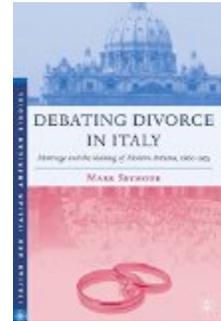


# H-Net Reviews

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Mark Seymour. *Debating Divorce in Italy: Marriage and the Making of Modern Italians, 1860-1974*. New York: Palgrave Macmillan, 2006. ii + 290 pp. \$69.95 (cloth), ISBN 978-1-4039-7271-2.

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## Becoming Modern

This is a book about divorce in Italy. It is a tale of the struggles to have a divorce law passed by parliament, and then approved by the Italian people. It was a struggle that lasted from unification in 1860 until the popular referendum in 1974. That referendum upheld a divorce law passed on December 1, 1970 at 5:40 am when, as Seymour recounts, “after several deputies had collapsed from exhaustion, a parliamentary vote of 319 for divorce, and 286 against, made Italian history: The nation now had a divorce law” (p. 211).

But divorce is just the running narrative thread to a book whose broader themes are the modernization of the Italian nation and the completion of the Risorgimento. These, according to Seymour, involved the secularization of the state with the reduction of the Vatican’s influence in Italian society, and the concomitant triumph of individual liberties over both the conservative Catholic Church and state. As the divorce law did not become a reality until 1970 in Italy, decades after much of western Europe had a divorce law, it is no surprise that this book is a chronicle of the frustrating failures to bring divorce, and modernity, to Italy, and that the ultimate culprits are the Vatican and its conservative allies.

Seymour does an exceptional job tracing the debates surrounding divorce in Italy from the Risorgimento to the republic, showing a mastery of parliamentary procedure and the fortunes of various divorce proposals in that particular labyrinth. He also consistently places the issue of divorce within a broader Italian and European context, showing what forces acted as an accelerant and/or brake

to the debate throughout its history.

Seymour tells his story in a series of nine chronological chapters that are centered around the various parliamentary proposals for divorce, the events that led up to them, and, of course, why most of them never passed. Thus, for the period 1860-78 Seymour notes that divorce was not put into the 1865 Civil Code or introduced during the reign of the Historic Right as Italy was still a fragile creation and it made no sense to antagonize the Catholic sensibilities which were the one thing most Italians had in common at that point. Thereafter, Seymour chronicles how, with unification complete and the ascent of the Left to power, divorce was in fact taken up by parliament. However, the proposals of 1878, 1880, 1881, 1883, 1892, and 1901 were all failures because of the premature dissolutions of parliament, owing to that body’s unstable nature, which short-circuited the deliberative process that would have made a divorce proposal into a law.

Seymour explains this process to the reader, as it is the primary reason why divorce never became a law for the first thirty years after unification. For a proposal to become law, it would be presented to the Chamber of Deputies, the Chamber would then vote to take it into consideration, then nine committees were to meet to discuss it, and then each committee was to send a representative to a commission that would then present its report to the Chamber, at which point the Chamber was to discuss and vote on the bill. Of course, thereafter the Senate was to go through another equally deliberative procedure. As Seymour points out, while admirably demo-

cratic, this procedure meant a proposal could be buried and lost in the slow-moving parliamentary process. The point he is trying to make, however, is that the failure of all these divorce proposals had less to do with a lack of political and public support for the measure than with the idiosyncrasies of the Italian parliament.

In fact, Seymour spends quite a bit of time explaining that nineteenth-century Italy was in need of a divorce law, which explains why proposals kept being introduced into parliament. He notes that there was a high rate of requests for personal separation: 11, 431 between 1866-79 (p. 64). These numbers were comparable to Belgium, which had a divorce law, and France, which was on the road to getting one in 1884. Moreover, he also points out that there were 699 cases of murder in Italy from 1866-80 that were directly attributable to a failed marriage, as one spouse had murdered the other (p. 76). These divorces “Italian style” occurred at a rate of one a week and are presented as further proof that there certainly was a need for a legal procedure to end marriages.

But, why then did divorce not become law until 1974 if there was such a need for it? Seymour’s answer is ultimately the Church. Until 1901, deliberative procedures in unstable parliaments killed all proposals for a divorce law. But the proposals kept being introduced, because of the apparent need for a divorce law. After 1901, however, a proposal could not even make it through the initial stages of parliamentary review because the Church, through its Opera dei congressi, had successfully mobilized public opinion and parliament against divorce. Starting with the divorce proposal of 1881, the Opera had begun sending out petitions to parishes throughout the country that were then signed and forwarded to parliament. By the 1890s, and especially after the turn of the century, parliament had lost whatever sympathy it once held for a divorce law. Thereafter, politics became ever more conservative, with both Giolitti and Mussolini allying with the Church to combat the rise of socialism, and thus divorce was never even considered. Seymour devotes an entire chapter to the period 1902-29 to highlight the conservative influence the Church had on Italian politics, undermining the Liberals’ commitment to individual liberties and seemingly setting up the Fascist corporatist view of the family and society that privileged the stability of the whole over the freedom of the individual.

What finally broke the stranglehold of the Church on Italian society were the social and economic transformations that made up Italy’s postwar economic mir-

acle: more women in the workforce, migrations from the south to the north, and from the countryside to the cities. In these fast-changing and very mobile times questions were raised over the validity of the traditional family model and the relevance of uncompromisingly indissoluble marriages. Slowly, as Seymour recounts, an unstoppable public pressure developed for a divorce law. *Noi donne*, the Italian Communist Party’s women’s magazine, began a series on divorce in 1955 highlighting the extreme situations that arose because Italy lacked a divorce law, such as people who remained legally married to spouses who had left Italy starting new families of their own in were technically adulterous relationships, with illegitimate children. The release of Pietro Germi’s film *Divorzio all’italiana* in 1961 also shifted public opinion. The film highlighted that in Italy the only way to get a divorce was through the death of a spouse, which, the point was, could lead to spousal murder. Seymour feels the film highlighted all too uncomfortably, at home, but more embarrassingly, abroad, the “anomalies” of Italy’s marriage law.

Finally, in 1965 the Socialist deputy Loris Fortuna introduced his divorce proposal and had the immediate backing of *Noi donne*, and also a men’s tabloid magazine *ABC*, which specifically mobilized its readers to support the divorce initiative. The Radical Party also got behind Fortuna’s proposal, creating the Lega italiana per il divorzio, which mobilized pro-divorce forces throughout Italy as effectively as the Church had done for the anti-divorce side. Stories filled periodicals and the masses attended rallies as public pressure was kept up to keep the divorce proposal moving through parliament.

After much parliamentary wrangling, on November 28, 1969 the pro-divorce side of the Chamber triumphed in the first parliamentary vote on divorce. The Senate, after further wrangling, also voted in the affirmative on December 1, 1970. The referendum that would approve the new law was held on May 12-13, 1974, with 59.1 percent voting for it.

This is an admirably well-researched and well-written piece of history. Seymour has ably laid out the travails of the various divorce proposals, their origins, their national and international contexts, and how a divorce law finally came to Italy.

However, I am not so sure about the basic premise of the book that the divorce debate in Italy can be used as a barometer of the modernity of the Italian nation,

as laid out in the book's subtitle *Marriage and the Making of Modern Italians, 1860-1974*. Modernity to Seymour means the triumph of the individual in the face of conservative traditions as upheld by the Church, its conservative allies, and their corporatist view of society, in which individual liberties must be sacrificed for the benefit of the whole society. This narrative of a clash of ideologies, the modern versus the traditional, works well in Italy's postwar years, and Seymour shows that a well-developed anti-divorce front came up against an increasingly well-organized and vocal pro-divorce and secularist movement in the 1950s and 1960s. At that point the divorce debate may be used as a barometer of a developing modern sensibility (as narrowly defined above), but I do not think it can be used in the same way for the period from the Risorgimento to the 1950s.

As Seymour himself recognizes, one of the primary reasons that divorce was never legislated in Italy until 1974 was that it was too controversial and many felt the country simply could not handle it. Italy was not like the rest of western Europe, which had acquired divorce laws much earlier. It was predominantly Catholic, played host to the Vatican, and did not have a history of state challenges to the authority of the Church. Divorce did not have enough public support in this very Catholic country to warrant the political battles it would inevitably unleash until the 1960s. The Liberals failed to include divorce in the 1865 Civil Code because it would tear apart a recently united country. The Socialists and Communists acceded to the absence of a divorce provision in the postwar constitution because it would have exacerbated relations in a nation reeling from military defeat and civil war. A modern sensibility, or lack thereof, had nothing to do with these decisions; it was political pragmatism.

Moreover, if all of the early divorce proposals failed because of the premature dissolutions of parliament, then how could the failure of these proposals be in any way a measurement of a modern sensibility? Seymour, as noted above, tries to get around this particular problem by focusing on the need for a divorce law, as seen in the number of requests for personal separation and incidences of spousal murder in the 1860s and 1870s, and the resulting divorce proposals introduced in parliament at the time. Presumably, the need for a divorce law would have kept proposals for such a law being introduced in parliament until they finally broke through. But, as Seymour argues, the political mobilization of the Church in the 1880s quashed whatever sympathy once existed in parliament for a divorce law. However, the numbers Sey-

mour quotes showing the need for a divorce law are not so large as to guarantee that they would ever have shifted parliament's opinion to the overwhelmingly affirmative, whereas the number of names on the anti-divorce petitions the Church sent to parliament (637, 712 in 1881, 3.5 million in 1902) was certainly enough to dissuade any radical political initiatives.

Seymour seems to underestimate just how conservative Italian society and politics were in the post-Risorgimento period. The nation was overwhelmingly rural and illiterate and perforce looked to the Church for its moral compass. The ruling classes themselves were not eager to unilaterally uphold and expand individual liberties at the expense of national stability. After all, the suffrage was quite restricted until 1911. Thus, it would seem that a divorce law never really had much of a chance in pre-World War One Italy. However, should the lack of a divorce law be taken to mean that Italy was not modernizing? Certainly not. The development of Italian industry, the emergence of the Italian Socialist Party, and the Italian Futurist avant-garde movement, for instance, all pointed to modern developments in the economy, politics, and culture that put Italy on par with the rest of western Europe.

I do think that Seymour is more successful, however, in showing how divorce stimulated the Church's earliest political activities. It is clear that the introduction of the 1881 divorce proposal pushed the Church into its first tentative steps into Italian politics. Whether this overturns, as Seymour argues (p. 86), the existing belief that the rise of socialism was at the root of Catholic political mobilization is another matter. It is true that the Church was forced to engage with parliament to derail the 1881 divorce proposal, and thus had to accept the legitimacy of a united Italy and its representative assembly. However, the Church lobbying parliament against a distasteful proposal should not carry the same weight as the Church actively engaging in parliamentary elections in determining when political Catholicism was truly born in Italy. The prohibition on Catholics voting in national elections was lifted for the first time after the 1904 general strike, and this was a direct response to the perceived socialist menace in Italy.

However, these dissenting views from Seymour's broader conclusions should not detract from what he has accomplished in this work. It is a solid and well-researched treatment of the history of divorce in Italy. It is well grounded in extensive parliamentary records, as

well as a significant collection of primary and secondary sources on the subject. As such, it is a welcome addition to the field of modern Italian history.

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