Nağīb Maḥfūẓ and Leonardo Sciascia

Between social and institutional justice

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This comparative literature study investigates the concept of justice in the works of Nağīb Maḥfūẓ and Leonardo Sciascia. Both novelists, throughout their extensive careers, obsessively explore the fundamental concept of justice in both their literary and non-literary works. Beginning with the historical context, the article examines the political transformations that occurred in Egypt and Italy during the lifetimes of these writers. These transformations significantly impacted the judicial system and social life in each country. While Maḥfūẓ focused on justice in its social context and the Sciascia in its institutional context, both explore through their literary texts and cultural-political commitments the intricate relationship between political power, the legal system, and organized crime. The article addresses the methodological differences in the authors' styles and their approaches to the concept of justice, as well as the similarities in their attempts to find alternatives to the absence of justice through aesthetic-literary compensation and, subsequently, through a metaphysical dimension. The article demonstrates how Maḥfūẓ and Sciascia's exploration of justice evolves from a rational critique of societal and institutional failures to a metaphysical contemplation, where the concept of 'death' becomes central to understanding justice.

Key words: comparative literature, intercultural studies; social justice in Egypt; social and institutions in Italy; Nağīb Maḥfūẓ; Leonardo Sciascia; Sufism; metaphysics

1. Introduction

Strikingly, there is a scarcity, or perhaps a complete absence, of comparative studies directly examining the literary works of Nağīb Maḥfūẓ (1911-2006) and Leonardo Sciascia (1921-1989). This absence is particularly surprising given the numerous similarities between the two authors across several dimensions[1]. These similarities include not only the historical period during which both writers

1 However, there are those who perceive parallels between Maḥfūẓ and another Sicilian writer, Giovanni Verga (see Waly 2023: 153).

lived, but also the parallels in the historical context they experienced, which was marked by significant political transformations (from monarchy to republic in Egypt in 1952 and in Italy in 1946); the transition from a microcosmic setting to a national or global one (Maḥfūẓ's Cairo and Sciascia's Sicily); the themes addressed by the two writers, particularly in relation to the parallel world of organized crime (the urban rabble and the Mafia). Furthermore, both Maḥfūẓ and Sciascia were deeply engaged with the political and social realities of their times. This engagement made their pens bold witnesses to contemporary events, reporting them outside official narratives (the assassination of Anwar al-Sādāt in *The Day the Leader Was Killed* by Maḥfūẓ, and the kidnapping and murder of Aldo Moro in *The Moro Affair* by Sciascia). However, the most significant thematic parallel, which will be examined in some aspects in this article, is their obsession with the concept of justice. Both authors grapple with issues of state and societal injustice, and the potential of literature to challenge these injustices. This "aesthetic compensation", as it may be termed, reflects their belief in the power of literature to expose and critique social ills.

While many critical studies have acknowledged the significance of human and existentialist themes in Maḥfūẓ's works due to their engagement with 'universal themes' (Sutanto *et al.* 2017: 69), the issue of justice in its various forms has remained a central focus in his writings. This emphasis led the academic critic and former Egyptian Minister of Culture, Jaber Asfour, to summarize Maḥfūẓ's literary legacy as a humanistic vision centered on the human individual's quest for social justice amidst the struggles against time and surrounding circumstances (Asfour 2010: 34). His exploration of justice was not limited to literary works, but also extended to journalism; an important activity shared by the Egyptian and Sicilian writers. In his articles, Maḥfūẓ frequently linked justice to democracy, economic conditions, and labor productivity, aiming to create a society that "enjoys equality of satisfaction and not equality of needs" (Maḥfūẓ 2020: 53). Sciascia, unlike Maḥfūẓ, transcended the focus on justice in its social dimensions, by addressing the issue from a purely institutional perspective. This allowed him to conceptualize a distinction between 'law' and 'justice' on one hand, and between 'justice' and 'truth' on the other. This approach is reflected in the diverse audience drawn to Sciascia's work, which exceeded literary scholars and critics to encompass judges, jurists, and even politicians (Guaricci 2022: 322).

There is another distinction between the two writers related to 'how' they are regarded as global authors. It appears that mere engagement with universal concepts is insufficient for a writer to achieve global recognition. In this respect, the contrast between the two wordsmiths is stark and, in certain aspects, antithetical. If the realistic depiction of Cairo's neighborhoods, with their poverty and wealth, and the separate laws governing the powerful and the powerless, led Maḥfūẓ to the Nobel Prize—by

"forming of an Arabian narrative art that applies to all mankind" (Award Ceremony Speech 1988)—then Sciascia, conversely, drew inspiration for 'his universality' from the outside world and transplanted it to his Mediterranean island setting. To achieve this, as Italo Calvino (2000) astutely points out, Sciascia armed himself with French Enlightenment, the relativism of Pirandello and Gogol's influence through Brancati, all while maintaining the historical continuity of Spanish-Sicilian traditions (Calvino 2000: 829).

This article adopts a comparative literature approach grounded in the concept of comparative literature, as articulated by Massimo Fusillo (2020), who emphasizes the need for 'multiple mirrors' in this discipline (Fusillo 2020: 13). Fusillo's perspective reflects an understanding that comparative literature must increasingly engage with a dynamically interwoven world, where the shared values of diverse cultures propel a global literature. This world literature functions both metaphorically, as it generates parallel worlds, alternative visions of reality, and utopias, and concretely, by connecting disparate contexts through universal human concerns (Fusillo 2020: 15). Although the historical and cultural backgrounds of Maḥfūẓ and Sciascia differ, their works intersect in realms of political activism and the cosmopolitan, universal dimensions of human thought, particularly regarding justice. Justice, central to this article, is ultimately an intrinsic human value that transcends individual cultures, resonating across boundaries as a universal moral quest. Furthermore, this study builds on George Steiner's (2012) insight into analogy as an intrinsic element of comparative literature (Steiner 2012: 218), particularly valuable when exploring the interactions between literature and other domains like law and religion. In Western traditions, these intersections—between literary expression, judicial systems, and religious ideologies—have long nurtured a fertile discourse on justice. This inquiry underscores the enduring significance of literature's engagement with justice as a means to critique and reimagine societal structures. The analysis thus emphasizes how the works of Maḥfūẓ and Sciascia explore justice not merely as a thematic concern but as an ethical endeavor that merges aesthetics with profound cultural commitments.

2. Historical overview

"Of the powers above mentioned, the judiciary is in some measure next to nothing"

Montesquieu

When the 1919 Revolution occurred in Egypt, marking a new era of Egyptian consciousness across popular, elite, and social spheres under the monarchy and British presence (Whidden 2013: 15), Nağīb Maḥfūẓ was seven years old. In an interview with writer and journalist Mohamed Salmawy (1997),

Maḥfūẓ recalls, "I witnessed the birth of the 1919 Revolution and saw men and women in the streets shouting slogans that I did not understand at the time" (Salmawy 1997: 10).

Later, Maḥfūẓ witnessed the 1952 Revolution, which differed in its causes from that of 1919, as it overthrew the monarchy in Egypt and declared the birth of the republic. By the age of forty, and despite having lived through numerous experiences between the two revolutions, the author and novelist had not yet developed firm convictions from these experiences. Instead, he was filled with doubts that resonated in the social and historical novels published during that period. Matti Moosa (1994) offers insights into this period, saying:

> The fact remains that in many of his novels Maḥfūẓ appears to be a perplexed person who has not yet found a satisfactory answer to the complex realities of life in this world and beyond ... Although the revolution's leaders advocated socialism, Arab nationalism, and democracy, he says true socialism and democracy have not been realized in Egypt. In order for these objectives to be achieved, it is imperative that freedom first be established and respected (Moosa 1994: 14).

This situation prompted the writer to focus on the concept of social justice in its various embodiments, perceiving it as the true measure of revolution's success. Nevertheless, he soon adopted the position of an observer, choosing to remain silent for five years (from 1952 to 1957) as he granted the revolution the opportunity to fulfill his dreams of social justice. The revolution, however, ultimately disappointed him. Rather than assuming that he had nothing left to say, he realized that he was incapable of expressing his thoughts (El-Enany 1993: 25). Thus, he resumed writing, defying the revolution's failure to achieve its proclaimed goals.

To understand the situation in Egypt after 1952 in terms of the relationship between politics and legal institutions, Tamir Moustafa (2008) describes how the Free Officers' coup, which brought Gamāl 'Abd an-Nāṣir to power, led to a significant institutional and political overhaul, moving away from the prior liberal-democratic structure. The new regime swiftly dismantled the existing political system, nullifying the constitution by decree in 1952 and banning all political parties shortly afterward. This transition weakened Egypt's legal institutions as well, with prominent figures like the legal scholar 'Abd al-Raziq al-Sanhūri, who had written the Egyptian civil code, facing intimidation and being forced to resign. High-ranking members of Egypt's supreme administrative court, the Maglis al-Dawla, were similarly pressured. In its consolidation of power, the regime established exceptional courts—such as the Court of the Revolution in 1953 and the People's Courts in 1954—that operated without standard procedures or rights to appeal, filling these positions with loyalists, often from the military. Nāṣir also redirected Egypt's economic policies, implementing significant land redistribution and nationalizing

foreign companies, especially after the 1956 Suez Crisis. Moustafa's analysis highlights how these changes marked a shift toward a highly centralized, authoritarian state (Moustafa 2008: 133).

Maḥfūẓ often uses political events as symbolic backdrops in his literary works, drawing plots from significant moments in Egypt's history (Myers 1986: 93). He believed that literature has a role in expressing reality with artistic integrity, serving as a form of social critique. Many of his works thus act as warnings to humanity about the dangers of injustice, addressing issues that both religious values and political movements may overlook. He sought to expose the negative consequences of the absence of the desired justice. This thematic focus was reflected not only in his literary works set in contemporary settings but also in his historical novels and non-fictional writings, including essays.

The transformation undergone by Italy in the post-World War II period was no less significant than the political shift in Egypt in 1952. Following the end of the Fascist era and the beginning of democratic governance, the republic was established through the 1946 referendum, marking the end of the monarchy. The Italian Constitution was created in 1948, indicating that the political transformation also entailed a shift in the concept of justice. The preceding era was characterized by the intertwining of the concepts of 'justice' and 'repression' throughout the stages shaping the political system, encompassing its rise, consolidation, and eventual crisis. Although the historical narrative often emphasizes repression as the sole instrument molding the idea of justice under the Fascist totalitarian regime, this does not negate the fact that the institutional concept of justice was also partially subjected to propaganda in both official and cultural dimensions. Moreover, it was partly linked to the fragile historical roots of the principle of legality in the liberal State (Lacchè 2015). The fusion of repression and institutionalized justice led to several pivotal shifts within the legal system: from the Rocco Code to the establishment of the Special Tribunal for the Defense of the State, from the reinstatement of the death penalty to the promulgation of Racial Laws in 1938, which were met with applause and enthusiasm by many members of the judiciary in their interpretive practices and methodological approaches (Modona 2019: 241). Undoubtedly, over the course of two decades and through the imposition of its ideologies and practices, the totalitarian regime succeeded in presenting a comprehensive image of the concept of justice according to a model fundamentally based on 'repression' to consolidate its rule. It is equally evident that with the end of the fascist era, this concept had to be completely overturned.

In the aftermath of World War II, the concept of justice underwent significant changes in Italy—along with Germany and Japan—relegating the dictatorial past and its associated human rights violations to a seemingly forgotten era. It was natural for these nations, Italy foremost, to implement a system that closely monitors governmental and legislative actions, ensuring that the constitution,

with its provisions safeguarding individual and societal rights, would not be reduced to mere empty slogans as had been the case in the *ventennio*. This necessitated the translation of the overarching notion of justice into a concrete political reality, subject to practical application within the relevant legal institutions. Mauro Cappelletti (1978) views these changes across three dimensions: constitutional, global, and social, recognizing that while these dimensions are firmly established in the present, their roots extend back to the previous era. The constitutional dimension is deeply embedded in the attempt to transcend the historical clash between the principle of equality and law, as well as between 'natural law' and 'positive law.' Global justice represents humanity's collective attempt to transcend nationalities and absolute sovereignties, challenging the concept of the nation-state as the exclusive source of law and authority. Social justice, on the other hand, emerges as a response to the traditional understanding of justice as mere individual freedom and purely formal equality, and as a natural evolution of this concept. Simultaneously, social justice also represents an effort to overcome the most pressing political and ideological challenges of our time (Cappelletti 1978).

Sciascia's engagement with the transformations of justice throughout his career—spanning years of fascist repression, constitutional reform, and the evolution of judiciary democracy—was not merely observational but deeply introspective. Shortly before his death, the Sicilian novelist stated at a conference held in his hometown of Racalmuto that the absence of justice had been an obsession that accompanied him throughout his life (Sciascia 1986). Since the exploration of justice as a 'value' and the verification of its presence or absence cannot be conducted through abstraction alone, but rather through concrete examination that renders it a practical 'value,' Sciascia endeavored to draw upon facts, events, and characters without neglecting social and political institutions. This approach bridges the gap between the 'theoretical' and the 'phenomenological,' bringing the 'abstract' closer to the 'tangible.' In his novel *Porte aperte* (1987; English title: *Open Doors*), Sciascia presents a reality-inspired story set in Fascist-era Sicily. The narrative revolves around a man who commits a triple murder and confesses his crime. The judge finds himself under pressure from state officials to impose the death penalty on the accused. However, he exerts all his efforts to avoid this sentence and instead sentence him a life imprisonment. Opposing the state and resisting its will in interpreting the law will cost the 'little judge' his career. This unfortunate event helps him realize that he has achieved the highest point of honor—of his whole life. The novel's title itself is laced with the author's satire directed at Fascist bureaucracy, deeply immersed in superficiality and hypocrisy in its understanding and application of justice. At that time, Fascist propaganda emphasized that this understanding and application, particularly of the death penalty, allowed Italians to 'sleep at night with their doors open,' a phrase uttered by the judge in one of the novel's dialogue scenes. Regardless, the author's intentions in this

novel extend beyond a mere discussion of historical details surrounding the death penalty during the Fascist era. His aims encompass the historical context in which the novel was written, namely the 1970s and 1980s, when the debate over reinstating the death penalty as a response to terrorist activities resurfaced (Francese 2017: 775-798).

In the post-World War II period and during the years of transition, Sciascia was keenly aware of the inextricable link between the evolving concepts of justice at its three previously mentioned levels: constitutional, global, and social. He frequently sought to draw comparisons between Italy and other nations regarding criminal law and its interpretations. More importantly, he focused on the complexities of procedures and practices leading to its application, particularly in light of the dubious relationship between organized crime and state apparatuses, a topic that the Sicilian author consistently focused on and investigated. Consider an excerpt from his masterpiece *Il giorno della civetta* (English title: *The Day of the Owl*, set in the 1950s) and the internal monologue of Detective Bellodi during a brief break from his interrogation of Don Mariano. He says: "In any other country in the world a tax-evasion like this one, of which I have the proof, would be severely punished; here Don Mariano just laughs, knowing how little it will take to confuse the issue" (Sciascia 1987: 101).

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Sciascia's critique of the absence of justice and the inefficiency of the judicial system would persist into the subsequent period, marked by fluctuating relations between the judiciary and democratic values during the widespread turmoil of the Years of Lead in the 1970s and 1980s. Nevertheless, the hidden relationship between the state and organized crime was not the sole factor contributing to the decline of justice; another factor lays in the mechanics of legislative power, which occasionally resulted in the inertia and slowdown of the judiciary, even when confronted with supposedly urgent and pressing amendments like those addressing Fascist racial laws. Guido Neppi Modona (2019) remarks:

> Le leggi contro gli ebrei emanate dal 1938 al 1943 erano peraltro talmente numerose e pervasive che trascorsero più di quaranta anni dopo la Liberazione e furono necessarie ben ottanta leggi (l'ultima del 1987) per depurare l'ordinamento repubblicano dalla vergogna delle leggi razziali[2]. (242)

2 The anti-Jewish laws enacted between 1938 and 1943 were so numerous and pervasive that more than forty years passed after the Liberation and no fewer than eighty laws (the last in 1987) were required to purge the Republican legal system of the shame of the racial laws.

Added to this are, of course, the challenges and obstacles that judges and investigators face due to the absence of a modern legal system that organically aligns with the constitution. In the novel *Il contesto* (1971, English title: *The Equal Danger)*, a group of judges is assassinated and transformed into 'illustrious corpses' (as the title of Francesco Rosi's film adaptation suggests). The investigation of these assassinations is assigned to Rogas, who finds himself torn between the logical investigative path dictated by reason and evidence, and another path imposed by decision-makers within the institutional authority in collaboration with senior judiciary officials. This ethical dilemma leads to a tangled web of escalating suspicions, followed by further murders involving politicians, secret agents, and influential figures. A statement worthy of mentioning is the one made by an Italian Communist Party leader at the end of Rosi's film: 'The truth is not always revolutionary.' This sentiment clearly alludes to the silence of the opposition in the face of the rampant corruption of the 1970s, which often went unpunished. The implicit reference is to the loss of one of the most famous principles established by the Communist Party's founder, Antonio Gramsci, at the beginning of the last century, which stated that telling the truth 'is a revolutionary act' (Gramsci 1919), and an emphasis on Montesquieu's description of the judiciary as the weakest and least influential of the powers.

3. Social justice and institutional justice

> Again, there is no liberty if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator.
>
> Were it joined to the executive power, the judge might behave with violence and oppression.
>
> Montesquieu

3.1. Social injustice in three novels

Nearly a decade following the July 1952 Revolution, Maḥfūẓ published the novel *The Thief and the Dogs* (1961) which stood as a clear lament for justice at the time. The protagonist, Saʿīd Mahrān, is released from prison on Revolution Day: "We said from the heart he would be released on Revolution Day," (Maḥfūẓ 2005: 16) only to find his wife married to his former partner in crime. Desperate to secure a future for his young daughter, Saʿīd attempts to intimidate his former partner, but is met with indifference and a suggestion to seek legal recourse instead. Having lost faith in justice, Saʿīd decides to seek help from his journalist friend Ra'ūf Ilwān, who was once his criminal mentor and who previously used the same revolutionary rhetoric. Now a respected journalist and businessman, Ra'ūf

opposes Saʿīd and refuses to support his transformation from a thief to a journalist like himself. This enrages Saʿīd, who believes that his release from prison has brought him no justice. He is confronted with the reality that the wealthy, the thieves, and the beneficiaries of the system, who were never prosecuted like him, will not allow him to live justly in society. Forced to accept the *status quo* and remain an outcast, Saʿīd feels betrayed and plunges into a state of extreme confusion. His primary motivation becomes vengeance, and he unleashes a relentless assault on the world around him.

The following year, the novel *Autumn Quail* (1962) was published, in which the author's portrayal of injustice becomes even more pronounced. Through the protagonist, ʻIsa, a prominent and qualified party member with a distinguished national record and popular trust, the novel highlights the efforts of the post-1952 revolution government to marginalize this class from positions of power. ʻIsa, feeling wronged by this systematic exclusion, serves as a poignant embodiment of the author's critique. Egyptian literary scholar Rasheed El-Enany (1993) comments on this, stating:

> Underlying the political alienation and personal resentment at loss of office and power of the protagonist, 'Isa al-Dabbagh, is a rebuke of the revolution for its banishment from public life of a vastly popular political force and only one with accreditable national record in the generation preceding the revolution (El-Enany 1993: 105).

In *Miramar* (1967), Maḥfūẓ presents a narrative set in a small hotel in winter-stricken Alexandria, owned by a European whose Egyptian guests represent the different attitudes and social classes in the years following the revolution. The narrative presents the dilemma of the wealthy, the educated, the peasant, and the journalist, who collectively depict a fragmented picture of an uncertain future. Despite their aspirations, the protagonists of the novel achieve neither their personal nor their social goals, encountering unjust conclusions and an ambiguous trajectory ahead. Additionally, relationships between the characters, each symbolizing a different ideological strand, reflect the strained dynamics between modern Egypt, the former Wafd bourgeoisie, Nasserism, religious movements, and the darker aspects of the 1952 Revolution. Egypt in *Miramar* stands at a historical juncture, characterized not only by transformation but also by mistrust, resentment, and friction between key political and social realities (Jaran 2014: 52).

Maḥfūẓ's exploration of injustice in these novels operates on three levels: individual, political, and social. In *The Thief and the Dogs*, Maḥfūẓ portrays injustice on an individual level through Saʿīd Mahrān's personal betrayal and disillusionment with those closest to him. Saʿīd's inability to secure justice for himself, despite being released on Revolution Day, reflects a profound individual struggle against a society that marginalizes him. Politically, the novel critiques the failure of revolutionary ideals to protect or rehabilitate individuals who fall outside the elite, showing that political power often

disregards the common person it claims to serve. *Autumn Quail* brings this political critique into sharper focus by presenting ʻIsa as a victim of institutional exclusion after the revolution, depicting how power structures systematically marginalize even the most qualified individuals who once had influence. This political alienation reflects the broader failure of post-revolution governance to uphold genuine justice. In *Miramar*, Maḥfūẓ extends this critique to the social level, using a diverse cast of characters to represent different social classes and ideological perspectives. Through their interactions and unfulfilled aspirations, Maḥfūẓ highlights the social fragmentation and unresolved tensions post-revolution, suggesting that the revolution's promises of equity and justice have not materialized on a societal level. Thus, across these novels, Maḥfūẓ examines how injustice permeates individual experiences, political structures, and social realities, ultimately reflecting a disillusionment with revolutionary promises. Drawing upon his experiences with the end of the monarchy and the establishment of the republic through the revolution, the author argues, viewing from a literary and narrative perspective, on these three novels—which can be complemented by other works such as *The Beggar* (1965) and *Karnak Café* (1974)·to argue that justice, if not achieved within various institutions and through democratic authority, will not be realized on a social level where individuals are left to devise their own laws based on their needs and aspirations. These individuals, who may even hold positions of power within institutions, represent themselves rather than the justice that stems from the common good, which may be manifested through democracy, participation rights, equal opportunities, and other ideas that Maḥfūẓ clearly expressed in his non-fiction works and in numerous interviews conducted with him. As he stated in one interview, "I have always posed this question to the revolutionaries: You have achieved the nation's independence, but why have you not granted the people their own independence as well? Why have you not encouraged the people to actively participate in the political process? ... The dictatorial nature of the revolutionary regime was the cause of all the setbacks we experienced" (Salmawy 1997: 66-67). Since the beginning of his literary career, this sentiment had been a central concern for Maḥfūẓ, as he envisioned political changes in Egypt to be the starting point for social, economic, and political reforms that would not leave individuals to their fate—becoming torn apart by injustice, indifferent to it, or benefiting from it in the absence of a genuine democratic political project.

3.2. Beyond the labyrinth of the courtroom

Sciascia's concept of justice does not differ significantly from that of Maḥfūẓ, and more importantly, it aligns with Maḥfūẓ's exploration of legal variations and forms. Just as Maḥfūẓ distinguishes between the official state law and the private law of urban rabble (in *The Harāfish*) and Saʿīd Mahrān (in *The Thief*

and the Dogs), Sciascia similarly differentiates between the administrative law governing the judicial system and the law governing the world of organized crime. Furthermore, Sciascia recognizes an internal classification that distinguishes between law born out of rationality and irrational law occasionally created by the authority of those responsible for justice, such as judges, marshals, or investigators. Additionally, there are instances where justice is conceived by an individual or a small group of individuals, as exemplified in the proposal made by the painter and protagonist of *Todo Modo* (in English *One Way or Another*) to Don Gaetano (see also Alida Poeti 1998: 59).

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The geographical and social factors specific to Sciascia's Sicily—the corruption of the judicial system by the mafia and the distortion of law by organized crime—are in many ways comparable to the dynamics in Maḥfūẓ's Cairo, particularly the *Futwāt* system in the old *Ǧamāliyya* neighbourhood. In both cases, we witness a parallel undercurrent of unofficial, alternative systems of law that operate outside the bounds of state authority. The *Futwāt*, a form of gang-based justice administered by groups of youths, serves as a counterbalance to the official legal system, with its own set of rules and enforcers. This parallel is more than just structural; it touches upon a shared thematic concern about the distortion of justice in environments where power is held not by formal legal institutions but by extrajudicial entities. The *Futwāt* system, as a central element in Maḥfūẓ's creative imagination, mirrors the mafia's impact on Sicily's legal fabric, underscoring how both writers critique the failure of state-run justice systems to deliver equitable outcomes. Maḥfūẓ's *Futwāt* system, much like Sciascia's mafia-influenced judicial reality, is a product of a world in which informal systems of power replace the ideal of legal fairness, continuing to haunt both societies long after their depiction in the works of these two authors.

When considering the geographical and historical factors specific to the milieu that Sciascia employed in most of his novels, one finds that this diversity in the understanding of law is logical and,

to some extent, interconnected. In his book *Sicilia come metafora* (1997), Sciascia mentions that the Sicilians' passion for the law had been shaped over the centuries, necessitating their engagement with a vast corpus of laws and decrees from which privileges are derived (Sciascia 1997: 59). He further asserts that the legal identity in Sicily is historically complex, fundamentally constituted by the eternal blend of Roman and Arab spirits. He emphasizes that the Arab spirit left a more profound social impact than its Roman counterpart, particularly in shaping the Sicilians' collective imagination (Sciascia 1997: 44). This is evident in the folk tales inherited by Sicilians, which contain numerous references to *One Thousand and One Nights*, as well as oral narratives centered on the character Giufà. Sciascia recalls a famous folk tale that portrays the Sicilian Giufà face-to-face with justice, specifically before a judge. Due to a misunderstanding, Giufà strikes and insults the judge without facing any repercussion. This is a characteristic of this multifaceted character whose actions oscillate between intelligence and foolishness, experience and naivety, honesty and deception, etc. Sciascia's fascination with this tale lies not merely in Giufà's contradictory nature but rather in his precise function: executing social revenge against a representative of authority. Giufà, who "rappresenta il sogno dell'impunità" (Sciascia 2001: 17), embodies a figure who challenges the established order and acts without consequence. Although Sciascia identifies in the tale an individual behavior (contrasting with the Tuscan folk tale), he also recognizes within it the seeds of a collective yearning for genuine, informal justice, which centuries later found one of its expressions in organized crime—the mafia (Sciascia 1997: 60).

Sciascia's interest in justice and its intricacies extends beyond theoretical discourse and knowledge of its historical foundations, drawing deeply from his practical experience and personal testimonies within judicial institutions. This aspect, perhaps more than any other, brings Sciascia closer to Maḥfūẓ, particularly in their non-literary writings. Both authors held public office for a period of time (Maḥfūẓ as a parliamentary secretary in the Ministry of Islamic Endowments, and Sciascia in the Ministry of Education, then in the Municipality of Palermo, and in the European Parliament). Among the testimonies Sciascia recounts, based on his direct personal experience, is the account of two trials that occurred on the same day. In the first, a farmer was convicted for failing to deliver a negligible amount of wheat to public warehouses. In the second, a high priest was acquitted despite hoarding a far greater quantity of wheat. Sciascia commented on this incident, noting that two contradictory verdicts for the same crime, issued on the same day by the same judges, lead one to believe that *privilegium fori* have not yet ceased to exist, despite the supposed equality of all citizens before the law (Sciascia 1997: 61). This incident appears to have had a profound impact on Sciascia, not only on a personal level but also in terms of his literary experience, particularly in his meticulous and precise selection of characters he would create in his detective novels.

In this regard, Sciascia diverges somewhat from Maḥfūẓ shifting the protagonist role to figures od authority: monks, judges, investigators, and police officers. Benefiting from a more democratic atmosphere compared to Maḥfūẓ's Egypt, Sciascia boldly exposes the intricate and enduring relationship between the organs of power and organized crime. This relationship often impedes the main characters from enforcing the law, let alone uncovering the truth. Consequently, Sciascia's narrative oscillates between three key concepts that may initially appear synonymous but, upon closer examination, are not: law, justice, and truth.

It is well-known that Sciascia traces the roots of these concepts to Enlightenment and rationalism. This is evident not only in his characters' pursuit of truth armed with 'rationality,' but also in his frequent comments on his personal influence by the French Enlightenment, particularly Montesquieu and Voltaire. He views Voltaire as a model of a clear, direct, concise, intelligent, and satirical writer (Sciascia 1997: 57), preferring him over Rousseau, whom he considers the source of modern evils (Sciascia 1997: 58). However, the prevailing Enlightenment belief in the justice of the law and its perpetual capacity to govern did not greatly appeal to Sciascia, who did not hold an optimistic view of law and did not find it capable of bridging the gap between the ideal system and reality (Tiberi 2023: 125). This stance has led some critics to label him as a "half-Enlightenment thinker" (Amodio and Catalano 2022: 41). Even when it is a product of reason, Sciascia does not perceive the law as inherently capable of avoiding injustice, abuse, and the absence of fairness. While, from an Enlightenment perspective, law deserves trust for its pursuit of freedom and equality among humans, this does not mean that it is immune to misapplication by those responsible for justice, especially under pressure from powerful circles (Tiberi 2023: 126). On the contrary, law can sometimes present itself as a form of pain, the pain that forces Captain Bellodi in *Il giorno della civetta*, for example, to remain bound within the limits of the law, leaving him only with the futile attempt to interpret it or identify loopholes within it.

This pessimism persists throughout Sciascia's subsequent novels: In *A Man's Blessing*, the law fails to follow its course. In *Il contesto* there is no clear explanation for the murders; the novel is constructed in a way that prevents the reader to grasp the dynamics of the facts and their motivations, but rather deliberately presents the confusing and contradictory over any coherent and consistent truth, brilliantly reflecting the socio-political climate of Italy between the 1960s and 1970s. In *Todo modo*, Sciascia tells us that the truth is in plain sight, but that is also what prevents everyone from seeing it. In *A Straightforward Tale*, as in *Todo modo*, Sciascia portrays clergymen (who should embody values of justice and morality) as the main supporters of corruption. In *Porte aperte*, the judge's professional life is ruined solely for his adherence to his principles and his opposition to the orders of the bureaucratic

elites. And in *Il cavaliere e la morte* (English title: *The Knight and Death*), the protagonist ends the novel with these words: "He thought: What confusion! But it was now, eternally and ineffably, the thought of the mind into which his won had dissolved" (Sciascia 1992: 74).

In light of the shortcomings of Law, Sciascia turns to the 'sense of justice' as the 'individual' human factor that measures the law, yet potentially contradicting both it and 'justice' as an institutional system (Perrino 2022). This emphasis on 'individual' human factor arises because Sciascia does not theorize in his works about the individual as a 'public, mass individual,' but rather as an individual with his own uncertainties and weaknesses (Musarra 2001: 24). This explains, according to Franco Musarra, the existence of two parallel paths of investigation in all of Sciascia's detective stories: the official and institutional path, and the 'individual' path adopted by the protagonist, even though the latter path ultimately dissolves under external pressures into the former (Musarra 2001: 17). As an alternative to the law, the 'sense of justice' motivates characters such as Bellodi, the 'little judge,' and Rogas. Conversely, it also motivates the Mafia (or even Saʿīd Mahrān and the criminals in Maḥfūẓ's novels) who justify their actions with an internal sense of justice. Just as "every society produces the particular kind of imposture that suits it best" (Sciascia 1988: 144), as De Blasi tells us in *Il consiglio d'Egitto* (English title: *The Council of Egypt*), each party involved in the crime creates its own 'sense of justice.' Perhaps this explains why Sciascia's characters are less concerned with revealing the truth than with demonstrating their passion for seeking the truth—a truth related to investigations, which is methodical and realistic (Pietrapaoli 1997: 246).

Going even further, we discover that the truth Sciascia seeks in historical research, detective investigations, and within the ideological framework of the French Enlightenment is, ultimately, a literary truth inextricably tied to writing. Sciascia himself remarks,

> Tutto è legato, per me, al problema della giustizia: in cui si involge quello della libertà, della dignità umana, del rispetto tra uomo e uomo. Un problema che si assomma nella scrittura, che nella scrittura trova spazio e riscatto[3] (Sciascia 1989: xiii).

Beyond the confines of the courtroom and the labyrinth of events, and beyond the justice that aims to be realized alongside the discovery of truth, Sciascia's literary world rests on the belief that literature is the realm where truth occurs. This happens through finding meaning in reality by analyzing coincidences and connections between facts and events, according to his literary background (Serrano-

3 For me, everything is connected to the issue of justice: which encompasses freedom, human dignity, and respect between human beings. A problem that is summed up in writing, which finds space and redemption in writing.

Puche 2010: 95). Alternatively, it involves assigning literature an instructive function that makes it converge with truth (Squillacioti 2021: 148). This not only brings Sciascia closer to the Egyptian Nobel laureate in literature but also aligns him with Antonio Tabucchi, who distinguishes literature from philosophy in a way that one might suggest to Sciascia, replacing the word "philosophy" with "Enlightenment." The author of *Pereira Declares* states: "Philosophy appears to concern itself only with the truth, but perhaps expresses only fantasies, while literature appears to concern itself only with fantasies, but perhaps it expresses the truth." (Tabucchi 1996: 17-18) Similarly, what Sciascia does not find within the ideological framework of the French Enlightenment, he inevitably finds in literature.

4. Justice and death between the Sufism of Maḥfūẓ and the metaphysics of Sciascia

"Law should be like death, which spares no one"

Montesquieu

Undoubtedly, the shared obsession of Maḥfūẓ and Sciascia with justice as a fundamental pillar for achieving freedom and democracy propelled them to the forefront of inquiry in both historical and contemporary contexts. Inevitably, this humanistic and universal quest carried both writers at some point from an initial phase of excessive realism grounded in rationality and logical coherence to another, more mature and complex phase, represented by the Sufi tradition in the case of Maḥfūẓ and the metaphysical stage for Sciascia. This transition does not necessarily represent an abandonment of reason for the two writers; rather, it constitutes, to a certain extent, a methodological and interpretive rebellion against rational tools in an attempt to resolve the investigative tension that drives them to the most enigmatic aspects of the human experience.

Unlike Sciascia, whose metaphysical journey began with *Il consiglio d'Egitto*, Maḥfūẓ's Sufi commenced in his early works and accompanied him in almost all his novels to varying extents. This experience deepened significantly in his later works, particularly in *Echoes of an Autobiography* (1994). This unique journey has prompted numerous critics to explore this aspect of Maḥfūẓ's legacy in detailed studies, perhaps the most important and famous being George Tarabishi's *God in Naguib Maḥfūẓ's Symbolic Journey* (1988). Interestingly, the issue of social justice remained parallel to Maḥfūẓ's Sufi sensibility and accompanied it even in his realistic works. In his analysis of one of the characters in the *The Cairo Trilogy*, Ziad Elmarsafy (2012) observes:

> In the rest of the Trilogy, Kamal is spurred by his predicament: it is important and inevitable that the world not contain him, that he connects with something beyond its human boundaries. Far

> from being an apolitical gesture, Kamal's endless self-questioning is related to the issue of social and political justice (Elmarsafy 2012: 24).

What Elmarsafy means by connecting "with something beyond its human boundaries" is a purely Sufi connection, idealistic and recurring in Maḥfūẓ's later works. This state is not limited to mere situations but extends to specific 'Sufi characters,' such as those found in *The Thief and the Dogs*, *The Harāfīsh*, and *The Beggar*, among others. These characters are united by their attempt to reclaim the self, besieged by social and political corruption and, consequently, by injustice. In *Echoes of an Autobiography*, one of Maḥfūẓ's most Sufi-infused works, the writer narrates a deep dialogue in the chapter titled 'Justice' between an accused and his defense lawyer. Despite the rationality and realism of the scene, the author ultimately succeeds in linking justice with madness and irrationality (Maḥfūẓ 1988 41). This theme of irrationality often manifests through intoxication, suicide, or dreams (Jaran 2014: 47). Similarly, dreaming is associated with this type of writing in some of Sciascia's works, such as *Todo modo*, which Pier Paolo Pasolini describes as a 'metaphysical detective story' (Pasolini 1975). However, the factor connecting Maḥfūẓ and Sciascia here is not the extent to which Maḥfūẓ's Sufism is close to Sciascia's metaphysics in their direct relation to justice, but rather how these dimensions serve as a bridge for the narrative to explore, beyond rationality, the concept of death.

Certainly, the concept of death in this context does not refer to the murders investigated by the characters or the politically motivated assassinations inspired by the contemporary history of Egypt and Italy, which were literary subjects in Maḥfūẓ's novel *The Day the Leader Was Killed* (alluding to the assassination of Anwar al-Sādāt, the architect of the 'opening the door' policy which was accompanied by widespread social and economic unrest) and Sciascia's book *The Moro Affair*—which, along with *Atti relativi alla morte di Raymond Roussel* and *The Mystery of Majorana*, forms a stream in which the Sicilian writer employed "fictional and non-historically verified additions in order to provide answers, to solve the mystery behind the final days of men who, each one in different circumstances, had been left alone and isolated" (Costagnino 2014: 62). Rather, death is meant as a metaphysical state antithetical to life in its realistic sense, and as a narratable idea through the use of tools that allow the authors, each according to their cultural background, to control and present it as an ultimate truth to the reader.

Maḥfūẓ's 1983 novel, *Before the Throne* represents a culmination of his exploration of justice, surpassing the temporal dimensions of his earlier works. Despite being published after a rich literary journey of social inquiry, which had not yet earned him the Nobel Prize, *Before the Throne* showcases a maturity that suggests it stands as the pinnacle of his contemplation of justice. The novel revolves around a trial conducted by the gods of ancient Egypt, who begin interrogating and prosecuting the rulers of Egypt from the Pharaonic era to the time of President Anwar al-Sādāt. With a clear and almost

direct timeline, Osiris, the god of resurrection and the judge of the afterlife court, emerges as a clear symbol that justice can only be found in the realm of the dead. This implies an implicit pessimistic message that justice, in both individual and societal spheres, will never be realized. The passage of time, with its events, the changing of leaders, men, and systems within state institutions, has led to a level of deterioration that convinces the author that justice, which in this instance may equate to truth, can only be reached by the deceased. Is this despair or maturity? Maḥfūẓ, the author, leaves the answer to the character of the goddess Isis in the final pages of the novel, who calls upon the leaders of twentieth-century Egypt to pray for the country:

> 'May the Divinity be implored ... to invest the folk of Egypt with the wisdom and the power to remain for all time a lighthouse of right guidance, and of beauty.' All opened their palms in supplication, absorbed in prayer (Maḥfūẓ 2012: 144).

With this statement, the solution is relegated to the realm of the unseen, as portrayed by Maḥfūẓ, the writer who stood firmly on the ground of realism throughout his literary career, of which this novel marks one of the endings.

Although every novel by Sciascia addresses the theme of death, his internal dialogue with this idea began with *Il consiglio d'Egitto*, matured in *Todo modo* and concluded in *Il cavaliere e la morte*. What prompts the author to declare his desire to "narrate death, death as an experience" (Casalino 2020: 56) is his intention to adopt a new style capable of examining death from within, in a manner that allows the investigation of crime and 'metaphysical anxiety' to coexist within the same narrative space (Boesso 2020: 9). Interestingly, Sciascia himself explains and supports this shift with humanistic justifications that encompass literary, philosophical, and even biological dimensions. He states:

> A cinquant'anni non c'è soltanto la vita, ma, diciamolo chiaramente, c'è anche la morte. Ci sono altri pensieri, ci sono le tentazioni metafisiche. E questo è umano. Bisogna riconoscere a ognuno il diritto di avere le proprie inquietudini. (At the age of fifty, there is not only life; let's say it clearly, there is also death. There are other thoughts, there are metaphysical inclinations. This is human. We must recognize the right of every individual to have their own obsessions) (as cited in Boesso 2020: 10).

It seems that Sciascia, like Maḥfūẓ, was acutely aware of the inadequacy of realistic narrative description and Enlightenment rationality in shaping the ultimate frameworks for any societal or political reform. The defeat of reason, not its triumph, is the true interpretive key to Sciascia's thought in the three novels. Similarly, death is the key to solving the mystery of life, not the other way around. Sciascia conveys this with utmost clarity in *Il cavaliere e la morte*, devoid of the ambiguity and confusion

that often accompany discussions of death. In words that encapsulate Sciascia's mature thought, almost akin to a last will, the novel describes the protagonist's illness, which symbolizes the rampant disease afflicting society and the state:

> The weary appearance of Death had always unsettled him, as if it implied that Death arrived on the scene wearily and slowly at the point when people were already tired of life. Death was weary, his horse was weary, both a far cry from the horses of the *Triumph of Death* or *Guernica*. Death, the hour-glass or the menacing pinchbeck of the serpents notwithstanding, expressed mendacity rather than triumph. 'Death is expiated by living.' A beggar from whom alms are begged. As for the Devil, he was so weary as the rest, too horribly demonic to be wholly credible. A wild alibi in the lives of men, so much so that they were moves afoot at the very moment to restore to him all his vigour: theological assault therapies, philosophical reanimation techniques, parapsychological and metaphysic practices. But the Devil was tired enough to be content to leave it all to mankind, who could manage everything better than him. And the Knight ... Perhaps what Durer had placed inside the armour was the real death, the real devil: and it was life which, with that armour and those weapons, believed itself secure in itself (Sciascia 1992: 56-57).

In conclusion, the comparative analysis of Maḥfūẓ and Sciascia's literary engagement with justice reveals a notable progression from social critique toward a metaphysical inquiry that bridges cultural boundaries. Both authors initiate their exploration within the tangible, pressing concerns of their societies—Maḥfūẓ focusing on the socio-political life of Egypt and Sciascia on the institutional frameworks of Italy. However, as their works mature, they move from realist portrayals of injustice to deeper investigations into the limits of rationality, converging on a shared realization: justice may be ultimately unattainable within the confines of human institutions. Maḥfūẓ's gradual shift towards a Sufi-inspired metaphysical perspective enables him to address justice as an existential ideal, inseparable from the human pursuit of both personal and societal redemption, even as he maintains a foundation in social realism. For Sciascia, this shift emerges through the metaphorical and allegorical layers of his later works, where justice becomes elusive and truth increasingly complex—emerging through the intertwined themes of life and death. In their respective approaches, both writers employ death as a narrative lens to critique the insufficiencies of human institutions and the moral failings that foster societal and political corruption.

Ultimately, Maḥfūẓ and Sciascia each recognize that justice, far from being merely a social construct, is bound to universal truths and individual conscience. They perceive literature as a form of 'aesthetic compensation' capable of challenging and exposing the injustices embedded in human existence. Thus, while their approaches to justice diverge in method and cultural context, they converge in a reflective, perhaps pessimistic view: true justice remains beyond human reach, attainable only in a transcendent or post-mortal sphere. Through this shared perspective, Maḥfūẓ and Sciascia

leave a legacy that continues to engage readers, inviting them to confront the enduring enigmas of justice and the human condition.

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