

Rechtsgeschichte Legal History

www.lhlt.mpg.de

http://dx.doi.org/10.12946/rg32/234-236

http://www.rg-rechtsgeschichte.de/rg32 Zitiervorschlag: Rechtsgeschichte – Legal History Rg 32 (2024) Rg **32** 2024

234-236

Matilde Cazzola*

The Ideology of Greater Italy: Absolving the Guilt of Empire

^{*} Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie, Frankfurt am Main, cazzola@lhlt.mpg.de



of citizenship during the period under study. These debates reveal the contours of shifting jurisdictional and political boundaries from imperial to new national states and its impact of migrants whose livelihoods, families and businesses were spread across multiple new nations. After independence, India prohibited dual citizenship due to the large-scale communal and territorial clashes with Pakistan. Similarly, Burma and Ceylon prohibited dual nationality. Migrant workers in Ceylon discussed possibilities for dual citizenship for workers in India and Ceylon. However, the jurisdictional and territorial boundaries of the new nation states were solidified by laws of citizenship that prohibited any crossovers. The definition of citizenship in all these new nations solidified and sharpened distinctions between different groups coded as majority versus minority, indigenous versus migrant, insider versus outsider. These markers impacted people's ability to establish a livelihood, led to the loss of rights to land and property, and often resulted in deportation orders where people became stateless. Rehabilitation policies were introduced for returning migrants which labelled people as refugees, evacuees or

repatriates with increased policing and surveillance of those registered as such. The Ministry of Rehabilitation in India was introduced in 1948 to deal with the large exodus of people from neighbouring Pakistan. The same legal framework and relief programme was extended for returning migrants from Burma and Sri Lanka. During this time, the earlier cases related to taxation regimes or debt recovery appear less in the records, whereas citizenship-related cases increased. The book's concluding chapter shows how repatriation and resettlement policies in post-colonial India were intertwined with developmental strategies. Such strategies included the housing and employment of incoming migrants in specific regions and sectors. This was accompanied by political organising around race, ethnicity, religion and class. Ramnath eloquently points out that »in the context of decolonization's modernizing tendencies, an appeal to what appeared to be >ancient< and >timeless< was critical« (206). In the new nation states of South and South East Asia, religious, caste, and ethnic identities were central to developmental, legal and political projects.

Matilde Cazzola

The Ideology of Greater Italy: Absolving the Guilt of Empire*

The Italian context still appears characterised by a puzzling gulf between an excellent, growing scholarship on the history of Italian colonialism in Northern and Eastern Africa, on the one hand, and a collective consciousness which promotes crypto-negationist ideas of Italians as humane colonisers and of the Italian Empire in Africa as a benevolent domination, on the other. In view of such problematic public memory, which is impervious to the results of specialist literature, the new book by Emanuele Ertola – which reconstructs the origins of that memory in the ideology supporting

the process of Italian empire-building – is a much needed one. The work sheds light on the *fil rouge* which, amid historical ruptures and major changes, connected the colonialist aspirations in the aftermath of the unification of Italy in the early 1860s with the rampant imperialism of the fascist regime, as well as the first colonial conquests of the pre-fascist Kingdom of Italy with the post-fascist imperial nostalgia of the Italian Republic. From their very beginnings, Italian imperialist ambitions and achievements have been informed by an incredibly long-lasting notion. This notion has not

EMANUELE ERTOLA, Il colonialismo degli italiani: Storia di un'ideologia, Roma: Carocci 2022, 191 p., ISBN 978-88-290-1505-4 only managed to survive major transitions - from the pre- to the post-unification era, from the monarchical to the republican phase, and from liberalism to authoritarianism to democracy - but was also not shaken by the ideological challenges potentially represented by catastrophic military defeats during both colonial campaigns and two world wars, as well as freedom movements such as the 19th-century Risorgimento and the Italian Resistance during World War II.

This notion is, as Ertola convincingly demonstrates, the distinctively Italian version of the ideology of settler colonialism, a European-born and globally employed intellectual pattern which predicates the neo-Malthusian link between the internal social problems of a superabundant population and resulting pauperism, unemployment and social tensions, and the external solution to these issues, identified in mass emigration and the systematic settlement of colonial territories (10). On the one hand, this Italian colonialist ideology adopted some of the notions already part of the »myth« of settlerism invented by other nations, first and foremost imperial Britain. These include the impulse to establish new societies, at once >daughters< and >sisters< of the mother-country; the concealment of violent conquest under the guise of a seemingly peaceful colonising process; and the representation of conquered territories as de facto vacant, to the detriment of the non-white and non-European colonised. Italian imperialists appropriated this transnational ideology and translated it into a peculiarly national jargon, whose ebbs and flows throughout a century of imperial history are tracked by Ertola.

The originality of Italy's take on settlerism coincided with a powerfully justificationist narrative. Whereas, as Ertola remarks, the settler colonial ideology, in its standard formulation, sought to optimistically present the phenomenon of emigration as an act of hope rather than despair (16), its Italian variant stressed the urgent, almost desperate necessity of the nation to find an outlet for its emigrant and labouring population. As early as the 1860s, the newly-Italian political and intellectual elites began to present emigration as a response to class struggle and an alternative to social reform, and the settlement of a colonial empire as its inescapable outcome. If relocated to the territories of the Italian Empire, in fact, emigrants would no longer be lost to the nation, and the country's population drain would be turned from a factor of weakness into a means of expansion and therefore a resource. Moreover, by stressing the poverty and industry of Italian emigrants, the conquest and colonisation of the empire represented not a »safety valve« to an overcrowded and criminal population but rather a well-deserved opportunity of relocation to an honest and hardworking proletariat (21). From this perspective, the empire was presented as conquered for the people, and imperialism as the natural consequence of an unavoidable process of settlement. Whereas the British Empire, this colonial myth went, entailed rapine and exploitation, the Italian one, being motivated not by thirst for riches but by an almost humanitarian necessity, was socially plebeian and morally benevolent (145). In addition, the entire country was to be described as a »proletarian nation«, and its colonial possessions the stakes of its successful class struggle against other European capitalist powers (90). What Ertola reconstructs is, therefore, a self-absolving, passive-aggressive colonial ideology, that, from its very beginnings, managed to successfully erase the violence of conquest and domination from its narrative.

The book begins at the second half of the 19th century, when, »as >colonial« was the feature characterising all modern European powers«, the new country was also expected to rush into the conquest of the »Oltremare« as part of its own process of unification (19). Although the first imperial outposts in Eritrea were acquired in the early 1880s in light of commercial and political considerations, the enterprise appears to have already been informed by the rhetoric of settlerism (34). The continuity between nation-building and empire-building was emphasised during the Italian invasion of Libya in 1911, which coincided with the 50th anniversary of unification (86). The settler colonial ideology was then powerfully exploited by the fascist regime, which conceived of the African colonies, on the one hand, as a spur to demographic increase (101-104) and, on the other, as a laboratory of experimentation of their desired totalitarian society, peopled by a socially selected and »racially pure« population and subject to a pervasive, centralised and bureaucratic government (118-119). The anti-fascist Italian Republic appears, in turn, to have been affected by a surprising continuity with the colonialist aspirations of the regime. Having been deprived of its African Empire in the aftermath of World War II, Italy unsuccessfully demanded the restitution of its prefascist colonies (Eritrea, Somalia and Libya, whereas the fascist conquest of Ethiopia was significantly not reclaimed), once again stressing the old myth of a »labouring people's empire« (118, 128–133). The early 1950s witnessed the attempt to forge the ultimate and official narrative of Italy's colonial past via the establishment of the »Committee for the documentation of Italy's work in Africa« (153). The Committee can be considered the swansong of the Italian settler ideology, prior to the emergence of a new historiography which, in the following couple of decades, finally solicited a profound rethinking of this myth.

Ertola discusses the internal inconsistencies in the long-term sameness of the idea of »Greater Italy« (69) by analysing a wide array of sources produced by an extremely diverse group of historical actors across the political spectrum. These include adventurers, statesmen, lobbyists, economists, journalists and geographers belonging to liberal, Catholic, conservative, socialist, nationalist, royalist or republican, fascist or anti-fascist fronts. This book demonstrates that a rhetorical and ideological superstructure always supports colonial rule, even when, like the Italian one in Africa, this rule is characterised by an intrinsically fragile, poorly funded and – despite the colonial myth –

scarcely settled imperial structure (72, 120). Intellectual histories of imperial ideologies are a useful complement to the research of legal historians, as the analysis of legal developments in imperial frameworks cannot disregard the study of underlying colonial cultures and their interplay with metropolitan ideas. More particularly, Ertola's book promises to become a useful instrument for those scholars investigating the legal histories of the Italian Empire. Moreover, the book represents a timely contribution to not only the scholarly but also the public debate by demonstrating how the post-fascist national identity of »Italiani brava gente« is the ultimate development of an intrinsically justificationist colonial culture, one which deceitfully emphasises a self-indulgent myth of humanity, hard labour and proletarian settlement over a reality of violence, conquest and racism (13, 128). For almost a century, Italy's colonial history of military occupation, massive deployment of bombs and chemical warfare, segregationist legislation and concentration camps was removed from its imperial self-narrative. In the 1960s, after the Empire was no more, the country's colonial past was wiped away from its national consciousness altogether (141).

Andréa Slemian

Law as Practice: History and Theory Concerning the Empire of Brazil*

This is undoubtedly an unusual book in academic legal literature. For the reasons that I will outline, I consider this most praiseworthy. First, in contrast to current dissertations that tend to have a very specific and specialized focus – a characteristic which is far from being bad in principle, but which has become the rule in academia – this work

presents research and reflection from different established branches of legal knowledge, almost always shown as distinct areas. The reason for this is that it is the fruit of a compilation of texts by José Reinaldo de Lima Lopes, some previously published, others new. Throughout a life dedicated to thinking about the field of law, he has produced

* José Reinaldo de Lima Lopes, Cultura giuridica e istituzioni in Brasile tra Otto e Novecento. Saggi sulla storia del pensiero giuridico, delle codificazioni e del processo, Pisa: Edizioni ETS 2022, 438 p., ISBN 978-88-467-6387-7