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### **BS5 The Roso Case: An Unpublished Trial Regarding Hermaphroditism Verified Through the Expertise and Written Advice of Leading Physicians in 19th-Century Florence**

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After attending this presentation, attendees will understand the techniques and methods used at what, in 19th-century Europe, was considered a famous trial: the case of Maria Rosa Fantini (1764-1839), which centered on a series of reports regarding the very delicate issue at the center of a case of “doubtful sex” and who was later shown to be a hermaphrodite. This trial remained buried in the Archiepiscopal Archives of Florence and has only recently been brought to light.

This presentation will impact the forensic science community by illustrating the importance of introducing, at trial, the technical expertise and opinions of such famous Italian doctors of the time as Vincenzo Chiarugi (1759-1820), the father of Italian psychiatry. In addition, attendees will better understand how the methods of the Positivist School, which had shaped such forensic scientists as the criminal anthropologist Cesare Lombroso (1835-1909), were able to demonstrate a person’s true sexual identity with psychological developments that emerged in court, thus revolutionizing the perception each individual has of themselves. During the presentation, the previously unpublished court records and reports of this particular case will be presented along with the findings of the proceedings.

The research conducted at the Fiesole (Italy) Diocesan Historical Archives has permitted a reconstruction of Fantini’s life. On July 15, 1805, an initial application was filed at the Court of the Episcopal Curia of Fiesole by the husband, Dionisio, to dissolve his marriage to Maria Rosa, whose poor genital conformation invalidated the marriage. Subsequently, on February 13, 1818, Dionisio, convinced of his marriage’s illegality, brought action for an annulment before the Episcopal Court of Florence where, at the behest of the lawyer Simeone Döthel, a second report, entrusted this time to Vincenzo Chiarugi, was filed. The examination showed a surprisingly large enterocele in the right groin area and, at the uppermost part of the pubic arch, a glans imperforate, resembling a foreskin circumcision, and a very well-built frenulum that forced the glans toward the bottom. On the basis of anatomical data, Chiarugi concluded that Maria Rosa was a male. The clinical history found in the Historical Archives of the University of Florence, shows that Maria Rosa was admitted to the women’s ward, where the anatomist Giuseppe Chiarugi, son of Vincenzo Chiarugi, identified her as being a male. She was then transported to the men’s infirmary (bed number 598) and given the masculinized name of Roso. On her deathbed, she declared her regret that, “In the midst of the confusion of the opposite sex, I am and was a woman and I am surprised at how these gentlemen want me to die here among men.” Maria Rosa died at 11:00 a.m. on the morning of April 16, 1839, in the men’s ward of the Santa Maria Nuova Hospital. The autopsy, performed by Stanislao Petri, confirmed the previous forensic report. As evidenced by copies of the death certificate, found at the Florence State Archives and the Archiepiscopal Historical Archives of Florence, the deceased was recorded under the name of Roso Fantini, an unmarried male.

The case of Maria Rosa “Roso” Fantini provides valuable material for scientific research and an unpublished look at Italian positivism regarding the nascent “sexual question.” The extraordinary nature of this now-forgotten case was mentioned by Caesar Taruffi (1821-1902), Professor of Pathology at the University of Bologna and a leading expert on hermaphroditism in the period in the work *Ermafroditismo ed agenosoma* (1902). In keeping with the dictates of scientific writing at the time, Vincenzo Chiarugi’s forensic report was published in the form of letter (*Sopra una supposta specie di ermafroditismo*, 1819) highlighting indirect evidence of Maria Rosa’s sexual behavior. Having been raised and having lived as a female, she believed that she had been born and lived as a woman. Trials in that period demonstrated that, in instances of “ambiguity,” it was possible to divert “nature” from its course, as in the case of Maria Rosa, psychologically changing a male into a female. On the subject of hermaphroditism, Cesare Lombroso, from the School of Criminal Anthropology, also strongly supported the influential role of education in the formation of sexual identities.

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#### **Hermaphroditism, Trials, Case Report**