

Criminal Law in Liberal and Fascist Italy

By extending the chronological parameters of existing scholarship, and by focusing on legal experts' overriding and enduring concern with "dangerous" forms of common crime, this book offers a major reinterpretation of criminal-law reform and legal culture in Italy from the Liberal (1861–1922) to the Fascist era (1922–1943). Paul Garfinkel argues that scholars have long overstated the influence of positivist criminology on Italian legal culture and that the kingdom's penal-reform movement was driven not by the radical criminological theories of Cesare Lombroso, but instead by a growing body of statistics and legal research that related rising rates of crime to the instability of the Italian state. Drawing on a vast array of archival, legal, and official sources, the author explains the sustained and wide-ranging interest in penal-law reform that defined this era in Italian legal history while analyzing the philosophical underpinnings of that reform and its relationship to contemporary penal-reform movements abroad.

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List of Abbreviations

General

ACS	Archivio Centrale dello Stato
APCD	<i>Atti parlamentari della Camera dei deputati</i>
API	<i>Atti parlamentari italiano</i>
APS	<i>Atti parlamentari della Camera dei senatori</i>
b.	Busta (box)
CD	Camera dei Deputati
CRIB	Commissione Reale d'inchiesta sui brefotrofi
CRSPDM	Commissione Reale per lo studio dei provvedimenti contro la delinquenza dei minorenni
CSG	Commissione per la Statistica Giudiziaria (e Notarile)
CSL	Commissione di Statistica e Legislazione
DGIPP	Direzione Generale per gli Istituti di Prevenzione e di Pena
DGS	Direzione Generale di Statistica
DM	Decreto Ministeriale (Ministerial Decree)
f.	Fascicolo (folder)
FAI	Federazione Antialcoolista Italiana
Gab.	Gabinetto
IKV	International Union of Penal Law (Internationale Kriminalistische Vereinigung)
IPC	International Prison Congress
IPCCPMS	Inchiesta parlamentare sulle condizioni dei contadini nelle provincie meridionali e nella Sicilia
IPPC	International Penal and Prison Congress
ISL	Istituto di Studi Legislativi

MAIC	Ministero di Agricoltura, Industria e Commercio
MGG	Ministero di Grazia e Giustizia (e dei Culti)
MI	Ministero dell'Interno
MIDGC	Ministero dell'Interno. Direzione Generale delle Carceri
MIDGCR	Ministero dell'Interno. Direzione Generale delle Carceri e dei Riformatori
MIDGPS	Ministero dell'Interno. Direzione Generale della Pubblica Sicurezza
PGCC	Procura Generale presso la Corte di Cassazione
RD	Regio decreto (Royal decree)
RdC	Riforma dei codici
S.	Senato del Regno
Seg.	Segreteria
sf.	Sottofascicolo (subfolder)

Law Codes*Civil Codes*

CC France 1804	Civil code of the (Napleonic) Kingdom of Italy
CC Two Sicilies 1819	Civil code of the Kingdom of the Two Sicilies, 1819
CC Parma 1820	Civil code of the Duchy of Parma, 1820
CC Piedmont 1837	Civil code of the Kingdom of Sardinia, 1837
CC Modena 1851	Civil code of the Duchy of Modena, 1851
CC 1865	Civil code of Italy, 1865

Penal Codes

CP Austria 1803	Penal code of the Austrian Empire (Lombardy-Venetia), 1803
CP Naples 1808	Penal code of the (Napoleonic) Kingdom of Naples, 1808
CP Napoleon 1811	Penal code of France, 1810 (extended to Napoleonic Italy in 1811)
CP Two Sicilies 1819	Penal code of the Kingdom of the Two Sicilies, 1819
CP Parma 1820	Penal code of the Duchy of Parma, 1820
CP Papal States 1832	Penal code of the Papal States, 1832
CP Piedmont 1839	Penal code of the Kingdom of Sardinia, 1839

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CP Austria 1852	Penal code of the Austrian Empire (Lombardy-Venetia), 1852
CP Tuscany 1853	Penal code of the Grand Duchy of Tuscany, 1853
RPP Tuscany 1853	Code of misdemeanors (Regolamento di polizia punitiva), Tuscany
CP Modena 1855	Penal code of the Duchy of Modena, 1855
CP Piedmont 1859	Penal code of the Kingdom of Sardinia, 1859
CP South 1861	Penal code for the Neapolitan provinces (<i>province napoletane</i>)
CP 1889	Penal code (Zanardelli) of Italy, 1889
CP 1930	Penal code (Rocco) of Italy, 1930

Draft Penal Codes

CP De Falco 1866	Draft code of Giovanni De Falco, 1866
CP Subcomm. 1866	Draft code of subcommission that examined CP De Falco 1866
CP Comm. 1867	Draft code of commission that reviewed the 1866 drafts
CP Min. Comm. 1868	Draft code of ministerial commission, 1868
CP Comm. 1870	Draft code of commission that reviewed CP Min. Comm. 1868
CP De Falco 1873	Draft code of Giovanni De Falco, 1873
CP Vigliani 1874	Draft code of Paolo Vigliani, 1874
CP Senate 1875	Draft code of Senate commission that examined CP Vigliani 1874
CP Mancini 1876	Draft code of Pasquale Stanislao Mancini, 1876
CP Chamber 1877	Draft code of Chamber of Deputies review commission, 1877
CP Zanardelli 1883	Draft code of Giuseppe Zanardelli, 1883
CP Savelli 1883	Draft code of Bernardino Giannuzzi-Savelli, 1883
CP Pessina 1885	Draft code of Enrico Pessina, 1885
CP Tajani 1886	Draft code of Diego Tajani, 1886
CP Zanardelli 1887	Draft code of Giuseppe Zanardelli, 1887
CP Ferri 1921	Draft code of Enrico Ferri, 1921
PP 1927	Preliminary project of the Rocco penal code, 1927
PD 1929	Definitive project of the Rocco penal code, 1929

Codes of Penal Procedure

- CPP 1865 Code of penal procedure, Italy, 1865
 CPP 1913 Code of penal procedure, Italy, 1913
 CPP 1930 Code of penal procedure, Italy, 1930

Police Regulations and Public-Security Laws

- RdP Tuscany 1849 Regolamento di polizia of the Grand Duchy of Tuscany, 1849
 RdP Papal States 1850 Regolamento di polizia of the Papal States, 1850
 LPS Piedmont 1852 Public-security law of the Kingdom of Sardinia, 1852
 LPS Piedmont 1854 Public-security law of the Kingdom of Sardinia, 1854
 RdP Modena 1854 Regolamento di polizia of the Duchy of Modena, 1854
 LPS 1859 Public-security law of the Kingdom of Sardinia, 1859
 LPS 1865 Public-security law of Italy, 1865
 LPS 1889 Public-security law of Italy, 1889
 LPS 1926 Public-security law of Italy, 1926
 LPS 1931 Public-security law of Italy, 1931

Prison Regulations

- OC 1891 Ordinamento carcerario, 1891
 RIPP 1931 Regolamento per gli Istituti di Prevenzione e di Pena, 1931

Journals, Legal Encyclopedias, Statistical and Commission Volumes

- AAC *Archivio di antropologia criminale, psichiatria e medicina legale*
 ACSGN *Atti della Commissione per la statistica giudiziaria e notarile*
 ACSL *Atti della Commissione di statistica e legislazione*
 ADCSL *Annuario di diritto comparato e di studi legislativi*
 ADPP *Annali di diritto e procedura penale*

List of Abbreviations

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<i>AdS</i>	<i>Archivio di statistica</i>
<i>AG</i>	<i>Archivio giuridico</i>
<i>AGRI</i>	<i>Annuario giudiziario del Regno d'Italia</i>
<i>APSPAC</i>	<i>Archivio di psichiatria, scienze penali ed antropologia criminale</i>
<i>ARAST</i>	<i>Atti della R. Accademia delle Scienze di Torino</i>
<i>AS</i>	<i>Annali di statistica</i>
<i>AV</i>	<i>Ateneo veneto (L')</i>
<i>BSPS</i>	<i>Bollettino di Scuola di Polizia Scientifica e dei servizi annessi</i>
<i>CC</i>	<i>Civiltà cattolica (La)</i>
<i>CU</i>	<i>Cassazione unica (La)</i>
<i>DI</i>	<i>Digesto italiano (II)</i>
<i>EDPI</i>	<i>Enciclopedia del diritto penale italiano</i>
<i>FP</i>	<i>Foro delle Puglie (II)</i>
<i>FPN</i>	<i>Foro penale napoletano (II)</i>
<i>GP</i>	<i>Giustizia penale (La)</i>
<i>JCLC</i>	<i>Journal of Criminal Law and Criminology</i>
<i>JMIS</i>	<i>Journal of Modern Italian Studies</i>
<i>LPCPCPP</i>	<i>Lavori preparatori del codice penale e del codice di procedura penale</i>
<i>MFSP</i>	<i>Manuale del funzionario di sicurezza pubblica e di polizia giudiziaria</i>
<i>MOS</i>	<i>Movimento operaio e socialista</i>
<i>MRILSL</i>	<i>Memorie del Reale Istituto Lombardo di Scienze e Lettere</i>
<i>MSCG</i>	<i>Materiali per la storia della cultura giuridica</i>
<i>MT</i>	<i>Monitore dei tribunali (II)</i>
<i>NA</i>	<i>Nuova antologia (La)</i>
<i>NCSGP 1890–95</i>	<i>Notizie complementari alle statistiche giudiziarie penali degli anni 1890–95</i>
<i>NCSGP 1896–1900</i>	<i>Notizie complementari alle statistiche giudiziarie penali degli anni 1896–1900</i>
<i>NDI</i>	<i>Nuovo digesto italiano</i>
<i>PDC</i>	<i>Progresso del diritto criminale</i>
<i>PGP</i>	<i>Pensiero giuridico-penale (II)</i>
<i>PP</i>	<i>Passato e presente</i>
<i>QC</i>	<i>Questione criminale (La)</i>
<i>QF</i>	<i>Quaderni fiorentini per la storia del pensiero giuridico moderno</i>

RAS	<i>Rassegna degli archivi di stato</i>
RBP	<i>Rivista di beneficenza pubblica</i>
RDC	<i>Rivista di discipline carcerarie e correttive</i>
RDP	<i>Rivista di diritto penitenziario</i>
RDPP	<i>Rivista di diritto e procedura penale</i>
RDPSC	<i>Rivista di diritto penale e sociologia criminale</i>
RG	<i>Rivista di giureprudenza</i>
RIDP	<i>Rivista italiana di diritto penale</i>
RILSLR	<i>Reale Istituto Lombardo di Scienze e Lettere. Rendiconti</i>
RIS	<i>Rivista italiana di sociologia</i>
RP	<i>Rivista penale</i>
RPPLSS	<i>Rivista popolare di politica, lettere e scienze sociali</i>
RS	<i>Riforma sociale (La)</i>
RSC	<i>Rivista di storia contemporanea</i>
RSFML	<i>Rivista sperimentale di freniatria e di medicina legale</i>
RSP	<i>Rassegna di studi penitenziari</i>
RSSP	<i>Rassegna di scienze sociali e politiche</i>
RU	<i>Rivista universale</i>
SDC	<i>Statistica della criminalità</i>
SGCC	<i>Statistica giudiziaria civile e commerciale</i>
SGICPI	<i>Studi e giudicati illustrativi del codice penale italiano</i>
SGP	<i>Statistica giudiziaria penale</i>
SICPI	<i>Studi illustrativi del codice penale italiano</i>
SP	<i>Scuola positiva (La)</i>
SQC	<i>Studi sulla questione criminale</i>
SS	<i>Società e storia</i>
SPU	<i>Scuola penale unitaria (La)</i>