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The 'Natural Rights History' Portal and Its Design

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The 'Natural Rights History' Portal and Its Design

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This contribution describes the project of the portal 'Natural Rights History', containing 18th- and 19th-century sources on human rights. The importance of digitization of historical sources and the impact it has on historical research, the criteria for the design of the portal as for both content and metadata architecture, and user interface, are discussed.

> The time is close at hand when any student,
> in any part of the world,
> will be able to sit with his projector in his study at his
> or her own convenience to examine any book,
> any document, in an exact replica.[1]

1. The birth of the NRH project

    The idea of developing a portal containing 18th- and 19th-century sources on human rights was put forward by the PRIN research group "L'eredità dell'Illuminismo. Diritti e costituzionalismo tra rivoluzioni e restaurazioni (1789-1848)"[2]

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[1] Herbert George Wells, *World Brain* (Garden City New York: Doubleday, Doran & Co., 1938), 77.
[2] "The legacy of the Enlightenment. Rights and constitutionalism between revolutions and restorations (1789-1848)".

in 2019. The motivation to create this tool stemmed from the lack, in the Italian landscape, of an online platform that would make available textual resources about the history of rights to scholars and students. Its coverage would start from how these were defined by the 18th-century debate and the legacy of the events of 1789.

The Natural Rights History Portal (NRH)[1] was developed during two quarters of 2020 (March-May and September-November). As one can easily guess, the development of the project, which occurred exactly in the most intense months of the Covid-19 pandemic, was shaped by the events. This stimulated the working group to a thorough reflection on the merits and the most delicate aspects of digital editions. The decision to make texts and sources available online required an in-deep consideration of aspects ranging from how this category of the history of ideas had transformed, to what it meant to publish such resources during the eruption of the Covid-19 crisis. The editors' aim in selecting the texts to be included in the digital library was to provide resources useful for delving into the history of these concepts and tools useful for understanding their evolution.

NRH represented, since the design stage, a very interesting, valuable, and challenging project, because creating a library of texts and sources on human rights necessarily involved taking on a critical interpretation and lexical redefinition of an extremely multifaceted, rich, and controversial topic. The sitography of the most recent sources was a demonstration of this: lexica and literary corpora were being developed in digital format, sites were making available archives of sources concerning the history of slavery, minority or subaltern communities. The latter collections, in particular, were making available for the first time materials that gave voice to protagonists in history who had never found representation.

That of 'rights' is a primary theme: the impact of digital technologies on our society, on methodologies, and on approaches to research reshapes the role of the historian and of historical sources. At the same time, a semantic redetermination of the concepts of freedom, law, vulnerability, and community is developing. This leads to new implications concerning questions of fairness and equality in the field of rights.

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[1] See https://naturalrightshistory.unito.it/.

2. Digitisation as re-intermediation of sources

Scholars have always played a pivotal role in publication and communication, becoming 'media' themselves. The publication of sources in digital format confronts them with the necessity of rethinking their role: it entails a contemporary re-intermediation of what they study and publish. Building an online source collection seems not unlike designing a print editorial series. One important difference lies in the fact that the digital environment inherently lives, feeds, and thrives in the relationships continually created by the information it presents. This foundational starting point leads us to new models of knowledge representation. Digital versions of sources are not mere acts of preservation, but "of radically improving the modes of access".[1] The naturalness and simplicity of full-text search make it an extremely powerful instrument, although not always democratizing.

In front of a pipe organ, we are faced with rows of white keys interspersed with black keys. To the left and right are dozens—or sometimes even hundreds—of buttons with evocative names: *voix humaine*, *violon bass*, *unda maris*, the so-called registers. The digital edition of a scientific text is reminiscent of the experience of playing this kind of instrument: the text is the same for everyone, but each one must choose their interpretation and registers to play the score. If you think about it, it is the same fundamental idea that, in the immediate aftermath of the war, led Vannevar Bush to devise his 'endless desk' for document retrieval[2].

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[1] Abby Smith, *Why Digitize?* (Washington, D.C.: Council on Library and Information Resources, 1999).
[2] See Vannevar Bush, "As We May Think", *The Atlantic Monthly* (1945), reprinted several times, lately in *Essential Writings*, ed. by G.P. Zachary (New York: Columbia UP, 2022), 108-29; James M. Nyce and Paul Kahn, *From Memex to Hypertext* (Boston: Academic Press, 1991). Bush, an electronic engineer and an influential scientific advisor to the US government, argued that traditional libraries were not efficient in creating new knowledge and presented a device he called 'Memex'. Structured like the most classic of wooden desks, it would enable to store books, notes and documents that could be retrieved and searched for automatically, quickly, and flexibly. Indeed, 'Memex' would have functioned as a microfilm juke-box in which texts were selected by means of a series of switches and levers. It implied a political way of thinking and a vision of knowledge: the new goals science was to pursue were practical developments with high theoretical significance.

3. Interpretations in recent decades

Let's take a very important step back to the origin of the project: it grew out of Vincenzo Ferrone's intuition and his historiographical observations, constantly compared with Lynn Hunt's[1] and Dan Edelstein's[2] investigations in the United States. Despite the natural differences in the hermeneutics of such long-time scholars, all three have always wanted to show the multiple facets, the plasticity, and the underlying vigour in a topic of such great importance. In this regard, Ferrone himself recalls that

"the *UNESCO Committee on the Philosophical Principles of Human Rights* devoted all its efforts to the search for the 'intellectual foundations of rights', limiting itself to finding the historical roots of rights in the Reformation and capitalism, mixing individual rights with the rights of nations and neglecting to mention the Enlightenment and the reasons for its universality".[3]

This observation is important to overcome the framing of "rights as duties" prevalent in 18th-century Northern Europe, that does not allow to properly analyze cultures such as "modern capitalist and technocratic China[, which] misses no opportunity to define democracy and human rights as really subversive Western vices that must be opposed".[4] In this re-definition of rights/duties, it is remarkable to note how, in countries like China and the states where there is an Islamic government, access to social platforms that are common in the rest of the world is prohibited. Such platforms are, for all intents and purposes, new tools of representation of the individual and of connection, generating new processes of communication. Marcello Ravveduto insightfully observes that the way audiences use these posting platforms to engage in self-representation fos-

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[1] Lynn Hunt, *Inventing Human Rights. A History* (New York: W.W. Norton & Co., 2007); Lynn Hunt, *Measuring Time, Making History* (New York: Central European UP, 2008).

[2] Dan Edelstein, *On the Spirit of Rights* (Chicago: University of Chicago Press, 2018); Dan Edelstein, *The Terror of Natural Right: Republicanism, the Cult of Nature, and the French Revolution* (Chicago: University of Chicago Press, 2009); Dan Edelstein and Anton M. Matytsin, *Let There Be Enlightenment: The Religious and Mystical Sources of Rationality* (Baltimore: Johns Hopkins UP, 2018).

[3] Vincenzo Ferrone, *Storia dei diritti dell'uomo. L'illuminismo e la costruzione del linguaggio politico dei moderni*, (Roma-Bari: Laterza, 2014), 16.

[4] Ferrone, *Storia dei diritti dell'uomo*, 16.

ters fertile cross-contaminations of testimony, memory, and history.[1] The digital sphere becomes a new tool that historians—as well as observers of social phenomena and even governments (and decision-makers)—recognise as something they have to deal with and sometimes make (ab)use of, as the Cambridge Analytica scandal has shown.[2]

4. Rethinking rights through the creation of a digital library

Rethinking the evolution of the theories, representations, and sharing of rights made us consider what a digital library of textual content can do to show the historical evolution of these concepts. What is the epistemological and directly political value of publishing a portal of sources on 'rights'?

The political aspect is foundational and, for that reason, very delicate. The choice to publish some sources—not a compact and continuous set of sources from an archive or library, but a selection of sources—inevitably reflects a model of public history. This raises some questions: what are the responsibilities and

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[1] Marcello Ravveduto, who teaches Digital Public History at the University of Salerno, in a recent talk (at AIPH's 4th National Public History Conference "Storia bene comune", Mestre, May 29 2022, Panel "Per gettare le fondamenta della Digital Public History") spoke about the "re-intermediation" of knowledge and the "disintermediation" that takes place e.g. through social media, and the need for "disintermediation" to become "neo-intermediation". Ravveduto maintains that the 21st-century historian will necessarily be a communicator, and shall be able to grasp various aspects of the infosphere, especially in relation to demystification and the public use of history. For a published Italian source on this argument see Peppino Ortoleva, *Miti a bassa intensità. Racconti, media, vita quotidiana* (Torino: Einaudi, 2019).
[2] Brittany Kaiser, *Targeted: My Inside Story of Cambridge Analytica and How Trump, Brexit and Facebook Broke Democracy* (London: Harper-Collins, 2019).

positions to be taken, when this activity goes beyond interpretation and includes a form of intermediation? The basis of the public history model presupposes an approach to the reconstruction of the past that stays linked to the community and the construction of collective memory. This was not often the case until a few years ago, when collections of digital textual sources—one example above all: the great patristic collections—were thought of and used exclusively by scholars.

Manfredi Scanagatta has observed that any publication that engages a wide and heterogeneous audience such as the Internet requires historians to recalibrate the focus of their discourse.[1] Scholars of history are being asked to move away from the dialogue among specialists—often extremely specific—to find a different 'register' in the discussion and publication of sources, one suitable for a more generalist audience and not just for scholars and students.

Strict and unavoidable domain languages make some kind of modular mediation necessary.[2] This brings with it a transmission of values and/or content that emerges more vividly—though often with enormous editorial efforts—within digital resources.

5. Online publication of sources

The publication of sources online is similar to a construction in which the building blocks, i.e. the sources that make up historical memory, are made available in a map that everyone can use, ponder, and interpret. Such an operation

is only possible through the Web, but it leads to build processes for publishing and communication that are different from those most usual in the world of research until a few years ago. Specialists who land on the page of an archive of sources and texts in digital format behave as if they were sitting in a physical consultation room, because they are familiar with those hermeneutic tools that allowed them to interrogate the documents with methodologies established over time. In contrast, a user without methodological expertise in the archival field, e.g., would likely use a digital catalogue for a different kind of queries, e.g. by searching for terminological occurrences.

The NRH portal, as we have mentioned, was built in the months when the Covid-19 pandemic was at its most virulent and it was impossible for scholars and students to access sources on paper. On the one hand, this limited the operations of searching, collecting, and digitsing the paper versions of the selected works. On the other hand, it was possible to demonstrate how such a tool, when completed—taking into account that any digital library is similar to the infinite library Borges writes about, or to Bush's endless desk—could be of support to students and scholars who cannot physically access sources.

6. Technical features of the NHR Portal

We chose to program the NHR Portal using C#, with the use of the ASP.Net MVC framework. For the HTML part the software architect, Dario Picco, used Bootstrap 4. VIEWERJS was chosen as the viewer and a tool will be added to graphically represent the cloud of the most recurring words in the tags, that can thus be navigated.

In this first phase, the digitized documents underwent an OCR process to make the texts fully navigable and searchable. Each member of the team was responsible for selecting and loading the texts, together with a contextualisation sheet providing information about the author of the work and the circumstances in which it was composed, alongside an iconographic apparatus. If users log in to the portal, they are offered advanced search options, and the possibility of saving pages and working in dedicated user space, as well as downloading single pages or whole works. The design is aimed at immediate and easy access

to resources, favouring a visual rather than textual interaction combined with a simple and effective navigation menu.

If the design of the portal were done today, we would use a different strategy and, probably, other software tools that would give the possibility to make available formats that recently have had a wider diffusion (an example for all: the iiiF). At that time, the choices were dictated by the limited human resources that could devote themselves to the project and the impossibility of a timely and steady exchange with the members of the team, who were mainly engaged in the shift to online teaching imposed by the pandemic.

7. Digitizing, metadata, online publications

The paramount aspect in digitising a source is its dematerialisation. In the project of the portal, both the software tools and the design of the graphical interface are aimed at ensuring that the elimination of the physical form does not impoverish the document. The metadata sets that will be provided will make the document more powerfully queryable and, through connection with other sources on the WWW, better usable than the bound paper object would be. Metadata, as footnotes to the nth degree, recovers for the digital reader essential elements of the physical, tactile and spatial experience of reading and studying (to which is linked the memorisation of the text, the movement in space, the tactile and olfactory sensation and analysis of the paper and binding materials, all of which carry meaning, sense and testimony), offering a knowledge experience in which sources and archives are interconnected in ways, and to such an extent, that would be impossible in the physical dimension.[1]

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[1] Francesca Tomasi and Marilena Daquino, "Modellare ontologicamente il dominio archivistico

As we have already mentioned, a further relevant aspect is the intermediation carried out by humanities scholars which, as Eliade would have said, breaks "the roof of the world".[1] The act of publishing primary historical sources involves showcasing the sources and enabling users to interact with them. In doing so, users compose the narrative hermeneutics of the source in a wholly personal, primary, and original way. The connection between different sources occurs through the combination of metadata that, if linked to a thesaurus, can exploit the possibilities of the semantic web. At the same time, the selective digitisation of documentary sources that gives rise to the so-called 'invented archives' (a powerful instrument of public history),[2] brings forth issues of re-contextualisation,[3] due to the removal from its original ties and the potential contextual alteration.

The internal processes of the software tools will not visible to the user, but they will make it possible to navigate within digital aggregations by exploiting different ontologies from time to time based on the results given by the primary search. We can call this a 'digital neo-intermediation', where the digital document is easily accessible and linked to other documents by means of metadata and tags: these links make the searcher travel certain paths, following certain text strings or semantic connections[4]. This exposes the researcher to an unprecedented hazard: the net that is thrown into the water never risks being

in una prospettiva di integrazione disciplinare", *JLIS.it* 6, no. 3 (2015): 13-40; Francesca Tomasi, "Le edizioni digitali come nuovo modello per dati di autorità concettuali", *JLIS.it* 4, no. 2 (2013): 21-44; Giordano Rodda and Matteo Navone, "Editoria accademica e rivoluzione digitale: il caso dell'italianistica", *La rassegna della letteratura italiana* 120, no. 1/2 (2016): 124-144. More generally in the landscape of Italian studies see Francesca Tomasi, *Metodologie informatiche e discipline umanistiche* (Firenze: Carocci, 2008); Francesca Tomasi, *Organizzare la conoscenza: Digital Humanities e Web semantico. Un percorso tra archivi, biblioteche e musei* (Milano: Editrice Bibliografica, 2022).
[1] Mircea Eliade, *The Sacred and The Profane: The Nature of Religion* (New York: Harcourt, 1987), ch. 1 and 4.
[2] See Roy Rosenzweig, *Clio Wired: the Future of the Past in the Digital Age* (New York: Columbia UP, 2011), 158; Serge Noiret, "Digital Public History", in *A Companion to Public History*, ed. by David Dean (Hoboken, NJ: Wiley, 2018), 111-124.
[3] This becomes even more evident in the case of archival documents, which, when removed from the archival series, lose information that is necessary not only to represent the integrity of the collection, but to understand the document itself as well.
[4] For what was said above they can also condition it to an unprecedented degree. These patterns break down interpretive freedom and contextual exegesis.

withdrawn empty. There is an invisible 'helper' that channels to the net the fish it thinks the fisherman might like.[1] But pre-ordering the search is dangerous because here we are fishing in pools where domesticated fish was collected. We must not break down contextual exegesis: this can only happen with an extremely comprehensive and refined user interface and with the compilation of accompanying data that supports the interpretive freedom of the user.

8. Is digitization a democratizing form of knowledge?

The topic of rights, in all its possible expressions, is *par excellence* an epistemological *vulnus* for multiple reasons, first and foremost the dialectical nature of the topic: one does not reflect on rights except when there is a lack of them. Moreover, the framing of human rights in a political sense—one of the big knots in the philosophical-political debate of the late 20th century and of great importance in the present moment—is an integral part of the historical process of construction of a culture of rights. One can hardly avoid historicizing it.

Today this thinking is being pushed beyond its usual boundaries: just as in Hume's time and in the 19th century the right to due process was established and universalized, now the focus is broadening to envision the rights of trees and rivers, subjects we have always considered objects and that normally cannot make claims or defend themselves.[2]

Rights do not belong to a hypostatized or theoretical category and cannot be separated from their historicity. This brings us to an exquisitely epistemological

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[1] Federico Valacchi, "La pesca miracolosa. L'euristica delle fonti nel contesto dell'interoperabilità", *Culture del testo* 13 (2004): 5-18. A slightly dated overview in Stefano Vitali, *Passato digitale. Il mestiere dello storico nell'era del computer* (Milano: Mondadori, 2004); Federico Valacchi, *La memoria integrata nell'era digitale. Continuità archivistica e innovazione tecnologica* (Firenze: Titivillus, 2007). On DH and libraries, Maurizio Vivarelli, *Le dimensioni della bibliografia: scrivere di libri al tempo della rete* (Roma: Carocci, 2013); Maurizio Vivarelli, "Digital humanities e culture documentarie: un modello di analisi, valutazione, interpretazione" *AIB studi* 60, no. 3 (2020): 553-589.

[2] Alessandra Viola, *Flower Power. Le piante e i loro diritti* (Torino: Einaudi, 2020). Emblematic is the April 20, 2010 International Court of Justice case Judgment in the Uruguay River Paper Mills case (Argentina v. Uruguay) in which it was recognized that the river is a 'subject' to which the category of entitled person applies. Cf. Lidia Cano Pecharroman, "Rights of Nature: Rivers That Can Stand in Court" *Resources* 7 (2018), 13; P. Brunet, "Vouloir pour la nature. La représentation juridique des entités naturelles", *JIHI* 8, no. 15 (2019): 2:1-44. See also https://therightsofnature.org.

question: how can rights be investigated historically? If all historical research rests on the question of what constitutes the historiographical act, this question becomes even less dispensable in the case of the history of rights, because what we find in the writings and documents of the past requires a hermeneutical act that is also essential for the "us" of today.

The historiographical act is always twofold: we ask questions of the past based on present needs, and in asking these questions of the past, we notice similarities but also differences. We see what the past produced and also—from a teleological point of view—what it failed to express. In the absence of development, these unexpressed elements remain stationary and bring out the unexpressed potential that can be revisited and repurposed as possibilities in the present. In this work of creation of new rights studies, new and open forms of knowledge are created, that are themselves related to the determination of rights.

9. Epistemological changes of rights in the virtual world

The historical nature of rights, and thus the need to safeguard them precisely as a cultural object or "invention" that, as such, can always be lost or misplaced (as we have learned from twentieth-century history). If we consider human rights a philosophical absolute or a legal instrument, we risk losing this awareness about them. By understanding the history of rights, the conflicting dynamics that generated them and the struggles that accompanied their progressive extension beyond the white owners who first formulated them in the late eighteenth century, we can instead remind ourselves to treat them as an extraordinarily delicate and, at the same time, elastic resource. Rights are delicate in that they are always vulnerable to abuse by power (not only political power but also, and perhaps even more so in today's world, economic power). They are elastic

in that, as Norberto Bobbio wrote, they can be extended to the different issues that emerge with changes in the social landscape.

An example of this is the explicit obligation by the European Community, for all grant perceivers since the Horizon2020 financing cycle, to "ensure open access (free of charge, online access for any user) to all peer-reviewed scientific publications relating to its results",[1] together with bibliographic metadata in a standard format. Analog provisions apply to research data. It is now also widely required, in publications, to translate into current languages classical sources e.g. Ancient Greek or Latin.[2] Similar requirements might apply to databases of classical sources, or that contain quotations from classical sources.

In 2006 Roy Rosenzweig published an article that elucidated the potential for transformation that Wikipedia had injected into the world of knowledge: in relation to this, he stated that historians had "a responsibility to make better sources of information available online" and urged them to be inspired by the "democratic triumph" represented by the online encyclopaedia.[3]

When this project (together with hundreds of others, given the tremendous effort that libraries and archives put in during the pandemic period) was first deployed, it represented irrefutable proof that its philosophy—sharing high-quality sources with appropriate systems of scholarly apparatus and navigation—is unquestionably the future for scholars and students.[4]

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[1] *H2020 Programme: AGA – Annotated Model Grant Agreement*, 4.3.3, 29.

[2] Interestingly, even extremely specialized publishing houses such as Brepols require for quoting primary sources both the original language and a translation in modern English (cfr. `http://www.brepols.net/Pages/Getfile.aspx?dlfi=88`): I thank Riccardo Saccenti for the remark.

[3] Roy Rosenzweig, "Can History Be Open Source? Wikipedia and the Future of the Past", *Journal of American History* 93, no. 1 (2006): 117-146, here 119. See also Joseph L. Locke and Ben Wright, "History Can Be Open Source: Democratic Dreams and the Rise of Digital History", *The American Historical Review* 126, no. 4 (2021): 1485-1511.

[4] Locke and Wright ("History Can Be Open Source) quote William G. Thomas III's statement that "In the 1990s, the animating spirit behind much of our work in the digital humanities was democratisation (...) Our ambitions then were only secondarily to experiment with new forms of scholarship. They were primarily to democratise history: to transform the way history was understood by changing the way it was produced and accessed" (William G. Thomas, "Trends in Digital Humanities: Remarks at the CIC Digital Humanities Summit", *CIC Digital Humanities Summit*, 19 April 2012, `http://railroads.unl.edu/blog/?p=794`).

10. Final considerations

The texts offered in the NRH digital library collection, to which more will soon be added, should be conceived as pieces of a historical panorama of rights that gradually reached its present form in the second half of the 20th century. The legal, philosophical and, above all, linguistic frame of reference from which they come is rooted in the long-term process that culminated in the Age of Enlightenment. Human rights in the Old Regime would have been unthinkable without the earlier development of the idea of a humanity endowed with natural qualities (the "self-evident truths" proclaimed by American revolutionaries in the 1776 *Declaration of Independence*), as well as the idea of society as a whole composed of naturally equal individuals by means of an artificial transition from the original state of nature. Thinking about human rights historically, therefore, means projecting them on the screen of a broad historical dynamic that includes a constellation of elements related not only to legal and philosophical knowledge but also, and in some ways even more fundamentally, to political, scientific, and artistic productions. For this reason, it is necessary to supplement the historical, philosophical, and legal textual sources with a rich array of iconographic sources necessary to reconstruct this process.[1]

The *Cluetrain manifesto* argued that markets are conversations.[2] This concept is applied to libraries in a document that issued from the *Gruppo di studio delle biblioteche digitali*:[3] "libraries are conversations". The Italian columnist Guia Soncini recently reversed the order of the original terms, while very appropriately reflecting on what happens when we move from claiming that "markets are conversations" to recognizing the fact that especially in the world of social platforms "conversations are markets"[4]—since they became great economic re-

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[1] In the limited space of this article I could not provide suitable definitions of such terms as 'digital history', 'digital humanities', 'open access' and 'open educational resources'. But see those by Locke and Wright, "History Can Be Open Source", 1488-9) to which I would add the contributions of the *Gruppo di studio delle biblioteche digitali* (AIB 2003-2011).

[2] Christopher Locke, Rick Levine, Doc Searls, and David Weinberger, *Cluetrain Manifesto: the End of Business as Usual* (New York: Perseus Books, 1999).

[3] *Nuovo Manifesto per le biblioteche digitali: conversazioni delle biblioteche nell'ecosistema digitale* (version of May 5, 2020), https://tinyurl.com/2020manifbibdig

[4] "Dopo vent'anni passati a convincerci che i mercati fossero conversazioni, è ormai evidente che

sources in terms of harvesting data and boosting sales. Digital libraries developed by researchers, inspired by the principles of open science, can help build a bulwark of the right of universal access to knowledge. This strongly supports the claim that digital humanities can be a very important environment for the democratisation of knowledge.[1]

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siano le conversazioni a essere mercati, e che l'interesse di coloro che crediamo siano sui social a intrattenerci gratuitamente (a volte siamo molto ingenui) sfumi rapidamente se non siamo clientela plausibile per quel che hanno da venderci" ("After twenty years spent in trying to convince ourselves that markets are conversations, now it has become clear that conversations are markets, and that the involvement of those we imagine being on the social networks to entertain us for free (since sometimes we are very naive) will quickly vanish as soon as we aren't dependable customers for what they have to sell": Guia Soncini, *L'era della suscettibilità* (Venezia: Marsilio, 2021), 104-105). This argumentative *trait-d'-union* was remarked by Chiara Storti, of the Biblioteca Nazionale di Firenze, in her report to the Summer School "La Digital Library: evoluzione, strutture, progetti" of the University of Bologna on June 17, 2022.

[1] Locke and Wright, "History Can Be Open Source", 1489.

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