

Index

- Abyssinia. *See* Ethiopia
 agricultural penal (or labor) colonies, 13
 anti-recidivist proposals (1896–1904),
 177–8, 180
 Code for Minors (1912) 276–7
 Ferri Code (1921), 369–72,
 384n.112–13, 423
 International penal-reform movement,
 138, 168, 184, 214–15, 400
 juvenile anti-vagrancy measures and,
 219, 222
 land-reclamation act (1904), 181
 Liberal draft penal codes, 145, 219
 Liberal prison and reformatory reforms,
 222, 226–7, 259
 Luzzatti-Fani anti-recidivist bill (1910),
 187, 189–90
 Pianosa (Tuscany), 136–7, 145, 181
 pre-unitary states, 136–7, 213
 Rocco Code (1930), 417, 420, 422, 430,
 434, 443, 461
 Zanardelli Code (1889), 163
See also domicilio coatto; prisons
 Alberici, Piero, 349n.15
 Albertini, Antonio, 450n.177
 alcohol-related crime, 72, 81, 106
 administrative regulation of alcohol,
 292–3, 297–8, 300–1
 *Alcohol: A Sociological and Juridical
 Study* (Zerboglio), 311–16
 alcohol consumption and production,
 312–14, 323–4, 328–9
 causal explanations of, 106, 323, 326–8,
 329–33
 crime statistics, 304, 317–18, 320–1,
 328–9
 “dangerous habitual alcoholics,” 338,
 341, 462
 delirium tremens, 295
 drunkenness as criminal act, 291–2, 294,
 296–9
 Fascist temperance law (1923), 362, 395,
 462
 foreign legislation, influence of, 306–8,
 319–22, 342
 habitual drunkenness, 290–2, 296,
 298–9, 302–3, 308, 337–8, 341,
 416–17, 422, 461–2
 imputability and drunkenness, 288–90,
 296, 298–9, 301–2, 305, 308–9
 inebriate hospitals, 13, 302–3, 308–9,
 316, 318, 321–2, 333–5, 337–8,
 341, 384n.112, 398, 422
 international penal-reform movement,
 308–9, 321–2, 333–4
 Is Alcoholism a Danger for Italy? (FAI,
 1909), 322–34
 Italian Anti-Alcohol Federation (FAI),
 317, 322–34, 337, 340
 Lanza Law (1871), 300
 legal debates on, 293–4
 “Legislative Measures against
 Alcoholism” (FAI, 1910), 334
 Liberal draft penal codes, 296–300, 462

- alcohol-related crime (*cont.*)
 “Measures to Fight Alcoholism”
 (1910–13), 286–7, 317, 336–43,
 347n.6, 462
 medical views on drinking, 285–6,
 294–5, 304–6, 324–5
 positivist theories on, 305–6
 proposed remedies for, 315–16,
 333–4
 public-security law (1865), 297–8
 public-security law (1889), 301, 324
 public-security reform proposals
 (1877–86), 297n.40–1
 Rocco Code (1930), 416–17, 422, 461–2
 social inquests, 306
 tavern density, 314–15, 323–4, 330–2,
 334, 337
 taverns (also *osterie, bettole*), 76, 106,
 112, 284, 291–3, 298, 300–1, 304,
 314–15, 317, 323, 325, 331–4, 337,
 339–40
 temperance societies (or leagues), 286–7,
 310, 316–21, 324–5, 334
 underage drinking, 300, 325, 334
 violence, 100, 106, 284, 287, 303–4, 306,
 308, 310, 315, 317, 326–33, 339
 Zanardelli Code (1889), 299–303, 333,
 337–8, 342, 356
See also recidivism; vagrancy; violent
 crime
- Alessio, Giulio, 376
- Alimena, Bernardino, 270n.225, 278,
 352n.24
- Altavilla, Enrico, 381, 384–5
- Ambrosoli, Filippo, 31, 297n.39
- ammonizione* (judicial cautioning;
 warning)
 alleged abuse and ineffectiveness of,
 154–6
 anti-recidivist proposals (1895–1904),
 177, 179
 “Assistance for Foundlings and
 Abandoned Youth” (1907),
 263n.202
 Code for Minors (1912), 273n.230, 274,
 276–7
 conditional sentence, 257n.186
 constitutionality of, 156
 foreign counterparts, 137
 Lanza Law (1871), 152
 Liberal draft penal codes, 144, 220,
 300n.50
- Luzzatti-Fani anti-recidivist bill (1910),
 188, 195
- Pica Law (1863), 147–8
- pre-unitary penal codes, 128–9, 202–4
- pre-unitary police statutes, 130–3, 292
- public-security law (1865), 151, 221
- public-security law (1889), 166–7, 169,
 236
- public-security reform proposals
 (1877–86), 159–61
- Rocco Code (1930), 408, 421
- statistics, 65, 81, 154–5
- weapons legislation, 115
- Zanardelli Code (1889), 164, 235–6
See also *domicilio coatto*; recidivism;
 vagrancy
- Appiani, Giovanni, 441, 454
- arrest warrants, 48, 253, 275, 280
- Ascarelli, Attilio, 352n.23
- Aschieri, Alessandro, 249
- “Assistance for Foundlings and Abandoned
 Youth” (Giolitti-Orlando
 child-welfare bill, 1907), 260–7,
 269, 273. *See also* juvenile
 delinquency; juvenile justice
- assize-court reform (1931). *See* jury
- Auburn system of prison discipline. *See*
 prisons
- Auriti, Francesco, 44
- Australia, 319–20
- Austria, Republic of
 penal-reform projects (post-World War
 I), 400
- Austrian Empire (Lombardy-Venetia)
 double-track system of punishment, 383
 drunkenness, special law (1877), 307
 judicial statistics, 29, 33n.23
 paternal correction, 210
 patronage societies, 137, 213
 penal code (1803), 124, 127n.18,
 198n.4, 199n.7–8, 200n.12,
 201n.13, 202–3, 210, 288, 290,
 291n.18, 297, 299n.44
 penal code (1852), 127n.18, 198n.4,
 199n.7–8, 200n.12, 201n.13,
 288n.10, 290, 291n.18, 297,
 299n.44
 penal-code project (1908–09), 191, 203,
 210, 322, 383, 399
 temperance reform, 320, 322, 383
- Azzolini, Giuseppe, 26–7n.4, 97–9, 101,
 106, 116

- Baratono, Adelchi, 372n.77
 Barsanti, Pio, 383
 Bartlett, Lucy, 258, 270, 271n.225, 278
 Barzilai, Salvatore, 242n.144
 Battaglini, Giulio, 375–6, 380n.103, 429
 Beccaria, Cesare, 3, 5, 399
 begging. *See* vagrancy
 Belgium
 child-protection societies, 248
 conditional sentence, 185, 236n.125
 juvenile-justice reforms, 281
 juvenile penitentiaries, 214
 national judicial records office, 83
 patronage societies, 215n.58
 preventative policing of juveniles, 214
 social-defense legislation (1923–30),
 400, 453
 temperance reform, 320
 Beltrani-Scalia, Martino, 42–3, 51, 52n.77,
 61, 84, 177, 231, 237–9, 242,
 245n.154, 249, 264n.207, 275n.236
 Berenini, Agostino, 349n.15, 377n.94
 Bettoni, Federico, 348
 Bianchi, Leonardo, 372n.77
 Bizzozero, Giulio, 305
 Blasi, Pio, 248n.161
 Bodio, Luigi, 61, 63n.20, 64, 70–2, 75–6,
 84n.72, 88, 98, 229n.99, 261n.195.
 See also Commission of Judicial
 Statistics
 Bolis, Giovanni, 155–6
 Bonacci, Teodorico, 77n.55, 257n.186
 Borgomanero, Luigi, 52n.78
 “born criminal” (*delinquente nato*), 423,
 432, 443, 445, 447
 Bosco, Augusto, 88–96, 98, 100–1, 103–4
 La delinquenza in vari stati d’Europa
 (1903), 88–95
 Bruna, Giuseppe Carlo, 205n.28, 209n.40
 Brusa, Emilio, 61, 85n.74, 113, 196–7,
 249, 255, 258n.189, 264n.207,
 275n.236, 280–1, 374
 Buttafuochi, Carlo, 430

 Calabrese, Raffaele, 270n.225
 Calissano, Teobaldo, 335
 Calisse, Carlo, 372n.77
 “camorristi,” 147, 151
 Canada, 308, 319
 Canevelli, Giuseppe, 318
 Canonico, Tancredi, 61, 74n.46, 81n.62,
 84, 85n.74, 154, 177, 229–30, 304

carceri giudiziarie (district custodial jails).
 See prisons
 Carmignani, Giovanni, 294
 Carnevale, Emanuele, 350, 359–60, 378,
 380n.103, 382, 428
 Carrara, Francesco, 399, 401
case di custodia (houses of custody;
 custodial prisons). *See* prisons
Casellario Centrale (national judicial
 records office). *See* Commission of
 Judicial Statistics
 Casorati, Luigi, 42, 44, 51, 60, 61n.14, 66,
 225n.84
 cautioning. *See* *ammonizione*
 Cavalieri, Edgardo, 403
 child welfare, 68, 81–2, 197, 221, 227,
 243–6, 249, 251–4, 258–9, 270, 464
 international conferences on, 240–1,
 248, 254–5
 movement, emergence of, 247–9
 See also “Assistance for Foundlings and
 Abandoned Youth” (1907); Code
 for Minors (1912); juvenile justice
 Civil Code (1865), 222–3, 228, 231, 246,
 261–2
 “classical school” of jurisprudence, 3–4,
 18–19, 344, 354, 390
 Cocco-Ortu, Francesco, 83–4
 Code for Minors (1912)
 ammonizione, 273n.230, 274, 276–7
 child-protection measures, 272, 277
 Code of Penal Procedure (1913), 280
 conditional sentence, 272n.227, 276
 correzione paterna, reform of, 274–5
 disciplinary measures, 276–7
 Ferri Code (1921), 350n.18, 368
 institutional structures, 271–2
 juvenile-court procedure, 275–6
 legacy of, 280–3, 347n.6
 Quarta’s proposal for, 269–70
 Rocco Code (1930), 410, 419n.72
 supervised liberty (probation), 275–6,
 278
 treatment of endangered children, 273–4
 See also juvenile justice
 Code of Penal Procedure (1865), 2, 24, 48,
 104, 114
 Code of Penal Procedure (1913), 2, 85,
 280, 370
 Code of Penal Procedure (1930), 2, 449,
 466–7
 Colajanni, Napoleone, 74

- Coletti, Francesco, 102–3, 109
- Commission of Judicial Statistics (CSG, 1882–1919), 21
- 1882 decree (founding of CSG), 26, 56, 58–60, 66–7
- anti-recidivist legislation and, 84–5
- as leading penal-reform institution, 59–60, 63–4, 68–9, 79–81, 83, 87, 109–10, 115, 196–7
- cartellino del casellario* (personal identity form), 84
- Casellario Centrale* (national judicial records office), 83–4
- influence on penal-reform initiatives (1896–1915), 84–6, 255–67, 270
- judicial statistics, development of, 50–2, 57–60, 63–9, 79–81, 83, 87, 115
- membership, 60–2, 354
- Movimento della delinquenza* (Bodio), 64–5, 70–2, 75–6, 84n.72
- Notizie complementari alle statistiche giudiziarie penali degli anni 1890–95*, 67–8, 82–4
- On the Conditions of Delinquent, Wayward, Orphaned and Abandoned Minors* (1901), 82, 249–55, 264n.207, 271
- prison conditions, inquests, 80, 105–6, 171, 318
- research on juvenile delinquency and child welfare, 81–2, 242–6, 249–55, 268–9
- reform of (1900–11), 86
- scheda individuale* (personal identity form), 63–4, 67–8, 82
- Statistica della criminalità* (SDC), 84, 100, 328, 348n.9
- violent crime and, 69–73, 87–8, 304
- See also alcohol-related crime; crime statistics; judicial statistics; violent crime
- Commission of Statistics and Legislation (CSL), 56n.2, 57n.4, 80, 86, 264, 270, 347n.6
- complementi di pena* (penal complements), 4, 192–3, 397
- conditional liberation (*liberazione condizionale*)
- 1876 legislative proposal, 48
- domicilio coatto*, 158n.98, 168, 176n.161, 177–9, 184
- Ferri Code (1921), 367
- foreign legislation, 184
- international penal-reform movement, 168–9, 184, 192, 400
- juvenile-justice reform, 236, 238–9, 241, 255, 275
- Liberal draft penal codes, 146
- Luzzatti-Fani anti-recidivist bill (1910), 189, 192
- Rocco Code (1930), 420, 426
- statistics, 65, 96–8, 172
- Zanardelli Code (1889), 163, 169
- conditional sentence (*condanna condizionale*)
- 1904 legislation and precedents, 180–3, 256–8
- Code for Minors (1912), 272n.227, 276
- Code of Penal Procedure (1913), 280n.252
- Commission of Judicial Statistics, 80, 84, 105, 254, 256–8, 268
- Ferri Code (1921), 364n.59
- foreign legislative precedents, 84, 185, 236n.125, 254
- international penal-reform movement, 185–6, 255, 258
- juvenile justice, 239–40, 254, 256–8, 268
- Rocco Code (1930), 420–1, 446, 460, 463
- Zanardelli Code (1889), 236n.125
- See also suspended sentence
- confino di polizia*, 466. See also *domicilio coatto*
- Conti, Emilio, 261n.195
- Conti, Ugo, 1–5, 7–9, 22, 95, 192–4, 242, 254–5n.180, 258n.189, 283, 362n.54, 380n.103, 382, 397, 428, 439
- Copelli, Pericle, 430–1
- Cordova, Antonio, 360–2
- Corradini, Camillo, 271n.225
- correzione paterna* (paternal correction). See juvenile justice
- Cosenza, Vincenzo, 372n.77
- Costa, Fausto, 358, 411n.49
- Costa, Giacomo, 242n.145
- Credaro, Luigi, 268n.215, 271n.225, 352n.22
- crime statistics, 21, 26–33, 37–8, 47–8, 95–8, 355, 360
- alcohol-related crime, 100, 303–4, 317–18, 320–1, 328–33

- Divisione di Statistica Generale (DSG), 34–6
 geography of crime, 32, 64n.22, 65–6, 71–2, 82–3, 97, 100–3, 107–9, 155, 229–30, 243–4, 328–33
 Great War, 347–8
Inchiesta parlamentare sulle condizioni dei contadini, nelle provincie meridionali e nella Sicilia (IPCCPMS), 102–3, 107–9
 juvenile delinquency, 100, 102, 229–30, 243–6, 249–55, 268
 Lanza Law (1871), 46–8
 Mancini commission (1876–80), 51, 59–60
 “moral statistics,” 32–3
 pre-unitary states, 29
 reception of *Criminal Man*, 52–4
 recidivism, 100, 102, 152, 154–5, 186–7
registri giornalieri (daily registers), 51, 60, 63, 65
Statistica giudiziaria penale (SGP), 38–40, 45, 51, 65–6, 71, 75–6, 82, 152n.83, 229, 348n.9
 “violent deaths,” 34–6
 See also Commission of Judicial Statistics; *discorsi inaugurali*; judicial statistics; violent crime
 criminal anthropology prison laboratories, 351, 353n.27
 “criminal by tendency” (*delinquente per tendenza*). See Rocco Code (1930)
 criminal dangerousness. See social dangerousness
Criminal Man (*L'uomo delinquente*, 1876), 3, 5, 26, 52–3, 117, 121–2, 154, 224, 286, 288, 377. See also Cesare Lombroso
 criminal sociology, 74–5, 90, 311, 378
 Crispi, Francesco, 61, 165, 173
 Crispi Laws (1894), 173, 176, 188n.205
 Curcio, Giorgio, 40–1, 51, 60, 69, 75–6, 161, 297n.40
 custodial jails. See *carceri giudiziarie*
 custodial prisons (*case di custodia*). See prisons
 custody (*custodia*), penalty of. See prisons
 Czechoslovakia, 400n.16
 Dalmazzo, Fanny, 374–5, 380n.103
 D'Amelio, Mariano, 405–6, 444–5, 454–6
 “dangerous classes,” 129–30, 134, 165, 206, 220, 236
 “dangerous” common crime, 6, 13, 20–1, 81, 99, 146, 393, 396, 400, 448, 453, 458–60
 De Arcayne, Genesio, 270n.225
 De Blasio, Alfonso, 404–5, 445
 De Crecchio, Giuseppe, 351n.21, 450n.177
 De Cristoforis, Malachia, 317
 De Falco, Giovanni, 38–40, 42, 48, 50–1, 60, 61n.12
 De Filippo, Gennaro, 34
 De Francisci, Pietro, 454
Delinquenza (La) in vari stati d'Europa (1903). See Augusto Bosco
 De Grand, Alexander, 402n.20, 449
delinquente nato. See “born criminal”
 De Marsico, Alfredo, 381, 384–5, 403, 406, 445–6
 De' Negri, Carlo, 96–103, 116, 265n.209
 De Nicola, Enrico, 349n.15, 442
 De Notaristefani, Raffaele, 349n.15
 Denmark, 399, 400n.16, 430, 453
 Depretis, Agostino, 157–8, 159n.103, 161, 168, 176n.161, 221n.73–4, 297n.40
 De Sanctis, Sante, 267n.215, 270, 350n.16, 352n.23, 412n.54
 Directorate-General of the Institutions of Prevention and Punishment (DGIPP), 450
 Direzione Generale di Statistica (DGS), 59, 67, 328
 Di Rudini, Antonio, 173, 177–8
 discernment (*discernimento*). See also imputability; juvenile justice
discorsi inaugurali (prosecutors' annual speeches), 28, 31, 41–6, 51, 58, 66–7, 72, 75, 80, 82, 97–9, 106, 152n.83, 154, 186–7, 229, 243, 281, 284, 304, 317, 332, 354–5. See also alcohol-related crime; Commission of Judicial Statistics; juvenile justice; violent crime
 district custodial jails (*carceri giudiziarie*). See prisons
 Divisione di Statistica Generale (DSG). See crime statistics
domicilio coatto (forced residence), 84–5, 115, 122, 170, 186–7, 195, 224
 1895 commission report and reform proposals, 175–7, 179, 189

- domicilio coatto* (forced residence) (*cont.*)
 alleged abuses and ineffectiveness of,
 154–6, 173–4
confino di polizia (Fascist-era forced
 residence), 466
 constitutionality of, 156
 Depretis decrees (1881), 157–8
 declining state of (1890s), 174–5
 Eritrea, experimental colony in Assab
 (1898), 178, 190
 International Legal Congress (Turin,
 1880) and, 157
 Lanza Law (1871), 47, 151–3
 Liberal emergency laws (1864–66),
 148–9
 Liberal jurists' defense of, 149–50, 157
 Pica Law (1863), 148
 public-security law (1859), 133, 151
 public-security law (1865), 151–3
 public-security law (1889), 167–9
 public-security reform proposals
 (1877–86), 159–61
 reform proposals (1896–1904), 177–81,
 183–4
See also ammonizione; prisons;
 recidivism
- doppio binario*. *See* double-track system of
 punishment
- Doria, Alessandro, 85n.75, 171–3, 186,
 227n.93, 259–60, 262, 269–70,
 352n.22. *See also* prisons;
 reformatories
- double-track system of punishment
 (*doppio binario*), 13
 Ferri Code counterproposals, 383–5
 foreign legislative reforms, 191, 322,
 383, 399–400, 437, 453
 international penal-reform movement,
 322, 383–4, 437, 452
 Luzzatti-Fani anti-recidivist bill (1910),
 190, 192, 194
 Rocco Code (1930), 396, 404–7,
 411–12, 418, 424, 429–30, 435,
 437–8, 444–5, 451–3, 456, 458
 drunkenness. *See* alcohol-related crime
- dual-track system of punishment. *See*
 double-track system of punishment
 (*doppio binario*)
- emergency laws, Fascist (1926), 408–9
 Eritrea, 176, 178, 190
 penal code (1908), 385
- Estonia, 400n.16, 453
 Ethiopia, 79, 310–11, 468
- Faina, Eugenio, 107–8
 Fani, Cesare, 110n.45, 186, 192, 336
 Farinacci, Roberto, 441
 Fazio, Eugenio, 305
 Federzoni, Luigi, 401
 Ferrari, Giulio Cesare, 350n.16
 Ferreri, Giuseppe, 30
 Ferri, Enrico, 4n.7, 8, 17–18, 22, 62–3,
 74–5, 85n.75, 87, 117–18, 267, 270,
 303, 312, 344–6, 349–55, 357–62,
 364–6, 368–81, 384n.113, 385–7,
 391–2n.5, 397–8, 403, 410–14, 423,
 435–6, 440n.146, 442, 449, 465
 Ferri Code (1921), 22, 361–2, 393, 396,
 405, 409–10, 418, 423–5, 428, 435,
 437, 456
 agricultural colonies, 369–70
 alcoholic offenders, 367–8
 conditional sentence, 364n.59
confino (resettlement), 369
 counterproposals to, 382–7
 criminal (or social) dangerousness,
 concept of, 363, 365–6
 overview, 345
 habitual offenders, 367
 indeterminate sentences, 363, 369, 376
 juvenile delinquents, 367–8, 370
 legal responsibility, principle of, 345,
 363–5
 local exile, 369
 patronage societies (or councils), 370
 potential effects on criminal justice, 370
 re-conception of prison punishment,
 345, 363, 368–9
 role of penal judge, 366
 taxonomy of criminal types, 365–7
 responses to
 Catholic jurists, 373–6
 coalition against, 346, 362, 376, 382–7
 endorsements, 371–2
 legal establishment, rejection of, 346,
 362, 372–81
 positivist critics, 380–1
tecnicismo-giuridico (technical jurists),
 376–80, 382, 387
 structure of, 364
 surrogate penalties, 366–7
See also Rocco Code (1930); Zanardelli
 Code (1889)

- Ferri Commission (royal commission of 1919), 344–6, 354, 356–7, 361, 371
 decree instituting, 344, 346–9, 359
 deliberations of, 358–9
 inauguration of, 357
 jurists' reaction to, 358, 360–1
 nominations to, 349–50
 resignations from, 359–60
See also Lodovico Mortara
- Ferriani Lino, 267n.215
- Filangieri, Gaetano, 294
- Filippini, Giuseppe, 372n.76
- Finland, 400n.16, 422n.87
- Finocchiaro-Aprile, Camillo, 110n.145, 352n.22
- Finzi, Marcello, 427–8
- Fiocca, Antonio, 270n.225
- Fiorioli, Ferruccio, 318
- Florian, Eugeno, 349n.15
- forced residence. *See* *domicilio coatto*
- France, 31–2, 40, 44, 74, 91, 120, 295, 308, 313
 alcohol related-crime, 295, 307–8, 320
 anti-vagrancy measures, 137
 child-protection societies, 248
 civil code (1804), 207
 conditional sentence, 185
 drunkenness, special law (1873), 307
 judicial statistics, 29, 32, 51, 59, 67, 78, 83, 152n.83
 juvenile-justice reforms, 232, 266n.213, 270n.222, 281
 Mettray agricultural colony, 214
 “morally abandoned” children, concept of, 248
 paternal correction, 207, 209n.43
patria potestà special law (1889), 261n.195, 262–3
 penal code (1810), 124, 127–8, 198
 relegation law of 1885, 183–4, 385
- Franchi, Bruno, 352n.23
- Fulci, Ludovico, 372n.77
- Gabba, Bassano, 372
- Gabelli, Aristide, 30–1, 36–7, 51, 60
- Galgano, Salvatore, 453–4
- Garofalo, Raffaele, 8, 17–18, 87, 109, 117, 120, 312, 329, 335, 340, 347, 349, 372n.77, 404, 406, 423, 445
- Gemelli, Agostino, 375–6
- Geneva, 281
- Gentile, Giovanni, 412
- Germany, 32, 67, 74
 anti-vagrancy measures, 137
 conditional sentence, 185
 double-track system of punishment, 383, 399–400
 judicial statistics, 63n.20
 juvenile justice legislation (1923), 400
 juvenile penitentiaries, 214
 Nazi alliance with Fascist Italy, 468
 penal-code project (1908–09), 191, 322, 383, 399
 penal-code project (1919), 385, 400
 temperance reform, 307, 322
- Giannelli, Augusto, 352n.23, 412n.54
- Gianturco, Emanuele, 180, 249n.165
- Gibson, Violet, 412–13
- Giolitti, Giovanni, 110, 119, 178, 182, 193, 260, 262–4, 279–80, 340
- Giolitti-Orlando child-welfare bill (1907). *See* “Assistance for Foundlings and Abandoned Youth”
- Girardi, Gerardo, 105, 194n.221, 351n.21
- Gismondi, Antonio, 450n.17
- Gothenburg System, 319
- gradual (Irish or progressive) system of prison discipline. *See* prisons
- Greece, 400n.16
- Grippo, Pasquale, 84n.72
- Grispigni, Filippo, 350n.17, 409n.41, 435–6
- Guala, Carlo, 177
- Guala, Luigi, 84
- guardianship (*tutela*). *See* juvenile justice
- Guarnieri-Ventimiglia, Antonio, 268n.215, 270n.225
- habitual crime. *See* alcohol-related crime; *ammonezzione*; *domicilio coatto*; Luzzatti-Fani anti-recidivist bill (1910); prisons; recidivism; vagrancy; violent crime
- holding jails (*carceri giudiziarie*). *See* prisons
- Holland, 214, 320
- homicide. *See* violent crime
- homosexuality. *See* Rocco Code (1930)
- house arrest, 172, 180, 236, 240, 243, 276
- Hungary, 281
- Huss, Magnus, 295

- idleness (*ozio, oziosità*). *See* vagrancy
- imputability (moral responsibility, moral fault), 1, 3–4, 12
- Code for Minors (1912) and juvenile, 275
- Ferri Code (1921), 345, 353, 355, 358, 364, 368, 376, 379–81, 384–5
- foreign legislation, 309
- international penal-reform movement, 191, 309
- Liberal draft penal codes and drunkenness, 296–7
- Liberal draft penal codes and juvenile, 216–17, 219
- positivist criminology, 17–18, 404, 435–6
- pre-unitary penal codes and drunkenness, 287–9
- pre-unitary penal codes and juvenile, 198–201, 205n.25, 219
- public-security reform (1877–86) and juvenile, 222
- Rocco Code (1930), 396–7, 405, 418, 427–8, 432, 441n.151, 446, 458
- “capacity to understand and to will,” 419, 433, 460, 463
- “criminal by tendency” and, 415n.60, 443
- juvenile, 422, 462
- “psychological determinism,” 419n.71, 460n.3
- security measures and, 183
- statistics, 82, 100
- Zanardelli Code (1889) and drunkenness, 301–2, 308, 327
- Zanardelli Code (1889) and minor age, 233–6
- See also discernimento*; legal responsibility; semi-responsibility
- indeterminate sentence (including indefinite detention, custody, and similar sanctions), 4, 13
- alcoholic offenders, 315, 338, 341, 462
- ammonizione*, 155
- anti-recidivist proposals (1896–1904), 176, 178, 182–3
- Code for Minors (1912), 273–5
- correzione paterna* (paternal correction), 223, 231
- Ferri Code (1921), 345, 349n.15, 350n.18, 353n.27, 363, 365–9, 371, 374, 376, 380–1, 384n.113, 385
- foreign legislation, 183–4, 189
- habitual offenders, recidivists, and vagrants, 121, 130–1, 155, 176, 178, 182, 192, 367, 461
- international penal-reform movement, 184, 191, 241, 255
- juveniles, 200, 202, 204, 206, 217–18, 219n.65, 221, 223, 231, 235, 238, 273–5, 463
- Liberal draft penal codes, 217–18, 219n.65
- Luzzatti-Fani anti-recidivist bill (1910), 121, 188–9, 191–2
- patria potestà* (paternal authority), 263n.204, 273
- pre-unitary penal codes, 200, 202, 204
- pre-unitary police statutes, 130–1, 206
- prison regulations (1891), 238
- public-security law (1865), 221
- Rocco Code (1930), 400, 410, 421, 425, 452, 461–3
- Zanardelli Code (1889), 235
- See also complementi di pena*; double-track system of punishment; relegation; security measures; vagrancy
- inebriate hospitals (or asylums). *See* alcohol-related crime
- Institute for Legislative Studies, 453–4
- intermediate institutions (*stabilimenti intermedi* or *case di pena intermedia*). *See* prisons
- “intermediate” punishment, 136–7, 163
- International Association of Penal Law, 17n.18, 430, 445n.161
- International Conference for the Unification of Penal Law, First (1927), 411, 413n.57
- International Conference for the Unification of Penal Law, Second (1928)
- resolutions on security measures, 451–2, 455
- International Congress of Penal Law, First (1926), 401, 411, 413n.57, 430
- International Congress of Penal Law, Third (1933), 467
- International Congresses on Alcoholism, 321, 342

- International Legal Congress (Turin, 1880), 157
- international penal-reform movement, 7–8, 10, 13–14, 16, 110, 138, 168, 184–6, 190, 215, 248, 253–5, 260, 308–10, 320–2, 333–4, 342, 383, 392, 399–400, 419n.72, 454–5, 459, 461, 463, 467–9
- International Penal and Penitentiary Congress (IPPC), 16n.16, 467–9
- resolutions on security measures, 452
- International Penitentiary Congresses (1846–57), 138, 215–16
- International Prison Congress (IPC), 7, 16–17, 46, 61, 110, 383–4, 411, 413n.57
- resolutions on alcohol-related crime, 308–9, 320, 322, 335–6
- resolutions on conditional sentences, 185–6, 255, 258
- resolution on the indeterminate sentence, 191–2
- resolutions on juvenile justice, 240–1, 248n.160, 255, 260, 281n.255, 419n.72
- resolutions on patronage societies, 168–9, 400–1
- resolutions on prisons, 185
- resolutions on recidivism, 168–9, 184–5
- resolutions on security measures, 400–1
- International Union of Penal Law (IKV), 7, 16n.16, 17n.18, 185n.93, 241n.142, 353–4, 383–4
- Ireland, 149
- Irish (progressive or gradual) system of prison discipline. *See* prisons
- Italian Anti-Alcohol Federation (FAI). *See* alcohol-related crime
- Italian Legal Congress, First (1872), 46
- Italian Legal Congress, First (1933), 464
- Italian Society for Penal Law Studies (SISDP), 378, 386–7
- Italian Society for Scientific Progress (Twelfth meeting, 1923), 380
- judicial cautions. *See* *ammonizione*
- judicial pardon, 419n.22, 446, 463
- judicial reprimand (*ripreensione giudiziale*), 164, 172, 180, 236, 242. *See also* Zanardelli Code (1889)
- judicial statistics
- alcohol-related crime, 313, 328
- basis for penal-reform legislation, 21, 45, 57, 86, 95–6, 109
- conditional liberation and, 172
- conditional sentence and, 257
- CSG-related publications and, 64, 65, 88–95, 97, 101, 249–55
- development of, 50–2, 57–60, 63–4, 66–9, 79–81, 83, 87, 115
- early Liberal publications, 28n.7, 38–41
- Great War and, 347–8
- Inchiesta parlamentare sulle condizioni dei contadini nelle provincie meridionali e nella Sicilia* (IPCCPMS), 107–9
- juvenile delinquency, 229, 243–4, 249–55
- Lanza Law (1871) 48
- Liberals' faith in, 31–4, 44, 56, 96, 116–17
- pre-unitary publications, 29
- weapons legislation and, 111–12, 115
- See also* Commission of Judicial Statistics; crime statistics; violent crime
- jury, popular, 43, 46, 298n.43, 337
- assize-court reform (1931), 466
- Code of Penal Procedure (1930), 467
- international penal-reform movement, 467
- reform legislation (1872–74), 45, 48–9
- statistics, 39, 63, 68, 72–3, 80, 105, 226, 318
- juvenile delinquency, 196–7, 219
- alcohol, 220, 300, 325, 334
- causal explanations of, 93, 105–6, 134–5, 211–12, 216, 225–8, 246–7
- Fascism and, 395, 404
- international penal-reform movement, 185–6, 215–16, 240–1, 248n.160, 400–1
- minors in prison, 105, 171, 201, 212, 217–18, 226–7, 245, 250–1
- statistics, 72, 81–2, 94, 101–2, 154n.88, 229–30, 242–6, 249–55, 257, 266–8, 282, 396
- violent crime, 99–100, 201, 222n.74, 233, 236, 250

- juvenile justice
ammunizione, 202–4, 220–1, 235–6,
 263n.202, 292, 300n.50
correzione paterna (paternal correction),
 81, 207–10, 215, 228, 231, 245–6,
 250, 263n.205, 268, 274–5, 278,
 463
discernimento (discernment), 198–200,
 217, 233–6, 368, 419, 462
 Ferri Code (1921), 367–8, 370
 foreign legislative influences, 214–15,
 232
 international penal-reform movement
 and, 138, 185–6, 215–16, 240–1,
 248n.160, 400–1
 juvenile courts, 196–7, 253, 265–7, 269,
 276, 282, 449–50, 463, 466
 La Generala reformatory, 205, 209n.40,
 212–15
 Liberal draft penal codes
 abuse and corruption of minors,
 219–20
 imputability of minors, 216–17
 measures against underage drinking,
 220
 measures against vagrancy, 218–19
 sentencing guidelines, 217–18
 “materially abandoned” children, 247,
 254, 261
 “morally abandoned” children, 231,
 247–8, 251, 254, 262–3
 National Congresses of Charitable
 Works, Fourth (1898) and Fifth
 (1900), 254
patria potestà (paternal authority), 196,
 208, 222–3, 228, 234, 237, 245–6,
 250, 262–4, 266n.212, 273, 278,
 333–4, 463
 patronage societies (*società di
 patronato*), 105, 136–8, 212–15,
 227, 238–41, 252–3, 255, 258–9,
 263n.205, 268, 272, 370, 463
patronati scolastici, 272n.228
 positivist criminology, influence of,
 224–6
 pre-unitary penal codes
 abuse and corruption of minors, 202–3
 imputability of minors, 198–200
 measures against vagrancy, 203–4
 sentencing guidelines, 200–2
 pre-unitary penal reforms, 212–14
 pre-unitary police statutes, 205–7
 preventative detention, 212, 229, 250,
 253
 prison and reformatory reforms, 223–4,
 237–8, 259–60, 262, 395
 probation (supervised liberty), 254, 256,
 258–9, 276, 278
 public-security law (1865), 220–1
 public-security law (1889), 236–7
 public-security reform proposals
 (1877–86), 221–2
 Rocco Code (1930), 398, 419n.72, 422,
 446, 462–4
Tribunali per i minorenni (Fascist
 juvenile courts, 1934), 2–3, 283,
 449–50, 466
tutela (guardianship), 244–5, 251, 253,
 261, 272–3, 278
 Zanardelli Code (1889)
 abuse and corruption of minors,
 233–4
 child-protection measures, 234
 imputability and minor age, 233–6
 non-detentive sanctions for minors,
 236
See also agricultural penal colonies;
 “Assistance for Foundlings and
 Abandoned Youth” (1907); Code
 for Minors (1912); Commission of
 Judicial Statistics; conditional
 sentence; indeterminate sentence;
 security measures; vagrancy
- Kingdom of Naples, 148
 Kingdom of the Two Sicilies, 27, 108, 207,
 217, 290n.17
 civil code (1819), 208n.35–6, 208n.38,
 209n.41
correzione paterna (paternal correction),
 207–9
 judicial statistics, 29
 patronage societies, 137n.47
 penal code (1819), 124, 129n.22, 151,
 199n.7–8, 200n.9, 200–1n.13, 217,
 289n.11
 Pica Law (1863), 147
- Lacava, Pietro, 152
 La Generala reformatory. *See* Piedmont;
 reformatories
 Lampertico, Fedele, 245n.155, 246

- land-reclamation legislation (1900–04). *See* prisons
- Lanza, Vincenzo, 383, 428, 431
- Lanza Law (1871)
 alcohol regulations, 300
domicilio coatto, 47, 151–3
 public-security law (1889), 165
 significance of, 48, 50, 153
 violent-crime measures, 46–7, 154
 weapons legislation, 71, 114
- Lateran Accords (1929), 438, 444
- lavoro all'aperto* (open-air work). *See* prisons
- legal responsibility, 3, 17, 345, 363–5, 376, 379–81, 418, 419n.71. *See also* Ferri Code (1921)
- liberazione condizionale*. *See* conditional liberation
- Lombardi, Giovanni, 371
- Lombardy-Venetia. *See* Austrian Empire
- Lombroso, Cesare, 3, 5, 8–9, 17–18, 25, 52–5, 62–3, 114, 117–18, 121, 126, 142, 153, 193, 228, 286–8, 298, 303, 305–6, 345, 350n.16, 351, 377, 423. *See also* *Criminal Man*
- Longhi, Silvio, 352n.23, 362n.54, 384–5, 405–6, 465
- Lucchini, Luigi, 1n.1, 46, 60, 64, 67, 69, 73n.44, 83, 84n.72, 85, 107–8, 111–13, 115–16, 154, 170, 180, 225n.84, 234n.120, 242, 269–70, 303, 339, 358, 360, 376, 408, 419n.72, 421n.79, 465
- Lustig, Alessandro, 349–50n.16
- Luxembourg, 185
- Luzzatti, Luigi, 110n.45, 186, 192–3, 271n.225, 335–42
- Luzzatti-Fani anti-recidivist bill (1910), 120–1, 186–95, 279, 281, 347n.6–7, 461
 “dangerous habitual recidivists,” 121, 188–9, 461
 foreign legislation, influences on, 190–1
 main features of, 187–8
 penal (relegation) colonies, 121, 187–90
 security measures, 121, 187, 192
 surveillance councils (*consigli di sorveglianza*), 189, 192–3
- Maccotta, Luigi, 405
- Maestri, Pietro, 35–6
- Maggiore, Giuseppe, 411n.49
- Majetti, Raffaele, 349n.15
- Majno-Bronzini, Ersilia, 271n.225
- malleveria* (security for good behavior), 129n.22, 421n.79
- Mancini, Pasquale Stanislao, 48–9, 51, 59–60, 142, 225
- Mango, Camillo, 372n.77
- manutengoli* (brigand sympathizers), 147
- Manzini, Vincenzo, 376, 378–9, 386–7, 405, 439, 449, 450n.17, 454
- Mariotti, Ruggero, 75
- Marongiu, Antonio, 426
- Martinazzoli, Antonio, 268n.215, 271n.225
- Martire, Egilberto, 372n.76
- Marzucchi, Celso, 297n.39
- Massachusetts, 185
- Massari, Edoardo, 439, 450n.17
- “materially abandoned” children. *See* juvenile justice
- Matteotti, Giacomo, 371–2, 412n.51
- “Measures to Fight Alcoholism” (1910–13). *See* alcohol-related crime
- Meda, Filippo, 374
- Messedaglia, Angelo, 33n.23, 51–7, 61, 86, 88, 91n.94, 102
- Mirabelli, Giuseppe, 30
- Mirto, Pietro, 428
- misure di sicurezza*. *See* security measures
- Mittermaier, Karl, 294
- Modena, Duchy of, 207
correzione paterna (paternal correction), 207–9
 penal code (1855), 199n.7–8, 200n.9, 200–1n.9, 13–15, 289n.11, 290
 police regulations (1854), 131, 207, 292
- Modigliani, Giuseppe Emanuele, 372n.77
- Montesquieu, 150
- moral statistics. *See* crime statistics
- “morally abandoned” children. *See* juvenile justice
- Morel, Bénédict Augustin, 295
- Morpurgo, Emilio, 37
- Mortara, Lodovico, 23–6, 85, 116–17, 346–50, 353–61. *See also* Ferri Commission
- Municchi, Carlo, 84n.72
- Mussolini, Benito, 361, 387, 391, 394–5, 407, 412–13, 440

- National Association for the Protection of Abandoned Children, 248n.161
- National Congress for the Assistance for Abandoned and Wayward Children (1923), 283, 380, 395
- National Legal Congress, Seventh (1911), 259n.190
- National Society for the Protection of Children, 248n.161
- New Zealand, 319–20
- Niceforo, Alfredo, 90n.88, 352n.23
- Nicolini, Niccola, 125–6
- Nicotera, Giovanni, 157n.97, 159–61, 221n.73–4
- Nitti, Francesco, 352n.22
- Nocito, Pietro, 60–1, 85n.73–4, 225n.84, 243
- Norway
 conditional sentence, 185
 double-track system of punishment, 383, 392
 inebriate hospitals, 322
 penal code (1902), 110, 184, 383, 399
- Nosedà, Enea, 327, 332, 439n.145
- Novelli, Giovanni, 439n.145, 469n.37
- Ollandini, Edoardo, 282
- On the Conditions of Delinquent, Wayward, Orphaned and Abandoned Minors* (1901). *See* Commission of Judicial Statistics
- open-air work (*lavoro all'aperto*). *See* prisons
- ordinamento carcerario*. *See* prison regulations (1891)
- ordinamento giudiziario* (judicial code of, 1865), 41, 48, 427
- Orlando, Vittorio Emanuele, 86, 110n.45, 114–16, 264–70, 279, 282, 463
- osterie* (taverns). *See* alcohol-related crime
- Ottolenghi, Salvatore, 349, 351, 352n.23
- Oviglio, Aldo, 362n.54, 376, 378–9, 395
- Palopoli, Nicola, 409n.42
- Papal States
 agricultural penal colonies, 136n.46, 213
 judicial statistics, 29
 penal code (1832), 127n.18, 198n.4, 199n.6–7, 200n.9, 201n.13, 201n.16, 289
 police regulations (1850), 130–1, 207n.34, 292
 pardon. *See* judicial pardon
- Parma, Duchy of
 correzione paterna (paternal correction) in, 207–9
 penal code (1820), 124, 129n.22, 199n.6–8, 200n.9, 201n.13, 289n.11, 290, 299n.44
- parole. *See* conditional liberation
- paternal correction (*correzione paterna*). *See* juvenile justice
- Patrizi, Mariano Luigi, 352n.24
- patronage societies (*società di patronato*; prisoner-aid societies; patronage “councils”; or post-carceral aftercare), 13, 105, 136–8, 170, 172, 212–15, 252–3, 255, 258–9, 263n.205, 268, 272, 370
- international penal-reform movement, 168–9
- prison regulations (1891), 169
- Rocco Code (1930), 397, 421, 426, 434, 460
 See also juvenile justice
- Pelloux, Luigi, 173, 177–8, 188
- Penal Code for the Neapolitan Provinces (1861), 217, 233, 290n.17
- penal colonies. *See* agricultural penal colonies
- penal complements. *See* *complementi di pena*
- Penso, Girolamo, 454n.191
- Pergola, Ubaldo, 429
- Pessina, Enrico, 51, 85n.74, 183, 186
- Petitti di Roreto, Ilarione, 215
- Philadelphia system of prison discipline. *See* prisons
- Piacentini, Mario, 350n.17
- Pianosa. *See* agricultural penal colonies; Tuscany
- Pica Law (*legge Pica*, 1863), 147–9, 151
- Piedmont (Kingdom of Sardinia), 27, 207, 306, 314
 Auburn system of prison discipline, 136
 correzione paterna (paternal correction), 207–9
 discorsi inaugurali, 41
 judicial statistics, 29
 La Generala reformatory, 205, 209n.40, 212–15

- patronage societies, 137, 213
 penal code (1839), 127–9, 132n.32,
 161–2, 199n.7–8, 200–4, 289n.11,
 289n.13, 202–5, 289n.11, 290,
 416n.63
 penal code (1859), 68n.34, 127–9,
 133n.36, 140, 144, 145n.66,
 153n.86, 161–2, 199n.7–8, 200–4,
 206, 217–20, 228, 234n.119,
 237n.126, 289n.12, 290, 299n.44,
 416n.63
 police regulations (1841), 205
 police regulations (1852–54), 131–2,
 205–7, 292–3
 prison reform, 135–6, 223
 public-security law (1859), 132–3,
 146–8, 150–1, 205–7, 221, 293,
 297–8
Statuto (constitution of, 1848), 149
 Pili, Emmanuele, 431
 Pironti, Alberto, 85n.75, 270
 Pola, Giuseppe Cesare, 271n.225
 Polacco, Vittorio, 372n.77
 Poland, 400n.16, 430, 453
 police surveillance, special
 anti-recidivist proposals (1900–04), 179
 Code for Minors (1912), 273n.230, 277
 domicilio coatto, 158n.98, 175–7
 emergency laws (1864–66), 148
 Lanza Law (1871), 152–3
 Liberal draft penal codes, 140–2, 144,
 146, 220n.67
 Luzzatti-Fani anti-recidivist bill (1910),
 188, 192n.218, 195
 pre-unitary penal statutes, 124, 127–9,
 204n.25
 pre-unitary police statutes, 130–3,
 201n.45, 291, 293
 public-security law (1865), 151
 public-security law (1889), 165–6,
 168n.138, 298
 public-security reform proposals
 (1877–86), 222n.73
 Rocco Code (1930), 421
 weapons legislation, 115
 Zanardelli Code (1889), 162–4
 Portugal, 185
 positivist school of criminology (*scuola
 positiva*), 3–5, 7–9, 11–12, 17–19,
 21–2, 25–6, 36, 54, 57–8, 62–3, 67,
 63–4, 76–7, 80, 87, 89–90, 95,
 108–12, 114–15, 117–18, 120–3,
 126, 136–7, 142, 144, 151, 153–4,
 157, 169–70, 182–3, 194, 196–8,
 216, 219, 224–5, 229, 241, 250,
 258, 266–8, 270–1, 278–81, 286–8,
 302–3, 305, 309–12, 327, 338,
 344–6, 349–63, 366–8, 372–5,
 377–8, 380–5, 387–8, 390–2, 398,
 403–4, 406–7, 409–14, 418–19,
 421, 423–5, 427–8, 431, 435–6,
 442–7, 449–50, 452, 458–9, 461–2,
 464, 468–9
 Pozzolini, Alfredo, 428, 430
precetti (obligations for good behavior),
 130–1, 133. *See also* *prescrizioni*;
 vagrancy
*Preparatory Works of the Penal Code and
 the Code of Penal Procedure*
 (1927–30), 453
prescrizioni (prescriptions for good
 behavior), 133, 166n.133, 177,
 274n.235, 277n.245
 preventative detention, 39, 45, 46, 48, 153,
 212, 237, 250–1, 253, 256, 275, 280
 “primacy” in violent crime. *See* violent
 crime
 prison regulations (*ordinamento carcerario*,
 1891), 2, 68, 77, 105, 169, 237–40,
 242, 370–1, 450
 prison regulations (*Regolamento per gli
 Istituti di Prevenzione e di Pena*,
 1931), 2, 466
 prisons
 Auburn system of prison discipline, 136
 carceri giudiziarie (district custodial
 jails), 45, 105, 134, 171, 201, 209,
 212–13, 215, 218, 223, 226–7, 230,
 242, 245, 250–1, 275
 case di custodia (houses of custody;
 custodial prisons), 54, 201n.13,
 201n.15, 209, 213, 217–18, 223–4,
 227, 226, 230–1, 237, 296, 368n.68
 conditions of, 80, 105–6, 170–1, 212,
 226–7, 242
 custody (*custodia*), penalty of, 201n.13,
 219n.65, 230n.105, 290, 296n.37
 Fascist reforms, 362, 395, 449–50,
 466
 intermediate institutions (*stabilimenti
 intermedi* or *case di pena
 intermedia*), 145, 190

- prisons (*cont.*)
 international penal-reform movement,
 138, 185
 Irish (progressive or gradual) system of
 prison discipline, 12–13, 105,
 145–6, 157, 162–3, 169–70, 172,
 189, 419–20, 460
 juveniles in, 105, 171, 201, 212, 217–18,
 226–7, 245, 250–1
 land-reclamation legislation (1900–04),
 105, 181–2, 185–6, 190, 194n.221,
 276–7
lavoro all'aperto (open-air work), 136,
 145, 181–3, 185–6, 213, 420
 Liberal reforms, failures of, 50, 116, 161,
 170–2, 182, 186, 194, 226–8,
 242n.144, 383
 Philadelphia system of prison discipline,
 136
 pre-unitary debates and reforms, 134–7,
 212–15
 preventative (pre-trial) detention
 1876 legislation, 48
 alleged cause of violent crime, 39, 42,
 105
 Code for Minors (1912), 275
 Code of Penal Procedure (1913), 280
 conditional sentence (1904), 256–7
 juveniles, 212, 229, 232, 250, 253,
 256–7, 280
 Lanza Law (1871), 47, 153
 reform proposals, 45–6, 253
 Rocco Code (1930), 446
 statistics, 39, 42, 65, 80, 105, 229,
 250
 weapons legislation, 76
reclusione (imprisonment), 162–3,
 171n.145, 188n.204
 statistics, 33, 63n.20, 72–3, 155, 171,
 182, 194, 226–8, 230–1, 242,
 245–6, 250–1, 317–18
 probation (supervised liberty, *libertà
 vigilata*), 254, 256–9, 275–6, 278,
 374n.85, 421, 425
 progressive (Irish or gradual) system of
 prison discipline. *See* prisons
 public-security law (1865), 2, 47, 151–3,
 165, 220–1, 297–8
 public-security law (1889), 2, 68, 77, 114,
 164–8, 176–7, 195, 263n.202, 298,
 317, 324, 401, 421
 public-security law (1926–31), 2, 401–2,
 408–9, 415, 450, 462–3, 466
 public-works penalties
 Code for Minors (1912), 276–7
 Ferri Code (1921), 369
 Liberal draft penal codes, 145, 299
 non-implementation, 105, 272
 Zanardelli Code (1889), 164, 299–300
See also surrogate penalties
 Quarta, Oronzo, 26n.4, 85n.75, 265–7,
 269–70, 274n.235, 278, 280, 282
 Quarta Commission. *See* Royal
 Commission for the Study of
 Measures against Juvenile
 Delinquency
 Raseri, Enrico, 312
 recidivism, 81, 102, 122–3
 causal explanations of, 133–5, 170–3
 Ferri Code (1921), 356–7, 359, 363–4,
 367–8
 “generic” (*recidiviva generica*), 125–7,
 139, 141n.55, 142, 162, 187, 460
 “indeterminate,” 126, 460
 international penal-reform movement,
 alignment with, 138, 168–9, 183–6,
 400, 461
 Liberal draft penal codes (1866–87),
 139–46
 Liberal police measures
 alleged abuse and ineffectiveness of,
 154–6
 constitutionality of, 156
 Lanza Law (1871), 151–3
 Liberal emergency laws (1864–66),
 148–9
 origins, 146–7
 Pica Law (1863), 147–9, 151
 public-security reform bills (1877–86),
 159–61
 pre-unitary penal statutes, 123–8
 pre-unitary police statutes, 129–33
 “pseudo,” 125
 public-security law (1889), 164–9, 236
 Rocco Code (1930), 396–8, 403–4,
 416–17, 420–2, 425, 432, 441, 443,
 447, 460–1
 “specific” (*recidiviva specifica*), 126–7,
 141–3, 162, 187, 460
 “true,” 125, 142

- Zanardelli Code (1889), 161–4
See also alcohol-related crime;
ammunizione; *domicilio coatto*;
 prisons; security measures;
 vagrancy; violent crime
- reclusione* (imprisonment). *See* prisons
- Red Week (1914), 119–20, 195, 347
- reformatories, 13
 “Assistance for Foundlings and
 Abandoned Youth,” (1907), 262
- Code for Minors (1912), 268–9,
 272n.228, 273n.232, 274–6,
 280n.252
- Commission of Judicial Statistics
 inquests, 13, 81–2, 105, 244–5, 251,
 255
- conditional sentence, 256
- Doria reforms (1904–07), 259–60, 262,
 269
- Ferri Code (1921), 370, 374, 384n.112
- La Generala reformatory (Piedmont),
 205, 209n.40, 212–15
- non-implementation, 105, 242
- pre-unitary penal codes, 290n.16
- pre-unitary penal reform, 136n.46
- prison regulations (1891), 237–9
- private, 213n.50, 226n.90, 227, 230,
 231n.108, 237–8, 244, 251, 255
- Rocco Code (1930), 395, 419–20,
 422n.86, 430, 463
- See also* Code for Minors (1912);
 Commission of Judicial Statistics;
 juvenile justice; prisons
- registri giornalieri* (daily registers). *See*
 crime statistics
- Regalamento per gli Istituti di Prevenzione
 e di Pena* (1931). *See* prison
 regulations (1931)
- relegation (*relegazione*)
 anti-recidivist proposals (1899–1904),
 177–80
- Eritrean penal code, 385
- France (1885 legislation), 183–4
- Luzzatti-Fani anti-recidivist bill (1910),
 187–92
- Neapolitan penal code (1808), 148
- Rocco Code (1930), 398
- Tuscan penal law, 135n.43
- See also* *domicilio coatto*; recidivism
- reprimand, judicial (*riprensione giudiziale*).
See judicial reprimand
- Ricci, Giulio, 350n.17
- Ricciuti, Nicola, 249
- Righi, Augusto, 69
- Rivista penale* (Lucchini), 46, 52, 73n.44,
 360, 377, 465
- Rocco, Alfredo, 387, 389–90, 393,
 396–414, 418, 419n.71, 423, 426,
 434, 437–41, 444, 446, 448–54,
 457, 465
- Rocco, Arturo, 376–80, 382, 386–7,
 396–7, 411, 414, 439, 441, 465
- Rocco Code (1930), 2, 4, 7, 10–11, 19, 22,
 195, 346, 389–93, 407, 438, 441–2,
 448–9, 452–9, 464–5, 468–9
- agricultural colonies, 417, 420, 422, 443,
 461
- alcohol-related crime, 416–17
- conditional liberation, 420, 426
- conditional sentence, 420–1, 446, 460,
 463
- crimes against the “health and integrity
 of the race,” 417, 439, 447–8,
 457
- crimes against morality, 417, 438–9, 457
- crimes against the personality of the
 state, 417, 438, 457
- crimes against religion, 439, 444, 457
- “criminal by tendency,” 415, 417, 422–4,
 432, 441, 443, 445, 447
- definitive project (*progetto definitivo*,
 1929), 402n.20, 414, 440–1, 443–4,
 447n.29, 451–3, 459
- discernment (*discernimento*), 419
- double-track system of punishment,
 418–25, 429–30, 435, 437–8,
 444–5
- homosexuality, 417, 442–3
- inter-parliamentary commission of
 revision (1929–30), 440–1, 444–6
- judicial discretion, 424–6, 447
- judicial pardon, 419n.22, 446, 463
- juvenile delinquency, statutes on, 462–4,
 466
- legality, principle of, 418, 459
- ministerial (Rocco) commission of
 revision (1928), 413n.57, 439–44,
 451
- non-retroactivity, principle of, 418
- patronage councils, 421, 426, 434, 460,
 463
- pimping and, 417

- Rocco Code (1930) (*cont.*)
 preliminary project (*progetto preliminare*, 1927), 402n.20, 413–26, 451, 453, 456, 459
 reactions of legal establishment, 426–35
 reactions of positivists, 435–7
 Zanardelli Code (1889), comparisons with, 415–19
 preventative detention, 446
 “progressive” system of punishment, 419–20, 460
 proposal to parliament (1925), 396–402
 reception in parliament and legal order, 402–10
 reception among positivists, 410–14
 “psychological determinism,” 419n.71, 460n.3
 recidivism and habitual crime, statutes on, 460–1
 security measures, 420–2, 425–6, 429–30, 433, 436, 441, 443, 446–7
 severity of punishment, 416–17, 432–3, 441, 446–7
 supervised liberty (*libertà vigilata*), 419, 421, 425
 taxonomy of dangerous offenders, 421–4
 trafficking of women and children, 417
 Rochat, Giovanni, 316n.99
 Romagnosi, Giandomenico, 134n.39
 Romania, 400n.16, 430
 Ronchetti, Scipione, 84, 85n.73–4, 110n.45, 111–12, 114–16, 178, 181, 247
 Rossi, Luigi, 115
 Rossi, Pellegrino, 126
 Royal Commission for the Study of Measures against Juvenile Delinquency (Quarta Commission), 267–70, 336, 350n.18, 385, 398, 463. *See also* Code for Minors (1912); juvenile justice
 Russia, 319, 400
 Sabatini, Guglielmo, 430, 454n.191, 457–9
 San Martino, Carlo, 248n.161
 San Michele reformatory (Rome), 213n.50
 Santoro, Arturo, 350n.17, 359
 Saporito, Filippo, 362n.54, 450n.177
 Sardinia, Kingdom of. *See* Piedmont
 Schiavi, Alessandro, 318, 323–4
 School for the Development of Penal Law, 465n.22
 School of Applied Criminology (*Scuola d'Applicazione Giuridico-Criminale*), 351–2, 354, 465
 scientific police (*polizia scientifica*), 350–1
 security measures (*misure di sicurezza*), 4, 13, 105
 anti-recidivist proposals (1896–1904), 178–9, 182–4
domicilio coatto, 157, 167, 175–6
 Ferri Code (1921), counterproposals, 380n.102, 384–7
 foreign legislative reforms, 191, 309, 321–2, 383, 453
 international penal-reform movement, 138, 400–1, 430, 451–2
 Lanza Law (1871), 153
 Liberal draft penal codes, 297, 303n.58
 Luzzatti-Fani anti-recidivist bill (1910), 121, 190–3
 “Measures to Fight Alcoholism” (1910), 338
 public-security law (1865), 151
 public-security law (1889), 167
 Rocco Code (1930), 397–8, 403–6, 415, 417, 419n.71, 420–2, 424–5, 441, 443, 446–7, 461–3
 juridical reaction to, 429, 432–4, 455, 457–8
 positivist reaction to, 410–11, 435
 Zanardelli Code (1889), 302–3, 308
See also indeterminate sentence
 semi-responsibility, 24. *See also* *discernimento*; imputability
 anti-recidivist proposals (1896–1904), 180
 foreign legislation, 309
 international penal-reform movement, 309
 juveniles, 200, 217, 233, 422, 462
 Liberal draft penal codes, 217, 296, 298–9, 303n.58, 305
 Luzzatti-Fani anti-recidivist bill (1910), 187
 pre-unitary penal codes, 200, 289–90, 296
 pre-unitary police statutes, 292n.22
 Rocco Code (1930), 397, 417–18, 420, 422, 461–2

- statistics, 82, 100
 temperance reform, 327–8, 333, 337–8
 Zanardelli Code (1889), 233, 301–2, 308, 327, 333
 Serbia, 399
 Sergi, Giuseppe, 90n.88
 Setti, Augusto, 331–2, 349n.15
sottomissione (binding promise to a judge), 132n.30, 200n.11, 204n.23
 Sighele, Scipio, 267, 270
 social dangerousness, 2, 4
 anti-recidivist proposals (1900–04), 178, 183
 domicilio coatto, 157–8
 Ferri Code (1921), 345, 346, 363–8
 counterproposals to, 379, 380n.102, 381, 384–6
 Liberal draft penal codes, 142
 Luzzatti-Fani anti-recidivist bill (1910), 121–2, 188, 190
 positivist criminology, 3, 17, 126
 pre-unitary legal views, 126
 pre-unitary penal codes, 200, 204
 public-security law (1889), 165, 236
 Rocco Code (1930), 397, 404, 420, 425, 428, 435, 443, 447
 weapons legislation, 115
 Zanardelli Code (1889), 162, 234n.120
 Society of Anthropology, Sociology and Criminal Law (SASDC), 352–4
 Solmi, Arrigo, 445
 Southern crisis (1861–65), 27, 36, 146–7
 Spain, 453
 Spallanzani, Alfredo, 98–9, 101–2, 349–50
 Special Tribunal for the Defense of the State, 20n.24, 408, 412n.53
 Spence, F.S., 319n.113
 Spirito, Ugo, 410n.44, 411n.49
 Stoppato, Alessandro, 85, 97–8, 104, 106, 108, 113, 258n.189, 265, 270, 280, 332, 350, 352n.24, 359–60, 378, 380n.103, 382, 428, 439, 445–6
 surrogate penalties, 13, 94
 alcoholic offenders, 299
 Ferri Code (1921), 366–7
 juveniles, 236
 non-implementation, 105, 172, 242
 Rocco Code (1930), 417, 421, 425, 447, 460
 Zanardelli Code (1889), 236, 299

See also conditional sentence; house arrest; judicial reprimand; public-works penalties
 suspended sentence, 185, 236
 “suspicious persons”
 anti-recidivist bills (1900–04), 179
 “Assistance for Foundlings and Abandoned Youth” (1907), 263
 Code for Minors (1912), 273n.230, 277
 Crispi Laws (1894), 173
 domicilio coatto, 148–53, 156–8, 167–8, 174, 177
 emergency laws (1863–66), 147–9
 juvenile, 204–7, 221–2, 236–9
 Lanza Law (1871), 47, 152–4, 300
 penal code (1859) and, 153
 pre-unitary penal codes and, 128–32, 291
 pre-unitary police statutes, 129–33, 204–7, 291–3
 prison regulations (1891), 238–9
 public-security law (1865), 151, 221–2, 297–8
 public-security law (1889), 165–9, 236–7
 public-security law (1926–31), 402, 408, 463
 public-security reform proposals (1877–86), 159
 statistics, 65, 154–5
 weapons, penalties for carrying, 45, 47, 153–4
 Sweden
 penal-code project (1917), 383, 399
 Switzerland
 agricultural colonies for juveniles, 214
 conditional sentence, 185
 penal-code project (1893), 184, 309
 penal-code project (1908–09), 191, 322, 399
 temperance reform, 319–20, 322

 Tamburini, Augusto, 350n.16
tecnicismo-giuridico (technical jurists), 376–80, 382, 387, 410, 428, 465.
 See also Ferri Code (1921)
 temperance societies (or leagues). *See* alcohol-related crime
 Tempestini, Livio, 270n.225, 278
 Tesauro, Alfonso, 431
 Tittoni, Tommaso, 372n.77
 Tondi, Nicola, 69

- Tovini, Livio, 404
Tribunali per i minorenni (Fascist juvenile courts, 1934). *See* juvenile justice
- Turati, Filippo, 343
- Tuscany, Grand Duchy of
 judicial statistics, 29
 paternal correction, 210
 patronage societies, 137, 213
 penal code (1853), 68n.34, 127–8, 141–3, 161–2, 199n.7–8, 200, 201n.13, 201n.15, 233n.115, 289–90, 299n.44, 416n.63, 462
 Philadelphia system of prison discipline, 136
- Pianosa (agricultural colony), 136–7, 145, 181, 213
- police regulations (*regolamento di polizia*, 1849), 130, 207, 210, 291
- prison reform (1845–53), 135n.42–3, 213
- Regolamento di polizia punitiva* (code of misdemeanors, 1853), 199n.8, 201n.15, 207, 290n.17, 291, 297
- tutela* (guardianship). *See* juvenile justice
- United Kingdom, 67, 74, 78, 91, 95, 120, 227, 308, 342
 anti-vagrancy measures in, 137
 Borstal system (1902), 260, 276
 child-protection societies in, 214–15, 248
 Children Act (1908), 270, 273
 conditional (or suspended) sentence in, 254
 double-track system of punishment, 383, 399–400
 emergency laws, 149
 inebriate hospitals, 302, 321–2
 Inebriates Act (1898), 321–2, 333–4, 338
 juvenile courts, 266
 juvenile penitentiaries, 214
 Licensing Acts (1872–74), 307
 Pistols Act (1903), 112
 preventative policing of juveniles, 214
 Prevention of Crime Act (1908), 190–1, 383, 399–400, 421n.80
 Probation Act (1887), 236n.125
 reform schools, 214, 231–2
 Summary Jurisdiction Act (1847), 214
 Summary Jurisdiction Act (1879), 232
- Uomo (L') delinquente*. *See* *Criminal Man*;
 Lombroso, Cesare
- Vacca, Giuseppe, 44
- Vacca, Guglielmo, 85, 265, 270
 vagabondage (*vagabondaggio*). *See* vagrancy
- vagrancy
 “Assistance for Foundlings and Abandoned Youth” 1907), 262, 263n.202
 causal explanations of, 133–5, 203, 211–12, 221, 225–6, 252n.176, 315, 332–3
 Code for Minors (1912), 272n.227, 273n.230, 278
 foreign legislation, 137, 191, 214–15, 307, 356
 international penal-reform movement, 138, 168, 184, 215–16, 309
 juveniles, measures against, 203–7, 218–19, 220–2, 236–9, 253
 Lanza Law (1871) 152–3
 Liberal draft penal codes, measures against, 144–6, 218–20, 299
 Pica Law (1863), 147
 pre-unitary penal codes, measures against, 128–9, 203–4
 pre-unitary police statutes, measures against, 129–33, 205–7, 291–3
 prison regulations (1891) and juvenile, 238–9
 public-security law (1865), 151n.79, 152, 220–1, 237, 293n.27
 public-security law (1889), 165, 236–7, 251n.171
 public-security law (1926–31), 463
 public-security reform proposals (1877–86), 159–61, 221–2
 Rocco Code (1930), 398
 Zanardelli Code (1889), 164, 234
See also recidivism; juvenile justice; wandering trades
- Vannini, Ottorino, 428
- Vastarini-Cresi, Alfonso, 159n.103
- Verga, Andrea, 319n.109
- Vigliani, Paolo, 48, 51, 145n.66
- Villa, Tommaso, 60, 85n.74
- violent crime, 21, 58
 alcohol and, 100, 284, 287, 303–4, 306, 308, 310, 315, 317, 326–33, 339
 causal explanations of, 24–5, 31, 35–6, 39–40, 42–4, 72–5, 92–4, 104–9, 310, 326–7, 424

- causes of juridical preoccupation with,
 23–4, 27–8, 49–52, 68–70, 77–80,
 87–8, 154, 287, 303–4, 326–7,
 331–3, 339, 424
- crime statistics and, 29–31, 36–40, 70–2,
 77, 90–2, 98–100, 102–3, 154, 288,
 303–4, 306, 328–9, 355, 407n.32
- Crispi Laws (1894), 173, 176
- domicilio coatto* and, 158n.101, 167
- geography of, 29–31, 35–7, 55, 71–2,
 90–2, 100–3, 108, 304, 306, 325–6,
 329–31
- homicide statistics, 34–7, 39–40, 44,
 71–2, 91–2, 98–9, 101–2, 304
- juveniles and, 100, 201, 222n.74, 233,
 236, 250
- non-lethal, 71, 75, 91–2, 99–102, 111,
 154, 304
- “primacy” (*primato*) in, Italy’s, 27, 36–7,
 40, 44, 54–5, 70–2, 78, 91, 98, 102,
 109, 113, 115–18, 288, 304, 355,
 407, 424, 438
- proposed remedies for, 44–5, 75–8, 94–5,
 110–18, 333
- public-security law (1889) and, 165,
 167, 169, 236
- public-security reform proposals
 (1877–1886), 160n.109, 222n.74
- recidivism and, 186–8
- Rocco Code (1930) and, 424, 447
- Zanardelli Code (1889) and, 162, 233
- See also* alcohol-related crime;
 Commission of Judicial Statistics;
 crime statistics; weapons legislation
- wandering trades (*mestieri girovaghe*), 221,
 228, 250, 252, 277. *See also*
 vagrancy
- weapons legislation
 Curcio special-law proposal (1887), 69,
 75
- Lanza Law (1871), 47, 76, 114,
 153–4
- Lucchini proposal (1907), 111–14
- Orlando’s knife law (*legge sul coltello*,
 1908), 114–16
- Ronchetti proposal (1905), 111, 114
- Zanardelli draft code (1887), 75–7
- workhouses
 alcoholic offenders, 131, 290, 299–300,
 307
- anti-recidivist proposals (1896–1904),
 177, 180, 184
- Ferri Code (1921), 369–70, 384n.112
- international penal-reform movement,
 168, 309
- juveniles, 200, 204, 206, 219, 221, 236
- Liberal draft penal codes, 219, 299–300
- pre-unitary penal codes, 200, 204, 290
- pre-unitary police statutes, 131–2, 138,
 206
- prison reform, failure of, 105, 172, 227,
 252, 317–18
- public-security law (1865), 221
- Rocco Code (1930), 398, 417, 420, 422,
 443
- vagrants, 132, 138, 398
- Zanardelli Code (1889), 105, 163–4,
 236, 307
- Yugoslavia, 400n.16, 453
- Zanardelli Code (1889), 2, 22–4
 agricultural penal colonies, 163
 alcohol-related crime, 295, 298–303,
 308–9, 317, 327, 333, 337–8, 342,
 356
- ammunizione*, 164, 236
- anti-vagrancy measures, 164
- conditional liberation, 163, 169, 236
- conditional sentence, 236n.125
- drunkenness, statutes on, 299–302,
 327–8, 337–8
- Ferri Code (1921) and, 354–7, 359–60,
 364–5, 368, 374–6, 379, 381–4,
 386
- house arrest, 172, 236
- Irish (“progressive”) system of prison
 discipline, 162–3
- judicial reprimand, 164, 236
- juvenile justice
 abuse and corruption of minors, 233–4
 child-protection measures, 233–4, 300
 imputability and minor age, 233–6
 indefinite confinement of minors,
 235–6
 non-detentive sanctions for minors,
 236
- police surveillance and, 163–4
- public-works penalties, 164, 299–300
- recidivism, statutes on, 161–4, 191, 195
- reclusione* (imprisonment), 162–3

- Rocco Code (1930), 389–90, 398–9,
 404, 415–17, 420–1, 429, 433–4,
 441n.151, 444, 459–60, 462
 security measures, 235–6, 302–3, 308
 social dangerousness, 162, 234n.120
 statistics, 68–9, 77, 80, 105, 230, 303–4,
 317
 surrogate (non-detentive) penalties, 183,
 242–3, 254
- violent crime, 162, 233
 weapons, 114, 164
 workhouses, 105, 163–4, 236, 307
 Zanardelli, Giuseppe, 56–7, 59–60, 63,
 70, 75–6, 83n.67, 161, 233,
 288
 Zerboglio, Adolfo, 311–16, 325–6, 335,
 339, 381, 428
 Zuccarelli, Angelo, 352n.24