

**SOCIETY AND THE PROFESSIONS  
IN ITALY, 1860–1914**

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## INTRODUCTION

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# THE ITALIAN PROFESSIONS FROM A COMPARATIVE PERSPECTIVE

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MARIA MALATESTA

### I. THE PROFESSIONS AND ITALIAN HISTORY

Since the 1970s, the study of the professions has been animated by conflicts, incursions and new alliances. The rise of the power paradigm, and the analysis of mechanisms of collective action by professional groups and of the role of the state conducted by neo-Weberian and neo-Marxist sociologists in Britain and the United States, brought a first profound revision to the hitherto dominant functionalist approach by introducing the temporal dimension into the sociology of the professions.<sup>1</sup> The assault was continued by French sociology, which contraposed the idea of rationality inherent in the structural-functionalist concept of professionalization with analysis of the mechanisms of social selection that determine the growth of the professions and their reproduction.<sup>2</sup> Thanks to the sociology of Pierre Bourdieu, the professions and the processes of knowledge formation were incorporated into the study of elites, thereby encouraging fruitful contacts between sociologists and historians.<sup>3</sup>

Functionalism underwent further revision when historians joined the debate on the professions. The broadening of research into the

<sup>1</sup> R. Torstendahl, 'Essential Properties, Strategic Aims and Historical Development: Three Approaches to Theories of Professionalism', in M. Burrage, R. Torstendahl (eds), *Professions in Theory and History. Rethinking the Study of the Professions*, London, 1990; R. Collins, 'Changing Conceptions in the Sociology of the Professions', in R. Torstendahl, M. Burrage (eds), *The Formation of Professions. Knowledge, State and Strategy*, London, 1990. See also R. H. Hall, 'Theoretical Trends in the Sociology of Occupations', *Sociological Quarterly*, 24, 1983; K. MacDonald, G. Ritzer, 'The Sociology of the Professions. Dead or Alive?', *Work and Occupation*, 15, 1988.

<sup>2</sup> P. Bourdieu, J.C. Passeron, *Reproduction, in Education, Society and Culture*, Beverly Hills, 1970/1977; H. Jamous, B. Pelloile, 'Professions or Self-Perpetuating System?', in J.A. Jackson (ed.), *Professions and Professionalization*, Cambridge, 1970.

<sup>3</sup> See for example C. Charle, *Les élites de la République 1880-1900*, Paris, 1987.

history of the European professions revealed the shortcomings of a reconstruction of professionalization processes based solely on the example of the Anglo-Saxon countries, and it dismantled evolutionary schemes which sought to divide the history of the professions into evolutionary stages. It was the achievement of German historians to demonstrate the distinctive differences between the continental and Anglo-Saxon patterns of professionalization, stressing the role of the state in the control of knowledge on the one hand, and analysing the place occupied by the professions in the nineteenth-century European bourgeoisie on the other.<sup>4</sup> Historical and sociological revision thus met and merged, giving rise to a further alliance, the most recent enterprise of which has been to develop a theory of the professions which extends its roots into social history.<sup>5</sup>

Italy remained substantially extraneous to these interdisciplinary realignments in the rest of Europe. Although there was no lack of Italian historical research into the professions, it was influenced by two schools of thought, diverse in their methodology but convergent in their conclusions. First, as Paolo Frascani has observed, the history of the professions was long influenced by the theories of Antonio Gramsci. Attention thus focused on figures such as schoolteachers, general practitioners and country priests, who were marginal to the grand systems of contemporary sociology but central to the Gramscian interpretation of Italian history.<sup>6</sup> The influence of Gramsci's Marxist philosophy restricted study of the political and cultural conditions of Italian professionals to analysis of political parties and movements, while studies conducted in the more specific sector of medicine were also influenced by the *Annales* and hence concentrated on aspects of disease and health care.<sup>7</sup> As a result of these two tendencies, specific aspects of the history of the professions and their processes of profession-

<sup>4</sup> W. Conze, J. Kocka (eds), *Bildungsbürgertum im 19. Jahrhundert*, vol. 1. *Bildungssystem und Professionalisierung in internationalen Vergleichen*, Stuttgart, 1985; J. Kocka (ed.), *Bürgertum in 19. Jahrhundert. Deutschland im europäischen Vergleich*, vols I–III, Munich, 1988; H. Siegrist (ed.), *Bürgerliche Berufe. Beiträge zur Sozialgeschichte der Professionen, freien Berufe und Akademiker im internationalen Vergleich*, Göttingen, 1988; K.H. Jarausch, *The Unfree Professions. German Lawyers, Teachers, and Engineers, 1900–1950*, New York, 1990; G. Cocks, K.H. Jarausch (eds), *German Professions 1800–1950*, New York, 1990.

<sup>5</sup> M. Burrage, K. Jarausch, H. Siegrist, 'An Actor-based Framework for the Study of the Professions', in M. Burrage, R. Torstendahl (eds), *Professions in Theory and History*.

<sup>6</sup> P. Frascani, 'Premessa', in P. Frascani (ed.), *Professioni liberali. Campania XIX–XX secolo*, Naples, 1993. A clear example of Gramsci's influence is provided by C. Vivanti (ed.), *Intellettuale e potere*, in *Storia d'Italia. Annali* 4, Turin, 1981.

<sup>7</sup> See F. Della Peruta (ed.), *Malattia e medicina*, in *Storia d'Italia. Annali* 7, Turin, 1984.

alization were neglected. The engineering profession was more fortunate, but nevertheless inquiry into the formation of the modern professions and the development of knowledge which extended beyond narrow sectoral analysis was generally lacking in Italy. A further factor responsible for this laggardliness was the rift between Italian history and sociology. Within the latter discipline, interest in the professions was long confined to a small group of researchers who were never concerned to establish any significant contacts with historians.<sup>8</sup>

It was a major shift of emphasis in Italian social history during the 1980s, largely brought about by the growth of studies on the bourgeoisie, that provided the recent interest in the professions with its first stimulus.<sup>9</sup> German *Neue Sozialgeschichte* combined with French economic and social history to exert a profound influence on Italian historiography, and its advent in Italy was also encouraged by the participation of Italian academics in groups of German social historians,<sup>10</sup> and by research on the history of the Italian professions carried out by German-speaking scholars.<sup>11</sup> However, fascination with the history of the bourgeoisie has led to the predominance of studies on the reproduction strategies of the professional classes,<sup>12</sup> with the consequent relative neglect – as Paolo Frascani has stressed<sup>13</sup> – of the formation, control and organization of knowledge. The beginning of research on the universities of united Italy,<sup>14</sup> newly established rela-

<sup>8</sup> W. Tousijn (ed.), *Sociologia delle professioni*, Bologna, 1979; *idem*, *Le libere professioni in Italia*, Bologna, 1987.

<sup>9</sup> P. Macry, 'I professionisti. Note su tipologie e funzioni', *Quaderni Storici*, 48, 1981; *idem*, 'Notables, professions libérales, employés: la difficile identité des bourgeoisies italiennes dans la deuxième moitié du XIXe siècle', in *Mélanges de l'École française de Rome*, 97, 1, 1985.

<sup>10</sup> M. Meriggi, 'Italienisches und deutsches Bürgertum im Vergleich', in J. Kocka (ed.), *Bürgertum im 19. Jahrhundert*, vol. 1.

<sup>11</sup> H. Siegrist, 'Gli avvocati e la borghesia. Germania, Svizzera e Italia nel XIX secolo', in J. Kocka (ed.), *Borghesie europee dell'Ottocento*, Venice, 1989; *idem*, 'Gli avvocati nell'Italia del XIX secolo. Provenienza e matrimoni, titolo e prestigio', *Meridiana*, 14, 1992.

<sup>12</sup> P. Macry, *Ottocento. Famiglia, élites e patrimoni a Napoli*, Turin, 1988.

<sup>13</sup> P. Frascani, 'Les professions bourgeoises en Italie à l'époque libérale (1860–1920)', in *Mélanges de l'École française de Rome*, 97, 1, 1985.

<sup>14</sup> G.P. Brizzi, A. Varni (eds), *L'università in Italia fra età moderna e contemporanea. Aspetti e momenti*, Bologna, 1993; S. Polenghi, *La politica universitaria italiana nell'età della Destra storica 1848–1876*, Brescia, 1993; A. La Penna, 'Modello tedesco e modello francese nel dibattito sull'università italiana', in S. Soldani, G. Turi (eds), *Fare gli italiani. Scuola e cultura nell'Italia contemporanea*, vol. 1, Bologna, 1993; M. Moretti, I. Porciani, 'Il sistema universitario tra nazione e città: un campo di tensione', in M. Meriggi, P. Schiera (eds), *Dalla città alla nazione. Borghesie ottocentesche in Italia e in Germania*, Trento, 1993; A. Mazzacane, C. Vano (eds), *Università e professioni giuridiche in Europa nell'età liberale*, Naples, 1994.

tionships with historians of science and with sociologists, and the first comparative studies,<sup>15</sup> have today brought further dynamism to historical analysis of the Italian professions.

The purpose of this book is to bring these various components of Italian historiography together, and at the same time to remedy its most evident flaws and omissions. The essays collected in the book have been written by historians from various backgrounds, statisticians and sociologists, within a methodological framework that combines social history with the history of the professions. The essays in Part I illustrate the processes whereby the four free professions inherited from the *ancien régime* and requiring university training were transformed into their modern counterparts. The essays in Part II take as their subject-matter the 'embeddedness' of the professions in Italian society as, between 1860 and 1914, it underwent two processes which brought major upheavals: the formation of the national state and industrialization. They analyse the relationship between the market and professional identity, the gradual uncoupling of the professions from the aristocracy, and the role of mediation and interest-representation which professionals performed in society and in the political system.

The chronology of the book, which is followed by the majority of the essays, stresses the role played by the unitary state in the history of modern Italian professionalism. The essays on the engineers and lawyers also extend their range to the pre-Unification period in order to demonstrate the importance of the Napoleonic and Restoration periods both in the formation of the Italian professions and in their regional differences. The eve of the First World War, the *terminus ad quem* of the book, marks the conclusion of the first phase in the professionalization of the old liberal professions. The only exception are the engineers, whose professional order was created in 1923. The second phase, which coincided with the fascist regime and saw the emergence of the 'new' free professions (chemists, journalists, business consultants, etc.), has been studied in a recent book on the relationship between the professions and the fascist state.<sup>16</sup> But relations between the professions, society and the labour market under the fascist regime have yet to be explored. The present work therefore restricts itself to examination of

<sup>15</sup> G. Calcagno, 'Les ingénieurs et la gestion des processus de modernization en Italie à la fin du XIXe siècle et au début du XXe siècle', in J.P. Bouilloud, B.P. Lecuyer (eds), *L'invention de la gestion. Histoire et pratique*, Paris 1994; M. Santoro, 'Professione e professionalizzazione: approcci teorici e processi storici', *Polis*, 8, 1994; A.M. Banti, 'Borghesie delle "professioni". Avvocati e medici nell'Europa dell'Ottocento', *Meridiana*, 18, 1993.

<sup>16</sup> G. Turi (ed.), *Libere professioni e fascismo*, Milan, 1994.



the so-called liberal period, while waiting for Italian social history to extend its compass to the fascist years.

In order to afford better understanding of the 'Italian model' compared with those of the other European countries, this introduction discusses three issues: the etymological problem of the term *professione*, the place of the Italian professions within the continental model of the professions, and the influence of Italy's economic backwardness on the relationship between professions and society in the nineteenth century.

## 2. PROFESSION: THE WORD AND ITS MEANING

The campaign to revise the functionalist approach to the study of the professions has also been waged using the weapons of philology. Indeed, among the evidence adduced for the contention that modern professionalism began with industrialization is the change that took place in the word 'profession' between the eighteenth and nineteenth centuries, when its generic meaning (job) was replaced by a more specific and abstract sense denoting the organized control of knowledge.<sup>17</sup> This etymological conclusion, which attributes the paternity of professionalism to the Anglo-Saxon countries, has been challenged by German historians, who cite linguistic differences in order to demonstrate that the Anglo-Saxon model is inapplicable to the German professions. The terms *Akademische Berufsstand* and *Freie Beruf*, an extension of the word *Beruf* (calling), do not carry (unlike the more modern *professionalisierung*) any connotation of the self-organized closure of the profession, but instead refer to a class-based distinction between intellectual and manual work.<sup>18</sup>

Nor has England been exempt from the revisionist offensive. Wilfrid Prest has refuted the identification between professionalism and industrialization by showing that the class identity of the professions in the early modern period was based on possession of a specific corpus of knowledge. He demonstrates that the term 'profession' had three distinct meanings in pre-Victorian English: 'job', 'high-status job', and a specific sense relating to 'the ministry, physic and law'. According to Prest, 'profession' came to assume the third of these meanings not

<sup>17</sup> W.J. Reader, *Professional Men: The Rise of Professional Classes in Nineteenth Century England*, London, 1966, pp. 9-10; H. Perkin, 'Le professioni e il gioco della vita: l'Inghilterra dall'Ottocento ad oggi', *Quaderni storici*, 48, 1981, pp. 945-6.

<sup>18</sup> K.H. Jarausch, 'The German Professions in History and Theory', in G. Cocks, K.H. Jarausch (eds), *German Professions 1800-1950*, pp. 10-12; J. Kocka, 'Bürgertum and Professions in the Nineteenth Century: Two Alternative Approaches', in M. Burrage, R. Torstendahl (eds), *Professions in Theory and History*, pp. 62-3.

because of industrialization but because of its traditional association with the three faculties of the medieval university.<sup>19</sup>

This brief etymological analysis demonstrates the linguistic analogies between English, French and Italian. Sharing the same Latin root (*profiteor*) in all three languages, 'profession' was a polysemic term which comprised both the meaning of 'noble' and intellectual work and that of manual labour, thus reflecting the ancient distinction between the liberal arts and the 'mechanical trades'. But let us examine the evolution of the Italian word *professione* more closely in order to establish whether it has undergone changes in meaning comparable with those in English. After the Middle Ages, *professione* denoted two distinctive semantic fields: a wider area comprising various forms of public confession or avowal (in the sense of professing an idea, a religious faith, a doctrine); and a more restricted field in which it referred to any occupation, whether intellectual or manual. The learned literature of the sixteenth and seventeenth centuries offers numerous examples of the latter 'high' meaning of the word, where it was used specifically to connote the exercise of the law and medicine.<sup>20</sup>

In its 'high' sense, *professione* was closely associated, both historically and philologically, with the universities. From the Renaissance onwards, the verb *profiteor* was used in university Latin with the meaning of 'to teach' or 'to expound *ex cathedra*'. It was the technical term which denoted the role of a university instructor (*docente*) in a particular discipline.<sup>21</sup> The connection between university and professions was thus manifest in the word *professore*, which was in fact synonymous with *docente* but was also employed in the sense of 'professional' and indicated membership of the corporation of the liberal arts.<sup>22</sup> *Professare/professione* were terms which connoted the highest manifestation of culture, characterized by the distinction between theoretical knowledge, practical expertise and the governmental functions assigned to the Italian universities during the early modern period; a period when

<sup>19</sup> W. Prest, 'Why the History of the Professions is not written', in G.R. Rubin, D. Sugarman (eds), *Law, Economy and Society, 1750-1914: Essays in the History of English Law*, Abingdon, Oxon., 1984.

<sup>20</sup> G. De Luca, *Il cavaliere e la dama, ovvero discorsi familiari nell'ozio tuscolano*, Pavia, 1700, pp.170-3; A. De Simoni, *Memorie intorno la propria vita e scritti*, edited by C. Mozzarelli, Mantua, 1991, tome I (ca. 1780), p. 41.

<sup>21</sup> L. Avellini, 'Le lodi delle discipline come fonti per la "disputa delle arti"', *Schede umanistiche*, 2, 1988.

<sup>22</sup> E. Brambilla, 'Il "sistema letterario" di Milano: professioni nobili e professioni borghesi dall'età spagnola alle riforme teresiane', in A. De Maddalena, E. Rotelli, G. Barbarisi (eds), *Economia, istituzioni, cultura in Lombardia nell'età di Maria Teresa*, vol. III. *Istituzioni e società*, Bologna, 1982, p. 92.

university teaching, the practice of a profession, and governmental function were roles, especially for lawyers, which often (but not always) coincided.<sup>23</sup>

The system that arose in the ancient Italian states as the fruit of this union between high knowledge, professions and governing elite has been an enduring feature of the Italian professions; one that has accompanied their development in the contemporary age. Far from being obliterated with the demise of the *ancien régime* it returned, in new guise, during the Napoleonic period and in the political literature of the Restoration.<sup>24</sup> As envisaged by the jurist Gian Domenico Romagnosi,<sup>25</sup> the parliament of the new constitutional state was to consist of professionals. Lawyers, doctors and engineers were ascribed a function of government not because of their specific competence but because of their ability to build consensus on trust in their judgement and on their 'multiple clientele'.

Alongside the specific sense of *professione*, also to be found in the learned literature was a mixed linguistic usage whereby *mestiere* (calling) referred to the law,<sup>26</sup> while *professione* might designate even a manual trade or an *arte minore*.<sup>27</sup> At the end of the eighteenth century, the Italian dictionaries had institutionalized the generic meaning of the term into the sense of 'business' or 'calling'.<sup>28</sup> The distinction between intellectual activity and practical/manual work was drawn with greater clarity in the second half of the nineteenth century (learned profession as opposed to work or trade). However, the legacy of the past is still evident when one examines the specific meaning of *professione*. In the dictionary of the language of unified Italy, the *Dizionario della lingua italiana* by Tommaseo and Bellini, *libera professione* is still synonymous

<sup>23</sup> C. Vasoli, 'Le discipline e il sistema del sapere', in *Sapere e potere. Discipline, dispute e professioni nell'università medioevale e moderna. Il caso bolognese a confronto*, vol. II. A. Cristiani (ed.), *Verso un nuovo sistema del sapere*, Bologna, 1990; R. Savelli, 'Diritto e politica: "doctores" e patriziato a Genova', in *Sapere e potere*, vol. III. A. De Benedictis (ed.), *Dalle discipline ai ruoli sociali*, Bologna, 1990.

<sup>24</sup> The Constitution of the Italian Republic enacted three constituencies, one of which was the *collegio dei dotti*, a body including professionals, clergymen, men of science, culture and law: C. Zaghi, *L'Italia di Napoleone dalla Cisalpina al Regno*, Turin, 1986, pp. 294–302; F. Sofia, 'Ancora "dal modello francese al caso italiano": gli appunti di P. L. Roederer per la costituzione cisalpina (1801)', *Clio*, 3, 1986.

<sup>25</sup> G. Romagnosi, *La scienza delle costituzioni*, Florence, 1850, p. 624.

<sup>26</sup> G. De Luca, *Il dottor volgare, ovvero il compendio di tutta la legge civile, canonica, feudale e municipale nelle cose più ricevute in pratica*, Cologne, 1755, pp. 147–62.

<sup>27</sup> T. Garzoni, *La sinagoga de gl'ignoranti*, Pavia, 1589 (2nd edition), p. 16; F. Griselin, *Dizionario delle arti e mestieri*, Venice, 1768–78, vol. III, p. 205.

<sup>28</sup> *Vocabolario degli Accademici della Crusca*, tome V, Verona, 1806, p. 223; G. Gherardini, *Supplemento ai vocabolari italiani*, Milan, 1855, vol. III, p. 868.

with *professione liberale* in the classical sense and does not convey the idea of autonomous work.<sup>29</sup> Consequently, together with doctors and lawyers, the dictionary also cites judges as exemplifying 'free professionals' – that is, as practising the liberal arts – although they were officers of the state.

During the fascist period, on completion of the second phase of the professionalization process, codified Italian still lagged behind the changes that had taken place within the professions. In some cases *liberale* designated the *libera professione*, autonomous and distinct from salaried employment; in others, it denoted only the intellectual content of a profession.<sup>30</sup> The same indecision is apparent in the definition of *professionista*. As a new term, one not to be found in the nineteenth-century dictionaries, *professionista* was used in the legal language of the early years of this century to refer to a person who carried out an occupation. It entered the dictionaries of the fascist period, however, as indicating the practitioner of a free or liberal profession.<sup>31</sup> This discrepancy between reality and codified language was probably also due to a conceptual difficulty. The inclusion of the free professions in the fascist corporatist system created problems of identity which were also reflected in the dictionary definition of the term. Curiously, in the *Enciclopedia Treccani*, the monument to fascist culture, the entry '*professione*' makes no mention of the various meanings attaching to the word *occupazione* (calling), which are merely listed under the entry '*statistica delle professione*' (statistics on the professions).<sup>32</sup>

During the last years of fascism, the first definition to reflect the changes that had occurred in the organization of the professions was formulated in the legal field. In the preparatory draft of the new civil code (which is still in force today), *professionista* was defined as 'one who, in possession of a university degree or higher diploma and subsequent professional certification, engages independently and continuously in intellectual activity for which enrolment on a professional register is required'.<sup>33</sup> Three elements in this definition should be stressed: the elliptical use of *professionista* for *libero professionista*; the emphasis on abstract knowledge acquired through higher education (the secondary-school diploma) but not necessarily at university; the

<sup>29</sup> N. Tommaseo, B. Bellini, *Dizionario della lingua italiana*, Turin, 1865–9, vol. IV, entry '*professione*'; vol. III, entry '*libero*'.

<sup>30</sup> P. Petrocchi, *Nuovo dizionario della lingua italiana*, Milan, 1931, vol. II, p. 54.

<sup>31</sup> *Monitore dei tribunali*, 1911. F. Palazzi, *Novissimo dizionario della lingua italiana*, Milan, 1939, p. 875.

<sup>32</sup> *Enciclopedia italiana Treccani*, vol. XXVII, Rome, 1935, pp. 300–2.

<sup>33</sup> *Atti del Comitato delle confederazioni sindacali dei lavoratori per il Libro del lavoro del Codice civile*, Rome, 1941, p. 210.

concept of self-regulation and closure of the market (the professional register). The latter two components – as distinguishing features of the modern professions throughout the Western world – had thus become part of the heritage of Italian language and culture.

Today, *professione*, which we may take as an abbreviation for *libera professione*, is distinguished from *occupazione* by the notions of abstract knowledge and of professional monopoly intrinsic to it.<sup>34</sup> Current colloquial Italian adopts the legal definition of *professione* as intellectual, autonomous, non-wage-earning and organized.<sup>35</sup> Thus the self-representation that the professions have developed and disseminated through the law is ultimately based on the ancient, high concept of *professione*, to which the further senses deriving from the process of professionalization have accreted. The polysemous nature of the term, however, is still evident in Italian national statistics, which classify all full-time and permanent occupations under the heading '*professione*'.<sup>36</sup>

Etymological analysis confirms that the process of professionalization culminated in Italy during fascism. The linguistic delay with respect to the first phase of the process during the liberal period can be read – apart from the physiological delay between current usage and codification of the language – as indicative of the difficulties faced by the free professionals in asserting their status as experts. Finally, we cannot rule out the possibility that linguistic delay has conditioned the perception and assertion of professionalism as a specific problem, historically and sociologically important.

### 3. THE PROFESSIONS AND THE STATE

The process of professionalization which began in nineteenth-century Italy has adhered to the continental pattern, and is thus distinguished by the conspicuous and constant action of the state and by the less independent action of professional groups.<sup>37</sup> There is no doubt that in Italy the early process of state-building interwove with professionalization, and there is equally no doubt that the unified state played a crucial role in the constitution of the professions. However, when analysed as a whole, the first phase of the professionalization process

<sup>34</sup> 'Professioni', in *Enciclopedia giuridica Treccani*, vol. xxiv, Rome, 1991, pp. 5–6.

<sup>35</sup> S. Battaglia, *Grande dizionario della lingua italiana*, vol. xiv, Turin, 1988, entry '*professione*'.

<sup>36</sup> L. Speranza, 'Le professioni: un approccio sociologico', in P. Frascani (ed.), *Professioni liberali. Campania XIX–XX secolo*, p. 33.

<sup>37</sup> M. Burrage, K. Jaraus, H. Siegrist, 'An Actor-based Framework for the Study of the Professions', pp. 218–21.

reveals itself to have been a mixture of state initiative and corporatist pressures applied by professional groups. Hannes Siegrist has argued that the Italian case can be located midway between that of France, characterized by greater professionalization from below, and that of Prussia, which best fits the concept of professionalization from above. This intermediate position resulted from the traditional strength and independence of Italian professional groups and from the features of Italian society, as a mix between state-society and stateless society which impeded the process of regulation initiated by the unitary state.<sup>38</sup> The persistence of pronounced regional and provincial features on the one hand, and economic backwardness on the other, hampered the growth of the centralized state and encouraged independent action by social groups and classes, in the professions as well.

In the second half of the nineteenth century, the European processes of professionalization – the case of Germany is emblematic here<sup>39</sup> – were distinguished by the growth of corporate self-assertion for the protection of the professional market. Italian professionalization began in this period and was conditioned by European trends as well as by events specific to the country. It was a process in which pressures from above and from below converged, and public and private components combined, in a creative dialectic between the state and the professions. The indubitable influence exercised by the state was flanked by the action of the professional bodies as they negotiated with the state to enhance their prestige. In post-Unification Italy, the process of professionalization was initiated by the state in the legal sector, which, as in the other European countries, provided the model for the other free professions. The modern system of the professions was created in 1874 by the law on attorneys and prosecutors, which is still in force, and it rested on the twin institutions of the professional register (*albo*) and the professional order (*ordine*). The professional registers, which listed all those certified to practise a profession, were a corporatist legacy from the Old Regime. The professional order was instead an innovation. The combination of *albo* and *ordine* constituted the legal basis for recognition of a free profession, defence of its market, and enforcement of its code of ethics.

The Italian professional order bore many resemblances to the *ordre* of the French *avocats*, which was reconstituted by Napoleon and won further self-governing powers during the Restoration. The Italian

<sup>38</sup> H. Siegrist, 'State and Legal Professions. France, Germany, Italy and Switzerland 18th to Early 20th Centuries', *Università degli studi di Macerata. Annali della Facoltà di Giurisprudenza*, 1989/II, pp. 876–80.

<sup>39</sup> K.H. Jarausch, *The Unfree Professions*, pp. 22–4.

*ordine* differed from its French counterpart, however, in that it was applied to all the other professions: in France, as a result of the Le Chapelier Law, all the non-legal professions used the syndicate form in order to organize themselves collectively. The *ordres* were later extended by the Vichy government to all the professions and were reinstated during the Fourth Republic. Today France is the country whose professional system most closely resembles Italy's,<sup>40</sup> but in the nineteenth century greater affinities can be discerned between the Italian system and the Spanish one. The *colegiación* introduced in 1837 at first only applied to lawyers, but was then extended in the second half of the nineteenth century to notaries and to the health professions, which, in Spain as in Italy, had organized themselves into private associations until the creation of their *colegio* in 1898.<sup>41</sup> One also finds analogies with the German *Kammern*, which was introduced in 1878 for lawyers and was later extended to doctors. However, the *Kammern* had limited jurisdiction in disciplinary matters – which it shared with the professional associations – and equally restricted self-governing powers.<sup>42</sup> By contrast the Italian orders were, and still are, genuine bodies of professional self-government: disciplinary power and the enforcement of professional ethics were their exclusive province. These competences mixed, in equal measure, private and public elements which reflected the features themselves of the Italian process of professionalization.<sup>43</sup>

The creation of the order of lawyers and prosecutors equipped a free profession with the instruments to turn itself into a national institution, whose rules of admission, exclusion and compatibility were standardized throughout the country and backed by a state law. The legal professions thus managed to enhance their prestige, which had waned during the Restoration,<sup>44</sup> relative to the state and the other professions. However, although they were the most powerful group, the lawyers

<sup>40</sup> P. Piscione, *Ordini e collegi professionali*, Rome, 1959, pp. 173–84.

<sup>41</sup> F. Villacorta Baños, *Profesionales y burocratas. Estado y poder corporativo en la España del siglo XX (1890–1923)*, Madrid, 1989, pp. 3–19.

<sup>42</sup> C.E. McClelland, *The German Experience of Professionalization. Modern Learned Professions and their Organizations from the Early Nineteenth Century to the Hitler Era*, Cambridge, 1991, pp. 83–7.

<sup>43</sup> W. Tousijn, 'Tra stato e mercato: le libere professioni in Italia in una prospettiva storico-evolutiva', in W. Tousijn (ed.), *Le libere professioni*, pp. 33–34; V. Olgiati, 'Avvocati e notai tra professionalismo e mutamento sociale', in Tousijn, *Le libere professioni*, pp. 97–102.

<sup>44</sup> See the essay by A. Mazzacane in this volume and, on the bar in Milan, A. Liva, 'Le professioni liberali e i loro collegi: gli avvocati', in C. Mozzarelli, R. Pavoni (eds), *Milano fin de siècle e il caso Bagatti Valsecchi. Memoria e progetto per la metropoli italiana*, Milan, 1991, pp. 319–20.

did not develop a professional strategy. Instead, and also in order to achieve the juridical unification of the country that was by now urgently necessary, the initiative was taken by the state – in the institutions of which, however, lawyers were strongly represented.

The other professions took more direct and forceful action in applying pressure on the state to grant them monopoly of the market and thus to improve their status. Demands by the doctors for their own professional order, and by the notaries for the credentials required for admittance to their profession to include a university degree, stemmed from the desire by both groups to acquire a social and intellectual legitimacy equivalent to that enjoyed by the lawyers.<sup>45</sup> However, these were pressures from below exerted within an already established institutional framework (the Health Law of 1888 for doctors, the Professional Law of 1875 for the notaries). Thus the state furnished the normative resources which the professional bodies then developed or adapted to their own purposes.

The more than thirty-year delay between the regulation of first the legal profession and later the medical profession created a dual system in which the latter, without its own professional order but endowed with a professional register, endeavoured to catch up with the former. The doctors, pharmacists, engineers, accountants and surveyors equipped themselves with forms of self-government with which to address the state and the local administrations. Not all groups, however, pursued an explicit professional project based on an organizational effort to enhance their status.<sup>46</sup> One may speak of a professional strategy in the cases of the doctors, of the notaries (with regard to the Law of 1913), and of the accountants, but the strategic action undertaken by the engineers was much weaker, and it was conditioned by marked differences among local markets. For decades, the engineers working in the most industrialized region of Italy opposed the creation of a professional order. The Lombard engineers were an elite whose social status derived from its links with

<sup>45</sup> M. Santoro and P. Frascani, *infra*. For comparison with the French doctors' efforts to obtain collective social capital such as that possessed by the lawyers, see J. Léonard, *Les médecins de l'Ouest au XIXe siècle*, 3 vols, Paris, 1978; C. Charle, 'Histoire professionnelle, histoire sociale? Les médecins de l'Ouest au XIXe siècle', *Annales E.S.C.*, 4, 1979; *idem*, 'Pour une histoire sociale des professions juridiques à l'époque contemporaine', *Actes de la recherche en sciences sociales*, 76/77, 1989.

<sup>46</sup> M. Larson, *The Rise of Professionalism. A Sociological Analysis*, Berkeley, 1977, p. 67; W. Tousijn, 'Tra stato e mercato: le libere professioni in Italia in una prospettiva storico-evolutiva', pp. 42–6. L. Speranza, W. Tousijn, 'Le libere professioni', in M. Paci, *Dimensioni della diseguaglianza. Primo rapporto della Fondazione CESPE sulla diseguaglianza sociale in Italia*, Bologna, 1993.