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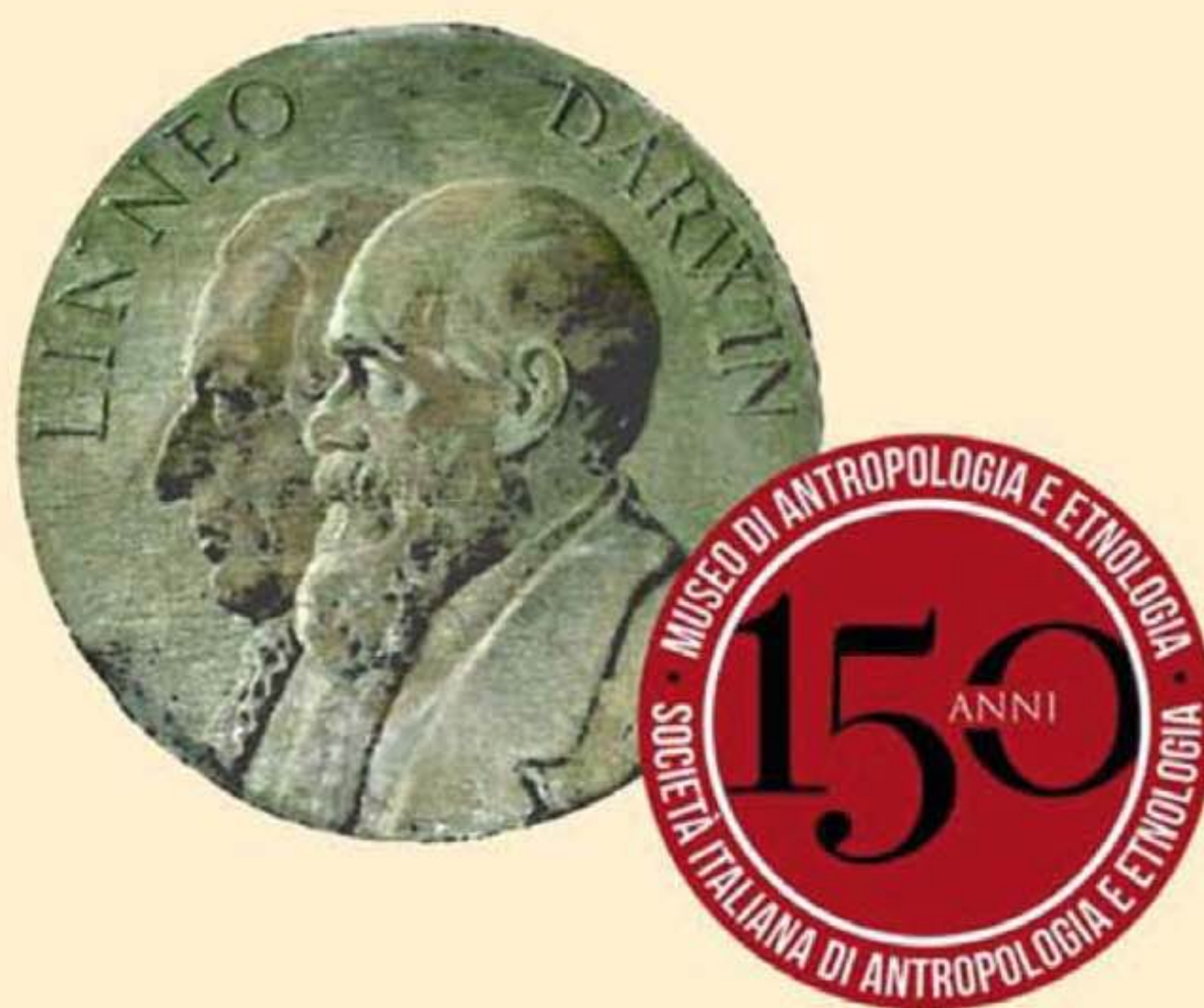
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The hunt for a scapegoat during an ancient pandemic

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PAROLE CHIAVE: processo, scienze forensi, errore giudiziario, peste, Covid-19.

RIASSUNTO — Nella «Storia della Colonna Infame», Alessandro Manzoni ricostruisce la vicenda processuale di due presunti untori ritenuti responsabili del contagio durante l'epidemia di peste bubbonica che colpì il nord Italia tra il 1629 e il 1631. Dopo la delazione di Caterina Rosa, il Commissario di Sanità Guglielmo Piazza fu accusato di aver cosperso i muri cittadini con una misteriosa sostanza atta alla diffusione del morbo. Dopo il susseguirsi da parte degli organi inquirenti di errate interpretazioni di presunti elementi probatori, e con ricorso alla tortura, Piazza indicò il barbiere Giangiacomo Mora come complice dei crimini a lui ascritti. Il processo proseguì nel disprezzo sia della verità che della logica processuale ed investigativa. Infine, grazie ad un esteso uso della tortura, gli imputati confessarono la propria colpa, seppur inesistente, additando cinque altri presunti complici in un disperato tentativo di salvare la propria vita. L'esecuzione fu eseguita il 2 agosto 1630, ed un pilastro fu eretto sul luogo in cui sorgeva la casa del Mora, rasa al suolo come parte della sentenza. La colonna venne posta come imperituro monito per coloro che avessero voluto intraprendere la criminosa carriera degli untori. L'opera di Manzoni testimonia l'infame errore che può essere perpetrato da chi abusa del proprio potere, agendo contro ogni forma di buon senso, spinto da una paura irrazionale. Valutando il quadro con un moderno approccio scientifico e forense, è possibile individuare nell'angoscia generata da una pandemia sconosciuta il terreno fecondo per il proliferare di superstizioni, e come un processo iniquo possa derivare dall'interferenza di fattori sociali nell'indagine investigativa e nel dibattimento processuale.

KEY WORDS: trial, forensic sciences, judicial error, plague, Covid-19.

SUMMARY — In the «History of the Infamous Column», Alessandro Manzoni recounts the trial against two alleged plague-spreaders held responsible for the pestilential contagion during the outbreak of bubonic plague that struck the north of Italy Between 1629 and 1631. After being accused by Caterina Rosa, health commissioner Guglielmo Piazza was accused of anointing walls with a dark substance to spread the pandemic. After police misinterpretation of alleged evidence and use of torture, Piazza indicated the local barber Giangiacomo Mora as the person who provided him with the poisonous substance. The trial continued with the same disregard for objective evidence and the truth. Still, with the support of torture, the inquisitors made both Piazza and Mora confess the non-existent guilt and pointed against five alleged accomplices in a groundless attempt to save their lives. The execution was carried out on the 2nd of August 1630; a pillar was erected in place of Mora's house

as an enduring memory of the castigation for those spreading pandemics. Manzoni's work demonstrates the atrocious mistake perpetrated by those who abuse their power, acting against any form of human common sense and driven by fear. With a modern scientific and forensic eye, it is possible to analyze how the distress for an unknown pandemic led to the birth of superstitions and how an unfair trial can result from the interference of a social environment in investigation and judgment.

INTRODUCTION

The events took place during the Thirty Years' War, a conflict that primarily inflamed Central Europe from 1618 to 1648. Originated in differences between German Protestants and Catholics, the first part of the war was a struggle within the Holy Roman Empire, between the Emperor Ferdinand II and his internal opponents (Wilson, 2010). The German and French troops carried with them not only war and destruction, but also the plague, which reached Mantua in 1629. The infection touched the Venetian forces that retreated into northern and central Italy, causing a massive outbreak of bubonic plague that lasted until 1631.

In October 1629, the plague spread to Milan, Lombardy's major commercial centre. Although the city initiated effective public health measures, including quarantine and limiting the access to German soldiers, the plague skyrocketed. Overall, Milan suffered approximately 60,000 fatalities out of a total population of 130,000. Almost half of the whole population was killed.

One of the most detailed pictures of this pandemic's social impact has been illustrated by Alessandro Manzoni (1840; 1845) in his historical novel «The Betrothed» (*I promessi sposi*), published in 1827 (Prosperi, 2018). During the preparation of his book, the author collected data that he published later in the monographic essay «History of the Infamous Column» (*Storia della Colonna Infame*). In this work (1840), Manzoni recounts the trial against two alleged plague-spreaders, held responsible for the pestilential contagion through mysterious substances (Paccagnini, 2002; Nicolini, 1937, 297-341).

HUNTING FOR AN ESCAPE GOAT

Everything started in summer 1630 when Milan was already shaken by the deadly pandemic's fear. A mysterious pandemic that was ravaging for months. Among the citizens, a superstitious belief was born: the enemies of the Duchy of Milan, had hired felons to spread contagion and weaken the home front. They were called *untori*, plague spreaders.

On that morning of the 21st of June 1630, the commoner Caterina Rosa spotted Guglielmo Piazza, Commissioner of the Health Tribunal, walking

close to the buildings' walls in her street. Moved by the superstition, she thought he was anointing the walls with a dark substance to spread the plague. She assumed to have spotted an untore, a plague smearer, one of those who maliciously spread plague for evil and personal interests by using poisonous ointments. *«I had seen certain gestures of his which did not please me at all»* she reported to the police.

The accusation was later confirmed by one of her neighbours, Ottavia Bono, and the police had to investigate. In the meantime, among the neighbourhoods, rumours started to spread. Manzoni reported how, moved by mass hysteria, people *«went out of their doors, and the walls were found all daubed with a certain kind of stuff which seemed greasy and inclining to yellow»*. The investigators' report was soon sent to the city Senate: *«It has been signified to the Senate, that yesterday morning the walls and doors of the houses in the via de Cittadini were anointed with deadly ointments»*. It is clear since this *notitia criminis*, the note given to the prosecutor regarding a possible crime, that the investigators had already a bias regarding the facts. The accusation was considered as truth and the alleged offence as a verified crime.

On the scene, the officers misinterpreted some ink stains on the walls as the pestilential ointment and arrested the suspect «smearer» (*untore*), whose hands appeared stained. It can clearly be seen how superficial the first inspection was. The investigators did not bother to compare the stains on the man's hands and the statement of the witness, Caterina Rosa. The witness, in fact, initially admitted that *«She saw a man approaching; he wore a black cloak, his hat was drawn over his eyes, and in one hand he carried a paper upon which he placed the other as in the act of writing»*. A first disregard that starts the roll of the ball towards a wreck. Without anything more than defamations, Piazza was arrested, and the first inspection of his house was carried out. In the trial reports, it is possible to read *«nihil penitus compertum fuit»*. Nothing was found. Despite that, Guglielmo Piazza was kept in jail, but his misfortune was just beginning.

THE TRIAL

Since the first interrogation, Piazza denied any responsibility: he explained he was walking close to the walls because it was a rainy day. He added that, as part of his job duties, he was writing notes on the neighbourhood's hygienic conditions. As commissioner of health, he has to keep the list of abandoned houses due to the plague.

Piazza never changed his statement even when the prosecutors introduced torture as an aid for the examination. It is reasonably relevant to stress how Piazza was interrogated about his awareness of the presence of ointments

on the walls, and he was not aware of the real and serious accusation to be a plague spreader until the torture began. His arms and wrists were dislocated by the rope, but still he never confessed the crime, a crime that he had never committed. The law authorized the judges to repeat the torture only if new clues were found during the investigations or if the original ones were substantial pieces of evidence that could nail the suspects beyond any doubts (La Torre and Lalatta Costerbosa, 2013). Despite that, the Milanese judges decided to repeat the torture the day after, even if nothing else was added to the trial. A trial based only on a few rumours (Villata and Gigliola, 2011).

Manzoni reports *«It was decreed by the Supreme tribunal that Piazza, after having been shaved, clothed in the dress of the prison and purged, be put to the torture extraordinary, with binding the limbs»*. A horrible increase of torture, as not only the arms, but also the hands were dislocated.

It is noticeable how psychological sufferings were added to physical torture (Lalatta Costerbosa, 2011;). Officially the suspect was fully shaved and dressed in a tunic to avoid that he could use a pagan amulet concealed in the hair or cloths to endure the torture and mislead the judges. It necessary questioning why so much determination against Piazza. Manzoni clearly describes the reason why the Milanese Senate acted so harshly, continuing and increasing the torture. The judges were aware of the fact that *«the Senate of Milan was the supreme tribunal, [...] from which the people expected revenge»*.

After three days of suffering, the accused was left to rest, as the inquisitors changed their strategy. In their mind, such a dreadful crime could not be committed by a single person, they should look for accomplices. And naturally, they never thought that such hideous and incredible action did actually occur. The judge met Piazza with the proposal of impunity if he confessed the names of the other conspirators. Still, at this point, the interrogatee was not aware of the exact details of the accusation and the crime that was imputed him.

It is quite relevant to stress how Piazza was interrogated about his awareness of ointments' presence on the walls, and he was not aware of the accusation to be a plague spreader until the torture started. It is also very relevant, considering how the trial ended, that the impunity offered to Piazza was not an official act, but was part of an informal conversation between him and one of the prosecutors. Manzoni stresses on the importance of this unlawful action to underline how the trial was not only biased but already settled before its start. The judges' real intention was to offer a scapegoat to the population, furious and terrorized by the pandemic.

Only under this pressure and the hope of freedom, Piazza confessed having received the pestilential ointment from Giangiacomo Mora, a local barber who, like all the barbers back in those days, also performed medical and

surgical operations. It is 26th of June when Piazza pronounces the following words: «*dedit unguenta mihi tonsor*». The barber gave me the ointment. Words that will condemn him and other innocents to a dreadful fate. Perhaps, Piazza thought about Mora as the barber was known to sell an ointment to soothe the pain of plague symptoms. This potion was prepared with harmless substances (such as olive oil, garlic and herbs), but probably it was enough to trigger his fantasy during those dreadful hours.

As an additional proof of the unacceptable procedures of the old justice system, an inspection of Mora's house was conducted only after his arrest. During that survey, the investigators discovered in the back room a large container with a suspicious balm. Mora explained the inoffensive nature of the preparation, a mixture of ash and boiling water (called *smoglio*) used to wash clothes. Nevertheless, the judges and experts appointed by the court identified the balm as a pestilential potion capable of spreading the plague. Even the testimony of some washerwomen, who confirmed the detergent's nature, fell on death ears. The judges preferred to consider evidence of the evil nature of the ointment the traces of blood and other fluids found in the same pot. They chose to ignore that those stains were actually the residues of clothes washed after being used in the barber's rudimentary surgical procedures.

Again, the trial continued based on the use of torture rather than on the actual search for evidence. It is relevant to say that back in 1600, torture was not only legitimate but also believed to be necessary whenever the prosecutor suspected that the interrogee was lying to them. It is possible to clearly understand how the use of torture, per se already inhuman and deplorable, was also biased by the investigator's assumption. Moreover, as the presumption of guilt prejudiced the whole investigation, the practice of torture looks like an atrocious aberration. The violent methods led the two suspects, Mora and Piazza, to contradict their statements several times and finally confess the non-existent guilt to end the atrocious physical and psychological tortures. Additionally, they accused five alleged accomplices in the desperate attempt to save their own life, having faith in the investigators' groundless pledges.

Finally, the court decreed the death sentence for all the unjustly accused. The execution took place on 2nd August by the breaking wheel after parading the unfortunates through the city's districts, where they had their «guilty» hands amputated. Mora's house-shop, allegedly the place where the poisonous ointment had been produced, was demolished. A pillar, known as Pillar of Shame, was erected as an enduring memory of the punishment for the plague spreader. The monument was removed only in 1778 when it was finally recognized as a testimony of infamy no longer charged to Piazza and

Mora, but to those who had committed a colossal injustice.

DISCUSSION

With his book, Alessandro Manzoni intended to underline the mistake perpetrated by the judges and the abuse of their power, which defeated every form of human common sense, driven by an utterly baseless belief and by a fear linked to the terrible environment caused by the epidemic.

Under a historical and forensic perspective, it is essential to understand how the pandemic killed approximately half of the Milanese population and put the people under immense stress, who were already scared by an unknown and merciless disease (Borrini, 2021). The fear encouraged the diffusion of popular superstitions that were used in an attempt to come to terms with the mysterious disease.

The case reported by Manzoni was not the only one that occurred back in those days. Ordinary people were identified as responsible, usually picking them from ethnic and other minorities. In other cases, supernatural forces were invoked. The *nachzerer*, the shroud-eating vampire who spread the plague from their grave by demonic action (Nuzzolese and Borrini, 2010; Borrini and Nuzzolese, 2012, 845-848). In that case, the plague victims' bodies were desecrated with the irrational intent to stop the pandemic (Borrini, 2011, 38-49).

But the plague was not the only responsible for this kind of Injustice. Manzoni reports how the bias and the quick jumping to conclusions to identify a scapegoat also occurred after the XVII century pandemic. He mentions cholera during the early 1800s (Bedford, 2002; McNeill, 2000) and the series of fires that destroyed part of Normandy a few years before the publication of his novel.

It could be easy to say that these events occurred at least two hundred years ago, and nowadays, the world and society are different. But the reality seems to contradict this light naive approach. With the current Covid pandemic outbreak, news and social media are competing to find a scapegoat for the restrictions and the lockdowns the populations have to bear. In Italy, in different moments of 2020, following the exceptions offered to specific categories, the media pointed to new modern forms of plague spreaders. First were joggers, authorized to perform solitary physical exercises even in the lockdown's early stages. Then mothers, allowed to briefly walk with their children. Later tourists in the summer, and finally pupils when schools reopened. In this environment poisoned by fear, the word «*untore*» has appeared again. It materialized on the dashboard of a carrier van when a person was found positive in his company (Amnesty International Italia, 2020). The

same discriminatory messages have appeared in apartment buildings where doctors and nurses live (Martinet, 2020; Di Grazia, 2020). Even though they were working to save lives, they had the misfortune of living where neighbors showed irrational fear and disrespect rather than gratitude. It should also not be forgotten that, while other countries were showing support to Italy as the first nation in Europe battered by the pandemic, some media targeted the Italian population with unacceptable discriminatory attacks, identifying them as the new plague spreaders among other countries (Custodero, 2020).

CONCLUSION

Two centuries passed since Manzoni's book and four hundred years since the plague of Milan. Despite this time-lapse, the attitude of contemporary society still seems to be affected by the same disease: a pandemic that affects behaviour rather than physical health. It seems that people are still looking for scapegoats to direct their frustration, their anger and fear. The aim of this brief historical overview is not to study the world in which we live. However, it is indubitably vital that scientists and academics are aware of their mission to communicate science and pursue Justice with the help of science. Justice does not only live in the court but in everyday life.

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