Summaries

Mario G. Losano, *Durkheim's Reception in Turkey: The Social Question and French Solidarism.*

As there is much talk these days again about "third ways" between communism and liberalism, it may be helpful to look back at the comparable discussion that took place at the end of the nineteenth and the beginning of the twentieth centuries. French solidarism took the form of a movement of ideas that was also capable of influencing political action. The organisation of social solidarity in Pierre Leroux and Célestin Bouglé is all but forgotten nowadays, while Durkheim's non-solidaristic thinking is alive and well. Two little-known aspects are dealt with at length: the solidaristic proposals launched by Léon Bourgeois, the French socialist and 1920 Nobel Peace Prize laureate, and the shift of attention from the worker to the consumer, with the consequent emphasis on the co-operative movement. "Legal socialism" is another product of these ferments. One all but ignored aspect of the spread of French solidarism is documented by the reception accorded to Durkheim's solidaristic theories in republican Turkey, brought about by Ziya Gökalp (1876-1924), Turkish nationalism's leading ideologue. Lastly, French solidarism was also taken up by Christian Social thinking in Germany, although the Social Democratic reform movement was to prove more weighty there. Many of today's political theories (such as communitarianism) are similar to solidaristic theories, although they make no explicit reference to them as roots.

Alberto Febbrajo, *Legal and Sociological Anthropology of Law.*

Drawing on a recent book by Rodolfo Sacco, *Antropologia giuridica* (Legal Anthropology), this article tackles the prejudicial question of how to define law "differently" from the positive law that, conceptually speaking, constitutes the most important benchmark shared by the sociology and the anthropology of law, before then attempting to demonstrate certain relevant convergences between legal sociology and anthropology with regard to the three fundamental problems: a) of the institutionalisation of the law, which calls for a methodology capable of constructing the gradual, collective formation of laws other than those established by statutory orders, with neither times nor authors that can be identified unequivocally; b) of the selection of the law, which calls for the elaboration of a theoretical support structure capable of generating evolutionary hypotheses tailored to capturing and explaining the influence exerted by such orders on statute law; c) of the stabilisation of the law, which calls for the use of a series of concepts capable of revealing the links between laws and elementary needs that contribute to compliance with them, regardless of the changes that take place in laws in positive legal orders. Lastly, the article sets out to emphasise certain ideological implications of the two opposed models of legal anthropology, known as the "limit model" and the "possibility model", to which the sociology of law can refer, and certain changes in the legal culture espoused by legal operators today, related to the phenom-

ena of globalisation and of transition, which seem to call for greater anthropological awareness on the part of socio-legal research.

Mario A. Cattaneo, *War in Simone Weil's Harsh Critique. Peace in Kant's Hopes*

In this brief article, Professor Cattaneo comments on the conclusions reached by the latest Italian congress of philosophy of law, whose topic was War and Peace. On the one side, he remembers Simone Weil, who said that war, the most extreme humiliation of human dignity, is a matter not really of foreign policy, but rather of inner policy, since a people's "enemy" coincides with its leaders and military chiefs. On the one side, he recalls Kant's words of hope, in *Zum ewigen Frieden*, for an everlasting peace – a fruit of Republicanism and the Rule of Law.

Marco Goldoni, *"Socially Separate, but Politically Equal". Hannah Arendt and American Racism*.

Arendt's *Reflections on Little Rock* is a brief but intense piece that has often been neglected by scholars. In this paper, Arendt applies her famous analysis of the human condition to the controversial issue of American school segregation. By examining this paper, it is possible to outline the main weaknesses of Arendt's formal conception of law and to underline the reductionist account she offers of the relation between political equality and racial discrimination. By strictly separating social and political realms, Arendt takes a stance that can be understood as an instantiation of the "colour-blind principle". In consequence, Arendt's reasoning undermines the constitutional legitimacy of *Brown v. Board of Education*. In spite of her insistence on the importance of education for a political society, Arendt also seems to undervalue the role of the school as the first entrance into the normative world.

María José Añón, *Equality* ma non troppo*? A Critical Appraisal of Spain's Recent Legislation in the Area of Equality Between Women and Men*

This article sets out to provide an approximate description of Spain's latest legislation in the area of equality between men and women, so as to analyse some of its salient conceptual and theoretical premises and their consequences. It goes about this by starting from the categories to be found at the root of the most basic of inequalities: the division between the public and private spheres and their interactions. From these parameters, it then progresses by analysing some of the methods proposed by the law for overcoming the negative effects that inequalities in the private sphere project onto the spheres of public life. In this regard, the author restricts her commentary to the promotion of co-responsibility and of participatory presence in social and political frameworks. In a second stage, she focuses attention on the concept of discrimination adopted by the law, its conceptual and normative ability to abolish all processes of discrimination and its limitations.

Giovanni Chiola, *Gender Equality in Elected Political Office in Italy.*

This paper discusses the legislative steps enacted since 1946, when women first attained the right to vote in Italy, in the (as yet incomplete) process of achieving full gender equality in political representation. Appeals to the principle of substantive equality have not been sufficient to achieve this aim, as Article 51 and Article 117, section 7, of the Italian constitution have had to be amended. Moreover, the Constitutional Court's interpretation has set general principles for achieving gender equality in political representation.

Maria Laura Tasso, *Don't Your Teachers Teach You How To Behave? Good Ministerial Intentions and Educating for Legality in Secondary Schooling.*

The recent wave of violence against people and property in Italian schools has triggered a broad debate about strategies for achieving social control of such forms of deviant behaviour and about educational objectives pursuable in the classroom, aimed at educating for peaceful cohabitation. There has also been a plethora of legal provisions, whose contents are not always clear and coherent, aimed at encouraging teachers to promote a culture of legality, in the broad sense of the term. This stimulates thinking about teachers' professionalism and throws light on society's expectations that schools act as socialising institutions, identifying topics that used to lie concealed in the standard references to conformity enshrined in the curricula of the past and giving them the new status of official subjects of teaching. It may to a certain extent be necessary to give the illusive impression that the education system – which is increasingly in the centre of a struggle between different values – can actually aspire to eradicate social exclusion, although its significant role in maintaining public order probably deserves acknowledgement. It could be argued as a provocation that, when dealing with the worst of youth alienation, classrooms constitute structures of containment alternative to prisons, to closed communities and to psychiatric hospitals.

Claudia Rosso, *Policies For Social Integration and Inclusion in Political Life Favouring Non-EU Foreigners in Brescia.*

This article analyses the steps taken by the Brescia municipal council in favour of immigrants from outside the European Union, focusing attention in particular on actions implemented to promote their social integration and inclusion in political life in the municipal community. The study sets out to extrapolate the model of inclusion devised and implemented by the local government in general, by checking whether the city council has actually acted in such a way as to guarantee that the foreigners in question enjoy citizenship rights as a whole or just in part (with regard to the social or political component), and whether it has safeguarded those rights' usability on a par with the conditions enjoyed by native citizens. Building on its analysis of public policies in favour of immigrants, the research then set out to collect opinions from the individuals directly concerned with these policies, through the associations they have organised in

the city. The results of this survey were then used to compile a quantitative and qualitative map of perceived expectations vis-à-vis the host community, focusing on strong points and the more important weaknesses. By analysing both secondary sources (circulars, plans and completed projects) and primary sources (a semi-structured questionnaire and more extensive interviews), the survey highlights the processes both of inclusion and of partial exclusion promoted by the local government, before finally pinpointing the most critical areas that still act as barriers to achieving a model of substantial integration of foreigners aiming at the recognition of their rights of citizenship as a whole.

Antonia Cozzolino, *The Individual's Plural Unity*

P.F. Savona's essay *'In limine juris'. La genesi 'extra ordinem' della giuridicità e il sentimento del diritto* (ESI, Naples 2005), to which this review is devoted, starts out from the idea that law's birth through "science" does not exhaust the scope of legality. Savona analyses law's "genetic" moments, both subjective and objective, and has his essay follow in the footsteps of the currents of hermeneutics and 'legal experience', which treat legal science as a product of symbolic and cultural knowledge, heavily conditioned by the historical and social context of the communities where it develops. In this way, the scope of law can be understood as related inseparably to individuals' personal and inter-subjective formation. The notion of "person" then becomes central. "To become a person" means to act in such a way that the human being's existential effort is expended along a path of gradual valorisation of his bond with the world, ultimately ending with the decision in favour of law, as a guarantee of the individual's dignity and rights.

Vincenzo Ferrari, *Remembering Nella Gridelli Velicogna*

Nella Gridelli Velicogna, who passed away on 15 January 2008, aged 83, was the scientific and editorial secretary of *Sociologia del diritto* for nearly three decades, but by no means could her virtues be confined to her most valuable contribution to the growth of this journal. Her studies on Absenteeism and law, Family consultancy centres, Family planning and, especially, her reconstruction of the thought of Scipio Sighele, a trail-blazer in Italian positivism, bear witness to her quality as a fully-fledged scholar, who unfortunately commenced her academic career too late to reach the targets she certainly deserved.

(English texts revised by Pete Kercher)

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