed husband had asked the judges to trust social intercourses, and to rely on face to face recognition of social values embodied in gestures and manners; however, the weakening of the Lombrosian authority allowed scholars to advance a critical and very accurate deconstruction of what had been presented as scientific evidence *par excellence*, objective and accurate, hence infallible: fingerprinting indeed. This critical survey revealed the complexity of a technology that, contrary to what was naively believed, relied heavily on human intervention, mainly carried out by scientifically untrained personnel. Once approached with the critical eye, fingerprinting presented theoretical and practical flaws, inherited both by its incomplete theoretical development and by its inaccurate application by police officers. The acknowledgment that fingerprinting was influenced by social factors, in a way, conflated the bipolar vision of the social and scientific identification of the individual. Seeing fingerprinting as infallible and objective required an act of faith: the belief that a narrow community of experts, with their magnifying glasses and rollers, could tell a wife who was her husband.

⁶ While at the end of the nineteenth century Italy was excluded from the set of countries applying scientific policing, in 1922, Locard, Henry and other eminent exponents of the international criminological community recognized the existence of a healthy scientific tradition represented by Ottolenghi's School. See for example, Locard (1925), Henry (1922).

⁷ Ottolenghi (1932).

The 1927 verdict was a scandal causing general public outrage. The whole country was shaken in its faith in scientific policing. Decades of application of what had been believed as a fair and accurate accusatorial system revealed a biased character that recalled pre-Unitarian police methods. It was clear to everyone that there was more than a family issue at stake. The professional groups involved in the scandal made every effort to defend their status. The following four sentences tried to reassure the community about fingerprinting and its application by the scientific police. Moreover, all of the accounts of the events published and broadcasted since 1931 insist on the infallibility of the technology, sometime reserving a special seat to the “solution” of the *smemorato di Collegno* affair in the fingerprinting Hall of Fame.⁸ Yet, the verdicts stated something different as clearly declared by the judge of the 1931 Florence court of appeal: “[t]here is no need for the judge to take [fingerprinting] in consideration whenever its technical practices are subjects of controversy and, at the same time, the judge can reach the identification by means of other equally valid evidences.”⁹ In the end, after thousands of pages debating who was who, the accounts on the *smemorato di Collegno* affair did not write a single word about the two major consequences of the five trials; namely, 1) for the first time in Italy, fingerprinting could be considered “subject[ed] to controversy,” and 2) other “equally valid evidences” existed in matter of identification, and those were witness testimonies and the evaluation of personal performances.¹⁰

As explained in the introduction, three basic historical questions inspired the present work: Why fingerprinting was not considered a reliable means of identification in the 1927 Bruneri/Canella trial? Did this sentence influence the further development of fingerprinting in Italy? Can we really claim that fingerprinting changed the way criminal identifications were carried out since its introduction in 1907, thus supporting the innovation-perspective history of Italian criminology? During my research another significant question emerged; namely whether the identity issues that came to light in the public debate can really be considered historically limited or are they still actual? As depicted in chapter five, the critical remarks against fingerprinting today have an echo in the critiques of the use of forensic sciences advanced by an international community of scholars. Not only the “scientific” foundations of the techniques are debated, but the focus of the remarks concentrates on their practical flaws and their inevitable and dangerous social consequences. Furthermore, the marginality of scientific identification techniques as emerged from the historical account, due to a variety of forms of resistance, revealed the true nature of the problem: identification is a matter of belief. As such, the social conditions that shaped the 1927 trial causing the rebuttal of fingerprinting repeats itself today, as the renowned O.J. Simpson case highlighted in the case of DNA typing in the 1990’s.¹¹ This is the best result I hoped to achieve: not only revealing the actual importance of a historical specific issue, but embedding it in a very appealing story.

⁸ Ferretti (1931), Ottolenghi (1932), Morland (1953), Pasanisi (1966), Ministero dell’Interno (2004), Giuliano (2004) and Julini et al. (2004).

⁹ Vescovi (1942: 387).

¹⁰ Goffman (1959).

¹¹ Jasanoff (1998) and Lynch (1998).

Further Developments

For reasons exposed in the introduction, my study of fingerprinting was limited to a specific historical period. In the end, I have unravelled all the puzzling questions I posed to myself four years ago. During the development of the work, though, many others issues that caught my attention had to be momentarily left aside. Together with the political adoption of anthropometry by the Fascists, a subject that could enhance further differences between the Nazi and the Fascist conception of race, a few of them were directly related with fingerprinting.¹²

The development of Italian scientific policing after Fascism, for instance, is a very interesting subject of research. Can we find a fault in the use of scientific policing and could this fault be considered evidence of a meaningful cultural breach between Fascist and Republican Italy? The available data allows only a partial picture of the history of Italian scientific police after World War II. Changes in the structure of the budgets of the Minister of the Interior limit the accounts of the funding for the scientific policing to 1971, but the trend is clearly positive¹³ (See the Appendix, Chart 7.6). At the same time, the production of the School between 1945 and 1955 revealed a remarkable growth of crime scene investigations, from 769 in 1948 to 3,325 in 1955, a production of individual cards that overtook the 35,000 units per year, and the routine application of fingerprinting as the main identification technology. More importantly, the APBP, the Lombrosian core of the School, was still performed with more than thirty surveys per year from 1948 and 1955.¹⁴ If those figures suggest a rift within the Fascist approach to scientific policing and to crime prevention in general, with a return to the Liberal support of scientific policing, other clues put forward a different story. An interview of the chief of police at the end of the 1980's during the "Monster of Florence" crisis testified that the scientific approach to criminals and crime scenes was misapplied by police forces.¹⁵ The description of crime scene investigation carried out by untrained agents unaware of the basic rules of police science at the end of the 1980's recalled the muddled situation that characterised the Fascist police, as described in chapter six. During the *ventennio*, the regime sustained and encouraged this situation for political purposes, forging the police forces in a way

¹² The detection of Jewish characters was one of the functions Nazis attributed to anthropometry (See Noakes 2001a; 2001b). Fascists relied mainly on juridical definitions, sidelining any form of science (De Felice 1993; Sarfatti 2001). Another major difference concerns the concentration camps, where Nazis enrolled Gypsies in scientific experiments, while Fascists did not (Boursier 1996; 2001; Bravi 2007). Actually, Fascists hardly ever applied any kind of scientific identification to prisoners in the Italian concentration camps, as testified by the physical description of prisoners who broke free from the camps, published in *Bulletin of the Wanted* and sent to the prefects (ACMI - Questura e Prefettura di Varese - Ebrei, b. 1 and b. 2). Fascists used anthropometry in civilian and military areas, though, as explained in chapters four and six.

¹³ Figures concerning scientific policing before 1971 are collected and presented in different ways. Until 1953, a single entry represented the funding of the entire identification service, including police laboratories. It was impossible to establish the percentage dedicated to the individual scientific activities. After 1953, every service was represented in the ministerial budget, including police dogs. Chart 7.6 reports only the comprehensive voice.

¹⁴ Figures taken from the statistics published by Ugo Sorrentino on *Rivista di Polizia*. See RP, volumes from 1948 to 1956.

¹⁵ Amato (1989). The "Monster of Florence" is a label that represented three or more murderers responsible of sixteen killings between 1968 and 1985. The group killed young lovers on the hills around Florence, under the new moonlight. They shot and stabbed them repeatedly in clearings, often taking them by surprise in their own car.

that, according to some scholars, was replied by the republican governments.¹⁶ At the end of the 1980's, this reading was supported by the many scandals that characterised a political use of both police and *carabinieri* during the 1960's and the 1970's,¹⁷ by the embarrassing conducts of major investigations like the "Moro Affair."¹⁸ Also evident in the unexplainable collapses of scientific investigations during the political killings in the 1970s, like in the case of the murder of chief-constable Mario Calabresi,¹⁹ and certainly by the naive crime scene investigations on the sites of "Monster of Florence" murders.

How can all of those facts be put together in a sound way? And what has changed after the advent of DNA typing in the Italian scientific police? If in the United States and in England DNA typing overtook fingerprinting as the forensic golden standard, inaugurating an aggressive confrontation with fingerprinting in courts,²⁰ while in Italy, DNA seemed to reinforce the belief in the accuracy of scientific policing in general, fingerprinting included; what are the causes of such a difference?

Finally, focusing once more on the social aspect of scientific identification as emerged in the 1927 trial, a further development of this work would be the analysis of the scientific practices of identification carried out in the IT era. I shall use a couple of examples to clarify this point. In 2001, in a small village in the North of Italy, a man was arrested during the commission of a robbery. Fingerprinted, the *carabinieri* identified him as Emanuele Campo; however he insisted he was Carlo Maria Hudorovic. During the trial, the judge asked for further proof. A fingerprint expert, another *carabiniere* working on the same fingerprint register used in the former identification, identified him as Giuseppe Spada. In this case, the same set of fingerprints resulted in an open contradiction of two contrasting identities. The other example is about the identification of migrants. In 2001, the journalist Fabrizio Gatti infiltrated the Milan *Centro di permanenza temporanea* (Immigration Removal Centre), declaring he was Romanian. Despite his poor knowledge of the language, his declaration was accepted and his ten fingerprints recorded under this fake identity. When he revealed himself, he was sentenced to prison and his fingerprints entered the national criminal register. Five years later, the same journalist managed to enter into the Lampedusa Immigration Removal Centre declaring this time he was Kurd.²¹ The 1990 convention of Dublin, ratified by most of the EU members in 1997, imposed the coordination of the immigration fluxes at the international level. This international control caused the creation and the adoption of a European database to keep track of migrants' and asylum seekers' identity through their fingerprints, known as the Eurodac.²² When

¹⁶ About the continuity characterising police methods of investigation and crime prevention between Fascism and the first republican government, see Canosa (1976) and D'Orsi (1972).

¹⁷ D'Orsi (1972), Canosa (1976) and De Luca (1997).

¹⁸ Sciascia (2001a).

¹⁹ The investigation inside the car used to kill Commissioner Calabresi in 1972 was carried out by experts of the scientific police of the Milan *questura*. In court the police experts declared they could not find a single fingerprint in the vehicle (Corte d'Assise di Milano 1997). The two criminals, who did not wear gloves, had abandoned the FIAT 125 still in gear soon after the killing. (Ginzburg 2006).

²⁰ Lynch (2008).

²¹ Gatti (2007).

²² Güneş-Ayata (2008).

Gatti entered the Lampedusa Centre, his previous identity as a Romanian was revealed in the Eurodac database. Curiously enough, the fingerprint comparison did not reveal his real identity recorded in the national criminal register, a fact that suggests a missing link between the two archives. Even more curiously, police officers did not trust the Eurodac identification, rather believing Gatti was a Kurd. While in the Hudorovic/Spada/Campo cases, the front stage performance could not match the scientific identification, even though this was characterised by a clear and serious flaw, in the Gatti case the front stage performance played a key role in the identification. A few questions should deserve an answer here: what made the two situations so different to end up with a completely contrasting practice of identification? What is the actual state of routine practices of identification as performed by police officers and immigration agents in Italy? Is there a social or cultural difference with the state of the art in other countries?

The answer to those questions can reveal the inner fragility of our national security systems, weakened by the nature itself of any individual identity, its social dimension. Performed in unnatural environments, influenced by strongly biased context, this dimension is subjected to interpretation that shaped the use of any technical equipment with consequences that were hard to determine. For this reason, only fieldwork spent in the same environment can allow the assessment of the risks and the social consequences of such a situation.

APPENDIX

TABLES AND CHART

Criminal Statistics

Convicts

	1914	1915	1916	1917	1918	1919	1920	1921	1922
Habitual Criminals	132,096.00	114,902	97,453	95,591	72,366	78,521	101,874	114,873	127,989
Ratio Habitual Criminals/Convicts	41,072	37,113	28,339	26,592	20,142	25,732	35,614	39,686	45,295
Nr. Cards in the School's Archive	31.09	32.30	29.08	27.82	27.83	32.77	34.96	34.55	35.39
Nr. Scientific Identifications (SI)	16,855	15,005	15,815	14,582	8,980	10,340	8,110	8,474	8,675
Nr. Crime Scene Investigations (CSI)	2,379	1,846	1,532	1,257	794	1,042	919	1,140	1,313
Nr. Scientific Labs in <i>Questure</i>	75	80	61	71	39	125	147	163	186
Nr. Cards per laboratory	26	26	29	29	29	31	31	31	33
Ratio SI/Sentences	597	541	527	485	287	308	230	250	235
Ratio SI/Total nr. Sentences	1.80	1.61	1.57	1.31	1.10	1.33	0.90	0.99	1.03
Ratio SI/Recidivists	0.0026	0.0021	0.0021	0.0020	0.0015	0.0016	0.0013	0.0014	0.0015
Ratio SI/Recidivists	5.79	4.97	5.41	4.73	3.94	4.05	2.58	2.87	2.90

Table 7.1: judicial figures taken from Ministero di Grazia e Giustizia (1940); figure on scientific methodologies taken from BSP.

School research production

	1916	1917	1918	1919	1920	1921	1922
Anthropo-psychological and biographic exam	135	139	109	115	71	141	174
<i>Didactical activity</i>							
Students	589	364	229	32	40	38	1292

Table 7.2: School's didactical activity and research production. Figure taken from BSP.

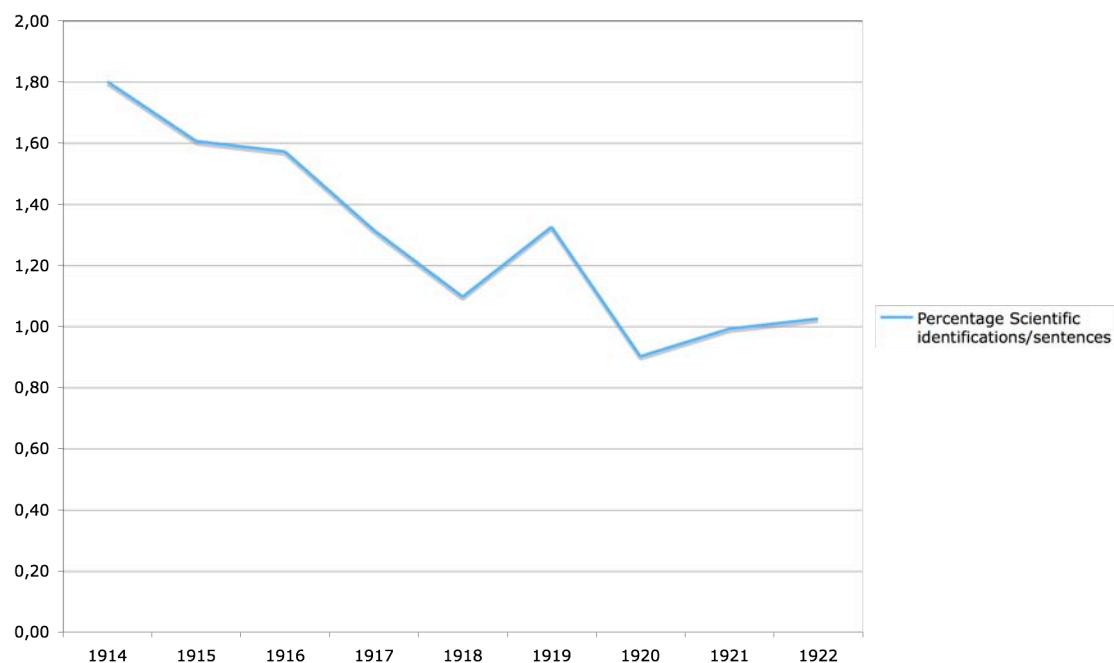


Chart 7.1: Percentage of Scientific Identification over the total amount of criminal sentences between 1914 and 1922. Figures elaborated from numbers in tab. 7.1.

	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939
Nr. Scientific Labs in Questure	33	39	39	41	42	45	53	57	57	57	57	59	59	60	60	61	64
Nr. Individual Cards	12,600	13,214	15,152	17,415	19,412	20,546	22,635	26,259	24,591	25,398	24,313	23,932	27,086	26,642	26,173	22,164	20,456
Nr. Identifications	1,781	1,228	1,456	2,286	2,794	1,943	3,238	4,333	3,536	4,117	4,687	3,990	4,434	4,306	4,507	3,893	3,266
Nr. Anthropo-psychological and biographic exam	73	54	0	0	13	30	59	55	50	48	45	41	20	22	15	13	12
Nr. Crime Scene Investigations	175	164	214	242	179	280	361	342	331	378	342	384	379	405	347	345	343
Ratio SI/Total nr. Sentences	0.0018	0.0012	0.0014	0.0022	0.0026	0.0019	0.0032	0.0040	0.0035	0.0034	0.0044	0.0036	0.0045	0.0042	0.0035	0.0038	0.0029

Table 7.3: Identification Office, Statistics from 1923 until 1939. Figures taken from BSP.

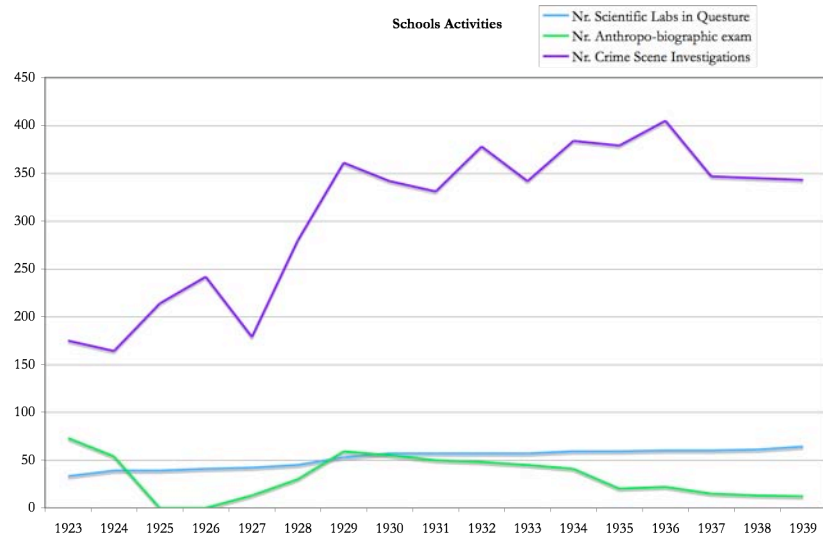


Chart 7.2: Schools activities in the 1920s and 1930s: nr. Peripheral Scientific labs, Anthropo-psychological and biographical exams and Crime Scenes Investigations. Figures taken from BSP.

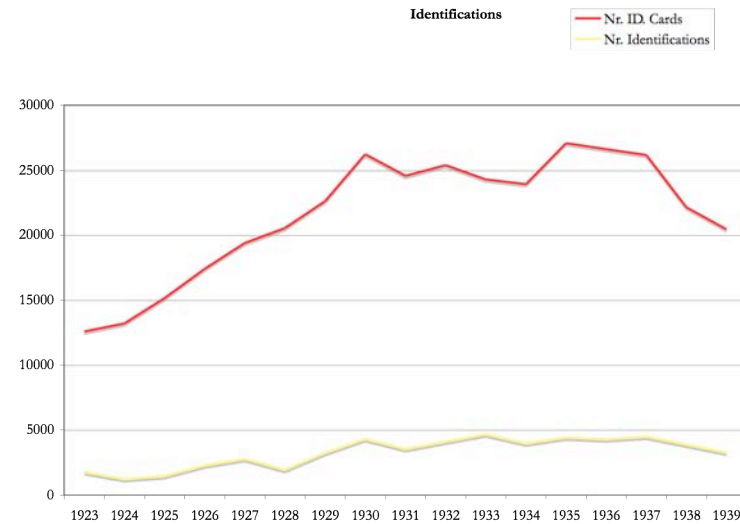


Chart 7.3: Criminal Identification carried out in the Schools in the 1920s and 1930s: nr. Individual cards and nr. Identifications. Figures taken from BSP.

	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939
Total Amount	10,962	16,617	17,110	16,855	15,005	15,815	14,582	8,980	10,340	8,110	8,474	8,675	12,600	13,214	15,152	17,415	19,412	20,546	22,635	26,259	24,591	25,398	24,313	23,932	27,086	26,642	26,173	22,164	20,456
From Milano	999	1,013	1,511	1,699	1,111	1,077	694	409	830	873	823	607	549	629	710	998	1,541	767	1,124	1,512	1,089	1,003	859	670	1,686	2,127	1,897	1,477	873
% MI	9.11	6.1	8.83	10.08	7.4	6.81	4.76	4.55	8.03	10.76	9.71	7	4.36	4.76	4.69	5.73	7.94	3.73	4.97	5.76	4.43	3.95	3.53	2.8	6.22	7.98	7.25	6.66	4.27

Table 7.4: Production of Individual Cards by the Milano questura in relation with the total amount of the national production. The production during Gasti's staying at the Milan questura is shown in yellow. With the exclusion of the years 1911-1913-1914, low rate of production characterised regularly the activity of the police scientific lab in Milan. (data from BSP)

	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939
Experts	46,411	42,442	46,008	45,944	44,542	42,056	43,686		53,700	54,382	56,879	58,512	65,762
Absolution for mental insanity	179	164	164	169	326	342	324		303	348	389	434	401
Criminals for tendency					12	37	17		34	5	9	12	0
Habitual Criminals					6	56	54		41	42	46	49	47
Professional criminals					1	1	0		4	3	2	3	3

Table 7.5: influence of expert testimony in courts before and after the introduction of the fascist penal code in 1930. Figure are from Ministero di Grazia e Giustizia (1940) Year in yellow represent gap in the data that I cannot explain, while the green areas represent gaps due to the introduction of the new penal code in 1930.

	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930
Recidivists	41,072	37,113	28,339	26,592	20,142	25,732	35,614	39,686	45,295	53,713	49,152	47,946	48,937	50,957	51,996	45,392	47,076
Sc. Identifications	2,379	1,846	1,532	1,257	794	1,042	919	1,140	1,313	1,781	1,228	1,456	2,286	2,794	1,943	3,238	4,333
Sc. Id/recidivists %	5.79	4.97	5.41	4.73	3.94	4.05	2.58	2.87	2.90	3.32	2.50	3.04	4.67	5.48	3.74	7.13	9.20
									1931	1932	1933	1934	1935	1936	1937	1938	1939
Recidivists									34	222	291		401	371	396	446	465
Sc. Identifications									3,536	4,117	4,687	3,990	4,434	4,306	4,507	3,893	3,266

Table 7.6: Scientific identifications in relation with the total amount of recidivists sentenced from 1914 until 1939. Data are inhomogeneous and cannot allow a comparison on the long period. Between 1909 and 1930 figures are taken from Ministero di Giustizia (1909-1940) - numbers in black - where great attention is given to recidivists, ordered according to sex, age, civil status, paternity (*filiazione*), kinship (*figliolanza*), job, education, nationality. After 1930, data can be taken only from Ministero di Grazia e Giustizia (1928-1936) and Istituto Centrale di Statistica del Regno d'Italia (1936-1948) - numbers in blue - that calculate the number of recidivists in a complete different way. Scientific Identifications are extracted from the School Bollettino.

	1934	1935	1936	1937	1938	1939
GPS	18,447	20,226	19,938	20,574	17,358	16,011
UPS	1,892	3,480	2,975	2,448	2,136	1,807
UCI	163	199	265	301	178	441
DPT	1,328	1,242	1,405	1,164	749	552
DPB	537	277	275	121	3	30
SCR	259	160	240	220	280	180
Asylums	0	88	76	0	0	155
UPE	1,306	1,414	1,468	1,345	1,460	1,280

GPS	Questura Police laboratory
UPS	P. S. bureau with only fingerprinting service
UCI	School of Scientific Police Central Bureau of Identification
DPT	Tripoli Colonial Police (Tripolitania)
DPB	Bengasi Colonial Police (Cirenaica)
SCR	Royal Prisons
Asylums	Colonial and National Asylums
UPE	Foreign Police

Table 7.7: Individual card productions between 1934 and 1939. Detailed account of total amount reported in table 7.3.

Signalling Card productions - details

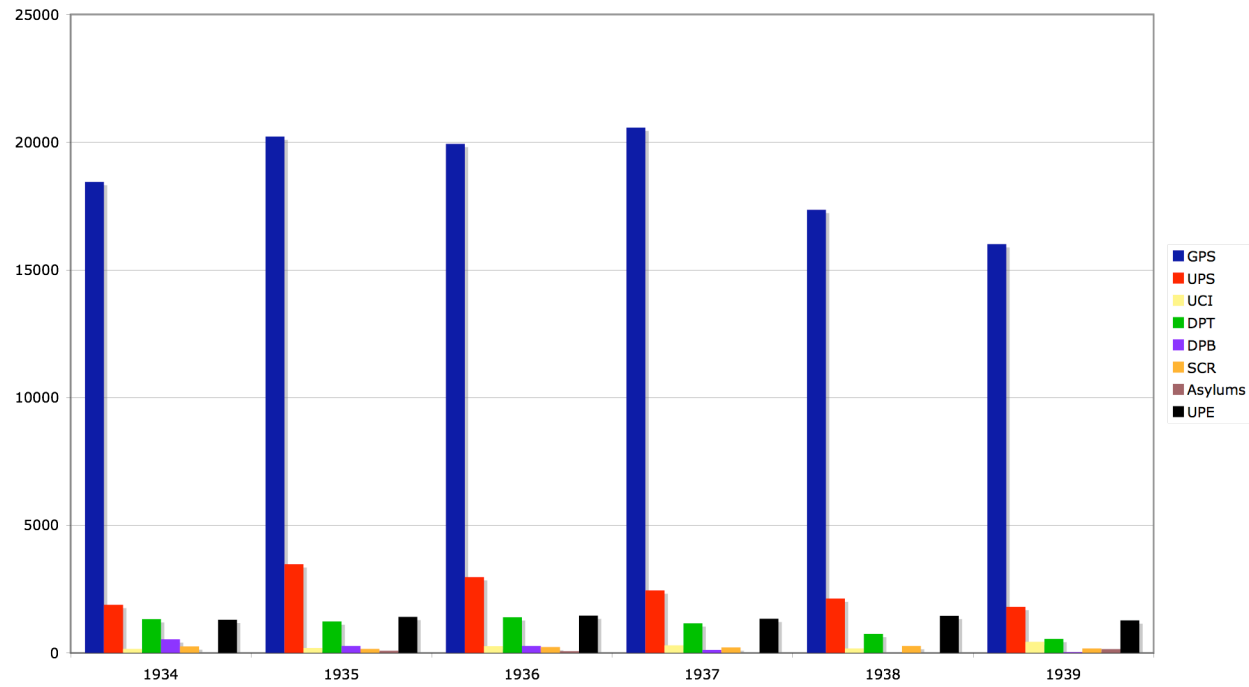


Chart 7.4: graphical representation of data reported in Table 7.7 clearly show the slope in the production of identification cards in almost all the sources but the foreign police forces.

	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943
School's Budget in n. v.	34,600	75,000	75,000	70,000	200,000	315,750	536,000	3,270,000	1,300,000	1,250,000	1,250,000	1,200,000	1,182,000	1,200,000	1,200,000	986,400	1,042,400	992,400	992,400	1,132,400	1,157,500	1,300,000	1,400,000	1,350,000	1,500,000
School of Scientific Police	43,634	71,978	60,840	57,127	164,040	250,358	378,309	2,139,561	930,410	965,375	950,125	942,900	1,027,040	1,070,760	1,138,080	986,400	1,027,806	909,832	831,135	880,781	862,222	829,790	772,240	644,355	426,900
Fascist Militia MVSN								3,271,500	5,359,806	7,723,000	7,601,000	8,085,500	8,167,660	7,852,240	7,729,460	8,900,000	8,282,400	7,059,360	6,394,313	6,611,300	7,747,187	5,489,380	5,440,431	3,509,110	2,817,540
Political Police								21,233,998	24,550,657	30,892,000	22,803,000	23,550,000	25,737,687	34,724,301	42,203,800	57,000,000	75,450,692	85,702,228	74,093,625	115,214,892	129,094,895	158,489,890	195,790,420	194,620,846	255,471,878
Frontier Police & Milizia								19,661,715	21,471,000	20,079,800	19,002,500	18,055,000	19,724,030	20,255,210	20,414,642	19,500,000	23,171,000	22,800,816	23,399,750	21,778,400	23,836,800	31,308,615	31,441,200	24,246,840	30,736,800
National Security (NS)	75,341,847	320,425,744	272,025,472	243,945,323	103,915,871	117,948,236	227,851,579	275,756,698	246,816,603	261,711,618	274,227,267	278,875,175	304,783,814	302,483,753	320,613,448	334,736,526	356,351,784	351,442,827	252,547,768	383,240,551	404,433,756	461,572,075	493,240,816	475,158,300	625,209,043
Ratio School/NS %	0.0579	0.0225	0.0224	0.0234	0.1579	0.2123	0.1660	0.7759	0.3770	0.3689	0.3465	0.3378	0.3370	0.3540	0.3550	0.2947	0.2884	0.2589	0.3291	0.2298	0.2132	0.1798	0.1566	0.1356	0.0683
Ratio Political Police/NS %								7.7003	9.9469	11.8038	8.3154	8.4446	8.4446	11.4797	13.1635	17.0283	21.1731	24.3858	29.3385	30.0633	31.9199	34.3370	39.6947	40.9592	40.8618
Ratio MVSN/NS %								1.1864	2.1716	2.9510	2.7718	2.8993	2.6798	2.5959	2.4108	2.6588	2.3242	2.0087	2.5319	1.7251	1.9156	1.1893	1.1030	0.7385	0.4507
Ratio Frontier Police/NS %								7.1301	8.6992	7.6725	6.9295	6.4742	6.4715	6.6963	6.3674	5.8255	6.5023	6.4878	9.2655	5.6827	5.8939	6.7830	6.3744	5.1029	4.9162
NS Annual var. %	0.0000	325.2958	-15.1050	-10.3226	-57.4020	13.5036	93.1793	21.0247	-10.4948	6.0349	4.7822	1.6949	9.2904	-0.7547	5.9936	4.4050	6.4574	-1.3776	-28.1397	51.7497	5.5300	14.1280	6.8611	-3.6661	31.5791
School Annual var. %	0.0000	64.9571	-15.4736	-6.1029	187.1497	52.6202	51.1070	465.5594	-56.5140	3.7580	-1.5797	-0.8552	9.0276	4.2569	6.2871	-13.3277	4.1977	-11.4782	-8.6497	5.9732	-2.1071	-3.7614	-6.9355	-16.5603	-33.7477
MVSN annual var. %								0.0000	63.8333	44.0910	-1.5797	6.3742	1.0161	-3.8618	-1.5636	15.1439	-6.9393	-14.7667	-9.4208	3.3934	17.1810	-29.1436	-0.8917	-35.4994	-19.7078
Frontier Police annual var. %								0.0000	8.4266	-6.9284	-5.6693	-5.2479	8.4619	2.6224	0.7810	-4.6905	15.8431	-1.6236	2.5596	-7.4448	8.6354	23.8650	0.4217	-29.6713	21.1146
Political Police annual var. %								0.0000	15.6196	25.8296	-26.1848	3.2759	9.2895	34.9162	21.5397	35.0589	32.3696	13.5871	-13.5453	55.4991	12.0471	22.7701	23.5350	-0.5974	31.2665

Table 7.9: National Security Budgets. Figures are taken from Atti del Parlamento Italiano. Camera dei deputati. Discussioni disegni di legge. School's budget has been reported without currency conversion (fields in green) and with conversion applied in order to underline the Italian Lira buying power. The coefficient of conversion has been taken from ISTAT (2006), with a calibration focused on the value of the Italian Lira in 1934. Each voice has been matched with the overall budget for the National Security obtaining a proportional ratio. Finally a diachronic analysis has been carried out for each voice in order to enhance the financial historical trend.

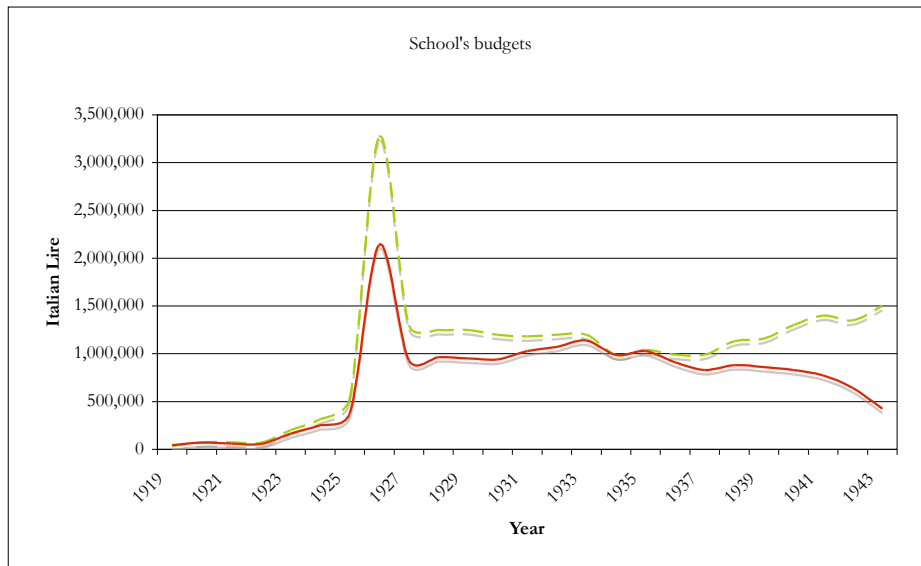


Chart 7.4: School of Scientific police's budgets in nominal (in green) and in absolute values (in red) Currency conversion applied following ISTAT's table published in ISTAT (2006)

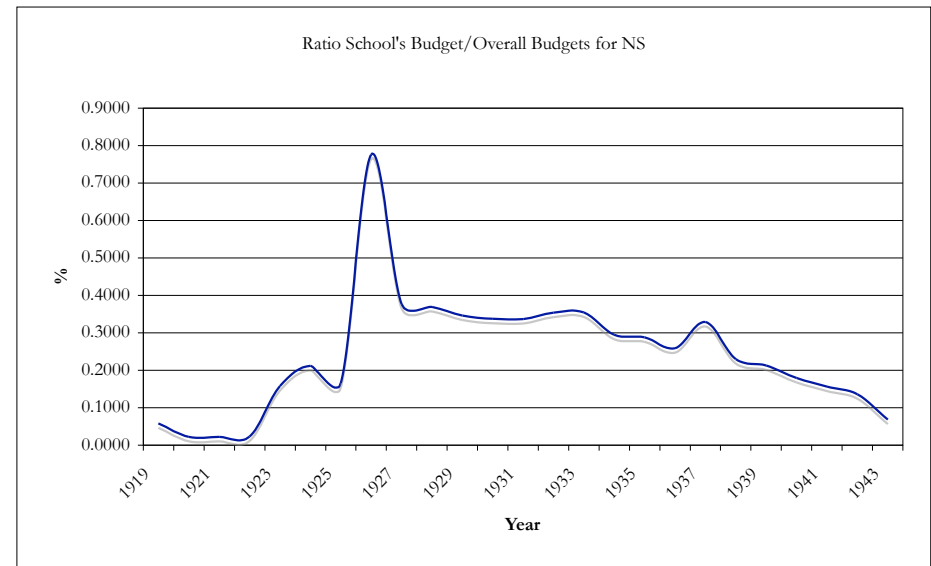


Chart 7.5: the blue line shows the ratio of the School's budget to the overall investment for the Italian National Security between 1919 and 1943.

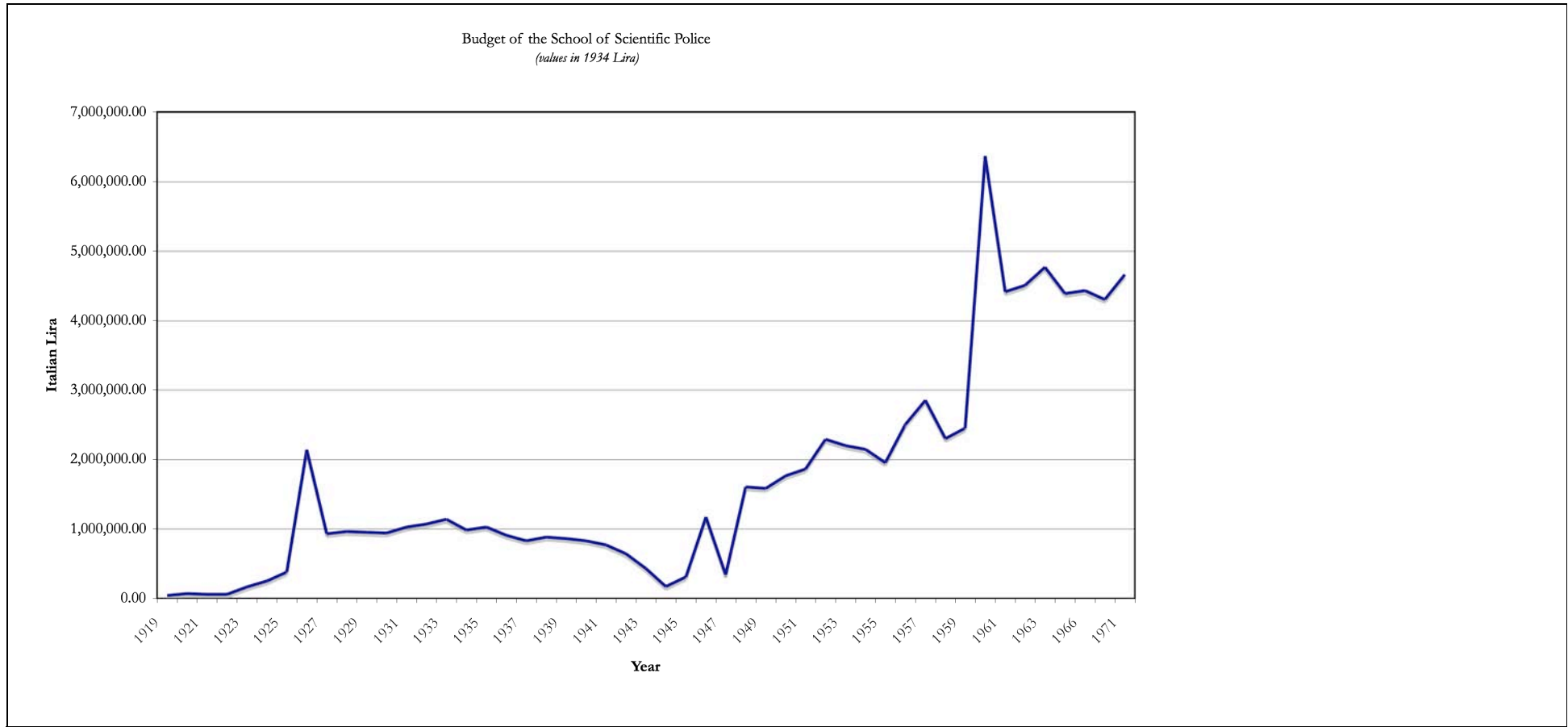


Chart 7.6: trend in the budget of the School of Scientific Police converted in 1934 Italian Lira to allow a comparison between the liberal (1919-1922), the fascist (1923-1943) and the republican period (1945-1971)

OFFICIAL AND ARCHIVAL SOURCES AND ABBREVIATIONS

ACM Archivio di Stato di Modena

ACS Archivio centrale dello stato (Rome)

ACMI Archivio di stato di Milano

MG Ministero della Giustizia, archivio storico (Rome)

FM Fondo Matteotti, Archivio di Stato, (Rome)

Periodicals from which anonymous articles have been cited and abbreviations

		Time
AAC	Archivio di Psichiatria, Scienze Penali ed Antropologia Criminale per Servire allo Studio dell'Uomo Alienato e Delinquente.	1880 – 1948
BSP	Bollettino della Scuola di polizia scientifica e del Servizio di segnalamento.	1910-1916
	Bollettino della Scuola di polizia scientifica e dei servizi tecnici annessi.	1918-1923
	Bollettino della Scuola superiore di polizia e dei servizi tecnici annessi.	1925-1939
GI	Giurisprudenza Italiana	1930-1931
SdC	Statistica della criminalità. Notizie complementari alla statistica giudiziaria penale.	1914-1928
RdP	Rivista di Polizia.	1948 – 2006
RP	Rivista Penale.	1900 – 1925
RPS	Rivista di Polizia Scientifica.	1897-98

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