

BEITRÄGE

Konstantinos Gardikas: German Connections of a Greek Criminologist and Liberal Politician in the Interwar Period

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Konstantinos Gardikas (1896–1984) was the most prominent figure in Greek criminology and a well-known politician both during the interwar period and after (till 1968). In contrast with his reputation as a liberal scientist, his little-known published work in the German journal *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* in 1934–35, places him in a network dominated by the *Kriminalbiologische Gesellschaft* (Criminal Biological Society), which applied a national socialist ideology to the penal and criminological area. Gardikas, using a global scientific language, tried to implement in the Greek context part of this ideology, both through his leading position in academia and his political position as the person in charge of the forensic department of the Greek police for over 40 years, as it was “business as usual”.

The Myth and the official story

In 2000, a book entitled *Constantine Gardikas: The Founder of Criminology in Greece* was published by the Department of Law at the University of Athens to mark the 70th anniversary of the establishment of the first Chair in Criminology and its being occupied by the then 34-year Adjunct Professor K. Gardikas. The title of being the founder is not an honorary one, but instead a reality and is propagated as myth to today’s students in criminology courses at Greek universities. In the first case, the reality is that Gardikas was the first (and for a long time the only) professor of criminology at a Greek university. He 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. As he himself stated in the preface to his most important work *Criminology* in 1936, criminology is not a mere interpretation of the criminal law, but rather the criminologist should systematize and harmonize the advances in biology, anthropology, forensics, sociology, statistics, psychology, technical police, the penitentiary system and so on.

The myth was created mainly by the fact that most trained criminology professors in Greece, who subsequently have been responsible for training two generations of modern criminologists, had themselves been Gardikas’ students and have been responsible for reproducing and disseminating his work and establishing him as the father-figure of Greek criminology. In this paternal figure, two elements have primarily been highlighted. The first has to do with the progression of his thought, a progression in which he was out of step with the historical events of the time. For example, in biographies about him, it has been highlighted that Konstantinos Gardikas

did not hesitate to view the criminal phenomenon as a social phenomenon that was affected by profession and the place where this phenomenon occurred, etc. Another overemphasized issue is that, in 1917, as a young doctoral student, he wrote a memo to the Legislative Committee of Greece requiring the abolishment of adultery as a penal offence, something that was actually enacted much later, in 1984, by the first government of the Panhellenic Socialist Movement (P.A.S.O.K.).

The second element is how active he was in the implementation of criminal policy. Being the child of a university professor, a city dweller with access to political connections in the liberal party in the interwar period, Gardikas had the opportunity to assume positions with important responsibility in public administration at a very young age. At the age of 23, and having just returned from his doctoral studies in Geneva, he was appointed as Deputy Secretary General of the Directorate of Macedonia by the government of Venizelos, while the following year, being chosen by the High Commissioner of Smyrna, he took up the administration of all Correctional Services of Asia Minor which involved organizing prisons.

After the defeat of the Greek army in Turkey (1922), the so-called *Asia Minor Disaster*, Gardikas came back from Smyrna to Athens. He was appointed head of a department in the Interior Ministry, became a member of the Supreme Penitentiary Council [Ανώτατο Σωφρονιστικό Συμβούλιο], and a member of the Preparatory Committee of the Criminal Code. He was also delegated as a representative of the Greek government to the 2nd International Police Congress in Vienna, which was the forerunner of INTERPOL. In 1925, he organized the Office of Forensics, which since 1928 has been an autonomous body known as the Directorate of Forensic Services. Gardikas oversaw the management of this body for 41 years until his retirement in 1968, a management which, according to his biographers, was characterized by “his personal involvement in matters that were under police investigation, thus helping so that significant miscarriages of justice and convictions of the innocent were avoided” (SPINELLI 2000). He was also honored by the Greek Gendarmerie in 1955 with the military rank of “Major General”.

In this brief historical overview of the official biographies of the liberal man of action in criminal policy, there are no references to the fact that between 1925 and 1968 the history of Greece was characterized by two longer and two short-lived dictatorships, as well as multiple failed attempts at coups, Axis and German occupation, civil war and a post-civil war regime with more severe repression. This latter is seen in the examples of thousands of people who were exiled, executed, tortured, displaced, or persecuted because of their political beliefs.

But also within the context of his academic work, his “biographies” have yet to approach in depth and detail the work of the period of his life that he himself recognizes as the most important. This was his effort to draw awareness to his research work in the international field of criminology done both at the end of the interwar period and, more particularly, during the period between his election as an Adjunct Professor of Criminology (1930) and his appointment as a Full Professor in 1939. This research work was something that he himself did not revise when he translated it into Greek and included it in his life’s work, in the three-volume *Criminology*, which he had reprinted six times (the first edition) in 1936 and up to an including 1968 (the date of the last publication).

Why German?

A first issue that is worth being explored is why Gardikas changed the foreign language he used to write his scientific articles, that is, from French – the language in which he wrote his doctoral thesis at the University of Geneva – to German. A first explanation might have to do with the fact that during his tenure as Director of the Correctional Services in Smyrna he was associated with two scientists who were established in Germany, namely, Constantin Carathéodory (1873–1950)¹ and George Joachimoglu (1887–1979).² Joachimoglu and Carathéodory, together with Gardikas, were involved in planning the establishment of the University of Ionia (in Smyrna) (AGELOPOULOS 2010). This involvement in the circle of Joachimoglu and Carathéodory may explain why Gardikas turned to the German language very early in his career before his election at the University of Athens, with the publication of his talk at the International Scientific Congress in Vienna, entitled “The Spirit of International Criminal Law and the Organization of Combating International Crime” (GARDIKAS 1924).

Nevertheless, the aforementioned is not enough to explain why Gardikas decided to write only in German from 1934 onwards and only in a certain journal, that is, the *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* [Monthly Review on Criminal Psychology and Penal Reform] which was published between 1904/1905–1936 and then in 1937 was renamed *Monatsschrift für Kriminalbiologie und Strafrechtsreform. Organ der Kriminalbiologischen Gesellschaft* [Monthly Review on Criminal Biology and Penal Reform. Organ of the Criminal Biological Society], becoming the journal of the *Kriminalbiologische Gesellschaft* (Society of Criminal Biology). It is also worth adding that Gardikas had a series of articles published in this publication, among which there is one on eugenics (GARDIKAS 1934c). His appreciation of the development of German criminology as a science, and his need to converse with it are reflected in the fact that in the preface of the first edition of his most important work – that is, *Criminology* (1936/1968) – he stated that the science that he was teaching was in an embryonic stage and had to be composed and crystallized. This made his academic teaching difficult as there was no similar textbook in Greek; there was only what had been written in German by the expert in criminology and the fo-

- 1 Constantin Carathéodory, a well-known mathematician and Professor at German Universities (Göttingen, Berlin, Munich) was asked personally by the Prime Minister Eleftherios Venizelos to take over the task to establish the first Greek University outside Athens, the University of Ionia in Smyrna, Asia Minor. The unfinished plan ended with the defeat of Greek Army by the Turks in 1922, when he returned to Germany, University of Munich and Bavarian Academy of Science till his death. Concerning his relationship with the Nazi regime; see GEORGIADOU 2004.
- 2 George Joachimoglou was chosen by the liberal government of Venizelos to help Caratheodory with his task to establish the University of Ionia. He worked in Friedrich-Wilhelm University in Berlin from 1913 to 1928 cooperating closely with the German and the Prussian governments. He returned the same year to Greece, to work to the University of Athens. He was honored by the Nazi government with the Ehrenzeichen medal (1935) and he was appointed by Metaxas dictatorship as President of the State Council of Health (1936); see MARKETOS 2000, WOSTENHOLME 1965.

rensic psychiatrist, Gustav Aschaffenburg (1866–1944), a book that he would try to follow and that was the reason why he decided to write such a work in Greek.³ His appreciation of this German criminology never waned since in the last edition of his book *About the Correctional System* (1965) suggests that the Greek Correctional Code should require prisoners to shave as a measure of moral improvement, as did the German Correctional Code of 1923, which was supported by many German theorists.

A first answer to the above questions may be formed through extensive and detailed reference to specific articles and their connection with the respective scientific movement that prevailed in Germany at the time, and found expression primarily in the journal *Monatsschrift für Kriminalpsychologie und Strafrechtsreform*.

The Background: Criminology in Europe

Gardikas was a scientist who was trying to delineate a new academic field of study, research, and policy implementation in Greece, following the hegemonic way of the development of criminology in Europe. We can identify some features of this course set out clearly in his published work, which are features that connect his work with Western European developments. However, this connection was an effort to converse with international and mainstream scientific developments by providing research evidence from the Greek reality sometimes as a means of legitimizing those events.

At the end of the 19th century and until the interwar period, administrative criminology emerged as a legitimizing scientific discourse, protecting law and order and recommending mechanisms and new surveillance practices that could respond to social problems, with the latter leading to social rifts. The program of classical law, as it was described by the proponent of the enlightenment, Cezare Beccaria (1738–1794), almost 150 years before Gardikas, was not enough to respond to these social problems, especially after positivism and determinism had become the mainstream ideas of how to mitigate the autocracy of freedom of will. It was then in the late 19th century that the first two schools of criminological thought developed within the particular social and scientific context, these being the Italian Positive School which was founded by the doctor Cecare Lombroso (1835–1909) and the French School of Environmentalism whose main representatives were Alexandre Lacassagne (1843–1924) and Gabriel de Tarde (1843–1904).

In the case of Lombroso, a biological determinism was initially evident, given that he highlighted the “born criminal,” while Lacassagne emphasized that the criminal as a “bacterium” needs the right environment to act (VAN SWAANINGEN 1997: 31). Despite the seemingly opposing nature of the two approaches (individual versus society), a third approach did take long to emerge. That approach not only reconciled the aforementioned two issues under the common umbrella of interdisciplinary deter-

3 Gustav Aschaffenburg was a pioneer in the field of criminology in Germany. In 1903, he published his study, *Das Verbrechen und seine Bekämpfung*, discussing individual-hereditary and social environmental factors as causes of crime. His academic career was terminated by the Nazi and he emigrated to USA. Gardikas cooperated with Aschaffenburg and invited him to his seminars.

minism, but also renewed the classical law program. It was by coincidence that the third stream called the Modern or Third School of Criminology (FIJNAUT 1986) came primarily from people who had studied law, such as the Viennese Franz von Liszt (1851–1919) – a leading figure, who founded the International Association of Penal Law (*Internationale Kriminalistische Vereinigung, IKV – Union International de Droit Penal, UIDP*) in 1889. This was the dominant scientific society which continued organizing conferences in Europe until 1913 and included more than 1000 members from all over Europe (VAN SWAANINGEN 1997: 34; GROENHUIJSEN/VAN DER LANDEEN 1990).

It was during that period that the young Gardikas was taking his first steps into the international scientific world as a law student, whereas almost all conservative and progressive minds of the time gathered under the interdisciplinary and functionalist umbrella of IKV/UIDP, whose basic principles were that: (a) crime should be treated as a social phenomenon and emphasis should be given to its biological and environmental causes, and (b) preventive measures should be given emphasis so that crime, not just the retaliation of the sentence, was addressed. The dynamics of the International Association of Penal Law was so strong that it affected Lombroso's later work and caused his student Enrico Ferri (1856–1929) to subscribe to it. Ferri is a remarkable figure, whose work is often annotated by Gardikas. Being at first a member of the Italian Socialist Party, Ferri joined the Italian National Fascist Party and was the main instigator of the Italian Criminal Code of 1927 in which he tried to apply the principles of the Association to criminal policy – the Association which was dissolved due to World War I and which he tried to reconstitute (VERVAELE 1990).

During the same period, similar shifts of criminological thought towards socio-biology were set down in Germany. The thought of Franz von Liszt (1851–1919), who had been a member of the Progressive People's Party (*Fortschrittliche Volkspartei, FVP*) and a member of the Prussian parliament, was driven by his successors to IKV/UIDP to social biology, and started his conversation with the theoretical principles typically professed by the Nazi party, touching upon phobias of wider social strata.⁴ Order and law were being threatened by ever growing crime, and up to that point, official crime policy was not treating it, and, eventually, a special emphasis on preventive measures needed to be given. Franz Exner, a member of IKV/UIDP, founded the Society for Criminal Biology (*Kriminalbiologische Gesellschaft*; hereinafter KG) in 1927. This society quickly became not only the vehicle for the scientific justification of Nazi ideology on the issue of crime and criminal justice in Germany, but also assumed the leading role that the IKV/UIDP had been playing in international criminological thought in Europe before World War II.

4 Besides von Liszt's thought was the canvas for the development of these ideas. As early as 1904, von Liszt suggested a preventive measure of the indefinite confinement in an asylum of those who show high risk of pre-criminal behaviour due to mental disorders (WETZELL 2000: 85–86). That was expressed in law and criminal policy introduced by Nazism in 1933. Furthermore, von Liszt had discussed about the pathological effects of poverty and unsanitary living conditions of lower social classes.

The German language was the dominant language of IKV/UIIDP, while the International Society of Criminology (hereinafter ISC) was established in its core in Rome – under Mussolini – in 1938, which even today is recognized as the main collectivity of scientists of criminology internationally. The key positions professed by both the KG and the ISC were: the attempt to incorporate techniques and various sciences in the implementation of criminal justice; providing an answer to criminal phenomenon; the re-positioning of forensic interest from the principle of legality to the principle of criminal predisposition – a feature of particular individuals or groups of individuals, something which must be treated with preventive measures.

The KG tried to open up to international criminology, seeking scientific documentation, with a basic condition being the use of the German language. To achieve this objective, the method that the KG used was both to organize scientific conferences as well as to establish scientific publications such as books, book series, and, especially, scientific journals. Franz Exner participated in the editorial committee of a well-known and well-established German journal, *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* (*Monthly Review for Criminal Psychology and Criminal Law Reform*), which from early on hosted discussions, notably just before and just after the big conference he and Joseph Goebbels (1897–1945) organized in Berlin in 1935 (International Conference on Criminal Law and Penology).⁵ Two years later, the journal was renamed *Kriminalbiologie und Strafrechtsreform* (*Criminal Biology and Criminal Law Reform*) and became formally the agency for the scientific propaganda of the Nazi criminological doctrine.

Gardikas and the *Monatsschrift für Kriminalpsychologie und Strafrechtsreform*

Konstantinos Gardikas participated in a scientific debate in the German journal *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* with six publications in German in 1934–35, with titles such as: “Profession and Crime in Greece” (1934d), “Crime in Greece: In the City and the Countryside” (1935a), “Crime in Greece According to the Place Where It Occurs” (1934a), “Crimes in Greece with Respect to Seasons of the Year” (1935b), the very short (i.e. two-page) article entitled “Retraining in Criminal Law” (1934b) and the article neglected by his biographers, “Eugenics in Ancient Greece” (1934c). The first three articles, almost unchanged, became chapters in his main book *Criminology* in the early editions in the 1930s, while the last article became a sub-section in a chapter entitled “Sterilization and Castration for Combating Crimes”.

More analytically, in his article on “crime and the place where it occurs” (1934a), after he has presented tables of crime rates in total and by category from the prefectures in Greece, he draws some conclusions. According to these, the fact that in the Greek islands (the Cyclades), there are fewer “violent crimes” was because these islands were sparsely populated (fewer opportunities of human contact). Inhabitants of the Cyclades had a better economic position and less alcohol consumption. Similarly, low crime in Macedonia and Thrace was due to the better economic situation of in-

5 In which, among others, the decision on the need for eugenic sterilization and castration was adopted (MIRCHEVA 2011: 32).

habitants there. In contrast with the aforementioned, the inhabitants of Peloponnese appear to have a strong propensity to criminal activity because they are characterized by an irritable, hot-blooded character, a strong sexual drive, and they lacked continence and self-control, as Gardikas argues. Poverty and the rougher constitution of inhabitants characterize another area of Greece (Epirus) with high rates of crime. To support this, Gardikas refers to the ancient writer Polybius, who – when speaking about the inhabitants of Arcadia in the Peloponnese – claimed that the air and the wild nature of the place created a rough and insolent character. About Crete, where according to Gardikas there are many thefts but few scams, in Gardikas's opinion this can be explained by the fact that the inhabitants have a low intellectual capacity. In the same article, he mentions how the system of jurisdiction operates. According to Gardikas, many crimes, such as premeditated murders and causing bodily harm, are not recorded due to the fact that jury courts adjudicate irresponsibly, being controlled by the mob and political parties, thus, resulting in 'sinful' decisions.

In another similar article in which he examines the effect of urban or non-urban (rural) environments on crime in Greece (GARDIKAS 1935a), Gardikas stresses that German criminological statistics are worthy of being adopted and proposes that they should be followed by Greece. Making a bibliographical reference to Gustav Aschaffenburg (1866–1944), he tries to confirm (using Greek statistical data) his conclusion that cities were more criminal than the countryside. It seems that Gardikas cooperated closely with Aschaffenburg. As he reported in the journal *Monatsschrift für Kriminalpsychologie und Strafreform*, among Greek and foreign scientists, Gardikas had also invited Aschaffenburg (the editor of the above-mentioned journal), to give a talk about "The Significance of the Psychopaths for Society and Law, Environment, Sterilization" [*Die Bedeutung der Psychopathen für die Gesellschaft und das Recht, Anlage und Umwelt, Sterilisation*] (GARDIKAS 1934e).

In his article "Crime in Greece: In the City and the Countryside" (1935a), Gardikas presents and corrects statistics from the year 1931, according to which, whereas 15,16% of the population resided in the Greek cities of over 100.000 inhabitants, 19% of convicts were recorded as living there. The general explanation that he gives is that in villages, people are unvarying, without social discrimination, and are under surveillance much more tightly by agencies of social control. What is interesting though in this article is the breakdown by type of crime in relation to the opposition "city versus village". Fraud is encountered more often in the city because the bourgeoisie is smarter. Similarly, thefts are more frequent, not because villagers are morally superior, but because in the city there are more opportunities to steal. However, it is difficult to explain the fact that, whereas seductions are higher in the city, rapes are proportionally higher in villages. Gardikas's explanation is that sexual crime is more brutal and violent in the countryside, whereas it is more devious in the city. To validate his position, Gardikas resorts to ancient Greek writers, according to whom the villager is boorish, uncouth, uneducated, easy to anger, while the city dweller is noble and elegant in manners. He gives a similar explanation for the corresponding pair of blackmail-robbery.

At the conclusion of the article, Gardikas agrees with Lombroso that crime in the countryside is more violent due to the nature of "primitive" people, that is, because of brute force, rough pleasure, and avarice, whereas crimes in cities have the charac-

teristics of the developed population, that is, those of duplicity and craftiness. However, he makes a particular reference to a kind of urban crime, that is, habitual crime committed by criminals who hang out in brothels with bold temptations such as drink, prostitution, begging, and vagrancy. These individuals are described by Gardikas as mentally abnormal, having migrated from villages as economically inferior elements of the countryside and lacking social advancement they fall into deeper poverty and eventually into the circle of criminals. Then, Gardikas draws the amazing conclusion that there must be a better distribution of wealth in society so that everyone has a minimum subsistence level. How would this happen? Gardikas' proposal for a crime policy is birth control and restrictions on reproduction. If births were reduced, unemployment and exploitation of low-waged people would be abolished, and thereby the overall level of life would rise. He "supports" this eugenic measure with the lessons to be learned from Ancient Hellas and makes references to Plato and Aristotle, with the suggestion that abortion, infanticide, the exposure of new born babies, and "abnormal sex" were tolerated and were measures sometimes imposed by the state itself (GARDIKAS 1935a). In the same train of thought, there is Gardikas's article on the influence of climate on crime in Greece (GARDIKAS 1935b). Using the method of secondary analysis of statistics, he asserts that the highest crime rate was in the southern areas in Greece, explaining it as a result of a greater propensity to violence by the inhabitants of these areas. Overall, he compares Greece with Germany, concluding that Greece, as a South-European country, had a propensity towards violence due to inhabitants' irritable and excitable temperament. His final conclusion is that the effect of climate on people's morality is important, but it should be neither exaggerated nor used, for example, as an extenuating factor in rape convictions that were issued in the spring or summer, when an increase of libido and their respective crimes is observed.

In the article on how profession was linked with crime (GARDIKAS 1934d), from the very beginning Gardikas adopted Aschaffenburg's findings as working hypotheses to be confirmed in his research into Greek statistics for the years 1926–1930. According to these statistics, there was a deeper link between crime and profession, because an individual's physical and mental constitution often determined the chosen profession and caused the crimes he committed.⁶ At the same time, he was conversing with the French criminologists Alexandre Lacassagne and Gabriel de Tarde, adopting the view that practicing some professions provided knowledge and specific skills, thus enabling or facilitating the performance of certain crimes. This technique helps the technique of forensics, as the criminal often uses an instrument of a method from his profession to commit crime, so it is useful to know the criminal's profession in advance. But when it came to the question of research evidence of the aforementioned from the secondary analysis of statistical presentation of crime in Greece, this was difficult and precarious as it was problematic how profession was defined through these statistics. Again, Gardikas presents the German statistical example of a

6 For example, farmers and cattle-breeders are portrayed by Gardikas as violent; he also asserts that intellectually inferior individuals can only become manual workers, and furthermore, that masculine hairdressers for women "are deviant with respect to their sexual instinct".

connection between profession and crime as the most noteworthy system, calling implicitly on the Greek government to adopt it. The main conclusion he draws from his research, is – once again – that Greek farmers neither were honest nor had any morality, and they were marked off by having a limited mental development.

Gardikas on Eugenics

In all the four aforementioned articles, Gardikas adopts the positions of the Society for Criminal Biology (KG) and attempts to speak in a respectful manner about KG's predecessors – that is, Lombroso's Italian Positive School and the French Environmental School. He provides research evidence to support these positions through a secondary processing of Greek statistics and makes recommendations to the Greek state that the statistical monitoring system should be changed according to the German model. However, another article preceded the third of these four articles – the exception is the article on the impact of climate change, which was published in the same year (1934) – but in the last issue of the journal – in which Gardikas converses theoretically with a specific scientific stream and, more specifically, with one of its facets – that of eugenics, promoting a discussion with the world of ancient Greek thought, which is presented as the root source of policies regarding crime: sterilization and castration to combat crime.

According to Gardikas, eugenics flourished in the classical culture of Ancient Hellas. Ancient Hellenes wanted to create healthy, robust children to improve their posterity and that is why since the Homeric epics there has been mention of arranged marriages between persons who demonstrated physical and mental health. He makes special reference, on the one hand, to Lycurgus' Law in Sparta, where there was sexual intercourse between a woman and a young man when she was married to an old man, and, on the other hand, to Plato's ideal state in which producing children is the task of men aged between 30 and 45 and by women aged between 20 and 40. (Both children born out of wedlock and disabled children as well as those suffering from incurable diseases were to be starved to death) (cf. ROPER 1992). Similarly, Aristotle in his *Polity* believes in the number of those giving birth be predetermined by law, and also in preventative abortion when this number is exceeded. Gardikas provides no other reference to support his argument, but this does not prevent him from connecting this "eugenics" of ancient Greece with the modern scientific currents of the Italian Positive School (Lombroso, Garofalo) and German thought, as well as with respective criminal policies and laws of eugenics which had been passed in some states in the U.S.A. and other countries since the late 19th and early 20th centuries.

Gardikas's interest in eugenics as a means of combating crime continued unabated in his Greek publications in the 1930s, and remained unchanged even after the end of World War II until the 1960s and the last edition of his book *Criminology* (1968). That interest always resulted in specific proposals for crime policy, even when they went against the political climate of his period. Until the last edition of his most important work, *Criminology*, the chapter on "Combating Crimes by Means of Sterilization and Castration" was continuously being updated with new ideas and new proposals, some of which would end up as proposals to the (Greek) Parliament.

The central idea is the same, based on the original article in the scientific journal and on Aschaffenburg's work and those of other German eugenicists, who published

research similar to Gardikas' in the same period. Gardikas makes special reference, among others to the well-known eugenicist Stavros Zurukzoglou (1896–1966). He provides three pages of bibliography, which is mostly German and quite recent (from the 1930s). This initial concept is based on the assumption that the offspring of mentally disadvantaged or degenerated individuals are dangerous, driven blindly by their instincts and live in immoral and criminal environments. Thus, it is reasonable that the marriage between such individuals should be prohibited, and he did not understand why in 1958 the Greek Parliament rejected a similar draft law, which required health examinations of a couple prior to marriage.⁷ However, Gardikas considers that the marriage ban is not enough as these individuals continue to retain their reproductive capacity. The solution suggested by him is sterilization, just as it is provided for in the German law of 1935, while the operation of clinics of eugenics examination in the German world was very useful. In order to eliminate the influence of perverse sexual instincts, such as masturbation, satyriasis, nymphomania and pedophilia, he suggests castration to be applied surgically and with radiation, and the respective law should allow the use of different methods, such as the 1936 amendment of the German Act (1933) allowed.

From the worldwide experience of the implementation of laws requiring sterilization, Gardikas agrees with publications that reached the conclusion, on the one hand, that sterilization had great eugenic and economic effects, on the other hand, that the fear about abusing the measure in Germany was not valid. Gardikas makes a very analytical reference to the German example of the 1933 “Law for the Prevention of Genetically Diseased Offspring” [*Gesetz zur Verhütung erbkranken Nachwuchses*, 14 July 1933]” the operation of specialized courts of hereditary health and to scientific debates taking place in three different issues of the journal *Monatsschrift für Kriminalpsychologie und Strafrechtsreform*. He did not even hesitate to criticize the German law for omitting a series of hereditary diseases and disorders of compulsory sterilization. He mentions that this law was implemented on 412.000 individuals in Germany, effectively reducing the mentally ill by 60% and generating a savings of 420 million marks for the state institutions. This measure can only work when compulsory and is not dependent on the consent of those affected because these people have no concept of moral duty. He states that forced sterilization saves us from useless and dangerous people and reduces the number of people that need hospital care in times of economic difficulties. It is not a barbaric and tyrannical measure resembling those enforced in the Middle Ages, because it is exercised for social benefit and it is painless. In his opinion, forced sterilization is a right mix of preventive and repressive crime policy, i.e. *ante delictum and post delictum crime policy*. It deprives sexual pleasures from perverts and prevents new offenses since it does not allow for dangerous heirs as offspring.

7 As Trubeta mentions, eugenists' efforts to find supporters of their proposals, mainly in church and society since 1932 have been futile (TRUBETA 2011: 292–293).

Conclusion

According to NAGEL (1975: 76), the specific sociopolitical conditions of a country are the major factors which determine what kind of criminology is the most significant. Under a totalitarian regime, there is hardly any meaningful study of criminology possible and, in such a situation, a criminologist has really only two options: either to leave the profession or to leave the country. Gardikas, the “father” of Greek Criminology, chose the third way. He did not only have an active role as the most important Greek university teacher and researcher of criminology but also played a decisive role in the implementation of a formal criminal policy in the worst and most repressive socio-political circumstances that Greece had experienced. His course had been prescribed when in the interwar period he decided to follow, from a scientific point of view, the mainstream of criminological thought in Europe, which was combined with the Nazi practices, and, more specifically, with the precursors of the Third School and the perspective of the Society for Criminal Biology (and with one of the most important scientific journals that produced and reproduced its positions).

To quote German scholars and to publish in German journals in line with their ideas, it seemed to be business as usual, as someone does when professing the need to treat criminal propensity of a particular class of people by using even eugenic methods. The Dutch criminologist William Adriaan Bongers (1876–1940), who was Gardikas’ contemporary, observed similar activities and actions by his colleagues in his country – who were supporting and conversing with these German perspectives on criminal justice. In the same year when Konstantinos Gardikas had articles published in Germany, Bongers wrote about those who could not see the relationship between those German perspectives and the Nazi dictatorship, (that they must have been blind), and he wrote about as well those who traveled to Germany to study the penitentiary system and forgot to talk about the existence of concentration camps. Four days after his country was conquered by Germany, Bongers committed suicide, writing: “I cannot see any future for myself and I cannot bend to the scum who is going to rule now” (VAN SWAANINGEN 1997). On the contrary, Gardikas continued to be professor and director of the Forensic Service in Greece until his retirement which occurred in 1968, when another military dictatorship had already come into power the year before – that is, the Greek military junta of 1967.

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