

with us and in us. (...) Now as I am writing in this beautiful meadow, I also am in the many places where I was in my childhood. (...) Eating an ice cream and throwing away the container, will always be a trace of me. (...) Even a man went in war, has left traces of his shed blood, this will marry the earth, and over the years, will remain its presence in that far land..."

Further reflections follow on what we are and what we leave behind, and also on the responsibility of what we carry with us. Thoughts are naive, but emphasize the desire to be there and understand life.

In another block of notes I write, few years later:

"In three days I will be 18, I want to write my thoughts, to study things that interest me and I want one day be a someone, not in a social but in a moral sense; someone who has value, a positive value, to be imitated, an intelligent person (...) I am aware of look a bit self-centred, but I hate the hypocrisy that grows in our society".

There was a constant dialogue between me and myself, in search of someone who really listens to me. Loneliness is an intimate suffering, often hidden, disguised by a false sense of security and self-confidence.

The discomfort was strong; then - some time later - I visited the cottage in Via San Domenico 16, the Institute of Psychosynthesis, the ideal "station" from which the "Train of my life" started, the means that brought me to travel inside and outside me. Today, after many years, I witness with this paper my bringing the world in my heart, and my heart in the world. Ultimately: the choice to be there and how to be.

I close with a poem that the Chinese Empress Wu Zetian (685-704 AD) ordered to a little girl seven years old to improvise in front of the court. At those times, children were torn from their families to serve in the imperial palace. The title is "Farewell to the brothers":

Sudden fly way the leaves, to the pavilion of the separation.

All of a sudden raise the clouds, on the road farewell.

Ah! Why men are not like the wild geese  
that make the road together.

I wish to each of us "a long way together": despite conflicts, misunderstandings, the serious crisis affecting our planet, let's ALL of us to do our part, giving the BEST of ourselves.

Rome, Rocca di Papa, June 2012.

## TRIAL PENALTY FORGIVENESS

### THE PROCESS

Process is a moving story -as the name implies- that especially unfolds over time but also in space. Process has a purpose, because if he had not should become Kafka's "The Trial", that is an incomprehensible story, for no reason. Purpose of process, according to most commentators, is to restore a social equilibrium shattered by the behaviour of one or more human beings. However, if process is based on judgment, then the definition and reflection must be broader. On this subject we will return later. Now we can begin to enter into the specific theme of this paper.

### THE TRIAL

A judgment is complex and delicate task, nevertheless very often it is delivered with considerable superficiality. My reflection would deepen the problematic nature of the judgement, keeping on my experiential plane, since for almost forty years -and still- I practiced the profession of a judge at the Court of Cassation, Italian Supreme Court.

Two are the characteristics required to be a reliable judge, common sense and impartiality. Translating these qualities of character in psychosyntetic terms, we can say that a good judge should be able to disassociate himself from the process that is called upon to decide, and, at the same time, should know / want to correctly use his will because the act of judging, after all, is a complex but substantial act of will.

The judge should not let to get involved in the events on which it is called to determine rights and reasons, or faults or responsibilities. A judge exists because modern societies established, by convention, that nobody can -alone- take the law into himself. Said Romans, to

whom we owe the most rigorous and complete theoretical system and the practice of law “*Nemo iudex in causa propria*” (nobody can decide whether he is right or wrong in a story in which he is involved). If nobody can take the law into himself alone, it is necessary that there are people who have been entrusted with the task of passing judgments. Therefore, who judges must not have “prejudices” (that is already formed ideas about the process before the process itself is celebrated (remember the importance of selecting jurors in Anglo-Saxon experience). But those who judge must also avoid that his judgment is influenced by his personal views. Who called the judge “mouth of the law” really meant that the judge should not be more than the faithful interpreter of the law. But many centuries of “professional justice” showed that those who interpret brings their own ideas, his experiences, his psyche. The good judge then is who is committed to becoming “third”, looking inside the paths to counteract his influences: the wise will help him to recognize the influence of its sub-personality and good will assists in the preparation of antidotes that, however, must not produce overshooting.

## THE PENALTY

The penalty is the punishment for those who break the rules. Also on this subject modern societies decided to deprive citizens individual choices, entrusting them to the circuit of the professional justice. In fact, as a specific prove, I remember that even in those systems in which the decision on responsibility has been entrusted only to a “common citizens”, in any case the penalty is determined by the professional judge (in the U.S., for example, the jury of citizens autonomously decides on the guilt, but is the judge that, after the jury’s verdict, determines the extent of the penalty). Even such procedure, and particularly this one, is driven by the aim to soften up the emotional reflexes in an area that is particularly rich with emotion: for example, just to give a few examples, we can focus on the diversity between systems, such as North America, where we have the death penalty and systems, such as Norway, which provide for a maximum a penalty of twenty years in prison; puni-

shment, in fact, which will almost certainly condemned the author of the massacre of young people last summer. The emotional impact of the sentence actually imposed, or imposable, is determined primarily in the public opinion, but a “reflection of reflection” is eventually determined in the psyche of those who have the responsibility for setting the level of the penalty. The final outcomes are very different from each other. Without going into too much technical aspects of a problem that does not have much of technical, it remains -difficult to explain- even for those who have a long specific experience, like me, the big difference of penalties imposed for similar offenses, or even the same. It is not without significance that, in our judgments, large space is devoted to explain the reasons for the decision on liability, and much less to the extent of the penalty. We often get the impression that the court is, in the end, left alone in the most delicate and significant point, that is what translates into years of prison the guilt of the accused; as a matter of fact, despite the number of criteria by applicable law, the court feels (or perhaps want) to be alone with what it is called conscience, but which – on the contrary - is strongly intertwined with the reactions of unconscious. In this step, then, it is up to the decision maker the task to “counterbalance” the irrational impulses, but not incomprehensible, that come not only from within himself but also, and not to a negligible extent, the collective unconscious, which very frequently shows attention to vengeful, rather than judicial, attitude. The law of retaliation is repealed since many centuries, but continues to live in the reality of public opinion, the more angry the more afraid. And this will have to be taken into account by those who determine the sentence, using the same tools of psychosynthesis, that we have already mentioned when speaking of judgment. An acceptable conclusion must find a not easy balance between the needs for adapting the punishment to the crime committed, for evaluating nature and extent of the damage and, at the same time, evaluating the possible future development of the sentence and the convict. Because the penalty can, in many cases, be followed by forgiveness.

## THE FORGIVENESS

As a matter of fact, penalty may be the defining moment of the process, and it certainly is when it presents itself as an irreversible choice both naturally and physiologically (death penalty). But more and more often penalty closes a phase of the process and another opens, which responds to other criteria. However always in the light of a “shared purpose” of the process, as mentioned at the beginning. Then, if the process is designed to restore a broken social equilibrium, we must address the problem of restoring a balance when the break seems irreversible. For example, when the damage caused by the offender can not likely be fully compensated at economic level.

If we expand such concept, we must also take into consideration the real protagonist of the process, i. e. the author of the conduct that violated the rules. At this point, choices depend on the positions assumed on a particularly complex issue that is the basic character of human nature.

If we are sure about the essential positivity of this nature, the efforts made for the recovery of the offender have a sense. If -on the contrary- we believe that man is essentially a bad animal, then we will not have any incentive for the adoption of tools for reintegration of the offender into society, whose balance has broken.

Limiting in public sector, the Italian system bets on the possibility of recovery of the offender and assigns to the penalty also the “aim at the rehabilitation of the offender”, putting this principle in its fundamental law, the Constitution (Art. 27).

The rehabilitation of the offender, deemed possible by our legislators constituents since 1948, should be crucial for the social balance, in a general sense.

But even in a more strictly psychological perspective, regardless of any religious inspiration, forgiveness can have significant value.

Assuming the essentially optimistic setting of psychosynthesis (man can and must improve, as claimed by Assagioli in his most famous statement, taken as the motto of our institute), forgiveness has a double function: at first -when we forgive almost reluctantly and grudgingly- forgiveness cancels poisons of anger and revenge of our soul; then, when we metabolize forgiveness, will assumes more and more positive characters, transmitting these properties to Ego. And so should be enough for a collective effort of those who follow psychosynthesis in favour of an attitude widely “forgiving”.

## FOR WHOM THE BELL TOLLS

The title of a successful novel by Hemingway, and a decent film of the same name, is the last line of a poem by John Donne, English poet and mystic of the seventeenth century. The whole sentence is: Each man’s death diminishes me, / For I am Involved in / mankind / Therefore,

send not to know / For Whom the Bell Tolls, / It tolls for thee.

The quotation got almost automatically when I finished writing my reflection. It seemed, indeed, it were cool and, above all, far: after all it could be delivered or not during this meeting, not so much would have changed for participants except, perhaps, a smattering of questions more proper to other specializations. But I did not want it being so, because I had not thought and felt in this way. By this contribution, I would give just a contribution, something that can penetrate and find a place within each of us, bursting from the specialist frame and incarnated in the concrete, even beyond the possibility of contaminations and interlacings with issues of psychosynthesis, which I have also tried to point out.

So, at the end of my speech, I repeat the words of John Donne, and try to prove that the bell tolls for all of us, those who speak or write, heard or read.

The judgment, as very briefly I attempted to address in the introduction, is not only a complex and formalized kind of symbolic representation, in which someone distributes, by profession, rights and wrongs, translating his decisions in command addressed to those who rely him (the parties in civil proceedings) or asks for his intervention to eliminate factors of social inequality (the prosecutor in criminal cases). That is the judgment with “j” in capital letter, which in general, or rather in the life of every day, does not concern us. But, just in the life of every day, judgment is a constant presence, which is always with us, seemingly in small things, but it is not in this way.

Sure, even saying that today is hotter than yesterday is a judgment, perhaps questionable, but fairly neutral. However, saying that the heat became unbearable is a different judgement, that involves us a lot more, because it refers not to temperature, objective evidence, but to our tolerance of temperature, which instead is a highly subjective evaluation.

If, proceeding in our analysis, we say that the opening lecture of this works was beautiful, interesting, rich, etc., we always express a judgement, but we increasingly refer to us as a yardstick, perhaps unconsciously.

And from the depths of us are the judgments that emit at almost any time to define some relational data. Evaluating a person, in his acts, or even more evaluating him in relation to us is the expression of a judgment, which “reveals” ourselves more than those who we are judging. And it is not enough, because the expression of a judgement without any special need (a school evaluation, for example, or a suggestion of attendance or non-attendance), presupposes a situation not equal, because who expresses a judgement feels himself always superior to those at that time is the subject of his judgment.

If we ponder what I just said, and come back on what I have described in detail in the course of my contribution, we realize that most of what I explained referring to judgment in capital letter fits very well to judgment

in small letter. Why we must strive to judge without “pre-judgments”, to maintain a necessary impartiality, to draw conclusions that are not too much affected by external factors, to impose, at the end of a judgment, a pain which affects the relationship (a negative assessment, an advice of non-attendance, a loosening or even a cessation of relations), but always leaving a space for forgiveness, that is the re-establishment of a harmonious relationship?

After all, everyone feels and acts as a judge, not always consciously, but each of us plays in turn the role of judged, and even then not always making himself conscious.

Interpretation to the best one and the other role is, or can be, hallmark and goal to strive for, for whom, quoting Assagioli, knows, owns and transforms himself.

Rome, Rocca di Papa, June 2012.

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Vito D’Ambrosio

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## COMMON GOOD AND EGO

**“Now the individual will faces another and higher task, that of disciplining itself and choosing such aims as are consistent with the welfare of others and the common good of humanity.”**

*Roberto Assagioli*

The expression common good is often found in social and political contexts; we will use it in its original and simplest sense, meaning by common good something good and positive both for us and for others.

During an interview, the Dalai Lama was asked why in his teachings, and more generally in the teachings of Tibetan Buddhism, there is much talk of love in the different forms of selfless love, compassion, joyful love, equanimity, but little mention of love for themselves.

The Dalai Lama answered that, when he speaks of love, he means a love which is at the same time love for ourselves and for the others.

Even Christian spirituality, that permeates our European culture, stands on a Commandment focused on love; answering to a question about which was the first of the Commandments, Jesus said: “The most important is, ‘Hear, O Israel: The Lord our God, the Lord is one. And

you shall love the Lord your God with all your heart and with all your soul and with all your mind and with all your strength.’ The second is this: ‘You shall love your neighbor as yourself.’ There is no other commandment greater than these. (Mark 12:29-31). Therefore, in the Christian spiritual roots as well, love for ourselves is inextricably linked to love for others.

Social and political news, as well as our personal experience in various contexts, such as family, work, sports, seem to take us in constant contact with initiatives sometimes aimed mainly at common good, other times mainly at personal and individual good, sought for without regard for, or even at the expense of other people’s welfare. Around us, along with demonstrations of giving one’s time and resources, along with examples of solidarity, voluntary work, we see manifestations of oppression, research of power and affirmation over others, or even search for personal prosperity pursued harming other people and their rights or their opportunity to feel good or feel better.

Roberto Assagioli speaks of the “common good” and of the obstacles to its realization in his book “The Act of Will”, particularly in the chapter on good will.

Assagioli writes: “... in reality the isolated man does not exist: he is in constant interaction with his family, his working associates, and society in general. His relationships are many and diverse. However strong and able he may be, an individual who fails to take these relationships into consideration inevitably arouses reactions and conflicts that often defeat his aims. This seems obvious, yet modern life presents the spectacle of a general clash of wills on the part of those who compete for dominance in all fields. [...] Thus many attempts are being made to replace competition with cooperation, conflict with arbitration and agreement, based on an understanding of right relations between groups, classes, and nations. The success of these attempts depends on the gradual harmonization of the wills of all concerned. Such harmonization is difficult indeed, but it is possible\_ the differing individual aims can be made to fit into the circle of a wider human solidarity.”