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Artificial Intelligence (AI) and judicial independence: Balancing transparency and control

Gina Gioia*

Abstract. The integration of Artificial Intelligence (AI) into civil litigation presents both opportunities and challenges, especially regarding judicial independence. AI, particularly machine learning (ML), has evolved from simple logic systems to sophisticated and autonomous decision-makers. AI helps streamline processes, predict outcomes, and improve access to justice. However, concerns arise about AI's potential to affect judicial independence, especially due to biases in the data it processes. Open data initiatives have increased judicial transparency, but AI systems trained on this data require strict oversight by the judiciary. The opacity of ML, particularly deep learning, complicates the legal reasoning process, which depends on clear, rational explanations. Until AI systems can fully align with these legal principles, their role in judicial decision-making must be regulated to safeguard judicial independence.

Key words: Artificial Intelligence, AI, judicial independence, judicial transparency, machine learning, oversight.

Riassunto. L'integrazione dell'intelligenza artificiale (*Artificial Intelligence* [AI]) nel contenzioso civile presenta sia opportunità che sfide, soprattutto per quanto riguarda l'indipendenza giudiziaria. L'AI e in particolare l'apprendimento automatico (*Machine Learning* [ML]), si è evoluta da semplici sistemi logici a sofisticati e autonomi sistemi decisionali. L'AI snellisce i processi, prevede i risultati e migliora l'accesso alla giustizia. Tuttavia, emergono preoccupazioni circa il potenziale dell'AI di influenzare l'indipendenza giudiziaria, soprattutto a causa di pregiudizi nei dati che elabora. Le iniziative di open data hanno aumentato la trasparenza giudiziaria, ma i sistemi di AI addestrati su questi dati richiedono una rigorosa supervisione da parte della magistratura. L'opacità del ML, in particolare dell'apprendimento profondo, complica il processo di ragionamento giuridico, che dipende da spiegazioni chiare e razionali. Finché i sistemi di intelligenza artificiale non saranno pienamente in linea con questi principi giuridici, il loro ruolo nel processo decisionale giudiziario dovrà essere regolamentato per salvaguardare l'indipendenza della magistratura.

Parole chiave: Intelligenza artificiale, apprendimento automatico, indipendenza giudiziaria, trasparenza giudiziaria, regolamentazione.

Introduction

AI, in one of the most ancient explanations, means *making a machine behave in ways that would be called intelligent if a human were so behaving*.¹ The discussion on artificial intelligence (AI) in the field of civil procedural law already started a few decades ago². Meanwhile, we have gone from human-programmed AI to do things using 'if then' logic to AI capable of learning from experience.³ After a relatively long apprenticeship through a training algorithm, the machinery is no longer dependent on the instructions of a human and are capable of predicting future needs and can adopt new skills. This trend also affects the law, from inside.⁴

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¹ McCarthy, J., Minsky, L.M., Rochester, N., and Shannon, C.E. (31st August 1955). A Proposal for the Dartmouth Summer Research Project on Artificial Intelligence. *AI Magazine*, Internet: <http://www-formal.stanford.edu/jmc/history/dartmouth/dartmouth.html>.

² Taruffo, M. (1998). Judicial Decisions and Artificial Intelligence. In G. Sartor and L. K. Branting. (Eds.), *Artificial Intelligence and Law* (pp. 311-324). Springer.

³ The definition of AI has shifted over time as technologies continue to evolve and accomplish tasks previously thought to be impossible. Today, there is no agreement as to what constitutes the concept of AI among experts in the field: Scherer, M. U. (2016). Regulating Artificial Intelligence Systems: Risks, Challenges, Competencies, and Strategies. *Harv. J.L. & Tech*, 29, 354 - 400.

⁴ "We are now living with creatures of our own making that can anticipate our behaviours and pre-empt our intent. They inform our actions even if we don't know it and their inner workings seem as opaque as our own unconscious.": Hildebrandt, M. (2018). Law as Computation in the Era of Artificial Legal Intelligence: Speaking Law to the Power of Statistics. *Suppl. Univ. of Toronto L.J.*, 68, 12-34. See also Jabotinsky, H. Y. and Lavi, M. (2022). The Eye in the Sky Delivers (and Influences) What You Buy. *Uni Pennsylvania J. Const. L.*, 24 (6), 1329-1400; Pasquale, F. and Cashwell, G. (2018). Prediction, Persuasion, and the Jurisprudence of Behaviourism. *Univ. of Toronto L.J.*, 68, 63-81.

Like the human being, the machine is capable of learning from experience, therefore it is called machine learning (ML) and is characterized by the automatic adaptation of the algorithm to the processed data⁵. Deep learning algorithms, a branch of machine learning, feed large amounts of data and use multiple layers of human-like neural networks. It is based on artificial neural networks organized in different layers, where each layer calculates the input for the following one, so that the information is processed in an increasingly complete way. This allows the machine to classify unstructured data, capture concepts, define criteria, determine correlations, and make decisions without human supervision.⁶

There are three approaches on machine learning. In the supervised ML a data scientist acts as a guide and teaches the algorithm the results to generate. An unsupervised ML learns to identify complex processes and patterns without careful and constant guidance of an expert. A reinforcement ML learns to solve a multi-level problem by trial and error. It is trained on real-life scenarios to make a sequence of decisions. For the actions it performs the machine receives either rewards or penalties.

The current era of deep learning is mainly characterized by scaling the size of models and training them with self-supervision and more recently, adding fine tuning with reinforcement learning from human feedback.⁷

The enormous doubts raised by AI⁸ and the now massive use of it require the rule of law to take charge of the epochal change⁹. Precise limits to AI need to be set so that it can improve the lives of people and the planet and not create new inequalities and injustices or reinforce the ancient ones, with prejudices¹⁰ or with expensive tools only for rich litigants.¹¹

This epochal change could also affect the civil procedure.¹² Above all, deep learning has a great fascination among many of those who deal with civil litigation every day. They have long fantasised about robolawyers and robojudges, both with an intention of assisting and with one even of replacing the judiciary with the machine.¹³

⁵ Shalev-Schwartz, S. and Ben-David, S. (2014). *Understanding Machine-Learning: from Theory to Algorithms*. Cambridge University Press.

⁶ LeCun, Y., Bengio, Y. and Hinton, G. (2015). Deep Learning, *Nature*, 521, 436-444: "Deep learning allows computational models that are composed of multiple processing layers to learn representations of data with multiple levels of abstraction". See also Nicholson C., *Artificial Intelligence (AI) vs. Machine Learning vs. Deep Learning*. Pathmind. <https://wiki.pathmind.com/ai-vs-machine-learning-vs-deep-learning>.

⁷ Nay, J. J. (2023). Law Informs Code: A Legal Informatics Approach to Aligning Artificial Intelligence with Humans, *Nw. J. Tech. & Intell. Prop.*, 20, 309-392.

⁸ Someone even believes that they are not intelligent, as the computer scientist Domingos, P. (2017). *The Master Algorithm: How the Quest for the Ultimate Learning Machine Will Remake Our World*. Penguin. which says: 'People worry that computers will get too smart and take over the world, but the real problem is that they're too stupid and they've already taken over the world'.

⁹ Schwab, K. (2017). *The Fourth Industrial Revolution*. Penguin.

"AI capabilities emerge that could radically transform welfare, wealth, or power, to an extent comparable to the nuclear revolution or even the industrial revolution. These possibilities are strikingly neglected, in part because they involve massive global and intergenerational externalities. There is thus a high leverage opportunity to address what may be the most important global issue of the 21st century." Dafoe, A. (27th August 2018). AI Governance: A Research Agenda. *Ctr. Gov. AI*. <https://www.fhi.ox.ac.uk/wp-content/uploads/GovAI-Agenda.pdf>

¹⁰ As well-known example, COMPAS is an instrument developed by a psychometrician and a correction professional, licensed by a company to many US jurisdictions. COMPAS is likely the best-known and most-scrutinized criminal risk assessment instrument currently in use in court despite a 2016 constitutional challenge in Wisconsin and a ProPublica investigation alleged racially biased scoring. See Karp, B. (2023). What Even Is a Criminal Attitude? And Other Problems with Attitude and Associational Factors in Criminal Risk Assessment. *Stan. L. R.*, 75, 1431-1529.

¹¹ See the concerns of Pasquale, F. and Cashwell, G. (2018). Prediction, Persuasion, and the Jurisprudence of Behaviourism, *Univ. of Toronto L.J.*, 68, 63-81.

¹² Nieva-Fenoll, J. (2018), *Inteligencia Artificial y Proceso Judicial*, Marcel Pons.

¹³ See the discussion in Susskind, R. (1996). *The Future of Law: Facing the Challenges of Information Technology*, Clarendon Press.; Id. (2017). *Tomorrow's Layers: An Introduction to Your Future*. Oxford University Press; Volokh, E., (2019). Chief Justice Robots, *Duke L.J.*, 68, 1135-1192; Re, R. M. and Solow-Niederman, A. (2019). Developing Artificially Intelligent Justice, *Stan. Tech. L. Rev.*, 22, 242-289; Huq, A. Z. (2020). A Right to a Human Decision. *Va L. Rev.*, 611, 106, 611-688; Pasquale, F. (2019). A Rule of Persons, Not Machines: The Limits of Legal Automation. *Geo Wash L. Rev.*, 1, 3-55; Chen, B., Stremitzer, A. and Tobia, K. (2023). Having Your Day in Robot Court. *Harv. J. L. & Tech.*, 3-37. For the literature in Italian language see, for example, Ruffolo, U. (2021). La *machina sapiens* come "avvocato generale" ed il primato del giudice umano: una proposta di interazione virtuosa. *Astrid*, 8, 1-32.

However, the opportunity must be taken to verify whether these scenarios are consistent with the principles that govern the civil procedure¹⁴, above all that of the independence of the judiciary and the impartiality of the judge.

While the independence of the judiciary is normally a principle born and recognized with the constitutions¹⁵, its impartiality has a long story and it can be found in the Compilation of Justinian: *nemo iudex in causa sua*.

In Italy, for example, the impartiality of the judge was expressly introduced into the Constitution only recently, but nobody ever doubted that it was an essential principle on which the trial must be based, so much so that it was already visible from the combination of some provisions of the Constitution.¹⁶

Independence is an attitude towards any outside pressure or influence, impartiality is an attitude towards the subject matter of the dispute and the parties involved. However, the independence affects the organization of the judiciary and therefore from the beginning appears as a precondition for impartiality.

AI is far from being neutral, because it is developed by entering data chosen according to subjective criteria. Therefore, we can appreciate that it could very well affect and limit the independence of judiciary. On the other hand, however, AI, at least in the abstract, can be developed in such a way as to favor impartiality in the decision more than the judge does, who is inevitably taken by her passions and convictions, as well as being subject to human perceptive limits. The judicial decision could be much more controllable, and a greater degree of legal certainty could be achieved.¹⁷

With the help of some jurists, legal philosophers, computer scientists and cognitive psychologists who have dealt with AI and the procedural law field, in the following pages I will try to establish how much the independence of the judiciary and the impartiality of judges can be affected by AI and how AI can be used to comply with these law principles.

Feelings for predictability has also infected civil procedure.

AI can be used in the administration of justice to support the administrative board of the courts. The ‘if then’ structure of the support tools doesn’t raise any independence issue, on the contrary it reduces the delay and the access to justice. Then AI can be used to support the judge’s activity or, for now theoretically, as a substitute of the judge.¹⁸

The primary application of AI within litigation was (and is) to have the algorithm predict what a court’s decision would be. Mostly it is used to allow lawyers to better advise the client on the probabilities to win the case or for reaching an agreement. The so-called predictive justice could lead easily to substitution of the judge, and only needs to be perceived as the better way to reach the right decision.¹⁹ Once it is perceived as the best decision, any judge would rely on the predicted decision.

¹⁴ According to Huq, A. Z. (2021). Artificial Intelligence and the Rule of Law. *Public Law and Legal Theory Working Paper Series*, 764, 1-14 the advent of new decision-making and forecasting tools shouldn’t simply be occasions for celebration or discouragement. Rather, they should be understood as an opportunity to rethink the elements that we have previously, perhaps prematurely, lumped together in our conception of the rule of law.

¹⁵ Shetreet, S. and Forsyth, C. (2011). *The Culture of Judicial Independence. Conceptual Foundations and Practical Challenges*. Brill Nijhoff.

¹⁶ See Cappelletti, M. and Vigoriti, V. (1971). I diritti costituzionali delle parti nel processo civile italiano, *Riv. dir. proc.*, 604-637; Trocker, N. (1974). *Processo civile e costituzione*. Giuffrè; Chiarloni, S. (2008). Giusto processo, garanzie processuali, giustizia della decisione. *Riv. trim. dir. proc. civ.*, 1, 129-152; Id. (2000). Il nuovo art. 111 Cost. e il processo civile. *Riv. dir. proc.*, 4, 1010-1034; Fabiani, M. (23rd June 2010). Garanzia di terzietà e imparzialità del giudice ed efficienza del processo. *Judicium*, <https://www.judicium.it/wp-content/uploads/saggi/95/M.%20Fabiani.pdf>; Monteleone, G. (2012). L’imparzialità del giudice e la prova nel processo. *Giusto proc. civ.*, 7 (2), 323-334.

¹⁷ This is the opinion of Zalnieriute, M. and Bell, F. (2021). Technology and Judicial Role. In G. Appleby and A. Lynch (Eds.), *The Judge, the Judiciary and the Court: Individual, Collegial and Institutional Judicial Dynamics in Australia* (pp. 116-142). Cambridge University Press.

¹⁸ Some scholars consider unconstitutional to replace the judge-person with a judge-machine.

¹⁹ Taruffo, M. (2019). *Verso la decisione giusta*. Giappichelli.

Next step would be the conviction of the unnecessary of the human judge. The result would be the end of one of the three powers: the judicial one. At that point no issues about independence would arise. I think that the risk of seeing the predictive justice as better than the human justice is not just theoretical. For this reason, the monitoring of the use of AI in civil procedure is necessary to establish limits in order to maintain the judiciary as judiciary.

We know that human beings have a particular aptitude for predicting the future, dictated by the need to make choices in the present. Cognitive psychology has been studying the topic for years,²⁰ especially regarding the bias that human beings incur²¹.

Numerous limits hinder a prediction that will then occur. Among them the scenarios we built have an intrinsic limit: it is not possible for us to obtain all the information we need to fully evaluate a situation, and we are not able to anticipate every single possible contingency.²²

Therefore, human beings immediately found in AI that missing piece of Holy Grail, which was to predict the future as accurately as possible. The applications of AI have therefore developed in many areas and, among these, also in that of law and jurisdiction.

In the latter, predictability has always been seen as a value that guarantees democracy itself. The legal system is based on certainty, which allows the activity prescribed by the rules to be linked to certain intended or undesirable consequences²³. It is thus possible to determine in advance what the legally wrong choices are, avoiding programs of action that can, to a greater or lesser extent, cause unwanted legal consequences. So, we actively try to control by law at least some of the events we are going to encounter in life, and thus replace chance with causality. And this limited and legally regulated sphere of activity in the world gives us, if not absolute certainty about the future, at least a fairly reassuring substitute for it.²⁴

When legal certainty involves the judiciary, the issue becomes much more delicate, because independence is at stake. In the legal tradition of both civil law and common law, the principle of the supremacy of the law rules²⁵. And it rules for the judge as well. The judge analyses any matter that is subjected to her consideration *from the legal point of view* and only from the legal point of view, without any moral implication, for example. This guarantees the third aspect of the judge's independence: the neutrality.

Nobody and nothing can tell the judge what to do, except the law. But the judge applies the law to the facts and on doing so she interprets the law. Her interpretation keeps the law alive (*lebendiges Recht*) and at the same time evolves it with the evolution of the society. The interpretation cannot be identical to the previous one, it contains always new elements. In fact, any decision needs to give reasons and cannot just refer to previous decisions.

The law can give the possibility to the judges to relay to previous judgments, but the reasons for the relay must be given. All this must be done in the freedom and discretion of the judge and nobody, even the law, can demand the judge to decide in a way or another.

²⁰ See, for example, Dougherty, M. R., Gettys, C. F. and Ogden, E.E. (1999). MINERVA-DM: A memory processes model for judgments of likelihood. *Psychological Review*, 106 (1), 180-2019; Griffin, D. and Tversky, A. (1992). The weighing of evidence and the determinants of confidence. *Cognitive psychology*, 24 (3), 411- 435.

²¹ Tetlock, P.E. (2002). Cognitive biases in path-dependent systems: Theory driven reasoning about plausible pasts and probable futures in world politics. In T. Gilovich, D.W. Griffin and D. Kahneman. (Eds.), *Inferences, Heuristics and Biases: New Directions in Judgment Under Uncertainty*, (pp. 335-366). Cambridge University Press.

²² Griffin D. W. and Ross L. (1991), Subjective construal, social inference, and human misunderstanding. *Advances in experimental social psychology*, 24, 319-359.

²³ On the concept and for a critics to it Brady, J. C. (1973), Legal Certainty: The Durable Myth. *Irish Jurist*, 8 (1), 18-32.

²⁴ According to Gometz, G. (2005), *La certezza giuridica come prevedibilità*, Giappichelli, legal certainty means the ability of individuals to predict accurately, reliably in the long term the range of legal consequences susceptible to being spontaneously or coercively attributed to acts or facts, as well as the temporal context in which these legal consequences will come into effect to be.

²⁵ Kaufman, I.R. (1980). The Essence of Judicial Independence. *Columbia L. Rev.*, 80 (4), 671-701.

Because then the judge interprets the law, the certainty of the law is not and cannot be neither a starting point but constitutes only the aim to strive for. Certainty is not ensured by the individual judge and her single judgment, but by the set of individual interpretations of the law by the individual judges or courts and their single judgments.²⁶

But if legal certainty is given by the set of judgments issued by the judges, why not process all these judgments with AI and predict only one and certain result, that can be seen valid for everybody? Then the algorithm could be trained to evolve with situations and new needs of the society and predict even higher quality results, that could make the judge unnecessary.

In compliance with the principle of independence, let's see if, and within what limits, a positive answer can be given to this question.

Building AI for litigation in the framework of judiciary independence

The development of AI was possible thanks to the so-called data quake, which was the explosion in the amount of available data due to the increase in processor speed and the decrease in costs for their conservation.

The open data movement has also contributed to this. At one point, governments around the world convinced themselves to make a series of data available to the public (open data) to increase transparency and make government more accountable, improve smart city services for citizens and encourage economic growth²⁷.

The open data movement²⁸ culminated with the Open Government Partnership (OGP), an international organization founded in 2011 with 76 countries joined (including Italy and Peru) to promote transparent, participatory, inclusive and accountable governance.²⁹

An open data culture is also supported and enabled by national and international initiatives, such as the EU Directive 2019/1024, which aim to improve access to public sector data, to stimulate the use of such data, both for commercial and non-commercial purposes. The EU data portal, where

²⁶ Bin, R. (2013), A discrezione del giudice. Ordine e disordine: una prospettiva quantistica, Franco Angeli. For the broad discussion in Italy, see Bobbio, N. (1951), La certezza del diritto è un mito?, *Riv. int. fil. dir.*, 28, 146-152; Guastini, R. (1986), La certezza del diritto come principio di diritto positivo?, *Le regioni*, 14, 1090-1102; Gianformaggio, L. (1988), Certezza del diritto, *Digesto Discipline privatistiche sezione civile*. Utet; Carnelutti, F. (1943), La certezza del diritto, *Riv. dir. civ.*, 1943, 81-91. Costantino, G. (2011), Il principio di affidamento tra fluidità delle regole e certezza del diritto, *Riv. dir. proc.*, 1073-1097.

²⁷ Chignard S., (29th March 2013), A brief history of Open Data. *ParisTech Review*. <https://www.paristechreview.com/2013/03/29/brief-history-open-data/>. Krishnamurthy, R., Awazu, Y. (2016) Liberating data for public value: the case of Data.gov. *Int. J. Inf. Manage*, 36 (4), 668-672; Charalabidis, Y., Zuiderwijk, A., Alexopoulos, C., Janssen, M., Lampoltshammer, T., and Ferro, E. (2018). *Open Data Evaluation Models: Theory and Practice*. In *The World of Open Data. Public Administration and Information Technology*, Self-Edition, 28, Springer.

Fischer, C., Hirsbrunner, S. D., and Teckentrup, V. (2022). Producing Open Data. *Res. Ideas Outcomes*, 8, 1-16; Micheli, M., Ponti, M., Craglia, M. and Berti Suman, A. (2021). Emerging models of data governance in the age of datafication. *Big Data Soc.*, 7 (2), 1-15; Neves, F. T., De Castro Neto M. and Aparicio, M. (2020). The impacts of open data initiatives on smart cities: a framework for evaluation and monitoring. *Cities*, 106, 1-20. See the very recent study by the EU Commission, Publications Office of the European Union, Ooijen, C., Osimo, D., Regeczi, D. et al. (2023). Rethinking the impact of open data – A first step towards a European impact assessment for open data. *Publications Office of the European Union*, <https://data.europa.eu/doi/10.2830/911822>.

²⁸ In 2009, on his first day in office, President Obama signed the Memorandum on Transparency and Open Government, declaring that "information maintained by the Federal Government is a national asset," and calling for the use of "new technologies to put information about agency operations and decisions online and to make it readily available to the public

In 2013, the US government issued an Executive Order on "Making Open and Machine Readable the New Default for Government Information" to advance and accelerate open data implementation in federal agencies. The Order stated explicitly that "openness in government strengthens our democracy, promotes the delivery of efficient and effective services, and contributes to economic growth."

²⁹ The United Nations views open data as a key tool in the effort to achieve and measure progress toward the Sustainable Development Goals (SDGs), the human rights and development agenda adopted by 130 countries in 2016. See Noveck, B.S., (2017). Rights-Based and Tech-Driven: Open Data, Freedom of Information, and the Future of Government Transparency. *Yale Human Rights & Development L.J.*, 19, 1-46.

metadata of publicly available data across Europe is systematically collected to improve the accessibility and increase the value of open data, is also an example of this approach.³⁰

As in other administrative areas, even the judicial sector benefits from open data with data analysis projects that help identify organizational problems to be solved and act on the basis of experience³¹. From another point of view, as the ECHR has emphasized, the accessibility of all citizens to court decisions makes justice transparent and thus a condition for a fair trial. The ability for any citizen to obtain a copy of the rulings without the need to justify a recognized interest would protect the parties from the secret administration of justice and is also one of the means of maintaining trust in judges³². Furthermore, according to the European Parliament, some aspects of the accessibility of court records pose serious legal problems and may even infringe upon fundamental human rights that are internationally recognized, such as the right to equality in arms³³. In the Magna Carta of Judges (Fundamentals) adopted by the CCJE on November 17, 2010, point 14 is as follows: "Justice shall be transparent and information shall be published on the operation of the judicial system."

The provision of data is good and right because it ultimately guarantees external control over the independence and impartiality of the judge and favors the creation of a balanced system of accountability of the judiciary.³⁴

As stated in the ENCJ³⁵ Report 2022-2023: The goal of the judiciary is to dispense quality justice within a timeframe consistent with the demands of society by judges that are, and are seen to be, independent and impartial in a fully transparent manner.³⁶

The increase in data available to the judicial system is also due to the digitization of a large part of the procedure and to the migration of data online. The growth of data in the legal environment also is seen as bringing greater value to the data itself, which can be used more effectively to reduce the cost of access to justice.³⁷ Lawyers will have an easier job and therefore less expensive. At the same

³⁰ Huyer E. and van Knippenberg L. (2020). The Economic Impact of Open Data: Opportunities for Value Creation in Europe. *European Commission*. <https://data.europa.eu/sites/default/files/the-economic-impact-of-open-data.pdf>.

Open data can cover a wide range of subject areas. The variety of data expands the possible uses and, therefore, AI-based products and services. European Commission (9th June 2023). *Open data and AI: A symbiotic relationship for progress*. <https://data.europa.eu/en/publications/datastories/open-data-and-ai-symbiotic-relationship-progress>. See also Neufeld, S. (21st July 2021). Deploying open government data for AI-Enabled Public Interest Technologies. *Observer Research Foundation*. <https://policylab.rutgers.edu/artificial-intelligence-and-open-data-for-public-good-implications-for-public-policy/>; Austin, T., Kamleshkumar Kishnani, P., Mariani, J., Busath, K., Diehl, A. (10th December 2021). Trustworthy open data for trustworthy AI. Opportunities and risks of using open data for AI. *Deloitte Insights*. <https://www2.deloitte.com/us/en/insights/industry/public-sector/open-data-ai-explainable-trustworthy.html>

³¹ White House Data-Driven Justice Initiative (DDJI) partnered with 129 communities to bring about empirically-based reforms

³² Case of *Szücs v. Austria* (135/1996/754/953). The data is often entrusted to private companies that build databases for a fee, inaccessible to ordinary citizens.

³³ See the study European Parliament. (2013) National practices with regard to the accessibility of court documents. <https://blog.okfn.org/2016/07/27/open-data-as-a-human-right-the-case-of-case-law/>.

³⁴ "Judicial independence and judicial accountability are not discrete concepts at war with one another, but rather complementary concepts that can and should be regarded as allies": is the shared opinion of Burbank, S. B. (2003). Perspectives on Judicial Independence: What Do We Mean by "Judicial Independence"? *Ohio State Law Journal*, 64, 323-339. See also Geyh, C. G. (2003). Judicial Independence, Judicial Accountability, and the Role of Constitutional Norms in Congressional Regulation of the Courts. *Indiana Law Journal*, 78, 153-221; Id. (2008) The Endless Judicial Selection Debate and Why It Matters for Judicial Independence. *Geo. J. Legal Ethics*, 21, 1259-1281; Moliterno, J. E., Berdisová L., Čuroš, P. and Mazúr, J. (2018). Independence Without Accountability: The Harmful Consequences of Eu Policy Toward Central and Eastern European Entrants. *Fordham International Law Journal*, 42, 481-552.

³⁵ European Network of Councils for the Judiciary.

³⁶ European Network of Councils for the Judiciary, (2022-2023). Indicators Independence, Accountability and Quality of the Judiciary. Reenforcing judicial protection. <https://pgwrk-websitemedia.s3.eu-west-1.amazonaws.com/production/pwk-web-encj2017-p/GA%20Ljubljana/ENCJ%20Report%20Indicators%20IAQ%202022-2023%2025%20May%202023%20pdf.pdf>.

³⁷ Carpenter, A. E., Steinberg, J. K., Shanahan, C. F. and Mark, A. (2018). Studying the "New" Civil Judges. *Wisc. L. Rev.*, 249-246; Steinberg, J. K. (2016). Adversary Breakdown and Judicial Role Confusion in "Small Case" Civil Justice. *Byu L. Rev.*, 899-970; Carpenter, A. E. (2018) Active Judging and Access to Justice. *Notre Dame L. Rev.*, 93, 647-708; Thornburg, E. G. (2010). The Managerial Judge Goes to Trial. *U. Rich. L. Rev.*, 44, 1261-1325.

time, platforms can be built to help parties resolving disputes without lawyers and through predicting the outcome of disputes to reach agreement. Judges will no longer be the exclusive producers of data, but above all they will manage it.³⁸

According to some scholars the ability to deliver justice will increasingly depend on the health of its data ecosystem.³⁹

When the use of the data extends to the design of AI which has with an impact on the jurisdictional function of the judiciary, due consideration must be given to the guarantees of independence.

If we imagine that the data which are fed to the machine are collected and stored by the judiciary itself and this then decides to use and process them to create an AI to be used in decisions, at a local or national level, independence is guaranteed on condition that in all phases of the creation and management of the AI there is the supervision of the judiciary itself. This protects the independence of judiciary as a whole. To protect the single judge as well, the transparency of the AI process must be provided. Furthermore, to any judge must be guaranteed the possibility not to use or not to take into consideration the AI results.

Undue influence could also come from within the judiciary when judges receive direction (or pressure from peers or) from those with administrative duties.⁴⁰ Therefore, if the judiciary itself develops and adopts AI with decision-making functions, it should at least clarify externally what the details of the machine's functioning are.

Things are different when the Big Data that is supplied to the machine to make its predictions or any other job/service affecting the judge decision comes from a government body. The latter could also be the Ministry of Justice. The judiciary is and must be independent from this as well. Normally the judiciaries of democratic countries are equipped with independent bodies of self-government.⁴¹ If it was the Ministry that chose and provided the decisions to be used and even set up the machine, independency would not be granted. If the Ministry then turns to external companies that use their algorithms (protected by copyright) and the data collected in ways that are not disclosed to the public, the guarantee of independence from them as well would not be a foregone conclusion.

Undue external influence on the individual judge or on the judicial system can be represented, among other things, by undue interference in the decision-making process. Thus, the EctHR, pursuant to art. 6, § 1⁴², condemned attempts by non-judicial authorities to intervene in judicial proceedings, considering them ipso facto incompatible with the notion of an "independent and impartial tribunal", whether they influenced the course of proceedings⁴³. The constitutional guarantees of the

³⁸ First, courts will be data users when designing and monitoring new data-driven tools, including court-connected legal aid chatbots. Second, the courts will be the distributors of data as they collect the mountains of data generated by the legal system and determine the conditions under which this data will be made available to outside actors. find a way to use it. Third, the courts will be the data regulators - especially the use of third-party data - because they determine which software vendors can and cannot provide legal services under the law. applicable law on attorneys and codes of professional responsibility. Precisely see Freeman Engstrom D. and Vogt R.J. (2022). *The New Judicial Governance: Courts, Data, and The Future of Civil Justice. DePaul L. R.*, 1-82.

³⁹ Ibid. point out that, in exercising the new governance roles, courts will offer a multitude of options for how decisions are made and communicated about data collection, use and processing. They will quickly see data as a strategic asset, not just a by-product of case processing or court management. Courts will also face common buying or selling issues: How much of their in-house engineering capabilities to build and rely on and how much to outsource to external vendors? Other options will include deciding how to standardize data formats across jurisdictions, as well as how and by whom that data is accessed. How the courts perform these new and unexplored governance roles - as data users, data distributors, and data regulators (and data usage) - will determine, perhaps more than any other force, the future of the civil justice system.

⁴⁰ *Parlov-Tkalčić c. Croazia*.

⁴¹ Kaufman I.R. (1980), *The Essence of Judicial Independence. Columbia L. Rev.*, 80(4), 671-701.

⁴² Article 6 of the European Convention on Human Rights establishes the right of every person "to have his or her case heard fairly, publicly and within a reasonable time by an independent and impartial tribunal". It concerns the right of every person liable to justice to a judge who is able to "act without any restriction, improper influence, instigation, pressure, threat or interference, direct or indirect, from any source or for any reason" (recommendation Rec (94) 12 of the Committee of Ministers of the Council of Europe on the independence, efficiency and role of judges, which recalls, also from a literal point of view, Article 2 of the «Basic Principles» established by the United Nations).

⁴³ *Sovtransavto Holding v. Ucraina* and *Agrotehservis v. Ucraina*.

independence and impartiality of the judiciary must be effectively implemented with day-to-day administrative practices, which may include the use of AI.

It follows that every judge, to safeguard her independence, must be able to use only AIs whose origin, structure and functioning are clear and transparent, and which are specifically approved by law, not already en bloc, but in detail. This guarantees the recognition of independence from the outside of the judicial system as well.

In the next paragraph I will enquire whether and to what extent these guarantees can be given by the structure and the functioning of a ML.

ML: decision without reasons and independence of judges

While the inductive algorithm is generally covered by copyright⁴⁴, once the latter is removed the algorithm can be disclosed, the deductive algorithm is formed along the way and the data that structure it are difficult to be decoded. Moreover, in deep learning neural networks, the architecture is entirely sub-symbolic, such as the prototypical example of an opaque model, or, to use popular jargon, a black box⁴⁵. They are typically not guided by prior knowledge.

The complexity together with the dynamism of this system have prevented developing a clear explanation of algorithmic reasoning⁴⁶. It is extremely difficult, if not impossible, for users to understand and verify the reliability of the patterns learned by the machine.

Although transparency itself has offered the opportunity of creating large databases from which to extrapolate those needed to create MLs, paradoxically the lack of intelligibility of the ML activity affects transparency.

Two transparency issues arise⁴⁷: technical transparency (which, although experts may have access to the source code, would often be difficult or impossible to achieve) and explainability of a kind that in the EU refers to Article 22 of the GDPR⁴⁸. The second represents a more useful approach for the citizen and the user. It could be defined controlled transparency.

On this second aspect, although experts may have access to the source code, there is often no interest in explaining how it works to users. The risk is that these could suffer negative consequences from algorithmic applications that remain opaque.

To reduce the risk posed by ambiguous algorithmic decisions, Article 22 of the GDPR also requires companies to provide meaningful information about the existence of algorithmic decision-making, how data is processed, the logic involved, and possible outcomes.⁴⁹

Some concerns regard the limitations on following the rules on transparency under the GDPR. The disclosure of algorithms and AI applications are not compulsory in case their use do not form

⁴⁴ See above.

⁴⁵ See above. See also McJohn, S. M. (1988). Review of Artificial Legal Intelligence. *Harv. J.L. & Tech.*, 12, 241-244, at 244 writes: Applied to the legal domain, a neural network would give a result without the reasons for it; a 'black-box' approach that fits poorly with the need for justifications in the legal world".

⁴⁶ Tschiderd C. A. (2021). *Beyond the "Black Box"*. *Denv. L. Rev.*, 683, 705-706.

⁴⁷ Christian, B. (2020). *The Alignment Problem: Machine Learning and Human Values*, W.W. Norton & Company, describing fairness and transparency risks.

⁴⁸ 1. The data subject shall have the right not to be subject to a decision based solely on automated processing [...], which produces legal effects concerning him or her or similarly significantly affects him or her. 2. Paragraph 1 shall not apply if the decision: [...] 2) authorized by "[the] law to which the controller is subject" and that adopts appropriate measures to protect the data subject; c. is based on the data subject's explicit consent. 3. In the cases referred to in points [...] (c) of paragraph 2, the data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

⁴⁹ Casey, B., Farhang, A. and Vogl R. (2019). Rethinking Explainable Machines: The GDPR's "Right to Explanation" Debate and the Rise of Algorithmic Audits in Enterprise. *Berkeley Tech. L.J.*, 34 (1), 143-188; Kaminski, M. E. The Right to Explanation, Explained. *Berkeley Tech. L. J.*, 34, 189-218; Hamon, R., Junklewitz, H., Malgieri, G. and De Hert, P. (3rd-10th March 2021) *Impossible Explanations?: Beyond Explainable AI in the GDPR from a COVID-19 Use Case Scenario*. FAccT 21: Proceedings of the 2021 ACM Conference on Fairness, Accountability, and Transparency. Virtual Event Canada.

decisions or generate legal effects, or the latter are not created exclusively by algorithms. The explanations are not to be provided in case where algorithms are fed by anonymized data (see Arts. 13 and 14 GDPR).⁵⁰

Once the user has received information on the functioning of the AI before using it, she no longer has the right to receive any information during use. Therefore, if in the meantime the algorithm has changed and, therefore, the procedure and the decision could be different, the user may not be informed. Moreover “mathematical explanations, access to algorithms, or detailed information about computing systems are never considered” as right of data subjects to obtain transparency about the “logic involved.”⁵¹

Several regulatory solutions to overcome algorithmic opacity⁵² and place greater obligations on companies have been proposed in recent years⁵³. Algorithmic impact assessments are suggested which would require documentation even before the development of the AI.⁵⁴ Internal and external audits would assess the quality and impact of algorithmic systems on a wider audience⁵⁵. Some also point out that stakeholders need more information on the managerial, legal and technical aspects of algorithmic systems to assess systemic risks.⁵⁶

These fall under the category of Explainable AI (XAI), as a process allowing users to understand the structure and the results generated by AI systems.

Even with respect to XAI there is no agreement between developers and analysts on transparency. According to some AI developers XAI is the key for building trust and confidence in AI. Industry analysts, on the contrary, point out the incompleteness of information provided by XAI.⁵⁷

The EU is adopting the AI Act that acknowledges and regulates the transparency of the AI. For a group of subjects, including ‘Assistance in legal interpretation and application of the law’, classified as high risk, it provides the registration on an EU database that will be publicly accessible.⁵⁸

In US the Senate has adopted the Algorithmic Accountability Act⁵⁹. Further intrinsic features of ML are far from complying with transparency. Due to the technical complexity or incomprehensibility of algorithmic systems, in fact it may be technically difficult for companies to explain the cause and correlation of algorithmic decisions.

⁵⁰ Brkan, M. and Bonnet, G. (2020). Legal and Technical Feasibility of the GDPR’s Quest for Explanation of Algorithmic Decisions: Of Black Boxes, White Boxes and Fata Morganas. *Eur. J. Risk Reg.*, 11 (1), 18-50.

⁵¹ Barros Vale, S. and Zanfir-Fortuna, G. (2022), Automated Decision-Making Under the GDPR: Practical Cases from Courts and Data Protection Authorities. *Future of Privacy Forum*, 2-60.

⁵² Guidotti, R., Monreale, A., Ruggieri, S., Turini, F., Giannotti F. and Pedreschi D., (2018). A Survey of Methods for Explaining Black Box Models. *ACM Comput. Surv.* 51 (5), Article No. 93, 1-42.

⁵³ Selbst, A. D. (2021). An Institutional View of Algorithmic Impact Assessments, *Harv. J.L. & Tech.*, 35, 117-191.

⁵⁴ See Ada Lovelace Institute (29th April 2020), *Examining the Black Box: Tools for Assessing Algorithmic Systems*, <https://www.adalovelaceinstitute.org/wp-content/uploads/2020/04/Ada-Lovelace-Institute-DataKind-UK-Examining-the-Black-Box-Report-2020.pdf>; Kaminski, M. E. (2020), Understanding Transparency in Algorithmic Accountability. In W. Barfield (Ed), *The Cambridge Handbook of the Law of Algorithms* (pp. 121-138). Cambridge University Press; Katyal, S. K. (2019). Private Accountability in the Age of Artificial Intelligence. In W. Barfield (Ed), *The Cambridge Handbook of the Law of Algorithms* (pp. 47-106). Cambridge University Press.

⁵⁵ Casey, B., Farhang, A. and Vogl R. (2019). Rethinking Explainable Machines: The GDPR’s “Right to Explanation” Debate and the Rise of Algorithmic Audits in Enterprise. *Berkeley Tech. L.J.*, 34 (1), 143-188;

⁵⁶ Lu, S., (2022). Data Privacy, Human Rights, and Algorithmic Opacity. *Calif. L. Rev.*, 110, 2087-2147.

⁵⁷ See the discussion in Pearce, G. (6th April 2022). *Explainable Artificial Intelligence (XAI): Useful but Not Uncontested*. Information Systems Audit and Control Association. <https://www.isaca.org/resources/news-and-trends/newsletters/atisaca/2022/volume-14/explainable-artificial-intelligence-useful-but-not-uncontested>. See also Dargan, M. (2023). Model Act for Algorithmic Models: A Regulatory Solution for AI Used in Hiring Decisions. *Hous. L. Rev.*, 13, 50-82.

⁵⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52021PC0206>

⁵⁹ H.R. 6580, 117th Cong. (2022).

Mökander, J., Juneja, P., Watson, D.S. and Foridi, L. (2022). The US Algorithmic Accountability Act of 2022 vs. The EU Artificial Intelligence Act: what can they learn from each other? *Minds & Machines*, 32 (4), 751-758.

Models of ML only predict the occurrence of certain phenomena, but do not explain their causes or the laws that govern them⁶⁰. This is because the machine's 'decision' is formed on probabilities. This does not even correspond to how the human being, even more so in legal reasoning, is used to thinking, that is on the basis of causality.

Furthermore, the ML (and this, as we said, is one of the most important issues) is not able to distinguish causality from simple correlation, so it would not be able to process the facts adequately. Scholars have also highlighted how this way of thinking about AI based on prediction makes, dangerously, persuasion obsolete.⁶¹

The last but again fundamental aspect is that predictive justice assumes that the operator provides the facts (*da mihi factum*) and the machine the law (*dabo tibi ius*) automatically. The doctrine underlines how the fact is always different and therefore the law to apply cannot be standardized.⁶²

The road to absolute transparency has probably been taken, but until it is achieved it does not seem that deep ML can be used as decision-making in place of human judges. Without any doubt the AI possibly used in the context of the civil procedure must be completely transparent, starting with the entered of data to build the ML which will then grow its experience. It must be intelligible for all stakeholders (judges, lawyers, parties, judicial experts, etc.), at every stage of the artificial process.

The lack of transparency negatively affects independence when it makes it impossible to adequately justify the decision made with the help of AI or relying on its results. The reasons for judgment are based on transparency because they act as an intermediary between the recipient of the decision and the authority from which the decision comes. The reasons must be such as to guarantee internal control, i.e. the knowledge of the motives for the decision and the possibility of identifying its defects. Furthermore, the reasons offer the best guarantee to validate other principles concerning the exercise of the judicial function, such as the independence and impartiality of the judge⁶³. In this way, the guarantee, for all citizens, of an external and widespread control on the exercise of judicial power takes shape with a view to the transparency of the judicial function.⁶⁴

Through the reasoning, the principles and constitutional rules that guarantee, among others, the independence and impartiality of the judge become effective within the proceedings.⁶⁵

⁶⁰ ML has also challenged science which, instead of being based on causally explained theory, is becoming increasingly data centric. Traditionally, in fact, the process of building a scientific model for a given phenomenon rests on the formulation of theoretical hypotheses, generally on the basis of both observation and prior knowledge, and their subsequent experimental evaluation. At the same time, a model is required to satisfy the fundamental epistemic desires of scientific investigation, i.e. explain the laws, causes or mechanisms underlying natural phenomena, predict their evolution and control their occurrence.

⁶¹ Pasquale, F. and Cashwell, G. (2018). Prediction, Persuasion, and the Jurisprudence of Behaviourism. *Univ. of Toronto L.J.*, 68, 63- 81. See the defense by Garsten, B. (2006). *Saving Persuasion*. Harvard University Press..

⁶² Taruffo, M., (1997). Precedente ed esempio nella decisione giudiziaria. In L. Gianformaggio and M. Jori (Eds.), *Scritti per Umberto Scarpelli*, Giuffrè, 783-801; Passanante, L. (2018). *Il precedente impossibile. Contributo allo studio del diritto giurisprudenziale nel processo civile*, Giappichelli.

⁶³ "The duty to give reasons is a condition for the effectiveness of these other principles in terms of the concrete implementation of justice": Taruffo, M. (1975). *La motivazione della sentenza civile*, Cedam. The same opinion was expressed by Denti, V. (1987) Art. 111 Cost: La magistratura, In V. Denti, G. Neppi Modona, G. Berti and P. Corso, *Commentario alla Costituzione*, (Vol. IV, pp. 8-145) Zanichelli; see also Pizzorusso, A. (1992). Garanzia costituzionale dell'azione. In A. Pizzorusso, G. Volpe, F. Sorrentino (Eds.), *Digesto civile*, (p. 612). UTET.

⁶⁴ See, for example, in UK, Court of Appeal *Flannery v. Halifax Estate Agencies* del 2000. Lord Justice Henry "on the duty to give reasons" stressing that today the professional judge has a general duty to give reasons for his decisions, he wrote: "Transparency should be the watchword".

⁶⁵ See Taruffo, M. (1975). *La motivazione della sentenza civile*, Cedam; Evangelista, S. (1977). Motivazione della sentenza civile. In *Enc. dir.* (pp. 154- 180). Giuffrè; Montesano, L. (1988). Controlli esterni sull'amministrazione della giustizia e funzioni garantiste della motivazione. In *La sentenza in Europa. Metodo, tecnica e stile*. Cedam; Fazzalari, E. (1988). La sentenza in rapporto alla struttura e all'oggetto del processo, In *La sentenza in Europa. Metodo, tecnica e stile*. Cedam; Andolina I. A. and Vignera, G. (1997) *I fondamenti costituzionali della giustizia civile. Il modello costituzionale del processo civile italiano*. Giappichelli; Rasia C. (2016). *La crisi della motivazione nel processo civile*. Bologna University Press.

The principle of independence can be considered concretely implemented, not only when the judge demonstrates which exactly were the rules chosen as suitable for regulating a certain case and what were the reasons that led her to attribute a certain meaning to them, but also when this demonstration is inspired by criteria of objective rationality.⁶⁶

The adequate motivation of the decision will therefore be possible if the algorithm will be completely intelligible for the judge who will be able to 'explain it' within the decision.⁶⁷ Not only that, but the algorithm must also be able to 'think' logically and not by prediction. This proviso follows unless, of course, we want to radically change the legal reasoning on which our civil society is based for centuries.

Conclusions

Some scholars argue that machine learning is unlikely to completely replace human judges. They have emphasized that the adjudication is a combination of "easy" cases and "hard" cases. While ML tools are good for easy cases, they will produce "dangerous or absurd" results when presented with new categories of facts. Thus, we think of the emergence of "cyborg" systems that combine measurements and effectiveness of the cybernetic medium with the judgment of the human organism for difficult cases⁶⁸. According to another view, once the technological problem of designing an artificial intelligence capable of producing persuasive legal texts is solved, there will be "few conceptual reasons" to reject the prospect of applying that same technology to judges.⁶⁹

In my opinion both theories mirror reality. The first from the point of view of the Sollen (as it should be) and the second from the point of view of the Sein (as it is).

Already numerous are theoretical questions leading towards a great improving of ML in civil procedure. *How* do we sue in a world where AI is operating on its own?⁷⁰ *How* to ensure that "common" questions of law and fact "predominate" over individual ones in class action litigation and facilitating certification for innumerable currently uncertifiable classes⁷¹. These are just two examples.

⁶⁶ Regardless of the various theories on the reasons of the judgment, it seems that all jurists agree on the idea that it should report the logical-intellectual process followed by the judge to reach the decision. See Taruffo, M. (1975). *La motivazione della sentenza civile*, Cedam; Id. (1988). *La sentenza in Europa. Metodo, tecnica e stile*, Cedam; Lancellotti, F. (1976). *Sentenza civile*. In *Noviss. Dig. It.*, (Vol. XVI). Giappichelli; see also Chizzini, A. (1989). *Sentenza nel diritto processuale civile*. In *Digesto civ.*, (Vol. IV). Giappichelli. Fazzalari, E. (1989). *Sentenza civile*. In *Enc. dir.* (Vol. XLI, pp. 1245-1272). Giuffrè; Perelman, C. and Foriers P., (1978). *La motivation des décisions de justice*, Etablissements Emile Bruylan. Ancel J. P. (1998). *La rédaction de la décision de justice en France*, in *Juges et jugements: L'Europe plurielle. L'élaboration de la décision de justice en droit compare*. *Revue internationale de droit comparé*. 3, 841-852.

⁶⁷ Taruffo, M. (1998). *Judicial Decisions and Artificial Intelligence*. In G. Sartor, L. K. Branting. (Eds.), *Artificial Intelligence and Law* (pp. 311-324). Springer.

⁶⁸ Wu, T. (2019). *Will Artificial Intelligence Eat the Law? The Rise of Hybrid Social-Ordering Systems*. *Columbia L. R.*, 119, 2001-2028.

⁶⁹ Volokh E. (2018). *Chief Justice Robots*. *Duke L.J.*, 2018, 68, 1135-1192.

Obviously, the discussion involves more scholars. For examples, Gowder, P. (2020). *Is Legal Cognition Computational? (When Will Deep Vehicle Replace Judge Hercules?)* In R. Whalen (Ed). *Computational Legal Studies: The Promise and Challenge of Data-Driven Legal Research*, 215-237; Livermore, M. A. (2020). *Rule by Rules*. In R. Whalen (Ed.), *Computational Legal Studies: The Promise and Challenge of Data-Driven Legal Research*, 238-365; Genesereth M. (2015), *Computational Law: The Cop in the Backseat*. *CodeX-The Stanford Center for Legal Informatics*. <https://logic.stanford.edu/publications/genesereth/complaw.pdf>; McGinnis, J. O. and Wasick, S. (2015). *Law's Algorithm*. *Fla. L. Rev.*, 66, 991-1050; Coglianese, C. and Lehr, D. (2017). *Regulating by Robot: Administrative Decision Making in the Machine-Learning Era*. *Geo. L.J.*, 105, 1147, 1223.

⁷⁰ It is the question of Niesel, Z. (2020). *Machine Learning and the New Civil Procedure*. *SMU L. Rev.*, 73, 493-540 where she explores the impact of machine learning on procedural law in two important areas: service of documents and personal jurisdiction.

⁷¹ Salib, P. N. (2022). *Artificially Intelligent Class Actions*. *Texas L. Rev.*, 100 (3), 519-575.

Many experiments have been carried out and more are in progress, such as the US Supreme Court Forecasting Project⁷² on the Project on ECtHR⁷³. Just to give an example, text analysis research has made recent progress in automatically identifying more aspects of meaning in legal documents. These include extracting examples of legal concepts, such as factual factors and patterns that strengthen or weaken a party's legal claim, and retrieving judgments that explain legal provisions, laws and regulations related to a legal issue. They also incorporate rhetorical and argumentative structures, including phrases that play a specific role in decisions about the case, such as declaring a rule of law or uncovering facts or quotes providing the court's issues, conclusions, and reasons.⁷⁴

A lot in place⁷⁵, in many countries of the world⁷⁶.

Up to now there are no cases in which the judge has been replaced by the machine.

In many situations the machine 'simply' supports the judge's activity. When this support affects the outcome of the decision or part of it, the independence of the judge must, in any case, be ensured.

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⁷² Ruger, T.W. et al. (2004). The Supreme Court Forecasting Project: Legal and Political Science Approaches to Predicting Supreme Court Decisionmaking. *Colum. L. Rev.*, 104 (4), 1150-1210: "For every argued case during the 2002 Term, we obtained predictions of the outcome prior to oral argument using two methods--one a statistical model that relies on general case characteristics, and the other a set of independent predictions by legal specialists. The basic result is that the statistical model did better than the legal experts in forecasting the outcomes of the Term's cases: The model predicted 75% of the Court's affirm/reverse results correctly, while the experts collectively got 59.1% right". See also, for example, Katz, D.M., II Bommarito, M.J. and Blackman, J. (2017). A general approach for predicting the behavior of the Supreme Court of the United States. *PLoS ONE*, 12 (4), 1-18.

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History, identity and memory: Jewish tracing in Maria Stepanova's *In Memory of Memory*

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Abstract. Maria Stepanova, a Russian poet, essayist, and journalist of Jewish descent, published a polyphonic work titled *Memory of Memory* in 2017, which was translated into English in 2021. At the heart of this work lies a triad of memory — personal, familial, and collective — that intertwines and overlaps, addressing various themes, including the Jewish theme. The author embarks on a journey into her family's roots, gradually expanding the boundaries of *postmemory* to encompass more universal dimensions. Memory thus becomes a bridge, connecting the legacy of family history to collective memory, intertwining with 'grand history' and culminating in a discourse on Jewish identity and memory.

Keywords: history, memory, post memory, trauma, identity.

Riassunto. Maria Stepanova, poetessa, saggista e giornalista russa di origini ebraiche, ha pubblicato nel 2017 un'opera polifonica intitolata *Memoria della memoria*, tradotta in italiano nel 2020. Al cuore di questo lavoro risiede la triade della memoria — personale, familiare e collettiva — che si intrecciano e sovrappongono, affrontando temi diversi, tra cui quello ebraico. L'autrice intraprende un viaggio nelle radici della propria famiglia, per poi espandere i confini della *postmemoria* fino a raggiungere dimensioni più universali. La memoria diventa così un ponte che collega l'eredità della storia familiare alla memoria collettiva, intrecciandosi con la 'grande storia' e approdando al discorso sull'identità ebraica e sulla memoria ebraica.

Parole chiave: storia, memoria, post memoria, trauma, identità.

In the context of the extensive body of memory literature that has developed since the 1980s, a distinct strand has emerged, often referred to as the 'third generation' narratives. This category encompasses works in which the grandchildren, as members of the third generation, face the complex challenge of recalling and articulating historical events of the twentieth century with which their grandparents were directly or indirectly involved (Ribatti 2014). Such narratives have become particularly salient in response to the diminishing number of living eyewitnesses to these events, a phenomenon highlighted by Aleida Assmann (Assmann, 2015). The act of remembrance for these third-generation descendants is frequently mediated through family stories, silences, and fragmented narratives handed down through generations, a process that Marianne Hirsch has defined as *postmemory* (Hirsch 2012).

This is the aim of *In Memory of Memory* is to explore the intricate relationship between personal, familial, and collective memory. The book brought Maria Stepanova—poet, essayist, contributor to various periodicals and newspapers, and recipient of numerous national and international awards—wide recognition (Scandura 2018, 251). Born in Moscow on June 9, 1972, into a family of three-quarters Jewish descent, the author began exploring her family history at the age of ten, documenting the stories of her ancestors in a simple school notebook. This notebook, consisting of just eleven pages, became the starting point (Favilli 2023, 71) of her extensive research into the family memories

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passed down through the matrilineal line—from her great-grandmother Sarra Ginzburg, to her grandmother Olga Fridman, and her mother Natalia Gurevich, culminating in Stepanova herself (Favilli 2023, 100):

«It's the sense of our family as a matriarchy, a tribe of strong, individual women standing like milestones spanning the century. Their fates loomed large in my life, here they are in the front row – holding on to each other, merging into each other – of the many-headed family photograph. [...] the line of transmission [...] was a staircase leading steadily toward me, consisting entirely of women. Sarra begat Lyolya, Lyolya begat Natasha, and Natasha begat me. The matryoshka (nesting) doll insisted on the preeminence of single daughters, each emerging from the one before and inheriting, with everything else, the gift and opportunity to be the single teller of the tale» (Stepanova, 2021, p. 31-32)

Those initial notes, which began as a simple desire to research and document her family history—exploring her lineage, roots, and the lives of her ancestors—eventually culminated in the publication of *Pamyati Pamyati* in 2017, which was subsequently translated into English as *In Memory of Memory* in 2021. The year 2017 holds particular significance, as it coincides with the centenary of two pivotal events: the October Revolution and the birth of Charlotte Salomon. Though these events differ in nature, they share a common symbolic theme of ‘birth’. The Russian Revolution of 1917 marked the collapse of the Empire and the emergence of Soviet Russia, ushering in an era filled with the optimism of revolutionary ideals alongside the consolidation of concepts like centralized authority, nationalism, and state control—a reflection of contemporary Russia (Sulpasso 2021, 476). In contrast, the birth of Charlotte Salomon in 1917, however an individual event, carries profound historical and artistic significance, especially in the context of the devastating political realities of the time. Though separated by geography and context, the Russian Revolution and Charlotte Salomon’s birth in Berlin are both overshadowed by the trauma that defined the 20th century, particularly the years leading up to and following the Second World War, when the trajectories of the two countries to converge. This trajectory becomes especially evident when we consider the year 1939, which shifted the concept of ‘birth’ into that of ‘death’. That year, the signing of the Molotov-Ribbentrop Pact marked a significant turning point in history, not only temporarily alleviating Soviet fears of a Nazi invasion but also ushering in a period marked by a morally complex and politically ambiguous landscape. Through this non-aggression agreement, the Soviet Union effectively muted its opposition to Nazi Germany’s increasingly brutal anti-Semitic policies, choosing to prioritize its own strategic interests over any moral considerations (Solzhenitsyn 2007, 15-19). While this pragmatic decision yielded short-term geopolitical advantages, it also entailed profound and far-reaching long-term consequence. Following the pact and particularly after Germany's invasion of the Soviet Union in 1941, marking the beginning of the Great Patriotic War—during which Leonid Gimmelfarb, affectionately called Lyodik (Stepanova, 2021, p. 254), served—Stepanova’s narrative underscores the catastrophic consequences of Soviet acquiescence to Nazi aggression. This complicity, marked by silence, left Soviet Jews largely unaware of the looming peril, exacerbating subsequent tragedies, such as those in Odessa (Schwarz. 1952, 123-125):

«[...] Both Lyodik’s grandfathers were in Odessa and both were Jews. Israel Gimmelfarb, Lyodik’s paternal grandfather, was shot in October 1941, immediately after Romanian forces occupied the town. The other grandfather, father of Betya and Verochka, was called Leonty, or Leib. [...] I have never found out anything about him – he vanished, quite as if he had never existed. [...] By the end of the war Odessa, with its Polish, Greek, Italian, and Jewish streets, had no more than six hundred Jewish residents, and none of my family were among them» (Stepanova, 2021, pp. 376-377).

The trauma of war and its far-reaching consequences prompted Stepanova to expand the concept of *postmemory* (Favilli 2023, 90) taking it beyond personal memories and Russia’s borders to reconstruct the past. The spatiotemporal coordinates of the postmodern *chronotope* broaden to encompass global memory places such as the United States Holocaust Memorial Museum, the Joods Historisch Museum, the American Museum of Natural History, and the Jewish Museum in Berlin. While, the context is supplemented by the external voices of authors such as Marianne Hirsch, W. G.

Sebald, Helga Landauer and Rafael Goldchain, who describes the echoes of trauma as follows: “all of my extended family members who remained in Europe after the beginning of World War Two perished in the Shoah” (Stepanova 2021, p. 172), and others.

Charlotte Salomon, a German-Jewish painter and one of the countless victims of the Holocaust, is the central figure in the chapter titled *Charlotte, or Acts of Insubordination*, first published on Colta.ru (Stepanova, 2017) to mark the centenary of her birth. In 1938, while studying at the Berlin Academy of the Arts, Charlotte and her family, alarmed by the escalating political tensions and dangers in Nazi Germany—particularly after Kristallnacht (The Night of Broken Glass) and her father’s deportation to Sachsenhausen concentration camp—decided to flee the country. Charlotte initially sought temporary refuge with her maternal grandparents in France before moving to the La Belle Aurore pension in Saint-Jean-Cap-Ferrat, where she lived in isolation for two years while her parents were in the Netherlands. During this time, she immersed herself in her art, using it to process her emotions and confront past traumas. This intense period of creative focus culminated in *Life? or Theatre?*, a series of 769 sheets of paper that became not only her magnum opus but also a deeply personal expression of her experiences and reflections. As Stepanova notes: “Charlotte Salomon become the dining-table chronicle of this age of decline, bewilderment, and pitiful efforts to keep one’s dignity intact” (Stepanova 2021, 220-229) capturing both the personal and historical dimensions of the struggle for meaning and survival.

The plot of *Life? or Theatre?* unfolds as both a family saga and a poignant love story, yet it is more than just an act of artistic expression—it also functions as a deeply personal form of therapy for Charlotte Salomon. In her quest for healing, the young artist felt compelled to embody every person she had ever known, giving voice to both the living and the dead. This act of ‘inhabiting’ the experiences of those around her allowed her to confront her past, transforming her grief into a creative force (Moiseeva 2022, 25). Her work was published posthumously by her father and his wife after Charlotte’s tragic death in 1943. At the age of 26, a pregnant Jewish woman, she was deported to Auschwitz, where, most likely, she was sent directly to the gas chambers upon arrival. Her life was cut short before she could realize the future she so desperately desired. Today, most of Salomon’s works are part of the collection at the Joods Historisch in Amsterdam, which has made the entire work available on its website (Leben? Oder Theater? s.d.).

The ‘penetrating nature of the work’ encapsulates the central themes of Charlotte Salomon’s artistic vision. *Life? or Theater?*, a groundbreaking fusion of painting, text, and music, goes beyond the traditional confines of autobiography (Moiseeva 2022, 25). The work functions as a Freudian family ‘romance,’ delving into the complexities of generational relationships and unconscious desires. Simultaneously, it offers a sentimental reflection on the past—a theme that Stepanova adopts as a subtitle (M. Stepanova 2017, 228-229).

The author’s connection with Charlotte Salomon is evident from the very first lines, a bond that transcends their shared Jewish heritage. While the chapters dedicated to other artists and writers often adopt a more uniform tone—perhaps to impose a sense of coherence on an otherwise diverse narrative—this chapter stands out for its engaging and multifaceted style. At this point in the book, the narrative takes on a new vitality, underscoring how Charlotte emerges as one of Stepanova’s deepest sources of inspiration (Favilli 2023, 88), embodying both her concept of ‘inhabiting’ the living and the dead, and serving as a three-dimensional model. In *In Memory of Memory*, this model takes shape through the integration of three distinct yet complementary dimensions: the visual dimension, conveyed through *ekphrasis*; the textual dimension, developed through narrative writing; and the musical dimension, expressed through the poetic elements that permeate the entire structure of the book. The result of this fusion is a complex structure, akin to a museum display case, filled with fragments, photographs, postcards, letters, and documents from a family archive (Ercolani 2020). These display cabinets, thus conceived, function as *semiophores* (Krzysztof 1990) —objects and images that embody a new dimension of meaning. The polyphonic narrative unfolds fluidly and lyrically, allowing the reader to meander freely between chapters, much like exploring the rooms of a museum without a fixed path (Ercolani 2020). Each room of the narrative serves as an *epitaph* for past generations, commemorating not only those who lived but also the very essence of memory itself.

This concept is encapsulated in the title *In Memory of Memory*, which emphasizes the act of remembering as a living, evolving tribute to the past.

Within this rich, museum-like structure, an important challenge emerges, centered on the reconstruction of the author's family history, a Jewish microcosm, with the sole Russian branch—her paternal grandfather, Nikolai Stepanov—intertwined in these historical and identity narratives. The main difficulty lies in the gaps within the family archive, which prevent the formation of cohesive chapters and hinder the creation of a complete picture (Grimova 2020, 145). Furthermore, the archive remains decontextualized, a condition that persists even when visiting significant and symbolic places such as Paris, Saratov, Kherson, and Odessa. However, partial contextualization is achieved through an external constellation of texts and authors such as Jacques Rancière, Georges du Maurier, Andrey Sergeev, Osip Mandelstam, Anna Akhmatova, Marina Tsvetaeva, Lidiya Ginzburg, and others. These figures serve as both guides and witnesses, providing context and perspectives that help fill in the historical voids and broaden the exploration of memory. Nevertheless, the underlying structural gaps hinder the construction of a linear narrative, free of discontinuities. Consequently, the text emerges as a fragmented tapestry, mirroring the incomplete nature of both history and memory (Grimova 2020, 145). This fragmentation is further intensified by the absence of a rich family context, shifting the narrative away from the traditional family saga towards an 'ordinariness' (Moiseeva 2022, 20):

«I felt bound to notice that my ancestors had hardly made any attempt to make our family history interesting. [...] As a child I was always very disappointed by the professions and activities of my family. Engineers and librarians, doctors and accountants, my relatives represented the full range of the ordinary and humdrum; nothing special or exciting, nothing adventurous» (Stepanova 2021, p. 22 and p. 377).

However, in a historical context, particularly one marked by constant upheaval, the concept of 'ordinariness'—devoid of extraordinary talents or great successes—takes on a deeper meaning, symbolizing resilience and survival. It functions almost as an 'invisibility cloak,' protecting individuals from the severe realities of their time and enabling them to withstand the enduring hardships (Moiseeva 2022, 20). Within this framework, the 'ordinary' character—whether consciously or unwittingly—becomes the measure of history (Moiseeva 2022, 22). This shift in focus towards the individual can be seen as a response to the scepticism surrounding grand historical narratives, which often present the past as a linear sequence of victories, conquests, and heroic deeds (Favilli 2023):

«The state concept of Russian history views the past centuries as a grand, decorated staircase, with Russia ascending triumphantly from one victory to the next. In this narrative, all conquests, cultural achievements, and successes are highlighted and celebrated, while the contradictions, tragedies, and darker moments are either overlooked or dismissed as isolated incident» (Sulpasso 2021, 476).

From the 'invisibility' of these individuals emerges a transformative perspective that reveals the darkest and most erased aspects of history, often overshadowed by dominant narratives (Moiseeva 2022, 22). Sarra Ginzburg, Stepanova's great-grandmother and custodian of family memory, exemplifies this dynamic, offering a view into 20th-century Russia. The author recounts Sarra's participation in the 1905 demonstration in Nizhny Novgorod, first referenced in the ballad *Sarra na barrikadakh* (Sarra on the Barricades, 2005). This episode transcends individual memory to symbolize a collective struggle for change during a period of profound social upheaval. In that moment, men and women, driven by shared aspirations, marched side by side, embodying the hope for a 'better world, built on the stable foundations of reason and justice' (M. Stepanova 2021, 137). The photograph capturing these events, now preserved in the Nizhny Novgorod Museum, has become a part of public memory, affectionately known in family folklore as 'Babushka on the Barricades':

«Great-Grandmother Sarra, first on the left, looks older than her seventeen years. Her hat, the sort that's fastened with pins, has slipped to the back of her head, a strand of hair has escaped and her round-cheeked face is red raw, you can see how cold she is. One of her hands is tucked into her coat's cuffs, another is balled

into a fist. Her right eye, injured on the barricades, is covered with a black bandage [...]. This was in Nizhny Novgorod, the barricades were built during the uprising that began on December 12, 1905, and was put down by artillery after three days of street fighting» (Stepanova, 2021, pp. 44-45).

Nevertheless, just two years later, Sarra was arrested for distributing clandestine literature and subsequently imprisoned in the Peter and Paul Fortress in St. Petersburg. After her release in 1908, she chose to leave Russia, opting not to join the Communist Party, and began a new life in France, where she enrolled at the Sorbonne to study medicine. The onset of World War I, however, brought new challenges. Sarra embarked on a perilous journey back to Russia, navigating the hazards and uncertainties of wartime (M. Stepanova 2021, 133-155). In 1916, she gave birth to her daughter, Lyolya, and successfully passed the state examinations required to practice medicine in Saratov, validating her 'milk-white' foreign certificate. The year before, she had married Mikhael Fridman (M. Stepanova 2021, 341; 329) and received from him a small brooch inscribed with the words: 'you can't escape your fate'. This gift symbolized the beginning of a new chapter in her life, marking the closure of her revolutionary past and bourgeois origin. As Stepanova writes: "she might have gone back to her old ways, her revolutionary activity; she might have had her name in school history books or, just as likely, in the lists of the executed. But she remained well beyond the reach of the textbooks and their footnotes [...]" (M. Stepanova 2021, 21-22).

Great-grandmother Sarra survived two revolutions, the First World War, and the tumultuous year of 1937—another reflection of contemporary Russia, frequently evoked by Stepanova (Bucko 2021). This year marks a pivotal moment in Soviet history: the Great Purge (1936-1938), which commenced following the assassination of Sergei Kirov and targeted those deemed enemies of the state. The victims of this political terror were individuals from diverse origins, including many of Jewish descent, nobles, party leaders, former members of the imperial army, and officials linked to Leon Trotsky (Calimani 2006). The victims of this political terror were individuals from diverse origins, including many of Jewish descent, nobles, party leaders, former members of the imperial army, and officials linked to Leon Trotsky (Deutscher 2011). Among those targeted was Isaac Deutscher, who was ultimately expelled from the Communist Party for allegedly exaggerating the threat of Nazism, with accusations of 'spreading panic among the Communist ranks'. His outspoken views were further condemned for employing rhetoric typically reserved for 'enemies of the working class', particularly when he highlighted the atrocities committed by the Stalinist regime. In addition to his criticisms of Soviet policy, Deutscher also addressed the Jewish question, treating it as a distinct issue from the broader challenges facing the Communist movement. Initially, he had supported the establishment of a Jewish Republic in Birobidzhan, seeing it as a potential haven for the Jewish people (Meghnagi 2010, 90-93). However, over time, the settlement devolved into an open-air prison, ultimately transforming into a new form of the Pale of Settlement (Pipes 1975, 16), marked by deportation and murder for countless individuals. This tragic development, marked by immense suffering, became a harrowing chapter that Deutscher would remember with profound regret (Meghnagi 2010, 97):

«In 1938, in what was later known as the Great Terror, the country's punitive capacity was strained to the utmost: the Gulag could no longer cope with the quantity of prisoners. Production, so to speak, *ground to a halt*. Annihilation was the solution and army officers found themselves at the front of this grim line: hundreds and thousands of foreign spies were suddenly found among their ranks» (Stepanova, 2021, p. 401).

When German troops invaded the unprepared Soviet Union on June 22, 1941, chaos ensued, plunging the entire population, including Jews, into a state of uncertainty and fear. As Stepanova observes, 'the city was in a state of frenzy for several months. People fled precipitously as you might dive through a hole cut in the ice' (Stepanova, 2021, p. 347). The Soviet government, fully aware of its complicity through silence and the catastrophic consequences that followed, could neither admit responsibility nor openly prioritize Jews in evacuation efforts. Consequently, the evacuation orders issued after the invasion, though insufficient to safeguard everyone, avoided any mention of the Jewish population (Solzhenitsyn 2007, 16-19). Sarra Ginzburg's family was evacuated to Yalutorovsk, a city in western Siberia, where they remained for three years. It was there, just days

after their arrival on 12 September 1941, that her daughter, Olga Gurevich, gave birth to Natasha, who later became the mother of Maria Stepanova (Stepanova, 2021)

The end of World War II and the victory that followed, as Stepanova notes, marked a turning point in Russian history, reshaping both its political landscape and national identity, where the complexities of the past were erased, stripped of tragedy, conflict, or struggle. History became curated like a museum exhibit, showing only uninterrupted triumphs and successes (Sulpasso 2021, 476). This duality became evident with the formation of the Jewish Anti-Fascist Committee in 1942 and, later, with the establishment of the State of Israel in 1948. These milestones reignited Soviet leader Joseph Stalin's deep-rooted mistrust towards the Jewish community, whom he viewed as inherently 'mystical, intangible, and cosmopolitan' (Calimani 2006, 169). This pervasive suspicion eventually evolved into a broader campaign against 'cosmopolitans', a *euphemism* that masked the surge of antisemitism that spread throughout Soviet society from 1948 to 1953 (Nadzhafov 2005). In this context, the years that Stepanova's great-grandmother, Sarra, spent in Paris—where she built a career and adopted a cosmopolitan European identity—became another marker of her perceived otherness, exposing her to the same forces of danger that had once targeted her Jewish origins. This situation culminated in the announcement by *Pravda* of the arrest of a 'group of medical saboteurs' accused of murdering Andrei Zhdanov and conspiring to assassinate Joseph Stalin (Calimani 2006, 175-185). The so-called Doctors' Plot unleashed a wave of arrests, executions, and widespread job losses, affecting Sarra and her daughter Olga, both Jewish doctors. Their lives, once defined by an unwavering dedication to their profession, were abruptly overshadowed by suspicion, danger, and fear (M. Stepanova 2021, 325):

«I don't know what would have been more dangerous for Doctor Sarra Abramovna Ginzburg: her native Jewishness or her assumed Europeaness. I wonder, did she ever discuss what was going on with her close family, was she scared that it would also affect those around her, her very successful son-in-law, daughter, and grandchild? Her stroke, and the resulting 'senility' – that long-awaited inability to be responsible, make decisions, take steps – removed her from the group at risk, and placed her in a cool, safe place [...]» (Stepanova, 2021, p. 348).

The situation ended in 1953 with Stalin's death, but it still cost Olga Fridman her job, bringing her life, like that of her great-grandmother Sarra in 1905, momentarily back into the spotlight of history (Favilli 2023, 98). However, thanks to an acquaintance of Sarra, who offered her a job opportunity at an epidemiological centre—an exceptional act of courage and altruism in an era marked by great danger and risk—Olga, a Jewish woman with a medical background, accepted the position and remained there for the rest of her life (M. Stepanova 2021, 368).

As the story reveals, the Jewish question is, first and foremost, a family question, initially brought to light in *Spolia* (2015) and later expanded in the novel *In Memory of Memory*. The phrase '*we are Jews*' (M. Stepanova 2021, 345) is passed down through generations as a memory, from Ginzburg, Fridman, and Gurevich to Stepanova. The use of italics for the phrase '*we are Jews*' carries profound symbolism. Italics, commonly used to indicate quotations or non-a-chapter, suggest that these words do not originate from the author but reflect an external perspective or label imposed on her or her family. In this context of labelling, one of the most important goals becomes pursuing an education, studying, and entering a profession. The same spirit that drives great-grandmother Sarah to travel to Paris to study medicine (Vasil'eva 2018, 47-48), even though there is no mention in her correspondence of Yiddish language, religious practices, or culture in general:

«Apart from the main topics of conversation and the very few details in passing, one thing struck me: in all this correspondence there was not one reference to Jewishness, however superficial. And beyond this absence (of festivals, rituals, anything connected with the observance of tradition), lay another: Yiddish, the language of exile and humiliation, was never spoken. There were flashes of Latin, the professional language of diagnosis and assessment, and tiny scattering of French and German. But words from the language of home, words of that could have served as little shared call signs or beacons of understanding, seemed to have been excluded from daily use, forbidden for conversation» (Stepanova, 2021, pp. 133-134).

Only once in the correspondence, when the discussion focused on family matters and summer exams, the future great-grandfather used a phrase in Yiddish, written in brackets and quotation marks: (*‘эс редуеx а заў’*), translating to (*‘es redt zich azoi’*). This brief inclusion in Russian serves to circumscribe and delineate the boundaries of non-inclusion in Jewishness, signalling the family’s distancing from Jewish identity (Stepanova, 2021, p. 134). The estrangement is evident not only in the selective use of language, such as the occasional Yiddish phrase, but also in how the family navigates their social and professional lives, often downplaying or even erasing their Jewish heritage in favour of assimilation:

«For these people, changing names was as common a matter as moving from one town to another. My other great-grandfather, the handsome Vladimir Gurevich [...] unexpectedly turns out to be Moisey Vulf, according to his papers. How did he pull off the old skin, and how did he choose the new one? Mikhel becomes Misha almost effortlessly, Vulf becomes a Vladimir; as if he had always been a Vladimir. Sarra’s brother, the wonderful Isif [...] was transformed into Volodya» (Stepanova, 2021, p. 307).

The same dynamics of assimilation are evident on a larger scale, as seen in the case of the poet Osip Mandelstam, who, in the eyes of many, remained a *Zhyd* (Jew) (Vasil’eva 2018, 48): ‘[...] it is Jewish identity (not poverty, nor a comic combination of insistence and uncertainty, and hardly even his poetry) that defines how Mandelstam is seen from the very outset in the literary circles of the early twentieth century. His identity was considered exotic then, to such an extent that it overshadowed everything else’ (M. Stepanova 2021, 135). His fate in this regard is not unique; Stepanova, in the chapter *The Jew boy Hides from View*—a title that speaks for itself—describes it as follows: ‘in order to get noticed, the ‘jewboy’, whoever he was, had to hide himself away: purge and recast himself, improve himself and destroy all traces of family, race, or tribe, or adherence to place [...] It was understood that belonging wholeheartedly to the world of culture meant rejecting your Jewishness’ (M. Stepanova 2021, 136). Stepanova’s words reveal a painful and widespread reality: to be accepted into Russian cultural and intellectual circles, one had to annul their Jewish identity. This process of self-denial and assimilation, which was not unique to Mandelstam but likely also affected Stepanova’s family, was shared by many Jews in early 20th-century Russia, underscoring the tension between cultural inclusion and ethnic isolation.

Stepanova’s exploration of Jewishness delves into themes of Jewish self-awareness and, as a result, examines the distinctive nature of Jewish memory. Reflecting on the roots of her own ‘obsession’ with memory (Vasil’eva 2018, 49), she cites a passage from *Deuteronomy 8:11*: ‘Take care to keep all the orders which I give you today, so that you may have life and be increased and go in and take as a heritage the land which the Lord, by his oath to your fathers, undertook to give you’. Yosef Hayim Yerushalmi’s seminal work, *Zakhor: Jewish History and Jewish Memory* (1982), elucidates how remembrance is central to Jewish tradition: an imperative to remember not only personal responsibility but also the community’s collective duty to preserve its traditions, laws, and history (M. Stepanova 2021, 209). This drive to remember—often described as a survival mechanism—became especially crucial during times of exile, persecution, and suffering. Memory, in this sense, served as both a shield and a guide, allowing the Jewish people to maintain their identity through periods of great adversity. However, Jewish tradition does not adhere to a historicist model. An example of this perspective is the *Megillat Taanit* (the scroll of fasting), the ancient scroll that records the ‘red letter days’ in the Jewish calendar, which correspond to holidays or days exempt from fasting (M. Stepanova 2021, 209-210). In this text, events are not presented as mere historical facts; rather, they are organized according to the natural cycles of the seasons. While days and months are named, years are omitted. This structure underlines a cyclical view of time, cantered on the eternal rhythm of the Torah, rather than a linear progression of history. The events chronicled in the scroll are not confined to the past; through the act of reading, they transcend time, continually becoming part of the present and repeated (Vasil’eva 2018, 49) in the lived experience of the community: ‘in this way the Judaic memory is free from the need to commit everything in history to memory, free to choose the significant and essential, to cut away the inessential’ (M. Stepanova 2017, 211). The limitations are of a different kind; the imperative *not forget* coincides with the imperative *duty to focus* (M.

Stepanova 2021, 211). It is from this perspective that Stepanova approaches the consideration of the events of the Holocaust (Vasil'eva 2018, 49):

«[...] Acts of punishment were meted out in accordance with their foreign calendar, although without discerning between days of mourning and days of feasting. The massacre of Jews at Babi Yar took place on Erev Yom Kippur and the destruction of the Minsk Ghetto was timed to coincide with Simchat Torah. The clearing of Warsaw Ghetto began at Passover. Even such violent plungings into the black hole of catastrophic knowledge can be considered a sort of confirmation» (Stepanova, 2021, p. 211).

The Catastrophe, as she frames it, becomes an event in the continuum of the past. However, when viewed through this lens of cyclicity, it is subjected to the commandment do *not forget*. This commandment underscores the enduring obligation to remember the Holocaust, not merely as a historical fact but as an integral part of the collective Jewish memory, demanding perpetual reflection and transmission across generations. Nevertheless, ethical implications of the commandment 'not to forget' take on a particularly significant dimension when considering the documentation of the Holocaust, especially through photographs that capture suffering and violence. Stepanova poses a crucial question: did Holocaust victims, such as the naked woman about to be killed, want their final moments to be documented and made public? Is the preservation of such memory indispensable, or does it risk objectifying their suffering? (Vasil'eva 2018, 49). In this context, we can also consider Patrizia Violi's reflection on photographs: 'To what extent does one have the right to exhibit an image without the consent of those depicted in it, especially when, in the case of traumatic photographs, the individuals may no longer be alive to provide consent? Furthermore, what compels us to subject ourselves to viewing such images?' (Violi 2021, 138). It is a delicate and dangerous balance between 'not to forget' and 'colonizing' memory, where the act of preserving the past can sometimes transform into an attempt to control or shape, thereby losing its true significance.

Thus, the aspects of the past, with its gaps and uncertainties, and the assimilations of identity, reveal that the work—originally conceived as the history of the Ginzburg-Fridman-Gurevich-Stepanov family—ultimately speaks of something else:

«If I had expected a small box of secrets to be hidden at my journey's end, something like one of Joseph Cornell's boxes, then I would have been disappointed. Those places where the people of my family walked, sat, kissed, went down to the river's edge, or jumped onto streetcars, the towns where they were known by face and name – none of them revealed themselves to me» (Stepanova, 2021, pp. 427-428).

It is about memory, which in turn reflects the book's circular structure, spanning from the title to the final chapter. Stepanova transforms what could have been a simple narrative of shattered hopes and fragmented memories into a profound reflection on the fragility of reconstructing history. This fragility is embodied in the figure of Frozen Charlotte, to whom the final chapter, titled *The Daughter of a Photographer*, is dedicated. Frozen Charlotte serves as a metaphor for the past: a breakable, immobile figure, forever trapped in time:

«I feed each one from its swaddling, and they lay on the dining table in a line so you could see all their dents, all their cracks, the earth ingrained in the china, the absences where feet, legs, hands should have been. Most of them still had heads, and some even had their little socks, they only item of toilet they were permitted. But on the whole they were naked and white, as if they had just been born, with all their dents and flaws. Frozen Charlottes, representatives of the population of survivors; they seem like family to me - and the less I can say about them, the closer they come» (Stepanova, 2021, p. 428).

The fragility of the past lies in its inherent inaccessibility to the present; it can be preserved, rethought, and retold, but never returned in its original form. This gap underscores a poignant reality: memory, no matter how carefully guarded or jealously maintained, remains a fragmentary echo, a construction that bridges but never truly reconciles the gap between what was and what remains. The past does not belong to us, and according to Stepanova, we should not strive to belong to it either (I.Tolstoj 2023).

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Anti-Jewish laws and the university: Measures, reactions, consequences. The case of Genoa

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Abstract. In Genoa, the “Racial Laws” impacted with a reality of substantial integration of the Jewish component in the urban framework. The academic world is part of this reality of integration. The contribution of Jewish faculty members to the Genoese university is not only quantitative, but constitutes an important and prestigious share of the university's scientific and cultural heritage, as was widely and unanimously acknowledged until the immediate eve of the implementation of the racist measures. The promulgation of the anti-Semitic laws suddenly destroys this reality of integration. The “Racial laws” are transposed, applied without provoking acts of resistance or at least disobedience by the academic authorities of Genoa. If in 1938, the project of Aryanization of the Italian university expressed by racial laws met with very little resistance, that of de-fascistization, in which a restorative justice towards the victims of fascist racism was an aspect, clashes with various obstacles put forward by the academic world: logic of continuity, lack of self-critical awareness, impelling of other problems, corporate solidarity.

Key words: Anti-Jewish laws and the university, Genoa, measures, consequences, reactions.

Riassunto. A Genova, le “Leggi Razziali” hanno impattato con una realtà di sostanziale integrazione della minoranza ebraica nel quadro urbano. Il mondo accademico fa parte di questa realtà di integrazione. Il contributo dei docenti ebrei all'università genovese non è solo quantitativo, ma costituisce una quota importante e prestigiosa del patrimonio scientifico e culturale dell'ateneo, come era ampiamente e unanimemente riconosciuto fino all'immediata vigilia dell'attuazione delle misure razziste. La promulgazione delle leggi antisemite distrugge improvvisamente questa realtà di integrazione. Le “Leggi razziali” vengono recepite, applicate senza provocare atti di resistenza o almeno di disobbedienza da parte delle autorità accademiche genovesi. Se nel 1938 il progetto di arianizzazione dell'università italiana espresso dalle leggi razziali incontrava pochissime resistenze, quello di de-fascistizzazione, in cui era presente una giustizia riparatrice nei confronti delle vittime del razzismo fascista, si scontra con diversi ostacoli posti dal mondo accademico: logica della continuità, mancanza di consapevolezza autocritica, impellenza di altri problemi, solidarietà corporativa.

Parole chiave: leggi antiebraiche e università, Genova, misure, conseguenze, reazioni.

Genoese Jews, society and universities in the 1930s

The Genoese case appears similar to the national one¹: the situation before the Racial Laws, the severity of their application, the reactions of the victims and of the Academic world, the difficulties of the victims' reintegration in the aftermath were the same both in Genova and in Italy. In Genoa, the racial laws impacted with a reality of substantial integration of the Jewish component in the urban framework. In the 30s the Jewish Community of Genova reached its peak, becoming one of the largest in Italy, the culmination of a process of expansion that had started in the mid XIX Century and had become faster at the beginning of the XX Century; In fact, Genoa was affected by the phenomenon of urbanization in the mid-nineteenth century, which saw the depopulation of the communities of small towns in favour of large cities that offer more employment opportunities and better

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¹ About the national situation: R. Finzi, *L'università italiana e le leggi antiebraiche*, Editori riuniti, Roma, 1997; F. Pelini, I. Pavan, *La doppia epurazione. L'Università di Pisa e le leggi razziali tra guerra e dopoguerra*, Il Mulino, Bologna, 2009; A. Ventura, *Il fascismo e gli ebrei. Il razzismo antisemita nell'ideologia e nella politica del regime*, Donzelli, Roma, 2013; A. Ventura (a cura di), *L'Università dalle leggi razziali alla Resistenza*, Cleup, Padova, 1996.

opportunities for economic and social promotion. According to the 1856 census, in fact, only the 24% of the Jews were born in Genova; while in 1938 the native population increased to reach almost half of the total, a sign that, at that time, the Jewish presence became something rooted and stable. In the first three decades of the XX Century, the Jewish presence in the city not only grew numerically, but even saw its own importance and prestige of many of its exponents grow; at the same time the degree of assimilation of many Genoese Jews increased. In the early 1930s Genoese Jews lived in different neighbourhoods of the town according to their economic and social situation and there's no Jewish district. As far as the professions are concerned, compared to the 1856 census, the number of merchants drastically decreased, craftsmanship remained stationary, workers, managers, industrialists, professionals and, obviously to a more limited extent, the military, scientists and artists appeared for the first time, testifying an increasingly diversified and complex Jewish society. Finally, the indicator of interreligious marriages, which is undoubtedly a significant indicator of integration and secularisation, shows that mixed couples make up 24% of the total number of unions, while in 1856 were 1%. In 1935 the new temple was inaugurated: an imposing, rich, very modern building, a tangible sign of the prosperity and the desire of the Jewish-Genovese world to assert itself.²

The academic world is part of this reality of integration.³ On the eve of the racial laws the Jews are the 4% of the teachers at the University of Genova, a percentage more than doubled if we consider only the tenured professors, so the Jews make up 9% of the total: a remarkable incidence, superior, for instance, to that of Pisa and Florence. That's an incidence that varies remarkably according Faculties: while in the faculties of Letters and Philosophy, Engineering and Science there are no tenured Jewish teachers, in the faculties of Law, Medicine and Economics they represent respectively 15, 12% and 13%; in Pharmacy, then, the only tenured professor of the Faculty is Jewish. Cross-referencing sources produced by the Jewish Community and the university with the 1938 census of Israelites identified, alongside the six full professors, twelve other Jewish teachers: one professor emeritus, one appointee, one assistant professor, eight freelancers and one volunteer assistant. The contribution of Jewish faculty members to the Genoese university is not only quantitative, but constitutes an important and prestigious share of the university's scientific and cultural heritage, as was widely and unanimously acknowledged until the immediate eve of the implementation of the racist measures. Apparently, the Academia seems immune from the anti-Semitic wind that will soon take shape in the laws that will distort the lives of Jewish teachers: until the promulgation of the Racial Laws, the Jewish Genoese academics appear on the whole to be perfectly integrated into the Athenaeum, often surrounded by the esteem and appreciation of their colleagues, of the academic authorities and of the cultural and scientific world. The Genoese tenured professors are Roberto Bachi, Nino Levi, Ugo Lombroso, Amedeo Volta, Riccardo Bachi, Ruggero Luzzatto and Angelo Rabbeno,⁴ joined by mathematician Gino professor emeritus whose international reputation is attested by assignments and awards around the world.⁵ Angelo Rabbeno is the only full professor in the School of Pharmacy and

2 C. Dogliotti, *La Comunità ebraica di Genova. Gli sviluppi demografici e sociali tra Otto e Novecento, le persecuzioni e la rinascita*, in E. Tonizzi, P. Battifora (a cura di), *Genova 1943-1945*, Rubettino, Soveria Mannelli, 2015, pp. 265-90.

3 The data relating to the staff of the University of Genoa are derived from the consultation of the yearbooks and personal files kept at the Archives of the University of Genoa. The subject has been dealt with in two essays that contain several pieces of information about Jewish teachers in Genoa: M.S. Rollandi, *Le leggi razziali e l'Università di Genova. Prime ricerche sui docenti*, in «Atti della Società Ligure di Storia Patria», Genova, 2003, pp. 477-493 and P.M. Piergiovanni, *Dalla Scuola Superiore di Commercio alla Facoltà di Economia*, in «Atti della Società Ligure di Storia Patria», Genova, 1992.

4 Records regarding the number and names of Jewish full professors can be found in: R. Finzi, *L'università italiana e le leggi antiebraiche* and F. Pelini, I. Pavan, *La doppia epurazione* and in State Archives of Genova (ASGE), *Census of the Jews, 1938*. The personnel files of these faculty members are kept at the university archives in Genoa, except for that of Ruggero Luzzatto, which is not available.

5 Chair of higher geometry at the Genoa University since 1886, when he was in his early twenties, he served for a long time as dean of the Faculty and was a preeminent scholar in the field of descriptive geometry and the history of mathematics. A corresponding member of the Accademia dei Lincei and many other Italian and foreign academies and societies and a member of several international scientific commissions, he was awarded the gold medal by the Academia

director of the Institute of Pharmacology. Nino Levi, who came to Genoa in 1930 as a full professor of Criminal Law, is an internationally renowned scientist professors of Criminal Law and was actively engaged on the anti-fascist front.⁶ As a scholar he assumed an autonomous position, placing himself outside the schools that then dominated jurisprudential studies. His was a hermeneutic approach that tended to ground doctrinal elaborations on the solid foundation of positive law.⁷

Amedeo Volta (or Dalla Volta) had graduated in 1919 with a study of psychiatry on prisoners of war in Hungary where he had been interned during World War I; transferred from Messina to Genoa as full professor and director of the Institute of Forensic Medicine, on the eve of his deportation he published an extensive three-volume treatise on this subject⁸. Ugo Lombroso, Professor of Human Physiology, son of the famous Cesare a well-known and appreciated scientist, has collaborated with institutions in various European countries and is a member of the Accademia dei Lincei; Ruggero Luzzatto, former judge and professor of Institutions of Civil Law, was nominated knight of the Crown of Italy⁹. Roberto Bachi, son of the famous economist Riccardo, was requested in Genoa by the rector, who wanted an appreciated scholar of methodological statistics, author of numerous publications and demographic research. On 30 April 1938, in promoting him as a professor, the Law Faculty Council of the Genoa University emphasized the value and prestige of the scientific and didactic activity of the professor; in November of the same year that very same institution decreed the expulsion of the illustrious professor, depriving itself of a collaboration whose importance it had itself celebrated a few months earlier¹⁰. His case is particularly exemplary both of the secure and recognized position of many Jewish faculty members in the Italian academic establishment, of the sudden and inexorable decline of these positions brought about by the racial laws, and of the complete impotence of the deep ties established with colleagues and academic authorities in mitigating the effects of the measures. In this regard, there are the significant figures of Ettore e Vittorio Tedeschi, father and son, highly respected professionals in the city, respectively *libero docente* in Medical Pathology, Professional Medical Pathology, Medical Clinic the father and lecturer in Private Law the son. The father, son and grandson of combatants in the Italian wars of independence¹¹, was appointed in 1933 Grand Officer of the Crown of Italy and both are in excellent relations with the academic authorities as will be seen later. As far as the political position is concerned, the behaviour of the Jewish teachers in Genoa reflects on a very small scale the behaviour of the Italian Jews who, according to De Felice, acted as individuals and not as a community, assuming the most different positions¹²: Examining the files on discrimination applications produced by the offices of the Demorazza, we note that while it is not uncommon to come across records of acts of patriotism and biographies marked by devotion to the homeland, much less frequent and significant appear to be the attestations of fascist sentiments and militancy. In fact, most of them were memberships of the PNF,

de Ciencias Exactas, Física y Naturales of Madrid in 1900 and twice the Prix Binoux by the Acadèmie des Siences in 1906 and in 1922. Acs, Mpi, Dgis, Div.I, Fppo, II vers., s., b. 89, file Loria Gino.

⁶ Acs, Mpi, Dgiu, Div. I, Fppo, III vers., b. 486. file Levi Nino; University of Genova Archive (AUG), Teaching staff files., File Levi Nino

⁷ E. Mura, *Levi Nino* in DBGI, vol. 2, p. 1178.

⁸ ACS, Mpi, Dgiu, Div.I, Fppo, III vers., b. 486, file Volta Amedeo; AUG, Teaching staff files, file Volta Amedeo, University of Genova Archive (AUG), Teaching staff files, File Roberto Bachi in in the Archives of the University of Genoa; A. Scartabellati (a cura di), *Amedeo Dalla Volta, uno psicologo tra lager e dopoguerra, 1917-20*, Aracne, Roma, 2010.

⁹ AUG, Teaching staff files, files of Ugo Lombroso and Ruggero Luzzatto; ACS, Mi, Dgdr, Div. Razza, Fp, b. 8, file Lombroso Ugo.

¹⁰ University of Genova Archive (AUG), Teaching staff files, File Roberto Bachi; ACS, Mpi, Dgiu, Div. I, Fppo, III vers., b. 26, file Roberto Bachi.

¹¹ Abramo Aronne Tedeschi, grandfather of Ettore, participated as a Po bersagliere in the defense of besieged Ancona in 1849, and Vittorio Tedeschi, father of Ettore, enlisted in the National Guard in 1859, according to a certification produced by the Municipality of Ferrara and kept at ACS, Mi, Dgdr, Div. Razza, Fp, b. 299, file Tedeschi Vittorio.

¹² Renzo De Felice, *Storia degli ebrei italiani sotto il fascismo*, Einaudi, Torino, 2005 [1961].

but the registration dates back to 1932-33, the year in which it was established that membership of the Fascist party was compulsory for public employees; only professor Volta appears to be in the PNF since 1921. Most Jewish professors can boast of military or war records: Angelo Rabbeno, tenured professor of Pharmacology, was awarded the war cross; he and Otello Finzi took part, as medical captains, in the entire war campaign of 1915-18; the latter had been promoted to medical major in December 1937; Aldo Luzzato, a freelance professor of Maritime Law, deserved a war cross and was injured in the first World War in which took part, as medical officers, even Lombroso¹³ e Volta. Even Ruggero Pardo, freelance professor of Ophthalmology Clinic, participated as a medical captain in the Great War and organized and ran hospitals at the front¹⁴. Aldo Luzzati, a free lecturer in Special Medical Pathology, was an Austrian citizen born in Trieste, where both he and his father were convicted of irredentist and pro-Italian activities, and which the lecturer left to move to Italy and to leave to volunteer for the front in 1915¹⁵. This dearth of fascist merits is evident, although at the time of the request for discrimination the academics obviously emphasize assignments and affiliations in some way related to fascism. This is the case of the assistant at the Pediatric Clinic, Frida Samach, who had taken the Pnf card in 1922, in the summer of 1934 had practiced at the Fasci colony in Savignone, and in June 1938 had been appointed Capo centuria in charge of the Gil¹⁶ health service, or of Vittorio Tedeschi, who took the Pnf card at only 17 years of age, in 1928.¹⁷

There is no shortage of examples of antifascist militancy or half-hearted attitudes toward the regime. In 1936, the proposal to confer the title of professor emeritus on Gino Loria clashed with the Fascist law according to which such a title cannot be conferred on anyone who is not a member of the Party, but the difficulty was overcome on account of the professor's high scientific merits. Aldo Luzzati is reported to the political police by an anonymous informant as a defeatist and troublemaker engaged in an anti-fascist campaign; however, there is no confirmation of this complaint, which is set aside following a note from the prefect asked about the case, who describes him as a war hero and a member of the PNF¹⁸. Ugo Lombroso and Nino Levi are decisively antifascists. Professor Lombroso was under police surveillance for his antifascist opinions – in his youth he had been socialist, he had never been a membership of PNF, had been in touch with “Giustizia e Libertà” and had reported a conviction for disobeying an order to break up a rally. In addition, his sister Gina and her husband Guglielmo Ferrero are outspoken opponents in Switzerland, and his other sister, Paola, is the wife of Mario Carrara, a student of Lombroso's father and one of the few academics to refuse the oath of allegiance to fascism, who is arrested for his role within GL in Turin and dies in prison in 1937. From the political police papers we learn that the police chief of Genoa had requested the city prefect to order a “discreet and very confidential surveillance” of the professor and his family, especially their correspondence with foreign countries. The request, corroborated by that of the prefect of Naples, who pointed out the fact that Lombroso was under surveillance and suggested the continuation of the measure in Genoa, was granted. An undated note in the file dedicated to Ugo Lombroso reports that the professor with his family and those of his sisters spent some time in Paris where they had contact with GL and in particular with Carlo Rosselli and Giuseppe Levi's son to exchange information. In particular, Lombroso is said to have provided news about fascism in Palermo stating that university students were, with few exceptions, indifferent to fascism and that the Mafia and fascism were

13 Cesare Lombroso also participated as a volunteer in the Second Italian War of Independence, earning a commemorative medal and a bronze medal for military valor. ACS, Mi, Dgdr, Div. Razza, Fp, b. 8, file Lombroso Ugo.

14 According to the testimony of his grandson, Ruggero Pardo was given military honors at the time of his death, despite the fact that this occurred at the time of racial persecution in 1941, thanks to the intercession of the Treviso square commander. For this testimony and other news and documents related to the figure of Ruggero Pardo

15 ACS, Mi, Dgdr, Div. Razza, Fp, b. 175, file Luzzatto Aldo.

16 ACS, Mi, Dgdr, Div. Razza, Fp, b. 227, file Samach Frida.

17 ACS, Mi, Dgdr, Div. Razza, Fp, b. 229, file Tedeschi Vittorio

18 ACS, MI, Dgps, Div. Pol. Pol., Fp, b. 744, file Luzzati Aldo.

similar, and because the same concepts are found in an anonymous article that came out for GL's paper it is speculated that the author may have been Lombroso¹⁹.

An active anti-fascist is then Nino Levi, co-founder of the United Socialist Party, among the signatories of the *Manifesto degli intellettuali antifascisti*, close collaborator, friend and affiliate of Raffaele Mattioli, Carlo Rosseli and Giuseppe Toeplitz²⁰. In the 1920s he collaborated on antifascist journals and in 1925 defended in court Gaetano Salvemini, on trial for editing the clandestine publication "Non mollare"; for this defense, Levi was assaulted and invalidated by a group of squadristi. Suspected of having relations with anti-fascists exiled in France and, in particular, with Freemason circles, he was reported as a possible link with subversive groups in exile as early as 1932, when he began to be subjected to controls by the Prefect of Milan, who ordered the review of his correspondence and the monitoring of his, his family members' and acquaintances' movements. A number of circumstances emerged from the police papers that reinforced suspicion of the teacher: his friendship with the communist Piero Sraffa and with Claudio Treves' family in Paris, and the fact that he received socialist and Giellina propaganda notebooks and pamphlets by mail. Levi's anti-fascism was strengthened as the regime's anti-Semitic policies took hold: a delusion that he was particularly vocal against the regime because of the press campaign against Jews dates back to February 1938; he would be under constant surveillance by the political police until he left for New York, and even then his correspondence with Italian friends and comrades would be monitored and censored until his death in 1942²¹.

The students

Reconstructing the picture of students required the cross-referencing of multiple sources, first, in order to be able to identify among the mass of those enrolled at the university those who could be considered Jewish²² and, second, to be able to reconstruct the fates of these people after the enactment of the racial laws. In fact, it is not possible to identify the Jewish component from simply consulting the university papers, so it was necessary to cross-reference these sources with the 1938 census²³ and the sources produced by the Jewish Community and Prefecture papers. In this way we obtained the figure of 116 Jewish students enrolled at the University of Genoa in the 1937-38 school year; this is 3 percent of the total number of Genoese students, a percentage which, when broken down into the different faculties, remains between 1 and 3 percent, except for Medicine and Surgery where it constitutes 10 percent of the student population; those enrolled in this faculty represent 65 percent of the Jewish university students in Genoa²⁴.

The massive presence of Jewish students in the Faculty of Medicine is due to the presence of a sizeable minority of learners from the now unlivable Germany and Central and Eastern Europe,

19 ACS, MI, Dgps, Div. Pol. Pol., Fp, b. 729, file Lombroso Ugo and AUG, Teaching staff files, File Lombroso Ugo and ACS, MI, Dgps, Div. Razza, Fp, , b. 8, file Lombroso Ugo.

20 ACS, MI, Dgps, Div. Pol. Pol., Fp, file Levi Nino, Highly confidential recommendation from the Chief of Police to the Minister of Exchanges and Currencies., 7/4/1939.

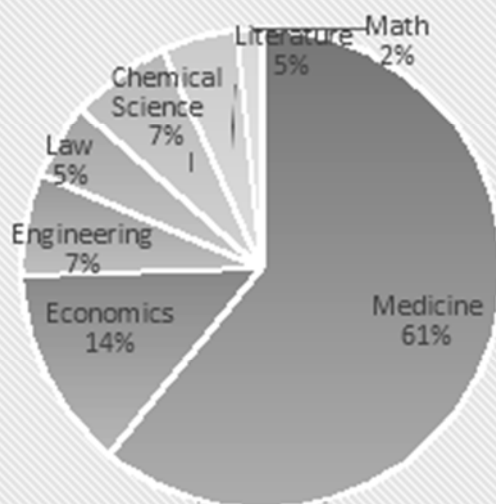
21 ACS, MI, Dgps, Div. Pol. Pol., Fp, file Levi Nino

22 The attribution of Jewishness is an operation complex, slippery and arbitrary . At this juncture, it was of interest to identify those who were caught up in the fascist racial persecution and, therefore, the criterion adopted was to take into consideration those who had been registered as Jews by the fascist authorities, thus relying on the 1938 census of Israelites and police records.

23 The 1938 census is kept in the Prefecture Cabinet Fund of the State Archives of Genoa, while data on students enrolled at the University of Genoa are contained in the yearbooks available in the Archives of the University of Genoa.

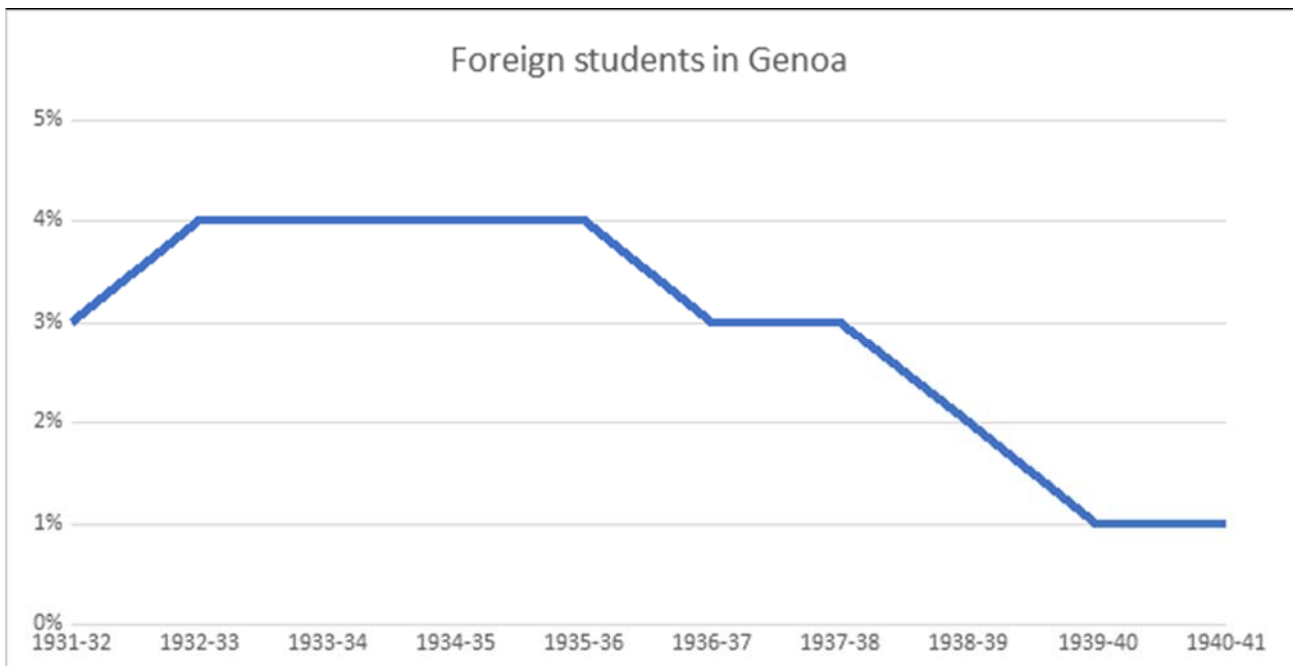
24 This data is certainly underestimated because it has not been possible to identify those Jewish students who, not living in the province of Genoa, have not been registered by the 1938 Census. For the same topic on a national scale: G.P. Paolo Brizzi, *Bologna 1938: Silence and Remembering. The racial laws and the foreign Jewish students at the University of Bologna*, Bologna, Clueb, 2014; E. Signori, *Una peregrinatio academica in età contemporanea. Gli studenti ebrei stranieri nelle università italiane tra le due guerre*, in «Annali di storia delle università italiane», 4, 2000.

Jewish students per faculties (1938-39)

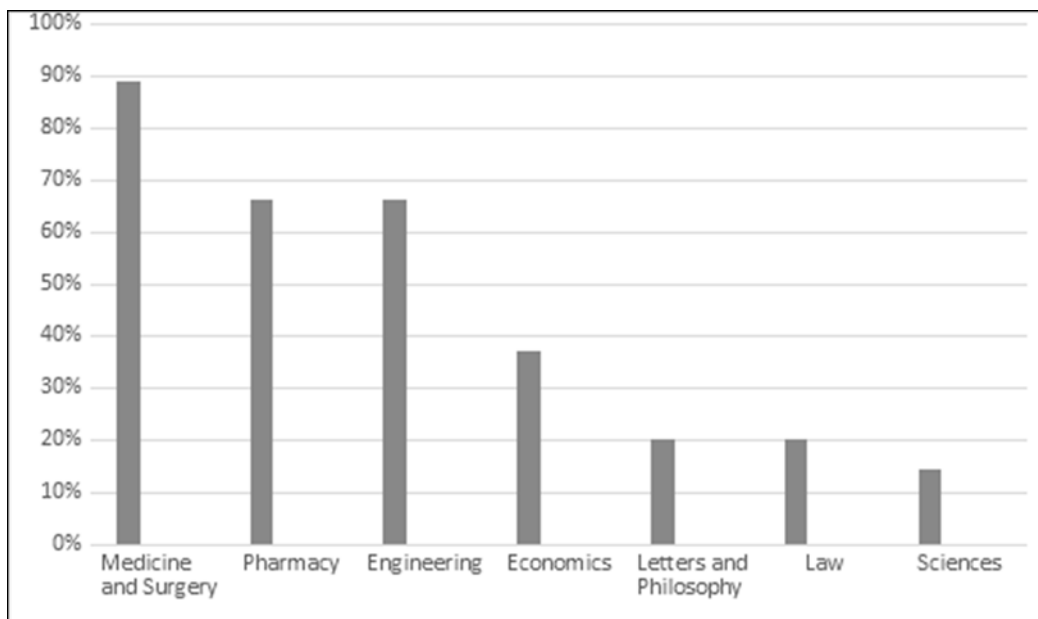


The massive presence of Jewish students in the Faculty of Medicine is due to the presence of a sizeable minority of learners from the now unlivable Germany and Central and Eastern Europe, it had become increasingly difficult for the Israelite population to gain access to university due to “racially” based restrictions imposed by anti-Semitic governments that had driven many families and seek refuge in Western Europe in order to be able to guarantee their children a university education and, in particular, the possibility of access to the medical profession. Consider that those enrolled in Medicine and Surgery constitutes more than half of the entire Jewish student population in Genoa (62 percent) and that among Jewish students in Medicine and Surgery, foreigners make up 93 percent of the total.

In general, the incidence of the Israelite component rises enormously when focusing on the percentage of Jews among the foreign population alone. If we consider the absolute figures, the school year in which the highest number of foreign students in Genoa is recorded is 1935-36, two academic years later than the national peak that occurs in the years 1933-34; but if we consider the most significant figure of the percentage of foreign students in relation to the total number of students, we see that the moment of maximum incidence (4%) begins in 1932-33 when it rises by one percentage point compared to the previous year and ends with the year 1936-37 when it drops to 3%; from here begins a slow and inexorable decrease in this presence. The peak coincides with the period that goes from Hitler's rise to power to the decisive anti-Semitic turn of the fascist government; this obviously cannot lead us to automatically conclude that these two facts are closely related to the presence of foreign students in Genoa, but considering the high percentage of Jews among foreigners (they constitute 37% of the total number of foreigners in the 1937-38 school year), it seems correct to assume an influence of those events on this figure.

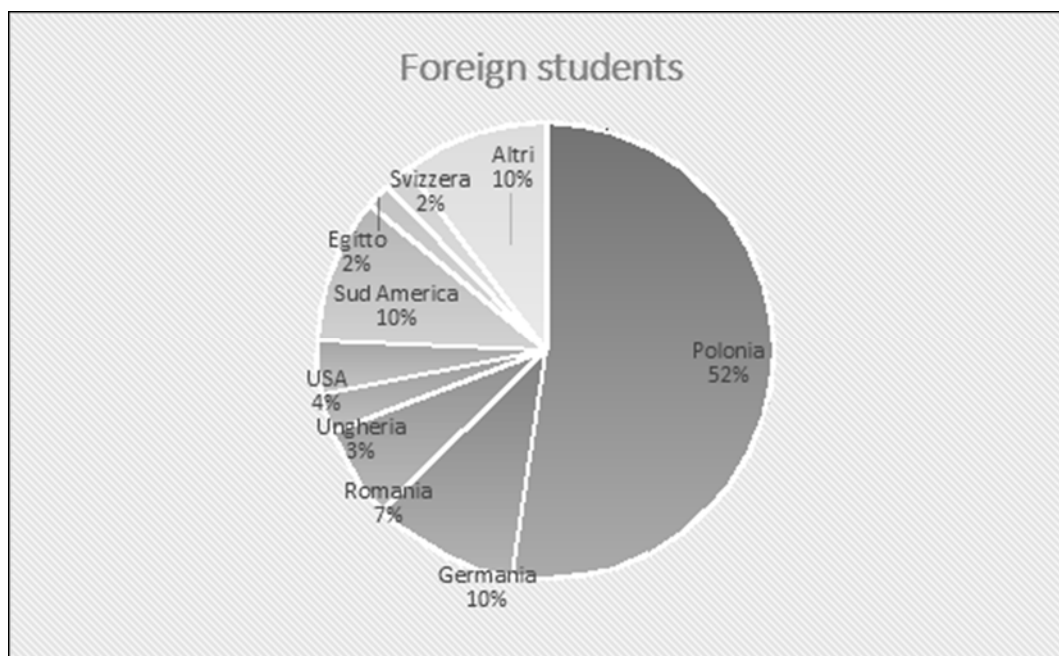
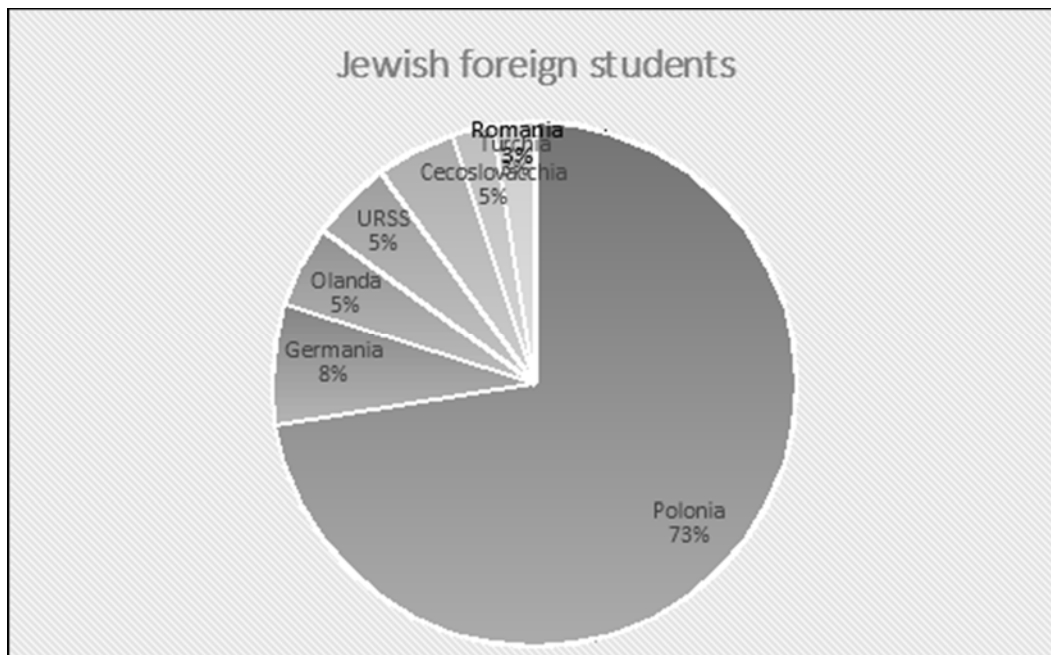


The incidence of foreigners on the population of Jewish students is considerable, they represent 70% of the total whereas compared to the total of university students, foreigners represent only 3%; again the situation varies by faculty, a percentage certainly influenced by the case of Medicine where, as we have seen, almost all Jewish students come from abroad.



Incidence of foreigners in the Jewish student population by faculty

As far as the places of origin are concerned, in both groups there's a clear prevalence of Poles (more than half of the foreign students as a whole are Polish and half of the Polish students are Jews), followed by Germans. But while for the Jews these two nationalities almost exhaust the scenario, for the foreigners as a whole the picture is more varied: Americans, South Americans, Hungarian Romanians are the most represented nationalities of an extremely varied universe. Most of foreign Jewish students had recently arrived in Italy: the Germans between 1933 and 1935, as a result of the advent of Hitler; most Poles arrived during the 1930s and so did the few representatives of other nationalities, except for the Dutch who arrived in the early 1920s.



The promulgation of the racial laws immediately causes a decrease in the Jewish student population, which from the 1937-38 academic year to the following one goes from 3 percent to 2 percent, a negative trend that will become more pronounced in the following years, as a result of both the effects of the ban on new enrollments of Jewish students and the departure from anti-Semitic Italy of many Jewish families. The percentage of Jewish students goes from 2 percent in the year 1938-39, to 1.5 percent in the following year and 1 percent in 1940-41; here, too, there are differences between the different faculties: in Law, they halve the academic year following the racial laws and then disappear the following one, while in Humanities and Sciences, the situation appears unchanged in 1938-39, while the number plummets in the following one. In Pharmacy there is an immediate decline and then, unpredictably, an increase; while in Engineering after the enactment of the racial laws the percentage of Jewish students doubles but then disappears the following year. These fluctuations can be explained by the influence of factors beyond the effects of the anti-Jewish measures: the transitions from one faculty to another and between different universities, transfers, failures, and so on. In any case, by the academic year 1940-41 Jewish students had all but disappeared from the university- Jewish students thus slowly but surely disappear from the Genoese university, although there are

instances of some new admissions even after the promulgation of the ban on new enrollments, probably as a result of transfers from other cities; in the 1939-40 academic year in particular, there is a notable presence of foreign Jewish students, especially Poles, enrolled in the fifth and sixth years of Medicine and Surgery. It can be assumed that these were students previously enrolled in other faculties who moved to Genoa with the plan to emigrate as soon as possible to overseas countries; from the following year, in fact, the number of Jews enrolled in the university was drastically reduced even in the Faculty of Medicine.

Faculty	1937-38	1938-39	1939-40	1940-41
<i>Law</i>	2%	1%	0.2%	0
<i>Economy</i>	1%	1%	0.8%	0
<i>Literature and Philosophy</i>	1%	1%	0.2%	0.3%
<i>Medicine and Surgery</i>	10%	8%	6%	1.2%
<i>Sciences</i>	2%	2%	0.5%	0.2%
<i>Pharmacy</i>	3%	2%	4%	0.6%
<i>Engineering</i>	2%	4%	0	1%

“Racial Laws” in Genoa

The promulgation of the anti-Semitic laws suddenly destroys this reality of integration, opening, also for the Genoese Jews, the season of persecution, which will become increasingly fierce, culminating in the phase of extermination²⁵. The minutes of the Council of Genoa Community show all the dismay and bitterness of the Genoese Jews and, at the same time, the promptness of the reaction to the problem: "The President, confident that he interprets the feelings of all the councillors, expresses the sense of deep sorrow felt by all his co-religionists for the recent measures relating to the exclusion of Jewish pupils and teachers from public schools. These measures have provoked an indescribable sense of bitterness since all the co-religionists have always given luminous proof of loyalty and attachment to the Homeland"²⁶. In Genoa, Jewish children are allowed to attend primary school in separate classes and at different times from those of normal courses. As far as the other orders of schools are concerned, there is no provision for any form of compensation by the regime; thus, in October 1938, the Jewish Community organised schools of all levels, thanks to the collaboration of the same Jewish teachers who were removed from public institutions²⁷. This is an extraordinary achievement that the members of the Council themselves were desperate to reach given the disastrous financial conditions of the Community at that time²⁸. But the Jews were also affected outside the school world: forced not to practice their profession, erased from professional registers, deprived of material support through layoffs and requisitions of economic activities. The persecution is widespread, involving many aspects of society and the world of work, facilitated too often by the actions of zealous citizens who, out of ideological conviction or personal gain, collaborated with the regime. Another deep fracture between the Jewish world and the rest of the country is determined by

25 The Genoese case has been partly studied, albeit to a lesser extent than in other parts of the country: C. Brizzolari, *Gli ebrei nella storia di Genova*, Genova, op. cit.; S. Jona, *La persecuzione degli ebrei di Genova*, in «Genova», 1965, pp. 3-15; L. Parodi, *Gli ebrei di Genova nel 1938. Demografia di una comunità*, in «La rassegna mensile di Israel», n. 1988, pp. 305-333. There are also narrative and memorialist texts, brief interventions written on the occasion of anniversaries and commemorations and some works that deal with particular aspects of the history of persecution in Genoa: S. Antonini, *Delasem. Storia della più grande organizzazione ebraica italiana di soccorso durante la Seconda guerra mondiale*, Genova, De Ferrari Editore, 2000; C. Bricarelli (a cura di), *Una gioventù offesa. Ebrei genovesi ricordano*, Firenze, La Giuntina, 1995; R. Fucile, L. Millu (a cura di), *Dalla Liguria ai campi di sterminio*, Genova, ANED, 1980; E. Pacifici, *Testimonianza sulla deportazione di Riccardo Pacifici*, in «Quaderni del centro studi sulla deportazione e l'internamento», 4, 1967, pp. 68-81; R. Painsi, *I sentieri della speranza: profughi ebrei, Italia fascista e Delasem*, Milano, Xenia, 1988; A. Stille, *Uno su mille. Cinque famiglie ebraiche durante il fascismo*, Milano, Mondadori, 1991; G. Zazzu, *Gli ebrei e la guerra*, in «Storia e memoria», 1, 1993, pp. 53-62.

26 Archive of the Jewish Community of Genoa (ACEG), Segreteria, Minutes of the Council, 1935-1938, Minutes of the sitting of 14 September 1938.

27 This is the case of other communities in Italy, for instance Rome.

28 ACEG, Segreteria, Minutes of the Council, 1935-1938, Minutes of the sitting of 12 October 1938.

the racial purging of the Armed Forces; from data in our possession it results that about 30% of the male Jews, Italian, over twenty years of age, resident in Genoa, had an active role in the military life of the country.²⁹ Suddenly, the even extreme sacrifices made on the battlefields during almost a century, the recognitions to the value and patriotism granted in the past no longer have any meaning.

Then there is the case of foreigners. In fact, the Ligurian capital hosts a significant Jewish minority coming from different European countries, especially from Germany and Eastern Europe; according to the 1938 census, in that year Genoa hosted 526 foreigners, only Milan counted a greater number of them. With the promulgation of racial laws, the Italian "refuge" reveals all its precariousness: hitting foreigners means hitting the weakest and neediest of the Jews in the country and those who can hardly count on the protections granted by social networks. The Jewish institutions, which had already taken charge of the assistance of foreigners, strengthen and renew their structures to organize the protection of co-religionists. In 1938, a local section of the Milanese Comasebit (Committee for the Assistance of Jews in Italy) was opened in Genoa to manage on-site assistance to refugees waiting to embark and organize expatriates³⁰, and in December 1939, the Delasem (Delegation for the Assistance of Jewish Emigrants)³¹ was founded, the headquarters of which were still in Genoa, which would organise aid to refugees, internees and the persecuted in general with great efficiency.

Anti-Jewish laws and the university

When 1938-39 academic year opened the Jewish teachers had already been affected by expulsion measures. Nino Levi had complained as early as 1938 that he had "encountered a sense of hostility even in his profession" as a result of the anti-Semitic campaign conducted by the press³². In August, a confidential circular issued by the Ministry of National Education and directed to all Italian faculty rectors instructed that applications for demographic awards should not be forwarded without first ascertaining "in strict confidence, that the applicant and his or her spouse are, regardless of professed religion, of the Italian race"³³. According to Carlo Brizzolari, there were 24 Jews among university staff and all were expelled: six tenured professors, six *liberi docenti*, four lecturers, eight teaching assistants³⁴. By cross-referencing data from the 1938 Census with those obtained from university sources and police records available at the Genoa State Archives and the Central State Archives, the six full professors³⁵. As far as the *liberi docenti*, lecturers and assistants are concerned, there are no sources available to give us details of the names of the Jewish staff and the expelled persons; we have identified eight freelancers (Aldo Luzzati, Marine Law; Adriano Murgia, Aldo Luzzatto, Special medical pathology; Aldo Luzzatto, Specialistic Medical Pathology; Roberto Lopes, Medieval History; Ettore Tedeschi, Medical Pathology and Professional Medical Pathology; Otello Finzi³⁶, Specialistic Surgery Pathology; Ruggero Pardo, Ophthalmology Clinic and Umberto Grego, Civil Law) one lecturer (Vittorio Teeschi, Private Law), one assistant (Mario Alberto Bedarida, infinitesimal computation) and one volunteer assistant (Frida Semach).³⁷ If we add to these the six full professors and professor emeritus Gino Loria, we reach the figure of 18 expelled. The exquisitely

29 State Archives of Genova (ASGE), Census of the Jews, 1938.

30 The existence of this local section of Comasebit is attested by the testimony of Mario Sdraffa, a young collaborator of Delasem in the 1940s. S. Antonini, *Delasem. op. cit.*, pp. 356-357.

31 S. Antonini, *Delasem*, op. cit.; C. Brizzolari, *Gli ebrei nella storia di Genova*, Genova, Sabatelli, 1971; R. De Felice, *Storia degli ebrei italiani sotto il fascismo*, op. cit.; S. Jona, *La persecuzione degli ebrei di Genova*; R. Pacifici, *Testimonianza sulla deportazione di Riccardo Pacifici*; R. Paini, *I sentieri della speranza*, op. cit.; M. Sarfatti, *Gli ebrei nell'Italia fascista*, Torino, Einaudi, 2000; K. Voigt, *Il rifugio precario: gli esuli in Italia dal 1933 al 1945*, Firenze, La Nuova Italia, 1993; ACEG, Assistenza, Pratiche 1933-1945; ACEG, Assistenza, Corrispondenza 1938-1948; M. Teglio, *Conversazione*, Genova 1965 in CDEC, AG, 13/B, fasc. Genova.

32 ACS, MI, DGPS, DPP, Personal files, file Levi Nino, note "Milano, 12.02.1938"

33 ACS, MPI, DGIU, DPP, Personal files, Teaching staff files, III S. b. 26, file Roberto Bachi, letter, 25.08.1938

34 C. Brizzolari, *Gli ebrei nella storia di Genova*, op. cit., pp. 274-275.

35 We can also find these names in M.S. Rollandi (a cura di), *Le leggi razziali e l'Università di Genova*

36 Otello Finzi is a founding member of the Piemonte Society of Surgery, chief surgeon and director of the Civil Hospital of Alexandria, and member of the Medical-Surgical Academy of Ferrara. AAUG, Personal files, Otello Finzi file.

37 Intern student and later volunteer assistant at the Pediatric Institute directed by Dante Pacchioni.

racist logic of the measure takes into account neither fascist merits, nor cultural and academic merits, nor even the religious affiliation of the persecuted, as shown, for example, by the case of Frida Semach, a Catholic belonging to a Jewish family, but baptized at one year of age, for whom the Cardinal Archbishop of Genoa, Pietro Boetto, intercedes to grant her discrimination, as the sole financial support of her parents: the petition is rejected and the order expelling her from the university and prohibiting her from practicing medicine becomes enforceable³⁸. Even for Umberto Grego, who was married by Catholic rite to a non-Jewish woman, father of five baptized children and also converted to the Catholic religion, although not until 1939, he tried to intercede with Cardinal Boetto, but without effect.³⁹

Genoese academia transposed ministerial directives with respect to the racist turn and anti-Jewish measures, implementing them without apparent resistance. It is difficult to understand whether and to what extent the university emerges profoundly transformed by the 1938 measures, but certainly its outward image is transformed in a racist sense, and while there is no evidence to suggest an enthusiastic acceptance of this metamorphosis, neither is there any to suggest its rejection, probably also due to the fascist faith of some members of the university. It's the case of the Genoese rector, Mattia Moresco⁴⁰: his proslution on racial laws is halfway between those of fanatically racist rectors and enthusiastic supporters of Arianization and the few who expressed some form of dissent from this brutal violation of their colleagues rights, perhaps simply by not mentioning the issue. There is no trace of criticism on his part, of the measures that are justified as the logical consequence of a "race ethics" judged positively, however the reference to the question is brief and not underlined: The ethics of race, which constitutes the heritage of fascism, has implied necessary some provisions that directly affect the ordering of the universities. Consequently, in these days, some colleagues have moved away from teaching and must be thanked for the services rendered to university teaching.⁴¹

In general, one gets the impression of a prevailing well-understood embarrassment with respect to racially motivated expulsions that emerges from the compact silence surrounding the event. It is significant, for example, that in the same inaugural address in which he briefly mentions the measure, the Genoese rector does not mention the new teachers who have arrived to replace expelled colleagues, especially as he devotes part of the proslution to greetings and congratulations to newly hired, promoted and tenured professors, naming them one by one; but the names of those assigned new professorships to replace expelled Jewish colleagues are not mentioned. As we shall see, not all professors are replaced, because the chairs of Bachi and Rabbeno will disappear with their expelled professors. Ugo Lombroso is replaced by Pietro Tullio, Amedeo Volta by Domenico Maccaggi, Mario Alberto Bedarida by Antonio Rosi, and Francesco Antolisei takes the place of Nino Levi. A complex exchange of assignments is chosen for the chair of Ruggero Luzzati, whereby teaching passes to Giorgio Bo, formerly full professor of private law, who is now in charge of Roberto Ago, formerly full professor of international law; the latter subject is taught by extraordinary lecturer Mario Scerni.⁴²

In the same academic year racist subjects appeared for the first time: Science of orthogenesis, assigned to full professor Mario Barbara⁴³, with own institute; General and comparative demography

38 These names were obtained by crossing the documents of the Prefecture with those of the Archives of the University; the number of teachers thus obtained is lower than that indicated by Brizzolari.

39 ACS, MI, DGDR, Div. Razza, Personal files, b.39, Letter from Pietro Tarchi Venturi to the *Ministro dell'Interno* Buffarini Guidi, 15 maggio 1939.

40 G.B. Varnier, *Mattia Moresco (1877-1946) ecclesiasticista dimenticato e rettore dell'Università di Genova. Tra sapere e potere accademico*, in V. Piergiovanni (a cura di), *Sapere accademico e pratica legale fra antico regime ed unificazione nazionale. Atti del convegno*, Genoa, *Accademia ligure di scienze e lettere*, 2009.

41 AUG, Yearbook 1938-39, p. 13.

42 AUG, Yearbook 1938-39 and ACS, MPI, DGIS Div. 1,

43 Mario Barbara is from the University of Bari, a member of, among others, the Royal Academy of Medical Sciences in Palermo, the Italian Society of Genetics and Eugenics, an honorary corresponding member of the Argentine Association of Biotypology, Eugenics and Social Medicine, and at the University of Genoa he is in charge of Special Medical Pathology and Clinical Methodology, as well as Science of Orthogenesis. AUG, Teaching staff files, file Mario Barbara and ACS, MPI, DGPI, Miscellaneous I, II, III (1929-45), B. 63

of race⁴⁴, complementary teaching for Law and Economics and Business, with chairs assigned to Giovanni Semprini⁴⁵ and Giuseppe Parenti⁴⁶ respectively and Biology of Human Races, supplementary teaching for Humanities, Medicine and Science, for which Joseph Vidoni is in charge.⁴⁷ It should be noted that the documentation shows a continuous rotation to the chair of Comparative Demography of Race in Law: the chair was initially assigned to Giovanni Battista Fasolis⁴⁸, but after a few months, in July 1939, the teaching was entrusted to Giuseppe Vidoni, “the Faculty deeming it appropriate that this teaching be given henceforth with a biological address”;⁴⁹ from the academic yearbooks, then, it appears that in the year 1942-43 Comparative Demography is held by Giovanni Semprini⁵⁰. To this list we must add Anthropology, a complementary teaching for Science and Geography, taught by Ettore Remotti⁵¹; although, in fact, an anthropology course already existed before the 1938 provisions, it now takes on a racist connotation.⁵² We read in the minutes of the Academic Senate:

«Regarding the teaching of Anthropology, Dean Alfero notes that it is already included among the fundamentals for the degree in Geography, just as that of Ethnology is already included therein and, among the complementary ones, that of Geography and Ethnography of Italian Africa⁵³. Now, in deference to ministerial regulations, he will see to it that the conduct of said teaching is oriented in the direction desired by the Ministry. The Senate approves. The Chancellor begs the deans to indicate in the order of studies of their respective faculties Anthropology as a course that all students may take, and to call the attention of students to the real problems of a political and social nature to which the study of this discipline is connected and to the contribution that anthropological science is destined to make to the resolution of colonial matters»⁵⁴.

44 It should be noted that until the 1937-38 academic year there was a chair of Demography of which Professor Mauro Fasiani was a full professor; when it was changed to General and Comparative Demography of Races in 1938, Fasiani left this teaching and switched to that of Finance and Financial Law. The reasons for this switch are not known, but we cannot exclude that it was an act of rejection of the imposition of racist doctrines by the regime.

45 Giovanni Semprini comes from the University of Bologna, is a member of the Commission for the History of Philosophy and Pedagogy of the National Center for Renaissance Studies, secretary of the Ligurian section of the National Institute of Philosophy, and director of the Genoa section of the Italian Institute for the Middle and Far East.

46 Giuseppe Parenti, a member of the Italian Society of Anthropology and Ethnology and of the Italian Committee for the Scientific Study of Population Problems, first appeared on the staff of the Genoa University in the 1938-39 academic year and was one of the professors in charge of teaching racist subjects. 1936 he had written for the "International Journal of Social Sciences" an article entitled The Effectiveness of Italian Counter-Sanctions. See AUG, Academic Yearbook, 1938-39 and staff files, File of Giuseppe Parenti.

47 Giuseppe Vidoni is a member of the Royal Medical Academy of Genoa and Udine, head of the Mental Hygiene and Social Medicine Services of the Province of Genoa. He arrived at the University of Genoa in the 1938-39 academic year. He authored numerous publications in the field of psychiatry-eugenics, which he published from the 1910s onward. In 1938, he seems to ride the racist wave with some enthusiasm, both accepting the chair of Biology of Human Races and publishing in the journal *Criminal Justice* an article on the relationship between Italians, madness and suicide based on the pseudoscientific category of human race. See AUG, personnel files, File of Giuseppe Vidoni.

48 AUG, Academic Senate minutes 20/11/1938.

49 AUG, Faculty of Law Board minutes, 4/7/1939.

50 AUG, Yearbooks 1939-40, 1940-41 e 1941-42.

51 A graduate in Natural Sciences and in Medicine and Surgery, from 1920 to 1926 he was assistant at the central laboratory of Hydrobiology of the Ministry of Agriculture and Forestry and in 1930 Extraordinary Professor of Anatomy and Comparative Geology in Perugia; in 1931 he arrived at the University of Genoa where in 1933 he was promoted to full professor of Comparative Anatomy. His figure as a scientist is characterized by the versatility of his interests, the multidisciplinary nature of his training and the pioneering nature of many of his studies. From 1948 to 1960 he directed the *Scuola Normale Superiore* in Pisa. After the war he was awarded numerous institutional and scientific honors, and in 1970 the University of Padua conferred on him the title of professor emeritus. See ACS, MPI, DGIU, Teaching staff files, III s. (1940-70), b. 398, file Ettore Remotti and *Tra i palazzi di via Balbi. Storia della facoltà di lettere e filosofia dell'Università degli studi di Genova*, in *Atti della Società ligure di storia patria*, XLIII, 2003, pp. 447-453.

52 ACS, Comunicazione della Università di Genova a Ministero dell'Educazione nazionale, Direzione Generale dell'Ordine universitario, 18.02.1943 e AUG, Academic Senate minutes, 18 and 29/11/1938.

53 It should be noted that the teaching of Geography and Ethnology of Italian East Africa has been so named since 1938 (previously the title was Colonial Geography and Ethnology), reducing the general dimension to the specific case of Italian colonies, with obvious nationalistic intent. See AUG, Yearbooks.

54 AUG, Academic Senate minutes, 19/10/1938.

Ettore Remotti was also entrusted by the dean with the task of teaching the Biology of Races within his General Biology course for Medicine and Surgery, assuring the Rector that he would make arrangements with the professor so that, again, the Ministry's intentions would be adhered to. How much then the distinguished biologist and future partisan, really adhered to the "sense intended by the Ministry" and the Rector in teaching anthropology and biology is impossible to say. All we know is that a few months after the decision made by the Academic Senate, a telegram from the Minister ordered that a chair of Biology of Human Races be established at the Faculty of Medicine and Surgery, judging the solution adopted by the academic authorities to be insufficient; the new chair was, therefore, promptly created and assigned to Giuseppe Vidoni.⁵⁵

Prominent among the teachers of racist subjects is the name of Mario Barbara, former deputy director of the Biopathological Institute of the University of Genoa, that is, that institute founded by Nicola Pende that constitutes the first laboratory of his studies on race. Also fruit of his collaboration with Pende are a number of publications written by several hands, including the four-volume treatise entitled *Anomalies of Psychic and Physical Growth*, which illustrates the institute's clinical activity in its first two years of operation. Nicola Pende is, moreover, the first of 28 signers of a petition addressed to Minister Giuseppe Bottai for the Genoese chair of the Science of Orthogenesis to be given to Mario Barbara, a petition whose incipit is worth reporting:

«it is with lively satisfaction that the undersigned have learned of the recent provision by which you, Your Excellency, have assigned to the Medical Faculty of Genoa a tenured position for the teaching of Orthogenesis. This providential provision [...] so appropriately realizes, in the university field, the racial directives outlined by the regime»⁵⁶.

To this same year dates the only degree thesis dedicated to a racist subject: it is a thesis in Political Science by Federico Drago, entitled *The question of race in the thought of the Duce and in the fascist state*; the second, also from political science, dates back to the academic year 1941-42 and is entitled "Fascist Racial Synthesis." While there are only two examples of dissertations with a clearly racist theme - a fact that is not surprising since all racist subjects constitute complementary courses, thus hardly chosen as degree disciplines - there is no shortage, on the other hand, of dissertations connoted in a colonialist sense, especially in the Economics and Business, Geography and Political Science degree courses⁵⁷.

The racist turn is accompanied by a more pronounced fascist and militarist connotation of the university: for example, in yearbooks from the 1938-39 academic year onward space is given to the presentation of the organizational charts of the Guf, the Command of the 4th University Legion St. George's and the fascist school association, and from the following year fascist graduates are included in most of the university's governing bodies⁵⁸. Again, in the 1940-41 academic year, the teaching of History and Doctrine of Fascism was entrusted to a lecturer, a new addition to the university, who had a distinctly Fascist cultural profile; he was Alfredo Acito, editor of the history and political doctrine journal "Mussolini Time," and the "History of Revolution" section of the "Sandro Italico Mussolini" School of Fascist Mystics.⁵⁹

As mentioned earlier, from reading the documents produced by the Genoese university, no form of resistance to the imposition of these transformations and, in particular, to the one most invasive and dramatic in its effects, namely, the racist turn, shines through, and in the academic year 1939-40 Rector Moresco is able to write to the Ministry of National Education assuring that "all the teachers in charge are of the Italian race and are members of the PNF"⁶⁰

⁵⁵ AUG, Faculty of Medicine Board minutes, 11/3/1939.

⁵⁶ ACS, MPI, DGIU, Teaching staff files s. III, 1940-70, B. 35, file Mario Barbara, petition to the ministry Bottai.

⁵⁷ AUG, Yearbook 1930-44.

⁵⁸ *Ibidem*.

⁵⁹ AUG, Teaching staff files, File Alfredo Acito.

⁶⁰ ACS, MPI, DGIS, Div. I, 1935-49, B. 18, Letter from the rector of Genoa to the Directorate General of Higher Education, 27/11/1939.

The racial laws are transposed, applied without provoking acts of resistance or at least disobedience by the academic authorities of Genoa; the official documentation returns the image of a university organizing itself, replacing the expelled faculty, instituting the new racist courses, to reverse the ministerial dispositions, as if to carry out any trivial bureaucratic task. The minutes of the Academic Senate relating to the session in which the expulsion of personnel "of the Jewish race" was decreed are characterized by extreme dryness: the telegram that the Minister sent to the Rector bearing the "measures for the defense of race in the Italian school" contained in the decree-law of November 17 is read out; the reading is followed by the Senate's acknowledgement, after which it quickly moves on to the next item on the agenda⁶¹. Someone cautiously moves in solidarity with his colleagues, especially those most appreciated by the community of scholars and those best placed in the environment, but it is not an expression of dissent from the racist spirit of the laws or the legal abomination they represent, but a feeling of personal or academic solidarity. Thus the rector supports the request for differentiation (discriminazione) made by Rabbeno, advocates a special consideration for Volta by the minister considering his patriotic and fascist merits, favours the acceptance of the fictitious donation to the university of assets of the Tedeschi family to save them from alienation, declares, in response to the hypothesis put forward by the Prefect of Pavia to keep Levi in his profession as a researcher, perhaps exempting him from teaching, that the university "will always be happy where possible to have the collaboration of a scholar of such singular value."⁶²

In the victim the measures arouse different reactions, whose common denominator is the dismay and pain for the brutal severing of deep bonds, bonds that in different degrees of intensity can be with the country, the city, the university, the scientific community, sometimes with fascism itself. In the letter that Rabbeno wrote to the rector as a farewell and thanksgiving he expresses his "deep feeling that will always unite me to the university family"⁶³ and the pain of the forced separation from this community does not seem to be accompanied by any accent of resentment. This disposition of mind is confirmed by the fact that, after having tried in vain to be differentiated, he left the university only after having donated his patrimony of books and laboratory material for a value of 8,900 lire to the university. Like Volta, he remained hidden in Italy, maintaining contacts with the academic and scientific world. Expatriation is for these people an option more or less possible or attractive depending on many factors which combine in various ways, on the one hand the degree of familiarity with some foreign country and the possibility of finding appropriate career opportunities, on the other hand the more or less wide willingness to leave their country: Amedeo Volta evaluates the possibility of moving abroad, deciding then to exclude it for professional reasons and remains hidden in Italy continuing, isolated and hidden, to cultivate his discipline, in the same way as Angelo Rabbeno; even Aldo Luzzati and Ruggero Luzzatto remain in Italy, after vain attempts to continue to exercise their profession, the first writing a petition to the Duce with the request to continue to teach, the second making unnecessary application for differentiation. Nino Levi and Roberto Bachi, on the contrary, chose to leave Italy after their expulsion and neither of them ever returned to Italy: Levi because he died in New York in 1941 due to a fall from a horse, Bachi by choice. The latter arranges his own move to Israel soon after being affected by the race measures. A political police report states that the professor is leaving for Tel Aviv as early as October 1938. The same document calls him an ardent Zionist and argues that he should be watched for his dealings with foreign intellectuals should he return to Italy⁶⁴. But Roberto Bachi will never return to the country that expelled him as a Jew; migrated to Palestine will have a brilliant career here: with the foundation of Israel, he will be one of the founders of the Faculty of Social Sciences, director of the Department of Statistics and Demography and pro-rector at Hebrew University in Jerusalem and will be appointed by the new government director of the Israeli Central Bureau of Statistics. His father, on the other hand, who had

61 AUG, Academic Senate minutes, November 20, 1938.

62 AUG, Teaching staff files, File Nino Levi

63 AUG, Teaching staff files, File Angelo Rabbeno.

64 ACS. MI, DGPS, Political police division, Personal files (1927-44), Bachi Roberto, Report of Oct. 24, 1938.

built his life and his remarkable professional career in Italy, decided not to sever his ties with his native country: after the war he returned and spent his last few years in Italy, becoming a member of the Accademia dei Lincei. The history of the Bachi family is an example of the incidence of personal data that we know to be significant with respect to the choice of expatriation. The Tedeschi family also chose exile, fleeing to Switzerland after having made, in 1939, a fictitious donation of their four apartments to the University of Genoa to save them from alienation; this willingness of the University to help the Tedeschi is a sign of the depth of the family's ties with some academic authorities. The tenacity of the ties with the country's institutions, the close relations with authorities and prominent figures, the academic merits and even the patriotic and fascist merits have no influence on the fate of the victims of this draconian purge that deprives the country of scholars of international fame, precious intelligence, actual and potential excellence. In Genoa, the most striking example is that of Roberto Bachi: as we have seen, his presence in the city's university was considered a great asset because it entailed the birth of a brand new discipline; it is not surprising, therefore, that this professor could not be replaced, since before his arrival in Genoa there was no chair of Methodological and Economic Statistics, and that chair would disappear with him. The Statistical and Financial Economics laboratory remains active, formerly directed by Bachi and now entrusted to Giuseppe Parenti, chair of Statistics, but also charged-as we have seen-with teaching the new racist discipline called Comparative Demography of Races. Also irreplaceable is Professor Emeritus Gino Loria, who held a free course in the History of Mathematics in the Faculty of Science; so much so that the dean of the faculty decides to suppress the teaching and replace it with that of Theory of Functions, so as not to excessively reduce the possibility of students' choice among the complementary teachings: Dean Togliatti then informs that as a result of the measures arranged by the government for the defense of race, prof. Loria will no longer be able to teach History of Mathematics, which he taught as a free course recognized as valid for legal purposes for students, and that it is not possible to replace such a teacher⁶⁵.

Also striking is the aforementioned progressive decline in the number of Jewish students and, in particular, foreign Jews. Although it is impossible to reconstruct the quantitative dimension, to these losses must be added those constituted by those students who, having concluded their university career in Genoa, were forced to continue their academic careers elsewhere; one thinks of the case of Stefano Fajrajzen, a Polish Jew originally from Lodz, who graduated in Medicine in the 1937-38 academic year, but was then induced by Fascist anti-Semitic policy to pursue his specialization in Neuropsychiatry first in Switzerland and then in London. It is conceivable that a share of equally brilliant students pursued their careers abroad, not only in academia, but also in teaching, law, medicine, and engineering; this is an untold legacy that has been lost to the country that took responsibility for racial persecution. This depletion is accompanied by the gradual loss of users from across the border and the increase in the absolute number of students.

The picture that emerges is one of an impoverished and debased university in both the ethical and cultural spheres, locked more and more in an asphyxiated nationalistic perspective; effectively Michele Sarfatti defined the expulsion of Jewish teachers "a deep stab that Italy has inflicted on itself as well as on the individual persecuted"⁶⁶.

A difficult comeback

At the fall of Fascism, a fact took place in Genoa that offered interesting elements for the reconstruction of the relationship between anti-fascism and anti-Semitic persecutions and represented a significant anticipation of what would be the country's disposition towards the victims at the end of the war. During a meeting convened by a promoting committee, held on 4 August 1943, a document was drawn up signed by forty-four professors - out of a total of 76 professors - greeting the end of

⁶⁵ AUG, Academic Senate minutes, 18/10/1938.

⁶⁶ M. Sarfatti, *La scuola, gli ebrei e l'arianizzazione attuata da Giuseppe Bottai*, in L. di Ruscio R. Gravina, B. Migliau (editors), *Le leggi antiebraiche del 1938*, Rome, s.e, 2007.

Fascism, calling for the return of their freedom and privileges to the university world, hoping that there will be no more restrictions on freedom of opinion and ending the persecution of opponents of the regime. No explicit reference to the issue of racial cleansing can be found in this sort of anti-fascist manifesto. With the advent of the Republic of Salò, the signatories of the document will be questioned for their position against Fascism. It will not be enough for Achille Pellizzari⁶⁷ to take responsibility for the content by declaring that the others had signed unconsciously, but finally the matter would be resolved without consequences for teachers thanks to the intercession of the Minister of Education Biggini, who had an interest in creating goodwill for himself with city institutions in view of his upcoming appointment as head of the Genoa Province to replace Carlo Basile⁶⁸. This case is of interest with respect to the issue of the expulsion of Jews from Italian universities, not so much because of the content of the document of the 44, but because of what is missing in the document, namely a denunciation of racial laws, a request for reintegration, a protest, even formal, a reference to racist persecution and its serious consequences. This silence on the part of the group of the antifascist teachers, apparently more aware of fascist crimes, is an important testimony to the general attitude of indifference with which the academic world accepted the racial laws and to the lukewarm and sometimes hostile welcome that was given to the victims at the end of the war even by the representatives of the new democratic course. In Genoa, where no Jewish teacher had been involved in anti-fascism or resistance, this disinterest is perhaps particularly marked and the signatories of the manifesto seem exclusively interested in the fate of the opponents who probably felt closer politically and sentimentally; however, it is also undoubtedly a sign of maybe not a widespread anti-Semitism, but definitely of an amazing lack of attention to a drama of such great magnitude.

And yet, in Genoa, the teachers who, at the end of the war, return to their professorship in Italy are the majority⁶⁹. out of eighteen expelled, eleven (61%) return to teach at the Genoese university, four pass away before the end of the war, of one - Frida Semach - the fate is unknown, but we can exclude that she returned to Genoa; as a result, only two professors, Roberto Bachi and Roberto Sabatino Lopes choose to continue their careers abroad. For some of them the main motivation will be the lack of valid alternatives, but for others the reason for the choice is to be found above all in those deep bonds of which we spoke at the beginning: with the country, with the city, of course, but even more frequently with the scientific community and with the academic institution, despite the offense suffered. An example is the case of Tedeschi, returned to Italy and reintegrated, who in 1945 donated 20,000 lire to the University for the reconstruction of the Law Library: as we have already seen, the relationship between this family and the University of Genoa continues through mutual courtesies and assistance even during and after the period of racial persecution.

The reinstatement of Jewish teachers is accompanied by the suppression of racist and fascist subjects: in June 1945, the Academic Senate resolves that "in view of the new political situation," the teachings of History and Doctrine of Fascism, Corporate Law, Comparative Demography of Races (while General Demography remains) and Biology of Human Races be suppressed, and that exams

67 Achille Pellizzari, professor of Italian Literature at the University of Genoa, was commissario politico of the partisan formations "Garibaldi" in the Parma area with the name "Poe". After the war, he became Dean of the University of Genoa, succeeding Emanuele Sella and, was deputy of Democrazia Cristiana party of the Constituent Assembly. M. Calegari, *Comunisti e partigiani*. Genova 1942-1945, Impressioni grafiche, Acqui Terme, 2007; F. Franchini, *Achille Pellizzari partigiano "Poe"*. *Raccolta di documenti e testi*, FILV, La Spezia, 1976; «Storia e memoria» n.2, *La famiglia Lazagna. Le carte, i ricordi*, 2015.

68 ASGe, Rsi, b. 12.

69 Aldo Luzzatto as free lecturer in Special Medical Pathology; Muggia Adriano, now chief of medicine in Casale, as free lecturer in Demonstrative Special Medical Pathology; Ettore Tedeschi as free lecturer in Special Medical Pathology; Aldo Luzzatto as free lecturer in Special Medical Pathology; Bedarida Alberto Mario as lecturer of Mathematical Institutions and free lecturer of Algebraic Analysis in Science; Ugo Lombroso as full professor of Human Physiology in Pharmacy and director of the Institute of Physiology, while his son Lombroso Cesare is free lecturer of Food Science also in Pharmacy; Volta as full professor of Psychology in Medicine and director of the Institute of Psychology. See in AAUG the 1950-51 yearbook and personnel files.

taken in these disciplines after September 8, 1943 be cancelled⁷⁰. Remotti's Anthropology remains, presumably amended from racist content; finally, Geography and Ethnology of Italian East Africa becomes Economic Geography and History of Geopolitical Relations, retaining the same lecturer, Giuseppe Rosso; the chair of Science of Orthogenesis changes to Science of Human Constitution always held by Mario Barbara. The latter encounters some difficulties because his eligibility is questioned, since he obtained that position not through a regular competition, but as a consequence of the petition of some professors to Minister Bottai; in 1945, the National Council of Education, Science and the Arts expresses to the Minister of Education "the opinion that the appointment of Professor Mario Barbara as full professor of the science of orthogenesis in the University of Genoa arranged without a competition should be annulled"⁷¹. Finally, however, the teacher is retained in his position, thanks in part to the positive opinion expressed by the Medical Faculty Council in 1947⁷². As for other teachers of suppressed subjects, Giuseppe Vidoni remains at the University of Genoa as a lecturer in Psychology in Political Science, Giovanni Semprini as a free lecturer and lecturer in History of Political Doctrines at the Faculty of Law, Giovanni Battista Fasolis as a free lecturer in Finance Science and Financial Law; while Giuseppe Parenti moves to Florence in 1948 as a full professor of Statistics⁷³.

With regard to Jewish teachers, numerous are the examples of the difficulties in reconstructing the relationship with academic and state institutions. Amedeo Volta and Angelo Rabbeno faced the biggest problems, since the professors who had taken their place denounced the fact that these teachers had been transferred to Genoa from their places of origin without the Faculty Council⁷⁴ having approved the transfer by a regular vote and therefore asked for their reinstatement into the universities from which they came, which would have allowed them to maintain their professorships. For their part, Rabbeno and Volta wished to be reinstated into the place from which they were expelled, namely the University of Genoa, so as to be able to start again from the earliest moment of their previous career forcedly interrupted. In the case of Volta the situation is particularly absurd because, by the time the issue is raised, the professor has already undertaken his research work in Genoa that would be lost if he were transferred to Catania and, on the other hand, the University of Catania opposes Volta's return so as not to have to remove the chair holder installed there and presses for the professor to remain in Genoa on another chair⁷⁵. The question is not easy to resolve and drags on for years coming to a positive conclusion for the two Jewish teachers. In the case of Volta he was first assigned to Catania, but in 1948, he asked and obtained that a chair of Psychology be established in Genoa and assigned to him for which he was again transferred to the Ligurian capital, as a supernumerary full professor on a new chair by resolution of the Faculty Council⁷⁶, also thanks to the interest of Father Gemelli: in fact, Agostino Gemelli supports the hypothesis of the creation of a chair of Psychology, a new teaching that is entrusted to Volta⁷⁷. It seems paradoxical that it is precisely a figure not immune to anti-Semitic feelings to intercede in favour of a victim of racist laws, but it is one of the many cases in which professional solidarity and personal relationships overwhelm

70 AUG, Academic Senate minutes, June 11, 1945.

71 ACS, MPI, DGIU, Teaching staff files, III s., 1940-70, B. 35, File Mario Barbara, Opinion CNESA about the eligibility of Mario Barbara, October 3, 1945.

72 ACS, MPI, DGIU, Teaching staff files, III s., 1940-70, B. 35, File Mario Barbara, Faculty of Medicine board minute, February 25, 1945.

73 AUG, Yearbooks 1950-51 and Teaching staff files.

74 The transfer of the two teachers was ordered by the Minister of Education, without the approval of the Genoese Faculty Council; Volta came to Genova from Catania and Rabbeno from Palermo, both of them in 1936; (AUG, Teaching staff files, File Angelo Rabbeno and file Amedeo Volta).

75 ACS, MPI, DGIU, Teaching staff files, III s. (1940-70), b. 486, file Volta Amedeo, Faculty of Medicine Council resolution, April 9, 1946.

76 ACS, MPI, DGIU, Teaching staff files, III s. (1940-70), b. 486, Volta Amedeo file, Minutes of the Council of the Faculty of Medicine and Surgery of the University of Genoa, July 27, 1949.

77 AUG, Teaching staff files, File Amedeo Della Volta, Minutes of the Faculty Council for Medicine and Surgery, February 17, 1948.

ideological beliefs. In the case of the reinstatement of these two teachers, it is particularly striking that by reading the entire bureaucratic practice one never comes across an expression of recognition - not even formal and rhetorical - of the abnormal injustice that the two professors had to endure on the part of any of the subjects involved; there are only two exceptions. One is Minister Ruiz, who expresses himself on both cases, stressing the priority over other considerations of removing the effects of the injustice of racial laws and of saving the victims from these further difficulties⁷⁸; the second is constituted by the Higher Council of National Education, which expresses itself in favor of Volta's move to the Genoa chair of psychology, enunciating among its reasons, in addition to the professor's scholarly value, the consideration of reparations for the victims of the racial persecution policies implemented by the past regime⁷⁹. After all, even in 1967, in Amedeo Volta's curriculum vitae drawn up by the University of Genoa for the award of the title of professor emeritus, characterized by laudatory tones and in which his participation in the Great War is emphasized, his expulsion under racial laws is recorded without a word of blame or comment, as a matter of fact.

Even Ugo Lombroso encounters obstacles to his return, because, having been called back to Genoa to resume his professorship at the university, he could not find accommodation in Genova: Lombroso had lost his house because of a bombing and wanted to occupy a flat of his own property rented by a family who, however, did not intend to leave the house⁸⁰. With the case of Roberto Lopes we arrive at the grotesque. In 1953, Lopes, professor at Yale and author of six monographs and dozens of scientific articles, received from the University of Genoa, "the first sign of life after his expulsion in 1938" - bitterly remarked by Lopes - a pre-printed circular asking him to give an account of the scientific activity carried out from 1940 onwards and to document "any legitimate impediment"⁸¹ that would not have allowed him to continue to work at the University of Genoa, on pain of exclusion from the possibility of receiving further assignments. Lopes replied with irony ("the legitimate impediment of 1940 seems to me to be notorious"⁸²), but also with a more than understandable irritation, stating that he did not aspire to be a freelance teacher as he was already ordinary at Yale. Also in this case, the bureaucratic coldness of the Athenaeum strikes, which seems to ignore the scope and the very existence of a traumatic event such as the extermination of the Jews. A testimony comes also from celebrations on the occasion of Ugo Lombroso's death and the anniversaries of this date, which allow us a glimpse into the years following the immediate postwar period. The distinguished physiologist is honored by the Genoese university and the entire Italian scientific community, yet the reticence about the persecution he endured as a Jew is compact: no mention appears in the plaque that is placed in the university in his memory, nor in the numerous commemorations on the occasion of his death in 1952; the only exception, but one that nevertheless confirms the general picture, is the 1954 Accademia dei Lincei's recollection in which the expulsion for racial reasons is briefly mentioned, without a word of condemnation, but rather with a disconcerting praise-which seems to indirectly want to blame the victims-for the behavior held by Lombroso, who "did not want to take advantage of those sufferings"⁸³ Again, Lombroso's case provides us with a rare example to the contrary, given by the Council of the Faculty of Medicine of the University of Rome, which, in expressing a favorable opinion with respect to the professor's request for tenure of the Chair of Food Science refers, among the reasons supporting its acceptance, to the "serious harm suffered by Professor Lombroso in recent years" for which his application "cannot but be looked upon with sympathy"⁸⁴.

⁷⁸ AUG, Teaching staff files, File Amedeo Della Volta, *Statement concerning the application for readmission of Professor Volta*, July 9, 1945.

⁷⁹ ACS, MPI, DGIU, Teaching staff files, III s. (1940-70), b. 486, file Volta Amedeo, Meeting of the Higher Council of National Education, July 25, 1948.

⁸⁰ AUG, Teaching staff files, File Ugo Lombroso.

⁸¹ AUG, Teaching staff files, File Roberto Lopes.

⁸² AUG, Teaching staff files, File Roberto Lopes.

⁸³ AUG, Teaching staff files, File Ugo Lombroso.

⁸⁴ ACS, MPI, DGIU, Teaching staff files, III s., 1940-70, B. 272, file Lombroso Ugo, Minutes of the Faculty Council for Medicine and Surgery, July 24, 1945.

As can be seen from these examples, the difficulties of reinstatement are not only linked to objective problems caused by the not simple restoration of the institutions after the dictatorship, the war, the occupation, but also by the unfriendly climate in which this reinstatement took place, especially because of the failure to recognize the enormous tragedy that had struck the Jewish population. A further example of this lack of recognition is provided by the first post-war yearbook of the Athenaeum, referring to the academic year 1950-51, in which at the beginning the salient facts for the university of the war years are summarized: they complain about the material damage suffered by the structures of the university as a result of the bombing, honour students and teachers who participated in the liberation movement, pay tribute to Mattia Moresco, the rector in office at the time of the racial laws and praise the behaviour of all the rectors from 1930 until the end of the war. Later appear the only words - dry and without reprimands for the racists or solidarity for the victims - dedicated to the reinstatement of Jews: "After the war, the university was pleased to welcome the following professors who had been reinstated in their positions, from which the 1938 racial law had removed them"⁸⁵, followed by the list of Jewish professors who had been reinstated. Even in the inaugural speech of the rector there is no mention of racial persecution. A final testimony comes from the celebrations on the occasion of the death of Ugo Lombroso and the anniversaries celebrations that allow us to take a look into the years following the immediate post-war period. The distinguished physiologist is paid homage by the University of Genoa and by the entire Italian scientific community, yet the reticence about the persecution he suffered as a Jew is compact: no mention appears on the plaque placed in the university in his memory, nor in the numerous commemorations on the occasion of his death in 1952; the only exception, but which nevertheless confirms the general picture, is the memory of the Accademia dei Lincei of 1954 in which the expulsion for racial reasons is briefly mentioned, without a word of condemnation, but rather with a disconcerting praise - which seems indirectly to want to blame the victims - for the behaviour of Lombroso who "did not want to take advantage of those sufferings."⁸⁶

As can be seen from these examples, the difficulties of reintegration are related not only to objective problems caused by the not easy restoration of institutions after the dictatorship, war, and occupation, but also to the unwelcoming climate in which this reintegration took place, mainly due to the lack of recognition of the enormous tragedy that had befallen the Jewish population. Interestingly, the victims themselves, surrounded by this general underestimation, timidly made their demands, almost always without emphasizing the injustices and suffering they had suffered. A further example of this lack of recognition is provided by the aforementioned first post war yearbook of the University, referring to the academic year 1950-51, in which, at the opening, there is a text summarizing the salient facts for the university of the war years that had just passed: the material damage suffered by the University's facilities as a result of the bombing is lamented, students and faculty who participated in the liberation movement are honored, the behavior of all the rectors from 1930 until the end of the war is praised, and, in particular, tribute is paid to Mattia Moresco, the rector in office at the time of the racial laws; in this regard, it reads:

«Le vicende politico-militari dalle quali fu travagliata l'Italia ebbero le loro inevitabili ripercussioni nel governo dell'Ateneo dopo il 25 luglio 1943. Il prof. Mattia Moresco, che aveva tenuto ininterrottamente e con rara saggezza dal primo novembre 1925 l'ufficio di Rettore [...] dovette lasciare dal 29 agosto il Rettorato» 87.

It is surprising that only a few pages earlier, laudatory words had been spent on the anti-fascist lecturers of the 44 manifesto, deprecating the judicial persecution they incurred, while here the purge of the fascist rector during the Badoglio interlude is described as an unfair fatality that unjustifiably strikes a distinguished figure:

85 AUG, Yearbook 1950-51.

86 AUG, Teaching staff files, File Ugo Lombroso.

87 AUG, Yearbooks 1950-51, p. 13

«The situation which had been determined in the aftermath of September 8, 1943, and which became increasingly aggravated, could not fail to have its reflections on the life of the Athenaeum as well. And a sad episode created and maintained for many months in the university environment a heavy atmosphere of anxiety and concern [...] The prevailing hierarchies - taking as their motive an agenda with which they extolled the regained freedom of science [...] unleashed against the signatories of that agenda a violent campaign that led to the denunciation of the 44 professors to the Extraordinary Provincial Tribunal». 88

Later appear the only words-dry and devoid of notes of blame for racists or sympathy for victims-dedicated to the reintegration of Jews: “The university was pleased to welcome back after the war the following professors returned to their teaching from which the 1938 racial law had removed them”⁸⁹, which is followed by a list of reinstated Jewish faculty members. The rector's inaugural address also lacks any mention of racial persecution, while ample space is devoted to celebrating the exploits of the partisan students and lamenting the damage and mourning inflicted by the war: the desire to ennoble the institution, to dull the responsibilities by attributing them generically to the war event and to pass over in silence the more embarrassing aspects, such as precisely the application of the racial laws, shines through clearly. It is not surprising, then, that the purge season ends in Genoa with no action taken against teachers or academic authorities. In June 1945, the Allied Command established the Reporting Committee for the Purge of University Personnel, which identified six names of faculty members found to be particularly compromised with the past regime, but none of them would be removed from the university⁹⁰. Moreover, as we have seen, the prevailing attitude of underestimation and overshadowing of responsibilities and compromises with the past regime shines through in the documents produced by the University of Genoa in the post war period, one thinks only of the aforementioned introduction to the first post war yearbook, in which the task of executing the purge process is described as "thankless" and in which, while praising partisans and anti-fascists connected with the university, any measure aimed at targeting a member of the university for his or her fascist faith is deplored⁹¹. In this respect, the local picture reflects the general situation well described in a recent volume by Mattia Flamigni on purges in universities:

«It will be found, therefore, that the fascist interventions on the university, failed to act in depth and produce effects that could survive them, and, likewise, the purge also had to clash against a thicket of relationships and customs of an environment-caste with its centuries-old traditions, which once again proved to be very little permeable to instances of change». 92

If in 1938, the project of Aryanization of the Italian university expressed by racial laws met with very little resistance, that of de-fascistization, in which a restorative justice towards the victims of fascist racism was an aspect, clashes with various obstacles put forward by the academic world: logic of continuity, lack of self-critical awareness, impelling of other problems, corporate solidarity. Even in Genoa, as we have seen, all this means that the initial political will is to deny fascist racism and it becomes a dull and listless bureaucratic application of the provisions, that Santorre Debenedetti rightly defined as a "petty justice for which the usurpers were undisturbed and the victims tolerated.”⁹³

88 *Ibidem*, p. 8

89 *Ibidem*, p. 20

90 See M. Flamigni, *Professori e università di fronte all'epurazione. Dalle ordinanze alleate alla pacificazione. 1943-48*, Bologna, Il Mulino, 2019. See also AUG, Academic Senate minutes, June 21, 1945.

91 AUG, Yearbooks 1950-51.

92 M. Flamigni, *Professori e università*, p.12.

93 C. Segre, *Per curiosità. Una specie di autobiografia*, Einaudi, Torino, 1999, p. 96.

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Book reviews

Anna Lisa Tota, *Eco-Words. The Ecology of Conversation*. New York: Routledge, 2024, pp. 158, £ 31.99

*Ludovica Malknecht**

Anna Lisa Tota's volume, *Eco-Words. The Ecology of Conversation*, offers a perspective, or rather, a multisensory perception that penetrates the different layers of natural, social, and individual reality. It captures the subtle complexity of tacit correspondences, interrelations, and references of meaning. The multiplicity of perspectives and levels of analysis in this volume corresponds to an approach that reveals the permeability of distinctions and the inadequacy of rigid and unidimensional categorizations in the critical understanding of both objective and subjective reality.

It is challenging to categorize the volume into a single genre: it can be considered a scientific essay, but with a narrative effectiveness that aligns it with a meditative text and sometimes with autobiographical storytelling. The experiential perspective, evident in the straightforward style and the rhythmic pace of the narrative – akin to the often-characteristic language of spirituality – explores various philosophical, cultural, and religious traditions: from Taoism to the mystical syncretism of Gurdjieff's citations that run through the book as a Leitmotiv, to Christian spirituality. Notably, the book opens with a reference to the baptismal rite, emphasizing the vital connection between uttered and listened-to words, which act sacramentally, and the name-word that expresses the individuals' irreducible identity but also their relationality, as the attribution of the name marks entry into the community. It appears to resonate, on many pages of the volume, the echo of the Johannine Prologue, in which the Word becomes embodied and inhabits a relationship of communion, «The Word became flesh and dwelt among us» – almost like the matrix of every eco-word. The eco-words analysed, evoked, and "hoped for" by Tota are, in fact, a response to the reified and reifying words of disenchantment that mark the loss of living, active, embodied language. On a theoretical level, this implies a critique of the rationalist approach stemming from the Cartesian matrix and its dualism that separates the mind from the body, an operation that directly involves the separation of the logos sphere – as rationality with its privileged channel in verbal language – from the body, emotions, and the complex multidimensionality of experience. The eco-words emerge as words capable of recomposing this fracture that extends across much of history of Western thought but also characterizes social practices and daily interactions that undermine the authenticity of experience and relationships. The result is a critique of interpersonal communication that extends to the original vices of logical positivism in terms of reductionism and reification of experience.

In their being embodied, eco-words maintain a close connection with the physical world. The dialogue with the reader itself is conceived as a communicative flow in which words resonate, as in the energetics of Ernst Kurth, and are inserted into the energetic flows of space and time from which their performativity and eventfulness derive. Quantum physics serves as inspiration for a reading of

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interconnection and, therefore, possible communication between every living being, but also between past, present, and future. Subjectivity extensions are closely linked to temporal structures that unite quantum physics with the dimensions of the unconscious and memory. The reference to psychoanalysis is also strong – especially when it comes to the experience of trauma – yet the author does not seem to consider it as a unique solution. Instead, it is sought in the inner disposition of individuals, in their *decision* to interpret, speak, and think about reality, even the past, in a toxic, "polluting" way or, rather, in an *ecological* way, in the light of an almost coincidence between processes of meaning attribution and the exercise of free will: «Giving meaning is a potentially revolutionary act in itself, as it fully expresses the sense of our free will» (p. 7). In this direction, the author's statement of intent is also an exhortation and an invitation to readers to consider the scope and effects of the chosen words, the words uttered, and their transformative impact: «this book encourages the reader to return (at least partially) to a conception of words as powerful, in which saying may not entirely equate to doing, but would nonetheless constitute a strong and valid premise, and frame, for the ensuing action. In this light, words do a lot. Perhaps not as much as actions, but rather than seeing them as less intense, I would suggest we see them as a different way of doing things» (p. 37).

Without ever providing a univocal – inevitably reductive – definition of Eco-words, Tota introduces and composes this concept through a constellation of recurring terms and expressions such as "experience," "actions," "emotions," "resonance," "body language," and "deep feelings." «*Eco-words* are words that rebuild the silent but vivid connection between our subjectivity and the knowledge of the world. Eco-words are alive, vital, nourishing; they produce happiness and well-being wherever they are present. They have the capacity to create deep understanding and produce well-being in the person speaking and in the one listening at the same time» (p. XVI). This is not therefore “merely” a cultural or theoretical matter. The author indeed defines her work as a militant book, something intended to contribute to the transformation and improvement of reality. Active words, eco-words are necessary, because they are capable of making the past, as well as conversations and relationships with oneself and others, more *sustainable*. Tota's analysis, with an intellectual operation somewhat analogous to Goffman's situational approach, though with different theoretical premises and outcomes, reveals latent structures and effects of everyday interactions and common sense. Through a multitude of episodes and situations drawn from personal and familial memory, Tota traces in verbal and body language, in its expressions as well as in its pauses and silences, the emotional matrices and resulting behavioural responses. Perhaps it is precisely at this point that the volume, in line with its programmatic intent, goes beyond mere argumentation and analysis. Instead, it manifests in the active concreteness of this retrieval of memories that find expression and assume new meaning and understanding through the eco-words the book not only talks about but intends to be composed of.

Presentation of the book edited by Enzo Campelli, *Fra trauma e memoria. Le ricerche di Mordko Tenenbaum nella comunità ebraica di Roma* [Between Trauma and Memory: Mordko Tenenbaum's Research in Rome's Jewish Community]. Rome: Gangemi, 2023, pp. 128, €22,00 (Monday, February 26, 2024)

Presentazione del volume a cura di Enzo Campelli, *Fra trauma e memoria. Le ricerche di Mordko Tenenbaum nella comunità ebraica di Roma*. Roma: Gangemi, 2023, pp. 128, €22,00 (lunedì 26 febbraio 2024)

Giordana Terracina*

Nel pomeriggio di lunedì 26 febbraio, presso la sala convegni dell'editore Gangemi, si è svolta la presentazione del saggio curato da Enzo Campelli *Fra trauma e memoria. Le ricerche di Mordko Tenenbaum nella comunità ebraica di Roma* (Roma: Gangemi, 2023), organizzata insieme alla Comunità Ebraica di Roma. Hanno discusso del volume il Rabbino Capo della Comunità Riccardo Di Segni insieme ai professori David Meghnagi, psicoanalista, ordinario della società psicoanalitica italiana presso l'Università di Roma Tre e già direttore del Master Internazionale di secondo livello in didattica della Shoah, Andrea Guiso, ordinario di storia contemporanea presso la *Sapienza Università di Roma* e Claudio Procaccia direttore del Dipartimento per i Beni e le Attività Culturali della Comunità Ebraica di Roma, guidati dalla sapiente moderazione di Alberto Sonnino, psichiatra, psicanalista, membro ordinario della Società Psicoanalitica Italiana e dell'International Psychoanalytical Association (IPA) e dirigente in un Centro di Salute Mentale.

Un lavoro scritto a più mani che ripercorre lo studio svolto nel secondo dopoguerra dal medico Mordko Tenenbaum, insieme allo psichiatra Isacco Tolentino, riguardante i problemi di salute mentale che colpiscono la popolazione ebraica romana, secondo quanto è emerso dalle carte dell'*Organizzazione Sanitaria Ebraica* (OSE), presidio sanitario a tutela delle fasce più deboli, diretti dallo stesso medico.

Un testo basato su due documenti, messi a disposizione degli autori dal figlio Sascha, di cui il primo riporta i risultati di un'indagine socio-psichiatrica, *Risultati di un'indagine socio-psichiatrica nella comunità ebraica di Roma*, mentre il secondo è concentrato sulla popolazione in età evolutiva, *Some considerations on mental retardation and emotional disorders among children in the Jewish community of Rome*.

Riccardo Di Segni, intervenendo per primo ha posto in evidenza il carattere innovativo di questi studi, posti all'avanguardia della psichiatria e la presenza quasi in sottofondo del trauma rappresentato dalla Shoah, un non detto, memoria di una persecuzione ancora non metabolizzata. Ha ripercorso brevemente la storia dell'OSE, di cui Giorgio Sestieri ha scritto nel paragrafo *Breve storia dell'Organizzazione Sanitaria Ebraica (OSE)*.

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Claudio Procaccia ha illustrato il contesto socio-economico della popolazione ebraica appena uscita dalla guerra, impegnata in una ricostruzione che non è stata soltanto materiale ma soprattutto identitaria, prendendo spunto da quanto presente nel paragrafo di Daniela Roccas *La comunità ebraica di Roma negli archivi dell'OSE*, mentre David Meghnagi, partendo dai ricordi riportati dal prof. Sacha Tenenbaum, figlio di Mordko, ha evidenziato alcuni aspetti del ricco e denso rapporto tra padre e figlio. Nel corso del suo intervento ha sottolineato l'importanza del lavoro scientifico di Modko Tenenbaum, ben evidenziato nel paragrafo di Giorgio Caviglia e di Alberto Sonnino (*La comunità ebraica di Roma nel secondo dopoguerra. Una difficile elaborazione dei traumi*), invitando il pubblico, ascoltando le sue letture, ad andare oltre il significato delle parole, cercando di non fermarsi al primo approccio, ma con uno sforzo ulteriore di comprenderne il senso profondo. Nel loro denso intervento Caviglia e Sonnino si sono ampiamente soffermati sulla problematica del trauma psichico e delle influenze della componente ebraica nello sviluppo del pensiero di Freud, sottolineando entrambi il debito con la ricerca portata avanti da David Meghnagi nell'arco di quattro decenni.

Andrea Guiso riprendendo il discorso sul non detto, ha contestualizzato il trauma dei sopravvissuti e ha posto in evidenza le difficoltà del reinserimento della popolazione ebraica, partendo dalle difficoltà incontrate da Primo Levi nella pubblicazione del suo libro del 1947 *Se questo è un uomo*.

La presentazione si è conclusa con un ricordo personale del Presidente della Comunità Ebraica di Roma Victor Fadlun.

Journals

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and from the PEP Web (www.pep-web.org/toc.php?journal=psu)

Edited by *Paolo Migone**

Issue no. 1, 2024, Volume 58

Pier Francesco Galli, *Editorial*

Morris N. Eagle, *Psychoanalysis and free will*

Abstract. This paper is mainly concerned with the conception of free will in Freudian theory and psychoanalytic ego psychology. There are a number of Freuds, not all consistent with each other, on the issue of free will: the Freud who views free will as an illusion, the Freud who identifies as a goal of psychoanalytic treatment the enhancement of the ego's freedom to choose, and the Freud who locates control of motility (action) in the conscious ego. As for an ego psychology perspective, free will lies in the ego's relative autonomy from drives, as well as in the freedom to not will and to relinquish control. In contrast to Freudian theory and ego psychology, the question of free will is not salient in post-Freudian theories, where the greater emphasis is on issues having to do with meeting needs rather than on gratification of wishes. Finally, free will is not only a matter of freedom from inner compulsion, but also of freedom from external coercion.

Patrick Luyten, Peter Fonagy, *Integrating and differentiating personality and psychopathology: A psychodynamic perspective*

Abstract. Several strands of research converge to suggest that personality and psychopathology can be integrated in a hierarchical model of individual differences. The notion that personality and psychopathology are intrinsically linked has a long tradition within the psychodynamic approach. Empirical evidence supporting two related key psychodynamic assumptions on personality and psychopathology is first summarized: (1) a developmental, person-centered approach is needed to complement a static, disorder-centered approach in the conceptualization and treatment of psychopathology; (2) personality and psychopathology are best conceptualized as dynamic attempts at adaptation. Research in each of these areas supports the notion that personality and

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psychopathology are difficult to separate and may be moderated by severity (i.e., general psychopathology) such that increasing levels of severity result in increased intrinsic coupling between the two. These findings are then discussed in the context of a newly emerging social-communicative approach to human development that suggests that personality and psychopathology are better conceptualized in terms of a disorder of social communication, and that the purported rigidity and stability typically attributed to them are largely explained by the stability of the environmental mechanisms that underpin them, rather than by stable intrapersonal traits. The implications of these new views for the future of the science of personality and psychopathology and for treatment are discussed.

Luigi Antonello Armando, *Looking without seeing: An exemplary story*

Abstract. The publication of a selection of the contributions presented at two meetings held at the University of Naples “L’Orientale” in 1996 and in 1999 gives the opportunity to suggest a reading of a period of Italian psychiatry and psychoanalysis. The significance of that period is highlighted, and it is argued that it is exemplar also of current phenomena; their meaning goes beyond these specific disciplines and involves other fields such as religion and politics.

Cesare Romano, *A lecture of Freud on Leonardo da Vinci*

Abstract. Freud’s lecture given on December 1, 1909, at the Vienna Psychoanalytic Society on Leonardo da Vinci is examined. This lecture is a forerunner of his later article *Leonardo da Vinci and a Memory of his Childhood* (Freud, 1910b). An attempt is made to emphasize the inconsistency between Freud’s hypotheses and the historical data by then at his disposal. Avoiding entering Freud’s vulture slip that many scholars have pointed out and Freud never acknowledged, concerns are expressed about Freud’s required documentation in the field of art history and about the method he employed for the portrayal of Leonardo da Vinci’s personality. It seems that Freud willingly avoided historical data choosing almost entirely to rely on applied psychoanalysis widely employing his own phantasies in attempting to overcome the paucity of knowledge on Leonardo da Vinci’s childhood. Freud himself later acknowledged that his 1910 paper was partly a fictional story along the lines of Mereskovskij’s 1895 book on Leonardo. A crucial inconsistency of this lecture, that will not be amended in his paper of 1910, relates to the fact that Freud changed into a phantasy what Leonardo had reported as a childhood memory. Many scholars have taken for granted this shift so that they talked about Leonardo’s “phantasy” or “dream”.

Intervention:

Andrea Angelozzi, *Freud’s pathographies between culture and scientific method. Some notes on the issues raised in Cesare Romano’s paper*

Abstract. The problems posed by Leonardo’s pathographies written by Freud are examined. The historical path of the problem of the relationship between genius and psychopathology is reconstructed, showing that psychoanalysis fits into a very active vein at the end of the 19th century, expressing different theoretical approaches with which Freud relates. The interest for the problem then continued, with alternate answers, until the current days. The distortions made by Freud in Leonardo’s pathographical description are examined; these distortions are extensively examined by several authors, which, however, is not distant from what Freud implements in his other works, nor from what other pathographers of the time did. It is a common behavior in the history of science and well known in modern epistemology that identifies in the development of theories also the importance of rhetorical tools with which scientists support them. It is emphasized that one cannot read particular psychological aspects in these Freudian behaviors, making in fact a pathography of the author of pathographies, but only lead his work to the coherence of the historical contexts in which he operates.

Traces

Pier Francesco Galli, *Minor therapeutic work*

Abstract. Two brief texts by Pier Francesco Galli are reprinted: the first one, entitled “Pasta and potatoes”, is the first contribution to a column entitled *Minuzzaglie* (“Bits and pieces”, or “Trifles”) in issue no. 1/2022 of the journal *Psicoanalisi e dintorni* (“Psychoanalysis and its surroundings”), which is the Bulletin of the *Organizzazione di Psicoanalisti Italiani. Federazione e Registro* (OPIFeR) (“Organization of Italian Psychoanalysts. Federation and Roster”); the second one is the presentation of that column. These two brief writings want to express the project of the column *Minuzzaglie*, which aims at collecting the many clinical experiences and anecdotes, even the minor ones, that characterize the daily practice of psychotherapy with all its difficulties and the expedients devised to overcome them.

Book Reviews

Book Review Essays

Robert Samuels, *The Psychopathology of Political Ideologies*. New York: Routledge, 2022;
Robert Samuels, *Psychoanalysis and the Future of Global Politics: Overcoming Climate Change, Pandemics, War, and Poverty*. Cham, CH: Palgrave Macmillan, 2023 (Renato Foschi)

Sigmund Freud & Karl Abraham, *Lettere 1907-1925. Edizione integrale*. [Correspondence 1907-1925. Unabridged Edition] Italian edition edited by Mario Bottone, Riccardo Galiani & Francesca Napolitano. Rome: Alpes, 2024 (original edition: *Briefwechsel 1907-1925. Vollständige Ausgabe*. Hg. von Ernst Falzeder und Ludger M. Hermanns. 2 Bände. Wien: Turia+Kant, 2009) (Davide Cavagna)

Book Reviews

Vittorio Lingiardi & Fabio Madeddu, *I meccanismi di difesa. Teoria, valutazione, clinica*. [Defense Mechanisms. Theory, Evaluation, Clinical Practice] Third Edition. Preface by John Christopher Perry. Milan: Raffaello Cortina, 2023 (Andrea Castiello d’Antonio)

Andrea Huppke, *Psychoanalysis Globally Networked. The Origins of the International Federation of Psychoanalytic Societies*. Preface by Marco Conci, Christer Sjödin & Grigoris Maniadakis. London: Karnac, 2024 (original edition: *Global vernetzte Psychoanalyse. Die International Federation of Psychoanalytic Societies [IFPS] zwischen 1960 und 1980*. Zwiefalten, D: Verlag Psychiatrie und Geschichte, 2021) (Paolo Migone)

Lina Normandin, Karine Ensink, Alan Weiner & Otto F. Kernberg, *Adolescenti con gravi disturbi di personalità. La psicoterapia focalizzata sul transfert*. Milan: Raffaello Cortina, 2022 (original edition: *Transference-focused Psychotherapy for Adolescents with Severe Personality Disorders*. Washington, D.C.: American Psychiatric Publishing, 2021) (Euro Pozzi)

Ivan Ambrosiano & Ilaria Locati (editors), *Le psicoterapie di gruppo online. Teorie, tecniche, esperienze*. [Online Group Psychotherapies. Theories, Techniques, Experiences] Milan: Raffaello Cortina, 2023 (Giuliana Nico)

Paul Robinson, Finn Skårderud & Bente Sommerfeldt, *Fame. Trattare i disturbi alimentari con la mentalizzazione*. Preface by Peter Fonagy. Rome: Astrolabio, 2022 (original edition: *Hunger. Mentalization-based Treatments for Eating Disorders*. Cham, CH: Springer, 2019) (Francesca Tondi)

Paolo Francesco Peloso, *Franco Basaglia, un profilo. Dalla critica dell’istituzione psichiatrica alla critica alla società*. [F. Basaglia, a Profile. From the Critique to Psychiatric Institutions to the Critique of Society] Preface by Paola Valeria Babini. Rome: Carocci, 2023 (Pietro Pellegrini)

Mike Jay, *Mescalina. Storia globale della prima sostanza psichedelica*. Milan: UTET, 2023 (original edition: *Mescaline: A Global History of the First Psychedelic*. New Haven, CT: Yale University Press, 2019) (Silvia Marchesini)

Books Received

Journals [full text: www.francoangeli.it/rivista/getArticoloFree/75008/En]

The International Journal of Psychoanalysis, 2023, Volume 104, nos. 1, 2, 3, 4, 5, 6 (Francesca Tondi)

Francesca Tondi, *Comment on The International Journal of Psychoanalysis*

Revista de Psicoanálisis, 2023, Volume LXXX, no. 3/4 (Paolo Migone)

Jahrbuch der Psychoanalyse, 2023, Year 64, Issue 87, no. 2 (Marco Conci)

Journal of Personality, 2022, Volume 90, no. 1 (Paolo Migone)

In Analysis, 2023, Volume 7, no. 2 (Paolo Migone)

Free Associations, 2023, Volume 40, no. 89 (Paolo Migone)

Behavior Therapy, 2023, Volume 54, no. 6 (Paolo Migone)

“International Seminars of *Psicoterapia e Scienze Umane*”, year 2024

Information for subscribers and readers

Issue no. 2, 2024, Volume 58

Robert R. Holt, *A personal introduction to the book Freud Reappraised. A Fresh Look at Psychoanalytic Theory (1989)*

Abstract. On the occasion of the death of Robert R. Holt (1917-2024), the Italian edition of the “personal introduction” to his book *Freud Reappraised. A Fresh Look at Psychoanalytic Theory* (New York: Guilford, 1989) is reprinted. In this introduction, Holt retraces the main aspects of his life as a scholar and theoretical researcher. Holt’s teachers and mentors included, among others, Gordon Allport, Henry A. Murray, and David Rapaport, and we can say that he has been an important witness of the history of psychology and psychoanalysis of the 20th century in North America. Holt was member of the editorial board of the journal *Psicoterapia e Scienze Umane* (“Psychotherapy and the Human Sciences”), in which he published various contributions, and came several times to hold seminars in Italy.

Jeremy Clarke, *A New Deal for dynamic psychotherapies: The psychoanalyst as a street-level bureaucrat*

Abstract. In the UK in 2007 a national experiment was initiated with the aim of tackling “Britain’s biggest social problem”: depression. *Improving Access to Psychological Therapies* (IAPT) was devised as the solution. A universal free-to-access talking therapies program would make available evidence-based treatment to all patients with depression and anxiety disorders. NICE (*National Institute for Health and Care Excellence*), the body that decides on what is cost-effective, said cognitive-behavior therapy (CBT), not medication, should be its first line offer. The starting gun was fired. The promise from IAPT was 3-fold: to scale up access to CBT rapidly; to achieve recovery targets that would reduce the prevalence of depression and anxiety disorders over time; and – most ambitious of all – to ensure the Treasury would see a return on its investment by reducing the economic burden from depression. People who were on invalidity benefits due to depression would be supported back into employment. It was a New Deal for depression, as well as for CBT. But did it work? A decade and a half on with IAPT, are we in any position to give an answer? It is attempted to draw lessons about “what worked”, and what didn’t, to ask *ourselves* a question: are *we* – those of us in the applied psychoanalytic community – willing to garner what can be learned from IAPT to advocate a New Deal for evidence-based psychoanalysis? Faced with challenges from unemployment and widening inequalities, against a backdrop where global economic recovery must heed the existential threats from climate change and warfare, to say nothing of the scale of loss and grief for those already impacted by bereavement due to the pandemic, the need for such deal could not be more urgent.

Francesco Bottaccioli & Anna Giulia Bottaccioli, *Franz Alexander, a contemporary scientist: A new paradigm for psychology and medicine*

Abstract. Sixty years ago, on March 8, 1964, Franz Alexander, the founder of “psychosomatic medicine”, ended his life. Alexander was a psychoanalytic physician who worked to improve the technique of psychoanalytic treatment and who had the ability, based on his vast interdisciplinary culture, to go beyond the Freudian revolution by envisaging an epochal breakthrough in the ability to take care of the human being. The novelty and originality of the paradigm proposed by Alexander, considered to be highly relevant in both scientific and clinical terms, are reconstructed. The criticisms and misrepresentations of Alexander’s elaboration are also reviewed; they have come over time in both the psychoanalytic and psychosomatic fields, leading to his expulsion from contemporary reflection. The dismissal of Alexander’s perspective also explains the progressive decline of psychosomatics in recent decades.

Interventions:

Mauro Fornaro, *Psychosomatics: A case of the Phoenix. Side notes on the paper by F. Bottaccioli & A.G. Bottaccioli “Franz Alexander, a contemporary scientist: A new paradigm for psychology and medicine”*

Abstract. Sixty years after the death of Franz Alexander, it is necessary to investigate what is alive and what is dead in his thought about psychosomatics, focusing in particular on the notions of emotion and vegetative neurosis as central to his model of explanation. It is then worth noting, in the light of the developments after Alexander, the today’s difficulty in supporting psychosomatics as an autonomous discipline, to the point of questioning the legitimacy of the expression itself: Bottaccioli & Bottaccioli’s (2024a) proposal to identify it with Psycho-Neuro-Endocrine-Immunology (PNEI) must be measured in this problematic context. In any case, the always valid need remains, already supported by Alexander, for a unitary, “holistic” consideration of the human being, sick and healthy. However, this is a paradigm that has to be justified and clarified conceptually in the actual role it plays as an inspirer of research and specific explanations.

Piero Porcelli, *Comment on the paper by F. Bottaccioli & A.G. Bottaccioli “Franz Alexander, a contemporary scientist: A new paradigm for psychology and medicine”*

Abstract. This comment on Bottaccioli & Bottaccioli’s (2024a) article critically analyzes Franz Alexander’s role in developing contemporary psychosomatics in both its innovative aspects and limitations. On the one hand, Alexander contributed to emancipating the explanation of physical symptoms from the classical approach of the early 20th century stiffened on the model of hysterical conversion and promoted the organization of the international psychosomatic movement, including the Italian one. On the other hand, his limitations mainly concern the theoretical approach typical of 20th century psychoanalysis: adopting a one-dimensional model centered on intrapsychic conflict and the indeterminacy – necessary for the time – of a biological “X” factor as mediator. Instead, in the second half of the 20th century, a deficit-centered model of explanation (e.g., alexithymia) and complexity (e.g., biopsychosocial model) emerged, in which various moderating biomedical, psychological, and socio-cultural factors assume different relative weights in the explanation of physical illnesses and the clinical management of patients.

Francesco Bottaccioli & Anna Giulia Bottaccioli, *Rebuttal to the interventions by Mauro Fornaro and Piero Porcelli*

Abstract. We argue that in Piero Porcelli’s (2024) commentary there is a representation of Franz Alexander’s theorization that is not reflected in his works. Alexander does not identify intrapsychic conflict as an independent variable from which illness arises. Thus, it is incorrect to state that, for Alexander, psychosomatics is about certain diseases and not a method. In fact,

Alexander proposes exactly one method of investigating psychic suffering that involves examining the organism as a whole, carried out by a team that includes expertise from internal medicine and psychiatry. We agree with Mauro Fornaro's (2024) analysis of the post-Alexander dynamics that led to the crisis of psychosomatics and the need to return to reasoning in terms of paradigm, centered not on mind-body relations but on the organism, in its psychic and biological dimensions, of which contemporary research, based on PsychoNeuroEndocrineImmunology (PNEI), effectively illustrates the reciprocal influences. PNEI represents an advancement of the paradigm presented by Alexander.

Marco Conci, *Paul Parin's Collected Works in 19 volumes*

Abstract. The Viennese historian Johannes Reichmayr has edited the Collected Works of the psychoanalyst Paul Parin (1916-2009) in 19 volumes, published by the Viennese publisher Mandelbaum from 2018 to 2024. A pioneer of ethnopsychanalysis, Parin has lived psychoanalysis as a form of social critique and political action, whose gradual and systematic articulation comes out very clearly from his Collected Works. Parin's works are reconstructed in great detail in the context of his life, of the Zurich Psychoanalytic Seminar (PSZ) founded by him, and of his close collaboration with the journal *Psicoterapia e Scienze Umane*. The same is true for his successful literary activity, and for his participation in political life, documented as they are by a whole series of autobiographical papers and by various collections of letters, as it is shown also in the light of volumes 9 and 10, the latter being centered around "The burning problems of our times".

Traces

Paolo Migone, *A case of hysterical paralysis of the legs treated with hypnosis*

Abstract. A clinical experience from about forty-five years ago is recounted in which a patient suffering from hysterical paralysis of the legs was treated with a brief suggestive intervention which allowed him to regain the use of his lower limbs. The therapist had no experience of hypnosis, and the intervention, which lasted about twenty minutes, was improvised, employing various suggestive techniques and also including attempts to interpret unconscious conflicts.

Book Reviews

Jacques Lacan, *Le Séminaire, Livre XIV: La logique du fantasme 1966-67*. Text established by Jacques-Alain Miller. Paris: Édition du Seuil et Le Champ Freudien Éditeur, 2023; Jacques Lacan, *Le Séminaire, Livre XV: L'acte psychanalytique 1967-68*. Text established by Jacques-Alain Miller. Paris: Édition du Seuil et Le Champ Freudien Éditeur, 2024; Jacques Lacan, *Premiers écrits*. Paris: Édition du Seuil et Le Champ Freudien Éditeur, 2023 (Davide Cavagna)

Morris N. Eagle, *Verso una teoria psicoanalitica unificata fondata su una Psicologia dell'Io riveduta e ampliata*. Edited by Paolo Migone. Milan: Raffaello Cortina, 2023 (original edition: *Toward a Unified Psychoanalytic Theory: Foundation in a Revised and Expanded Ego Psychology*. London: Routledge, 2021) (Saverio Ruberti)

Franco Giberti & Romolo Rossi, *Manuale di psichiatria. Per studenti, medici, psicologi, tecnici della riabilitazione psichiatrica e psicosociale, educatori, assistenti sociali, infermieri e altri operatori sanitari*. [Handbook of Psychiatry. For Students, Physicians, Psychologists, Psychiatric and Psychosocial Rehabilitation Technicians, Educators, Social Workers, Nurses, and Other Healthcare Workers] Seventh Edition (First Edition: 1972). Edited by Maurizio Marcenaro. Padua: Piccin, 2024 (Andrea Castiello d'Antonio)

Antonello Colli, *Il desiderio di essere capiti. Rotture, mentalizzazione, intersoggettività*. [The Wish to Be Understood. Ruptures, Mentalization, Intersubjectivity] Milan: Raffaello Cortina, 2024 (Francesca Tondi)

Books Received

Journals [full text: www.francoangeli.it/rivista/getArticoloFree/75515/It]

Journal of the American Psychoanalytic Association, 2023, Volume 71, nos. 1, 2, 3, 4, 5, 6 (Jutta Beltz & Paola Raja)

Jutta Beltz & Paola Raja, *Comment on the Journal of the American Psychoanalytic Association The Psychoanalytic Quarterly*, 2023, Volume 92, nos. 1, 2, 3, 4 (Andrea Castiello d'Antonio)

Andrea Castiello d'Antonio, *Comment on The Psychoanalytic Quarterly fort da*, 2023, Volume 29, no. 2 (Paolo Migone)

Developmental Psychology, 2024, Volume 60, no. 3 (Paolo Migone)

Infant Mental Health Journal, 2024, Volume 45, no. 2 (Paolo Migone)

2024 Program of the “International Seminars of *Psicoterapia e Scienze Umane*”

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Issue no. 3, 2024, Volume 58

Marianna Bolko & Paolo Migone, *Editorial: Pier Francesco Galli (1931-2024)*

[full text: www.francoangeli.it/rivista/getArticoloFree/76295/It]

Pier Francesco Galli, *An interview* (2001)

Abstract. On the occasion of the death of Pier Francesco Galli (November 9, 1931 - July 13, 2024), who among other things founded in 1967 the journal *Psicoterapia e Scienze Umane* (“Psychotherapy and the Human Sciences”), an interview that the director Francesco Merini did with him in preparation for the movie *I settant'anni di un maestro* (“The seventy years of a master”: <https://vimeo.com/308667961>) is republished. This movie was a gift given to Pier Francesco Galli on November 9, 2001, for his seventieth birthday. The interview retraces Galli's biography, intertwining his professional life with more intimate and human aspects, memories, and anecdotes, characterized by the typical humor that belonged to him. Galli mentions his childhood and early youth years in Nocera Inferiore (Salerno, Italy) where he was born, the beginning of his professional life in Milan, his experiences in Switzerland, the relationship with his closest friends, his cultural and professional interests, the way he conceived psychoanalysis, etc.

Some publications of Pier Francesco Galli, in chronological order

[full text: www.francoangeli.it/rivista/getArticoloFree/76297/It]

Anne Erreich, *The competent infant: Infant mentation is neither primitive nor prerepresentational*

Abstract. Some theories which locate serious adult psychopathology in the pre-verbal infant's inability to formulate or represent traumatic experience are mentioned, in particular those of Howard B. Levine and Donnel B. Stern. The clinical and academic research findings are considered highly relevant to psychoanalytic theorizing, and it is argued that a view of the infant with “primordial” and “unrepresented” states of mind has little evidence to support it. In fact, research findings point to an opposite view: that of the “competent infant”, one with highly accurate perceptual discrimination capacities and an innate ability to register and represent subjective experience in both procedural and declarative memory, even prenatally. Given the infant's competencies, it seems implausible to hold that representational deficits are at the heart of serious adult psychopathology, which is instead seen to be the result of defensive maneuvers against unknowable and unspeakable truth rather than the absence of a pre-verbal representational capacity. Current research findings pose a significant challenge for psychoanalytic theories which espouse so-called “primitive mental states”, non-conscious” states, or “unrepresented”, “unsymbolized”, “unformulated” experience.

Adele Abella, *The analyst and his relationship with theory: An encounter between whales and polar bears*

Abstract. Two interconnected questions are discussed. The first question concerns the way in which each psychoanalyst constructs his or her own theoretical model, and it is suggested the idea that this construction is made of three elements: the theoretical heritage received; one's own personality and history, both personal and psychoanalytic; the socio-cultural atmosphere, i.e., the fabric of sensitivities, beliefs, aspirations and concerns specific to the geographical area and historical period. The outcome is a very personal theoretical edifice, often heterogeneous, largely unconscious and imbued with affects. The second question is the following: what happens when analysts with different theoretical backgrounds meet? A detailed clinical case shows the tension between official theories and private theories among analyst as well as the irremediable presence of some degree of lack of communication as an anthropological invariant.

Traces

Pier Francesco Galli, *Minor anecdotal in Italian psychiatry*

Abstract. Some memories of a summer vacation in Aosta Valley, Italy, in August 1952 are recalled, in which, among other things, references are made to certain aspects of the history of academic psychiatry in Milan of the 1950s and 1960s.

Book Reviews

Book Review Essay [full text: www.francoangeli.it/rivista/getArticoloFree/76301/It]

Daniele Giglioli, *Senza trauma: scrittura dell'estremo e narrativa del nuovo millennio*. [Without Trauma: Writing of the Extreme and Narrative of the New Millennium]. New and Expanded Edition (First Edition: 2011). Macerata: Quodlibet, 2022; Daniele Giglioli, *Critica della vittima*. [Critique of the Victim]. Milan: Nottetempo, 2014 (Euro Pozzi)

Book Reviews [full text: www.francoangeli.it/rivista/getArticoloFree/76302/It]

Mark Solms (editor), *The Revised Standard Edition of the Complete Psychological Works of Sigmund Freud*. Translated from the German under the general editorship of James Strachey, in collaboration with Anna Freud assisted by Alix Strachey and Alan Tyson. Editor of the *Revised Standard Edition* Mark Solms in collaboration with Ilse Grubrich-Simitis assisted by Riccardo Steiner. Lanham, MD, & London: Rowman & Littlefield & The Institute of Psychoanalysis, 2024, 24 volumes. Volume XXIV: *Translation Notes, Bibliographies and Indexes* (Davide Cavagna)

Walter Benjamin, *Il compito del traduttore* [1921-23]. [The Task of the Translator] Introduction, Interlinear Comment, editing and translation by Maria Teresa Costa (First Italian translation: *Angelus Novus*. Introduction and translation by Renato Solmi. Turin: Einaudi, 1962). Sesto San Giovanni (Milan): Mimesis, 2023 (Mario Mattioda)

Francesco Marchioro (editor), *Sigmund Freud. Gli aforismi. Tutti i concetti fondamentali*. [Sigmund Freud's Aphorisms. All the Fundamental Concepts] Introduction and translation by Francesco Marchioro. Turin: Bollati Boringhieri, 2021 (Andrea Castiello d'Antonio)

Simone Rossi & Domenico Prattichizzo, *Il corpo artificiale. Neuroscienze e robot da indossare*. [The Artificial Body. Neuroscience and Wearable Robots] Milan: Raffaello Cortina, 2023 (Silvia Marchesini)

Gabor Maté, with Daniel Maté, *Il mito della normalità. Trauma, malattia e guarigione in una cultura tossica*. Rome: Astrolabio, 2023 (original edition: *The Mith of Normal. Trauma, Illness & Healing in a Toxic Culture*. New York: Avery, 2022) (Andrea Castiello d'Antonio)

Books Received

Journals [full text: www.francoangeli.it/rivista/getArticoloFree/76303/It]

Contemporary Psychoanalysis, 2023, Volume 58, no. 4; 2024, Volume 59, nos. 1/2 & 3/4 (Paolo Migone) [see also the web site www.psychomedia.it/pm-revs/journrev/contpsy-hp.htm]

Paolo Migone, *Comment on Contemporary Psychoanalysis*

Revue Française de Psychanalyse, 2023, Volume 87, nos. 1, 2, 3, 4 & 5 (Mauro Fornaro)

Mauro Fornaro, *Comment on the Revue Française de Psychanalyse*

Journal of Marital and Family Therapy, 2024, Volume 50, no. 2 (Paolo Migone)

The Journal of Psychology: Interdisciplinary and Applied, 2024, Year 90, Volume 158, no. 1 (Paolo Migone)

The Journal of General Psychology, 2024, Year 97, Volume 151, no. 2 (Paolo Migone)

The Journal of Social Psychology, 2024, Year 95, Volume 164, no. 3 (Paolo Migone)

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Issue no. 4, 2024, Volume 58

Marianna Bolko, Dante Comelli, Irene Galli, Alberto Merini, Francesco Merini, Paolo Migone, Giulio Sapelli, *A remembrance of Pier Francesco Galli at the Modernissimo Theater of Bologna on November 9, 2024*

[full text: www.francoangeli.it/rivista/getArticoloFree/76643/It]

Abstract. On November 9, 2024, the day Pier Francesco Galli would have turned 93, at the movie theater *Modernissimo* of the *Cineteca* of the Municipality of Bologna, Italy, in the presence of more than 200 people from various parts of Italy, Francesco Merini’s film *I settant’anni di un maestro* [“The Seventy Years of a Master”] (<https://vimeo.com/308667961>) was shown; this movie was given to Galli on November 9, 2001, as a present for his 70th birthday. Before showing the movie, some brief interventions were made, namely by his daughter Irene Galli, Paolo Migone (co-editor of the journal *Psicoterapia e Scienze Umane*), Dante Comelli (Secretary of the “Cultural Association *Psicoterapia e Scienze Umane*”), Alberto Merini (President of the “Cultural Association *Psicoterapia e Scienze Umane*”), Marianna Bolko (co-editor of *Psicoterapia e Scienze Umane*, and widow of Pier Francesco Galli), and Francesco Merini (director of the film). At the end of the movie, Giulio Sapelli (Professor Emeritus of Economic and Political History at the University of Milan) intervened; he was tied to Galli by a close friendship. These seven interventions are published. Pier Francesco Galli in 1967 founded the quarterly journal *Psicoterapia e Scienze Umane* [Psychotherapy and the Human Sciences].

Morris N. Eagle, *The two Freuds: Implications for the nature of the mind*

Abstract. This paper is mainly an introduction to a new book in preparation, entitled *Psychoanalytic Perspectives on Human Nature: Critique, Research, and Clinical Implications*, in which it is proposed that different psychoanalytic theories or “schools” essentially entail different theories of human nature. This paper is concerned primarily with Freudian theory of human nature. It is argued that there are two Freuds with regard to conceptualizations of the function of consciousness, the nature of unconscious mental states and processes, the relation between the two, and the nature of the relation between the id and the ego. The paper also discusses the “standard” view of psychoanalysis and the Freud hiding in plain sight. Some clinical implications of the formulations of the two Freuds are also discussed.

Stefano Fissi, *The comparison between models in theories of consciousness and psychoanalysis with particular regard to predictive processing*

Abstract. Cognitive neuroscience and depth psychology confront each other on the models of perception-consciousness-thought. There is a parallelism between the relationship between access/phenomenal consciousness and the repressed/unrepressed unconscious. In order to survive, organisms must minimize the impact of environmental variations on homeostatic parameters, i.e., the surprise given by the deviation

of unexpected events from those compatible with life. Friston theorized the principle of free energy, which places an upper limit on surprise, as opposed to the tendency to increase entropy. The brain is a predictive machine that anticipates change and constructs reality by interpreting perceptual data based on unconscious inferences to the best possible explanation based on data in memory and testing predictions on sensory data. Consciousness arises from the detection of homeostatic imbalances and from the adaptive response given by affective feelings.

Interventions:

Giorgio Meneguz, *The free energy of consciousness. Notes on the article by Stefano Fissi*

Abstract. Stimulated by the challenging and accurate article by Stefano Fissi (2024), who draws on the latest works by Anil Seth and Mark Solms to address much-discussed topics in the current phase of the debate on the possibility of a mutual validation between cognitive neuroscience and psychoanalysis, some fundamental themes are discussed, indicating epistemological problems and understandable argumentative weaknesses.

Ugo Morelli, *Beyond mechanism and cognitivism: Relationship and experience. Or the anxiety of the first cause. Notes on the article by Stefano Fissi*

Abstract. A difficult dimension to accept is the self-founding one, for us humans who tend to constantly give ourselves over to the search for a first cause and end up finding it. Yet what distinguishes us and distinguishes our life is precisely knowledge understood as a permanent production of worlds through the very process of living. An epistemological orientation based on a body paradigm and that pays attention to relationship and experience can contribute to the understanding of the “hard problem” of consciousness and of the relationship between affective and cognitive neuroscience, on one hand, and psychotherapy and psychoanalysis, on the other.

Traces

Luciano Mecacci, *Paolo Rossi, historian of philosophy, and his interests in psychology and psychoanalysis*

Abstract. Paolo Rossi (1923-2012) was one of the most well-known historians of science at the international level, in particular for his works on Scientific Revolution, on Bacon and on Galileo. He also had a strong interest in the history of psychology, in the development of experimental research on memory and in the epistemological problems of psychoanalysis. In general, he was also a critical analyst of the relationships between culture and politics in the twentieth century.

Discussions

Pietro Pellegrini, *Reassessing Franco Basaglia's experience in the Psychiatric Hospital of Colorno (Parma, Italy)*

Abstract. Franco Basaglia's experience at the Psychiatric Hospital of Colorno (Parma, Italy) lasted less than a year, from October 1970 to September 1971, and took place between the period of Gorizia and that of Trieste. His opinion on the Parma experience was varied and generally negative. The analysis of the documents and recent testimonies of those who worked with Basaglia in Colorno, such as the psychiatrist Luciano Carrino, allow us to say that “the whole psychiatric revolution was carried out in Parma, not in Trieste”. The method of emptying the mental hospital from the inside through discharges to apartments and farms, the involvement of patients, communities and, when possible, families indicate the path through which the closing of the asylums can be achieved. A great composite liberation movement was created made up of mental health professionals, patients, citizens, students, industrial executives, and clergies. A method based on humanity and ethics, that does not tolerate indifference and injustice towards other people, came to light. In Colorno, Basaglia's disillusionment with politics and the end of his expectations of achieving an academic career also become evident. At the same time, a position against all kinds of total institutions emerged; this position went beyond mental hospitals, and included orphanages, facilities for the disabled and the elderly, and even prisoners. Franco Basaglia and Mario Tommasini, a politician who was very close to Basaglia in Parma, shared this political position on power and society.

Book Reviews

Book Review Essay [full text: www.francoangeli.it/rivista/getArticoloFree/76650/It]

Mauro Bertani, Mario Colucci & Pierangelo Di Vittorio (editors), *La psichiatria e il futuro della salute mentale*. [Psychiatry and the Future of Mental Health] *aut aut*, 2023, Year 73, no. 398 (Milan: Il Saggiatore) (Francesco Scotti)

Book Reviews [full text: www.francoangeli.it/rivista/getArticoloFree/76651/It]

André Green, *La lettera e la morte. Le parole nella giungla. Il viaggio di uno psicoanalista attraverso la Letteratura: Proust, Shakespeare, Conrad, Borges... Undici Interviste/Conversazioni con Dominique Eddé*. Italian translation edited by Valter Santilli. Preface to the Italian edition by Giovanni De Renzis. Rome: Alpes, 2024 (original edition: *La Lettre et la Mort: Promenade d'un psychanalyste à travers la littérature: Proust, Shakespeare, Conrad, Borges... Entretiens avec Dominique Eddé*. Paris: Denoël, 2004) (Davide Cavagna)

Michel Foucault, *Binswanger e l'analisi esistenziale*. [Binswanger and Existential Analysis] Edition established by Elisabetta Basso, under the responsibility of François Ewald. Italian translation edited by Deborah Borca. Milan: Feltrinelli, 2024 (original edition: *Binswanger et l'analyse existentielle*. Paris: Seuil, 2021) (Chiara Pecchio)

Sándor Ferenczi & Georg Groddeck, “*L'indistruttibile amicizia*”. *Carteggio*. [“The Indestructible Friendship”. Correspondence] New and expanded German edition edited by Michael Giefer for the *Georg Groddeck-Gesellschaft* (Frankfurt am Main). Italian translation edited by Michele M. Lualdi. Lecce: Youcanprint, 2024 (original edition: *Briefwechsel Ferenczi/Groddeck*. Hrsg. von Michael Giefer. Frankfurt a.M.-Basel: Stroemfeld/Roter Stern, 2006) (Andrea Castiello d'Antonio)

Joseph E. LeDoux, *I quattro mondi dell'uomo. Una nuova teoria dell'Io*. Milan: Raffaello Cortina, 2024 (original edition: *The Four Realms of Existence. A New Theory of Being Human*. Cambridge, MA: Harvard University Press, 2023) (Stefano Fissi)

Francesco Comelli, *Distuttività e narcisismo nella crisi dei contenitori sociali. Psico e socioterapia integrata per individuo, famiglia e società*. [Destructiveness and Narcissism in the Crisis of Social Containers. Integrated Psychosocial Therapy for Individuals, Families, and Society] Sesto San Giovanni (Milan): Mimesis, 2024 (Mario Mattioda)

Naomi Shragai, *L'uomo che scambiò il lavoro per la sua vita. Come prosperare sul lavoro mettendo da parte il proprio bagaglio emotivo*. Florence: Giunti, 2024 (original edition: *The Man Who Mistook His Job for His Life: How to Thrive at Work by Leaving Your Emotional Baggage Behind*. London: W.H. Allen, 2021) (Mauro Fornaro)

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Psyche. Zeitschrift für Psychoanalyse und ihre Anwendungen, 2023, Volume 77, nos. 1, 2, 3, 4, 5, 6, 7, 8, 9/10, 11 & 12 (Marco Conci)

Marco Conci, *Comment on Psyche*

Il de Martino. Storie voci suoni, 2023, Year 32, no. 36 (Paolo Migone)

Journal of Behavior Therapy and Experimental Psychiatry, 2024, Volume 84, no. 3 (Paolo Migone)

Attachment & Human Development, 2024, Volume 26, no. 5 (Paolo Migone)

Romanian Journal of Psychoanalysis, 2024, Volume 17, no. 1 (Paolo Migone)

Psikanaliz Yazıları [Writings of Psychoanalysis], 2024, Year 24, no. 48 (Paolo Migone)

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“International Seminars of Psicoterapia e Scienze Umane”, year 2025

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Referees and proofreaders of year 2024

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