Racialism and Eugenics in Greek Criminology
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Research on the history of criminology that has proliferated in the last twenty years has highlighted the importance of racial and eugenic ideas in the development of this new field of study. As historian Nicole Rafter has insightfully noted, the establishment of criminology drew from three of the most “disturbing” ideas of the nineteenth century: the idea of evolution, the theory of biological determinism and the theory of heredity of acquired characteristics. On these ideas was based the theory of degeneration, which classified criminals along with the mentally ill, the poor, homosexuals and prostitutes as “degenerates.” Scientific racialism of this kind was common among penal professionals at the time. It constituted the primary aetiology of criminal behaviour, irrespective of the importance accorded to sociological causes (Rafter, 2009, xv-xix).

National case-studies as well as studies of the transnational movement of criminological ideas and practices have underlined the various factors that determined the crucial role of these ideas in the development of criminology.\(^1\) To quote historian Richard F. Wetzell: “In the last quarter of the nineteenth century the development of criminology into a recognized scientific field was strongly influenced and greatly accelerated by three developments common to most of western Europe: the publication and dissemination of Lombroso’s theory of the ‘born criminal’; the rise of a new penal reform movement that called for criminological research; and increasing interest in criminological questions among psychiatrists” (Wetzell, 2000, 28). Researchers agree that theories attributing criminal behaviour to biology were already broadly widespread, but the impact of the Italian positivist school consolidated the shift from crime to criminals and made criminological discourse more coherent (Wetzell, 2000, 30-35; Rafter, 2009, xv).\(^2\)
Criminology was established as the science of the aetiology of crime. The close observation of offenders could indicate the causes of their acts, and accordingly allow for the development of policies for the prevention of crime. Thus, criminological research became the keystone of penal policy. Historians Peter Becker and Richard Wetzell, following Michel Foucault, have argued that criminology should not be considered a discipline but a discursive practice. The close relation between discourse and institutional practice rendered criminological research dynamic and turned it into a “discursive formation.” Through the collaboration of a variety of experts on crime, criminology acquired “common rules, a specific gaze and a consensus about the phenomenon to be studied”. Employing technologies of observation and analysis, criminologists consolidated their authority over widespread lay approaches to crime. “Thus, the common attribute of the criminological ‘scientists’ was their widely accepted role as expert-observers, which entitled them to speak with authority about criminals in general and individual offenders in particular” (Becker, Wetzell, 2006b, 3-5, quotes 4).

Disputes over the aetiology of crime were crucial in converting criminology into an authoritative research field. The most intense confrontations concerned the existence of Lombroso’s “born criminal” — or at least the “predisposed criminal” that his students preferred. Conflicts focused on the proportion of biological and sociological factors in the act of crime and the determining place of each in shaping the criminal personality. German criminologists, although deeply influenced by the Italian school, took the lead in opposing Lombroso’s theories, eclipsing French attempts to contest them. As the new scientific field built networks and acquired visibility through international congresses, journals and associations at the turn of the century, German primacy became irrefutable. Nevertheless, Lombroso’s ideas, interwoven with already widespread notions about race, heredity and degeneration, left their indelible marks everywhere and determined to a great extent the development of criminology in various European countries.

The attraction of medical experts — especially psychiatrists — to crime was also crucial for the development of criminology. Crime provided them with the opportunity to claim scientific authority on the issue over penal reformers. By the end of the nineteenth century, in several European countries criminological research attracted more medical doctors and psychiatrists than practitioners — magistrates, jurists, and police experts. This shift, part of a wider medicalization of the social, contributed to the expanding classification of criminals. During the first half of the twentieth century, under the influence of medical doctors and psychiatrists, biological theories of crime and criminals were shifted from congenital somatic defects to mental abnormalities and their role in shaping criminal behaviour. Wherever medical doctors and psychiatrists acquired public authority on criminal matters, they influenced not only criminological discourse but also criminal justice and criminal policy. It was through them that criminality was linked to eugenics, fully developed on an international scale during the same period (Weindling, 1989).

It should be noted, however, that research on the impact of racial and eugenic ideas in European criminology is mostly limited to its formative period. Much less studied is the impact of these ideas in criminological thought after WWII in various countries, once they were rejected by the successive UNESCO declarations. Similarly, the geographical scope of existing research is mostly limited to Western Europe, the USA, and to a lesser...
extent South America. This article is an attempt to include the Greek case in the relevant discussions for the period from the end of the nineteenth century to the end of the 1960s.

The history of Greek criminology, the institutional and ideological processes that determined its establishment as an academic and scientific field, has only recently started to attract the interest of Greek historians. The role of racial theories in its discourses and practices has been studied even less. However, from the little that we know, what distinguished the Greek case was the persistently peripheral place of medical doctors and psychiatrists in respect to criminal matters in spite of their efforts to gain authority. Throughout the nineteenth and twentieth centuries jurists dominated the field. The first chair of criminology was created in the Law School of the University of Athens in 1930. By then, most jurists treated crime in biological terms. Lombrosian ideas were widespread among crime professionals and penologists from the beginning of the twentieth century; they were soon enriched with eugenic theories. During the interwar period, medical doctors and psychiatrists confronted jurists and penologists in debates concerning the eventual heredity of criminal behaviour and the measures against it (Trubeta, 2013). The idea that the “Greek race” needed to be protected from the criminal disposition of “degenerated” individuals was endemic among both experts and lay opinion. However, psychiatrists and medical doctors failed to assert their authority on penal matters and their ideas on the issue remained peripheral. Until late in the twentieth century, the development of Greek criminology was rather slow, while penologists continued to dominate the field.

What follows is a first attempt to highlight the racial and eugenic influences in the establishment of criminology as an institutionalised field of study in Greece. At first, the article presents succinctly how Greek penologists since the end of the nineteenth century have attempted to explain criminal behaviour. Then it focuses on the work of Konstantinos Gardikas, considered the founder of criminology in Greece and its principal — in fact the sole — representative from the 1930s to the 1970s. After presenting his multifaceted institutional, practical and academic activities, the article examines the place of racial and eugenic ideas in his published work and teaching, and to what extent his interwar positions on issues such as the biological basis of crime, the role of heredity, descent and race, or the “insurance measures” for the prevention of crime — particularly sterilization and castration — changed after the war. Finally, an attempt will be made to formulate a hypothesis on why penologists maintained their predominance in Greek criminological thought throughout the twentieth century.

Greek penologists on the aetiology of crime

Systematic discourse on crime, criminals and their treatment emerged in Greece by the last quarter of the nineteenth century. A period of relative economic development, acute urbanization, and recurrent attempts for state modernization, it is also marked by the emergence of middle classes in the big cities of the kingdom, as well as by the resurgence of a diffused but fervent nationalism (Gallant, 2016, 117-161, Kostis, 2013, 509-514). Amidst concerns about the spreading of crime in both rural and urban areas, but also urges for more “Europeanised” attitudes toward crime and criminals, critics on penal issues such as the state of prisons or the persistence of public executions became more frequent in the public domain. Often with studies abroad, mainly in Germany,
most Greek jurists were knowledgeable of the work of their counterparts in other countries. At the same time, they adhered to the hegemonic “national science” that emerged in the 1830s as a response to the challenge of racial continuity between Ancient and Modern Greeks formulated by scholars such as Jakob Philipp Fallmerayer (1790-1861). The idea that culture was as important as race in the process of national formation collided with their attempts to synchronise their newborn disciplines with the scientific developments abroad.13

According to one of the rare historical studies on Greek discourse about crime, most nineteenth-century authors — jurists mainly — regarded it as deriving from the constitution of the criminal individual, as a consequence of the abnormalities of his or her character and development (Benveniste, 1994, 16-17). By the end of the century, some jurists started to recognize the significance of social factors in the shaping of criminal behaviour; however, this did not diminish the impact they attributed to physical constitution. Criminals were depicted as the opposite of the “Greek race”: they lacked by definition the positive attributes of “Greekness” that were drawn from religious faith, namely “virtue, honesty, and love of the law” (Frangoudis, 1895, in Benveniste, 1994, 18). So before the turn of the century ideas about the biological basis of criminal dispositions and the importance of heredity were already pervasive among experts in Greece. The first criminological study drew from these ideas, as did other studies that associated criminality with heredity and biology.14

Organic metaphors fascinated jurists. They allowed them to underline the dangers inherent in criminality, but also poverty, inadequate childcare, and immorality, and consequently, to urge the need for state intervention. For example, G.S. Frangoudis considered criminality as a microbe that could multiply in appropriate conditions (1895). Drawing from contemporary foreign studies, professionals in the field of crime defended the idea of the criminal predisposition, identified as a hereditary disease. The juvenile delinquent in particular was presented as “degenerate, bearing the hereditary defects of alcoholism, epilepsy, and insanity of [the youth’s] ancestors” (Aggelopoulos-Athanatos, 1884, 421, in Benveniste, 1994, 28). One can find similar beliefs in the writings of many penal experts throughout the twentieth century.15 Several even claimed that Greeks did not show the same rate of criminal predisposition as that encountered in other nations (Benveniste, 1994, 18).

A systematic history of ideas and practices around crime involving law, medicine, psychiatry and technology is lacking for Greece. For example, there is no history of forensics, of how techniques and methods for identifying perpetrators were established in this country, technologies that had a crucial part in constituting criminology as a discursive practice (Becker, Wetzell, 2006b).16 As it became already apparent, notions about the biological foundations and the hereditary character of criminal disposition had early enthusiastic followers; however, it was the juridical establishment that maintained its indisputable authority in the aetiology of crime. As it will be argued below, penologists refused persistently to accept the claim of medical doctors, even less of psychiatrists, to legitimacy in matters pertaining to criminality, whether in respect to diagnosis and classification or to treatment of offenders and prevention of criminal behaviour.17 They refuted them systematically for a very long time.

During the first decades of the twentieth century, as criminological ideas were spreading, organic metaphors became more literal. In fact, the writings of Lombroso, Ferri and Garofalo offered their Greek followers a scientific basis for ideas already
diffused. These were tumultuous years characterised by repeated political upheavals, the ascent to power of the Liberal Eleftherios Venizelos — who would leave his mark in the country’s politics for the next twenty five years —, and a decade of war (1912-1922). A period of mass politics, with extended social inequalities and the emergence of the Left as a political player, it was also a period in which theories of degeneration acquired a large popular audience (Gallant, 1997, ch. 6 and 7; Ampatzopoulou, 2017).

During these years, several Greek psychiatrists, intensively active in the public sphere and interested in the study of criminal behaviour, such as Nikolaos Drakoulidis, Giorgos Vlavianos and Giorgos Sakellariou, attempted to assert their competence on the issue. Followers of eugenics, they considered criminality as one of the “social ailments,” together with sexually transmitted diseases and insanity. In all three they saw the main symbols of social pathology, diseases inherited by descendants and therefore endangering the “Greek race.” They based their systematic campaign for the establishment of the prenuptial health certificate on these ideas, while they participated actively in the debates on castration as a means for preventing “harmful procreation,” a measure imposed by the Nazis (Trubeta, 2008, 2011, 2013, 237 onwards).

Penologists, for their part, closely followed the developments in European criminology, especially the debates regarding the biological and environmental causes of criminality. While recognizing the contribution of the Italian positivist school, most of them rejected what they labelled Lombroso’s “exaggerations.” Instead, they favoured newer approaches that considered crime as a combined “bio-social” phenomenon. Mainly, they were vehemently against the involvement of psychiatrists in criminology, which they noticed was happening abroad. In this spirit, the professor of Criminal Law at the University of Thessaloniki, Charalambos Tzotzopoulos, in 1936 attacked what he called the deterministic approach that identified crime with the “idiosyncratic biology” of the offender. According to Tzotzopoulos, this “annihilation of human will” was unacceptable and marked the failure of criminology as a radical science. “Criminology cannot overthrow Criminal Law;” it had to stay forever its auxiliary and render it its services. He also considered inadmissible the “metamorphoses” of criminal punishment into a “precautionary measure” (1936, quotes on 11 and 14). Although a thorough study on the issue is still lacking, everything indicates that most penologists embraced similar ideas both in the interwar and the post-war years.

A certain common ground among penologists and psychiatrists was created during the interwar years around the notion that the biological basis of criminal behaviour made urgent the need to protect the “Greek race” from the criminal disposition of “degenerate” individuals. However, it was mostly eugenics that brought them together in debates about the aetiology of criminality and the measures to adopt in order to prevent it. Jurists, medical doctors and psychiatrists attracted by eugenic ideas met at the activities of the Greek Anthropological Society since 1924 and in the pages of its bulletin, as Sevasti Trubeta and others have recently shown.

Kostantinos gardikas: a criminologist in his own right

It was in the Greek Anthropological Society and among the eugenicists that Konstantinos Gardikas (1896-1984) was integrated in the 1930s and established his authority as a criminologist. It was not his first public appearance. He had already a rich and successful experience from serving in important state positions.
Gardikas’ biography is impressive even if our exact knowledge is sketchy. After studying law in Athens, he obtained his doctorate in criminal law at the University of Zurich in 1918, at age 22, and became a don at the University of Geneva. Initially one of the many reformers supporting the Liberal Eleftherios Venizelos’ first governments, he returned to Greece in order to undertake government offices. This was an exciting period for young educated reformers: the Balkan Wars (1912-1913) had extended the country’s borders, adding Macedonia, the city of Thessaloniki included, and the Aegean islands to the country’s territory, while the Asia Minor expedition (1919) — albeit for a short time — seemed to make true the nationalist dream of integrating the multitudinous Greek-orthodox population of the region. With the consent of the Great Powers, Greek troops embarked in Smyrna in 1919 in order to guarantee the safety of the Greek populations of Asia Minor, following Turkey’s defeat in WWI. At the same time, in the mainland, numerous reforms about the reorganization of education, labour and the armed forces were voted, intended to boost industrial development, to modernize labour relations and to secure the country’s defense.

It was in the “new lands” that K. Gardikas was offered important positions. In 1919 he was appointed General Secretary of the Directorate-General of Macedonia, with the task to administratively incorporate the region and its multi-ethnic population (Greeks, Slavs, Jews and Muslims) into the national body. Just a year later, when Greek sovereignty over Asia Minor was ensured, he was chosen as Director of the Correctional Services of the High Authority of Smyrna. His task was to organise the prison system of Smyrna.

This intense and ambitious activity was short lived. Greece’s defeat in the Greco-Turkish war in 1922 resulted in the influx into the country of one million three hundred thousand refugees and the demise of Greek expansionism (Gallant, 2016, 141-153; Clogg, 2002, 100-109; Kontogiorgi, 2006). Back in Athens, Gardikas continued to serve the Liberals in organising and reforming the Greek criminal system. Little is yet known of his important institutional practice from this period on, especially in respect to the organization and operation of forensic, police and correctional services. We know, however, that in 1922 he became Head of Division at the Ministry of the Interior, a member of the Supreme Correctional Council and a member of the Preparatory Committee for the Penal Code. He served as Greece’s representative at the International Police Congress in Vienna in 1923 and he was one of the founders of Interpol.

Throughout the 1920s he collaborated closely with the British delegation assigned to transfer to Greece “the most modern police methods”. He became the first Director of the newly established Police Directorate at the Ministry of the Interior. While the British delegation was in Greece, Gardikas was instrumental in organizing City Police divisions in many cities of the country and in implementing new police methods. In 1925 he organized the Criminal Marking Service — later Directorate of Criminological Services — and he remained its director for the next forty-one years. According to the testimony of his students, Gardikas brought new modern criminological practices in police work. Since 1928 the Directorate of Criminological Services undertook the authentication of criminals, the organisation of criminological investigation and other “tasks for the more appropriate scientific prosecution of crime,” issues analysed in his articles. After 1948 the service was extended to include laboratories of criminological expertise, applying biological, chemical and physical methods (Spinellis, 2000, 19-23; Gardikas, 1960).
Gardikas adapted well to the dramatic shifting of Greek politics. He kept his positions through the successive political upheavals of the interwar years and beyond, and followed the gradual establishment of the anticommunist state in the 1930s (Gallant, 2016, 192-217). When he started his university career in 1930, he was already respected for his criminological, forensic and police work. He first occupied the new chair of Criminology and Correctional at the Law School of the University of Athens as adjunct professor. He was appointed full professor in 1939 and served in the same position until his retirement in 1968. Meanwhile, in 1948 he founded the Greek Criminological Society and he was one of the founders of the review Πεντικά Χρονικά [Penal Chronicles] in 1951 (Papazachariou, 1968a, 17). For his contribution to the prosecution of crime, in 1955 he was awarded by special legislation the rank of major-general of the Gendarmerie (Spinelli, 2000, 12).

Neither the Metaxas dictatorship in 1936 nor the war and the Nazi Occupation (1940-1944) perturbed his academic career, and there is no indication that he was ever replaced in any of his non-academic posts. In the postwar period through the Civil War (1946-1949), the post-Civil-War years and the 1967-1974 military junta, characterised by political authoritarianism, anticommunist ideology and moralism, Gardikas became an expert on issues pertaining to the “fight against terrorism,” meaning the pursuit of communists and their “fellow travellers.” He was not alone in this move from reformer to conservative in the course of the above decades, but his positions in criminological, police and forensic services made him instrumental in the application of repressive policies in the context of the Cold War.

It becomes obvious that Gardikas was first and foremost a man of action, a state official with international contacts. He extended or founded the main criminological and forensic services in the country and contributed to adapting the best practices and methods in the field for local needs. At the same time, he was also a man of knowledge, an academic — a capacity for which he is best known today. The bibliographical references in his books show clearly that he followed closely and incorporated systematically the developments in European criminology and other related issues. Therefore, he combined all the characteristics shared by the great criminologists of the first half of the twentieth century: practical expertise in police and forensic methods, organizational skill in establishing institutions and tracing policies, academic competence in the formation of a new discipline, participation in its international networks and systematic diffusion of its principles and findings. One could hardly question his right to speak as an authority in criminology, in spite of his rather limited contribution to original research.

This limited contribution consisted of several articles most of which Gardikas later incorporated into his textbooks. Most of them were published early on in his career, first in German and later in Greek. They concerned mainly two themes: on the one hand, the Ancient Greek origin of eugenics, and on the other, techniques of police investigation such as footprints, or the issue of criminological statistics. In respect to the latter, Gardikas studied the correlation of Greek criminality with profession, living space, time of day, season and climate. Concurring with Sevasti Trubeta we can assume that he applied these findings in his forensic and police work and especially in the Directorate of Criminological Services. As she argues, measurements such as these could be used to assess human behaviour and their conclusions could be used for planning or reforming disciplinary measures (2013, 101). With his position as a high
state official and a crime policy designer, apart from being a university professor, Gardikas’ role must have been crucial in the reorganization of the police and the modernization of the correctional system. According to his students he often criticised the outdated methods applied especially by the Gendarmerie in the provinces and his personal involvement in different criminal cases during preliminary investigation was crucial in avoiding miscarriages of justice (Spinelli, 2000, 20-23).

As already stated, as a professor at the University of Athens, Gardikas first presented his research on criminological statistics in the four lectures that he gave to the Greek Anthropological Society between 1933 and 1936. Two of his lectures were based on earlier publications in an important German criminological journal. In the 1930s, during the period between his first assignment at the University of Athens in 1930 and his professorship in 1939, Gardikas tried to make his work known abroad, namely in Germany. With this intent, he published a series of articles in the *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* [Monthly Review of Criminal Psychology and Penal Reform]. He was an admirer of German criminology as exemplified by the work of his mentor, the founder of forensic psychiatry, Gustav Aschaffenburg, to whom he dedicated the first edition of the first volume of his *Criminology*, and whom he invited in his seminar (Gardikas, 1936). Thus, he became the main agent of European criminological ideas in Greece, during a period marked by the return of biological aetiologies of criminal behaviour to the forefront; a shift soon to be crystallized into Nazi criminology (Trubeta, 2007; Horn, 2006; Wetzell, 2006).

More importantly, Konstantinos Gardikas was for many decades the only Greek criminologist, both in the academy and in the institutional posts in which he served. The chair in Criminology and Correctional created for him in 1930 remained for a very long time the only one in a Greek university. His main textbook, the three-volume *Criminology*, was until the late seventies the principal one in the field, with repeated editions. Introducing criminology in Greece — one could easily say, embodying it — Gardikas persistently defended two positions, contradictory at first glance: on the one hand, he approached crime as a bio-social phenomenon that demanded preventive measures other than penal legislation; and on the other, he saw criminology as subordinate to criminal law (Spinelli, 2000, 19-23). Siding with his fellow penologists — and thus avoiding his isolation — he defended the distinction between criminal law and criminology. Criminal law examined crime “as a legal fact [with] penalty as its legal consequence.” Criminology “studie[d] crime as a real (psychic and physical) fact and [applied] its measures in the battle against it.” In other words, while criminal law dealt with crime after it was committed, criminology studied its causes with the aim of preventing it and relieving the social body of its harmful consequences. Or, in other words: “Criminology studies crime as medicine studies the constitutional diseases” (Gardikas, 1948, quotes 75 and 79). The organic metaphor could not be more explicit.

Apart from the articles mentioned above and those that he published after the war, Gardikas’ published work consisted mainly of the various abbreviated or elongated versions of his academic lectures in the form of university textbooks. In their full format, they constituted the successive six editions of the three volumes of his *Criminology* from 1936 to 1966. His numerous publications, twelve books and thirty-two articles, more or less reproduced in different formats the general ideas of these three volumes (Kourakis, 2000, 38). Also, the same texts appeared in successive editions in various forms, extended or abridged. For example, the first volume of *Criminology* (1936)
was divided in later editions into two parts, each with distinctive subtitles. The same with the second volume (1938), although there are editions in which the second part of the first volume is joined to the first part of the second volume in a new handbook (1947). Later again, the first two volumes were reprinted in one abridged manual. There are also several editions of abridged versions of the whole opus. Apart from certain articles, his printed lectures and the first edition of the first two volumes of Criminology, published during the interwar period, all his other publications were post-war. Most of his articles were incorporated in one or another version of his principal textbook. Therefore, we can follow his thought over time, from the beginning of the thirties to the end of the sixties. A systematic analysis is yet to be made. In what follows, the focus is restricted to his views on the biological aetiology of crime, the heredity of criminal disposition and the precautionary measures against it, namely sterilization and castration, as well as the correlation between race and crime.

K. Gardikas on crime and criminals

29 The most impressive characteristic of Gardikas’ work is the stability of his positions on crime throughout his long academic life. From one edition of Criminology to the other he enriched his references, he made some abbreviations, sometimes he added some new data, but the changes were actually minimal. The main text remained the same as that of his first articles and lectures. In respect to the issues examined here, the often verbatim reproduction of the same pre-war positions in the post-war editions is even puzzling. The author made imperceptible modifications — usually changing some words or adding short paragraphs — that shifted the meaning slightly without really updating his texts. What is most impressive is that one can hardly detect the effects of the considerable displacements in the scientifically accepted views on race as a valid explanation for human behaviour, after UNESCO rejected it in 1949 and again in 1951. Yet, before we try to understand what made Gardikas’ criminological standpoints so stable, let us see at some length what they consisted of.

30 Although in his textbooks he presented different criminological schools of thought, as befitted academic standards, Gardikas was an explicit advocate of the Italian positivist school. In the steps of Gustav Aschaffenburg, he recognized Lombroso as the founder of his academic field and described him as “an ingenious and ground breaking scientist” (Gardikas, 1947, 158). While he rejected the idea of the born criminal, like most Greek penologists, he considered the contribution of “criminological anthropology” crucial for the understanding of criminal behaviour.

31 Gardikas recognized that Lombroso and the positivist school were wrong to be so categorical in their positions, especially in respect to the criminal as an anthropological type. In his early view: “While there are no born criminals, as Lombroso argued, however, some individuals were born with a propensity to crime” (Gardikas, 1932b, 5). The distinction was subtle and sometimes indiscernible. In later writings he admitted that some individuals were indeed born criminals, but he also accepted the more recent elaborations emphasising the psychic factor. According to these, crime should be studied “not according to the anthropological type enunciated by Lombroso, but as a form of psychic abnormality, of degeneration, activated by the defective development of the spirit or the emotions, from which derive also moral defects that push the individual to commit a crime” (Gardikas, 1948, 60-61). As he argued, Lombroso was a
man of his time and used the philosophical and biological knowledge of his time. However, in the meantime, developments in the study of evolution and heredity had transformed accepted views of crime, while new psychological theories were formed (Gardikas, 1948, 62, 71).  

32 Following European criminology of the 1930s, Gardikas supported throughout his academic life that crime derived from a combination of factors, both biological and environmental, with an emphasis on psychic disorders — psychic in this context being synonymous to biological. Criminality was triggered by poor education and poverty, but could also be hereditary, deriving from an unsuitable marriage or from “predisposition” (Gardikas, 1932b, 5). He accepted that the hereditary predisposition to crime was determined by psychic functions (1932a, part 1, 93). In short, he consorted with the turn of positivist criminology to psychic more than biological causes of criminal behaviour that nevertheless did not eradicate the effects of heredity; a turn led by Lombroso’s student Enrico Ferri, known in Greece since the 1920s.  

33 In all editions, from the 1930s to the 1960s, racialism was constant in Gardikas’ writings. He considered criminals as “abortive elements of their race,” “individuals of lower quality” (1932a, part I, 145 and part II, 3-14). He identified “psychic abnormality” with “degeneration” (1948, 59). Allusions to the defective morality of offenders were also recurrent, following a common theme in European criminological thought that identified crime with moral decay. The following quotation from 1932 illustrates the dominant criminological ideas of the interwar years, assimilating positivism, environmental aetiologies and eugenic argumentation. Gardikas reproduced the same ideas in his later writings:

Criminality usually grows from bodily and psychic degeneration, produced in general terms by predisposition and bad education, by drinking and economic misery, by marriage between individuals mentally diseased or morbid. [...] Generally speaking, many criminals are physical and psychic organisms of inferior value. This inferiority of psyche and body is the result of heredity and evolution. [...] Therefore, predisposition to crime is a bodily and psychic defect, because of which the individual has less strong character, faces difficulties in the tough struggle for existence and, succumbing more easily to the temptations of life, commits crimes. While such predisposition is not an evidence of criminality, it is however a very emphatic risk point (Gardikas, 1932b, 5-6).  

34 Predisposition and heredity were linked to two issues that Gardikas discussed thoroughly and reproduced verbatim in the various editions of his textbooks: the correlation between race and criminality, and the measures for preventing crime, namely sterilization and castration. Throughout his writings he made abundant use of the term “race,” at times as synonymous to “people.” He even devoted a special section of the first volume of his Criminology to examining the effect of race in criminality.  

Gardikas defined race as “the host of humans who have by birth and by heredity some common elements of bodily and psychic constitution that link them together and distinguish them from other races” (1948, 37). Races varied in respect to “mental and other psychic elements, the tone of emotions, moral and sexual life”. For this reason, races contributed unevenly to civilization. For example, “mental and other psychic elements, the tone of emotions, moral and sexual life” were lesser to “Papua and Negros” than to “Arians.” At the same time, even a “superior” race could hide in its midst “degenerated” individuals, standing out by their “great immorality” (Gardikas, 1948, 170-171).
Gardikas recognized the difficulties inherent in any attempt to determine the effect of race on criminality, how dubious studies about the psychopathology of races were and how controversial the comparisons between the “moral value” of each one. Nevertheless, in all the editions of his work he devoted several pages to the interwar studies about the correlation between race and criminality, either among the “Hebrews and the Gypsies,” the “Negros,” in certain immigrant communities of the USA, or other ethnic and even professional grouping. He concluded consistently by admitting that no correlation could be established, and contended that financial and living conditions, but also customs, affected criminality more than racial differences. However, this did not prevent him from including practically unchanged the relevant chapter in all the post-war editions of his *Criminology*, an indication that racial ideas continued to have a large and stable audience.

Of particular interest is the way in which Gardikas referred to the Nazi prohibitions of racial intermarriage in the pre- and the post-war versions of his work. In the 1936 edition of his *Criminology* he presented Hitler and his followers as struggling to maintain “the German race pure and untainted.” Therefore, their measures aimed at preventing interbreeding and promoted instead “eugenic breeding that would keep unmixed the hereditary elements of race, emphasizing and reinforcing them” (Gardikas, 1936, 171). Yet he admitted that this policy had been criticised for “having in reality financial purposes, in order to conceal the persecution of the Jews.” In the third post-war edition some imperceptible changes made their appearance in the relevant paragraph. Now the author presented racial ideology and the measures protecting the purity of race as deriving from Hitler’s will alone; and stated categorically: “The real purpose of this policy of the national-socialist party was financial, in order to conceal the persecution of the Jews” (Gardikas, 1948, 181).

Gardikas’ belief in the hereditary predisposition to criminality informed also his approach to eugenic measures for fighting crime, namely the prenuptial health certificate but also sterilization “on unimproved criminals, rapists or idiotic individuals” and castration for crimes against morals. The relevant chapter was reproduced in every new edition of the first part of the second volume of his *Criminology*. His positions on the matter were ambiguous. At first, he explained at length how the Ancient Greeks had achieved “good breeding” since “fertility of degenerated individuals [is] extremely dangerous” — ideas largely reproduced from his early articles. Then he presented the measures adopted elsewhere that prohibited marriage to “individuals mentally diseased,” only to reject them as ineffective (Gardikas, 1947, 237-44, quotes 237 and 243). In order to explain his argument, he set himself the following rhetorical question: “Since the future of the race is in danger, why not practice today eugenics on a broad scale, preventing unsparingly all those who seem to be producers of bad human products, and allowing fertility only to those worthy?” (1947, 245). In his lengthy answer, he repeated all the arguments put forward by those — mostly penologists — who since the interwar years rejected such measures:
that the candidates would be too many, “the infinite variety of nature” would be lost,
the necessary infrastructure was lacking, and the Greek criminal law did not include
any relevant provision. However, at the same time he could not but admit that in a
limited scale and in respect to individuals with “weary fertility,” castration was
necessary and it had to be applied in the future. And repeated verbatim in all the post-
war editions of his work: “Hence compulsory sterilization enacted by the German law
and conducted without the consent of the individual with weary heredity is a great
progress, which all civilized countries will sooner or later follow in order to impede the
reproduction of degenerated individuals” (Gardikas, 1947, 255, the relevant arguments
in 245-251).

Greek criminology in context

Two questions arise from all the above: On the one hand, what made possible in
Konstantinos Gardikas’ writings the uncontested reproduction of racialist and eugenic
views in the post-war decades? And on the other, why did he reject steadily the
implementation of eugenic policies since they were to an extent compatible with his
positions? At this stage of research, the answers to these questions can only constitute
working hypotheses.

Let us first consider the first question. As criminologist Sofia Vidali has recently
admitted, criminology in Greece never broke away from criminal law. Dominated for
many years by a conservative positivist model it was shaped into a “legal-juridical
field.” Vidali indicated a variety of factors at play in this development, among which
the acute post-war nationalism, the lack of sociological research, and the “legal-
doctrinal education of criminologists” (2007, 85). Since Gardikas was the leading
representative of criminology — and until the 1970s the only one — himself with legal
training, what dominated was his own “mild” positivist model. His textbooks captured
the academic spirit of his era: they were analytical and systematic with rich and varied
references, presented diverging views for most issues, referred to various countries,
and invoked Greek “particularities” as uncontested truths. However, he seldom made
use of modern Greek data and research. References to his own research material were
limited to his early articles on the Ancient Greek roots of eugenics and on
criminological statistics. His important practical work in forensics and policing did not
find much place in his published work, apart from some articles late in his career
(Gardikas, 1960). In fact, in his writings Gardikas approached criminological theory
mostly as a mental exercise. In this respect, he responded to what Tzortzopoulos had
advocated years earlier: that criminological discourse would always remain auxiliary to
criminal law (Tzortzopoulos, 1936; Vidali, 2007, 86-87).

Therefore, Gardikas’ criminology had a legal cachet, even when he appropriated
the medical and psychiatric developments in the field. Approaching crime as “social
pathology” he aligned himself with penologists. Together they became engaged with
the post-Civil-War nationalist and authoritarian political power and its fight against
communism and “moral decadence” — exemplified by the so-called “child and youth
criminality” (Vidali, 2007, 86). See, for example, the distinction made by the
prosecutor at the Juvenile Court of Piraeus, Panagiotis Iliadis, in respect to those
committing violent crimes, between “the Greek nature and soul” and “the foreign
root.” Branding malaria “the source of the chronic poisoning of the Greek race’s
blood,” Iliadis related the prenuptial health certificate to much wider issues: “The white race cannot anymore follow the numeric growth of the coloured [peoples] and therefore the problem is generalized, national or nationalistic aspirations notwithstanding, to a matter of the quality of the human race” (1957, 25). In a similar vein, penologist Ioannis K. Papazachariou, in his university notes described social behaviour that was against Christian rules as criminal (1968b, 134-144).

In short, it was the authoritarian context of post-war and post-Civil-War Greece that rendered Gardikas’ views on race, heredity and the measures for repressing criminality acceptable, a period aptly called “scraggy democracy.” Anyway, he was not alone in qualifying the Nazi racist policies as “excesses.” See for example, E. Zannis, deputy of the Dodecanese at the National Political Union of the Centre, who in the parliamentary discussion of 1953 on the establishment of the “Coordinating Committee on the measures for the prevention and repression of underage criminality,” expressed his regret that sterilization, the main measure for fighting the causes of criminality, “fell in disrepute” because it was applied “without enlightenment and in a barbaric way by Nazi Germany.”

Gardikas continued to reproduce the same position in the successive editions of his university textbook until the late 1960s, and most probably to apply it in his criminological practice. But also, on the level of everyday practice, it was the same vocabulary — “racial frame of mind,” hereditary causes, origin — that juvenile probation officers used in their reports when they analysed the deviant behaviour of young offenders coming from Muslim families or with alcoholic parents (Avdela, 2013).

Racial ideas seemed to have deep roots and to be especially stable and widespread in the Greek academy, institutions, politics and everyday discourse. Research on the matter is in its very beginnings.

Let us now turn to the second question. Since ideas about race and heredity were recurrent in the published work of Konstantinos Gardikas, why did he systematically reject eugenic policies? Why did he align himself on this issue with Greek penologists? And why did they oppose en bloc the implementation of eugenic measures?

In her research on Greek eugenics, Sevasti Trubeta was first to highlight the repeated failures of the Greek eugenic medical doctors and psychiatrists to impose the prenuptial health certificate, as well as their rather isolated position in the Greek academy and politics. She identified several factors at play in this failure: the contrasting positions expressed in the relevant debates, the unequal power of those involved, the strong front of those opposed to the measure, and so on; yet most importantly, the lack of a well-planned and integrated eugenic intervention. Those against the sterilization or the castration of criminals were mostly but not exclusively jurists. They employed a variety of arguments: the country’s infrastructure was underdeveloped, the prison system had first to be reformed, statistical data was lacking, etc. However, Trubeta did not emphasize enough that those who “expressed opposite views,” those who “imposed their own balance of power in the relevant state institutions” and refused to accept any eugenic planning, were in fact the jurists, dominant as much in the Greek Anthropological Society as in the Parliament, state services and private institutions or elsewhere in the public sphere (Trubeta, 2011, 296-297, 2013, 235-237).

It is the contention of this article that the determining factor in the repeated failures of Greek eugenics to have their policies accepted was the longstanding power position of the juridical establishment in Greece in the public sphere, the state and politics. Thanks
to this power, jurists monopolized — among other things — both the institutional establishment of criminology and the legal management of crime. Their dominant position in these fields derived from two strategic options. On the one hand, they appropriated the medicalized discourse of criminology: they construed crime as a “bio-social” or “bio-psychic” phenomenon and systematically correlated criminality with psychic “abnormalities.” On the other hand, they were part and parcel of the post-Civil-War central policy that criminalized social and political behaviours, displayed moralism in public discourse and repressed any form of “deviance” (Avdela, 2008, 2017a). Gardikas was an esteemed member of this group and of its social and political networks. Combining a bio-social approach to crime with moralism, Greek criminologists and penologists claimed exclusive expertise and authority in the management of crime; and at the same time, legitimized widespread ideas about race and heredity. By rejecting eugenic measures for the prevention of crime, they refused to attribute authority to any other disciplines, and especially medical doctors and psychiatrists; and also made their own views look “mild.” Thus, not only did they maintain their monopoly in the field of crime management and policy, but also they contributed to the long-term reproduction of racial and eugenic ideas as authorised common understandings.

Greek jurists were able to defend their primacy in the field of crime drawing from their extended public power as a professional body: they held important positions in state institutions and services, the parliament and political parties. In fact, already in the nineteenth century they were identified with the exercise of political power in Greece.

Conclusions

Greek criminology emerged in the person of Konstantinos Gardikas in the 1930s, at a time when at a European level the field became the battleground of contending positions about criminal predisposition, heredity of criminal behaviour, the relation of race and crime, and the measures against criminality. In Greece up to then crime, criminals and their administration were discussed mainly by jurists and penologists, who shared racial ideas and followed developments in the field, especially the growing visibility of medical doctors and psychiatrists. Gardikas, a university professor with a wide range of activities in crucial state positions, as well as his own studies in criminal law, not only embodied criminology in the academy for many decades, but also founded the main forensic and criminological services in the country. His work was imbued with contradictions. An ardent follower of the Liberals in the interwar years, he became an institutional pillar of the post-war conservative and authoritarian political regime. A man of action in the management of crime, his writings were principally theoretical; an admirer of Lomboso, he criticised his “exaggerations.” He perceived crime as a bio-social phenomenon the fight against which dictated the development of specific techniques and measures, but was against all “insurance measures.” The founder of Greek criminology, he placed it steadily under criminal law. Monopolising expertise in criminological matters, he sided with his fellow penologists and contributed to keeping psychiatrists and medical doctors away from positions of power in criminological matters, while he incorporated their contributions in his writings, and especially in his multi-edited and multi-volume university textbook, *Criminology*. Be that as it may, his
power was considerable. According to a recent formulation, Gardikas “was the person whose teaching and scientific work — which served as the main or auxiliary textbook until recently — laid the groundwork for how crime should be analyzed and explained, how criminologists and individuals working in institutions of formal social control (judges, prosecutors, lawyers, police officers, prison officers, politicians) should be trained” (Georgoulas, 2014, 1).

By the end of the interwar period Greek criminological discourse — be it by Gardikas or penologists — influenced by developments abroad, maintained its organic and biological references and adopted an explanation of crime as a psychic pathology. While elsewhere this shift has allowed psychiatrists to claim expertise in diagnosing criminal pathology and therefore to get involved in the study of criminality, in Greece this was not the case. Psychiatry was late to acquire disciplinary and institutional autonomy from the European centres where its Greek professionals had studied. So those who defended eugenic ideas and aspired to impose their authority in criminal matters were never able to achieve their goal. Their propositions, such as the prenuptial health certificate, were systematically rejected, in spite of their recurrent complaints.

So Greek penologists, as state officials, intellectuals or academics, side by side with criminologist Konstantinos Gardikas, preserved their predominance as much in the formation of criminology as an autonomous field of study as in the planning and implementation of policies for the fight against crime. At the same time, they were the privileged interlocutors and assistants of the authoritarian and nationalistic post-civil-war political regime and contributed decisively to its repressive administration of social problems. Their mild positivism had a long-lasting effect on the development of Greek criminology — and penology. In their writings, tacit assumptions about race, criminal disposition and heredity were as rich as their explicit positions. Many generations of jurists were educated by those of them who were university teachers until the late 1970s. We have to keep in mind this tradition when today we analyse court judgements that seem out of place.

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NOTES


2. “Crime” and “criminals” are of course historical terms and therefore their meaning is not fixed. See Gilman, Lévy (2005b), Schepers-Hughes, Bourgois (2004).

3. Their reference is to Foucault (1972).

4. It is known that Lombroso and his followers have repeatedly changed their views on the issue of the born criminal, responding to the repeated attacks from their colleagues. See Bondio (2006), Mucchielli (2006), Gibson (2002), Knepper, Ystehede (2013).

5. For the importance of networks in the establishment of criminology as a field of study, see Kaluszynski (2006).

6. For the German speaking areas, see Becker (2005, 29).


8. On these developments in general, see among many others, Chin et al. (2009), Brattain (2007), Shipman (1994), Barkan (1992), also Cassata (2011, chapter VII).

9. See references, in the notes above.

10. The Born Criminal was first translated into Greek in 1910. See Lombroso (1910).

11. On “Greek race” and the historical uses of racial theories in Greece, see Avdela et al. (2017).


14. See, for example, Kostis (1862), Frangoudis (1895). Naks (1893) is considered the first criminological study in Greece, Benveniste (1994, 16-18 and 28-29).

15. In respect to juvenile delinquency, see Avdela (2013, 126-145).

16. For techniques related to the identification of perpetrators in Central Europe at the turn of the nineteenth to twentieth centuries, see Becker (2010).

17. Psychiatry was slow to be established as an autonomous and valid field of study in Greece, and remained for a long time mimetic of the foreign models imported by its practitioners from their place of study. See Ploubmibidis (1995). Little is known about how forensic medicine or
psychiatric expertise in criminal cases was established in Greece. The first chair of Forensic Medicine was created at the University of Athens in 1879 and the first Laboratory of Forensic Medicine and Toxicology a few years later. Gavrogliou, Karamanolakis and Mpakoula (2014, 326-327). For a case study of forensic medicine, see Kritsotaki (2013). For early writings on forensic psychiatry, see Makris (1916), where references to the new “forensic bureau of the Prosecutor’s Office” opened in 1910 with Makris as its director, Makris (1924), Striggaris (1947). For the difficulties encountered by psychiatric expertise seeking to be recognized in criminal courts even in the post-war decades, see Avdela (2010).


20. Gardikas presented his practical work in two articles, published during the last years of his academic career. Gardikas (1960).

21. On the British delegation and its activities in collaboration with Greek authorities, see Fotakis (2015). Many thanks to Achilleas Fotakis for letting me read his unpublished doctoral thesis.

22. For his articles published in German, see Gardikas (1934a, 1934b, 1934c, 1934d, 1934e, 1935a, 1935b) and Georgoulas (2014), Trubeta (2013, 93-101). For the Greek translation of some of these, see Gardikas (1932a, 1933a, 1933b, 1939a, 1939b).

23. The dedication in Greek and German on the second title page: τω διαπρεπετάτω εγκληματολόγω κ. Gustav Aschaffenburg τιμής ένεκεν [to the prominent criminologist M. Gustav Aschaffenburg with compliments]. Trained as a psychiatrist, Aschaffenburg is considered the founder of forensic psychiatry and the leading criminologist of his time, with international reputation. A Jew, he left Nazi Germany for the USA in 1938. See Wetzell (2000, 63-68 and passim), Bondio (2006), also Aschaffenburg’s obituary from the American child psychiatrist Leo Kanner (1944). For Gardikas’ relation to Aschaffenburg and his invitation to come to Greece, see Georgoulas (2014) and Trubeta (2007, 134, note 66).

24. This is identical to the first edition of 1936.

25. For first editions, see Gardikas (1936), Gardikas (1938), Gardikas (1955). For some of his interwar publications, other than those mentioned in note 25, above, see Gardikas (1923), Gardikas (1924), Gardikas (1932b). The full list of Gardikas’ publications is outside the scope of this article. It the efforts to made sense of the labyrinth that they represent the help of the personnel of the National Library of Greece and of the Criminal Study of the Law School of the University of Athens was invaluable.

26. For these displacements, Barkan (1992), Shipman (1994).
32. See, however, the addition in the fourth edition of 1959: “Today we accept that the existence of born criminals is undeniable, that they are the congenital violent, the congenital crooks, those tramps and prostitutes who are the most unstable and lazy. However, they do not constitute an anthropological type. This is a form of psychic anomaly, manifested through the deficient development of the spirit, through abnormalities of the emotions, from which derive also moral defects that bring the individual to commit a crime”, Gardikas (1959, 52). The author often used old formulations in new contexts.

33. Enrico Ferri's (1856-1929), *Sociologie criminelle* [Criminal sociology], was published in Greek in 1925, translated by Vassilis Dourdoumas. See Avdela (2013, 131). In Greek criminological writings, the substitution of biological with psychic factors in explanations of criminal behaviour was debated mainly in respect of the heredity of criminal predisposition, a common view among European criminologists, in spite of the many criticisms. Heredity remained a valid issue in criminological writings even after the war. See for example, Diannelidis (1959). It was only in the 1980s that Greek criminologists started to contest these views: Alexiadis (1986).

34. It is chapter 6 of v. I of *Criminology* (Gardikas, 1936, 159-172, 1948, 169-182). It remained identical in subsequent editions, with only minor changes, mostly abbreviations: 1959, 152-163 (small abbreviations) and 1966 (identical).

35. See also the addition to the 1956 edition: “Out of self-interest, it was repeatedly presented by the then party of Hitler’s national socialists and by German scientists who were subjugated to it that race is the most important factor of crimes”: Gardikas (1959, 154, note 1).

36. The relevant chapter 20 appeared first in Gardikas (1932a, part II, 3-14). Under the title “Sterilization and castration for the battle against crime,” it was integrated into Gardikas (1947, 237-268), as well as into the editions of 1956, 1966 and 1968; also abridged in Gardikas (1957, 412-417).

37. Gardikas had first supported the view that the Ancient Greeks were the first eugenicists in one of his German language publications, Gardikas (1934c). See Trubeta (2013, 205-206) and Georgoulas (2014).

38. For the debates around the prenuptial health certificate, Trubeta (2007), Trubeta (2011, 2013).

39. Most medical doctors and psychiatrists participating in these debates favoured the prenuptial health certificate and occasionally also castration. Trubeta (2011). Post-war penologists argued against castration, as did Gardikas. They invoked insufficient infrastructure, the lack of statistical data, the small scale of the country, etc. Trubeta (2013, 237).

40. See in the compendium edition of 1966 the following additions: “In Greece the Parliament rejected (1958) a bill that imposed the prenuptial health examination of the intending spouses (certificat prematrimonial)” (833) and “The Second International Congress on social defence, convened in Liege in 1949, rejected the penal sterilization and castration as measures for preventing crimes and promoting eugenics”: Gardikas (1966, 843, note 2).

41. For the uses of the Greek term “child and youth criminality” instead of delinquency, see Avdela (2008, 2013).

42. On I.K. Papazachariou, see Avdela (2013, chapter 2).

43. The 1940s was a decade of war and occupation for Greece: 1940-1941, War in Albania (declared by Italy); 1941, German invasion; 1941-1944, tripartite (Germany, Italy, Bulgaria) occupation; December 1944, the Battle of Athens (Greek communists against Greek anti-communists and British troops); 1946-1949, Civil War (between Communists and the Greek government assisted first by the British and later the the Americans), military junta (1967-1974). Nikolakopoulos (2001); also Gallant (2016, 160-177), Clogg (2002, 120-144).

Archive of the Tribunal of First Instance of Thessaloniki, Juvenile Probation Officers’ Service, Closed Collections, Library of the University of Crete, Rethymno, file 1046 (1961). For the father’s alcoholism and its correlation to the son’s disposition to theft, see ibid, file 12 (1954) and file 33 (1955).

46. For one of the first collective efforts, see Avdela et al. (2017), where similar contemporary phenomena are also analysed.

47. For a recent study of the origins of this power, see Sotiropoulos (2015); also, Bali (2013). This important and still unresearched issue is related to the way academic disciplines and key political ideas and institutional offices were formed in Greece. But its analysis is outside the scope of this article.


49. On court deliberations regarding issues of Greek nationality, see Baltiotis and Christopoulos (2017).

ABSTRACTS

This article highlights the racial and eugenic influences underpinning the establishment of criminology in Greece. It focuses on Konstantinos Gardikas, the founder of Greek criminology and its principal representative from the 1930s to the 1970s. After studying in Switzerland, he founded the main Greek criminological and forensic services, and maintained close relationships with European and international criminological and police bodies. As a university professor his textbooks influenced many generations of jurists. The article discusses his use of racial and eugenic ideas and asks why his writing and teaching reproduced after the war almost unchanged his interwar views on the biological basis of crime, the role of heredity, descent and race, and the “insurance measures” to prevent crime, particularly sterilization and castration. Gardikas saw criminology as subordinate to criminal law and contributed to the predominance of penologists in criminal matters, excluding psychiatrists and medical doctors.

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