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TARDE Gabriel (1843-1904)

Gabriel Tarde was a judge, Head of Statistics at the Ministry of Justice, a professor at the College of France and a member of the French Institute and was one of the central figures in French criminology towards the end of the XIX century. He is better known nowadays for his sociological theories and for his opposition to Emile Durkheim (1858-1917), but Tarde was above all one of the first to criticize the born-criminal theory of Cesare Lombroso (1835-1909) and was the author of an original theory on the perpetration of crime and penal responsibility. It was probably from his experience as a practising judge that Tarde drew the first elements of his criticism of Lombroso's theory of the criminal type. From the 1880s onwards, Tarde published in opposition to the idea of the born criminal and refuted Lombroso's atavistic theory. Comparative criminality in 1886 followed by Penal philosophy in 1890 made him a significant contributor to the criminal anthropology debate. Tarde believed that crime was the product of society. Crime spreads by imitation, by learning antisocial behaviour, not through some upsurge from prehistory. The criminal does not carry the stigma of primitive man, but rather those of a profession with its own specific traits (slang, tattoos, moral insensitivity, etc.)

The disagreement with Durkheim was based upon the definition of crime and the analysis of society. Durkheim held that crime in itself is a normal activity because it is found in all societies. It is only pathological when it reaches levels which threaten society. Tarde on the other hand believed that crime is always an abnormal phenomenon which demonstrates the delinquent's maladjustment to society's commonly accepted rules. For Durkheim, society is an organic whole, whereas for Tarde, society is the result of individual interactions which are themselves the result of invention and imitation.

Tarde tried to find the middle ground between the classical, free-choice theory of responsibility and the determinism of the positivist school. He produced a theory of responsibility based on the concepts of “ personal identity ” and “ social similarity ”. If the accused is going to be held responsible for his actions, the individual being judged must have a certain awareness of his personal identity and his action should provoke in him a sense of guilt linked to his membership of the society which is passing judgement. The whole difficulty lies in finding the right balance which allows these two criteria to be reconciled. The theory was never actually put into practice, but it has its place in Europe in a wider movement looking to individualise sanctions.

Tarde published widely in the field of criminology : he wrote commentaries on criminal statistics, he was in at the birth of crowd psychology, he put forward criteria for ensuring correct sentencing and he developed an original theory of crime and punishment. Tarde was one of Lacassagne’s main collaborators on the Criminal Anthropology Records and he participated in numerous conventions on anthropology, sociology and penitentiary science. Although celebrated in his lifetime, Tarde’s reputation did not endure. One reason for this can be found in his writings : his books were in effect compilations of articles from which it was hard to distinguish a clear doctrine. Tarde was recognised as an erudite practitioner, but he was isolated and did not gain a wide following.

Marc Renneville