

Versione italiana

Enzo Ascoli, Gastone Ascoli, Renzo Ascoli, Gino Bassi, Renato Calabi, Vittorio Bruno Cevidalli, Aldo Coen Porto, Vittorio Coen Porto, Giuseppe Dalla Torre, Adriano Diena, Adolfo Errera, Luciano Fano, Marco Fano, Silvia Finzi, Renzo Franco, Giuseppe Grego, Amedeo Guetta, Raffaello Levi, Guido Levis, Cesare Magrini, Ludovico Minerbi, Alberto Musatti, Carlo Ottolenghi, Roberto Orefice, Max Ravà, Cesare Gino Sacerdoti, Gustavo Sarfatti, Alberto Segre, Gino Segre, Mario Sonino, Ruggero Sonino, Angelo Sullam, Gino Sullam, Renzo Sullam, Marco Ettore Vitta.

These are the names of 35 Venetian attorneys imprinted on the plaque that was unveiled on January 11 at the Cittadella della Giustizia at Piazzale Roma, an initiative by the Venice Bar Association to remember colleagues who were disbarred as a result of the racial laws of 1938.

Who they were, the lives they led, and how they reacted to this heinous act, which was mostly met with general indifference and the deafening silence of the Bar and the Judiciary both at the time and almost up to the present day, is unknown.

“Unfortunately, there are no living witnesses in the Venetian community who can tell us the story of that tragedy, a prelude to the extermination of the Jewish people that would take place in the years to come” began the president of the Jewish Community of Venice, Dario Calimani, in a phone call with ytali.

“The reaction was initially shock, and many could not understand the reasons for such provisions. Some wondered what crime they had committed, having up to then been dedicated fascists. The more perceptive individuals left the country immediately, but most did not comprehend the seriousness, or when they did comprehend it was already too late.”

During the ceremony, there was a series of speeches by the president of the Venice Court of Appeals, Carlo Citterio, the president of the *Tribunale*, Salvatore Laganà, the rabbi of Venice, Rav. Alberto Avraham Sermoneta, the president of the Venice Bar Association, Fedrica Santinon, and finally Paolo Romo, representing the City of Venice. President Citterio emphasized the “remedial” nature of the ceremony, while in the brief speeches that followed the situation today was mentioned, especially regarding countries where free practice of the profession is constrained and limited. Hence the head Rabbi of Venice’s admonition to remain vigilant and attentive, and to not abandon ourselves to indifference towards those who are subject to acts of discrimination.

Santinon’s introduction had the merit of explaining, albeit quite summarily, the methods with which law no. 1054 of June 29, 1939 (published in the *Gazzetta Ufficiale* n. 179 of August 2, 1939) was implemented by the fascist regime, which used it rigorously to prohibit Jews from practicing

the professions of attorney, prosecutor and legal advocate.

On the other hand, the article published in *Questione Giustizia* (the online journal of *Magistratura Democratica*) by Carlo Brusco, former section president of the Corte di Cassazione, is very effective and complete, recounting the various legislative steps in detail.

The article includes a broad and detailed section that deals with the purge of Jews from the Universities and the Judiciary, noting the indifference and lack of reaction to the discriminatory measures from jurists at the time. Indeed, the author emphasizes:

It is distressing to examine the reactions of the colleagues of the purged professors: there were many who enthusiastically supported the racial laws among some of them (part of whom obviously benefitted from the exclusion of the purged from professorships), but the majority consisted of ambiguous and hypocritical expressions of esteem that went no further than to wish those who had been purged a better future. However, seeing that expressions of dissent could have grave consequences for their future careers and offices they held or might hold, the prevailing reaction was that of silence...

A similar indifference and guilty silence would accompany, explains the author, the purging of Jewish judges who were excluded from service, while the subject of the racial legislation found little mention in the pages of the Italian legal journals and the doctrine of the era.

As far as the professions are concerned, the process of proscribing members of Jewish origin culminated with the racial laws, which were part of the context of the progressive "fascistization" of the bodies and institutions,

starting from the progressive gutting of the powers of the Bar Association in 1926, to its definitive suppression and the handing over of all of its functions to the fascist unions, which took place in 1933-1934.

However, after the passage of the anti-Jewish laws of 1938 nothing had been yet established concerning the fate of professionals in general, and therefore also that of Italian attorneys in particular. It was the applicative circular (n. 9270/Demography and Race), issued on November 22, 1938, that laid the first foundations for future restrictions by introducing the prohibition against public administrations (and equivalent) appointing certain types of offices to Jewish citizens. Again in November 1938, the work of the national directorate of the fascist union of lawyers and prosecutors authoritatively proposed the "possibility that, based on the racial principles, Jews should not be admitted to the registers". The proposal actually "back-dated" the time frame of the future rule. In fact, in June of the following year (1939) the law "Discipline of the exercise of the professions by members of the Jewish race" (L. n. 1054 of June 29, 1939) would

be passed. The title and a superficially bureaucratic language was meant to hide the reality of the decision to marginalize Jewish professionals from the working and social life of a world which they had been a part of until then. The law affected the professions of journalist, doctor-surgeon, pharmacist, veterinarian, obstetrician, attorney, prosecutor, legal advocate, economics and trade practitioner, accountant, engineer, architect, chemist, agriculturalist, surveyor, agricultural surveyor and industrial surveyor (art. 1); meanwhile Jews were absolutely precluded from the function of notary (art. 2). Professionals were required to report their own belonging to the "Jewish race" within a period of twenty days from the implementation of the law. Lack of compliance in that timeframe meant being arrested for up to a month and fined up to 3,000 lire (art. 6). Jewish attorneys, just as other categories, were subdivided into two groups, according to whether or not they possessed the requisites for exemption, which could be granted to some members of various professions (and their families) who deserved protection for their being "worthy of the Country", according to the judgement of district committees and a central body, as well as verifications carried out by the new Directorate General for demography and race ("*Demorazza*") at the Ministry of the Interior.

The first group of professionals was therefore made up of those who, having achieved the exemption, were inscribed in "additional lists" (which would be placed in the appendices of the registers) and could "except for the limitations" which would still be imposed on them, continue to practice their work (art. 1 of national Law 1054).

The second group instead included the non-exempt professionals, forced to register themselves in other lists denominated as "special" (art. 4), and who could only work for clients "belonging to the Jewish race", except for cases of proven need and urgency (art. 24). In addition, all Jewish professionals (this time without distinction between the two categories) were subject to the prohibition (anticipated by the circular of 1938) of holding offices that involved performing functions as a public official, and they could no longer perform duties (even consultation) on behalf of "public bodies, foundations, associations and committees defined by articles 34 and 37 of the civil code and local subsidiary offices of these."

A Plaque for the Jewish Lawyers of Venice Who Were Purged in 1938



Carlo Brusco's careful examination continues:

The professional bodies were charged with collecting the reports of racial belonging (to which all Jewish professionals were tacitly held), and, in the case of a missing report from one of those

involved had to officially proceed with the necessary verifications. Independently of the request for exemption, which could be made by those entitled to it, the fascist unions of the different professions (who were responsible for keeping the registers) had to proceed directly with the removal of the Jewish professionals from the registers. Therefore, the person involved, having been removed from the register, could no longer practice any professional activity while they were waiting for an exemption (released by the Ministry of the Interior) and the resulting inscription in the additional lists for the exempt.

Moreover, non-Jewish clients were granted the possibility of revoking the employment of a non-exempt Jewish professional even before their removal from the registry (arts. 6 and 27).

The regime's choice to make a distinction between exempt and non-exempt within the mechanisms of persecution naturally cannot hide the fact that Jews were faced with two forms - the second of course more serious than the first - of limitation of rights and social marginalization. Indeed, the exemption with which the state pushed some to differentiate themselves from the others by boasting of their own fascist credentials, constituted perhaps - as Guido Alpo has written - "the apex of the abject vileness" of the regime. In these events some attorneys participated fully in the exclusion of their professional colleagues and congratulated themselves - as did the directors of the Union of Milan on the "*Tribuna forense*" - with *il duce* for the choice of fascism, which had restored "full dignity to the professional registers".

But there were others, such as attorney Elio Vittorio Valobra, vice president of the Union of Italian Jewish Communities, who helped thousands of people to emigrate. From the office of the Union, in fact, at the end of 1939, along with others, some lawyers (such as Rolando Vigevani of Parma) and some not, he formed *Delasem* (*Delegazione Assistenza Ebrei Migranti* - the Delegation to Assist Jewish Migrants), which had a central office in Genoa and offices in Rome, Milan and Trieste, which first of all did the work of helping refugees from other countries, and then Jewish Italians themselves. Thanks to this organization around five thousand Jews were saved from 1939 to 1945."

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These are stories of cowardice and human vileness, but also of heroism. However, according to Dario Calimani, they often do not receive the attention they really deserve. The figure of Prof. Giuseppe Jona is emblematic; a professor at the University of Padua, a highly regarded primary

care doctor, philanthropist and head of the Jewish community in 1943, to whom a pavilion within the City Hospital of Venice is dedicated with his name. Jona preferred suicide to collaboration with the Nazis, escaping the shame of being forced to identify Jews to be handed over for deportation. Calimani appeals to the historical truth, and in doing so does not try to conceal a vein of polemic towards ceremonies that are reticent about the direct responsibility of the fascist regime. For example, the plaque posted near the hall of the Corte d'Assise in Padua, in memory of the fifteen attorneys expelled from the Bar following the anti-Jewish laws in 1939.



Dario Calimani argues that:

It is astonishing that these plaques rarely mention fascism. They cite the victims as if they were killed by a natural event and not by the fascist infamy". "The exploitation of this edict of the racial

laws is striking: only this event is taken into consideration. However, these laws were the precursor to deportation. They created a climate in Italian society that made people indifferent to the deportation of the Jews. People say 'we're sorry about the racial laws and we distance ourselves from them' but they don't mention fascism or the fact that Italy sent its Jews to the concentration camps. This absence for me demonstrates that the Italian nation has yet to examine its conscience. There has not been reflection upon nor integration of what fascism really was. As Italians we consider ourselves victims of Nazism, and instead we were its accomplices.



In associating ourselves with these statements, ytali would like to make an appeal to our readers: Anyone who has information, a relative, or indirect testimony of the stories and lives of the professionals we have just recalled, please tell us their story. We want to share them together,

and to bring back to life events that the dominant thinking has thus far relegated to oblivion. Enzo Ascoli, Gastone Ascoli, Renzo Ascoli, Gino Bassi, Renato Calabi, Vittorio Bruno Cevidalli, Aldo Coen Porto, Vittorio Coen Porto, Giuseppe Dalla Torre, Adriano Diena, Adolfo Errera, Luciano Fano, Marco Fano, Silvia Finzi, Renzo Franco, Giuseppe Grego, Amedeo Guetta, Raffaello Levi, Guido Levis, Cesare Magrini, Ludovico Minerbi, Alberto Musatti, Carlo Ottolenghi, Roberto Orefice, Max Ravà, Cesare Gino Sacerdoti, Gustavo Sarfatti, Alberto Segre, Gino Segre, Mario Sonino, Ruggero Sonino, Angelo Sullam, Gino Sullam, Renzo Sullam, Marco Ettore Vitta.

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Translated by **Paul M. Rosenberg**