

# The application of Mussolini's Racial Laws at the Universities of Macerata, Urbino, and Camerino\*

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**Abstract.** The essay examines the implementation of the racist and anti-Semitic legislation of 1938 in the Universities of the Marche region. Using archive documentation, some of which has never been published before, it shows how the "race policy" was implemented in the individual universities (Macerata, Urbino and Camerino) from the 1930s until the Liberation. The biographies of the professors affected by the racist measures are analysed, showing the immediate, medium and long-term consequences on their academic careers. In addition, the essay examines the measures taken against students, the racist subjects introduced and the post-war purge of racists.

**Keywords:** Antisemitism, Fascism, "racial Laws", University of Macerata, Urbino, and Camerino.

**Riassunto.** Il saggio esamina l'attuazione della legislazione razzista e antisemita del 1938 nelle università marchigiane. Utilizzando la documentazione d'archivio, in parte inedita, il saggio mostra come la "politica razziale" sia stata attuata nelle singole università (Macerata, Urbino e Camerino) dagli anni Trenta fino alla Liberazione. Vengono analizzate le biografie dei professori colpiti dalle misure razziste, mostrando le conseguenze immediate, a medio e lungo termine sulla loro carriera accademica. Inoltre, il saggio esamina le misure adottate nei confronti degli studenti, le materie razziste introdotte e l'epurazione dei razzisti nel dopoguerra.

**Parole chiave:** Antisemitismo, Fascismo, "Leggi razziali" del 1938, Università di Macerata, Urbino e Camerino.

## "Racial measures" at the University of Macerata

To date, no significant documents have emerged on the application of anti-Jewish legislation at the University of Macerata. This lack is also due to the fact that in 1938 no professors or staff members of the Jewish race were serving at the University. There also seems to be no trace of the presence of Jewish students. In the in-depth research on the history of the University curated by Pierluigi Pomante<sup>1</sup>, there is no reference to any documents relating to the anti-Semitic measures implemented by the Fascist regime in the *Annuari* (yearbooks).

In the inaugural speech of the 1938-1939 academic year made by the University Rettore Enrico Bassanelli<sup>2</sup>, who had succeeded Giuseppe Capograssi<sup>3</sup> on November 1, 1938, there is no recall or

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<sup>1</sup> *L'Università di Macerata nell'Italia unita (1861-1966. Un secolo di storia dell'Ateneo maceratese attraverso le relazioni inaugurali dei Rettori e altre fonti archivistiche e a stampa*, Macerata, Eum 2012.

<sup>2</sup> Enrico Bassanelli (Frosinone, April 23, 1905 – Bologna, March 26, 1994) was Professor *ordinario* of *Diritto agrario* (Agricultural and Rural Law), and *Rettore* of the University of Macerata from November 1, 1938, to October 31, 1940. Cf. Ivi, pp. 621-622; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 37, fasc. Bassanelli Enrico.

<sup>3</sup> Capograssi (Sulmona, March 21, 1889 – Rome, April 23, 1956). After having attended the *Liceo-ginnasio* secondary school in Macerata, he obtained his degree in *Giurisprudenza* at the University of Rome and in 1925 he attained his *libera docenza* (teaching qualification). In 1933 he won the competition for the position of *Filosofia del Diritto* in the University of Sassari and in 1935 he transferred to Macerata where he also taught *Diritto amministrativo* and *Scienza dell'amministrazione* (1936-1938) as well as *Diritto privato comparato* (1936-1938). He was the *Rettore* of the University of Macerata from 1 November 1937 to 31 October 1938 when he was called to Padua. In 1940 he transferred to the University «Federico II» of Naples and in 1950 to the University of Rome where he remained until the end of his career. In 1948 Capograssi had been elected member of the First section of the *Consiglio Superiore della Pubblica Istruzione* and in 1955 was appointed Judge of the Constitutional Court by the President of the Republic. Cf. Pomante, *L'Università di Macerata nell'Italia unita*, pp. 613-614; P. Grossi, *Capograssi, Giuseppe*, in Birocchi *et al.* (a cura di), *Dizionario biografico dei giuristi italiani (XII-XX secolo)*, (henceforth DBGI) vol. I, Bologna, Il Mulino, 2013, pp. 428-430; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 95, fasc. Capograssi Giuseppe.

reference to the racial legislation<sup>4</sup>. Even in the inaugural speech of the 1939-1940 academic year there was no mention on or comment to the anti-Semitic measures<sup>5</sup>, even though this «small Marche University stood out for its Fascist propaganda initiatives and for its demonstrations of consensus towards the Mussolini regime»<sup>6</sup>.

The University of Macerata is only mentioned in four documents found in the Archivio centrale dello Stato - *Central State Archives* (ACS) in Rome which refer to the «dismissal from service» of professors and to «Personale di razza ebraica. Decadenza». In a telegram sent on September 12, 1939, the *Rettore* «ensured strict compliance of the laws for the defense of race in the Italian educational system»<sup>7</sup>. The following day, 13 September, he informed the Ministero della Educazione Nazionale - *Ministry of National Education* (MEN) that «no people of the Jewish race had been appointed» in the University of Macerata and that «no permanent professor [...] would be suspended»<sup>8</sup>. Subsequently, in the telegrams sent to the Ministry on 13 November and 6 December 1938, *Rettore* Capograssi reaffirmed that there were no measures to be taken for the «defense of the race»<sup>9</sup>.

Only after a fortuitous finding in some folders stored in the miscellaneous section of the Archivio dell'Ateneo (*Athenaeum of Macerata Archives*), did a file entitled «Provvedimenti razziali» (“Racial Provisions”) emerge. It was a small folder, containing about seventy documents with faded, almost illegible red lettering<sup>10</sup>.

The first document in these records is «*Circolare – Urgente*» No. 19153 dated August 6, 1938, whose subject is «Prohibition of enrollment for foreign Jewish students». The letter was sent by the Minister of National Education, Giuseppe Bottai, to all the *Rettori* of the Universities and to the *Direttori degli Istituti Superiori*. This circular stipulated that, as of the 1938-1939 academic year, enrollment in courses would be prohibited for «foreign Jewish students, including those residing in Italy». Moreover, the circular reiterated that the «ban» would be applied not only to those enrolling for the first time, but also to those who were already enrolled in previous years and wished to complete their studies. This was a clear «expulsion» of foreign students of the Jewish race from Italian Universities. On the following 9<sup>th</sup> of the month, Professor Guido Bonolis<sup>11</sup>, on behalf of the *Rettore* of the University of Macerata Capograssi, signed the note in reply in which he wrote to the Minister that he had «taken note of the provisions given regarding the enrollment of foreign Jewish students»<sup>12</sup>.

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<sup>4</sup> For the 1938-39 and 1939-40 academic years, only the summary of the whole speeches has been found in the *Annuari*. See, *Relazione del Rettore (Riassunto)*, in *Annuario della R. Università di Macerata. Per l'Anno Accademico 1938-1939. Anno XVII dell'Era Fascista. Dalle origini Anno DCXLIX*, Macerata, 1939, pp. 3-4; Saverio Gentile, *Le leggi razziali: scienza giuridica, norme e circolari*, Milano, EDUCatt 2010, p. 13.

<sup>5</sup> Also in this case we do not have the text of the entire speech but only a «summary». Cf., Pomante, *L'Università di Macerata nell'Italia unita*, pp. 625-626.

<sup>6</sup> Pomante, *L'Università di Macerata nell'Italia unita*, pp. 170-171. Cf. Angelo Trento, *Le università marchigiane durante il fascismo*, in *Aspetti della società marchigiana dal Fascismo alla Resistenza*, Urbino, Argalia 1979, pp. 203-204, 269.

<sup>7</sup> Cf. ACS, MPI, Dir. Gen. Ist. Sup., Miscellanea di divisioni diverse (I-II-III), (1929-1945), b. 110, fasc. *Dispensa dal servizio del personale di razza non italiana*. Response to Circular No. 6094 containing the “instructions” sent on the previous 8 by the MEN.

<sup>8</sup> Cf. *Ibidem*, fasc. *Razza Varie*. Response to Circular No. 6094, September 8, 1938 on: Personale di razza ebraica

<sup>9</sup> Cf. *Ibidem*, fasc. *Dispensa dal servizio del personale di razza non italiana*. Telegram No. 135 sent to MEN in response to telegram of Nov. 12, 1938; Telegram No. 152 sent to MEN in response to telegram 16303 of Dec. 3, 1938.

<sup>10</sup> Archivio dell'Università degli Studi di Macerata - *Archives of the University of Macerata* (AUM), b. Miscellanea, fasc. 52, *Provvedimenti razziali*. For the finding of this document, the author thanks Dr. Tiziana Angeletti

<sup>11</sup> Almost all the replies to these first ministerial circulars concerning the «racial provisions» are not signed by the *Rettore* Giuseppe Capograssi, but by his predecessor, Prof. Guido Bonolis, who was in charge since 1933 to 1937. It is not clear whether this happens because Capograssi was about to move on to the Faculty of *Giurisprudenza* of the University of Padua. The transfer would take place in November 1938. See Pomante, *L'Università di Macerata nell'Italia unita*, pp. 589-590; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti III serie (1896-1910), b. 144, fasc. Bonolis Guido; ACS, MPI, DGIU, Div. I, Prof. Ord., II vers. 1900-1940, b. 17, fasc. Bonolis Guido.

<sup>12</sup> Cf. AUM, b. Miscellanea, fasc. 52, *Provvedimenti razziali*. In almost all the documents, as in this case, the response to be sent to the Ministry is noted on the same sheet of the ministerial circular.

This first anti-Semitic measure found in the University of Macerata correspondence, was taken by Bottai «in accordance with superior orders» given by Mussolini. On October 6, in the following circular (No. 6408), the Minister informed the *Rettori* and *Direttori degli Istituti Superiori* that:

«The *Ministero degli Affari Esteri* has informed them that Jewish students of foreign nationality who have already begun their university studies in the past years in the Kingdom and are regularly enrolled for the year 1937-1938 at a University or Higher Education Institute are authorized to remain in the Kingdom and continue their studies until the completion of the degree program.

However, this concession does not apply to Jewish students of German nationality».<sup>13</sup>

This partial modification, almost certainly adopted for reasons of reciprocity with other countries where Italian students were resident, allowed foreign Jewish students to be able to remain in Italy<sup>14</sup>. For students of German nationality, who were mostly in need of protection at that time, the inability to be allowed to enroll meant having to return to Germany or to seek «refuge» in another country<sup>15</sup>.

The decision to prevent all foreign Jews from remaining in Italy had in the meantime been adopted with the Royal Decree-Law no. 1381 of September 7, 1938. This law, composed of five articles, provided that:

«On the “proposal of the *Duce*, Prime Minister Secretary of State, Minister Secretary of State for the Interior”; Art. 1: From the date of publication of this decree-law, all Jewish foreigners are prohibited from establishing permanent residence in the Kingdom, in Libya and the Aegean possessions. [...]

Art. 3: Italian citizenship granted to Jewish foreigners after January 1, 1919 are for all intents and purposes revoked.

Art. 4: Jewish foreigners who, on the date of publication of the decree-law, are in the Kingdom, in Libya and in The Aegean possessions and who began their stay there after January 1, 1919 must leave the territory of the Kingdom, Libya and The Aegean possessions within six months [...].»

If foreign Jews did not comply with these regulations, they would be expelled<sup>16</sup>. As we know, the decree issued the following September 12 in the Official Gazette of the Kingdom would not be converted into law, but its provisions were later included and some integrated in *Decreto* No. 1728 of November 17, 1938<sup>17</sup>.

The decision to exclude Jewish students of German nationality from being able to complete their studies was confirmed on November 18, 1938, by the *Circolare* No 14515<sup>18</sup>. On 22 November, the *Rettore* replied to the Ministry emphasizing that he took note of the provisions and reiterated that the University of Macerata would apply these measures to the Jewish students of German nationality<sup>19</sup>. As Elisa Signori writes:

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<sup>13</sup> Ivi.

<sup>14</sup> Ivi. The *Rettore* of University of Macerata replied to the circular on the following 8 October, assuring the Ministry that he had «acknowledged the instructions».

<sup>15</sup> Regarding the Jewish foreign students, see: Elisa 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», vol. IV, 2000, pp. 139-162; Gian Paolo Brizzi, *Silence and remembering. The Racial Laws and the Foreign Jewish Students at the University of Bologna*, Bologna, Clueb, 2002; Gabriele Rigano, *The University for Foreigners of Perugia and the Anti-Semitic Laws of 1938*, in Tommaso Dell’Era, David Meghnagi, (eds), *The Racial Laws of 1938 and Italian University*, in «Trauma and Memory», 2, 2020; Simona Salustri, *La nuova guardia. Gli universitari bolognesi tra le due guerre (1919-1943)*, Bologna, Clueb, 2022 (I<sup>a</sup> ed. 2009).

<sup>16</sup> Cf. Alessandra Minerbi, *Il decreto legge del 7 settembre 1938 sugli ebrei stranieri*, in «La Rassegna Mensile di Israel» Vol. 73, No. 2, Numero speciale in occasione del 70° anniversario dell’emanazione della legislazione antiebraica fascista (maggio-agosto 2007), pp. 169-186.

<sup>17</sup> Gentile S., *Le leggi razziali...*, p. 182.

<sup>18</sup> AUM, b. Miscellanea, fasc. 52. *Provvedimenti razziali*. MEN on: Studenti ebrei di nazionalità straniera.

<sup>19</sup> Ivi, Prot. 604. Note that the reply was signed by *Rettore* Giuseppe Capograssi.

«Above all, the law excluded Jews of German nationality, including Austrians after the *Anschluss*, who were denied the completion of their studies altogether with a particularly hateful derogation of the rule in force for other foreign Jews. This decision has a clear point of reference in the requirements of good relations with the German ally. Here, too, as its application started to come about, a very modest exception was then introduced, by which “Germanic students of the Jewish race” were allowed to enroll in special courses for foreigners at the Universities of Florence or Perugia. However, this had to be authorized on a case-by-case basis by the Foreign Ministry and could be availed of only by those who were in possession of passports marked with the letter J stamped in red on the first page, since this document alone would guarantee the possibility of re-entry into the Reich».<sup>20</sup>

New transitional provisions affecting both Italian and foreign Jewish students were conveyed by Bottai in his circular no. 532 dated January 16, 1939. Always with the exclusion of Jewish students of German nationality, foreign students were given the opportunity to switch «from one to another degree or diploma course». However, enrollment in graduate or postgraduate schools for the 1938-39 academic year was not granted, and if any enrollments had already been accepted, they would have been considered revoked. The third point of the circular stipulated that all Jewish students could only remain behind in their courses for one year and, if they «wish to continue their studies», they must «recuperate all back examinations», and that, «as of 1939-40, they will no longer be allowed any interruptions to their studies»<sup>21</sup>.

On Feb. 3, 1939, Minister Bottai also lifted the ban on the continuation of studies for «Jewish female students of German origin married to Italians or coming from other foreign countries»<sup>22</sup>.

Another topic covered in the correspondence between the Ministry and the University of Macerata, concerns the question of «Study certificates to be issued to students of Jewish race». In *Circolare 4512* dated November 15, 1939, the Ministry clarified that in «any certificate or other document» issued to Jewish students, «the race must be specified». After the personal details, the university secretariats must add «the formula: of Jewish race»<sup>23</sup>. To this last directive, the *Rettore* of the University of Macerata did not respond that he had «taken note» of the contents of the circular as quickly as he had always done up to then. Almost a month later, on December 11, 1939, Bottai sent him a reminder letter<sup>24</sup>. The following day, *Rettore* Bassanelli replied to the Ministry «that the provisions will be observed»<sup>25</sup>.

On the subject of «certificates of belonging to the Jewish race», the Ministry sent a new circular to the *Rettori* on July 19, 1940, specifying that:

«there are no Aryan certifications and that the state of non-belonging to the Jewish race is to be considered proven, for all legal purposes, by the lack of annotation [...] “the civil and population registers” including the extracts and registry certificates - family statuses etc. - issued on the date indicated above [November 17, 1938] – have the same evidential effect, for racial purposes, as extracts and certificates of civil status».<sup>26</sup>

«Interned undergraduate and graduate students of the Jewish race» were also affected by the anti-Semitic measures. On September 18, 1941, the Ministry made it clear that if they failed to «attend to their scholastic obligations or were unable to be present at the state examination session permitted to them, due to their internment», their careers would be considered «interrupted». Interned Jewish students were only allowed to be able to «regularize their position» at a later time, that is, «after they

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<sup>20</sup> Signori E., *Una “peregrinatio accademica” in età contemporanea...*, p. 157.

<sup>21</sup> AUM, b. Miscellanea, fasc. 52. *Provvedimenti razziali*. MEN on: Applicazione delle disposizioni transitorie riguardanti gli studenti ebrei. Cf. Signori E., *Contro gli studenti: la persecuzione antiebraica negli atenei italiani e le comunità studentesche*, in Valeria Galimi e Giovanna Procaccia, (a cura di) “*Per la difesa della razza*”. *L'applicazione delle leggi antiebraiche nelle università italiane*, Milano, Unicopli, 2009, pp. 173-210.

<sup>22</sup> AUM, b. Miscellanea, fasc. 52. *Provvedimenti razziali*. Circular letter No. 28672/29235.

<sup>23</sup> Ivi.

<sup>24</sup> Ivi. MEN to the University of Macerata *Rettore* of October 11, 1939, on: Certificati di studio da rilasciarsi agli studenti di razza ebraica.

<sup>25</sup> Ivi, December 12, 1939.

<sup>26</sup> Ivi, circular letter, signed by Giustini, No. 18289 on July 19, 1940.

have been liberated from the concentration camps»<sup>27</sup>. Again, but without being solicited in this case, the *Rettore* of the University of Macerata replied with a delay, on the following October 1, to the Ministry «that note has been taken of what has been established with regard to interned undergraduate and graduate students of the Jewish race»<sup>28</sup>.

As already seen, these were the main measures affecting, above all, foreign Jewish students given by the Ministry to the University of Macerata, while the first circular which also affected Italian Jewish students dated back to September 8, 1938. On this date, the MEN announced to the *Rettori* «the imminent publication» of a decree-law prohibiting the enrollment of «students of the Jewish race in schools of any order and grade», inviting them «to prepare what was necessary so that the prohibition would have a prompt and definite application in the upcoming academic year».

It also specified that, in the «upcoming fall session of examinations and final projects and degree examinations», professors of «Jewish race» were to «be excluded from the Commissions even in the period prior to October 16»<sup>29</sup>. On September 13, the *Rettore* responded to the ministerial circular guaranteeing that the «prohibition to enroll students of the Jewish race will be promptly and definitely applied», as well as the provision regarding the «exclusion of professors of the Jewish race from the Examination Commissions» for the «upcoming fall session of examinations»<sup>30</sup>.

In a subsequent circular (No. 6379 of October 4), the Ministry specified that «Jewish students, whether Italian or foreign», may be present at the exams of the fall session because» this session is part of the 1937-38 academic year». The same notice reiterated that if «Jewish youths, whether Italian or foreign» have requested and obtained the opportunity to enroll for their first time during the period going from August 1 to September 13, «the enrollment must be annulled». The decision to cancel Jewish students' enrollments, which had already been accepted by universities, was applied retroactively given that the *Regio Decreto Legge* of September 5 had been published in the *Gazzetta Ufficiale* on the following 13<sup>th</sup> of the month<sup>31</sup>.

On November 12, the Ministry supplemented the regulations which had already been sent on October 12 regarding the enrollment of «students of the Jewish race in «schools of all levels, both public and private, attended by Italian students». In the letter, which anticipated the imminent publication in the *Gazzetta Ufficiale* of the «legislative measure, just approved by the Hon. Council of Ministers», it was specified that Jewish students could not be enrolled, «even if they belong to families with special merit». This possibility would only be granted to those «Jewish students who profess the Catholic religion» and are enrolled «in primary and middle schools dependent on Church Authorities». For all other «children of the Jewish race, special primary school sections shall be established, at the expense of the government, in places where the number of them is not less than ten».

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<sup>27</sup> Ivi, circular letter No. 1553.

<sup>28</sup> Ivi. Prot. 1553. Signed by Rettore Mortati. Costantino Mortati (Corigliano Calabro, December 27, 1891 – Rome, 25 October 25, 1985), was a veteran of the First World War, and, later, worked as a civil servant at the *Corte dei Conti*. In 1927, Mortati joined the Fascist National Party (PNF). In 1936, he won the national selection for the academic appointment of professor *straordinario* of *Diritto costituzionale* at University of Messina. Three years later, Mortati became professor *ordinario* at University of Macerata. Since November 1, 1940, to October 31, 1942, he held the position of *Rettore* of the same Institution. In 1942, after joining the *Istituto Navale di Napoli* (Naval Institute of Naples), he taught at the Faculty of *Economia e commercio*, University of Naples. Costantino Mortati was elected to the *Assemblea Costituente* (Constituent Assembly), the body that prepared the new republican Italian Constitution, for the *Democrazia Cristiana* Party. He was not elected to the first Parliament of the Italian Republic in 1948, and, therefore, he decided to go back to teaching. In 1955, he moved to the University of Rome, where he took the chair of *Diritto costituzionale e comparato* at the Faculty of *Scienze politiche*. In 1960, Costantino Mortati has appointed judge at *Corte Costituzionale*, and, in 1966, he retired from teaching. Cf. ACS, MPI, DGIU, Div. I, Prof. Ord., III vers. 1940-1970, b. 330, fasc. Mortati Costantino; ACS, MI, DGAAGG Pers., Div. Pers. – Pers. Min., Vers. 1933, b. 1933, fasc. Mortati Costantino. Si veda anche: DBI, *Mortati, Costantino Napoleone*, by Fulco Lancaster, vol. 77, 2012; *Mortati, Costantino*, by Maurizio Fioravanti in Birocchi *et al.* (a cura di), *Dizionario biografico dei giuristi italiani (XII-XX secolo)*, 2 voll., Bologna, Il Mulino, 2013, vol. II, pp. 1386-1389; Pomante, *L'Università di Macerata nell'Italia unita*, pp. 629-630.

<sup>29</sup> AUM, b. Miscellanea, fasc. 52. *Provvedimenti razziali*. Circolare No. 6098, «Divieto d'iscrizione di alunni di razza ebraica. Sessione autunnale esami 1937-38».

<sup>30</sup> Ivi.

<sup>31</sup> Ivi. MEN on: Studenti ebraici.

The possibility of establishing primary schools for Jewish students was also granted to the Jewish communities, but only if authorized by the Ministry. The government also gave these communities, «or persons of the Jewish race», the possibility of establishing middle schools which, however, could obtain «the benefit of the legal value of studies and examinations», if they requested and obtained «affiliation with the *Ente Nazionale per l'Insegnamento Medio*». The same letter confirmed that, «on a transitional basis», both Italian and foreign students of the «Jewish race» could continue their studies if already enrolled in the previous years. This possibility also applied to students enrolled in higher and advanced courses of the *Regi Conservatori* (Royal Conservatories), the *Regie Accademie di Belle Arti* (Royal Academies of Fine Arts) and the courses of *Regia Accademia d'Arte drammatica* in Rome (Royal Academy of Dramatic Art)<sup>32</sup>.

To each circular, the *Rettore* replied that he «has taken note of the provisions» and would follow up on the directives issued by the Ministry. From the documentation that has emerged so far, it appears that no Jewish student, either Italian or foreign, attended the University of Macerata. It must be remembered that the University had only one Faculty, that of *Giurisprudenza*, and that, in the 1938-39 academic year, the majority of those enrolled (63 percent) came from the Marche provinces<sup>33</sup>.

We can state, according to the documents analyzed so far, that in the University of Macerata there were no students believed to be of Jewish race to whom the anti-Semitic measures were applied. As seen above, there were no professors and staff members of the «Jewish race» working in this University and, moreover, no *aiuti*, *assistenti* or *liberi docenti*<sup>34</sup>. Despite this, compared to how all the ministerial provisions were immediately acknowledged, it is clear that the academic bodies implemented, embraced and adhered to this anti-Semitic policy in a zealous and scrupulous way.

Among the anti-Semitic directives that were immediately implemented by the University of Macerata, is *Circolare* No. 12336 of August 9, 1938, sent on 16 August with a cover letter from the *direttore generale* of the *Istruzione Superiore* (the head of the General Department for Higher Education), Giustini. In this official document, the MEN requested all dependent authorities to register «the personnel of Jewish race». Along with this request, forms were also sent for:

«all those with tenured and non-tenured roles, who in any capacity serve in the dependent offices of institutes and schools - even if they are *pareggiate* or *parificate* - including, for Universities and *Istituti Superiori*, *liberi docenti* (even if they are not temporarily teaching), with the invitation to fill them in and sign them, under the personal responsibility of the declarant».<sup>35</sup>

Furthermore, the forms were to be returned «to the competent General Departments» as soon as possible, but in any case, by the end of September, separated in the «various categories of personnel» and summarized in a table in which the following data were to be indicated:

- «1) the total number of people to whom the form was distributed.
- 2) the number of those who turn out to be of “Jewish race on their father’s side”.
- 3) the names of those who are of “Jewish race” on their father’s side, broken down according to letters (b) and (e) of the form;
- 4) the names of those whose mother alone is of the Jewish race [letter (b)] of the form;
- 5) the names of persons whose spouse is of the Jewish race».<sup>36</sup>

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<sup>32</sup> Ivi, circular letter No. 14515, November 12, 1938, MEN to the *Rettori delle università* and to the *regi provveditori agli studi* and to the *regi Direttori degli Istituti di istruzione artistica*.

<sup>33</sup> From 1934 to 1940, the average number of the students was around 134. Cf. Pomante, *L'Università di Macerata nell'Italia unita*, pp. 170-171.

<sup>34</sup> Cf. ACS, MPI, Dir. Gen. Ist. Sup., *Miscellanea di divisioni diverse (I-II-III)*, (1929-1945), b. 109, fasc. *Assistenti di ruolo Dispensa dal servizio*, Elenco degli aiuti ed assistenti ordinari, straordinari, incaricati e volontari che appartengono alla razza ebraica ai sensi dell'art. 6 del RDL – 5 settembre 1938, n° 1390.

<sup>35</sup> AUM, b. *Miscellanea*, fasc. 52, *Provvedimenti razziali*, Men – Gabinetto, circular letter No. 12336, August 9, 1938. On the census of «staff of the Jewish race» in universities Cf. Angelo Ventura, *Il fascismo e gli ebrei. Razzismo antisemita nell'ideologia e nella politica del regime*, Donzelli, Roma 2013, pp. 78-82.

<sup>36</sup> MEN – Gabinetto. circular letter No. 12336, Roma, August 9, 1938 on: Censimento del personale di razza ebraica. AUM, b. *Miscellanea*, fasc. 52. *Provvedimenti razziali*.

Following the circular, the *Rettore* immediately drew up an initial list made up of the names of the entire University staff: fifteen professors and seven of the non-teaching staff members, including the administrative and the so-called subordinate staff<sup>37</sup>. On August 16, Giustini again wrote to the rectors asking them to state that they had received the circular and whether the forms sent were sufficient to carry out the census<sup>38</sup>. On August 24, the *Rettore* of the University of Macerata replied to the Ministry, writing that he had received the *Circolare* No. 12336 and that the forms sent were sufficient to be able to collect the required data<sup>39</sup>. He sent out, on that same day by registered mail, the form to each professor and employee with the request that he «fill it in completely, sign it under his responsibility and return it to this office *no later than September 15*»<sup>40</sup>.

Each University employee had to fill in the form in duplicate copy. The personal form included a first part with personal details and a second, more specific, part regarding racist issues:

«(Surname and first name of teacher, employee or agent) .....  
 (Fatherhood) ..... (Motherhood) .....  
 (Date and place of birth) .....  
 (Surname and first name of spouse) .....  
 (Job title and hierarchical rank) .....  
 (City, Office or Institute where the teacher, employee or agent works) .....  
 (a) Whether he/she belongs to the Jewish race on his/her father's side (yes - no)  
 (b) Whether he or she is a member of the Jewish community (yes - no)  
 (c) Whether he/she professes the Jewish religion (yes - no)  
 (d) Whether he/she professes another religion and which one (yes - no)  
 (e) Whether conversion to another religion was made by him/her or his/her ancestors, and which ones, and on what date .....  
 (f) Whether his/her mother is of the Jewish race (yes - no)  
 (g) Whether his spouse is of the Jewish race (yes - no)  
 ..... Date..... Signature of the form filer .....»

On the request for the qualification, the subject being taught also had to be indicated, while in the yes or no answers, the filer had to cross out the option which did not pertain to him or her<sup>41</sup>.

It is interesting to note how the MEN's «Census of personnel of the Jewish race» anticipated the more general one dated August 22, 1938. The discriminatory intent against Jews is very clear even if it is never directly mentioned in the letter. Probably the Ministry did not want the true purpose of the census to be publicized before the official enactment of the racist laws. This intent is also confirmed by the «Confidential Circular», sent to the *Rettori* and *Direttori degli Istituti Superiori* on August 25, 1938. In the circular, which concerned the achievement of demographic awards, underlined was the

<sup>37</sup> The list included the following professors: Guido Bonolis, Luigi Nina, Alberto Domenico Tolomei, Giuseppe Capograssi, Enrico Bassaneli, Giannetto Longo, Raffaele Resta, Carlo Esposito, Giuseppe Ferri, Orio Giacchi, Cesare Benignetti, Enrico Jaccarelli, Giuseppe Meloni, Romeo Soldi and the professor emeritus, Count Alberto Zorli. Among the names of the non-teaching personnel, four worked in the secretariat of the University: Dr. Ivo Mattucci (Head Secretary), rag. Raffaele Marchesini (*ragioniere-economista*), Guglielmo Lavadas (*applicato*), rag. Gentilucci (*ragioniere*); two were from the so-called subordinate staff: Isidoro Aprilesi (*bidello*, janitor), Giuseppe Cingolani (*custode*, custodian) and Armando Rambozzi (*distributore*, library co-ordinator) who worked in the University library. Ivi. Cf. also *Annuario della R. Università degli studi di Macerata. Per l'Anno Accademico 1937-38-XVII*, pp. 18-20.

<sup>38</sup> AUM, b. Miscellanea, fasc. 52 *Provvedimenti razziali*, MEN, letter dated 16 August 1938 accompanying the circular of 9 August 1938 to the *Rettori* of the Universities, to the *Direttori* of the *Istituti Superiori di istruzione*, on: Censimento del personale di razza ebraica.

<sup>39</sup> Ivi, *Rettore's* reply letter to the MEN dated 24 August 1938.

<sup>40</sup> Ivi. On the same date the *Rettore* assured the Ministry in regards to the distribution of the forms.

<sup>41</sup> Ivi, registered letter sent by Regia University of Macerata, on 24 August 1938 to Professor Alberto Zoli with the attached Personal File.

necessity to ascertain, «in strict confidence», whether the eventual recipient and his/her spouse were of the «Italian race»<sup>42</sup>.

Also in this case, the *Rettore* of Macerata responded by giving «assurances regarding the exact fulfillment of the provisions»<sup>43</sup>.

Of the 22 forms sent out to the staff for the census, there is no record in the correspondence of their return to the *Rettore* of the University. The only trace of their compilation is given by the draft of the summary that was probably prepared by the *Rettore*'s secretary. This prospectus, as required by *Circolare* No. 12336, was divided into a first part where the total number was indicated and to whom the form had been sent and a second part with the number and indications of the names of those considered to «belong to the Jewish race». Thanks to these documents, we know that the form had been distributed to the «teaching staff» made up of 10 professors *ordinari e straordinari* (*professori di ruolo*), 4 professors *incaricati* and one emeritus professor as well as to the *personale amministrativo* (administrative staff members, among them two were *di ruolo* and two *incaricati*). Forms were also delivered to the three members of the *personale subalterno di ruolo*<sup>44</sup>. The table shows that none were of «Jewish race on their fathers' side», nor did they have a Jewish mother. The only name mentioned is that of the professor of *Procedura penale*, Alberto Domenico Tolomei<sup>45</sup> whose «spouse [Elvira Sommer] was of the Jewish race»<sup>46</sup>. Tolomei was not dismissed, and on December 16, 1938, he was called in to teach at the University of Modena replacing professor Marcello Finzi who had instead been dismissed because he was Jewish<sup>47</sup>.

Of particular interest is the letter sent along with the completed form, of which there is unfortunately no trace, by professor Enrico Bassanelli to *Rettore* Capograssi a few weeks before he took over after him. Bassanelli wrote in the minute that he did not «respond to paragraph (e)» of the census form because he did not know when his «ancestors converted to the Catholic religion, nor the date of the conversion». He believed, however, that it «dates back to a few centuries ago». This ancient ancestry of his perhaps explains why there is no mention of the anti-Jewish policy of the regime in the inaugural speeches of the 1938-39 and 1939-40 academic years<sup>48</sup>. Even in the speeches of his successor, Costantino Mortati, we find no mention of the racial policy, but only a few references to the active collaboration, inaugurated by his predecessor, of the University with the local provincial section of the *Istituto Nazionale di Cultura Fascista* (National Institute of Fascist Culture)<sup>49</sup>. Given the aims of this institution, «directed at popularizing the work of the new Fascist legislation», the racist laws were almost certainly promoted or at least discussed if not disclosed in the course of its various initiatives.

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<sup>42</sup> Ivi, restricted circular letter with prot. no. 20443 sent by MEN to the *Rettori* to the Universities and to the *Direttori* of the *Istituti Superiori* on 25 August 1938, on: Premi demografici. Indicazione della razza.

<sup>43</sup> Ivi, the *Rettore*'s letter of reply to the MEN dated 27 August 1938.

<sup>44</sup> Ivi, the *Rettore*'s letter of reply to the MEN dated 10 November 1938.

<sup>45</sup> Alberto Domenico Tolomei (Pisa, August 20, 1881 - Padua, February 15, 1943), was the nephew of the criminal lawyer Gian Paolo. In 1910 he married the Jew Elvira Sommer. After having written two monographs in 1920, he managed to obtain the *libera docenza in Diritto penale* at the University of Padua. After some assignments in Camerino and Macerata, in 1931 he won the selection for professor *straordinario* at the University of Sassari. In the same year, he was called by the University of Macerata as a professor *non stabile* of *Procedura penale*. In 1933, Tolomei joined the PNF and the following year he got tenure. After a brief period spent at the University of Trieste, in 1937 he went back to Macerata to teach *Diritto e procedura penale*. The following year he moved on to teach in Modena and in 1940 in Genoa. Cf. ACS, MPI, Dir. Gen. Ist. Univ., Fascicoli professori ordinari, III versamento (1940-1970), b. 457, fasc. Tolomei Domenico. See also: Tolomei, Alberto Domenico, di Giuseppina De Giudici in Birocchi *et al.* (a cura di), *Dizionario biografico dei giuristi (XII-XX secolo)*, vol. II, Il Mulino, Bologna 2013, pp. 1955-1956.

<sup>46</sup> AUM, b. Miscellanea, fasc. 52. *Provvedimenti razziali*. Minutes of the summary table of the census of the staff of Jewish race.

<sup>47</sup> ACS, MPI, Dir. Gen. Ist. Univ., Fascicoli professori ordinari, III versamento (1940-1970), b. 457, fasc. Tolomei Domenico. MEN to University of Macerata *Rettore*, December 20, 1938, Prot. 7494, on: Domenico Alberto Tolomei Trasferimento.

<sup>48</sup> Cf. Pomante, *L'Università di Macerata nell'Italia unita*, pp. 623-626.

<sup>49</sup> Cf. Ivi, pp. 631-638.



Even though there were no Jews among the staff members of the University, the *Rettori* of Macerata always responded to the circulars sent by the Ministry «for the defense of the race in Fascist school», assuring that they would be «immediately applied».

The non-existence of professors considered to be of the Jewish race at the University of Macerata was officially communicated to the Ministry in a telegram from *Rettore* Capograssi on November 13, 1938: «No cases to which a provision for the defense of race in Fascist schools is applicable exist at this University»<sup>50</sup>. This response was given by the the day after receiving the telegram sent by Minister Bottai announcing the approval of the decree for the removal of «persons of the Jewish race» from «any office or employment in schools and educational institutions of every order and grade attended by Italian students»<sup>51</sup>.

However, it had already been confirmed on the previous September 28 «that no professor of the Jewish race» would serve there<sup>52</sup>. On that date the *Rettore* had communicated this to the editor of the journal *Vita Universitaria*, who had asked him two days earlier for a «precise and official list of those *professori di ruolo* who, in terms of the current provisions, are to be considered of the Jewish race». The purpose of this request, as the editor of the bi-monthly journal specified in the letter, was to correct and respond to the inaccurate list of Jewish professors published by other newspapers. In this way, he added, «without controversy or acts of indiscipline» the «best and most Fascist re-establishment of the truth» would be achieved<sup>53</sup>.

The only completed form in the file is that of the senator professor Francesco Adolfo Zerboglio<sup>54</sup>. This was filled in at a later date given that Zerboglio, after having taught *Diritto penale* at the University of Macerata was retired due to the age limit and had recently been proposed for the awarding of the title of professor *emerito*<sup>55</sup>. The form was sent to the professor on October 29, 1938, because the Ministry had asked the University to verify whether Zerboglio was «of Italian race»<sup>56</sup>.

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<sup>50</sup> AUM, b. Miscellanea, fasc. 52, *Provvedimenti razziali*, telegram sent by *Rettore* Capograssi to the MEN on 13 November 1938.

<sup>51</sup> Ivi, telegram sent by the MEN to the *Rettore* of the University of Macerata on 12 November 1938 on: Provvedimento per difesa della razza nella scuola fascista approvato dal Consiglio dei Ministri il 10 novembre.

<sup>52</sup> Ivi, the *Rettore*'s reply to the Editor-in-chief of the bi-weekly magazine *Vita Universitaria* Città Universitaria Rome on 28 September 1938. The Editor-in-chief of the magazine was Nicola Spano, *direttore amministrativo* of the University of Rome.

<sup>53</sup> Ivi. Letter of the Editor-in-chief of the bi-weekly magazine *Vita Universitaria* to the *Magnifico Rettore* of the University of Macerata, Rome, 26 September 1938.

<sup>54</sup> Francesco Zerboglio (2 November 2, 1866 - March 30, 1952). In 1893 he obtained the qualification to the *libera docenza*, in 1905 was appointed professor with a chair in *Diritto e procedura penale* at the University of Urbino and, in 1906, he also taught the same subject at the University of Pisa. Member of the Socialist Party, he was elected deputy for four legislatures (XXI, XXII, XXIII, XXV) for the district of Alessandria. After Fascism came to power, he was elected senator in the XXVII legislature, joining the minority group of non-aligned with the Regime and signing the manifesto of anti-fascist intellectuals by Benedetto Croce. Though struck off the *Casellario politico centrale* (CPC, Central political record) during the Great War, he will continue to be watched. He did not take the PNF card and during his lessons he expressed harsh criticism of the new penal code and the new principles introduced by fascism. From 1927 to 1937 he taught *Diritto penale* at the University of Macerata. Retired in 1938, Francesco Zerboglio was appointed Professor Emeritus at the University of Macerata. After the end of the Second World War, Zerboglio was elected to the *Consulta Nazionale* and therefore entered the Senate by right (*III disposizione transitoria della Costituzione*) in the first republican legislature. Cf. ACS, Ministero della Pubblica Istr., Dir. Gen. Sup. liberi docenti Terza Serie (1896-1910), b. 342, fasc. 11; ACS, MI, Dir. Gen. PS, Div. Pol. Pol. (1926-1981), Fascicoli personali 1927-1944, b. 1487, fasc. Zerboglio Sen.re Adolfo; ACS, MI, PI, Dir. Gen. Istruzione Superiore, Fasc. pers. e amm., II versamento - 2<sup>a</sup> serie, b. 170, fasc. Zerboglio Adolfo. See also Zerboglio, Adolfo, di Carlotta Latini in Bircocchi *et al.* (a cura di), *Dizionario biografico dei giuristi (XII-XX secolo)*, vol. II, Il Mulino, Bologna 2013, pp. 2088-2089.

<sup>55</sup> Senator Prof. Zerboglio started to teach *Diritto penale* in Macerata in the 1927-28 academic year and in 1936 he obtained the chair of *Diritto e procedura penale* at the same university. A brief note recalls not only his scientific and teaching merits, but also the death of his son during the Great War, who was awarded the Gold Medal of Honor. Cf. Pomante, *L'Università di Macerata nell'Italia unita*, p. 545.

<sup>56</sup> AUM, b. Miscellanea, fasc. 52, *Provvedimenti razziali*, letter from the MEN to the *Rettore* of the Regia University of Macerata dated 27 October 1938.

The Rettore wrote to Professor Zerboglio, who was living in Siena at the time, enclosing the form to be filled in, inviting him to send it back «promptly»<sup>57</sup>. Zerboglio filled in the form on October 31 and on November 1, 1938 sent it back enclosing a note with the letterhead of the «Senato del Regno» (Senate of the Kingdom) on which he wrote that, with some annoyance, he had filled in the form with his «ethnographic connotations», but in a «not very elegant manner but with sufficient clarity to notify» his «Aryan purity». The form was filled in with numerous deletions and contained a final hand written inscription where Zerboglio reiterated his non-«belonging to the Jewish race»<sup>58</sup>. This delicate issue was finally resolved on the following 3<sup>rd</sup> of the month when, «after the verifications made», it was confirmed that Zerboglio was «of the Italian race»<sup>59</sup>. Having overcome this stage, on November 22 the MEN informed the *Rettore* that the proposal, made by the University of Macerata itself on the previous July 4, to confer the title of «Professore Emerito» on Zerboglio had been accepted<sup>60</sup>.

This situation is symptomatic of how nothing was to be overlooked in applying the «racial measures». Even professors who were now retired and appointed *emeriti* or *onorari* (or about to be so, as seen in this case) had to be excluded from all academic and cultural activities if they were considered to belong to the Jewish race.

On November 19, the Ministry also ordered the revocation of the qualification of *liberi docenti* «of the Jewish race». The measure was also applied to retired professors «of the Jewish race» who, under the *Testo unico delle leggi sull'istruzione superiore* (the royal decree No. 1592 dated August 31, 1933), could continue to teach as *liberi docenti*<sup>61</sup>. On the following 22<sup>nd</sup> of the month, the *Rettore* of Macerata assured Minister Bottai that «no professor» had «delivered his qualification decree» at this University and took note that «persons of the Jewish race» could no longer teach private courses in Universities and Higher Education Institutes, ceasing, with regard to them, the possibility of being able to apply «Article 117 letter b of the *T.U.* August 31, 1933-XI no. 1592»<sup>62</sup>.

The Ministerial Directives also affected «Professors *emeriti* and *onorari* of the Jewish race». In *Circolare* no. 7589 of December 27, 1938, it was specified that «by Superior determination» the honorary titles already granted to Jewish professors would not be revoked, not least because, in accordance with Article 111 of the *T.U.* of Higher Education Laws, these professors «are not entitled to any particular academic prerogative». The note called for maximum attention so that «the aforementioned professors of the Jewish race» were excluded from participating in all activities of university life, including the possibility of taking part in «special events or ceremonies». The *Rettori* were called upon to «carefully monitor» the situation in order to ensure that the provisions were complied with and to notify them if any decisions were made contrary to these directives<sup>63</sup>. On the following 30<sup>th</sup> of the month, *Rettore* Bassanelli replied to the Ministry assuring them that he had received the letter and that it would be promptly implemented<sup>64</sup>.

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<sup>57</sup> Ivi, letter dated 29 October 1938 sent from the Regia University of Macerata to chiar.mo Signor Professor Senatore Adolfo Zerboglio, on: *Appartenenza alla razza italiana*.

<sup>58</sup> Ivi. Scheda personale di Zerboglio Adolfo Francesco.

<sup>59</sup> ACS, MPI, Dir. Gen. Ist. Sup., Fascicoli personale insegnante e amministrativo, II versamento – 2<sup>a</sup> serie (1900-1940), b. 170, fasc. Zerboglio Adolfo.

<sup>60</sup> The award decree was signed by King Vittorio Emanuele and countersigned by Bottai, on 15 November. Cf. Ivi, letter sent by Minister Bottai to the *Rettore* of the University of Macerata.

<sup>61</sup> AUM, b. Miscellanea, fasc. 52, *Provvedimenti razziali*, circolare No. 6930 del MEN dated November 19, 1938, on: *Decadenza dei liberi docenti di razza ebraica*.

<sup>62</sup> Ivi, the *Rettore*'s reply to the MEN on 22 November 1938, prot. 613 pos. 6, hand-written on the same page of the circular.

<sup>63</sup> Ivi, circular no. 7589 of the MEN, Direzione Generale Istruzione Superiore, Divisione I<sup>a</sup>, to the *Rettori* of the Universities and to the *Direttori* of the *Istituti Superiori di istruzione* on 27 December 1938.

<sup>64</sup> Ivi, private letter from the *Rettore* to the MEN about the regulations to follow regarding the *emeriti* and *onorari* professors of the Jewish race dated 30 December 1938.

On December 3, 1938, Bottai sent a long telegram to the *Rettore* of the University of Macerata and to all other *Rettori* in which he reminded them that, as required by the criteria of Article 8 of the *Regio Decreto* No. 1728 of November 17, 1938 all assistant, technical and secretarial staff members of the «Jewish race» were to be dismissed from service by December 14, 1938. It also urged him to take immediate action both against them and the non-permanent staff and to send out «forms to everyone indiscriminately» as soon as possible<sup>65</sup>. The response to the requests of the Ministry was given on the following 5<sup>th</sup> of the month by *Rettore* Capograssi who, even though by then replaced by Bassanelli in that position, had been following the situation from the beginning. Capograssi assured «that no action should be taken at this University» and that the forms «concerning all personnel» had already been sent<sup>66</sup>.

After this letter, and throughout 1939, the correspondence was mostly concerned on how to apply the regulations towards the students, as already discussed previously, on how to apply the «legal definition of a Jew»<sup>67</sup>, and on how to distinguish the «racial position» of those born from «mixed marriages» and those baptized before October 1, 1938<sup>68</sup>. On the latter issue, Minister Bottai had sent to all *Rettori*, *Circolare* no. 24876 on October 17, 1938 in which he clarified that

«those born from mixed marriages after October 1, 1938-XVI, the period of five days to ascertain the professed religion should be increased to ten.

In communicating this for the sake of expediency, the undersigned Ministry considered it useful to clarify that the following people are to be considered born of mixed marriages:

- a) children of parents both of Italian nationality, one of whom is Jewish;
- b) children of one parent of Italian nationality and the other a foreign Jew;
- c) children of parents both of foreign nationality, one of whom is Jewish, unless said children belong to a State that has racial legislation, in which case the law of the State applies».<sup>69</sup>

With this circular, the *Rettori* were confirmed the rules set by the one already sent to the prefects on the previous September 23 (No. 1042.24). Although the *Rettore* had repeatedly pointed out that he had no Jewish personnel, almost all the anti-Semitic regulations concerning how and who was to be considered of «Jewish race» continued to be transmitted to the University of Macerata.

Even in this University, as elsewhere in Italy, racial teaching was being activated. On June 17, 1939, jurist Flavio Lopez de Oñate<sup>70</sup> was given the position to teach *Demografia generale e*

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<sup>65</sup> Ivi, telegram no. 16303 from *Ministero degli Affari Esteri* (MAE, Ministry of Foreign Affairs) to the University of Macerata on 3 December 1938.

<sup>66</sup> Ivi. Telegram sent by *Rettore* Capograssi to the MAE in reply to telegram no. 16303, 5 December 1938.

<sup>67</sup> Cf. Michele Sarfatti, *Gli ebrei nell'Italia fascista*, Einaudi, Torino, 2007, pp. 154-170.

<sup>68</sup> On the regulation of how to ascertain the «belonging to the Jewish race» of those born from mixed marriages, the following circulars were sent to the University of Macerata in 1939: No. 6395 on January 11, No. 17278 on March 3, No. 18563 on April 28, No. 19948 on July 1, No. 1042.24 on September 23. AUM, b. Miscellanea, fasc. 52. *Provvedimenti razziali*.

<sup>69</sup> Ivi, MEN on: Accertamento della razza dei nati posteriormente al 1° ottobre 1938-XVI, da matrimonio misto.

<sup>70</sup> Lopez de Oñate (Milan, July 1, 1912 - Rome, August 5, 1944), was a *libero docente*, professor of Philosophy and History at the Ennio Quirino Visconti Royal High School in Rome, formerly in charge of teaching *Filosofia del diritto*. On 18 January 1939, he also taught *Diritto privato comparato*. Cf. Regia Università di Macerata. Minutes of the Faculty meeting in ACS, MI, Dir. Gen. Istr. Sup., Miscellanea di divisioni diverse I-II-III (1929-1945), b. 97, fasc. R. *Università di Macerata Incarichi 1938-1939*. On 19 November 1942 Lopez de Oñate was also given the position of teaching *Diritto comune*. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni Libere docenze, incarichi, corsi di cultura militare (1935-1949). b. 28, fasc. 9. Su Lopez cf. Birocchi *et al.* (a cura di), *Dizionario biografico dei giuristi (XII-XX secolo)*, vol. II, Il Mulino, Bologna 2013, pp. 1199-1200. Thanks are given to Dr. Romana Bogliaccino for the research carried out at the Visconti on de Oñate.

*demografia comparata delle razze umane* at the Faculty of *Giurisprudenza*<sup>71</sup>. In December of the following year, he was given the assignment of teaching *Filosofia del diritto*, while the subject of *Demografia* was assigned to the professor *straordinario* of *Statistica* Giuseppe De Meo<sup>72</sup>, who would hold this position until 1942<sup>73</sup>. The position was entrusted to the professor of *Economia politica corporativa*, Romeo Soldi, for the 1942-43 academic year. In the letter sent by the University of Macerata to the MEN on February 15, 1943, it was specified that «racial teaching» was held in the University but that due to the lack of «technical material only the theoretical part was taught and that no assistants or contributions were provided»<sup>74</sup>.

Immediately after Italy's entry in war, the *Ministero della cultura popolare* made it known that the «first national exhibition of race» was being set up in the *Palazzo delle esposizioni* in *Via Nazionale* in Rome. The University of Macerata was also being asked to request its professors' availability to contribute to its realization. In particular, required were the professors who in their research had dealt with *antropologia*, *statistica demografica*, *biologia delle razze*, *patologia comparata delle razze*, *fisiologia e patologia comparate delle razze*, or in any case, who had published studies on topics that could «refer to the racial question»<sup>75</sup>. In this case, a copy of their publications was to be sent to the *Ministero della cultura popolare* so that it could be exhibited «in the university section of the exhibition». Just under a week later, the Administrative Director of the University, on the orders of *Rettore* Costantino Mortati, wrote to the professor of *Filosofia del diritto*, Jurist Flavio Lopez de Oñate and to the professor of *Demografia* and *Statistica* Giuseppe De Meo<sup>76</sup>.

We do not know whether the two professors agreed to make any contribution to the creation of the exhibition which, due to the precipitating wartime situation, was never inaugurated. However, we do know that after the liberation De Meo was accused by the *Commissione per l'epurazione del personale Universitario* (Commission for the Purge of University Personnel) of «having carried out

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<sup>71</sup> Although approved, the assignment was probably suspended due to the lack of space and the related scientific and educational equipment where the practical part could be carried out. Cf. Excerpt from the minutes of the Faculty meeting on July 1, 1939. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni Libere docenze, incarichi, corsi di cultura militare (1935-1949). b. 18, fasc. Macerata. Incarichi d'insegnamento 1939-40.

<sup>72</sup> De Meo (Roma, 1906 – 1996), professor *ordinario* of *Statistica metodologica ed economica* at the Regio Istituto superiore navale di Napoli, on December 15, 1937 obtained the qualification decree of *libera docenza* in *Demografia*. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 173, fasc. *De Meo Giuseppe*.

<sup>73</sup> The teaching of *Demografia generale e demografia comparata delle razze* was assigned to De Meo (professor *straordinario* of *Statistica*) by the Faculty Council on 11 December 1940. In replacement, Lopez de Oñate was entrusted with the instruction of *Filosofia del diritto*. Cf. R. Università di Macerata, Excerpt from the minutes of the Faculty of *Giurisprudenza* meeting in *Ibidem*, b. 23, fasc. *Macerata. Incarichi d'insegnamento 1940-41*.

<sup>74</sup> ACS, MPI, Dgis, Div. II, Leggi, regolamenti, statuti, esami, corsi, statistiche, tasse, studenti, ecc. (1925-1945), b. 13, fasc. *Insegnamenti Razziali*, *Rettore's* letter to MEN, February 15, 1943.

<sup>75</sup> Cf. AUM, b. Miscellanea, fasc. 52, *Provvedimenti razziali*, circular letter No. 2117 on June 15, 1940 from MEN on: Prima Mostra nazionale della razza.

<sup>76</sup> Cf. Ivi, 20 June 1940. Giuseppe De Meo was born in Rome on 31 July 1906. Obtaining a degree from the University of Naples in 1928 in *Scienze Economiche e commerciali*, he then became assistant to the Chair of *Statistica* in the Faculty of *Economia e commercio* of the same University. From 1930 to 1939 he worked as head accountant in the *Agenzia generale* of Naples in the *Istituto Nazionale delle Assicurazioni* (INA). In 1936 he obtained the *libera docenza* in *Demografia* and on 1 December 1939 was appointed professor *straordinario* at the University of Macerata where as of 1940 he obtained the position for the teaching of *Demografia generale e Demografia comparata delle razze*. Having resigned in 1942 so as to cover the role of *direttore amministrativo* of INA in Naples, he continued to teach at the local *Istituto universitario navale*, cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 173, fasc. *De Meo Giuseppe*; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 25, fasc. *Incarichi d'insegnamento. R. Università di Macerata 1941-42*; ACS, MPI, Dir. Gen. Ist. Sup., Professori universitari epurati (1944-1946), b. 12, fasc. *De Meo Prof. Giuseppe*

repeated demonstrations of Fascist apologia, particularly by giving lectures on Fascist mysticism and publishing writings of a racial nature»<sup>77</sup>. The Ministerial Commission, after collecting several statements in his favor, decided to acquit him of all charges<sup>78</sup>. This was also due to the fact that some charges were not confirmed. In particular, no racist publications were found and the accusations, which had been reported as «alleged» or «hearsay», of holding lectures on racist mysticism at the Universities of Naples and Macerata, were also denied<sup>79</sup>.

In November 1941 the Macerata academic bodies, with a certain enthusiasm, joined the *Centro Anconetano per lo studio del problema ebraico* - Ancona Center for the Study of the Jewish Problem (C.A.S.P.E.)<sup>80</sup>. This «Center» of Ancona, one of the first to be established in Italy, was set-up under the approval of the *Ministero della cultura popolare* and as a branch of the local *Istituto nazionale di cultura fascista* (National Institute of Fascist Culture). A few days after the request had been forwarded by the C.A.S.P.E. Director Marquis Dr. Guido Podaliri, the *Rettore* positively gave his «adhesion» to the establishment of the «Center», wishing the initiative «the best success»<sup>81</sup>.

Podaliri, in addition to joining, had previously asked the «comrade» director of the University Secretariat to send him the list of names of faculty members and appointees.<sup>82</sup> On the following 28<sup>th</sup> of the month, the administrative director replied by forwarding the list of eighteen lecturers teaching at the University with their personal addresses<sup>83</sup>.

At the current stage of the research, it is not possible to completely reconstruct how many decided to cooperate and write for the «Notiziario del Centro» but certainly the wording «adhere», found in the letter sent by Podaliri to the «illustrious comrade» *Rettore* Mortati, significantly demonstrates that the Macerata academic milieu offered no resistance and made no comment or criticism of the racial policy of the regime. On the contrary, it was supported<sup>84</sup>.

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<sup>77</sup> Among the charges that the Commission disputes against him, during the period in which he held the position of official at the *Istituto Nazionale Assicurazioni* of Naples, there is also his violent conduct against employees not members of the Fascist party and having held the rank as an officer of the MVSN. Cf. Commission meeting on June 9, 1945. ACS, MPI, Dir. Gen. Ist. Sup., Professori universitari epurati (1944-1946), b. 12, fasc. 250, *De Meo Prof. Giuseppe*.

<sup>78</sup> Ibidem. *Commissione di epurazione del personale universitario*, Roma, December 12, 1945. On the University professors purge see: Mattia Flamigni, *Professori e università di fronte all'epurazione. Dalle ordinanze alleate alla pacificazione 1943-1948*, Bologna, Il Mulino, 2019.

<sup>79</sup> Cf. Ibidem, statements and reports collected by the *Alto Commissariato per l'Epurazione – Delegazione Prov. Di Napoli* regarding Professor De Meo, Attached. After the liberation of Naples De Meo became *consulente tecnico del commissario* of INA up to 1945, continuing with his teaching position at the Navale. In 1953, as Professor *ordinario* of *Statistica economica*, he went on to teaching at the Faculty of *Scienze statistiche demografiche e attuariali* at the University of Rome. From 1961 al 1980 he was President of the *Istituto centrale di statistica* and in 1982 was appointed Professor *emerito*. He died in Rome in 1996. See also AA.VV., *Scritti in onore di Giuseppe De Meo*, Istituto di statistica economica, Facoltà di scienze statistiche, demografiche e attuariali dell'Università di Roma, Roma, Tipolitografia Failli, 1978.

<sup>80</sup> The C.A.S.P.E was set up in October 1941 by Guido Podaliri Vulpiani. The «Center» aimed at spreading anti-Semitic hatred and raising public awareness of the «Jewish problem». Cf. Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, pp. 70-71.

<sup>81</sup> AUM, b. Miscellanea, fasc. 52, *Provvedimenti razziali*, Rettore Mortati's letter of reply to the request of membership to the «Centro Anconetano per lo Studio del Problema Ebraico». Mortati's letter was not dated, while Podaliri's letter of request was dated 3 November 1941.

<sup>82</sup> Ivi, letter of the director of the C.A.S.P.E., Podaliri, addressed to the secretariat director of the University of Macerata on 23 October 1941.

<sup>83</sup> Ivi, reply letter of the *direttore amministrativo* of the University of Macerata to the «Centro Anconetano per lo Studio del Problema Ebraico».

<sup>84</sup> Cf. Podaliri's letter to the *Rettore* of Macerata mentioned above in note 81.

## The University of Urbino and the “Racial Laws” of 1938

After the Giovanni Gentile Reform in 1923, the *Libera Università* of Urbino fell under Category C and was financed by private individuals and local authorities<sup>85</sup>. In the 1937-38 academic year, the Faculty of *Magistero* was opened, joining those of *Giurisprudenza* and *Farmacia*<sup>86</sup>. The new Faculty significantly increased the enrollment, which, from about a hundred in the previous years, reached the number of 932 in the 1938-39 academic year<sup>87</sup>. Given the limited economic resources, many professors were assigned multiple teaching positions. There were 13 already existing permanent positions, 3 professors *ordinari*, 2 *straordinari*, 4 *incaricati interni*, 21 *esterni*, 3 *lettori* and 5 *assistenti*<sup>88</sup>. This is the situation of the University when the anti-Jewish regulations began to be enforced in 1938<sup>89</sup>.

As for the University of Macerata, also in this case most of the letters sent by the MEN to the *Rettore* of the University of Urbino, Canzio Ricci, are kept in a red folder marked «Razza»<sup>90</sup>. The file also contains several newspaper clippings of that period with articles related to the « racial policy of the regime». In addition to the national newspapers, *Corriere della Sera* and *Giornale d'Italia*, there is also the *Foglio d'ordini* of the *Federazione dei Fasci di Combattimento* of Pesaro-Urbino *L'Ora*. The latter, on August 20, 1938, reported a sentence stated by Mussolini on its front page: «Land and race are inseparable and through the land the history of the race is made, and the race dominates and develops and fertilizes the land». This sentence was accompanied by Giuseppe Di Giovannelli's editorial *Razzismo fascista e razza italica* (Fascist racism and the Italian race)», in which he stated that it was necessary to «prevent access to those who pressing the borders» and limit their «participation in the life of the State», while in «the Empire the intermingling of the Italic race with others must be absolutely prevented». Di Giovannelli wrote several racially motivated articles in the periodical, receiving praise from Minister of Popular Culture, Dino Alfieri, who even sent him a telegram giving «the Duce's congratulations» on how the newspaper had «well interpreted the superior directives regarding the problem of race».<sup>91</sup> The existence of this small press review on the issue denotes how the academic authorities were following the debate and to what level the

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<sup>85</sup> For the first time, the legitimacy of private universities was approved in the tripartite division which was forecast in the Gentile Reform. Alongside the public universities financed by the State and the consortium ones supported by local authorities to which the State contributed in part, the free and private universities could confer degrees and academic ranks.

<sup>86</sup> See *Annuario della Università degli Studi di Urbino. Anno accademico 1938-39*, Urbino, 1940, p. 214-215; P. Fraternali Cesaroni, E. Torricco, *Gli ebrei in Urbino dalle leggi razziali alla liberazione della città (1938/44)*, in P. Giannotti, E. Torricco (a cura di), *Urbino tra le due guerre. Memoria pubblica e privata*, Urbino, Quattroventi 2001, pp. 84-85; Andrea Bianchini, *La persecuzione razziale nel pesarese, 1938-1944*, in R. P. Uguccioni (a cura di), *Studi sulla Comunità ebraica di Pesaro*, Fondazione Scavolini, Pesaro 2003, pp. 94-127.

<sup>87</sup> *Ivi*.

<sup>88</sup> The non-teaching staff consisted of 2 members of the technical staff, 5 members of the administration, 4 members of the so-called subordinate staff. Cf. *Annuario della Università degli Studi di Urbino. Anno accademico 1938-39*, Urbino 1940.

<sup>89</sup> In addition to the aforementioned essay written by Torricco and Cesaroni, the author will refer also to the degree thesis in *Storia del diritto italiano* by Antonio Conti to reconstruct the racial persecution in the Free University of Urbino. Cf. Antonio Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, Tutor: Prof. Filippo Marra, Facoltà di Giurisprudenza, A.A. 2006-2007. The author thanks Dr. Conti for sending his research, and for their availability, Dr. Antonio Munari and Dr. Angela Angeli who was responsible for the Archive at the University of Urbino, Dr. Giuseppe Ventrella of the University of Bari and Dr. Maria Luisa Moscati Benigni for sending her scholarly papers. Moreover, the author thanks Simona Salustri and Tommaso Dell'Era for pointing out some documents and folders.

<sup>90</sup> Archivio dell'Università degli Studi di Urbino Carlo Bo (henceforth AUU), *Direzione Amministrativa*, b. 15, *fascicolo 9*.

<sup>91</sup> The telegram was reported in the August 27, 1938 issue above the anti-Semitic article «*E parliamo di ebrei*». On the anti-Semitic policy of *L'Ora* see Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, pp. 56, 70.

propaganda had reached, even in the province, to make public opinion accept the anti-Semitic regulations.

The first letter in the correspondence was sent by the MEN to the *Rettore* of the University of Urbino on August 16, 1938. It was *Circolare* No. 12336 dated 9 August which provided for the census of the «personnel of the Jewish race»<sup>92</sup>. As had happened at the University of Macerata, in a short time the forms, sent with the letter, were delivered to all the staff members to be filled in. The following September 19, the *Rettore* sent back forty completed forms to the Ministry. Among them were also those of the professors who would later be expelled: Cesare Musatti, Isacco Sciaky and Renato Treves. In this first dispatch, there was also the form for the University *economocassiere* (treasurer) Angelo Coen, while the one for the Librarian Ettore Bemporad would be filled out in November<sup>93</sup>. These are the five University members who would later be expelled for being of the «Jewish race». Except for Musatti, the others had claimed to be members of the Jewish Community and to worship the Jewish religion<sup>94</sup>. No «professors *emeriti* and *onorari* of the Jewish race» seemed to be present in the University<sup>95</sup>, as well as any *assistenti ordinari*, professors *straordinari*<sup>96</sup>.

Professor Cesare Musatti was born of a mixed marriage<sup>97</sup>. In the census form, under letter ‘e’, which asked «whether the conversion to another religion was made by himself or his ancestors», he wrote that his «deceased father Elia had made a public declaration of renunciation of the Jewish religion»<sup>98</sup>. He had already written about his position to the *Rettore* in a letter dated August 11, 1938:

«Illustrious *Rettore*, the announced racist measures worry me quite a bit, especially for my position as an *incaricato* in this University. I do not know what the fact that I am of mixed blood could constitute, in what will be the regulations issued by the Regime, an element that would exclude me from the provisions mentioned above. In any case, I want you to know my exact position as of now, in order not to be exposed – solely on the basis of my Jewish surname - to measures which may not take into account individuals who find themselves in my same condition. Hence, I provide you with my personal details, which I beg you to bear in mind both for the requests from the Ministry and for the deliberations of this University. For the purposes of the only meaning that the word Jew has in the legislation currently in force, I am not a Jew: not having been registered at birth, nor subsequently in the Jewish community, from which my deceased father, who was born a Jew,

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<sup>92</sup> AUU, *Direzione amministrativa*, b. 15 fasc. 9.

<sup>93</sup> Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 130-131.

<sup>94</sup> *Ibid.* p. 132. AUU, *Direzione amministrativa*, b. 84, fasc. *Pratica studenti e professori di razza ebraica*.

<sup>95</sup> ACS, MPI, Dir. Gen. Ist. Sup., *Miscellanea di divisioni diverse (I-II-III)*, (1929-1945), b. 110, fasc. *Professori emeriti ed onorari di razza ebraica. Quesiti*, The *Rettore* di Urbino's reply dated 9 January 1939 to the circular of the MEN on 27 December 1938, on: Professori emeriti ed onorari di razza ebraica. Prot. 7589. Also in the other six personal files which were later sent by the *Rettore* to the MEN there are no evidence of professors and *assistenti* of «Jewish race» at the University of Urbino. Cf. *Ibid.* *Rettore's* letter to the MEN, February 23, 1939.

<sup>96</sup> Cf. ACS, MPI, Dir. Gen. Ist. Sup., *Miscellanea di divisioni diverse (I-II-III)*, (1929-1945), b. 109, fasc. *Assistenti di ruolo Dispensa dal servizio*, Elenco degli aiuti ed assistenti ordinari, straordinari, incaricati e volontari che appartengono alla razza ebraica ai sensi dell'art. 6 del RDL – 5 settembre 1938, n° 1390.

<sup>97</sup> Cesare Musatti was born in Mira, near Dolo (Venice), on September 21, 1897. His father, Elia, was Jewish while his mother, Emma Lanza, was Catholic. After graduating in *Filosofia* at the University of Padua, he became *assistente* of Vittorio Benussi of whom, after his suicide, he took over the direction of the *Istituto di Psicologia*. In 1928, Musatti was qualified to *libera docenza*, and, in 1937-38 academic year, he was appointed to teach *Psicologia sperimentale* at the Faculty of *Magistero*, University of Urbino. When he took up service at the Urbino University, Cesare Musatti resulted to be Professor with the highest number of scholarly publications. Cf. AUU, *Affari Personali Docenti (d'ora in poi APD)*, fasc. *Cesare Musatti; Annuario dell'Università degli Studi di Urbino*, Anno Accademico 1937-38, Urbino 1939, pp. 128-129. For a complete biography of Cesare Musatti, see also: Michel David, *La psicoanalisi nella cultura italiana*, Torino, Bollati e Boringhieri 1970, pp. 66, 209-213; Rodolfo Reichmann, *Vite e opere di Cesare Musatti*, I, *Cesare Musatti psicologo (1897-1938)*, Milano, Arpa 1996; Luciano Mecacci, *Cesare L. Musatti*, in *Enciclopedia italiana di scienze, lettere ed arti. Il contributo italiano alla storia del pensiero. Ottava appendice*, Roma, Istituto della Enciclopedia Italiana, 2013, pp. 680-683, and Musatti's archives available at <https://www.aspi.unimib.it/collections/object/detail/70/>.

<sup>98</sup> Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 132.

came out of (with a public act as required by the current laws of the State on the Jewish communities). From a racial point of view, I am, so to speak, 50 % Jewish, and that is on my father's side: my mother being from a Catholic family and of Italian race (in the definition which has now become official). My wife is also in my mother's condition, as were my two previous deceased wives. Please accept, Illustrious *Rettore*, my most devoted and cordial regards. Yours, Cesare Musatti».<sup>99</sup>

At the opening of the academic year, the *Rettore* of Urbino and *preside* (dean) of the Faculty of *Magistero*, Pietro Reborà, reassured Musatti that his position would be confirmed<sup>100</sup>. Not so was the situation at the University of Padua, where Musatti headed the prestigious *Istituto-Laboratorio di psicologia*. At the University of Padua, he faced strong hostility from the *preside* of his Faculty for the direction he had given to his course in *Psicologia sperimentale*, also provoking several «complaints» among the students<sup>101</sup>.

Making Musatti's position even more complicated were the deliberations issued by the *Gran Consiglio del fascismo* (Fascist Grand Council) on October 6 to determine who should be considered of «Jewish race». On the definition of members of the «Jewish race», Art. 8, 1st c. at point D of *Regio Decreto-Legge* of November 17, 1938, No. 1728 it provided that:

«a person considered to be of Jewish race is anyone who, despite being born to parents of Italian nationality, even if only one of whom is Jewish, belongs to the Jewish religion or is, in any case, registered with a Jewish community or has manifested his Judaism in any other way».

The second point provided that:

«a person is not regarded as Jewish if both parents are of Italian nationality, even though only one of them is Jewish, but who belongs to another religion other than the Jewish one as of October 1, 1938-XVI».<sup>102</sup>

Musatti perceived that these new indications could create doubts about his status, having declared in the census form that he professed no religion and that the renunciation of Judaism had been made by his father and not by him. To protect himself, on October 9, he wrote a letter to the *Rettore* of Padua, sending a copy to the *Rettore* of Urbino as well, in which he reiterated that the criteria set by the *Gran Consiglio del fascismo* did not change his position<sup>103</sup>.

The situation seemed to have cleared up and, on October 14, the *Consiglio della Facoltà* (Board of the Faculty) of *Magistero* deliberated on the request for the «appointment of Professor Cesare Musatti of the R. Liceo Tito Livio of Padua, to whom is renewed the assignment of *psicologia sperimentale*, for the teaching of *filosofia* and *storia della filosofia* and expresses his sincere hope that this proposal will be accepted by the higher authorities»<sup>104</sup>.

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<sup>99</sup> Ivi, pp. 160-163.

<sup>100</sup> Ivi, p. 161.

<sup>101</sup> From the 1936 the Faculty of *Medicina* and of *Giurisprudenza* had removed his teaching position from their system. Cf. A. Ventura, *Le leggi razziali all'Università di Padova*, in Id. (a cura di), *L'Università dalle leggi razziali alla Resistenza*, Padova, CLEUP, 1996, pp. 188-189.

<sup>102</sup> The «*Carta della Razza*» was launched by the Grand Council of Fascism, and its contents were later included in the *Regio Decreto-Legge* of November 17, 1938, No 1728 (*Provvedimenti per la difesa della razza italiana*). Sarfatti M., *Documenti della legislazione antiebraica. Le circolari*, in «La Rassegna Mensile d'Israël», vol. LIV, n. 1-2, 1988, pp. 71-76. Relating the anti-Semitic regulations in Italy, see M. Sarfatti, *La persecuzione fascista nelle scuole e nelle università*, in «Rivista di storia dell'educazione. Periodico del Centro Italiano per la Ricerca Storico-Educative», 2/2019, Pisa, Edizioni ETS, pp. 11-29.

<sup>103</sup> A copy of letter sent to the *Rettore* of Urbino is kept in AUU, *Corrispondenza Ricci*, b. 5. Most of the letter was related by Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 162, n. 167.

<sup>104</sup> AUU, *Direzione amministrativa*, b. 84, fasc. Ordinamento Universitario, s.fasc. Designazioni incarichi a.a. 1938.



On October 17, perhaps sensing that his declaration of not professing any religion could harm him, Musatti joined the Waldensian Church. The choice was thwarted by the regime's later decision to consider religious affiliation only from the period preceding October 1, 1938<sup>105</sup>.

On November 11, Minister Bottai sent a telegram in which he approved the assignments proposed by the University of Urbino, specifying that they were to be given to «persons of Italian race and members of the P.N.F.» In addition, he proclaimed that «the assignment of *psicologia sperimentale* filosofia and storia della filosofia should be postponed, and that he will reserve the right to further communications». As a result of this message, the *Consiglio d'amministrazione* (Board of Trustees of the University) was forced to suspend Musatti's appointment, a suspension that was also decided by the University of Padua but not by the ministerial *Direzione generale delle scuole medie classiche* (General Directorate of the Classical Secondary Schools) on which he depended. Musatti could therefore continue to teach *Filosofia* and *Storia* at the *Liceo Tito Livio* in Padua.<sup>106</sup> On this paradoxical situation, he would later write, «For the university I was Jewish and therefore excluded from teaching, but for the liceo I was Aryan, as I was for the Army (so much so that I had served a few months on the French-Italian front) ».<sup>107</sup>

On December 23, the MEN informed the University of Urbino via telegram that new proposals had to be proposed for teaching assignments in *Psicologia sperimentale*, *Filosofia* and *Storia della filosofia*. Having learned of the matter, Musatti attempted to delay the decision to appoint other professors and wrote to *Rettore Ricci* announcing that he had new papers that could «definitively» clarify his position:

«meanwhile, however, my situation has changed. I knew that as a child, shortly after my birth, I had been secretly baptized thanks to the efforts of my maternal grandmother, but I did not believe that this clandestine baptism had full validity for the Church. Instead, the church authorities recognized full canonical validity to the baptism, for which – having been registered - I was able to request the certificates. Thus, belonging to the Catholic religion as of October 1, I should be free from any danger. I reported this to the Ministry, and I was told that if that is the case my situation can be examined for Urbino».

The baptism certificate issued on December 28 by the Roman parish of Santa Maria in Traspontina was attached to the letter.<sup>108</sup> According to Musatti's version, the certificate was false but still allowed him to be considered an «Aryan».<sup>109</sup> This situation allowed Musatti to continue teaching in the *Licei*, but the possibility of being able to return to the University of Urbino was definitively cancelled on March 18, 1939, when the Faculty Council of *Magistero* approved the appointment of Vincenzo La Via as the new assigned of *Psicologia* in place of Musatti<sup>110</sup>. The decision of the Faculty Council

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<sup>105</sup> R. Reichmann, *Vita e opere di Cesare Musatti*, pp. 311-312. See also Mauro Antonelli and Aurelio Molaro, *Cesare Musatti e le leggi razziali in alcuni documenti*, in *Razza e Istruzione. Le leggi antiebraiche del 1938*, E-book, Università degli Studi Milano Bicocca, 2021, pp. 307-312.

<sup>106</sup> On the whole matter see Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 164-166.

<sup>107</sup> In 1940, since Musatti was not considered a Jew, he was called to duty and served for a few months on the front line. Cf. Musatti C., *Chi ha paura del lupo cattivo*, Roma, Editori Riuniti 1988, pp. 96-97; R. Finzi, *L'università italiana e le leggi antiebraiche*, Roma, Editori Riuniti, 1997, p. 48.

<sup>108</sup> Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 167-168.

<sup>109</sup> It seems that Musatti was baptized without his father's knowledge when he was only three months old. The Catholic baptismal certificate was issued to him on June 9, 1939. Cf. A. Ventura, *Il fascismo e gli ebrei*, p. 161, foot-note No 157.

<sup>110</sup> Vincenzo La Via (Nicosia 28 January 1895 – San Gregorio di Catania 1982), after obtaining the *libera docenza* on 26 December 1925, taught *Storia della filosofia* firstly in Genoa in 1932 and then in Urbino where he also taught *Filosofia* and *Psicologia*. After winning the competition in 1940, he later became professor *ordinario* of *Filosofia teoretica* in Messina where, from 1946 to 1954, he covered the role of *preside* of the Faculty. In 1957 he was called to teach at the University of Catania where he remained until the end of his university career in 1965. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 271, fasc. *La Via Vincenzo*; P. Donatelli, *La Via, Vincenzo*, DBI, vol. 64, 2005.

would be approved by the *Senato accademico* (Academic Senate) that same day<sup>111</sup>. La Via had already been proposed by the Faculty of *Magistero* on the previous 8 February for the assigned of *Esercitazioni di Filosofia* and *Storia della Filosofia*. This decision was approved by the *Senato accademico* on that same day<sup>112</sup>.

The subsequent correspondence shows how the *Rettore* did everything possible to reopen the issue and to keep Musatti's position teaching in *Psicologia sperimentale*. Even when it came to confirming the appointments already given out for the 1938-39 academic year, the teaching of *Psicologia* was not assigned. These signs comforted Musatti, who did not give up and tried to have the position reassigned to him in every way possible. Hope was given on July 22, 1939, when the Ministry responded to a letter that *Rettore Ricci* had sent the previous May 19, asking for clarification on Musatti's position. The *direttore generale* of the *Istruzione Superiore* of the MEN informed him that «on the basis of new documents presented, Professor Cesare Musatti, ordinario di storia e filosofia in the RR. Licei, should be considered, for all intents and purposes, as belonging to the Aryan race»<sup>113</sup>. The decision of the Ministry could probably be attributed not only to the baptismal certificate, but also to the additional documentation that Musatti had provided the Ministry of Internal Affairs regarding the application of racist laws. In fact, thanks to the senior Rabbi of Venice, he managed to obtain certification that his registration did not appear in the registers of the Jewish community of the city and that he had not been circumcised because he was born prematurely and judged «non-viable»<sup>114</sup>.

Thanks to this ministerial response, the Faculty council of *Magistero* decided on September 26, 1939 to reappoint Musatti for the new 1939-1940 academic year and sent it to the Ministry for authorization. However, confirmation from the MEN would not arrive because the *Rettore* of the University of Padua had sent a report to the same Ministry in which Musatti was «described in very gloomy hues» with «insinuations regarding alleged “serious and well-known moral and disciplinary inconveniences”»<sup>115</sup>. The *Rettore* of Padua University, Carlo Anti, had objected to the reappointment of his position for unspecified reasons of «political expediency»<sup>116</sup>. Not only did Musatti not get his role back at the University, but he was also transferred as a secondary school teacher from Padua to Vittorio Veneto. Probably, due to the false certificates, he then managed to get transferred to the *Liceo Classico Parini* in Milan where his wife also taught<sup>117</sup>.

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<sup>111</sup> ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 98bis, fasc. *Università di Urbino. Incarichi d'insegnamento 1938-39*, certified copy extract of the meeting of the *Senato Accademico* on 18 March 1939.

<sup>112</sup> Cf. Ivi, certified copy extract of the meeting of the *Senato Accademico* on 8 February 1939.

<sup>113</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 341, fasc. Musatti Cesare. On 8 May, the MEN inform the *Provveditore agli studi* in Padua to reserve the right to take a decision until the Ministry of Internal Affairs has made its opinion known. On the following 7 July, the MEN again inform the *Provveditore* «that no measure should be taken against the interested party, who must be considered, to all intents and purposes, as belonging to the Aryan race». ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 341, fasc. Musatti Cesare.

<sup>114</sup> Fraternali Cesaroni, Torrico, *Gli ebrei in Urbino*, p. 89, n. 89.

<sup>115</sup> These accusations and insinuations will be later denied by an autographed declaration written on January 25, 1940, by Emilio Bodrero, Professor of the Faculty of *Lettere e filosofia* at the University of Padua and considered a «fascist above all suspicion». Ventura, *Le leggi razziali all'Università di Padova*, p. 191.

<sup>116</sup> Finzi, *L'università italiana e le leggi antiebraiche*, p. 49.

<sup>117</sup> On November 14, 1941, the Ministry of Internal Affairs was informed that the two spouses had criticized the regime and that «they were sure of the loss of the war by Germany and Italy». From now on, both Musatti and his wife are monitored by the political police. On 26 December, the Milan Police Headquarters reassured the Ministry about the Musatti's conduct. In the report, the *questore* refers that «for demonstrating that he complied with the regime's directives», he had been struck off the list of subversives, where he had been included as the son of the former socialist deputy Elia. The letter also mentions that he had joined the PNF in 1933, that he had participated in war actions on the Western Front with the rank of captain and that he «always takes part, in fascist uniform, in regime demonstrations». While in reference to his wife, it is only reported that she had joined Female Fasci Groups. ACS, MI, Dir. Gen. PS (1861-1981), Div. Pol. Pol. (1926-1945), b. 882, fasc. 1.

The Psychologist wrote a heartfelt letter about his situation to the *Rettore* of Urbino on November 25, 1939:

«I am disheartened and humiliated not only by the very serious consequences of this entire situation, but also because I feel the weight of all the defamatory accusations that I do not understand and whose content I am not aware of, without any possibility of defending myself, because they do not want to grant me such possibility. [...] For weeks now I have been reviewing my unfortunate life in search of anything that might have given some pretext to the accusations. I just allow myself to tell you that if there had been any communication made to you at the Ministry that would enable you to perceive the accusations made against me in any field (political, racial moral didactic, moral or whatever), I would be extremely grateful for any indications that could somehow put me in condition to orientate myself».<sup>118</sup>

The reasons for Musatti's removal from the University were never clarified. As Ventura writes: «bearing an illustrious and unmistakable Jewish name», an anti-Fascist, an «enthusiast of what was considered a 'Jewish science'», and in the status of «mere professor incaricato», Musatti was easily attacked by those who «opposed the psychoanalytic direction of his teaching»<sup>119</sup>.

It is no coincidence that the teaching of *Psicologia* at the University of Urbino should have been definitively assigned to Professor La Via who, however, after winning the 1940 competition, was effectively replaced by Gustavo Bontadini. The *Rettore* of Urbino made no mention of Musatti's situation in his report for the 1939-1940 academic year<sup>120</sup>.

In 1943-45 Musatti managed to escape the Nazi-Fascist roundups by taking refuge in Ivrea at the Olivetti factories where the President of the company, Adriano Olivetti, had often employed him as a Psychologist consultant in organizational development projects in order to improve the quality of life of the workers within the company. During this period at Olivetti, Musatti set up a Psychology laboratory, which he would later develop, marking the birth of *Psicologia del lavoro* in Italy. Immediately after the war, he carried out trade union and political activities within the ranks of the Socialist Party. In 1945 he resumed teaching in the Faculty of *Lettere and Filosofia* at the University of Milan where he became a professor *ordinario* in 1948. The following year he published the renowned *Trattato di psicoanalisi* (Einaudi), and, in 1955 became editor of the *Rivista italiana di psicoanalisi*. This leading figure of Italian psychoanalysis died in Milan on March 20, 1989<sup>121</sup>.

In addition to Musatti's case, another doubtful one at the University of Urbino was that of Fabio Cusin who taught *Storia* at the Faculty of *Magistero*<sup>122</sup>. Cusin was also considered to be result of a «mixed marriage» having declared that his mother was Catholic and his father Jewish by birth (he

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<sup>118</sup> AUU, *Corrispondenza Ricci*, b. 5. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 177-178.

<sup>119</sup> Ventura A., *Il fascismo e gli ebrei...*, pp. 163-166.

<sup>120</sup> Bontadini kept on teaching *Psicologia* in the following years until the academic year 1942-43; according to available sources, at least from 1944-1945, and after the war the post was given to Armando Benfenati (on whom cf. below). On Bontadini see MPI, DGIS, Div. I, Liberi docenti II serie 1930-1950, b. 65. For the mentioned *Rettore's* report see Marra, L. Sichirollo (a cura di), *Relazioni dei Rettori e discorsi inaugurali dei docenti nella Libera Università degli Studi di Urbino, 1864-1946*, tomo III 1917-1946, Università degli studi di Urbino, Urbino 1997, pp. 1945-1953.

<sup>121</sup> Cf. R. Reichmann, *Musatti*, *Cesare*, DBI, vol. 77, 2012; L. Mecacci, *Cesare L. Musatti*, in *Enciclopedia italiana di scienze, lettere ed arti*, pp. 680-683. Some periods in his life are also described in C. Musatti, *Mia sorella gemella la psicoanalisi*, Editori Riuniti, Roma, 1982.

<sup>122</sup> At the Faculty of *Magistero* Cusin was a lecturer of *Storia medievale e moderna*, professor *incaricato* in *Storia medievale e moderna*, *Geografia*, *Storia dell'arte medievale e moderna*. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 151, fasc. *Cusin Fabio*.

had, however, abandoned the Jewish religion and in 1902 was married with a Catholic rite)<sup>123</sup>. He himself declared in the form to be of the Catholic religion, because, although he was a child of a mixed marriage, he had been baptized at birth before the enactment of the deadline of October 1, 1938.<sup>124</sup> Although he had remained immune from the application of the racist laws and had retained his position at the University, Cusin experienced, with some upset partly because of his anti-Fascist views,<sup>125</sup> the possibility of sooner or later being subjected to the oppression of the regime. The *preside* of the Faculty of *Magistero*, Reborà, in a letter sent to the *Rettore* on November 8, described his condition as follows:

«Cusin was here with me a few days ago, more upset than usual. He did not want to deal with degrees; but I hope I was able to persuade him to be present next Sunday and to cover the role of supervisor for three dissertations».<sup>126</sup>

The relations between the *preside* and Cusin were not good, probably due to their different views regarding the regime. On March 12, 1940, Reborà informed the *Rettore* that:

«I had a close confrontation with Prof. Cusin (Professors La Via and Ronconi were also present), which I hope was beneficial to him. Unfortunately, he loses his temper very easily, not always of his own free will. I hope, however – also for his own sake – that he has understood».<sup>127</sup>

Despite these last statements by *preside* Reborà, Cusin maintained his ideas as was also certified years later in the official report for purge of the University: «It turns out that he has always expressed political ideas contrary to Fascism. He deserves to keep his professorship»<sup>128</sup>.

After the war, Cusin continued to teach at the University of Urbino where in December 1950 he was appointed professor *straordinario* of *Storia* in the Faculty of *Magistero* and on June 14, 1954, he became professor *ordinario*. During that same period, he also taught *Storia Medioevale* at the University of Trieste<sup>129</sup> and carried out intense political activities in the ranks of the «*Blocco Triestino*» on whose lists he was elected city councilor in the 1952 administrative elections. His speeches, considered by the local authorities to be «anti-Italian» were often reported in the pro-Slavic Italian language daily newspaper *Il Corriere di Trieste*. Due to his «Slavic-communist» tendencies,

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<sup>123</sup> Fabio Cusin was born in Trieste on August 3, 1904, his father Cesare came from Jewish family, while his mother Marianna Girardelli was Catholic. Graduated in *Economia politica* in Florence, his strong passion for history led him to write numerous essays and volumes on the Trieste's identity. He will face great troubles for entering in the academic institution due to his opposing view against the fascist ideology. He will definitively obtain the chair of *Storia* at the University of Urbino in 1950. After the war he will embrace autonomist ideas for the city of Trieste, a position he will defend as editor of the *Giornale di Trieste* and as city councilor for the *Blocco triestino*. He died in his hometown on May 27, 1955. Among his most discussed works: *L'italiano: realtà e illusioni*. Roma, Atlantica, 1945 and *Antistoria d'Italia*. Torino, Einaudi, 1948. Cf. E. Santarelli, *Fabio Cusin*, «Belfagor», fasc 1, January 31, 1993. Firenze, Olschki, 1993; Giorgio Spini, *Fabio Cusin*, Università degli studi di Urbino, 1956.

<sup>124</sup> In the personal file for the racial census drawn up on 5 September 1938, Cusin writes that he professes the Catholic religion and has been so since birth. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 151, fasc. Cusin Fabio; Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 158-160.

<sup>125</sup> Cusin will be subjected to police control because he joined an anti-fascist organization known as *Unione Goliardica per la Libertà* since 1925. Cf. Ivi., p. 230.

<sup>126</sup> Ivi, p. 159, n. 161.

<sup>127</sup> In case Cusin was expelled, the *preside* had already designated prof. Francesco Valli for teaching *Storia*. Cf. Ivi.

<sup>128</sup> R. Giacomini, *Urbino, 1943-44 (cronache e documenti)*, Urbino, Argalia, 1970, p. 208.

<sup>129</sup> ACS, MPI, Dir. Gen. Ist. Univ., Fascicoli professori ordinari, III versamento (1940-1970), b. 143, fasc. *Cusin Fabio*.

he was registered in the CPC<sup>130</sup>. His positions led him to have several conflicts with the local academic environment which would accompany him until his death<sup>131</sup>.

The academic and ministerial authorities had fewer doubts in dismissing Professor Isaac Sciaky from teaching. A native of Thessaloniki, where he was born in 1896,<sup>132</sup> after graduating from the Faculty of *Filosofia* in Florence he became a professor *ordinario* in *Filosofia, Storia* and *Economia politica* at the *Liceo Galileo Galilei*. After having also taught *Filosofia* at the *R. Liceo* in Alexandria, Egypt, on September 30, 1936, he was qualified to *libera docenza* in *Filosofia*<sup>133</sup>. In the 1936-37 academic year, he obtained his first position at the Florentine University in *Filosofia teoretica*. In November 1937 he applied to teach *Filosofia, Storia della Filosofia* or *Pedagogia* at the University of Urbino. On December 28, 1937, the Council of the Faculty of *Magistero* at the University of Urbino appointed him *vice-preside*, and, on the following 20 January, the *Consiglio d'amministrazione* accepted his request. Prof. Sciaky was assigned four disciplines at the Faculty of *Magistero: Filosofia, Storia della filosofia, Pedagogia e Lingua e letteratura francese*<sup>134</sup>.

A convinced Zionist, he was among the promoters of the *Scuola centrale di istruttori* for the military preparation of Jewish youth which, with the consent of the Italian government, established a Jewish section at the *Scuola marittima di Civitavecchia* in 1934<sup>135</sup>. Contrary to the British mandate in Palestine, the political commitment of Sciaky, who was referred to as the «enfant terrible of Italian Zionism»<sup>136</sup>, also took place through the collaboration with the journal *L'idea sionista*. In September 1935, he was designated as a delegate by the Ministry of Foreign Affairs to follow the Congress for the foundation of the New Zionist Organization in Vienna<sup>137</sup>.

His studies of *Filosofia*, particularly on Rosseau, Kant and Descartes, were published in the leading Italian philosophical and cultural journals.<sup>138</sup> Appreciated for his fervent scholarly activity and his ability to excite and attract young people, he was esteemed by the entire academic institution of Urbino. When it came to replacing him, this aspect was underlined by several teachers, including Professor Lino Salis who wrote to the *Rettore* on October 9, 1938:

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<sup>130</sup> ACS, MI CPC, Fascicoli personali 1944-1967, b. 19, fasc. *Cusin Fabio*.

<sup>131</sup> Cusin had a hard dislike towards the *Rettore* of the University of Trieste, Angelo Ermanno Cammarata. In the academic year 1951-1952, the University of Trieste did not renew his teaching assignment. On 13 November 1951, on the opening of the academic year, Cusin published a harsh article against the *Rettore* in the newspaper *Il Corriere di Trieste*, accusing him of being nostalgic for the past regime. The University, also due to his political ideas, asks the *Ministero della pubblica istruzione* to take disciplinary measures. The question and the controversies that accompanied it continued until Cusin's death in May 1955. ACS, MPI, Dir. Gen. Ist. Univ., Fascicoli professori ordinari, III versamento (1940-1970), b. 143, fasc. *Cusin Fabio*.

<sup>132</sup> In Thessaloniki, Sciaky completes his studies in the Italian school up to the first year of the Faculty of *Lettere*. In 1917, during the Great War, he was forced to leave Thessaloniki when the entire neighborhood was set on fire. He finds refuge in Rome where he continues his studies and then continues them in Livorno thanks to the contribution of the local Jewish communities. In 1920, he marries Beatrice Gattegna, also a refugee from Thessaloniki. After moving to Florence, he becomes editor-in-chief of the weekly «Israel». After being in Tripoli, where on behalf of the Zionist Organization he dealt with the reform of Tripoli's Jewish schools, he returns to Italy in 1926. M.L. Moscati, *Sciaky, il filosofo che scriveva al Duce, il Resto del Carlino*, June 1, 2010.

<sup>133</sup> ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 452, fasc. *Sciaky Isacco*.

<sup>134</sup> AUU, APD, *Fascicolo personale di Isacco Sciaky*. For an exhaustive biography on Sciaky, see also Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, pp. 90-92; Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 233-236.

<sup>135</sup> R. De Felice, *Storia degli ebrei italiani sotto il fascismo*, Torino, Einaudi 1993, pp. 168-173.

<sup>136</sup> A. Rofè, *Diversità ideologiche nel sionismo italiano: Cassuto, Pacifici, Artom, Sciaky*, in «Free Ebrei», III, September 2, 2014, in <http://www.freeebrei.com/anno-iii-numero-2-lugliodicebre-2014/alexander-rofe-diversita-ideologiche-del-sionismo-italiano> (last visit on March 25, 2022).

<sup>137</sup> De Felice, *Storia degli ebrei italiani*, p. 174. On Sciaky's political activity, see: V. Pinto (a cura di), *Sciaky I, Il salonicchiota in nero. Ebraismo e sionismo nella Nuova Italia fascista (1918-38)*, Livorno, Belforte 2009; Id. *Stato e libertà. Il carteggio Jabotinsky-Sciaky (1924-1939)*, Soveria Mannelli, Rubbettino 2002.

<sup>138</sup> List of Sciaky's publications can be found in the *Annuario della Università degli Studi di Urbino. Anno accademico 1937-38*, Urbino, 1939, p. 131.

«I imagine that Sciaky's replacement must cause you quite an amount of concern: with all his defects, he was a man who was truly interested in the school and had even managed to gain a certain influence over the students».<sup>139</sup>

Effectively, the biggest worry for the academic bodies was precisely the reorganization of the faculty's activities. On September 24, 1938, the *Rettore* informed the Ministry that the «professors of Jewish race» had been excluded from the graduate sessions<sup>140</sup> while on September 28, he wrote that he would make proposals for Sciaky's replacement by October 15.<sup>141</sup> For the 1938-39 academic year, Sciaky was replaced by: Carlo Bo for *Lingua e letteratura francese*<sup>142</sup>, Antonio Sammartano for *Pedagogia*<sup>143</sup> and Vincenzo La Via, who took over the teaching of *Storia della filosofia e di Filosofia*<sup>144</sup>. Both Sammartano and Bo maintained their professorships in the following years, only La Via, who moved to Messina in 1940, was replaced by *libero docente* Aldo Testa for the teaching of *Storia della filosofia* and by *libero docente* Gustavo Bontadini for *Filosofia*<sup>145</sup>. It should be noted

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<sup>139</sup> The letter is cited in Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 148-149. Salis was a *libero docente* in *Istituzioni di diritto civile*, professor *incaricato* of *Istituzioni di diritto private*, *Diritto civile* and *Diritto coloniale*.

<sup>140</sup> AUU, APD, *Direzione amministrativa*, b. 15, fasc. Razza. On the same day, with a separate letter, *Rettore Ricci* also communicated to the MEN that there were no «*Presidi* of Jewish race» at the University of Urbino. Cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 149.

<sup>141</sup> Ivi. Cf. also ACS, MPI, Dir. Gen. Ist. Sup., *Miscellanea di divisioni diverse (I-II-III)*, (1929-1945), b. 110, fasc. *Razza Varie*, University of Urbino to the MEN, 28 September 1938, reply to the note dated 8 September on: *Personale di razza ebraica*. In the Faculty of *Magistero* Sciaky had been substituted in the teaching of *Filosofia*, *Pedagogia* and *Storia della filosofia* (along with *Lingua e letteratura francese*).

<sup>142</sup> Carlo Bo (Sestri Levante, January 25, 1911 - Genoa, July 21, 2001), from 1947 until his death, held the position of *Rettore* of the University of Urbino. The city later awarded him as an honorary citizen as of 1959. In 1984, he was appointed *Senatore a Vita* of the Italian Republic and, since 2003, the University has been named after him. A. Lucidi, *Bo. Una biografia*, Ancona, Il Lavoro Editoriale, 2021.

<sup>143</sup> Antonino Sammartano (Mazara del Vallo, January, 17, 1897 - July, 30, 1986). He was a member of the Pnf, and a co-founder of the Mazara del Vallo Fasces of Combat on November 1, 1921. In 1925, he adhered to the «Manifesto of Fascist Intellectuals», and started his collaboration with the magazine *Critica fascista* founded by Bottai. After teaching in secondary schools, in 1933 he became headmaster at the Royal high school gymnasium of Adria (RO). On 23 May 1935, he obtained by the MEN the *libera docenza* in *Pedagogia* mainly thanks to his political curriculum rather than for his papers: «headmaster in the R.R. Magisterium High Schools, fighter, a decorated war veteran, he attended the March on Rome and, winner of the educational activity competition in 1933». Professor *incaricato* at the University of Urbino from 1938 to 1941, on 3 August 1942 he was transferred to the Faculty of *Lettere e filosofia* at the University of Rome. On August 29, 1942, his qualification as *libero docente* in *Pedagogia* was definitively confirmed. After the war, probably due to his involvement with the regime, he was forced to retire. In 1949, Sammartano was reintegrated at the University of Urbino by the Council of State. In 1953, as a member of the far-right party *Movimento Sociale Italiano*, he ran for the Senate of the Italian Republic, he did not succeed in getting elected. ACS, MI, Dir. Gen. Istr. Sup., Div. I, *Liberi docenti II serie (1930-1950)*, b. 439, fasc. Sammartano Antonio; G. Inzerillo, *Nino Sammartano. Un pezzo di diavolone olivastro*, Mazara del Vallo, Istituto Euro Arabo, 2008.

<sup>144</sup> The decision to assign to Prof. La Via the teaching of philosophical subjects, which were previously held by Sciaky, was taken by the Faculty council of *Magistero* during the meeting of March 18, 1939. On the same day, this decision was approved also by the *Senato accademico*. After the *Rettore* sent the resolutions to the MEN, the official authorization was brought to Urbino on April 4, 1939 and it was ratified by the governing body on April 5, 1939. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, *Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949)*, b. 98bis, fasc. *Università di Urbino, Incarichi d'insegnamento 1938-39*; Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 170-171.

<sup>145</sup> Meanwhile Bo became Professor *straordinario* and was substituted by Giuseppe Paioni only in 1944-1945, while Sammartano kept his role to teach *Pedagogia* until 1943-1944, when he was substituted by Vincenzo La Via. In 1944-1945 the position was assigned to Benfenati and in 1945-1946 to Arturo Massolo. We find Sammartano assigned to teach *Pedagogia* at Urbino from 1949 to 1950. In regards to *Storia della filosofia*, Testa kept this teaching position until 1944-1945 when he was substituted by Arturo Massolo; *Filosofia* was instead assigned to Bontadini until 1944-1945, when he was substituted by Massolo, but got the assignment back in 1945-1946. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, *Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949)*, b. 24, fasc. *Urbino Univ. Incarichi d'insegnamento 1940-41*; b. 27, fasc. *Università di Urbino, Incarichi d'insegnamento 1941-42*; b. 30, fasc. *Università di*

that with the enactment of the anti-Semitic provisions, several teachers applied to take over the positions left by those dismissed. Among them was Giulio Cogni, one of the leading theorists of Fascist racism, who wrote to the *Rettore* on October 27, 1938, requesting to be allowed to take over from Sciaky the chair of *Filosofia*<sup>146</sup>. As early as September 8, Professor Antonio Deni asked if there were any empty positions for the teaching of *Diritto Finanziario e scienza delle Finanze* or *Diritto Amministrativo* («especially considering the recent provisions on race»). On 6 October, Attorney Nicola Ciarletta wrote to the *Rettore*'s son, Nanni Ricci, asking for a recommendation: «It seems that the chair of Filosofia del diritto will become vacant as a result of the measures taken against the Israelites»<sup>147</sup>. Even though the preside of the Faculty of *Giurisprudenza*, Ugo Tombesi, responded vaguely to these and other recommendations, he was able to do very little for the chair of *Pedagogia*<sup>148</sup>. The Minister of National Education took a direct interest in this position left vacant with Sciaky's dismissal. On October 8, 1938, Giuseppe Bottai wrote to the *Rettore*:

«Prof. Antonio Sammartano, a valiant scholar and lecturer in Pedagogia, aspires to the position of that discipline at the Faculty of Magistero. Given that a professor who is not of Italian race has been proposed for the aforementioned chair, I would like to point out Prof. Sammartano's aspiration so that the Faculty Board may keep him in mind when formulating the new proposal».<sup>149</sup>

After less than a week, on the following 14<sup>th</sup> of the month, the Council of the Faculty of *Magistero* proposed the *Pedagogia* position to Sammartano<sup>150</sup>. After the liberation of Urbino, the *Commissione per l'epurazione dell'Università* reconstructed Sammartano's political career: «Squadrista, Sciarpa Littorio. He joined the Fascist Republican Government, being hired in the personal secretariat of the Minister of National Education, Biggini»<sup>151</sup>. After his expulsion from the University of Urbino, Sciaky decided to follow his Zionist ideals by emigrating to Palestine.<sup>152</sup> In Tel-Aviv, he taught Philosophy and Political Science at the Higher School of Law and Economics. In 1942, he taught a course on philosophy of the Renaissance at the University of Jerusalem. After the establishment of the State of Israel, Sciaky was called to hold important political roles, including that of advisor for public law at the Ministry of Justice, as well as member of the Superior Council of Culture and of the Superior Council for Education. Finding himself in Israel, only in 1955 did Sciaky learn about the possibility of requesting, based on the Royal Decree no. 25 of January 20, 1944, the «regularization» of his position in Italy, with the recovery of his qualification to teach, producing the documents for his definitive confirmation.<sup>153</sup> On April 4, 1956, his *libera docenza* in *Filosofia* at the University of

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*Urbino, Incarichi d'insegnamento 1942-43*; b. 35, fasc. *Urbino-Università. Incarichi d'insegnamento-anno accademico 1946-47*.

<sup>146</sup> AUU, *Atti Rettorato*, b. 83, fasc. *Rettore, Corpo accademico, Presidi, Biblioteca*, request dated October 27, 1938. Despite his racial credentials, Cogni will not get tenure. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 98bis, fasc. *Università di Urbino. Incarichi d'insegnamento 1938-39*.

<sup>147</sup> Cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 200-202.

<sup>148</sup> In his letter sent to *Rettore* on 18 October 1938 *Preside Tombesi* wrote that he had «responded to everyone in a very elusive manner» (cf. AUU, *Corrispondenza Ricci*, b. 9).

<sup>149</sup> AUU, *Atti Rettorato*, b. 83, fasc. *Professori e lettori Facoltà di Magistero*.

<sup>150</sup> The recommendation or reference letter can be found in Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 201-203.

<sup>151</sup> R. Giacomini, *Urbino, 1943-44*, p. 208.

<sup>152</sup> Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, p. 92; Moscati M.L., *Sciaky, il filosofo che scriveva al Duce*,

<sup>153</sup> On 16 November 1954 the University of Florence had communicated to the *Ministero della pubblica istruzione* that, even though they wanted to confirm his qualification in *libera docenza*, they were not able to since they had not received any news from Professor Sciaky in regards to the adjustment of his position. On the following 19 July the Ministry wrote to Sciaky, who was living in Jerusalem at that time, urging him to present the documents needed to the Faculty at the University of Florence for the final confirmation of qualification. In the letter, it was noted that Sciaky had to request «with great urgency» that the University grant him an «adequate extension period» considered that he was not

Florence was confirmed.<sup>154</sup> In 1958, he returned to Italy to participate in the XII International Congress of Philosophy which took place in Venice. He would continue teaching until 1963 at Tel-Aviv University where he obtained the chair of Philosophy and Political Science. He died in Jerusalem in 1979.

The other distinguished professor at the University of Urbino affected by the anti-Semitic laws was Renato Treves. Born in Turin on November 7, 1907, he graduated in *Giurisprudenza* at the University of Turin and came into contact with the main exponents of Italian culture of the time, including his masters Luigi Einaudi, Gioele Solari, Francesco Ruffini, as well as his companions Norberto Bobbio, Aldo Garosci, Cesare Pavese, Leone Ginzburg and, among others, his cousin Vittorio Foa. During his stay in Germany in 1932, he discovered the neo-Kantian movements and together with Hans Kelsen, started to spread the Kelsen doctrine throughout Italy<sup>155</sup>. In 1934, he obtained the *libera docenza* in *Filosofia del diritto* and had his first assignment to teach *Teoria generale dello Stato* in the Faculty of *Giurisprudenza* at the University of Messina<sup>156</sup>. As of the 1935-36 academic year, he took on the position of teaching *Filosofia del diritto* and *Diritto costituzionale* at the University of Urbino. He held this position for a short time due to racist laws. On September 23, 1938, the *Rettore* wrote to the MEN that although Treves' confirmation for the teaching of *Filosofia del diritto* in the Faculty of *Giurisprudenza* had already been resubmitted, «new proposals would be submitted by the deadline of October 15».<sup>157</sup> During the inauguration of the 1938-39 academic year, the *Rettore* announced his dismissal:

«For political reasons, we have now separated from our colleague Professor Renato Treves, who had held the chair of *Filosofia del diritto* for three years. The faculty has replaced him with Professor Bobbio, the only winner of the selection for Urbino».<sup>158</sup>

Canzio Ricci<sup>159</sup> used very few words without clearly specifying the real reasons behind his removal. Treves was ousted from the selection for the teaching of *Filosofia del diritto* in the same year by the University of Urbino for racist reasons. The selection was won by Norberto Bobbio who, as the *Rettore* had anticipated in his inaugural speech of the academic year, would take over his colleague's position. The two were fraternal friend, a friendship which even continued subsequently.

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carrying out any teaching activities. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 452, fasc. *Sciacky Isacco*, letter from the *Ministero della Pubblica Istruzione* to Isacco Schiacky and to *Rettore* of the University of Florence, 19 July 1955.

<sup>154</sup> On 1 January 1959, Sciacky requests to forward the qualification decree to the University of Rome. On the following 2 April, the Roman Athenaeum certifies that he has regularized his position as a *libero docente* in *Filosofia*. Cf. *Ibidem*.

<sup>155</sup> Cf. DBI, Treves, Renato by Valerio Pocar, vol. 96, 2019.

<sup>156</sup> ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 492, fasc. Treves Samuele Renato. See also Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, pp. 93-94; V. Ferrari, *Treves, Renato*, in DBGI, vol. II, pp. 1977-1980; M.L. Moscati, *La persecuzione del professor Renato Treves danneggiò profondamente l'Ateneo urbinato*, «il Resto del Carlino», April 30, 2010.

<sup>157</sup> Cf. ACS, MPI, Dir. Gen. Istr. Sup., Miscellanea di divisioni diverse (I-II-III), (1929-1945), b. 110, fasc. *Razza Varié*. University of Urbino to the MEN, 28 September 1938, reply to the note dated September 8, 1938, prot. 6094, on: *Personale di razza ebraica*.

<sup>158</sup> The appointment was conferred to Bobbio during the meeting of the *Senato accademico* on November 14, 1938. ACS, M.P.I. Dir. Gen. Istr. Sup., Misc. Divisioni diverse I-II-III (1929-1945), b. 90bis, Università di Urbino. Incarichi d'insegnamento 1938-39. Cfr. Marra, L. Sichirollo (eds.), *Relazioni dei Rettori e discorsi inaugurali dei docenti nella Libera Università degli Studi di Urbino*, p. 1930.

<sup>159</sup> Canzio Ricci, (Macerata Feltria, March 3, 1872 – Urbino June 17, 1958), professor *ordinario* of *Medicina legale* at the Urbino University since 1922, two years later appointed *Rettore*, since 1932 was a member of the Fascist Party. Cf. ACS, MPI, Dir. Gen. Istr. Univ., Fascicoli professori universitari III serie (1940-1970), b. 400, fasc. *Ricci Canzio*; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti III serie (1896-1910), b. 332, fasc. *Ricci Canzio*.



Remembering him, Bobbio wrote: «There is no other person who I can say I have known as intimately as Renato, and from whom I have enjoyed a true friendship and absolute confidence»<sup>160</sup>. On November 30, the Ministry wrote to the University that Bobbio's appointment as professor *straordinario* «cannot, for the moment, be authorized inasmuch as Prof. Bobbio is unmarried»<sup>161</sup>. At the same time Bobbio was granted a professorship in Siena and the vacancy at Urbino was assigned to Vezio Crisafulli<sup>162</sup>, who held that position for a year before being transferred to the University of Trieste<sup>163</sup>. The course of *Filosofia del diritto* was then entrusted to Aldo Maria Sandulli<sup>164</sup>. After the war and after the 1946 referendum, the position was assigned to Arturo Massolo<sup>165</sup>.

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<sup>160</sup> N. Bobbio, *Renato Treves*, in «Sociologia del diritto», XIX, 1992, p. 8. See also: R. Treves, *Norberto Bobbio: ricordi di una lunga amicizia*, in *Sociologia e socialismo. Ricordi e incontri*, Milano, Franco Angeli, 1990.

<sup>161</sup> AUU, *Atti Rettorato*, b. 83, fasc. *Professori e assistenti. Incarichi di Giurisprudenza*, letter from November 30, 1938.

<sup>162</sup> Crisafulli (Genoa, September 9, 1910 - Rome, May 21, 1986) joined the Pnf in 1932. On 4 July 1933, he was appointed auditor of the court, while on 19 March 1934, he was assigned to the unified magistrate's court of Rome and in 1936 he was promoted to the rank of assistant judge. In the meantime, for a few years, he also worked as an *assistente* at the *Istituto di diritto pubblico*, University of Rome, and, on 6 February 1939 he obtained the qualification as *libero docente* in *Diritto costituzionale*. After the fall of Mussolini, he joined the clandestine organization close to the PSI in which he held various positions including that of editor of «Avanti» from November 1943 to March 1944. On May 24, 1944, he joined the PCI carrying out an intense anti-fascist activity. Cf. ACS, Ministero di Grazia e Giustizia, Uff. Sup. Personale e Aff. Gen. (1860-1948), 3° versamento 1836-1949, b. 204, fasc. *Crisafulli Vezio*; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 173, fasc. *Crisafulli Vezio*. See also L. Sichirollo, *Alcuni maestri dell'Ateneo antichi e recenti*, in F. Palma (a cura di), *Urbino e la sua Università*, Roma, Lucarini, 2001, p. 149.

<sup>163</sup> On 1 August 1945, the Commission for the Purge of the University brought him to judgment in the High Commissioner for Purge. Crisafulli was accused of playing a role in Fascist political activity. His publications were full of apology for fascism. The Commission, after verifying the Crisafulli's activity in support of the Italian Resistance and believing that his papers and article did not «reveal the mental attitude to exalt the regime», on 21 November acquitted him of the purge judgment. Crisafulli resumed teaching as professor *ordinario* of *Diritto costituzionale* at the University of Trieste and continued his political commitment in the party dealing with the cultural sector. In 1949, he was appointed head of the foreign office of the PCI directorate and was a member of the national committee of the Italy-USSR association. After the events in Hungary in 1956, he resigned from the PCI. Shortly after, he joined Psiup and started a collaboration with the DC weekly magazine *Concretezza*, directed by Giulio Andreotti. In 1960 he was replaced by the PCI-Member of Parliament Ugo Natoli as secretary of the Association of Democratic Jurists. He also taught in Padua and Rome *Diritto pubblico* at the Faculty of *Giurisprudenza*. In 1968 he was appointed judge of the Constitutional Court. He died in Rome on May 21, 1986. Cf. ACS, MI, Dir. Gen. PS (1861-1981), Div. Aff. Riservati, fasc. Personali, Cat. «Z», I versamento 1949-1965, b. 184, fasc. *Crisafulli Vezio*; ACS, MPI, Dir. Gen. Ist. Sup., Professori universitari epurati (1945-1947), b. 9, fasc. *Crisafulli Vezio*. See also: M. Sirimarco, *Crisafulli, Vezio*, in *Il contributo italiano alla storia del pensiero: Diritto*, 2012; S. Bartole, *Crisafulli Vezio*, DBGI, vol. I, pp. 610-612.

<sup>164</sup> Sandulli kept his position also in the following academic year; in 1941-42 the subject was assigned to Ugo Nicolini, while from 1942-43 to 1943-44 the teaching was entrusted to Giuseppe Sperduti, since Sandulli was located at the Front. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 24, fasc. *Urbino Univ. Incarichi d'insegnamento 1940-41*; b. 27, fasc. *Università di Urbino, Incarichi d'insegnamento 1941-42*; b. 30, fasc. *Università di Urbino, Incarichi d'insegnamento 1942-43*. In 1944-45 and in 1945-46 the position was given to Pietro Nuvolone. Sandulli, born in Naples on 22 November 1915, obtained his degree in 1936 in *Giurisprudenza* at the University of Naples and two years later was appointed the position of *incaricato* in *Diritto amministrativo* at the University of Urbino. Recalled to the arms in 1940, he fought at the Yugoslav front and in Russia. In 1942 he returned temporarily to participate in the competition for professorship announced by the University of Urbino. He came in first among the *ternati* (the result was later confirmed also in 1948 when the competitions held had to be revised due to the exclusion of Jewish Professors following the racist laws). He was held prisoner during the conflict and managed to return to his homeland only in 1946. After the war he taught at the University of Trieste and then in Naples. In 1954 he was appointed Judge in the *Alta Corte* for the Region of Sicily and in 1969 *giudice costituzionale*. In that same year he was also nominated President of Rai, a position he held until he resigned after denouncing its allotment among political parties about a year later. He collaborated with a number of newspapers among which were «Corriere della Sera» and «Il Tempo». Many honors and roles were conferred on him including *Presidente* of the *Comitato per le scienze giuridiche* of CNR. Sandulli died in Torgiano (PG) on 11 February 1984. Cf. Giuseppe e Orazio Abbamonte, *Sandulli, Aldo Maria*, in DBGI, Vol. II, pp. 184-186. On Sperduti cf. Natalino Ronzitti, *Sperduti, Giuseppe*, DBGI, vol. II, pp. 1903-1904.

<sup>165</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 35, fasc. *Urbino-Università. Incarichi d'insegnamento-anno accademico 1946-47*.

Crisafulli had been appointed to both of Treves' courses by the Faculty of *Giurisprudenza* Council on January 7, 1939:

«having finally decided to provide for the positions left vacant by Professor Renato Treves, the Faculty proposes to assign (a) firstly, the teaching of *Diritto Costituzionale*; (b) secondly, the teaching of *Filosofia del Diritto* to Judge Dr. Vezio Crisafulli, candidate for the professorship, of recognized expertise in the aforementioned subjects. Dr. Crisafulli is a member of the P.N.F. and is of Italian race»<sup>166</sup>.

Affected by the racist laws, Treves immediately decided to leave Italy. In October 1938, he embarked towards Latin America<sup>167</sup>. After giving two lectures in Montevideo, he attended a meeting of the Argentine Association of Legal and Social Philosophy in Buenos Aires. Thanks to the interest of the President of the Association, in May 1939 he obtained an annual contract, which was renewed in subsequent years, to teach Introduction to law at the University of Tucumán. In Argentina, he came into contact with several Italian anti-fascist exiles and anti-Franco refugees.<sup>168</sup> During this period, the political police continued to be interested in Treves, in particular, by monitoring his correspondence with the «well-known opponent Senator Benedetto Croce».<sup>169</sup> After returning to Italy in 1947, he approached the study of sociology and, in 1948, he obtained various positions (*Filosofia del diritto*, *Sociologia* and *Sociologia del diritto*) firstly at the University of Parma and then at the University of Milan. After the war, thanks to his research and important publications, Treves became the main point of reference for the new social sciences in Italy.<sup>170</sup> He died in Milan on May 31, 1992<sup>171</sup>.

At the University of Urbino, in addition to the faculty members, also the *economista-cassiere* Angelo Coen and the library *distributore* Attorney Ettore Bemporad were also affected by racist measures. On November 17, 1938, they were both «dismissed from office»<sup>172</sup>.

Angelo Coen, born in Urbino on July 16, 1867, belonged to a family of landowners who were well integrated into the cultural and social life of the town. His father, Cavalier Placido, had been one of the founding members of the *Cassa di Risparmio* of Pesaro for which he himself had served as

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<sup>166</sup> AUU, *Atti Rettorato*, b. 83, fasc. *Professori e assistenti. Incarichi di Giurisprudenza*, extract of the deliberation of the Faculty Council of *Giurisprudenza* on 7 January 1939. See also Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 206. Crisafulli held the position of *Diritto costituzionale* until 1940-1941. Crisafulli transferred to Trieste in November 1941; in 1941-42 the position was assigned to Sandulli; in 1942-1943 the position was then assigned to Renato Alessi, who taught the subject also after the war. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 98bis, fasc. *Università di Urbino. Incarichi d'insegnamento 1938-39*; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 21, fasc. *Urbino Incarichi 1939-40*; b. 24, fasc. *Urbino Univ. Incarichi d'insegnamento 1940-41*; b. 27, fasc. *Università di Urbino, Incarichi d'insegnamento 1941-42*; b. 30, fasc. *Università di Urbino, Incarichi d'insegnamento 1942-43*; b. 35, fasc. *Urbino-Università. Incarichi d'insegnamento-anno accademico 1946-47*. On Alessi cf. ACS, MPI, DGIS, Div. I, FPLD, 1930-1950, b. 8, fasc. *Alessi Renato*; Min. Grazia e Giustizia, Ufficio Superiore personale e affari generali, Ufficio secondo, Magistrati, fascicoli personali, III versamento, fasc. *Alessi Renato*; Giuseppe Piperata, *Alessi, Renato*, DBGI, vol. I, p. 36.

<sup>167</sup> Before leaving he went to visit his friend Bobbio in Torino who will remember that day like this: «In the small things of daily life Renato is always full of doubts as his friends well know. But in that great and decisive circumstance which was the emancipation of racial laws, he demonstrated his courage and clairvoyance. He was among the first to abandon Italy, choosing with determination, even though painful (leaving his elderly father with whom he lived), the path to exile [...]. I still remember the day of hugs and farewells on the landing of the apartment in corso Galileo Ferraris. When would we ever see each other again?». N. Bobbio, *Il magistero di Renato Treves*, «Nuova Antologia», ott.-nov. 1984, p. 208.

<sup>168</sup> Cf. Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, pp. 94-95.

<sup>169</sup> Cf. fasc. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 492, fasc. Treves Samuele Renato. ACS, MI, Dir. Gen. PS, Div. Pol. Pol. (1926-1981), Fascicoli personali 1926-1944, b. 366, fasc. Treves Renato.

<sup>170</sup> On the work of Renato Treves, see conference proceedings dedicated to him in 1994, V. Ferrari, M.L. Ghezzi e N. Griudelli Velicogna (ed.), *Diritto, cultura e libertà*, Milano, Giuffrè 1997.

<sup>171</sup> On him see also V. Ferrari, *Treves, Renato*, in *Enciclopedia filosofica*, Milano, Bompiani 2006, vol. 12, p. 11769.

<sup>172</sup> AUU, Affari Personale non Docente (henceforth APND), *Fascicolo personale di Angelo Coen*, letter dated November 17, 1938 on: Dispensa dall'ufficio. Coen held the position of bursar until 1898-1899 academic year. Cf. Fraternali Cesaroni, Torricco, *Gli ebrei in Urbino*, p. 86.

councilor and president of the *Comitato di sconto* of the Urbino branch. Angelo Coen held many positions in public institutions: he was an auditor of the provincial Fascist Federation of Farmers, president of *Collegio Raffaello*, of the *Legato Albani*, of the administrative commission of the intermediary anti-phylloxera consortium, of the first degree commission for direct taxes and of the joint commission for the settlement of housing disputes<sup>173</sup>. Coen was also involved in several charitable organizations in the town, in particular with the *Società di Mutuo Soccorso* (Mutual Aid Society)<sup>174</sup>. Furthermore, the Coen family's adherence to Fascism was considerable. His wife, Alessandrina, served as secretary of the women's «*Fascio*» from 1925 to August 1938. His son, Claudio, was deputy secretary of the *Fascio* and his other son, Fabio, was administrative secretary of the GUF (*Gruppi Universitari Fascisti*).<sup>175</sup>

When Angelo Coen was struck down by the racist laws, the Rettore Ricci, with whom he was had a deep friendship,<sup>176</sup> reminded the *Consiglio d'Amministrazione*, which had to decide on his dismissal, that:

«*economista* Coen had served throughout this long period [since January 1899] with zeal and complete honesty, taking care of the assets of the University with constant, wise and careful work».<sup>177</sup>

During that same meeting, the council addressed the issue of his replacement. In the end, it was suggested to replace him with a clerk from the *Cassa di Risparmio*, the local Savings Bank, who could carry out the work of bursar. After the *Rettore* and the *Podestà* had mentioned his name, the *Cassa di Risparmio* sent the employee, Teodoro Cossi, to carry out the role of bursar at the University of Urbino. Cossi was supposed to occupy this position temporarily for the entire month of December but then, taking into account the «excellent work he carried out, his well-known integrity and the trust the town had in him, the *Consiglio d'amministrazione* decided to renew his appointment to a permanent position<sup>178</sup>.

Meanwhile, Coen and his family became relegated to the margins of the town's social life. Due to the loss of his job, the economic hardship that arose led him to sell two of his plots of land.<sup>179</sup> Like many Jews from Urbino, he formally submitted the application for *discriminazione* (differentiation), which was accepted on June 1, 1939 because he had been a member of the National Fascist Party since December 1922.<sup>180</sup> He died on July 2, 1944, a few days before the liberation of Urbino. His

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<sup>173</sup> Ivi, pp. 54-55.

<sup>174</sup> Moscati M. L., *La città voleva bene al Cavalier Coen*, in «il Resto del Carlino», April 11, 2010.

<sup>175</sup> Fraternali Cesaroni, Torrico, *Gli ebrei in Urbino*, p. 54. About Guf see: L. La Rovere, *Storia dei GUF*, Torino, Bollati Boringhieri, 2003; S. Duranti, *Lo spirito gregario. I gruppi universitari fascisti tra politica e propaganda (1930-1940)*, Roma, Donzelli, 2008; S. Salustri, *L'antisemitismo dei Guf nelle Università italiane: un'«opera di risanamento fascista»*, in S. Calisti et al (a cura di), *Paradigma lager. Vecchi e nuovi conflitti del mondo contemporaneo*, Bologna, Clueb, 2010, pp. 215 – 226 Ead., *Non solo uomini. Il razzismo delle universitarie fasciste nelle pubblicazioni di Elena Cortellese Platania*, in «Giornale di Storia», n. 28, 2018.

<sup>176</sup> Maria Luisa Moscati, a relative of Coen, recalls how even after Angelo's expulsion, the *Rettore* continued to frequent his house. Cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 212.

<sup>177</sup> *Consiglio di amministrazione of the University of Urbino*, meeting on November 15, 1938. Ivi, pp. 181-182.

<sup>178</sup> *Consiglio di amministrazione of the University of Urbino*, meeting on February 9, 1939, mentioned in ivi, p. 187. Minutes are kept in AUU, Direzione Amministrativa, *Verbali di adunanza della Commissione Provinciale Amministrativa, n. 5 dal 17 ottobre 1937*, minutes of the meeting on February 9, 1939; ivi, minutes of the meeting on April 5, 1939, proposal no. 9, point no. 5; AUU, Direzione Amministrativa, *Verbali di adunanza della Commissione Provinciale Amministrativa, n. 6 dal 4 luglio 1939*, minutes of the meeting on July 4, 1939, proposal no. 5; ivi, minutes of the meeting on September 6, 1939, proposal no. 5; ivi, minutes of the meeting on December 20, 1939, proposal no. 9; ivi, minutes of the meeting on March 20, 1940, proposal no. 6. Cossi remained bursar of the University of Urbino until his death in 1944, when he was substituted by Mario Ermeti.

<sup>179</sup> Moscati, *La città voleva bene al Cavalier Coen*.

<sup>180</sup> Coen was the only Jew from Urbino who requested for *discriminazione*. The *discriminazione*, as required by law, was also extended to his wife, children and grandchildren. Cf. Schedario Direzione Generale Demografia e Razza in Acs, MI, Dir. Gen. Demografia e Razza, fascicoli personali, Coen Angelo (missing file). See also Fraternali Cesaroni, Torrico, *Gli ebrei in Urbino*, p. 63.

figure was remembered as «an ancient pillar of our Institute, Mr. Angelo Coen», by *Rettore* Giuseppe Branca during the opening ceremony of the 1944-45 academic year<sup>181</sup>.

Attorney Ettore Bemporad, born on November 2, 1873, belonged to one of the oldest Jewish families of Urbino. Before dedicating himself completely to the work of librarian, he had practiced law from 1898 to 1928 when the local court was suppressed. Bemporad was a fine scholar so much so as to be called upon to join the cultural commission of the Urbino municipality<sup>182</sup>.

As had happened with Coen, during the meeting of the *Consiglio d'amministrazione* which was to decide on the racial laws against him, Ricci would say: «The *distributore* has a great knowledge of the library and has always carried out his work with scrupulous honesty»<sup>183</sup>. Despite the recognition of Bemporad's merits, he was released from service on November 17, 1938.<sup>184</sup> On that same day, the *Rettore* informed the Library Director, Luigi Servolini, that Bemporad had been dismissed and that his position, «pending further measures», should be guaranteed by involving Professor Alessandro Ronconi in the distribution of the books<sup>185</sup>. On December 14, the *Consiglio* decided to appoint Luigi Morandi as the new *distributore organico* of the library.<sup>186</sup> He retained this position even after the liberation<sup>187</sup>.

Two months after the liberation of the town, on December 27, 1944, Bemporad wrote to the University asking to be reinstated in service, «still being able to make himself useful», recalling that for «about 40 years», as of the 1898-1899 academic year, he had worked as the *distributore* for the University library.<sup>188</sup> The *Rettore*, after considering his age, rejected the request, granting him an extraordinary subsidy of £500 per month, net of the pension he was then receiving.<sup>189</sup> Not accepting that he had been dismissed «solely for racial reasons», in the following months Bemporad would continue to ask the University to be reinstated. In his requests he underlined that he could still be very useful thanks to the knowledge he possessed of the library he had helped to create. The other motivation was to be able to supplement the monthly allowance he received, after six years of economic hardship, which was «insufficient to provide for the most basic needs». His applications would always be rejected, even though he obtained increases in his monthly allowance.<sup>190</sup> Bemporad died in Urbino in 1955.

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<sup>181</sup> Marra, Sichirollo (eds), *Relazioni dei Rettori e discorsi inaugurali dei docenti nella Libera Università degli Studi di Urbino*, p. 2001.

<sup>182</sup> Moscati, *Ettore Bemporad, l'erudito dell'Ateneo*, «il Resto del Carlino», March 28, 2010.

<sup>183</sup> *Consiglio di amministrazione of the University of Urbino*, meeting on November 15, 1938, mentioned in Ivi, pp. 181-182.

<sup>184</sup> AUU, APND, *Fascicolo personale di Ettore Bemporad*, letter dated November 17, 1938, on: Dispensa dall'ufficio.

<sup>185</sup> Ivi, *Rettore's letter dated November 17, 1938 to the Library director, Luigi Servolini*. Ronconi had just received the appointment of teacher of *Lingua e letteratura latina* at the faculty of *Magistero* and was also appointed the teaching of *Grammatica latina*. After the liberation he was referred for the purge by the *Alto Commissario* for having «actively participated in the political life of Fascism as a member of the Fascist directorate [since 1941] and as a member of the editorial committee of the newspaper «*La ramazza*» of Urbino». He was also accused of «Fascist apologia» having published «articles on Fascist newspapers and particularly on “Fascist Urbino”». On 11 September 1945 the *Commissione per l'Epurazione* of the *Ministero della pubblica istruzione*, while recognizing «the charge of repeated demonstrations of apologia for Fascism», not considering them serious, proposed that only the disciplinary measures of censorship be inflicted on him and that he be acquitted of the other charges. Cf. ACS, MPI, Dir. Gen. Ist. Sup., *Professori universitari epurati (1944-1946)*, b. 29, fasc. *Ronconi prof. Alessandro*, Report from the *Commissione per l'Epurazione del personale Universitario*, September 11, 1945; *Annuario della Università degli Studi di Urbino. Anno accademico 1939-40*, Urbino, 1941. For Ronconi's biography see also: R. Degl'Innocenti Pierini, *Un profilo biografico di Alessandro Ronconi*, in A. Tonelli (a cura di), *Maestri di Ateneo. I docenti dell'Università di Urbino nel Novecento*, Urbino, Quattroventi, 2013, pp. 462-467

<sup>186</sup> *Annuario della Università degli Studi di Urbino. Anno accademico 1938-39*, Urbino, 1940, p. 88.

<sup>187</sup> Cf. university yearbooks.

<sup>188</sup> AUU, APND, *Fascicolo personale di Ettore Bemporad*, Bemporad's letter to *Rettore-Presidente* of the *Consiglio di amministrazione* of the Urbino University dated December 27, 1944.

<sup>189</sup> Ivi, *Rettore-Presidente of the Consiglio di amministrazione of the Urbino University to the Economo of the Urbino University* dated December 29, 1944.

<sup>190</sup> While the University will continue to give him an extraordinary subsidy, the monthly pension will be doubled in the autumn of 1945 and later adjusted to the post-war rate. Cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 225-226, 228.

As regards the application of the anti-Jewish legislation towards the students of the University of Urbino, apart from the directives sent by the MEN and the prompt responses by the *Rettore*, which were similar to the correspondence found in the archives of the University of Macerata, there seem to have been no cases of expulsion<sup>191</sup>.

Like the other Italian universities, the University of Urbino also followed the indications given by the MEN in order to disseminate and promote «State racism». On August 6, 1938, the *Rettore* urged the Library Director Luigi Servolini<sup>192</sup> to subscribe to the magazine «*La Difesa della Razza*» and to adequately report on it to the faculty members<sup>193</sup>. No less important, with the «intent of studying the problem of the Italian race in greater depth», was the subscription to the magazine «*Il Diritto razzista*»<sup>194</sup>. While no «chair of race studies» was activated in the Faculty of *Farmacia*, the introduction of subjects such as *Demografia generale e demografia comparata delle razze* and *Antropologia criminale*<sup>195</sup> had been theoretically envisioned in the Faculty of *Giurisprudenza*, but were not activated<sup>196</sup>. Only in the Faculty of *Magistero*, as of the 1939-40 academic year, was the teaching of *Biologia delle razze umane* introduced among the complementary subjects<sup>197</sup>. The course was entrusted to the teacher of *Geografia*, Alberto Mori,<sup>198</sup> later aided by his *assistente volontario* Dr. Armando Benfenati.<sup>199</sup> In 1943, the degree courses in *Materie letterarie* and in *Pedagogia* included two weekly lessons of one hour each in *Biologia delle razze umane*. The lessons were held

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<sup>191</sup> In his thesis, Antonio Conti reports, after carrying out a first, preliminary and certainly not in-depth survey of the lists of the students for the 1937-'38 and 1938-'39 academic years present in the *Annuari*, that he did not find any student considered to be of «Jewish race» (Ivi, pp. 136-146). We reserve the right to carry out further investigations into this aspect.

<sup>192</sup> In 1940, after winning the competition for civic museums, Servolini resigned as Director of the Library. The University issued a new competition notice to replace it. This competition was won by Dr. Alberto Mario Chiodi who was also appointed professor *incaricato* and *assistente* of *Storia dell'arte*. Cf. *Annuario della Università degli Studi di Urbino. Anno accademico 1939-40*, Urbino, 1940 and *Annuario della Università degli Studi di Urbino. Anno accademico del 1940-41*, Urbino 1941.

<sup>193</sup> Cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp 188-189. On this journal directed by Telesio Interlandi, see: V. Pisanty, *La difesa della razza. Antologia 1938-1943*, Milano, Bompiani 2006; F. Cassata, *La difesa della razza*, Torino, Einaudi 2008; M. Loré, *Antisemitismo e razzismo ne "La Difesa della Razza" (1938-1943)*, Soveria Mannelli, Rubbettino 2008.

<sup>194</sup> Cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 189. On the racist relevance of this journal see: I. Pavan, *Prime note su razzismo e diritto in Italia. L'esperienza della rivista "Il Diritto Razzista" (1939-1942)*, in D. Menozzi, M. Moretti, R. Pertici (a cura di) *Culture e libertà. Studi di storia in onore di Roberto Vivarelli*, Pisa, Edizioni della Normale, 2006, pp. 371-415.

<sup>195</sup> Cf. AUU, *Direzione amministrativa*, b. 84, fasc. *Ordinamento universitario*, *Rettore's* reply on October 5, 1938 to the circular letter from MEN No. 6356 dated October 1, 1938.

<sup>196</sup> Cf. Ivi. On 5 October 1938 the *Rettore* also answered the *circolare* no. 6359 of the preceding 1 October of the MEN which informed that the teaching position of *Antropologia* was not currently foreseen in the Faculty of *Giurisprudenza*. Cf. also the *Annuari* in the academic years from 1938-39 to 1943-44. Both letters are also cited in Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 191.

<sup>197</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 98bis, fasc. *Università di Urbino. Incarichi d'insegnamento 1938-39*; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 21, fasc. *Urbino Incarichi 1939-40*; b. 24, fasc. *Urbino Univ. Incarichi d'insegnamento 1940-41*; b. 27, fasc. *Università di Urbino, Incarichi d'insegnamento 1941-42*; b. 30, fasc. *Università di Urbino, Incarichi d'insegnamento 1942-43*; see also *Annuario della Università degli Studi di Urbino. Anno accademico 1939-40*, Urbino, 1940, p. 62 and the following yearbooks.

<sup>198</sup> Alberto Mori was born in Como on July 5, 1909. Mori developed a passion for geography thanks to his father Assunto who was an important geographer. In 1939, he became a *libero docente* at the University of Urbino. After the war, in 1950, he transferred to the University of Pisa where he worked until his retirement in 1984. Among the academic roles covered throughout his career, Mori was appointed director of the «Alessandro Serpieri» weather station at the University of Urbino. He died in Pisa on January 20, 1993. Cf. DBI, Mori, Alberto, by Marco Maggioli, vol. 76, 2012. See also Archivio Storico del Liceo Statale «Terenzio Mamiani» di Roma, fasc. Mori Alberto. The author thanks Professor Alessandra De Angelis for her support.

<sup>199</sup> Armando Benfenati was born in Imola on August 10, 1906. He worked as a teacher at the «Federzoni» elementary school system in Bologna, of which he was also a trustee. He joined the PNF on March 15, 1928, from 1931 to 1938 he was Capo Manipolo of the Militia. In the school system he was also known as a scholar of didactic subjects and he was «considered an excellent member both for political and moral reasons» by the local fascist authorities. ACS, MI, Dir. Gen. PS, Div. Pol. Pol. (1926-1981), Fascicoli personali 1927-1944, b. 349, fasc. *Benfenati Armando*.

in the *Geografia* classroom and for practical demonstrations, the *Geografia* teaching labs were used.<sup>200</sup> The syllabus for the *Biologia delle razze umane* course included:

«1) Fascist race policy: its *raison d'être* and aims. The biology of the races: general information. 2) Species, race varieties: their biological and anthropological significance. Brief historical overview of the development of the race studies. 3) Characters used to distinguish human races— complexion – body-skull proportions and the main measurements taken on it. Various types of skulls regarding capacity and shape- main measurements taken on the skeleton - other somatic characters: facial hair, skin. - Body growth and human constitutions - Blood and blood groups - Differences in internal organs - Physio-psychological differences. 4) Influence of environmental factors on humans -Inheritance of acquired characteristics, chromosomal theory of inheritance: Mendelian laws - Variability - Mutations. 5) Evolution of the human lineage. Special Part. 6) Main theories on the origin of human beings. 7) Human fossil; main human findings and their characteristics - Human Fossils discovered in Italy. 8) Classification of human races and their main differential characteristics. 9) Geographical distribution of human races and sub-races».<sup>201</sup>

Mori remained in charge of teaching until the course was canceled from the teaching schedule after the liberation of Urbino in the 1944-45 academic year<sup>202</sup>.

After the war, Mori was accused by students of having held Fascist propaganda lectures and of having been a «scrupulous teacher of *Biologia della Razza*».<sup>203</sup> His name was among those reported by the *Commissione di epurazione dell'Università di Urbino*<sup>204</sup> to be removed and their teaching positions not to be renewed<sup>205</sup>. The charges brought against him were also confirmed by some members of the local CLN who had previously interrogated some students.<sup>206</sup> In the final report of the *Commissione di epurazione dell'Università*, it was also written that Mori «had words of contempt for our partisans» and that he still had «fascist feelings» having declared that the armistice «*should not have been had*». At the same time, his racist activity was attenuated because «in the *Biologia delle razze* lecture notes» it was revealed that the teacher had been in conflict with Fascist racial politics<sup>207</sup>. On this last issue, Professor Francesco Valli, headmaster of the *Liceo Ginnasio «Raffaello»* in Urbino and working at the University of Urbino, also took sides in his favor.

Valli declared that in 1939 Mori had held a conference in his *liceo* on: «The origins of the Italian race» during which, the headmaster recalled, he supported «the non-existence of an Italian race, citing

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<sup>200</sup> Cf. ACS, MPI, Dgis, Div. II, Leggi, regolamenti, statuti, esami, corsi, statistiche, tasse, studenti, ecc. (1925-1945), b. 13, fasc. *Insegnamenti Razziali*, University of Urbino Rettore's letter to the MEN, n. 46 dated February 13, 1943, in reply to the note from February 8, 1943, on: *Insegnamenti razziali*.

<sup>201</sup> Cf. AUU, *Atti Rettorato*, b. 85, fasc. *Rettore, Corpo accademico, Presidi di facoltà, Commissione dirigente la Biblioteca*, s.fasc. *Professori e lettori Facoltà di Magistero*, attached to the letter on March 10, 1939. This syllabus is in Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 195 n. 267.

<sup>202</sup> Cf. *Annuario della Università degli Studi di Urbino. Anni accademici 1944-45 e 1945-46*, Urbino, 1947.

<sup>203</sup> The complaint was signed by 12 students of the University of Urbino who were requesting the removal of the following teachers compromised with fascism: Alberto Mori, Alessandro Ronconi and Antonio Hemmeler. It was sent to the President of the University Purge Commission probably in September 1944. In the letter, the students also demanded for «severe measures» against the professors Pietro Rebor, Antonino Sammartano, Giuseppe Sperduti, Ubaldo Robbe and Leonardo Viviani. Cf. ACS, MPI, Dir. Gen. Ist. Sup., *Professori universitari epurati* (1944-1946), b. 24, fasc. 479, prof. Mori Alberto, *Relazione per l'epurazione dell'Università di Urbino*.

<sup>204</sup> The Commission was composed of Alfonso Tanas (Attorney of Royal Court of Urbino), Giovanni Fanelli (Mayor of Urbino), Aurelio Caruso (Head Physician in the local civil hospital and full professor at the Free University of Urbino), Pasquale Rotondi (the Supervisor of the Marche's monuments) and Giuseppe Branca (*Prorettore*).

<sup>205</sup> *Ibidem*. In addition to Mori, among the 41 people judged by the University Purge Commission, also the following professors had to be removed: Robbe, Ronconi, Sammartano and Sperduti, the secretary Leonardo Paloscia (former political secretary of Urbino and provincial secretary of the Guf) and Riccardo Longhi (library clerk). While for Professor Pietro Rebor, the Commission proposed to remove him from the University of Urbino, and to inflict a «serious disciplinary sanction» on him.

<sup>206</sup> Cf. *Ibidem*, *Relazione della Commissione sul professore Alberto Mori*.

<sup>207</sup> Cf. *Ivi*.

passages from conversations between Ludwig and Mussolini, which were then already outdated in their integrity». Furthermore, he added that during the conference he had not dealt with the «so-called Jewish problem» provoking complaints from the local political secretary of the PNF. Finally, he wanted to point out that Mori had «never supported racist ideas» and that thanks to his «competence, seriousness» and «scientific honesty», he received «universal esteem»<sup>208</sup>.

In his «Defense Memorial», Mori specified that despite teaching *Biologia delle razze* he had always «repudiated, even blatantly, the racist doctrine, as was clear from his lecture notes»<sup>209</sup>. To support the truthfulness of what he had written and to his self-defense, he also attached a copy of the short article which appeared in the magazine *La Difesa della Razza* (no. 21 of September 5, 1941) where a certain «comrade V.B.», who wrote from Pesaro, accused him of having written in the handouts he used in class the phrase that «the Jews do not constitute a true race, but a set of ethnically different communities united, above all, by a religious tie...»<sup>210</sup>. Thanks to this passage and to some letters sent by other teachers in his favor, «the charges made» against him were deemed «too general»<sup>211</sup>. For this reason it was established that Mori, «given his scientific integrity», had disagreed with certain assumptions of racial politics and should not be brought to trial, thus ordering that his case be dismissed<sup>212</sup>.

The adherence to the regime's racial policy also found full acceptance in the Urbino Academy. Thus Professor Lino Salis<sup>213</sup>, who among other subjects also taught *Diritto coloniale*, reflected on the functioning of the Faculty of *Giurisprudenza* in the «II Semiannual Report» of July 10, 1939:

«in the field of public law, care was taken to illustrate and comment extensively on the most important laws and institutions of the Regime (*Camera dei Fasci e Corporazioni*; Laws for the Defense of Race, etc.). [...] placing the utmost importance on the limitations on legal capacity that have been introduced by recent laws for those not belonging to the Aryan race, the new matrimonial impediments due to the fact of belonging to the Jewish race or to foreign nations, explaining and illustrating the highly moral, spiritual and national purposes, which made the enactment of these latest laws necessary».<sup>214</sup>

During the same year, the Urbino section of the GUF also organized several meetings and conferences in which «issues concerning the problem of race and the doctrine of Fascism were dealt with». However, no similar initiatives appeared in the following years for which, with respect to the racial policy of the University, we can only point out *Rettore Ricci's* endorsement in the *Notiziario* of the *Centro anconetano per lo studio del problema ebraico*<sup>215</sup>.

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<sup>208</sup> Ibidem, letter by *Preside* Francesco Valli on November 4, 1944.

<sup>209</sup> Ibidem, Memorandum by Alberto Mori, Roma, March 1, 1945.

<sup>210</sup> Ibidem. In the complaint of the «comrade» it was specified that the «lecture notes of *Biologia delle razze*» were «printed by the S.T.E.V. of Urbino for the Magistero course» and that offending sentence was on page 89. He further added that Mori «evidently» had «written that unfortunate sentence before the racist doctrine which has in the existence of the Jewish race one of its postulates, becoming the heritage of the Fascist State». Concluding that «if it is an oversight» it had to be eliminated immediately, because, in his opinion, «It [was] not legitimate to teach in schools based on the criteria of the Judaizing pseudoscience that prevailed among us a few years ago!».

<sup>211</sup> ACS, MPI, Dir. Gen. Ist. Sup., Professori universitari epurati (1944-1946), b. 24, fasc. 479, prof. Mori Alberto.

<sup>212</sup> Ibidem, cf. Alto Commissariato aggiunto per l'epurazione Uff. P. Istruzione, July 20, 1945. On the conducting of the purge trials and the defense strategies of the accused see Dell'Era *L'università di Roma e le leggi razziali: il processo di epurazione di Sabato Visco*, in M. Caffiero (a cura di), *Le radici storiche dell'antisemitismo*, Roma, Viella 2009, p. 195.

<sup>213</sup> Salis was a *libero docente* in *Istituzioni di diritto civile*, professor *incaricato* of *Istituzioni di diritto privato*, *Diritto civile* and *Diritto coloniale*.

<sup>214</sup> Cf. AUU, *Direzione amministrativa*, b. 15, fasc. Gli Annali della Università d'Italia. Con relazioni dei Rettori e altri documenti, Relazione del 10 luglio 1939; Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, pp. 195-196.

<sup>215</sup> Cf. AUU, *Direzione amministrativa*, b. 15, fasc. Relazioni, Letter dated February 26, 1942.

On 30 May 1945, Canzio Ricci<sup>216</sup> was referred to the Commissione ministeriale per l'epurazione for «servility towards the Fascist regime» and for «repeated demonstrations of apologia for Fascism», proposing that he be «dismissed from service»<sup>217</sup>. On August 16, 1945, the Commissione per l'Epurazione del personale dell'Università del Ministero della pubblica istruzione declared the purging procedures against him to be «inadmissible» because «he had already retired before 25 July 1943»<sup>218</sup>.

Indeed, after having been *Rettore* of the University uninterruptedly from 1924 to 1942, he was retired due to reaching the age limit (70 years old)<sup>219</sup>. On 12 March 1943, he was also awarded the title of «Professore Emerito»<sup>220</sup>. Despite this, he had continued to hold the position during the 1942-43 and the 1943-44 academic years. During the RSI, on May 1944, he had been appointed *commissario straordinario* with the powers of *Rettore* until September 25, 1944 when he was suspended by the Allied Command. The professor of *Diritto romano* Giuseppe Branca was then appointed as *Prorettore temporaneo* in his place<sup>221</sup>. After the war, Ricci continued to teach *Farmacologia* in the Faculty of *Farmacia*<sup>222</sup>.

Among the teachers referred to the Commissione per l'Epurazione del Ministero della pubblica istruzione there was also the Professor of *Lingua e letteratura inglese* and *preside* of the Faculty of *Magistero*, Piero Rebora<sup>223</sup>. He had explicitly been accused of apologia of Fascism and pro-Nazism and of having actively joined the «anti-Semitic struggle» by the *Comitato Toscano di Liberazione Nazionale* (Tuscan Committee of National Liberation)<sup>224</sup>. In the defense memorandum that Rebora presented to the *Alto Commissariato per l'Epurazione* (High Commissioner for the Purge), he responded to the accusation of anti-Semitism by stating that it was «slander» because he had «refused to join groups for racial studies or anything similar» and that he had even sublet his house to Jews<sup>225</sup>.

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<sup>216</sup> About Canzio Ricci cf. ACS, MPI, Dir. Gen. Istr. Univ., Fascicoli professori universitari III serie (1940-1970), b. 400, fasc. *Ricci Canzio*; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti III serie (1896-1910), b. 332, fasc. *Ricci Canzio*. See also above the footnote no. 158.

<sup>217</sup> ACS, MPI, Dir. Gen. Ist. Sup., Professori universitari epurati (1944-1946), b. 29, fasc. *Prof. Canzio Ricci*, letter dated May 30, 1945, signed by the Alto commissario Ruggero Grieco, of the indictment of Canzio Ricci by the *Alto Commissariato* for sanctions against Fascism.

<sup>218</sup> *Ibidem*, resolution on August 16, 1945 by the *Commissione per l'Epurazione del personale dell'Università del Ministero della Pubblica Istruzione*.

<sup>219</sup> In the report of the *Commissione per l'epurazione* of the University it was noted that Ricci had «always demonstrated to be loyal to the political direction» of the Fascist regime. Despite this, «public opinion» did not condemn him because he had not «carried out real activity in political life». For these reasons, since he was also «a person who had run the University for twenty years», he should only have been exempted from the position of *Rettore* and of *Commissario rettorale* granting him the possibility of being able to maintain the chair.

<sup>220</sup> Cf. *Ibidem*, memorandum by Canzio Ricci sent to the *Commissione per l'Epurazione del personale dell'Università del Ministero della Pubblica Istruzione* on June 20, 1945.

<sup>221</sup> Cf. *Ibidem*, resolution by *Commissione per l'Epurazione del personale dell'Università del Ministero della Pubblica Istruzione* on August 16, 1945.

<sup>222</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 35, fasc. *Urbino-Università. Incarichi d'insegnamento-anno accademico 1946-47*.

<sup>223</sup> On Rebora see: M.E. Montironi, *Rebora, Piero*, in A. Tonelli, pp. 440-447.

<sup>224</sup> The accusations also included Rebora's enrollment in the Pnf as early as 23 March 1924, the fact of having been the founder of the Manchester fascio during the years he spent teaching in England, having been received in 1936 by Mussolini, to whom he had donated one of his «volumes on the Italian-English relations from the Renaissance to the Risorgimento» and reported some information on the relations between the two countries and on the work carried out by the British Institute of which he had been President. Finally, it was reported that during the war, Rebora had been «"captor" of the British Institute of Florence» and that «on 20 October 1944 he had been assigned "to compulsory residency" in a Municipality in the Province of Potenza by the *Questura* of Naples because he was considered by the *Comando Alleato* to be an undesirable element in the area of military operations as a suspected pro-Nazi element». Cf. ACS, MPI, Dir. Gen. Ist. Sup., Professori universitari epurati (1944-1946), b. 29, fasc. *Rebora Pietro*, true copy of the original letter sent by the President of the CTLN to CLN of Urbino on 14 June 1945.

<sup>225</sup> *Ibidem*, letter by Piero Rebora to the *Alto Commissariato per l'Epurazione* on October 10, 1945.



In the letter in his defense Reborra responded to all the accusations that had been made against him by the Tuscan CLN, attaching six certificates of esteem and declarations in his favor including those of Carlo Bo and the Jewish lawyer Giorgio Vitali of the Liberal Party of Florence. Vitali wrote a short statement in which he stated that he had known Reborra for several years, that he had «never been politically biased» and that he had «never taken part in any anti-Semitic activities, indeed demonstrating his clear hostility to any racial prejudice»<sup>226</sup>.

On 3 October 1946, the *Commissione di Epurazione del personale universitario del Ministero della pubblica istruzione* judged that Reborra was «not» «in any conditions of incompatibility with continuing his service», observing that it did not seem that he had «exceeded in apologia and Fascist factionalism» and that «nothing» was known «about his participation in the anti-Semitic struggle». For this reason he was acquitted of all charges that had been attributed to him<sup>227</sup>. The following day the decision was sent to the *Rettore* of the University of Urbino along with the request that a copy was to be delivered to Professor Piero Reborra<sup>228</sup>. On 17 October the *Rettore* sent back to the Ministry a copy of the resolution countersigned by Reborra<sup>229</sup>, who was then reinstated at the University of Urbino where he continued teaching *Lingua e letteratura inglese* until 1957, when he then moved to the University of Milan<sup>230</sup>.

As Antonio Conti wrote in his thesis, although there were «positive, sometimes enthusiastic, responses to the proposals, requests and orders given by the higher authorities» regarding the racial campaign, this participation does not seem to have also materialized in publications of racist and anti-Semitic nature on the part of the University professors (at least according to what appears from the yearbooks and other sources) and in degree dissertations assigned on similar topics<sup>231</sup>.

## **A history yet to be written: racist politics and the University of Camerino**

Since it has not been possible to access the archives of the University of Camerino, as the documents are kept in the storage room located in the old site ravaged by the earthquake, research on the anti-Semitic policy of this university will have to be further investigated in the future. Little information has emerged from University yearbooks and from some documents found in the Central State Archives in Rome, as well as from existing literature on the subject. These sources, however, deny Mattia Flamigni's theory that the University of Camerino had not undergone strong fascistization<sup>232</sup>. From the inaugural speeches of the academic years given by the *Rettori* as well as from the GUF reports, we know instead that this University had carried out intense activity in support of the regime and important propaganda initiatives abroad to spread the Fascist spirit and its culture<sup>233</sup>.

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<sup>226</sup> *Ivi*.

<sup>227</sup> *Ivi*, *Relazione della Commissione di Epurazione del personale universitario* from October 3, 1946.

<sup>228</sup> *Ivi*, letter sent on October 4, 1946 by the *Ministero della Pubblica Istruzione, Commissione di Epurazione del personale universitario* to the *Rettore* of the Urbino University.

<sup>229</sup> *Ivi*.

<sup>230</sup> Cf. M.E. Montironi, *Reborra, Piero*, in A. Tonelli, *Maestri di Ateneo...*, pp. 440-447.

<sup>231</sup> Except for the Mori handouts mentioned above and subject to the results of further ongoing research. On this point cf. Conti, *L'Università di Urbino e l'applicazione delle leggi razziali*, p. 200.

<sup>232</sup> Cf. Flamigni, *Professori e università di fronte all'epurazione*, p. 237.

<sup>233</sup> These initiatives were financed and supported by the Italian MAE. See the yearbooks of the University of Camerino for the academic years from 1930 to 1939.

The *Rettore's* speech for the 1930-31 academic year recalled how the University of Camerino carried out strong Fascist propaganda aboard thanks to the financial aid of the MAE. Moreover, the School of Obstetrics and the ONMI were supported by Senator Ernesto Pestalozza, one of the representatives of the Fascist eugenics policy<sup>234</sup>. Pestalozza was also invited to the inauguration ceremony of the new site of the School of Obstetrics<sup>235</sup>. In 1932, on the occasion of the tenth anniversary of the «March on Rome», in his report, the *Rettore* Gennaro Teodoro stressed the «Fascist devotion», ensuring that «all the professors» of the University had taken their oath to the regime<sup>236</sup>.

The Fascist atmosphere felt throughout the University was reiterated in the *Rettore's* speech on November 19, 1933. University life created by the regime in Camerino was defined on that occasion as «rigid but serene». The *Rettore* also confirmed that looming over the teaching staff was «the sacrosanct duty, [because] we have sworn to it, to instill in the young generations not only science, but also try to make them excellent Italians, that is, excellent Fascists»<sup>237</sup>.

In the report of November 18, 1934, the *Rettore's* speech clearly revealed the militarization and fascistization of the University with the education of the university youth in close relationship with the *Associazione Fascista della Scuola* (AFS, Fascist School Association). The ceremony of 1934 concluded with the opening of the Officer Cadet Training Course for those students already enlisted in the *Milizia Volontaria per la Sicurezza Nazionale* (MVSN, Volunteer Militia for National Security)<sup>238</sup>. From this point on, all the inaugurations of academic years took place with military ceremonies, and with references to colonial exploits, faith, and discipline at the end of the speech.

The *Rettore's* report for the inauguration of the 1935-36 academic year, which was took place with a military ceremony for the second year in a row, was opened with significant reference to the war against Ethiopia defined as «a war action bringing civilization and well-being to people who, up to yesterday, have been oppressed by slavery»<sup>239</sup>. In the same year, the supplementary Officer Cadet Training Course was activated by the *Centuria Autonoma Universitaria M.V.S.N.* with 22 students enrolled, while there were several applications for voluntary enlistment for East Africa by the university Black Shirts.<sup>240</sup> The bellicose speech was also reiterated by GUF secretary Lamberto Delavigne, who recalled how the «*Duce's* commandment», *Libro e Moschetto*, had to be interpreted by «University Fascists, [...] as a constant, continuous passion for the study which prepares for war, and from the action accomplished in war [...]. Thus, the University Fascists study to usefully employ the weapons which the homeland entrusts them»<sup>241</sup>.

Also in 1937, the «warrior spirit» of Italians was exalted in favor of the «Fascist Homeland» which was becoming «ever greater and more powerful». On that occasion, the University remembered Nazzareno Petrosilli, who had fallen in Santander during the Spanish Civil War after having also

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<sup>234</sup> Pestalozza was among the founders of the Italian Society of Obstetrics and Gynecology and fellow of Italian and foreign academies and societies. He supported the eugenic policy of the fascist regime, especially for the development of the birth rate. Cf. DBI, Pestalozza, Ernesto Carlo Maria, by Alessandro Porro, voll. 82, 2015.

<sup>235</sup> Cf. *Annuario della Università degli Studi di Camerino. Anno accademico 1930-31*, Camerino 1931, p. 18. *Relazione del Magnifico Rettore Prof. Gennaro Teodoro sull'anno accademico 1929-1930* dated December 11, 1930.

<sup>236</sup> Cf. *Ibidem, Anno accademico 1931-32*, Camerino 1933, p. 5. *Relazione del Magnifico Rettore Prof. Gennaro Teodoro sull'Anno Accademico 1931-1932* dated November 27, 1932.

<sup>237</sup> Cf. *Ibidem, Anno accademico 1933-34*, Camerino 1934, p. 6. *Relazione del Magnifico Rettore Prof. Gennaro Teodoro sull'Anno Accademico 1933-1934* dated November 19, 1933.

<sup>238</sup> Cf. *Ibidem, Anno accademico 1934-35*, Camerino 1935, p. 5. *Relazione del Magnifico Rettore Prof. Gennaro Teodoro sull'Anno Accademico 1933-1934* dated November 18, 1934.

<sup>239</sup> Cf. *Ibidem, Anno accademico 1934-35*, Camerino 1935, p. 3. *Relazione del Magnifico Rettore Prof. Gennaro Teodoro sull'anno accademico 1934-1935* dated November 17, 1935.

<sup>240</sup> Ivi, pp. 12-13, *Corso Allievi Ufficiali*.

<sup>241</sup> All of the 29 foreign students enrolled in the Guf and, with 173 enrolled, 96% were Italian students. Cf. *Ibidem*, p. 15. Report by Segretario of the Guf Dr. Lamberto Delavigne on the activities of the academic year 1935-1936 - XIII.

fought in Africa<sup>242</sup>. The GUF secretary, along with *Capomanipolo* chief of the university militia, Petrosilli, also commemorated two other Camerino students, Vittorio Capuano and Ferruccio Termini, who had volunteered and were killed in action to fight against the «Asian barbarism, in defense of the Latin and Fascist civilization»<sup>243</sup>.

In the *Rettore's* report on the 1937-38 academic year, in addition to referring to the Fascist wars, he recalled that the «*Fascio Camerte*» was one of the first Fascist combat groups to be set-up in the Marche area and again thanked Mussolini for the contributions made to the University of Camerino<sup>244</sup>. Despite the continuous references made to the Empire and the merits received by the University directly from the *Duce*, no explicit references to the racist laws of 1938 were found in the *Annuari*<sup>245</sup>, except for a few but nevertheless significant exceptions. In the inaugural speech of the 1938-1939 academic year, *Rettore* Giuseppe Vatti cited the figure of Giuseppe Lo Verde, professor *incaricato* of *Diritto costituzionale* and of *Diritto amministrativo* at the Faculty of *Giurisprudenza*, who had been called to Germany to hold a «course of conferences on races»<sup>246</sup>. Lo Verde was again mentioned in the 1941 *Annuario* for his volume *L'Impero fascista il suo diritto di cittadinanza e la sua politica razziale* («The Fascist Empire, its right of citizenship and its racial policy»)<sup>247</sup>.

The 1938 report given by the new GUF secretary, Giovanni Giuliani, showed how widely spread the racist policy was also among the students. In addition to repeatedly citing the Fascist mottos such as «knowing how to believe, obey, fight and die heroically», he recalled that «comrade Cordova [*sic!*]» had «ranked first with his literary composition on race» and had received the £200 prize<sup>248</sup>.

The 1937-38 *Annuario* also reported the suicide of Giuliano Enriques, professor of *Diritto internazionale* and *Diritto coloniale*<sup>249</sup>. According to some sources, due to the growing hostility

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<sup>242</sup> *Ibidem*, 1936-37 *Academic year*, Camerino 1938, p. 3, Report of the *Magnifico Rettore* Professor Giuseppe Vatti on the 1936-1937 Academic Year on 13 November 1937. Petrosilli was a student of *Giurisprudenza* who, after having left as a volunteer in the war against Etiopia in the Curtatone and Montanara battalion, he also volunteered in Spain where he fell in action on 21 August 1937. The University of Camerino honored him the *laurea ad honorem* degree. Cf. *Anno accademico 1937-38*, Camerino 1939, pp. 3-4. Report given by the *Magnifico Rettore* Prof. Giuseppe Vatti on the 1937-1938 Academic year of 20 November 1938.

<sup>243</sup> *Ivi*, p. 13. *Relazione del Segretario del Guf sull'attività dell'anno accademico 1937-38 – XV*.

<sup>244</sup> *Ivi*, p. 3. Five students (Angelo Diletti, Ruggero Zamponi, Nazzareno Petrosilli, Guglielmo Miconi and Aldo Noè), who fell in the Spanish Civil War, were also remembered in the speech. In the *Rettore's* report they are depicted as «heralds of a civilization that for the third time returns [goes] to illuminate the world».

<sup>245</sup> Cf. Gentile S., *Le leggi razziali...*, p. 7, n. 3.

<sup>246</sup> Cf. *Ibidem*, p. 13. *Annuario della Università degli Studi di Camerino. Anno accademico 1938-39*, Camerino 1940, p. 4.

<sup>247</sup> The citation specifies that the volume is «in press». Since it cannot be found, many doubts arise as to whether the book has been published. Cf. *Ibidem*, p. 27, n. 90. *Annuario della Università degli Studi di Camerino. Anno accademico 1940-41*, Camerino 1941, p. 255. However, Prof. Lo Verde issued other volumes on Nazism and Fascism, and on the racist politics in the fascist colonies (in German language). His book, *Il Nazionalsocialismo. Problema di vita spirituale e sociale contemporanea e la struttura giuridica del Terzo Reich*, was awarded by the Agnelli Foundation of Turin. For deeper analyses of the Lo Verde's academic works, see also: *Annuario della Università degli Studi di Camerino. Anno accademico 1940-41*, Camerino 1941, p. 255; ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 285, fasc. Lo Verde Giuseppe; G. Lo Verde, *Il Nazionalsocialismo. Problema di vita spirituale e sociale contemporanea e la struttura giuridica del Terzo Reich*, F. Ciuni Libraio Editore, Palermo, 1941. A summary of Lo Verde's publication is present in the *Annuario della Università degli Studi di Camerino. Anno accademico 1940-41*, Camerino 1941, p. 255. On him see also ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 285, fasc. *Lo Verde Giuseppe*.

<sup>248</sup> *Annuario della Università degli Studi di Camerino. Anno accademico 1938-39*, Camerino 1939, p. 10. About the GUF, see also the bibliography cited in the foot-note n. 175.

<sup>249</sup> *Annuario della Università degli Studi di Camerino. Anno accademico 1937-38*, Camerino 1938, p. 6. See also ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 193, fasc. *Enriques Giuliano*.

towards him, Enriques committed suicide by throwing himself off the Borgia fortress on April 30, 1937<sup>250</sup>. The following year, before the racist laws came into force, the University of Camerino dedicated the *Annale* of the Faculty of *Giurisprudenza* to him with a moving memoir by Guido Astuti<sup>251</sup>. It is not clear whether Enriques made that gesture because he actually began to feel a climate hostile to him as a Jew. However, it is certain that his suicide, though still largely to be considered, had anticipated the spreading of the racist policy in the University of Camerino.

On November 12, 1938, Bottai sent the *Rettore* a telegram in which he announced the «Measure for the defense of the race in Fascist schools approved by the Council of Ministers on the 10<sup>th</sup> of the month». With this communication the Minister established that in «any office or employment in schools and educational institutes of every level» attended by Italian students «persons of the Jewish race could no longer be admitted» and «that as of the date of entry into force of the provision [the] Jewish personnel already in service» had to «be released from office». For this reason he asked that the proposals of the academic authorities to be forwarded to begin teaching regularly. The *Prorettore* Vatti replied to the MEN that «there [were] no professors or other personnel of Jewish race» at the University of Camerino<sup>252</sup>. Actually, there was one professor *incaricato*, Renzo Bolaffi *libero docente* in Pisa, and two professors *onorari*, Adolfo Ravà and Gino Segrè.

Renzo Bolaffi was born in Pisa in 1911. After graduating in *Giurisprudenza* from the University of his hometown, he began to collaborate assiduously with the *Rivista del diritto commerciale*, directed by Cesare Vivante. Being an *assistente volontario* at the *Scuola di perfezionamento in Scienze corporative*, he obtained the *libera docenza* in *Diritto Civile* in December 1937<sup>253</sup> and was assigned to teach *Diritto Civile* at the Faculty of *Giurisprudenza* in Camerino during the 1937-38 academic year<sup>254</sup>. On June 2, 1939 his *libera docenza* was revoked. On that date, the MEN sent the *Rettore* of the Tuscan University the revocation decree «because he was of Jewish race»<sup>255</sup>. Bolaffi filled in the personal census form for the «personnel of Jewish race» at the University of Pisa where he resided and where he had also submitted the qualification decree as *libera docenza*<sup>256</sup>. Since no documentation from the University of Camerino is currently available in this regard, it can therefore be hypothesized that this is the reason why it was not reported by the *Rettore* of Camerino.

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<sup>250</sup> On the suicide of Enriques, Mercogliano argued that he was an «academic victim of the darkest and most wicked fascist madness, the racial laws». The death of Enriques is also remembered by Norberto Bobbio who took over from him as editorial secretary of the Annals of the Faculty of *Giurisprudenza*, a role that Enriques held since 1929. In memory of Enriques, Bobbio will later dedicate his first essay, *La Persona e la Società*, issued in the Annals of the University of Camerino in 1938. See F. Mercogliano, *Gli Annali della Facoltà giuridica. Per un nuovo inizio*, Annali della Facoltà giuridica di Camerino, n. 1, Camerino 2012, p. 4; AA.VV., *Norberto Bobbio e l'Università di Camerino. Nel sessantesimo anniversario della sua docenza camerte (1937-1997)*, Camerino, La Facoltà di Giurisprudenza 1997, p. 12.

<sup>251</sup> Cf. *In memoria di Giuliano Enriques*, «Annali della Facoltà Giuridica», vol. II – 2°, a. 1938, Napoli, Casa Editrice Dott. Eugenio Jovine, 1938. We thank Dr. Emanuela Benedetti and Dr. Gisella Claudi of the University of Camerino for the information on Enriques, Dr. Francesca Ghergo at the Archivio di Stato of Camerino for the help provided during the searches.

<sup>252</sup> Cf. ACS, MPI, Dir. Gen. Ist. Sup., Miscellanea di divisioni diverse (I-II-III), (1929-1945), b. 110, fasc. *Provvedimenti per la sostituzione dei professori di razza ebraica*, telegram n. 1720, University of Camerino *Prorettore's* reply to the MEN on November 12, 1938.

<sup>253</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 60, fasc. *Bolaffi Renzo, Relazione della Commissione giudicatrice per l'abilitazione alla libera docenza in Diritto civile*, Roma December 18, 1937.

<sup>254</sup> Cf. *Annuario della Università degli Studi di Camerino. Anno accademico 1937-38*, Camerino 1939, p. 63.

<sup>255</sup> ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 60, fasc. *Bolaffi Renzo*, letter by MEN to the University of Pisa *Rettore*, 2 June 1939, on: Decadenza dall'abilitazione alla libera docenza.

<sup>256</sup> Cf. *Ibidem*.

Bolaffi was replaced in his position in Camerino by Salvatore Piras<sup>257</sup>. Piras kept the position even after the outbreak of the war and was still present among the «Official Professors» for the 1943-44<sup>258</sup> academic year even though the lessons as of the previous academic year were to be held by substitutes. On January 11, 1941, Piras was in fact called up to the arms and assigned to the Greek-Albanian front. After the war, he was accused of joining the RSI while he was interned in Germany<sup>259</sup>, but, despite the doubts emerged within the Sassari Provincial Commission for purge,<sup>260</sup> his behavior was justified and the case dismissed.<sup>261</sup> Instead, on September 20, 1945, Renzo Bolaffi obtained definitive confirmation of his teaching position in *libera docenza* in *Diritto civile*<sup>262</sup>. In the 1944-45 academic year, he went back to teaching *Diritto Civile* and *Istituzioni di Diritto Privato* at the Faculty of *Giurisprudenza* in Camerino<sup>263</sup>. After the end of the 1955-56 academic year, he decided to abandon his academic career because, according to the provisions of that time, he could only teach in the University to which he had submitted the *libera docenza* qualification<sup>264</sup>. The decision to leave was almost certainly dictated by his unwillingness to return to teaching at the University which had kicked him out in 1939. Bolaffi was later appointed General Director of the *Ente Nazionale per la Cellulosa e la Carta*. He died in Rome in 1969<sup>265</sup>.

Gino Segrè, professor *onorario* at the Faculty of *Giurisprudenza* in Camerino and retired professor *ordinario* of *Diritto romano* due to age limit, disappeared from the 1938-39 University *Annuario* due to the racist laws. Segrè had taught at Camerino in 1890 and 1891, and was then appointed, following a competition, professor *ordinario* of *Pandette* in Sassari. However, he did not occupy the position, preferring to transfer with the same title to the University of Macerata in 1896. After having taught *Istituzioni di Diritto Romano* in Messina, he was promoted to professor *ordinario* in 1901. Subsequently, he obtained the chair of *Diritto Romano* at the University of Parma and, in 1916, he

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<sup>257</sup> Piras was born in Osilo (SS) on 11 July 1913. Having graduated in *Giurisprudenza* at the University of Genoa in 1935, he obtained his *libera docenza* in 1942 after some experiences at the Universities of Turin, Genoa, Parma and Camerino. In 1945 he returned to Sassari, where he obtained the appointment to teach *Istituzioni di diritto privato* in the local University. In 1949 he won the teaching competition. After having also held the position of *Preside* of the Faculty of *Giurisprudenza*, in 1982 he retired. He died in Sassari on 3 December 1985. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 392, fasc. *Piras Salvatore*. See also the *Annuari della Università degli Studi di Camerino. Anno accademico 1937-38*, Camerino 1938, p. 63 and *Anno accademico 1938-39*, Camerino 1939, p. 55. Thanks to Michele Pajero for some information on Bolaffi. A biographical file on Piras is found also in <https://giuriss.uniss.it/it/dipartimento/maestri/salvatore-piras>.

<sup>258</sup> Cf. *Annuario della Università degli Studi di Camerino. Anno accademico 1943-44*, p. 15.

<sup>259</sup> After 8 September 1943 he was captured by the Germans and interned in the Münsingen *lager* in Baden-Württemberg, Germany where he decided to join the Rsi. Having returned to Italy in December 1943, thanks to his knowledge of the German language, he was first hired as a liaison officer and then assigned to the personnel office of the command of «Italienische freiwillige Waffenverbände». From July 1944 he provided information to the partisans and on 2 March 1945, after deserting, he moved to the 118<sup>a</sup> *Brigata d'Assalto* «R. Servado» which operated in the Valsesia-Ossola-Verbania area. Discharged with the rank of partisan, he was decorated with the bronze medal for military valor. On 1 December 1945 he was assigned the teaching of *Diritto Civile* at the Faculty of *Giurisprudenza* in the University of Sassari. Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 392, fasc. *Piras Salvatore*.

<sup>260</sup> The Sassari purge commission believed that Piras should be brought to trial because he had not declared his membership of the Pfr, cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 392, fasc. *Piras Salvatore*, *Alto Commissario Aggiunto per l'Epurazione*, Delegation for the province of Sassari, March 26, 1946.

<sup>261</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 392, fasc. *Piras Salvatore*.

<sup>262</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 60, fasc. *Bolaffi Renzo*.

<sup>263</sup> Cf. *Annuario della Università degli Studi di Camerino. Anno accademico 1944-45*, p. 49.

<sup>264</sup> Cf. ACS, MI, Dir. Gen. Istr. Sup., Div. I, Liberi docenti II serie (1930-1950), b. 60, fasc. *Bolaffi Renzo*, reply from the *Ministero della Pubblica Istruzione* to the *Rettore* of the University of Pisa, 25 November 1955, on: Dott. Renzo Bolaffi, libero docente in *Diritto Civile*.

<sup>265</sup> Cf. See the short biography of Bolaffi displayed in the online exhibition at the Biblioteca Centrale Giuridica: [https://www.giustizia.it/cmsresources/cms/documents/Catalogo\\_mostra\\_2020.pdf](https://www.giustizia.it/cmsresources/cms/documents/Catalogo_mostra_2020.pdf).

moved on to the University of Turin where he remained until his retirement in 1935<sup>266</sup>. When he was hit by the racial legislation he was professor *onorario* not only in the University of Camerino but also in Parma, and professor *emerito* in the Turin University. Given his merits and his scientific and educational achievements, Segrè, aged 61 at the time, applied for *discriminazione*. After hearing the contrary opinions of the Prefect, the PNF *Federale* of Turin and of the MEN, the competent Commission in the matter rejected the request because, while recognizing that his scientific and didactic work was to be «considered notable», it considered that he had not acquired any political nor military «exceptional merits»<sup>267</sup>. Segrè died in Turin on 31 July 1942.

Even Adolfo Ravà, professor *onorario* at the Faculty of *Giurisprudenza* in Camerino and professor *ordinario* of *Filosofia del diritto* in Padua, also was not mentioned in the *Annuario* of the University of Camerino due to the racial laws. Born in Rome on March 11, 1879, Ravà, after graduating in *Giurisprudenza*, taught *Istituzioni di diritto privato* and *Filosofia del diritto* in Camerino from 1903 until 1911. He went on to hold the same courses at the Universities of Cagliari, Messina, Parma, Palermo, and Padua. Ravà also applied for *discriminazione* thanks to his academic achievements. Unlike Bolaffi, he obtained the benefit for himself and for the members of his family<sup>268</sup>. Although he was ousted from the academic institutions, Ravà was able to continue to practice law as prescribed by the racist laws. He was readmitted to the University of Rome in 1945. Adolfo Ravà died in Rome on March 8, 1957<sup>269</sup>.

Except in those cases mentioned above, there do not appear to be any professors considered to be of «Jewish race» present in the University of Camerino in that period, nor any «aiuti and assistenti ordinari, straordinari, incaricati and volontari»<sup>270</sup>. It was not possible to identify any faculty or staff members considered to be of mixed race or with a spouse considered to be of the Jewish race. Finally, from the documentation which has emerged so far it seems that no teaching courses of racist subjects were activated, nor were any dissertations on racist and anti-Semitic subjects assigned to the students<sup>271</sup>.

However, the University of Camerino faithfully applied the rules established by the ministerial directives. Among the possible examples of this, of which documentation remains, is the fact that in the assignment of teaching positions, as requested by the MEN, the registration with the PNF and the belonging to the Italian race» of the professors was always monitored<sup>272</sup>.

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<sup>266</sup> Cf. ACS, MPI, Dir. Gen. Ist. Univ., Fascicoli professori ordinari, III versamento (1940-1970), b. 429, fasc. Segrè Gino. See also Giovanni Nicosia, *Segrè Gino*, in Birocchi *et al.* (a cura di), *Dizionario biografico dei giuristi (XII-XX secolo)*, vol. II, Il Mulino, Bologna 2013, pp. 1846-1848.

<sup>267</sup> Cf. ACS, MI, Dir. Gen. Demografia e Razza, Div. Razza, fascicoli personali, b. 37, fasc. Segrè Gino.

<sup>268</sup> Cf. ACS, MI, Dir. Gen. Demografia e Razza, Div. Razza, fascicoli personali, b. 6, fasc. Ravà Adolfo.

<sup>269</sup> Cf. ACS, MPI, Dir. Gen. Ist. Univ., Fascicoli professori ordinari, III versamento (1940-1970), b. 394, fasc. Ravà Adolfo. See also Ventura, *L'Università dalle leggi razziali alla Resistenza*, Cluep, Padova, 1996, passim; Anna Pintore, *Ravà, Adolfo*, in Birocchi *et al.* (eds.), *Dizionario biografico dei giuristi (XII-XX secolo)*, vol. II, Il Mulino, Bologna 2013, pp. 1660-1661.

<sup>270</sup> Cf. ACS, MPI, Dir. Gen. Ist. Univ., Miscellanea di divisioni diverse (I-II-III), (1929-1945), b. 109, fasc. *Assistenti di ruolo Dispensa dal servizio*, Elenco degli aiuti ed assistenti ordinari, straordinari, incaricati e volontari che appartengono alla razza ebraica ai sensi dell'art. 6 del RDL – 5 settembre 1938, n° 1390.

<sup>271</sup> ACS, MPI, Dgis, Div. II, Leggi, regolamenti, statuti, esami, corsi, statistiche, tasse, studenti, ecc. (1925-1945), b. 13, fasc. *Insegnamenti Razziali*.

<sup>272</sup> ACS, MI, Dir. Gen. Istr. Sup., Div. I, Commissioni Libere docenze, incarichi, corsi di cultura militare (1935-1949), b. 18, fasc. *Camerino. Incarichi d'insegnamento 1940-41*, cf. Telegram by the MEN to University of Camerino *Rettore* dated January 10, 1941.