

**Adriano Prosperi, *Infanticide, Secular Justice,
and Religious Debate in Early Modern Europe***

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Released in Italy in 2005, the story of Lucia Cremonini and the infanticide committed by her in Bologna in the early 1700s, is now available for English speaking readers. As in the original version, which remains substantially unmodified, the reader is immediately immersed in the events (the first of the four sections of the book is aptly titled, “The Story”). There is no introduction and so no programmatic filter to lead in and orient the reader. The narrative takes up the statement of the porter, Domenico Prata, and the series of interrogations that resulted from it, immediately travelling to an impoverished attic on a cold winter’s day. Here we encounter a young woman whose words, taken from an initial inquiry conducted on site by the legal notary (one of the many male mediators, after the reporting party, from whom we know the story), set out an affair that is extremely crude and stark, but equally charged with tensions and unresolved details. As recounted by Lucia from the bed in which she had given birth a few hours before, in a vulgar Italian that this new edition offers in its original form, everything started from a sexual abuse, an “honour” stolen in a dark entrance-hall one afternoon during the city Carnival. Over the following months the ever more swollen belly raised suspicion in a community that was ever attentive but little supporting. Lucia responded by drawing on common beliefs about the body founded in the theory of the humours, explaining that the swelling was just fluid retention (in that view of the world, humoural transfers, deformations, and metamorphoses were considered rationally credible). This same female community, curious and caring as their roles required of them, but substantially distant and judgemental, hurried to her side on the night of the birth, realizing soon afterwards, almost in choral surprise, that a tragedy had taken place. The body of a child lay in a bag with its throat cut, and so it remained when, following the denunciation, a legal notary of the criminal court of Torrione went to the scene of the crime. A story emerged of loneliness without respite, and at the same time of control equally without escape, that is almost archetypal. This archetype runs through the centuries from *Ancien Régime* Bologna to the contemporary age. The rape suffered by Lucia, as recounted by the notary, is reminiscent of the initial scene of *History: a Novel*, by Elsa Morante: both the virgin Lucia living in Bologna under Papal dominion, and the widow Ida living in mid 1900s Rome occupied by the Germans, are similarly raped in a dark entrance hall, we observe the same silent helplessness of a woman in the face of an

unwanted pregnancy (Ida in *History* gave birth to her child and kept it alive, but in shame and hiding, as if the child did not exist). Considering that only since 1996 has the Italian penal code classed sexual violence under Title XII “Crimes against the person” (formerly it was under Title IX “Crimes against public morality and order”), it is thus no surprise that this sequence of events is all too familiar, almost of timeless standing.

In this quasi mythical dimension of the affair – a mother who kills her own child, Lucia like Medea, and the many women from the Middle Ages to the 1700s narrated in the book – Prosperi identifies strength, but also partiality and deceptiveness. Beyond the apparent replication of the scenario, “what becomes clear behind the apparently eternal return of things is the force of historical change” (p. 19). History as a discipline, with its critical toolkit, is thus called on to restore to Lucia her contingent vitality. To bring her back to life and give her a voice, it is not enough simply to listen to the records of the trial through which her story is known to us. The judicial records are central and necessary: this is the first line of investigation that Prosperi follows as historian, and significantly it becomes the entrance hall to the affair for the readers. However, this must in a sense be passed through and surpassed. While the legal records were produced by protagonists (the judges) who sought the truth, these documents do not enjoy a status of undeniable fact. Reading the words that these recount is not the same as hearing the actual words of the individuals that spoke them, “as if they were alive” (p. 15). The historian must overcome the temptation to act as a passive medium between them and us, rather like Michelet, bewitched by the force of their words, still so much alive. Nor can he presume, like Von Ranke, “to tell precisely how things had happened” (p. 17). What the documents give us are only signs, around which we can speculate, as doctors do when interpreting symptoms. We can only strive to understand, and in a sense, “to embrace the shades of Hades”, p. 16. Prosperi approaches this task by defining the affair on different levels: the “micro” level in the case of Lucia, reconstructed in its contingent context, the “macro” level of collective mentalities that endure over long periods. We start from the facts: Lucia commits infanticide. While Lucia’s intentions, her sentiments, the “truth” of her gesture remain unknown to us, we can ask ourselves about the meanings that could be assigned to this deed. What cultural sedimentation does this word contain? What social imaginaries, what tensions did it evoke, and what mechanisms did it trigger?

Chapter 2 (“Infanticide as an obsession”) retraces the long story of ritual infanticide, an ignominious guilt that, for centuries was attributed, in a stigmatizing function, to groups for which the speaker wanted to underline extraneity. Supposed perpetrators of infanticide included the first Christians as seen by the gentiles, in late medieval Europe this was how the Jews were seen by Christians, while in the early modern period they were women, often working as midwives, denounced as witches by their detractors. The latter women, operating on the extremely fine boundary

between life and death, are treated in some detail, reporting various cases from the Siena Inquisition, which have only recently been made available for consultation. On close inspection, the unpublished stories of the Tuscan women, Camilla and Vittoria, are not so different from those of the Roman Faustina or the Bavarian Appolonia: in all their cases it was assumed that if they were capable of bringing creatures into this world, they were equally capable of dispatching them. But above all, what made the difference was that these women were single: they did not have a man who guaranteed their conduct within the community and protected them before the law in the face of a legal system that was completely intolerant of marginal figures.

The regulatory aspects of infanticide, crucial in the case of Lucia and in Prosperi's reconstruction, are dealt with in Chapter 3 ("Infanticide as a Social Practice: from a Sin to a Crime"). He starts from the observation that infanticide, for which Lucia was tried and ultimately executed, was widely practiced in rural Europe during the early modern period. It occurred within complicit family systems, in a context in which the need for survival justified the elimination of female children in order to leave space for males as future labourers. A deep layer of accepted practice thus lies below the regulatory, criminalising level, in its turn the outcome of centuries-old practices and formulations. Starting from the late 1400s and early 1500s the European states condemned mothers responsible for killing their children with increasing severity. They were women like Lucia, who had lost her father and was without a husband, therefore devoid of the necessary male protection to vouch for her (the condition she found herself in, and the fleeting figure of the man that violated her, are reconstructed in Chapters 4 to 9). However, it was Christian discourse (from the Scriptures through Patristic and Canonistic conceptions) that provided the earliest attribution of guilt for infanticide. The basis is the idea that every violation of the natural order, which calls for the use of the body to be subordinated to superindividual demands, is so grave as not even to be expressible in human words. This "unspeakable" *nefandum*, includes not only infanticide but also abortion, birth control, and sodomy. It mattered little in the light of divine justice whether this involved non generative emissions of seminal fluid or the elimination of a foetus, although on closer inspection it emerges that, at least until the end of the 1800s, doctrine was not entirely consistent in the definition of the ontological statute of the latter, and consequently there was a lack of coherence in the positions assumed for the treatment of those who infringed it. Following the great dispersion in the late Middle Ages of the biological works of Aristotle, alongside the idea derived from Patristic views that the vital breath intervened immediately upon the act of conception, the idea also became established that the conceived material received a soul only at a certain stage of development, once the major organs had formed. In line with scholastic orthodoxy, the theologians of the age of the Counter-Reformation fully adhered to this idea of "mediated" animation with the result that their discussion of abortion left open the hypothesis that if it occurred as the involuntary consequence of a therapeutic intervention, then it was not a mortal sin.

While this made medical intervention harmful to the as yet unanimated conceived body less problematic from a moral perspective, the issue was much more complicated when the conceived *quid*, from unformed coagulation came to transform itself into a body, even if still roughly formed, exhibiting a striving towards natural conservation of self, which, as a “natural” phenomenon, must not in any way be obstructed. In the *Ancien Régime* world from which the story of Lucia emerges, permitting life did not only mean guaranteeing biological vitality, but also “giving a soul” through baptism, thus ensuring an afterlife for the “creature”.

The chapters of Part Three (The Son, The Seed, and The Soul) are dedicated to the concepts of a living being, and the significance and consequences of baptism, above all as regards the identity of the person receiving this sacrament. Who or what is an infant before baptism? Who or what is the same without baptism? The words used by Lucia to refer to the infant born to her, “well-formed in all its parts”, and killed by her before any hand had poured on its head the water that cleanses the original sin, are significant: “the creature”, “the little boy”, “my said son”. Among these, the first occurs with great frequency, also in the statements of the witnesses called to the trial, indicating how, without baptism that confers a name and afterlife, “a man is not a man”. Thus the child’s brief transit through the world would conclude in the non-place of Limbo, where those shadowy beings accumulate, almost inhuman, extremely muted in voice, who remain excluded outside of the gates of admission to life and community. If the “creature” had a very short life, so brief a time as not even to receive a name for admission into the community of people, what life instead did his mother lead?

As recounted in Part Four (Justice), Lucia entered the procedure foreseen in the *Ancien Régime* judicial tradition, which with its sentimental and embellished rhetoric, its theatrical displays, its horde of officials, on one hand received and comforted her with lenience, while on the other terminated her terrestrial existence with inexorable severity. This final part of the book brings together themes particularly dear to the author, like that of capital punishment, which in *Ancien Régime* Christian Europe, assumed the form of a religious rite in all effects, with the ultimate purpose of salvation (recently discussed in *Delitto e perdono. La pena di morte nell’orizzonte mentale dell’Europa cristiana*, Turin, 2013). If the declared aim of the entire performance was the salvation of the condemned person’s soul, this was achieved not only with the spectacular killing of the body, but also by acting on their conscience (another theme dear to Prospero, for which see *Tribunali della coscienza. Inquisitori, confessori, missionari*, Turin 1996). Indeed, it was specifically this, more than the body, that the levers of the justice mechanism addressed. The conscience is the interior court of the guilty party into which the voices of the accusers and consolers insinuate, where remorse and comfort are experienced, and which the process of justice attempts to cleanse. It is the interior location of the judge, who unmoveable, in complete legitimacy, issues a death sentence. And it is the interior space, so very easily influenced and manipulated, in which the citizens of

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Bologna, gathered in haste in Piazza Maggiore one morning in January 1710, perhaps felt horror and relief when they saw the body of the young perpetrator of infanticide separated from her soul and donated to the Bologna medical school for public dissection. Justice had been done, the *nefandum* sin against God and against the community had been atoned.