

I remember well the student-rallies which I attended in Genoa, which called for the return of Trieste to Italy. I had gone to Genoa to attend the fifth year of middle school, until the fourth year I had been in Eboli. So I remember the rallies quite clearly and I then began, in a way, to understand that a world existed beyond the path I was on, which was bigger, more important and more significant.

A hint of this was also made when I was in Eboli, so in the years... well I left Eboli in 1956, so probably what I remember of the first signs of repression in Hungary is blurry.

At my home I also hosted strange meetings, strange for the time, where a good part of the dissenting Catholics, of the "No" group, gathered, at the time of the divorce referendum. It was here we wrote an open letter to the bishop. Sometimes it was the meeting place of some of the works councils' representatives, who lived very close or with our assistant pastor who was a priest, but who also a factory worker. My wife and I were both very committed and worked very hard for the implementation of the post-war school decrees. At that time we also strengthened our commitment to the parish. Giuliana was a fierce trade unionist, having left the independent trade union of the school because it seemed too corporate to her. And I was very engaged in the politics of justice, in particular the judiciary.

Why did I decide to become a judge? The answer is, simply, I do not know. It's probably a psychological inclination; I remember when I was in Genoa, during the second and third years of liceo classic, I was one of the founders of a political club for students, and indeed I was actually the President or maybe treasurer and already, I was very interested in looking around. And then you know, in Genoa, I was in Genoa when the riots were going on, in protest against the first Tambroni government, in 1960. Actually, I wasn't in Genoa, but in the Aeolian Islands, at my grandparents. However, I followed the goings-on very closely, I always had this kind of interest and focus and as the years went by it, in a certain sense, improved and matured. I began my career as a judge alone, my first seat was in Lecco, on the outskirts of Milan, where I lived in '68 and '69. There, we had enough repercussions of this thing here and already my inclination to stand on the side of... at this point I don't want to use those words, which have been done-to-death, but... on the side of those who were weaker, a trait I have displayed since I was young.

This is certainly not something I got from my family, because my family is from the bourgeoisie, probably the petite bourgeoisie, of the south of Italy. So my family was very closed to anything that was outside of the private sphere; what Ennio Flaiano called the national excuse: "Tengo famiglia", or "I have family", is in our DNA. There was however... a certain propensity towards caring for others. Well... Among my pleasant childhood memories there is the memory of a ... now we'd call him a tramp, an old man, a beggar who came almost every day to our house at lunch time and mum would always give him a dish of hot soup. And I'm talking about the early '50s mind and when he didn't come, she was worried. This care was there, but it was... I suppose... entirely unvoiced, always staying at the same level, not increasing... My father, as a result of his upbringing, was a very modest man, because dad was the son of a labourer who worked on the railways, he had worked, he had studied, he graduated and he went to Milan to work, so he had a generally positive attitude and disposition, but lacked the self-consciousness, if you like... which of course at the time did not even exist. So it was not a path my family chose for me, but one I chose and walked myself. The old man, the beggar, came, climbed the three steps that led to the landing and there was only us there, he rang the bell and mum was always there to give him an aluminium dish of hot soup, with an aluminium spoon to eat it with. Yes, I was impressed, really impressed, because there was no explanation – there was the fact; it was probably this then. I am convinced that what matters is the example

and not what one says, even more so what one does, it is likely that these instances have helped to increase the tension I felt within myself.

I have always been incredibly consistent and demanding from an ethical point of view and when I finally found... philosophy... I remember in the matriculation exam, which at the time was very different from now, they were all external members except one internal, the external professor who did History and Philosophy told me that in history 'I gave you 9 because you know it well, in Philosophy I gave you 10 because not only do you know it, you also live it'. When I finally found Kant and his famous sky above and moral law – "The starry sky above me and the moral law within me" – I remained in that place, embedded for a very long time in a situation of absolute indifference to the presence of God. This Kantian morality was very strongly felt instead.

And then I remember that at school they had told me: "You have shown a particular talent for debate; you reason well and explain what you think very well, so you have a great capacity for persuasion. Take care, because to use this talent badly, would be to turn it into a weapon." I still remember this one thing: "Remember to always use it well, because you could become..." bearing in mind the time it was... "a member of the Common Man's Front", because that movement finished within a short while, "so be careful"!

Catholicism arrived with Giuliana: she was deeply Catholic, but intelligently so, and we talked about Kant and all of these things and she said: "Listen, you must promise me that you'll get to know my spiritual father." "Alright, I will." And so I went and got to know this Monsignor who worked in the Vatican, a splendid person, possessing a truly moral stature, civil, and through him I got closer to a recreated and relived religion, because my religion was the traditional religion of my family, where only the women went to church every Sunday and just ended up there; the men – never. So... children only went with their mothers. It was really just a formal ritual for us, but since then I discovered that you can fill it with religious meaning and I have filled it with meaning even if I'm not 100% orthodox.

With the previous bishop I had a difficult relationship, because, as I said, I associated him with the "No" Catholics. Then, we asked him, in an open letter, for a meeting. I already had a little notoriety, due to my profession (pretore d'assalto) and he granted the meeting only to me and when we met he said: "As her bishop, I propose... since, excommunication for communists remains, that she confesses to me personally." And I said to him: "For what?" "Because it seems to me that you are a member of those political parties." "No – I said – look, it's not about seeming, I *am* a member of those political parties! But I'm strongly convinced that this issue has nothing to do with sin, an issue which I do not feel the need to confess for. If I wanted, I could confess for all the other sins of my life, but this is certainly not one of them."

With the current bishop we now have a looser relationship instead, he appointed me to the pastoral council of bishops, which aroused fierce anger with some people. Then he became a member of the AN, then a regional councillor as well. I occasionally say to him: "But Don Eduardo, I am borderline." "Yes, I know, but on which side?" And he once gave me a lovely response: "A couple like you in a diocese is fine, three begin to become a problem." So, there has been a constant search for a Catholicism that is... mature, as Prodi said. Mature.

In '68 there was a moment in which the west missed a great opportunity. I was already a magistrate, a so-called "representative of the repressive State" and I had drawn up a sort of "Ten Commandments" of how to be a judge whilst also being a member of a party. So

my strict response, to which I always stayed true, was that everything which was an expression of ideas should not be punished, no matter what they said, when it turned into violence no, then you had to discover the mechanisms of violence and punish the perpetrators. This was one of my clear choices which has stayed with me the whole time. And then we began to feel this kind of fresh air that was circulating... but it only circulated a bit, really just a little. I, among other things, had in my rich professional experience the following (around 37 years in the job, remember). While in Lecco, I believe I was the third or maybe fourth in Italy to apply the statute of the workers and, more precisely, the article that forbade anti-union measures. People didn't even know what that was. I remember that it was a terrible hearing for me, because I wasn't able to understand, and it is my view that the conduct of those small-business owners of the Brianza area was swift, it is not that they required so much... and so I suppose... here is where I suppose the real problems of the division between... but, then at the end I decided the workers were right and I was content. I reinstated it.

I first encountered history as a concept during the Hot Autumn, which I spent living in the outskirts of Milan. Then you could almost see first-hand that something was about to boil over, we did not know what, there wasn't a clear view of the phenomenon, but it was a phenomenon with a great disruptive capacity, one which you just needed eyes and ears to be aware of, one which helped me to choose the path that I ended up on. A path which simultaneously maintained a balance as well as a clear propensity for a part of society, of social demand in general. In my chosen-career it wasn't easy, even if I've never been 'Comrade Magistrate', since I was in fact committed to not being one of those, because, in my opinion, that would've been a mistake – if you want to be a comrade, don't be a magistrate, if you want to be a magistrate, don't be a comrade. Once, I wrote as much, and it was printed in the "Corriere della Sera", a reflection about my integration with the magistrates. It referenced the Gospel, blessed are the poor, the Beatitudes, but not the blessed of Matthew, but those of Luke, where there is: "Blessed are you who are poor, and woe unto you who are rich." I argued that, in essence, a judge can be a judge in an acceptable manner, if they are able to match the positions of those in front of him who seek to be right or wrong, guilty or innocent. It's a little like the speech of Don Milani, no? "Letter to a Professor", which, with Giuliana, I have read and commented on at length: if there's one with 100 words and one with 1000 words, and you must judge, in the end you are looking for 900 words. I'm not saying you need all those words, but you must try to understand what they would've said if they had been able... And I was the object of a fierce attack by a professor, who was a professor at my University, who was saying that "Christ was in the court", comparing me and the others with Nazism. I answered him in a harsh manner, but in the meantime he died, so the letter was not sent, however, look, I really felt that moment and I felt it when, in Lecco, there were student and worker demonstrations: Lecco was in an area with flourishing mechanical industry, especially metalwork, in Lecco there was a famous ammunition factory, La Fiocchi, in fact Fiocchi cartridges and other products are used all around the world. And there were demonstrations, one after the other, like there were in Milan. There, I realised that there was a part of society that appeared stunned, horrified and absolutely intrinsically-backward. On the other hand there was another part, only small unfortunately, that raised the issue of understanding and listening and I was a part of this group. This was the attitude: try to understand, an attitude that was relevant to my judging. This was a defining time. The concept of history, through its implications, affected me to the extent that I undertook military service with Emilio Alessandrini, the magistrate who was killed during the Years of Lead. For example, I had, and still have, friends who are incredibly high-up in the judicial system. Some, thankfully, are still alive: Ermanno Spataro, Pietro Calogero, Giovanni Tamburino, all magistrates. And, upon entering into the judiciary in '68 I realised

immediately that there was a world of possibilities regarding political action within the judiciary and I placed myself there immediately. In '72 I was already participating in the first meetings of current movements etc. and, there, I very often felt history pass in front of me, usually in a harsh and very often bloody manner, as in the Years of Lead and there is a list of personal friends who were indiscriminately killed by black and red terrorists, to which I have to add more friends who were killed by the Mafia: Falcone, Borsellino.

History is an angel that would have flown, undertaken other flights, but this was prevented, which is undisputed. I immediately felt, not a feeling, but a certainty that there was a part of the state apparatus, not a small or secondary part mind you, which was very much opposed to any notion of openness, reform or social movement. Not social movement like the party, but movement as a society. I endured it and I endured it because I had a very clear idea of things, especially the representatives of the forces of order, which followed my directions very begrudgingly, which were "in a sense of balance", and who didn't follow my directions unless micro-managed step-by-step. I learned this very early: the indifference towards revealing the hostility of a considerable part of the repressive state apparatuses. Then at the same time – this gives weight to my idea that you should never generalise – I played a big part in the movement to demilitarise the police. I remember participating once in a meeting, and really it was like being at a meeting of the "Carbonari", held at Monte Silvano for the first police union that was being established and which was illegal, not unlawful mind you, and they asked me to participate, because the presence of a magistrate encouraged them a lot. So there was me and then there was another democratic magistrate in attendance. I was at a conference in Milan and had taken the train and from there a policeman, a corporal, brought me to Pescara. I attended the meeting with them, they brought me back here and I caught the train and returned to Milan at seven in the morning, without having had any sleep, but I still remember who was there, because there were moments in which you realised that you were doing something important, you were witnessing the moment an important movement was being born. So, after, I suppose... the movement was sat down, it became lazy and was modified for the worse, a bit. But at the time it really seemed to us that it was the "Carbonari" all over again, and that we had returned to the times of Mazzini and his Young Italy movement!

I don't feel like I have changed history, which is gargantuan, but I haven't passively engaged in it either, rather taking an active role, albeit small, I'm not sure about it being a big role, but I was pleased to be in a group that has testified to the strength of values, even at a time in which these values were shaken and not so important.

The concept of dignity has an absolute centrality to all legal and social reflections. In the name of dignity you are discussing and you are working to cancel the most unacceptable aspects of the law on assisted reproduction and in general of all legislation. Yesterday, I heard that the chamber had approved, i.e. finally approved, the bill that contains the abolition of the crime of illegal immigration. And this is another incredibly profound subject, an open wound if you will. Being on the road of respect and dignity is good, because a large group travels on this road. It is a company that is not just made up of those with fervent religious values, because we are all children of God and thus, we have an inherent dignity. We also found lots of people who have thoughts which are completely different, as well as people who are agnostic, atheist or of other religions. And the dignity of the person is also the dignity of the woman, which doesn't just consist of the fact that she should not be killed, it's one of a whole series of things. In my line of work I, unfortunately, see it every day. On the one hand, human dignity is the cause and on the other, the consequence of the matter of equality: the motto of the French revolution. Liberté, Egalité, Fraternité, if they're all put together, you get dignity. When we recognise dignity we are all the same,

we are free and we feel the value of fraternity. This concept enjoys plenty of space in the law, especially in international law, which forces us to verify that we still back it.

Then there was my direct involvement in politics, the "concrete passage". Even here, I don't know why I went into it. I like my job, my "mestiere", I'm not talking about a profession, I speak of a "mestiere", because I like to define it in this medieval way, i.e. like being part of a guild. The kind of thing that you need to know how to do, in a practical sense, not just the theory behind it. Giuliana was opposed, because I was too idealistic to be involved in politics. At that moment, the region emerged from a "Tangentopoli", the corruption scandal, that was perhaps more severe than that of Milan's, even if it was given less media coverage and so I accepted, through sheer curiosity, also because I was convinced that after "Justice" had been administered, perhaps the common good would have been better to administer too. I accepted also because I was convinced, and I'm still convinced, even if this conviction now teeters on the edge, that it is possible to be a good politician. Once at a meeting, a colleague from Geneva said to me: "The differences between you and us are many, but the real, substantial one is that for us the common good means the good of all and therefore everyone is cared for. To you, the public good is no good to anyone and therefore, nobody's worried". So overturning this would be politically advantageous and I have tried to do this in the context of my experience as president of the region. Immediately after my experience a friend said at a dinner: "Dear Giuliana, Vito has forced a number of people to fast for ten years, but now they are even hungrier than before."

Falcone always said to me: "As soon as you leave me alone, you put a target on my back". In fact in the exergis of the book that he gave me, "Cose di Cosa Nostra" ("Things of Cosa Nostra") there was the speech that the State only kills its own servants. And the dedication read: "In memory of the many battles, for the most part lost", because then Giovanni was showing a Palermitan inclination to be pessimistic, because Sicilians are fatalists, the inhabitants of Palermo are also pessimistic, however, they are also possessors of great intelligence. We knew that Death walked next to us. In a certain period it was solely my fault that it accompanied me, other times it was because I went to Palermo to meet Giovanni. Once they came to pick us up in the armoured car and in order to enter the hotel, there was a corridor filled with heavily armed men, so much so that Giovanna was very impressed. Another time Falcone and I were together and the armoured car came to pick us up, "Shall we go and get a coffee? Yeah, all right let's go... No, no we'll go in the car... let's go in the car..." He positioned himself behind the steering wheel and I got in the back, confident that he also would have got in the back, and then he said: "All right, you've promoted me to driver." "But I thought you'd get in the back." "No it's okay, because the driver is rarely shot at, they'll shoot at you, hoping to nail Falcone, and this is Falcone's car after all!" We messed around like this, because the situation was already very dramatic, so we sought to inject a bit of humour into things.

I suffered through Berlusconi's shining period of office: a difference in DNA, structural, ontological, two irreconcilable ways of seeing the government, the exercise of power and the purpose of it. The ways in which power was exercised were not completely different, I have always said that corruption has unfortunately reigned on the left, but the ones who governed or sought to govern, the others sought to take advantage of the government, which is a different thing, a deeply different thing.

The general level of moral conscience of this nation has never been high, let us remind ourselves of the Italians and the "particolare", which were mentioned by Guicciardini, in 1500, regarding self-profit, and that famous phrase, "France, Spain, doesn't matter so long

as we eat". The Italians have never been strictly puritans, but that little bit of civic and moral consciousness that existed was destroyed by those twenty years. The individual who embodied this thing will move on, is moving on, probably from the 11th of April we won't hear anything more of him, won't hear the talk any more, but there will be an 11th of April. Although what he has left behind him will take at least two decades to fix, to get back to how it once was. Not from an economic point of view, but from a civil and moral point of view. This is what is ahead of us. This quest for success in order to gain power, for power in order to gain success, and so on that always comes back to the money and wealth that allows you to break the law with impunity, is terrible. In this period I realized how real and polemic the Roman expression "A 'mpunito!" is; in essence, not being punished. In Rome they'll tell you that if you cross when it's yellow it'll go unpunished, but actually they'll tell you one thing that today is real, because if you cross when it's red, you do so thinking and knowing that you won't be punished, that's the crux of the last twenty years. The future of the new generations will almost certainly be worse than what our future was supposed to be, because I have lived through the Italian miracle, before I had a 500B the Giardinetta, the 1100, then the Giulia: what progress. I believe I have a very strong obligation toward my grandchildren, to try to convey to them something that may give them hope. My grandchildren were born, as I said, on the right side of the world and on the right side of the right side of the world, because they were born into a wealthy bourgeoisie family, in the west, that is itself affluent... The charity crisis, which we feel less... Then I think I have the obligation to do everything in my power for this world, to make it a little less worse and this is achieved only by bearing witness. At a tiring and difficult hearing, a colleague told me: "Well done – Not 'Well done' in a professional sense, that's a trivial thing, but 'Well done' because at your age, after 40 years of service, you put a lot of care into your work and come prepared." This is why we must understand that it is necessary and in fact great to be prepared, to prepare oneself, and this, according to me, does not mean being formalists, it is something completely different, it means being ready for the task, having studied, understood, and to be prepared to respond in a certain way. This is the obligation that we have and especially us, because if I have never voted for those individuals, it is still my fault if they have won and have governed Italy for twenty years, because it means that I was not able to come up with any sufficient alternatives.

Our weakness comes from history and geography: France became a state in 1000, us in 1861 and on paper, because as Massimo D'Azeglio said, "Italy has been made, now we have to make Italians." We haven't succeeded yet, there is a lack of a sense of national identity, we have a feudal mentality, this is my home, and here I can do anything and everything, that is your home and you can do the same. This division is bad: you must appoint five administrators and then appoint one of the government's party, one of the opposition's party, and so forth. This is where it goes wrong. Then there's even worse, in the moment in which you tell me that it is my turn, I can put in who I want and you don't have any right to put your beak into my decision-making, because that diminishes my autonomy: this idea has been passed on, has devastated everything, because I can understand, but do

not justify it, I can understand a speech of charged emotion, of weight, even if it goes against the beautiful idea that Berlinguer had regarding the moral question, but even then to be allowed to appoint anyone... Just no! Because the idea is that I am the king, who distributes the feuds, but inside the feud, the feudal lord does what he wants, he wants to use the Jus Primae Noctis with all the women of the... well, great he can do it, with all the men, he can do it. This is, I believe, the most deteriorating aspect of the mentality. Among other things we are particularly unlucky here, because in these areas the pope has dominated and he was the biggest obstacle to progress.

My life has been like the course of a river, which starts off as a small trickle, then thickens and crosses the land and skirts along different coasts, difficult coasts, some rich, others poor, and is charged with eroding and transporting sometimes the riverbank's dirt, sometimes positive things. And I hope that the sea is reached while still retaining a bit of clarity and helping, not worsening, our sea. At least a little.