

## Alessandro (Sándor) Bieber

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With the Royal Decree of 7 September 1938 no. 1381, *Provvedimenti nei confronti degli ebrei stranieri* [Measures regarding foreign Jews], Dr. Bieber, a pediatrician, having arrived from Hungary at the age of 19 in Italy, where he now lived, found himself stripped of his Italian citizenship and stateless. At the same time, however, being married to an Italian Catholic with whom he had a son, despite being declared a foreigner of «Jewish race», he remained the head of an Italian «Aryan» family. He was permitted to remain in Italy, but he was not allowed to do his job: dismissed from the University Pediatric Clinic where he was an assistant, he was also struck off the medical register. Bieber appealed to the Fascist Doctors' Union, then to the Prefect, to a committee set up by the Ministry of the Interior, and finally to the Court of Cassation.

### A Hungarian student in Italy

On 20 January 20 1905, Mari Schwartz, the wife of the baker Martin Bieber, gave birth to a son, who was named Sándor. The parents were both Jewish in religion<sup>1</sup> and lived in the city of Eger, capital of the ancient Heves county of the Kingdom of Hungary and later part of the Austro-Hungarian Empire. In the eighteenth century, thanks to the work of the Catholic bishop Károly Eszterházy, the city had become an important centre of studies that was also notable by the presence of the first medical academy in Hungary.

The young Bieber completed his high school studies at the royal school named after István Dobó, the captain who in 1552 had repelled the attack by the Turkish army on the fortress of Eger. In June 1924 Sándor completed his

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<sup>1</sup> AOMFi, *Medici chirurghi cessati* (hereafter MCC), *Fascicoli personali* (from now on FP), f. 620, «Alessandro Bieber», birth certificate, Eger, 2 September 1931, and certified translation from Hungarian, Budapest, 3 September 1931.

high school diploma with «outstanding» marks in history and religion;<sup>2</sup> and in October he submitted an application for enrolment for the academic year 1924-25 in the Faculty of Medicine and Surgery of the University of Padua,<sup>3</sup> where he remained for four years, from this point in documents with the Italianized name of Alessandro.

In Padua he took up residence in vicolo dei Dotto 9, but in the enrolment forms for subsequent course years there are other addresses of residence, all within a short distance of the city centre<sup>4</sup>. The university senate also required two Latin exams of the Hungarian student: one written, the other oral<sup>5</sup>. The Padua faculty could boast eminent professors in the scientific field, and the course programmes for the first year of Medicine, among the compulsory exams, showed Professor Dante Bertelli in human anatomy; Giuseppe Gola in botany; Mario Amadori in chemistry; in zoology and comparative anatomy Paolo Enriques,<sup>6</sup> younger brother of the mathematician Federigo who taught in Rome; there were also Tullio Levi Civita, a physicist and mathematician who later moved to the University of Rome, and the distinguished professor of anatomy and histology, Tullio Terni<sup>7</sup>.

<sup>2</sup> Archivio storico dell'Università degli studi di Firenze (hereafter ASUFI), *Amministrazione centrale, Sezione studenti*, (hereafter AC, SS), f. «Alessandro Bieber», high school diploma certificate and authenticated translation from the Hungarian, 10 October 1924.

<sup>3</sup> Archivio storico dell'Università degli studi di Padova (hereafter ASUPd), *Carriere studenti*, serial number 103/12, f. «Alessandro Bieber», application for registration to the rector, 18 October 1924.

<sup>4</sup> Ibid. The residential addresses appear in the registration forms and vary from year to year: in the academic year 1924-25 vicolo dei Dotto 9; in 1925-26 via Porciglia 15; in 1926-27 via S. Francesco 87; in 1927-28 via Ospedale civile 39; in 1928-29 via Galileo Galilei (the street number is missing).

<sup>5</sup> Ibid., Register 12, list of exams taken and respective marks, with notes in relation to the Latin exams, p. 103.

<sup>6</sup> On the professors' careers, see the entries Domenico Celestino, *Bertelli Dante*, in the *Dizionario biografico degli italiani*, Rome, Istituto della Enciclopedia italiana, vol. 9, 1967 <<https://www.treccani.it>>; ibid., Gaspare Mazzolani, *Giuseppe Gola*, vol. 57, 2001 <<https://www.treccani.it>>; ibid., Paolo Spinedi, *Mario Amadori*, vol. 2, 1960 <<https://www.treccani.it>>; ibid., Federico Di Trocchio, *Paolo Enriques*, vol. 42, 1993 <<https://www.treccani.it>> (accessed 29 June 2021). Also Alessandro Minelli, *Centocinquant'anni di zoologia a Padova (1869-2019)*, «Atti e memorie dell'Accademia galileiana», vol. CXXXII, part II, «Memorie della Classe di scienze matematiche fisiche e naturali», 2021, pp. 131-149.

<sup>7</sup> On the racial persecution in that university, Pompeo Volpe, Giulia Simone, «*Posti liberi*». *Leggi*

Bieber passed several exams with a quite high average, with excellent marks in particular in zoology and comparative anatomy, histology and general embryology, and otolaryngology.

### **From the University of Padua to Florence**

He remained in Padua until the academic year 1928-29. He then requested leave of absence: he intended «to devote himself for a few years to the study and knowledge of Italian art and therefore asks for a transfer to Florence where opportunities for this study are greater»<sup>8</sup>. He enrolled on 18 January 1929 in the Faculty of Medicine and Surgery of the Royal University of Florence, and found accommodation in the centre, in via Fiesolana 31 on the third floor «near Giachi»<sup>9</sup>. In Florence, Bieber was a member of a group of «Jewish students from Central-Eastern Europe and Russia, all born in the first decade of the 20<sup>th</sup> century, and graduates between 1927 and 1931»: the Poles, David Diringher in Letters, Jacob Teicher in Philosophy, and the chemist Enrico Zvi Jolles in the Faculty of Sciences; the Russian, Alessandro Pekelis, in Law; his brother, Emanuele Pekelis, in Medicine with Beniamino Jolles, brother of Enrico, the Romanian, Carlo Schapira, and Guglielmo (William) Nino Rogers, originally English but born in Trieste<sup>10</sup>. They were joined by the Hungarian students, who also had Italianized names, Stefano Vadász and Ladislao László, both enrolled in Medicine<sup>11</sup>.

At this period the University of Florence had already passed into the control

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*razziali e sostituzione dei docenti ebrei all'Università di Padova*, Padua, Padova University Press, 2018, and Angelo Ventura, *Tullio Terni e l'Università di Padova* (2005), then in Id., *Il fascismo e gli ebrei. Il razzismo antisemita nell'ideologia e nella politica del regime*, Rome, Donzelli, 2013, pp. 179-235.

<sup>8</sup> ASUPd, *Carriere studenti*, matriculation number 103/12, f. «Alessandro Bieber», request to the rector for transfer, 13 November 1928.

<sup>9</sup> ASUFI, AC, SS, f. «Alessandro Bieber», enrolment form for the Royal University of Florence, year 1928-29, 18 January 1929.

<sup>10</sup> Anna Teicher, *Da discriminati a rifugiati: gli studiosi ebrei stranieri dell'ateneo di Firenze*, in Patrizia Guarnieri (ed.), *L'emigrazione intellettuale dall'Italia fascista. Studenti e studiosi ebrei dell'Università di Firenze*, Florence, Firenze University Press, 2019, pp. 41-57.

<sup>11</sup> ASUFI, AC, SS, f. «Vadasz Stefano», enrolled in 1926-27 and *ibid.*, f. «Laszlò Ladislao», enrolled in 1930-31.

of the fascists, whose offensive had started precisely from the Faculty of Medicine against the rector in office, the professor of anatomy, Giulio Chiarugi, a man of secular-democratic and anti-fascist leanings, who resigned in January 1926 after fascist acts of violence and harassment<sup>12</sup>. The rectorship thus passed to Enrico Burci, professor of clinical surgery and operating medicine, the founder of the Milizia universitaria fascista, who remained in office until 1930. The regime could boast trustworthy men inside other important clinics, in the presidency of the Faculty and of course in the leadership of the Sindacato fascista dei medici of Florence<sup>13</sup>.

Among the compulsory courses of the fifth year, Bieber attended the surgical clinic with Professor Burci, and the medical clinic with Ferruccio Schupfer, later dean of Medicine from 1934 to October 1938, who also participated in the Executive Board of the Union in 1938. Under Schupfer an agreement was signed in 1936 for the Physical and Sports Assessment Laboratory of the Florentine Fascist University Group (GUF) and the University. Among its objectives was «the collection of numerous anthropometric data for the determination of the constitutional type and the racial type [*sic*]», which was part of the «politics of race» of the Regime and of the «application of eugenics to the study of Italian society»<sup>14</sup>.

It was probably in his sixth and final year that Bieber came closer to the specialization that he then chose, when he attended courses in the pediatric clinic given by the Waldensian Carlo Comba and in surgical pediatrics by

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<sup>12</sup> Patrizia Guarnieri, *Displaced scholars in cerca di libertà e lavoro in America: reti familiari, genere e generazioni*, in Ead. (ed.), *L'emigrazione intellettuale*, cit., pp. 89-117, p. 92.

<sup>13</sup> Consider particularly Lorenzo Bardelli of the University eye clinic from 1925, then dean of the Faculty from 1930 to 1934, and Senator from 1939; and Umberto Luigi Torrini, in charge of otolaryngology, a member of the National Fascist Party (PNF) since 1923, president and secretary of the Sindacato fascista dei medici of Florence until 1941, when he resigned; he was recalled in 1943 and resumed leadership of the Union even after the armistice almost until his death in May 1944. See R. Università degli studi di Firenze, *Annuario per gli anni accademici 1928-29*, Florence, Galletti e Cocci, 1929, pp. 65-73 and AOMFi, MCC, FP, f. 188, «Umberto Luigi Torrini».

<sup>14</sup> Simone Duranti, *A scuola di razzismo. Il gruppo universitario fascista e le sue strutture per l'antisemitismo nell'ateneo fiorentino*, in Renata Badii, Dimitri D'Andrea (eds.), *Shoah, modernità e male politico*, Milan, Mimesis, 2013, pp. 119-138, p. 130, fn. 19.

Gerolamo Gatti, who in 1925 had founded the University Fascist Association in Florence, receiving his party card *ad honorem*<sup>15</sup>. Among the free choice exams, Bieber opted for chemistry and clinical microscopy with Mario Volterra, in 1930 a lecturer,<sup>16</sup> also of Jewish origin, who would become a professor in charge of medical semiotics in the academic year 1936-37.

On 5 July 1930, Bieber graduated with a thesis on «The effect of strofantina in heart failure»,<sup>17</sup> and on 23 December 1931 he took the qualifying exam at the University of Perugia<sup>18</sup>. He was enrolled immediately afterwards, as a Hungarian citizen, in the Medical Register of the province of Florence<sup>19</sup>. At this period the law permitted foreigners to be enrolled,<sup>20</sup> though they could not hold university positions (except for foreign language assistants) without having obtained Italian citizenship<sup>21</sup>.

Bieber therefore decided to apply, and in the meantime determined to attend the Postgraduate School, where he graduated with the highest mark of 70/70 in the academic year 1934-35, defending the thesis «Experimental researches on the content variation in protein substances (in toto and in the various fractions) of women's milk at different feeding times»<sup>22</sup>.

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<sup>15</sup> See Giuseppe Sircana, Salvatore Vicario, *Gerolamo Gatti*, in *Dizionario biografico degli italiani*, cit., vol. 52, 1999 <<https://www.treccani.it>> (accessed 1 July 2021), and *Gatti Girolamo*, in Archivio storico del Senato della Repubblica, *Senatori d'Italia*, under name <<https://notes9.senato.it>> (accessed 1 July 2021).

<sup>16</sup> R. Università degli studi di Firenze, *Annuario per l'anno accademico 1929-30*, Florence, Galletti e Cocci, 1930, p. 75.

<sup>17</sup> His typescript thesis is kept in the Biblioteca biomedica dell'Università di Firenze (hereafter BBUF), *Tesi storiche*, T.L. 28.5; cf. AOMFi, MCC, FP, f. 620, «Alessandro Bieber», graduation certificate, 16 December 1931.

<sup>18</sup> *Ibid.*, R. Università degli studi di Perugia, Certificate of qualification for university teaching, 23 December 1931.

<sup>19</sup> *Ibid.*, request for entry to the Register, 30 December 1931.

<sup>20</sup> Royal Decree (hereafter RD) 23 April 1928, no. 1313, *Testo unico delle norme di coordinamento della legge sugli Ordini sanitari con la legge 3 aprile 1926*, no. 563, *Gazzetta Ufficiale* (hereafter GU) no. 152, 2 July 1928, and RD 21 March 1929, no. 547, *Approvazione del regolamento per l'esecuzione del testo unico 26 aprile 1928*, no. 3113, laying down the norms for coordinating the laws relating to health associations with the law of 3 April 1926, no. 563, GU no. 98, 26 April 1929.

<sup>21</sup> RD 30 September 1923, no. 2102, *Ordinamento della istruzione superiore*, GU no. 239, October 11 1923, art. 115 and art. 35, paragraph 3.

<sup>22</sup> R. Università degli studi di Firenze, *Annuario per l'anno accademico 1934-35*, Florence, Stabilimento Grafico C. Ruffilli, 1935, p. 281. ASUFi, AC, SS, b. 16196, f. 586, «Alessandro

### Italian citizenship and the beginning of the academic career

Having obtained Italian citizenship on 2 December 1934,<sup>23</sup> he was appointed in the academic year 1935-36 a volunteer assistant in the Pediatric Clinic. The Clinic was based at the Meyer Children's Hospital, at that time in via Luca Giordano 13, and was directed by Professor Carlo Comba,<sup>24</sup> a student of one of the founders of Italian pediatrics, Giuseppe Mya,<sup>25</sup> and his successor from 1911 in the direction of the Florence clinic. Comba was one of the founding members of the Italian Society of Pediatrics and from 1927 was president of the Federazione provinciale di Firenze dell'Opera nazionale per la protezione della maternità e dell'infanzia (ONMI) [Florence Provincial Federation of the National Society for the Protection of Motherhood and Childhood]<sup>26</sup>.

In the meantime he became engaged to Giorgina Castelli Borgiotti, known as Rina: she too graduated in 1931, with a thesis in early childhood medicine,<sup>27</sup> and in April 1933 was entered in the professional register of doctors in Florence, in which there were few women and even fewer pediatricians like her,<sup>28</sup> who was, among other things, related to the then assistant in the

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Bieber», request to enrol in the Postgraduate School of Paediatrics in 1932-33, 19 November 1932.

<sup>23</sup> Archivio centrale dello Stato (from now on ACS), *Ministero dell'Interno* (from now on MI), *Direzione generale pubblica sicurezza* (from now on DGPS), *Divisione affari generali e riservati* (from now on DAGR), Cat. A16, *Stranieri ed ebrei stranieri*, b. 10.

<sup>24</sup> R. Università degli studi di Firenze, *Annuario per l'anno accademico 1934-35*, Stabilimento grafico C. Ruffilli, 1936, p. 69.

<sup>25</sup> See Patrizia Guarnieri, *Giuseppe Mya*, in *Dizionario biografico degli italiani*, cit., vol. 77, 2012 <<https://www.treccani.it>> (accessed 1 July 2021).

<sup>26</sup> See AOMFi, *Registro dell'Albo dell'Ordine dei medici*, no. 88, «Carlo Comba», and Arnaldo Cantani, *Carlo Comba*, in *Dizionario biografico degli italiani*, cit., vol. 27, 1982 <<https://www.treccani.it>> (accessed 29 June 2021)

<sup>27</sup> Giorgina [Rina] Castelli Borgiotti, «Reazioni motorie di raddrizzamento nella prima infanzia», handwritten graduation thesis, presented on 7 November 1931, Facoltà di Medicina e chirurgia, R. Università degli studi di Firenze, currently kept at BBUF, *Tesi storiche*, TL 32.11, and Ead., «Ricerche sperimentali sul riflesso oculo cardiaco: tesi di perfezionamento», typescript, Università di Firenze, Clinica pediatrica directed by Carlo Comba, 1935, BBUF, *Tesi storiche*, T.P. 18.10.

<sup>28</sup> A list of women enrolled in the association is present in: *1910-2010. Cento anni di vita ordinistica del primo associazionismo fiorentino, opuscolo dell'Ordine provinciale dei medici chirurghi e degli odontoiatri di Firenze*, without printer or publisher, 2010, with numerous inaccuracies and gaps. Regarding the prevalence among women specializing in paediatrics, see Giovanna Vicarelli, *Donne di medicina. Il percorso professionale delle donne medico in Italia*, Bologna, Il Mulino, 2008, pp. 34-40.

pediatric clinic where in 1935 she had also completed her specialization<sup>29</sup>. Same studies, same profession, same street – they both lived in Viale Principe Amedeo, he at 34, she at 64;<sup>30</sup> Alessandro and Rina were married on 24 August 1935<sup>31</sup> and in 1936 Giorgio was born. Bieber continued to be a voluntary assistant at the Pediatric Clinic, and in 1937 he was joined by the voluntary assistant Sergio Levi, who had completed his specialization the year before:<sup>32</sup> it was the university clinic with the highest percentage of staff of Jewish origin.

### **Without citizenship and disbarred**

*Measures for the defence of the race in the Fascist school* assailed the University at once<sup>33</sup>. As of 16 October 1938, expulsion was scheduled for all personnel of «Jewish race», self-employed teachers, full professors, deputies and assistants.

In the University of Florence the Faculties of Literature and Medicine were among the most affected. Among the clinics most affected were ophthalmology and paediatrics: Alessandro Bieber was thrown out, and like him also Alessandro Fiano, a self-employed teacher, enrolled in the Florence Fascio di combattimento since 1920,<sup>34</sup> Mario Volterra, Sergio Levi and Umberto Franchetti.

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<sup>29</sup> This was Cesare Cocchi, Giorgina's half-brother according to the testimony of Leonardo Bieber and his mother (Florence, September 2018). Cocchi appears among the witnesses to her baptism, AOMFi, MCC, FP, f. 620, «Alessandro Bieber», Diocese of Fiesole, Baptismal certificate, issued on 9 February 1939 to prove the Arian status of Bieber's wife. About him, Arnaldo Cantani, *Cesare Cocchi*, in *Dizionario biografico degli italiani*, cit., vol. 26, 1982 <<https://www.treccani.it>> (accessed 29 June 2021).

<sup>30</sup> AOMFi, *Registro dell'Ordine dei medici (1911-1950)*, f. 620, «Bieber Alessandro», and *ibid.*, f. 676, «Castelli Borgiotti in Bieber Rina».

<sup>31</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», Municipality of Florence, Marriage certificate, 18 September 1938.

<sup>32</sup> R. Università degli studi di Firenze, *Annuario per l'anno accademico 1935-36*, cit., p. 228.

<sup>33</sup> RDL 5 September 1938, no. 1390, *Provvedimenti per la difesa della razza nella scuola fascista*, GU no. 209, 13 September 1938, passed into law 5 January 1939, no. 99 <<https://intellettualinfuga.fupress.com>>.

<sup>34</sup> AOMFi, MCC, FP, f. 402, «Alessandro Fiano», and ASUFI, AC, *Stati di servizio*, «Alessandro Fiano».

It was just the beginning. At the publication of the RDL 7 September 1938 no. 1381, *Provvedimenti nei confronti degli ebrei stranieri* [Measures against foreign Jews], Dr. Bieber found himself losing his Italian citizenship and becoming stateless. At the same time, however, he remained married to a non-Jewish Italian with whom he had a son, paradoxically finding himself the non-Italian Jewish head of an Aryan family.

The Doctors' Union in Florence also took steps to identify those entered in the Register who were to be disbarred, and asked everyone to fill in a personal form. Bieber filled in his on 20 September 1938 and declared that he did not profess the Jewish religion or any other religion<sup>35</sup>. The Union took several months to complete the census of members and to implement the provisions. The matter was mentioned in the Union's ordinary general assembly held on 17 January 1939<sup>36</sup>. Those present included Ferruccio Schupfer as representative of the commissioner of the National Union, Professor Raffaele Bastianelli;<sup>37</sup> Giovanni Poggiali and Mario Cioni, respectively vice president and director of the Unione fascista professionisti ed artisti [Fascist Union of Professionals and Artists]. The President and Secretary of the Union, Umberto Luigi Torrini, pointed out to the assembly that the measures at the time authorized the expulsion of foreign Jews only. In the following meeting of 30 January 1939, the Executive Board drew up the list of the first disbarred doctors in Florence: twenty-three foreign Jews, including the name of Bieber<sup>38</sup>. Six other Hungarians were disbarred from the register: Stefano Vadász and Ladislao Laszló, to whom were added Imre Herekovits, Massimiliano Hackmayer, Eugenio Frommer, Elmerico Klein, who

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<sup>35</sup> AOMFi, *Miscellanea*, Alessandro Bieber's personal file, 20 September 1938.

<sup>36</sup> Ibid., «Verbale Assemblea Ordinaria Sindacato Fascista dei Medici di Firenze», 17 January 1939.

<sup>37</sup> See the entry Domenico Celestino, *Raffaele Bastianelli*, in *Dizionario biografico degli italiani*, cit., vol. 7, 1970 <<https://www.treccani.it>> (accessed 1 July 2021) and also *Raffaele Bastianelli*, in Archivio storico del Senato della Repubblica, *Senatori d'Italia*, under name <<https://notes9.senato.it>> (accessed 1 July 2021).

<sup>38</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», letter from the Sindacato fascista dei medici to Dr. Alessandro Bieber, Florence, 31 January 1949.



had not studied in Florence, but were entered in the Florentine register<sup>39</sup>.

### A professional's appeal

Bieber was not prepared to accept this ruling. He promptly filed an appeal with the Executive Board on 15 February 1939 and asked for his striking from the Register<sup>40</sup> to be revoked. He appealed both to art. 25 of the RDL 7 September 1938 no. 1381,<sup>41</sup> which allowed foreign Jews married to people of Italian citizenship to stay in Italy, and to the provisions of art. 39 of the law of 5 March 1935 no. 184,<sup>42</sup> under which entries remained in the registers for foreigners already entered before the publication of this law. He was permitted to stay in Italy but was not allowed to work. How could he support his family? His wife, a doctor, also intervened with an appeal that is present in the appeal file:

[...] I take the liberty of enclosing this earnest request to this esteemed Executive Board, so that, in addition to the legal reasons already submitted to your examination, some human facts of the most absolute moral value, relating to our case, are taken into particular consideration<sup>43</sup>.

Giorgina Castelli Borgiotti stressed that her husband had obtained Italian citizenship in 1934, «professing sentiments of the most sincere and pure Italianness and of admiring and deep support for the Regime»<sup>44</sup>. Invoking his attachment to the «Fatherland, handed down by family tradition and attested and tested by my kinsmen in war and in peace with faith and fascist

<sup>39</sup> AOMFi, *Registro dell'Ordine dei Medici (1911-1950)*, no. 851, «Frommer Eugenio», graduated from the University of Pisa; no. 856, «Massimiliano Hackmayer», graduated from the University of Cagliari; no. 585, «Klein Elmerico», graduated from the University of Padua on 21 October 1930.

<sup>40</sup> Ibid., «Ricorso di A. Bieber al Direttorio del Sindacato fascista dei medici di Firenze», 15 February 1939.

<sup>41</sup> Regio Decreto legge (hereafter RDL) 17 November 1938, no. 1728, *Provvedimenti per la difesa della razza italiana*, GU no. 264, 19 November 1938, art. 25 <<https://intellettualinfuga.fupress.com>>.

<sup>42</sup> RDL 5 March 1935, no. 184, *Nuova disciplina giuridica dell'esercizio delle professioni sanitarie*, GU no. 64, 6 March 1935.

<sup>43</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», letter from Giorgina Castelli Borgiotti to the Executive Board of the Sindacato fascista dei medici of Florence, Florence, 16 February 1939.

<sup>44</sup> Ibid.

enthusiasm, and for my moral principles as an Italian and as a fascist», he appealed «to the Arian, the Italian, the indivisible nature of the family to request the revocation of the disbarring»<sup>45</sup>.

The same day on which Bieber forwarded his appeal to the Union, the chairman of the Unione fascista professionisti ed artisti, who at the time was Alessandro Pavolini, sent round circular no. 105/a:

[...] this Confederation, in addition to having repeatedly pointed out to the competent Ministries the advisability of excluding members of the Jewish race from the professional registers, has also argued that as the legislation stands this exclusion is already sanctioned, at least for those registers the whose regulations prescribe, among others, the requirement of full enjoyment of civil rights, a full enjoyment that Jews do not have under recent legislative provisions<sup>46</sup>.

From the circular seeped both pressure from below for a further tightening of the legislation, and the insistence of the directors of the trade unions for the central Confederation to have a precise rule to be followed in particular cases, such as that of Bieber. The Ministry for Corporations added that, «given the crucially political character of the issue, it was submitted for final determination to the Ministry of the Interior», Pavolini stressed<sup>47</sup>.

On 2 June Umberto Luigi Torrini, president of the Sindacato fascista dei medici [Fascist Union of Doctors] of Florence, asked Rome for clarification on the same topic: how to deal with foreigners who appealed to article 25 of the Royal Decree of 17 November 1938, no. 1728? In fact, it allowed Jews of foreign nationality to remain in Italy if they had reached the age of 65 or if they had married people of Italian citizenship before 1 October 1938. Torrini also asked for clarification on stateless persons:<sup>48</sup> how foreigners with the requirements listed above could remain in Italy, but were in limbo because the legal regulations did not explicitly envisage them. Those categories which

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<sup>45</sup> Ibid.

<sup>46</sup> AOMFi, *Miscellanea*, Circular no. 105/a signed by Alessandro Pavolini, chairman of the Unione fascista professionisti ed artisti, 15 February 1939.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid., letter from U.L. Torrini to the Unione fascista professionisti ed artisti, Rome, 2 June 1939.

were allowed to remain in the Kingdom hoped to be assimilated to the Italian Jews – still enrolled in the registers – by virtue of art. 14 of the law of 13 January 1912 no. 555,<sup>49</sup> which had established that stateless persons residing in Italy would enjoy the same civil rights reserved for Italian citizens.

This hope, however, was extinguished shortly afterwards. With the promulgation of the Law of 29 June 1939, no. 1054, *Guidelines for the practice of professions by citizens of Jewish race*,<sup>50</sup> the debarring from professional registers was also extended to Italian Jews, except for those who managed to obtain the so-called «exemption» for services to Fascism and war service. All others could be enrolled only in specific «Special Lists» and could practice according to art. 21 exclusively with Jews, except for emergencies, when they could deal with Aryans.

Of the twenty Italian doctors disbarred from the Florence register, only three had «exemption» and Umberto Franchetti was the only one among the pediatricians: during the Great War he had been a volunteer as a medical officer, decorated with the Cross of Merit<sup>51</sup>. Fiano, on the other hand, resigned and left, before being expelled, for Mandatory Palestine<sup>52</sup>. As for Bieber, when the Executive Board resumed in the session of 11 August 1939, it noted that the legislation did not expressly speak of those who:

have foreign citizenship or are currently stateless due to having lost their Italian citizenship as a result of recent racial measures and for which the expulsion measure from the territories of the Kingdom was considered not applicable following the facilities granted by paragraph a) and b) of the art. 25 of the RDL 17-11-1938-XVII, n. 1728<sup>53</sup>.

However, the Executive Board was in favour of rejecting the appeal, and decided to consult the National Union on the matter. In a letter dated 1

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<sup>49</sup> Law of 13 January 1912, no. 555, *Sulla cittadinanza italiana*, GU no. 153, 30 June 1912.

<sup>50</sup> RDL, 29 June 1939, no. 1054, *Disciplina dell'esercizio delle professioni da parte dei cittadini di razza ebraica*, GU no. 179, 2 August 1939 <<https://intellettualinfuga.fupress.com>>.

<sup>51</sup> ACS, MI, Direzione generale Demografia e razza, Divisione Razza, *Fascicoli personali*, b. 98, f. 7046, «Umberto Franchetti».

<sup>52</sup> Only Alessandro Fiano and Giacomo Ancona quit in advance; on this point see Patrizia Guarnieri here, *Giacomo Ancona* (2020).

<sup>53</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», «Estratto del Verbale di riunione del Direttorio del Sindacato fascista medici di Firenze n. 7», Florence, 11 August 1939.

December 1939, it informed Bieber that his application for readmission to the Register was rejected because:

if, in accordance with the new provisions in force, action to disbar from the register must be adopted against professionals who are Italian citizens of Jewish race, even more so must it be adopted against foreign Jews without citizenship<sup>54</sup>.

Disbarred from the register, he could no longer practice his profession. But he did not give up. He also appealed to the Prefect of Florence in February 1939,<sup>55</sup> and was still waiting for a reply from the Commissione centrale per gli esercenti le professioni sanitarie [Central Committee for Health Professionals]. Established at the Ministry of the Interior by the same Law no. 184 of 5 March 1935 which had suppressed the liberal associations and transferred their functions to the fascist trade unions, this committee considered appeals and exercised, under art. 30, disciplinary powers with regard to all medical and health professionals.

Meanwhile, on 15 February 1940, the new chairman of the Unione fascista professionisti ed artisti, Cornelio Di Marzio,<sup>56</sup> sent to the chairmen of the provincial unions the «Norma Confederale No. 339» drawn up in answer to the question put to the Ministry of Grace and Justice on the position to be maintained in relation to «professionals belonging to the Jewish race who are not “exempted” but are stateless»<sup>57</sup>. Well, «stateless persons are also subject to the same limits and to the same discipline, [...] and the norms sanctioned by the law of 29 June 1939-XVII no. 1054 for citizens of Jewish race must be applied to them»<sup>58</sup>.

On 12 April 1940, the president of the Unione fascista professionisti ed artisti,

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<sup>54</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», letter from the Sindacato fascista dei medici of Florence to A. Bieber, Florence, 1 December 1939.

<sup>55</sup> Ibid., «Appeal by A. Bieber to the Prefect of Florence», Florence, 24 February 1939.

<sup>56</sup> See the entries on Cornelio di Marzio in *Storia della Camera* <<https://storia.camera.it>> (accessed 25 giugno 2021); ACS, *Archivi di famiglie e di persone, Di Marzio Cornelio 1919-1943* <<https://search.acs.beniculturali.it>> (accessed 27 June 2021) and Albertina Vittoria, *Di Marzio Cornelio*, in *Dizionario biografico degli italiani*, cit., vol. 40, 1991 <<http://www.treccani.it>> (accessed 28 June 2021).

<sup>57</sup> AOMFi, *Miscellanea*, «Norma Confederale n. 339», 15 February 1940.

<sup>58</sup> Ibid.

Mario Cioni, sent a circular to all trade unions: the stance of rejecting appeals until the decision of the Central Committee had also been confirmed by the Ministry of Grace and Justice. And «appeals by professionals did not have suspensive effect [...] either in the case where they have lodged an appeal» with the Central Health Committee, «or if they have applied for «exemption», not yet decided by the competent Ministry»<sup>59</sup>, namely the Direzione generale per la Demografia e razza (Demorazza) [General Directorate for Demographics and race].

To deliberate on Dr. Bieber's case, the Central Committee for Health Professions finally met on 11 April 1942. It was chaired by Professor Antonino Pappalardo and comprised Senators Aristide Carapelle and Amedeo Perna, the *commendatori* Dr. Pietro Giudice and Dr. Guido Bartalini, Professors Giuseppe Tallarico, Paolo Gaifami and Alberto Botti, and the senior officer Dr. Antonio Salaroli<sup>60</sup>. The minutes of the meeting retraced the whole story and relayed the opinion expressed by Demorazza: Bieber was stateless, since his Italian citizenship had been revoked, notwithstanding that he had been «granted permission to stay in the Kingdom pursuant to art. 25 lett. b) of the R.D.L. 17.11.1938 no. 1728». The Executive Board of the Florence Union had insisted «on the rejection of the appeal, observing that the residence permit in the Kingdom granted to foreign Jews consequently did not imply the permit to practice profession». The Commission reiterated: «if foreigners are allowed to enjoy the civil rights attributed to citizens, it is not, however, admitted that they can enjoy greater rights than those accorded to the citizens themselves». What was true for foreign Jews, the Committee continued, «is all the more indisputable with regard to stateless persons»<sup>61</sup>.

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<sup>59</sup> AOMFi, Miscellanea, «Circolare del Direttore Unione fascista dei professionisti e degli artisti ai segretari e commissari dei Sindacati», reference number 1882/s.r., 12 April 1940.

<sup>60</sup> Ibid., «Decisione n. 386 della Commissione Centrale per gli esercenti le professioni sanitarie», Roma, 11 April 1942. On the two senatorial members, see: *Aristide Carapelle*, in Archivio storico del Senato della Repubblica, *Senatori d'Italia* <<http://notes9.senato.it>>, and *Amedeo Perna*, *ibid.* <<https://notes9.senato.it>> (accessed 22 June 2021).

<sup>61</sup> AOMFi, Miscellanea, «Decisione n. 386», *cit.*

Even after the final rejection by the Central Commission, Bieber did not give up. He took his appeal to the Court of Cassation, probably in the summer of 1942. The Syndicate granted that after the promulgation of Law no. 1054 Bieber

may submit to the Commissione distrettuale per la tenuta degli Elenchi Speciali [District Board for holding the Special Lists], if he deems it appropriate, an application for registration in these Lists, provided that it is accompanied by all the documents required by art. 11 of the cited law; it will be up to the Board whether or not to accept his request<sup>62</sup>.

When and what was the decision of the Court of Cassation is not known<sup>63</sup>. What we do know is that Bieber's name does not appear in the single list found of «non-exempted» Jews on the «Special List»<sup>64</sup>.

### **Escape to the countryside and reinstatement after the war**

During the war he hid in Borselli, today a hamlet in the Municipality of Pelago, where his wife's adoptive father, Ansano Borgiotti, owned land<sup>65</sup>. This is the only information we have, thanks to a relative of his, about the escape of Bieber, who managed to save himself.

In April 1946 the Prefect of Florence wrote a letter to the president of the Doctors Association which had as subject Bieber's appeal, and requested: «thorough and immediate information about the current position of Dr. [...],

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<sup>62</sup> Ibid., «Rapporto del Sindacato Fascista Medici di Firenze sul ricorso alle Sezioni Unite della Corte di Cassazione presentato dal dr. Alessandro Bieber», undated but presumably summer 1942.

<sup>63</sup> Unfortunately it was not possible to find other documents on this subject, because sadly the *Cabinet* series of the *Florence Prefecture* collections, in which one might have reasonably expected the presence of documentation of interest, «has gone missing from the Prefect's Archive»; written communication by Dr. Monica Grossi to the author, 24 September 2019.

<sup>64</sup> AOMFi, *Miscellanea*, Corte d'Appello di Firenze, «Elenco speciale per i professionisti di razza ebraica (Medici-chirurghi) compilato ai sensi della Legge 29 giugno 1939 n. 1054», 31 October 1944, document drawn up subsequently by the Florence Court of Appeal at the request of the reconstituted Doctors Association. The name of A. Bieber is not present; the names of other disqualified persons appear, but it is not clear whether the requests were accepted; on this matter see Patrizia Guarnieri here, *Guta Gluckmann Medshiboshski* (2020), p. 12 fn. 33, and my degree thesis, Lucrezia Nuti, «Espulsioni ed epurazioni a confronto: antifascisti, ebrei, fascisti nell'ambiente medico fiorentino», supervisor Patrizia Guarnieri, University of Florence, 2019-20.

<sup>65</sup> Account related by Leonardo Bieber and his mother, September 2018.

disbarred in his time from the professional register for racial reasons, for the purpose of furthering the dispute of the said proposal before the United Sections of the Court of Cassation»<sup>66</sup>. The then president, Luigi Siciliano, simply replied that Dr. Bieber had been re-registered on 25 September 1944, like all his colleagues who had been disbarred, but he said nothing about the dispute before the Court of Cassation<sup>67</sup>. The restoration to office had been one of the first measures of the reconstituted Doctors Association and had nothing to do with the decisions of the Court of Cassation. As for his academic career, interrupted in 1938, Bieber was among the few who managed to regain the position from which he had been ousted.

At the time of his expulsion he had been a volunteer assistant at the pediatric clinic, and «for the academic year 1944-45, he was again appointed as a volunteer assistant in the aforementioned department». It must be said that this was an unpaid position; but not even his colleague Sergio Levi, who was helped to find a satisfactory outcome, and Umberto Franchetti, now elderly, were compensated, much less the doctors who had emigrated.

In obtaining reinstatement, as his right, it was decisive that Bieber had a family relationship, through his wife, with the director of the pediatric clinic, Cesare Cocchi, full professor at the University of Florence from 1943-44<sup>68</sup>. Cocchi helped Giorgina's husband to return to his University Clinic near the Meyer Children's Hospital, where Bieber was confirmed as a volunteer assistant for three academic years: 1945-46, 1946-47, 1947-48<sup>69</sup>. From 15 May 1948 he finally became a paid assistant, but in a hospital rather than in the university, in the pediatric clinic of the Santa Maria Nuova Hospital in

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<sup>66</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», letter from the Prefect of Florence to the chairman of the Ordine dei medici [Doctors Association] of Florence, Florence, 26 April 1946.

<sup>67</sup> Ibid., reply of the president of the Doctors Association of Florence to the prefect, Florence, 14 May 1946.

<sup>68</sup> See the entry A. Cantani, *Cesare Cocchi*, cit., and Università degli studi di Firenze, *Annuario per gli anni accademici 1943-44 - 1952-53*, Florence-Empoli, Poligrafico Toscano, 1954, p. 93.

<sup>69</sup> ASUFi, AC, *Sezione liberi docenti*, FP, f. «Alessandro Bieber», «Certificate on plain paper with signatures of the Rector and the Administrative Director», 9 May 1952.

Florence, and thus he remained until 1953<sup>70</sup>. Many years later, in 1952, he published a scientific article in the journal of his specialty and in May obtained qualification as *libero docente* in childcare<sup>71</sup>. He immediately applied to be admitted to the register of *docenti* in the Faculty of Medicine of the University of Florence,<sup>72</sup> and in his personal folder are the schedules of the courses he gave from the academic year 1952-53 to the academic year 1956-57. On 20 June 1957, Bieber asked for definitive confirmation as a *libero docente*, which he obtained, at the age of 53, still with the support of Cocchi. In the meeting of February 18, 1958, in view of

[...] a favorable report by prof. Cesare Cocchi director of the pediatric clinic of this University, the Faculty decides to accept the application and to propose definitive confirmation to the Ministry [...]. Dr. Alessandro Bieber has worked continuously (as a voluntary university assistant from 1934 to 1938 and from 1945 to 1948) as a hospital assistant from 1948 until today, as department head, in the various departments of the Clinic, with remarkable intelligence and diligence<sup>73</sup>.

In the minutes, not a single word was said on the reasons for that break from 1938 to 1945, the racial measures not being even mentioned. The ministry ratified the confirmation with a certificate dated 7 May 1958<sup>74</sup>. These are chronologically the last documents present on his university activity, which, cut short at the beginning, never arrived at a permanent position. It seems that Bieber joined the Ente nazionale di previdenza e assistenza per i dipendenti statali [National Insurance and Assistance Agency for state employees], after Cocchi was appointed in 1959 as senior consultant in the Institute of Preventive Childhood Medicine for this agency<sup>75</sup>.

<sup>70</sup> Archivio di Stato di Firenze, *Ospedale di Santa Maria Nuova, Ufficio personale, Registro medici straordinari*, f. «Alessandro Bieber».

<sup>71</sup> Ibid., «Certificate of qualification as *libero docente* in Childcare», 15 May 1952.

<sup>72</sup> Ibid., letter from Alessandro Bieber to the rector, requesting entry in the register of *liberi docenti*, 20 May 1952.

<sup>73</sup> Ibid., «Estratto del verbale del Consiglio di Facoltà di Medicina e chirurgia, Omissis: Dott. Alessandro Bieber – Conferma definitiva della libera docenza in Puericultura», meeting of 18 March 1958.

<sup>74</sup> Ibid., «Attestato di conferma definitiva dell'abilitazione alla libera docenza in Puericultura», 7 May 1958.

<sup>75</sup> See A. Cantani, *Cesare Cocchi*, cit., and the statement made by Leonardo Bieber and his mother, September 2018.



His tracks then disappear. He devoted himself particularly to private practice, until October 1982, when he sent a request to the Doctors Association of Florence to be removed from the professional register by ceasing to work<sup>76</sup>.

Dr. Bieber lived to the age of seventy-seven and died in December 2001<sup>77</sup>.

### Principal publications

- *Ricerche sul comportamento delle sostanze proteiche nei vari tempi della poppata*, «Rivista di clinica pediatrica», 8, 1936, pp. 712-726.
- *Sul comportamento delle frazioni proteiche nel latte di donna, con particolare riguardo alla influenza del grasso nel fenomeno della precipitazione della caseina*, «Rivista di clinica pediatrica», 10, 1936, pp. 865-881.
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<sup>76</sup> AOMFi, MCC, FP, f. 620, «Alessandro Bieber», request for deletion from the Register by A. Bieber, Florence, 12 October 1982, on headed paper, and reply from the Medical Association of the Province of Florence to A. Bieber, Florence, 26 October 1982.

<sup>77</sup> Statement made by Leonardo Bieber and his mother, September 2018.

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