Politica.eu

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

THE SENATE OF PIEDMONT: THE CONTRIBUTION OF THE SENATORS TO THE PROGRESS OF THE KINGDOM*

IDA FERRERO**

Abstract: the paper focuses on the creation and the organization of the Senate of Piedmont, a vital organ for the administration of justice in the Kingdom of Sardinia. The research examines the role and the functioning of that High Court, together with the historical happenings that led to its establishment. Particular attention is devoted to the role of its members, the Senators, and the relationship between them and the monarch.

Keywords: Senate Piedmont Monarchy – Judicial system – Jurisdictions conflict – King Vittorio Amedeo II

1.1 Short premise

As early as the half of the 16th century, the Duke Emanuele Filiberto[1] had fixed the superiority of the Senate of Piedmont above any other tribunal for what concerned the Piedmont's area of his Duchy. The creation of the *Senato di Piemonte*, together with the one of Savoia[2], aimed to accomplish the concentration of power wanted by the monarch and to fight the local particularism that also concerned the judicial organization[3]. The new Senates replaced the ducal *Consilia*[4] and had been inspired by the french *Cours de*

* This essay is based on the research carried out for the lectures of the course of legal history and the dialogue about this topic shared with professor Enrico Genta Ternavasio.

** Ida Ferrero, Assegnista di ricerca IUS/19, Università degli Studi di Torino. Email: ida.ferrero@unito.it

[1] For more details about the King Emanuele Filiberto and his reforms: O. Derossi, 1786-1794; E. Ricotti.1861-1869, G. Claretta, 1884; A. Segre-P. Egidi, 1928; G. Mor, 1929; R. Quazza, 1960, 183-271; G. Astuti, 1961; G. S. Pene Vidari, 1994, 88-89, A. Barbero, 2002.

[2] E. Burnier, 1884-1885 ; G. Manno ,1928; L. Chevailler, 1978-1979; L. Chevailler, 1953; G. S. Pene Vidari, 2001, 197-215 ; L. Perillat, 2016,139-152.

[3] E. Stumpo, 1979; P. Merlin, 1995, 83; P. Anderson, 1980, 157-158. For what concerns the judicial reforms more details in F. Sclopis, 1881; C. Dionisotti, 1881, F. Patetta, 1928; C. Pecorella, 1989; C. Pecorella, 1994.

[4] As you can read in I. Soffietti, C. Montanari, 2008, 34-38, the *Consilia* were the *Consilium cum domino residens* charged with consultive and first I nstance jurisdictional competences, the *Consilium Chamberiaci residens* with first instance jurisditional comptences and appeal competence for the territory of Savoy, the *Consilium Thaurini residens* with appeal competence for the Piedmont area.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

parlements introduced during the years of french domination. The Senates were the supreme courts of the state and had appeal jurisdictional competences[5]. There was no appeal against the judgements of the Senates: the only chance given to the parties was to draw up a plea to the prince[6]. Since 1567, due to a decision of the monarch, the Senate used to be divided in two different sections. On Wednesday, the whole Senate had the chance to reconsider the decisions delivered by both sections[7].

Even if the model followed for the creation of the Senates was the French one of the *Cour de Parlement*, a comparison between the French and the Piedmont's supreme courts shows that there were many differences in the treatment and working of the respective judicial organizations. In the Savoys' dukedom, despite that the forerunner of the Senate had been a *Cour de Parlement* created by the French, the history of the Senate of Piedmont shows that the Dukes, later Kings, were always extremely worried about the control of the most important judicial institution and its members. This paper aims to show how the match would be definitely won by the monarchy. Actually, the Senates and their members were not at all a threat for the monarchy: on the contrary they also constituted a group of skilled and trained bureaucrats ready to be enrolled for the King's purposes[8].

The Prince had insisted on conferring privileges reserved on the court, in order to create a well working institution, which had to be in a position to validly help its master, the monarch, in his reforms, particularly necessary after the previous French occupation and the re-conquest of his ancestral domains. Thanks to the Treaty of Cateau Cambrésis, dating back to 1559, the King of France had been obliged to restore Savoy and Piedmont to Emanuele Filiberto who, as a Spain's ally and a general of the imperial army had defeated the French in the battle of St Quentin[9]. After that, Turin gradually became the administrative center of the duchy and then was chosen as capital city of the state[10].

The creation of the Senates was accompanied by the establishment of the *Chambres des comptes*, one for the Piedmont's area and one for Savoy, that had financial and accounting duties with regard to the wealth belonging to the prince. The *Chambres des comptes* also had the jurisdiction for what concerned accounting matters and the State properties[11]. There were often conflicts concerning the powers belonging to the Senates and the *Chambres des comptes* and their jurisdictions[12].

[5] P. Merlin, 1982, 43.
[6] I. Soffietti, C. Montanari, 2008, 57.
[7] A. Tesauro,1590, par. 36, 7.
[8] E. Genta Ternavasio, 1983, 41.
[9] I. Soffietti, C. Montanari, 2008, 50.
[10] More details in A. Barbero, 2002; R.Comba e G. Fea, 2004; G. Levi, 1985, 11-69. For what concerns the architectural changes of the city V. Comoli Mandraci, 1985; M.D. Pollak, 1991.
[11] I. Soffietti, 2010 (2), 369-374; B. Decourt, M. Ortolani, M. Ferrara, 2017-2018; A Pennini, 2019, 136-146.
[12] More details, also concerning the archive documents, in I. Soffietti, 1969 e F. Aimerito, 2018; M. Rosboch, 2020. See also B. Sordi, 2020.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

Emanuele Filiberto's son, the Duke Carlo Emanuele I[13], had been even more precise, openly stating in 1583 that the Senate might have an exclusive competence as far as judicial appeal was concerned: parties might take their case for review to that higher, more authoritative, and neutral, court. We know that appeal can be seen as a technical problem only: but this idea would be overly simplistic, because the introduction of judicial appeal in many European countries, in different periods, was very much a political decision, strongly deriving from the power struggles between the Princes and the privileged Orders, namely clergy, nobility and the towns. It is evident that the presence of a supreme tribunal, capable of modifying, or even annulling, the decision of another, inferior, court, left weakened both feudal and cities judges, and, to some extent, the ecclesiastical courts too. Besides its ordinary competences and appeals, the Senate became the sole judge about State's affairs, like important feudal questions, submitted to it *ratione materiae*; the same *privativa* jurisdiction belonged to the Senate about points of law regarding privileged persons *(ratione personarum*). The *Nuove costituzioni ducali* issued by Carlo Emanuele I in 1582 also stated that the decisions delivered on the *arbitrarii* cases had to the considered as binding precedents[14].

When one deals with the Senate as the supreme court it should be remembered that this chamber was a legacy of the French period of occupation of Piedmont: King Francois I, after his takeover of the Savoys' territories, had decided to establish in Torino a *Cour de Parlement*, following the French model, in order to take full control of the peripheral Piedmonts' region. The creation of a local, supreme court, installed in Torino, had to make evident that the annexed Subalpine region should be definitely and totally included in the system of the French dynasty, with no, or small exception. This legacy of a mature absolutist government (the French political model was at the same time loved and hated by the Savoys), instead of being abolished was not despised by Emanuele Filiberto: once returned to his ancestors' throne, he decided that the French innovation deserved to be maintained, with the adoption of the more original, and «Italian» name of *Senate*[15]. Today this word reminds us of politics, more than of the legal world, but in the past the term basically meant a prestigious group of highly authoritative, elderly persons, generally respected for their moral stature together with their competences and skills.

Having said this, it is true that in France the judges of the *Cours de Parlements* were given their historical role, and privileges, by the Kings, who even in the 18th century considered themselves as the real lords and masters of justice; but, despite this, and because, among other reasons, of the *venalité des offices* (the possibility to purchase the seat of judge) the magistrates, who could not be dismissed by the government, had made

[13] More details in M. Masoero, S. Mamino e C. Rosso, 1999; F. Varallo, 1991; P. Merlin, 1991; G. Ioli, 1987; V. Castronovo, 1977, 326-340; I. Raulich, 1896-1902; R. Bergadani, 1927.
[14] *Nuove costituzioni ducali*, Torino 1625, 57.
[15] More details in I. Soffietti, 1976, 301-308, U. Petronio, 1972, P. Merlin, 1982, 35-94, I. Soffietti, C. Montanari, 2008, 42-51, S. Briegel e F. Milbach, 2016.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

themselves rather independent of the monarchy[16]. It is not possible to discuss here once more the fundamental aspect of the struggles between the French monarchy and the privileged Orders, but at least it should be stressed that the final consequence of that perennial problem was the French Revolution, at the end of the 18th century.

In the middle of the 17th century the Savoys' State was dominated by the Regencies, from 1637 to 1684, of Marie-Christine of Bourbon (the daughter of Henry IV of France, the sister of King Louis XIII and the wife of Vittorio Amedeo I of Savoy) and Marie-Jeanne-Baptiste of Savoy Nemours (wife of Carlo Emanuele II of Savoy and mother of Vittorio Amedeo II). Contrary to the traditional belief, recent historians have stressed the authoritative role played by the two Regents[17], especially the second one: until 1680, Madama Reale proved herself a vigorous and independent maker of policy on internal affairs of the State, in addition creating a system of international relationships with other courts. Despite her reputation for Francophile proclivities, Madama Reale showed, at least in the early years of power, a tendency to open neutrality and a disinclination to behave as Louis XIV's puppet. Vittorio Amedeo was fragile as a child; the relations with him were complex and difficult, especially when Jeanne-Baptiste realized that her son had inherited her forceful temperament[18]: Vittorio Amedeo persisted in his inclination to govern alone. Madama Reale's prime concern was to select a bride for Vittorio Amedeo: the choice fell on Anne-Marie d'Orléans, niece of Louis XIV's, who became Queen of Sardinia in 1720 and brought with her the strongest dynastic claims to the British Isles, which the Savoys frequently emphasized in order to gain diplomatic positions. In this context, the Senate kept, to some extent, a rather low profile, probably due to the precarious political situation in the age of the Regents, not always in a commanding position.

After his short experience as the new King of Sicily (1713)[19], Vittorio Amedeo II was more and more convinced that a general program of reforms was necessary to confirm his royal status. Of course, he could not start from scratch, because of the endless ties by which the Middle-Ages' inheritance thwarted the ambitious plans of almost every European Prince willing to modernize his State. His will of change was enabled also by the help of his well-educated *entourage* that helped him in his reforms.

The short Sicilian experience came in handy and probably taught him that diplomacy and self-restraint were not always the best choices. The feudal resilience must be bypassed if not destroyed, both in Sicily and in Piedmont. There was no evidence for what some of his ministers stated about being careful to make less shocking and unpleasant

[16] A. A. Caiani, 2012, 36-41: «The sale and transmission of venal offices had been a regular practice since at least the reign of Francois I»; W. Doyle, 1996; P.F. Fedix, 1848; A. Frapé, 1848.
[17] C. Rosso, 2008, 362-397; R. Oresko, 2004, 16-55; A. Merlotti, 2008, 243-248; Merlotti A.- Massabò Ricci I., 1993, 121-174.
[18] A. Merlotti, 2003, 115-122.
[19] A. Lo Faso di Serrafalco, 1999, 539-555; Morozzo della Rocca E., 1887; *Il regno di Vittorio Amedeo II di Savoia nell'isola di Sicilia. Documenti raccolti e stampati per ordine della maestà del Re d'Italia Vittorio Emanuele II*, Torino 1862; E. Genta Ternavasio, 2021, 393-395.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

feudal reforms. So, when in 1720 Sicily was switched with Sardinia, a traditional and conservative region, where the feudalism was not weak, let alone deceased, the King seemed prepared to contrive to struggle against ingrained privileges, also in his Continental domains. The year 1720 is very important and the King had great expectations for the feudal reform: with the «avocazione dei feudi», which obliged the nobility to justify their feudal possessions, the nobles were under threat from losing their estates, hadn't they given full evidence in court about the legitimacy of their titles[20]. Vittorio Amedeo II issued an edict on the 7th January 1720 and recalled another decree which dated back to 1445 in order to justify his decision. More than 800 feudal lords were charged with the task to justify their possessions and it gave rise to many judicial proceedings[21].

The effort made by the king with the aim of centralizing the power also included the undertaking of a great and exciting task in the coming months: he intended to prepare and promulgate a new, fundamental, consolidation of the existing norms, which implied, among other problems, the embarrassing question: how would the magistrates meet the challenge of new legislation given by the absolute King? In fact, the new collection of laws also included some rules concerning the organization of the Senates[22]. At the moment of the introduction of the *Regie costituzioni* the Senates operating in the Kingdom of Sardinia were the ones of Piedmont and Savoy, dating back to the XVI century, the one of Nice – operating from the XVII century, and the ones of Pinerolo and Casale which had been created in the beginning of the XVIII century[23]. The goal of the monarch was to increase his control over the courts in order to raise his absolute power[24].

1.2. The judicial power and the legislative reform

On the 25th of November 1723 evening Vittorio Amedeo II of Savoy, first King of Sardinia, presided over the inaugural session of the Senate of Piedmont. The King could really claim that that court, one of the Senates of the Kingdom, «belonged» to him: that was his own creation, a completely renovated court of justice, for many aspects 'new', as far as competences, functions and magistrates were concerned. The legal system of the Kingdom of Sardinia still showed some aspects deriving from the past but it presented also new features stemming from the will of change of King Vittorio Amedeo II. In fact, one of the most important goal of the program of reform led by the monarch was the

[20] A. Manno, 1876, Merlotti, 2000; Mola di Nomaglio, 2006.
[21] F. Sclopis, 1863, 452, where the author states that «nel 1720 si promuovevano quelle devoluzioni in virtù di una legge fatta quasi tre secoli prima, e dopo che, soprattutto nelle varie reggenze avvenute nello Stato, erasi dai sovrani largheggiato nel beneficiare i vassalli a scapito del demanio. Ottocento feudatari vennero citati in giudizio; gravissime liti s'impegnarono»
[22] F. Micolo, 1984, 79. More details also in G.S. Pene Vidari, 2002, IX-XL.
[23] E. Mongiano, 2010, 3.
[24] G. Quazza, 1957, 79.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

renovation of the administration of justice[25]. It is important to also state that, at that time, it was usual to have different types of jurisdiction in conflict that struggled to gain the control of some part of the judicial organization. This kind of organization led to the rise of a group of bureaucrats who were charged both with judicial and legislative functions[26].

The «new» Senate was the consequence of a complex and planned project of reforms. The judicial system, despite the supremacy of the central courts of Piedmont and Savoy, was actually rather tangled, as a result, among other aspects, of the constellation of minor courts. Also, the number of judges in the Senate might seem a trifle problem, but it wasn't; they costed much money: for example, 7 Senators costed £ 8,400 per year[27]; generally, they were elderly people and so the timid counsellors of the King advised him to limit any intervention, considering the loss of lives as a natural remedy. Moreover, some counsellors, among them Count President Gubernatis, maintained that a decrease of the judges could be dangerous, since they, being less numerous, were induced to lobby, organizing conspiracies against the King too[28]. A jaundiced view of the magistrates, especially for the 17th century, was justified since they were not always fully trained and dependable, having often obtained their place thanks to the system of the *venalité des offices*[29]: at the beginning, the person who was interested in buying a place gave an amount of money to the ducal administration, called «prestanza», because the administration reimbursed it, but with the passing of time the money «lent» was actually given, for good.

It hardly needs stating that the efforts of the King, and of his nearest collaborators, aimed at creating a strong centralized legislation together with an efficient judicial system. It is difficult to conceive of any political struggle which did not imply directly on the Senators of Piedmont. Vittorio Amedeo and the public servants of his court were perfectly aware of the existing problems and obstacles, and so, for the time being, the king decided to postpone the thorny question of the reform of the judicial power: as a matter of fact, until the general reform of legislation in 1723[30], one cannot find in the royal archives[31] a complete program in order to make the judicial order better; the royal

[25] G. Quazza, 1957; E. Genta Ternavasio, 1983; E. Mongiano, 1990; E. Genta Ternavasio, 1989, 83; G. Symcox, 1989; G. Symcox, 1994, 271-438; G. Ricuperati, 1994, 431-834; G. Ricuperati, 2001. G. S. Pene Vidari, 2016, 75-90; P. Casana, 2016, 113-124; B. Decourt Hollender, 2016, 243- 258; E. Mongiano, 2010, 1-12; P. Bianchi e A. Merlotti, 2017; A. Pennini, 2019. 235-242

[26] S. J. Woolf, 1973, 46-47.

[27] E. Genta Ternavasio, 1983, 80-81

[28] Archivio di Stato di Torino (ASTo), Corte, Materie giuridiche *Senato di Piemonte*, m. 1, n. 37, «Risposta fatta dal conte e presidente Gubernatis».

[29] E. Stumpo, 1979, 175-263.

[30] RR.CC. 1723.

[31] ASTo, *Senato di Piemonte*, m. 2, n. 18, *Cerimoniale per il vestire, e sedere, del Senato nelle funzioni pubbliche e principalmente quando Sua Maestà si degna ammetterlo a'suoi piedi*. See also, *Progetto di cerimoniale per li principi, dignità e cariche di corte* (manuscript XVIIIth century), in Biblioteca Reale di Torino, St. P. 720, F. 99; D. Cannadine - S. Price, 1987.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

interventions were sporadic and *ad hoc*, which meant that a general plan was lacking. A few examples may be useful here: mostly, aspects of the Ceremonial only were the object of limited reforms; one should not underestimate ceremonial rituals, and the Senators, as the official representatives of the princely judicial power, witnessed the *grandeur* of their master: the quality of their red robes, or the precedence at the "baciamani" of the King (formal hand-kissing), were subjects of the utmost importance, and about them some new laws were promulgated. But it is clear that the most delicate aspects were far from being solved.

Vittorio Amedeo II is best remembered for passing a new legislation: in fact, the building of a body of laws was his main task, as a mark of a new dimension of sovereignty and as a grant to his subjects. The jurists who worked at the different stages of the drawing up of the *Regie Costituzioni*[32] had different origins and backgrounds: Zoppi was a university professor coming from Pavia; Pensabene was a Sicilian civil servant; Rayberti and Fogassières were lawyers coming from Nice[33]and Legio was an influential jurist from Genova[34]. In the final part of the drafting of the *Regie costituzioni*, the work of the jurist Berterini, coming from Tuscany, was controlled by a commission whose members were Cotti, Plaztaert e Pensabene[35].

They worked with many difficulties, in order to create an outstanding contribution of real European importance, as benevolent evaluations given by many European influential specialists undoubtedly testified; the effort had been enormous. Actually, the *Costituzioni* were a «consolidation», that is a collection of legal rules, far from being complete, let alone the sole source of law. Nevertheless, the King showed that he began to take his legislative powers and duties seriously; the creation of a law given by the paramount ruler was, for many aspects, a new attack against the privileged Orders (mostly the Clergy and the Nobility), at any rate representing the clear manifestation of the motto: *omnis potestas a Principe.* Also, municipal laws (*Statuta, Consuetudines* and so forth), even though touched only partially by the *Regie Costituzioni*, were eventually involved in the new legal order. Despite contrary statements and propaganda, the truth was that the Three Estates were wary of change in the legal system and disliked new laws more than appreciating the Prince's effort for a clear and simpler organization. The impact of the new legislation, in Vittorio Amedeo's intention, had to be strong: however, one knows that any legal system, even though perfect, needs to be administered correctly, otherwise it loses the half of its strength. In a nutshell, on the one hand the connection between the legislative power and the judicial authority was obvious, on the other hand it was, as it

[32] M. Viora, 1928; I. Soffietti, 1990, 679-689; I. Soffietti, 1998,107-110. For what concerns the procedural aspects G.S. Pene Vidari, 2002, and with regard to the criminal law subjects I. Soffietti, 2010 (1), 48-52.
[33] F. Micolo, 1984, 149
[34] F. Micolo, 1984, 53.
[35] M. Viora, 1928, 48-122; F. Micolo, 1984, 67.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

had always been, a problem[36]. For what concerns the judicial system, the first instance civil and criminal jurisdiction still belonged to the local judges, chosen by the monarch in the territories he administered directly or by the vassals where they exerted their feudal power[37].

The Senates still maintained the appeal jurisdiction, combined with a limited competence for what concerned the first instance decisions[38]. One of the goals of the new rules concerning in particular the Senate of Piemonte was to ensure the legal certainty: in order to reach this target, the *Regie Costituzioni* stated that the legal sources of the decisions of the Senate of Piemonte had to be first the royal legislation, then the local rules and the *ius commune.* The duty to justify the decrees of the Senate was included in the editions dating back to of 1723 and 1729, but it was not any more taken into account in the version of 1770[39].

1.3. The rebellion of the magistrates

Almost immediately the King realized that the new body of laws did not gain acceptance neither quickly nor easily; probably he understood that he had underestimated the power of his judges[40]. The legislative reform had been made in a climate of hostility: there was a sense of mistrust on both sides. The new legal books were in the hands of the supreme judges who, far from rejecting them openly, surreptitiously ignored, or eluded, them in many parts, performing their functions as before. A few preliminary remarks might be appropriated here, to stress that the old conflict between the legislative and the judicial power was a recurring theme across the centuries, almost in every institutional context: but we shall not enter now into such a complex conundrum, and it will be enough to remember the basic legal principle of the *ius commune*, which declares: *Eius est interpretari cuius est condere*. Having pointed out this rule, one must be aware that certainly it was neither shared nor respected by the

[36] «Law created by lawgivers has many advantages. It is certain, because it states specific norms in a specific and authoritative way. The disadvantages are equally real. Lawgivers can be rash and capricious and forget that a minimum of stability and permanence belongs to the essence of law […] Judges-made law has the great advantage of being close to reality; judgements are concerned with real people and real cases», R. C. Van Caenegem, 1991, 131.
[37] P. Briante, 1991.
[38] The limits concerned the 'value' of the decision: in the versions dating back to 1723 and 1729 the amount of the value of the decision should not be higher than 500 golden coins (RR.CC. 1723, lib. II, tit. III, capo 1, par. 4 ; RR.CC. 1729 lib. II, tit. III, capo 1, par. 4) and 10.000 *lire* in the version of 1770, RR.CC. 1770, lib. II, tit. III, capo 1, par. 11.
[39] G. Gorla, 1977, 522.
[40] Marquess Pensabene, requested by the King of a legal advice about the possibility of removing judges from their posts, answered in the negative, in accordance with tradition, but this point of view did not prevent Vittorio Amedeo from sacking Senators, at a later stage, ASTo, *Senato di Piemonte*, m. 2, n. 11, *Sentimento del marchese e reggente Pensabene sovra la questione se il Re possa rimuovere a suo arbitrio li suoi ufficiali*.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

King's magistrates, who were extremely self-confident and stubborn; without being of the opinion of English common lawyers, according to which the legislator, the author of a statute, is the worst person to construe a statute [41](14), they were persuaded that their power of freely interpreting the law was not only an untouchable privilege, but a service they were able to provide for the welfare of everybody.

A question which may arise is this: was the magistrates' behaviour a conscious form of opposition against the super-power of a King who intended to be the absolute ruler, or were they simply following an ancient pattern characterized by custom and bilateral tolerance? Or, even more simply, changing ways of behaviour was a difficult and uncomfortable job, which elderly magistrates, rather lazy, did not believe necessary to do? This apparently trifle element – "laziness" – of judges, combined with their conservatism, can explain the solution of judicial precedent: considering the complex system of legal pluralism (many sources of law in the same territory), it was not surprising that the respect for the precedent (in the English common law, the "adoration" of it) could be seen by magistrates as a reliable means to obtain a satisfying degree of legal certainty.

Dealing now with the really important political aspect, which surpassed all legal points, the unforgivable sin of our Senators was that they had given too little, or no attention or care, to the King's compilation, solemnly adopted in 1723. The reaction of the King against the conservative way the Senators behaved, neglecting his orders, was unavoidable. On 30 April 1723, in a royal *biglietto* addressed to the Senators of Piedmont, Vittorio Amedeo asserted his authority as the prime and sole source of law, declaring that the Senators' duty and skills should have been applied to solving problems in accordance with the law proclaimed by the King, without any kind of interpretation, «Ne' magistrati è riposta e la Necessità e la Gloria di dare esecuzione alle leggi, e non di variarle»… To ignore the law meant to discard one of the great blessings of clear and fixed rules[42]. In other words: the King was extremely disappointed because, for the recently approved law, he needed loyal collaboration and not contempt; he bitterly pointed out, on the one hand, the Senators' disobedience (a severe crime in the ancient regime), and, on the other hand, he condemned their incapability to be the real delegates of the supreme fountain of justice, which should be firm and certain. It is worthy of interest to remember, once more, that the legislator in the Savoys' States had begun to make himself felt already in the 16th century, when Emanuele Filiberto had promulgated the *Nuovi Ordini et Decreti*[43]: keeping our mind on this point, it becomes clear that the heir of two centuries of growing absolutism, Vittorio Amedeo II, could not admit or tolerate any form of resistance, let alone rebellion, from his unfaithful servants. Having said this, the truth is that the King, in order to win the struggle against judges, had to form an alliance

[41] Lord Halsbury said in 1902 « In construing a statute I believe the worst person to construe it, is the person who is responsible for its drafting», R. C. Van Caenegen, 1991, 178.
[42] ASTo, *Senato di Piemonte*, m. 2, n. 33.
[43] C. Pecorella, 1989.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

with other magistrates: especially those who had recently been appointed as members of the commissions for the consolidation of *Regie Costituzioni*: Count Mellarède, Count President Riccardi, Count Giusiana, Count President Zoppi (the most severe among them), Marquess Pensabene. Certainly, one is allowed to suspect prickly rivalries and jealousies among the different ranks of the nobility of robe…Finally, the faithful judges' opinions were summed up by Pensabene, a famous jurist who was a "legacy" of the short period of Sicilian dominance: he understood that, in any case, it remained a thorny question how to regulate on a new correct basis the relations between King and Senators. A *casus belli* was needed, to demonstrate both rebellion and incompetence, showing in particular contradictory judgements given by the court.

So, when in this turmoil a new problem arose – the Revello affair – this was apt, in a sense, to disentangle the matter: a *casus belli* had been found.

1.4. The Revello affair

One of the most «dangerous» provinces of the Savoys' Subalpine and Transalpine States, which extended over different areas, was the district of Mondovì, in Southern Piedmont. A violent protest against taxes on goods, especially regarding the excise on the salt from Liguria, which had become an open rebellion, the so called «Guerra del sale»[44], had recently been brought under control by the government with a cruel repression. The entire area had been strictly regulated by using a special legislation which expressly prohibited local people from carrying guns or other weapons without a specific permission of the authority. A royal decree had sentenced to death people found guilty of that crime[45].

A man of the district of Mondovì, Carlo Lorenzo Revello, was imprisoned and accused of being armed despite the severe royal command. Revello was assumed to be guilty, even though he tried to justify himself, affirming that he was a «fiscal», a gamekeeper with some functions of local police, declaring that he had been authorized by a local Lord (whom he wasn't able to specify) and that he was armed because he had threatened to be killed by robbers (whom he refused to name). Nevertheless, the Senators, using their discretion, and considering that Revello was illiterate and undoubtedly in good faith (he was going to a chapel in order to keep a wow he had made)[46] , intended to adopt a merciful punishment: but the law was clear and the crime deserved the severest

[44] G. Lombardi, 1986.
[45] The decree dated back to the 1st of July 1699 and «indistintamente prohibisce nella Provincia di Mondovì a tutti il porto d'armi sotto pena della morte», ASTo, *Senato di Piemonte*, m.2, n. 33.
[46] «Per essersi trovato armato di archibugio e di pistola, su le fini di Villanova di Mondovì strada facendo verso la Cappella di Santa Lucia posta sovra dette fini, per adempiere ad un voto, che aveva fatto in occasione di malattia», ASTo, *Senato di Piemonte*, m.2, n. 33.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

punishment; so, they wrote a letter to explain their position to the King[47], who angrily answered with a letter dating back to 13th January 1723, stating that the Edict had been recently republished, in order to make clear to everybody that the legal prohibition was in full existence; consequently, the Senators had to follow exactly the law[48]. Despite this, the Senators chose to contest the position of the King[49], and reached a unanimous verdict of not guilty, affirming that Revello could be released from prison[50].

The King, with a *Biglietto* on 30 April 1723, bitterly resented seeing that his law was considered by his Senators as an option they could choose or not: this behavior was unbearable and urgent remedies must be taken. The King saw in the Senate's practice a weapon against his will: the judges managed in fact to strengthen their role in a State that, despite its precocious adoption of absolutist ways to improve the administration, was still resenting of the traditional weakness which characterized the ancient regime (that Tocqueville would describe as «hard rules, soft practice»)[51]. It should be pointed out once again that magistrates had to be recruited and chosen by the monarchy only apparently, having often purchased their charge: but this did not imply they were not learned; in the 18th century the judges of the supreme Court of the kingdom could not be unqualified, and, as a matter of fact, most of them were highly respected as competent jurists. The position of the King was problematic, since the Senate of Piedmont numbered

[47] At the end of the letter they wrote to King they affirmed that «Si è stimato di rappresentare che detto Editto tutto che generale ed amplissimo, ove dovesse comprendere li ufficiali di giustizia, a quali nelle altre Provincia resta permesso il porto delle armi, non lasciarebbe luogo in occasione delle esecuzioni, arresti de delinquenti, e Banditi, quali d'ordinario vanno armati di poter fare quelle parti che porta l'obbligo de loro officii per potersi opporre alle resistenze et insulti che vengono ben sovente fatti» and, in conclusion, they asked to the King «sovra ciò attesa la dubietà dell'articolo, e necessità, che hanno simili officiali di giustizia di portare le armi abbiamo creduto di aver giusto motivo di esplorare dalla somma clemenza di V. S. M. se sii stata la mente sua che li oficiali dii giustizia a diferenza di quel che sii opera nel rimanente de Suoi Stati siino compresi nella proibizione portata da detto Editto, ed attendendo alla M. Vostra l'onore delle Sue Regie determinazioni le facciamo profondissima riverenza», ASTo, *Senato di Piemonte*, m.2, n. 33.

[48] The King harshly answered that, even if he appreciated the fact that the Senators asked for his advice «tutto che gradiamo che per intelligenza de nostrii editti abbiate avuto ricorso a noi», they should have known what was the content oof his law «già però vi deve essere nota la nostra intenzione circa il divieto delle armi per il mandamento del Mondovì, mentre non solo nell'Editto delli 21 febbraio continente la proibizione di dette armi per il Generale de nostri Stati preservassimo le precedenti nostre disposizioni per quella Provincia, ma altresì perché si è colà d'ordine nostro fatto ripubblicare da quel Governatore l'editto delli 4 luglio 1699, gionta pure la lettera da noi scrittavi su tal particolare sin dalli 16 dell'or caduto novembre, onde esso editto delli 4 Luglio 1699 non eccettuando alcuno, e quello delli 21 Febbraio eccettuandone molti, niente osta perché rispetto ad una Provincia non dobbiate osservare l'editto particolare, ed il Generale per il rimanente de nostri Stati sottoposti alla vostra giurisdizione. Tanto dunque eseguite», ASTo, *Senato di Piemonte*, m.2, n. 33.

[49] They affirmed, once again, on the 19th April 1723 that they were convinced that «abbia potuto credersi che li officiali e servienti di giustizia non fossero compresi nella generale disposizione di detto Ediitto quanto che dal medesimo non solamente si prohibisce il porto d'armi, ma anche la retenzione in casa, il che non sembra applicabile a questa sorte di Persone, che ne hanno frequentemente di bisogno indispensabile per servizio necessario della giustizia» and, considering the complete absence of malice, they thought that Revello should have been acquitted «è entrato in sentimento con voti tutti uniformi dovesser venir assolto dal delitto del porto d'armi», ASTo, *Senato di Piemonte*, m.2, n. 33.

[50] ASTo, *Senato di Piemonte*, m.2, n. 33.

[51] H. Methivier, 1974, 37; J. Swann, 1995, 168.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

some of the most influential jurists of the State, and it was rather a problem to accuse and punish them. Pensabene collected some *Memoranda* about how the Kings of France, in similar cases, had severely punished the judges of the *Cours de Parlement.* According to him, the King of Sardinia could choose between punishing the sole President of the Senate, who had patronized his colleagues thanks to his commanding position, or all members of the supreme court; about this point there was a clash of opinions. In case the entire Senate was punishable in public, it had to be considered that, adopting the hardest solution, suggested by Zoppi, the entire body of the "souveraine" court of the State, representing the Prince himself, would be mortified: this was the reason why, in France, *re melius perspecta*, the King had avoided a public mortification of the *Cour*, which might become something like a litmus test of the reliability of the entire government. In conclusion, Pensabene suggested a wise decision: the punishment was clearly essential, but it had to be careful and discreet, since a harder solution could cause too much an embarrassment; the proposal made by Zoppi consisted in obliging the Senators, who would not be allowed to wear their smart, long pieces of clothing, and other symbols of distinction, to form a public procession in central streets, as a humiliating ceremony. Instead, Pensabene *(nomen omen*!) wisely recommended individual punishments and mortifications: for example, President Leone had to be exiled in a minor town of Piedmont, his salary suspended for a time and his career put to an end. Others had to receive a similar treatment.

It is interesting to remember that Marquess Graneri[52], one of the most celebrated and knowledgeable jurists of the State, the rich owner of a fabulous palace near via Po, dared to criticize the King's decision in the Revello affair, affirming that it had been just a pretext in order to renovate the Senate: the King was informed about this courageous but careless statement and, forgetting Graneri's services, provided, a few years before, as a general responsible for justice administration in the Kingdom of Sicily, did not forgive him. Moreover, Marquess Graneri had showed an impolite refusal to accept the office of President of the Senate of Nice (the third supreme Court). Consequently, he disgraced himself and was relegated to private life in the small town of Cherasco, without the permission for writing and giving legal counsels to anybody[53].

Finally, on the 11th of November 1723, the King decided to implement the Senate's structure, with the appointment of new Senators, younger and more reliable, to the sought-after post: the prime President, Count Robilant, a great collaborator of Vittorio Amedeo II, had been asked to prepare a list of suitable magistrates, who had to be efficient, exact and faithful to the King.

A last remark: as far as judicial power was concerned, in the second edition of Royal Constitutions (1729) a significant step forward was taken introducing the rule that the senatorial decisions (which had to be collected) might be considered as a source of law, in

[52] A. Merlotti, 2002.
[53] F. Sclopis, 1863, 442.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

case of lack of a specific norm given by the King. To some extent, the Senators had taken their revenge.

1.5. The «Interinazione»

The Senates did not only deal with judiciary matters but they were also charged with administrative tasks such as the power of *enregistrement* which was called *potere di interinazione*[54]. This power had already been assigned to the *consilia* of Turin and Chambéry by the Statutes of Carlo II dating back to 1513 and consisted in a control both on the legitimacy and the content of the Duke's decrees[55]. When the duke Emanuele Filiberto created the Senates of Chambéry and Piedmont and the *Chambres des comptes* he awarded the power of *interinazione* to those institutions[56]. The power of *interinazione* should have expressed a tool of partnership between the legal system and the Duke's power: at the beginning the idea backing the grant of this power was to help the monarch to express his power in the best possible way but, over time, the *interinazione* actually became a limit and a control to the *potestas* of the prince[57].

The *interinazione* had a French origin: in France the King issued his ordinances without the intervention of feudal barons, but with the help of his legists and under the control of the learned judges of the *Cour de Parlement*. The conservative *Parlements* often appealed to the *Lois fondamentales* to justify their resistance to various innovations. The Kings gave the *Parlements* the power of entering the edicts, after having controlled them, into the official Registers. The control consisted in verifying whether the document was formally correct, but also in examining its contents. This was more than a formality, since the chance to examine the document included the possibility of *remonstrances:* protests against the royal decree, complaints, critics or suggestions about the draft. To remonstrate with the King could cause the denial of the registration. The privilege was extremely delicate, and it is easy to see that it was abused by judges. The eight French *Cours de Parlement*, qualified as *souveraines,* and especially the *Parlement* of Paris, were able to play a judicial, administrative and, above all, political role, deriving from the *droit d'enregistrement.* On the eve of the Revolution the *Cour de Parlement* of Paris was a body of 144 judges, among presidents, counsellors, advocates general; in certain occasions, some members of the royal family (*princes du sang*) and peers,

[54] In the other states of the Italian peninsula only the Senate of Milan (for a short period of time) had this kind of power, A. Lattes, 1908, 22-24; U. Petronio, 1972, 136; F. Sclopis, 1863, 451, where the author stated that the Senates and the *Chambres des comptes* hedl the power of «registrazione ed interinazione delle leggi, ovvero verificazione che qui trovavasi stabilita ad esempio di ciò che si praticava ne' Parlamenti di Francia». More details about the *potere di interinazione* in C. Dionisotti, 1881, 147; G. Lombardi, 2011, 73-114.
[55] I. Soffietti e C. Montanari, 2008, 45-46.
[56] G. B. Borrellli, 1681, 428.
[57] G. Lombardi, 2011, 1.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

temporal and spiritual, might join the magistrates. Some reforms, introduced by the king Louis XVI and his ministers, were not accepted by the *Cour*, whose members refused the registration; in such cases, the obstacle could be removed by the *lit de justice*: the King himself, in the flesh, solemnly came to the *Cour*'s hall and enforced the new law (*enregistrement forcé*), despite the opposition of judges (in France, the historians use the expression: *la rebellion parlamentaire)*[58]. The King Louis XVI angrily defined the *Cour de Parlement* as a «selfish aristocracy of judges hostile to the monarchy and at the same time contrary to the Nations's advantages».

In Piedmont the *potere di interinazione* was included in accepting the inheritance of the French model. This power has been considered by some historians as a brake put by the Senators on the absolute power of the King. This interpretation may be easily questioned, at least for two reasons: first, it were the Dukes, or, at a later stage, the Kings of the House of Savoy, who gave their magistrates this delicate privilege which touched, and to some extent, threatened, the princes' legislative activity. Second, as we've seen above, after the reform of the Senate in the 1720s, the superiority of the King was not under discussion. Unlike France, a proper *lit de justice* was not necessary to enforce a law in case of resistance of the Senators; in practice, the founder of the Senate, Emanuele Filiberto, when for three times the judges had not given their approval, emanated the so called *lettere di giussione* (formal and solemn commands) which exhausted that topic[59]. In the 18th century Vittorio Amedeo II and his son Carlo Emanuele III, developing the examples of their ancestor, organized the system in a way that aimed at diminishing the intervention of judges at the legislative level. When a royal decree had to be *interinato*, that is registered, the procedure was the following: the King talked about the decree and discussed the draft with the President; the latter informed his colleagues about the elements and contents of the royal will. This sort of preview had the main purpose to avoid any *coup de théatre*, with the elimination, from the beginning, of any chance of questioning and disagreeing: any opposition was practically overcome at a «diplomatic» level.[60]

[58] S. Hanley, 1983; H. Carrè, 1912.
[59] L. Cibrario, 1869, 249, where the author stated that the «magistrati, i quali nell'interinare e registrare gli ordini e gli editti del principe alcuna volta li modificavano, talora anche ricusavano d' ammetterli; e sebbene dopo tre giussioni fossero tenuti d'obbedire, di rado tuttavia il principe s'ostinava, a cagion dello scandalo che ne nasceva».
[60] About the *Interinazione* see also E. Genta Ternavasio, 2016, 241, «La portée politique est, au cours du XVIIIe siècle, plus limitée que par le passé…la médiation et la coopération des présidents des Sénats et de la Chambre des Comptes furent sans nul doute déterminant pour favoriser cette mainmise que le pouvoir monarchique cherchait à imposer».

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

1.6. The career of the Senators

Together with the silent abolition of the «*venalité des offices*», the competences needed in order to become a senator had completely changed. In fact, Vittorio Amedeo II was convinced that in order to obtain a reform of the organization of the Senates it was truly important to change the *cursus honorum* of the Senators[61]. Most of them had a degree in law and had also experienced a long period in the study of a practitioner that was necessary to become knowledgeable about the complex *arcana iuris* of the late *ius commune* system. Eventually, when they were sufficiently trained, they obtained the title of *avvocato* (lawyer), or could make an application for a job in the increasing bureaucracy; if admitted, they could start a career in the administration of the State, at different levels: in absence of a true separation of powers, they would deal with a wide mix of judicial, administrative and political questions. From the above mentioned reform of Vittorio Amedeo II, the bureaucrats could get an upgrade on merit, not because of their social background: this did not mean that the majority of them belonged to the middle-class, but that success was not an exclusive prerogative of the nobility. As a general rule, the Senators of Piedmont had been, before obtaining that prestigious position, public servants in the efficient bureaucracy of the Domains of the King of Sardinia- Piedmont. However, it is remarkable that some exceptions, especially during the reign of Vittorio Amedeo, were possible, and regarded those lawyers who, before being appointed as Senators, had only worked as practitioners, but were particularly endowed with intelligence and competence: for example, avvocati Battaglione, Serale, Blavetti, Damilano[62]. A few Senators of Piedmont had been previously members of other *souveraine*s courts, as Chambéry or Nice. The professors of the University of Torino were rather sporadic, but a few of them, especially famous, like Ludovico Dani and Domenico Morelli di Popolo, were promoted to the most important charge of justice[63]. One diplomat, Count Giovanni Battista Balbis di Rivera, who had served as ambassador, concluded his career with the office of Senator of Piedmont. The official basic salary was far from being brilliant: more or less £ 1200 per year; but a Senator could enjoy some fringe benefits, like *sportule, regalie, trattenimenti, pensioni* (also given when the Senator had not yet stopped working), and the more substantial *giubilazione* at the end of his career[64]. The President received the important sum of £ 3000 as annual salary. If we compare the salary of Senators with the high salaries, for example, of diplomats or «top managers» of the State, we can deduce that the satisfaction conferred by that charge, rather than simply economic, derived from other aspects, moral and social. It is worthy of interest, for example, to remember that a certain number of Senators were the heads of important noble families, the holders of prestigious aristocratic titles: they not only did

[61] E. Genta Ternavasio, 1983, 67.
[62] E. Genta, 1983, 69
[63] E. Genta, 1983, 70-71.
[64] E. Genta, 1983, p. 80

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

not detract the post, which evidently was not a *deminutio*, but, on the contrary, were extremely sensitive about receiving the chair of Senator. This kind of attitude of the Senators may confirm that the Piedmontese, and Savoyard, nobilities were becoming essentially "service nobilities"; their rank depended more and more on their service to the throne, in different fields: also the feudal aristocracy, of the highest level, was flattered by receiving a post of bureaucrat in the institutional system created and developed by the eighteenth century monarchs[65].

The Senators of Piedmont, as a social group, may be seen as a typical example of a rising class in the context of the States of the House of Savoy in the 18th century. As supreme magistrates of the kingdom, they were endowed with the personal nobility, as a prerogative of their office, meaning a kind of life nobility which could not pass to sons and heirs. The opinion of jurists about this matter was that at least three uninterrupted degrees of noble generations were necessary to transform the personal into the hereditary nobility. It hardly needs stating that, as a general rule, everybody in the ancient regime, living in a traditional society, hoped to receive respect and honor[66]: the most important result everybody tried to achieve, since the values were still founded on the medieval structure, was to be admitted into the aristocracy. The reorientation of the value system was very slow in Piedmont (probably more than in other Italian northern regions), due to the strictly hierarchical «ladder» organized by the monarchy. So, it was normal that Senators made strong efforts to obtain a full aristocratic status, a precious legacy for their descendants.

An interesting point to be discussed is the following: in the struggle for social climbing who might be a serious competitor against the Senators? We must remember that the «democratic» practice was to auction fiefs and titles: normally, the best offer was accepted by the *Generale di Finanze*; in case the new buyer could not claim an aristocratic status, he was submitted to the payment of a further tax, called *abilitazione*[67], which was rather hypocritically imposed in order to «purify» the plebeian. Aspirants included many who had risen in the royal administration, and, consequently, were among the more entitled group to take part in this process, actually rather bewildering. But which was the role played by the bourgeoisie?

In other European regions it is a commonplace opinion that wealthy merchants purchased land to make a secure investment, and, above all, to climb the social ladder transforming themselves into gentlemen and *rentiers,* after having frequently abandoned their business. Land wasn't simply an advantageous investment because of its security but, for example, in England it gave its owner many chances to be promoted to the gentry, and at a later time, often to the nobility[68]. This is a most delicate question,

[65] It has already been demonstrated that in the 18th century many young members of the nobility attended the Faculty of Law of Torino, D. Balani, 1979*,* 210; D. Balani, 1996.
[66] G. Mola di Nomaglio, 1992.
[67] E. Genta Ternavasio, 1982, 187.
[68] L. Stone e J.C. Fawtier Stone, 1986, 11; A. Nicolson, 2012, XV-XX.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

especially if we examine it from different European perspectives, but the paradigm advanced by historians shows that that behavior played an essential role in the orientation of values of the carefully-structured European society. Dealing with the Piedmontese situation some prudence should be adopted.

In the absolutist system of the Savoy's monarchy, which implied an economic organization, rather old-fashioned and enormously different if compared to other more developed nations, the narrow gate of nobility could be opened more easily by bureaucrats than merchants or bankers; in general, the world of business did not grow fast over the sixty years from 1720 to 1780; so, in the struggle to purchase feudal possessions, the men of business were not serious competitors against the Senators, who undoubtedly were moving upwards. An evidence of the minor role played by merchants is given by the fact that a relatively modest mercantile infiltration is recorded as an exception to the rule. Instead, in all likelihood Senators were in the best position to climb the ladder of social success; they were able to see the King frequently and this possibility was priceless; moreover, they were interconnected with all other authorities of the State. It is worthy of interest to stress that Senators were, and remained, an urban class, strictly linked to the political seat of the court, the capital (actually, this is a subject that remains largely unstudied and deserves further attention). Even when they owned lands or invested in feudal possessions in the countryside, they were bound by urban values (*e.g.* the ownership of a more or less large and stylish *palazzo* in Torino) and behaved accordingly: their status was not given by land. They showed a clear reluctance to spend too much time in the countryside, which was a «luogo di delizie», for leisure activities, but where they seldom played an official authoritative function. Their social importance might grow when their place in the country coincided with a feudal possession, but, actually, this was not so common, since the purchase of a fief was important for its legal and social aspects, but often it did not imply to have a residence there or a substantial estate (in Piedmont the average size was not enormous). In addition, the profit from feudal rights was, with some exceptions, generally low. The Senator as a feudal lord was often absent and indifferent.

As far as methods of selling and buying the fiefs, together with nobility titles, are concerned, there is no prove or full evidence that the Administration offered a special and favourable treatment to a Senator who aspired to become a noble vassal of the crown; nevertheless, it seems likely and almost sure that, despite that the system was based on auctions, the procedure, under the auspices of the *Generale delle finanze*, could be controlled and directed towards the desirable end. It is hardly surprising that, in a hierarchical society based on privilege, which meant a different legal treatment, a magistrate might be treated well... As a matter of fact, the majority of Senators bought fiefs and titles.

In fact, if we try to give a deeper insight into the social characteristics of the senatorial class, in the period from 1720 until the end of the ancient regime, we find that

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

the Senators of Piedmont, already belonging to the hereditary nobility when appointed to the post, were over 60%[69]. Of these, around 22% purchased further titles and feudal possessions. 20% approximately is the percentage of Senators who were able to start an aristocratic dynasty being the first holders of an official title, like baron, count, marquess.

Approximately, a fifth of all Senators did not reach the sought after target of hereditary nobility; they, so to speak, stayed quiet at their place. As a matter of fact, the analysis of the diverse elements of the process of *ennoblement* states that there is a group of Senators who did not acquire any title of nobility, neither feudal nor honorary. About them, first of all, I think that one should resist the temptation to defining them as «bourgeois», only basing this qualification on the objective fact that they did not climb the social ladder and did not originate a real aristocratic dynasty. In the absence of an official statement of hereditary nobility, some families raised from a relative obscurity thanks to the Senator, but after two or three generations it becomes difficult to get more information about them: after a blaze of glory, which coincides with the career of the Senator, these families turned back to their anonymous, and frugal life, often in the provinces. It is possible they did not indulge in an aristocratic life-style and consequently, in the long run, they became proper "bourgeois". However, to use this definition to portray the position of the eighteenth-century Senator, it would be banal if not a real misconception. It should be remembered the Senators were formally noble, as member of the «souverain» court, and so they did not perceive themselves as "bourgeois".

Since at first sight these Senators do not seem anxious to climb the ladder, showing a minor determination in social aspirations, possibly worried about adopting a different life-style, the questions that might be asked are: how far did they aspire to becoming members of the hereditary nobility? To what extent were they ambitious and prepared to face the soaring costs of an aristocratic status? Why they were not able to make their way into the elite?

It is evident that one can just hazard a guess about their absence in the specific aristocratic rituals, with their heraldic pompous implications, with feudal allegiance and privileged status: more or less, a quarter of all Senators escaped all these ceremonies. Why? Was it a free and conscious choice, or they attempted to go up and got a shameful negative response? Were they unsuccessful in claiming to possess the requested elevated social position indispensable to obtain a title? This last hypothesis seems inconsistent, if one reflects about their position: they hardly could be seen as self-made men, being generally the issues of old respected families; their status is asserted to by the *Patenti di nomina*, full of flattering expressions about their intellectual and social qualities: it is difficult to think they were thwarted in their ambitions by the government. One most obvious reason may be the lack of money, necessary to conform to the higher standards of aristocracy, but one could give another possible explanation. We've dealt before about the methods adopted by the Administration for selling fiefs and titles, and we've

[69] E. Genta Ternavasio, 1983, 110-115.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

remarked on the procedure of the *abilitazione,* a compulsory step to be taken in some cases, in order to achieve the successful final result. This was really a delicate point: to be submitted to the *abilitazione* implied not only an extra-charge, but manifestly demonstrated that the Senator, aspirant vassal, was *not* noble; to accept this unpleasant declaration hurted his feelings, as a full confession of a lower status. Actually, the Torino State Archive's papers point out that a noticeable degree of embarrassment was common «poichè a luogo che come persone civili da più età passavano comunemente per nobili, venivano per mezzo delle dette patenti a rapportar essi medemi una prova in contrario»[70]. In other words, for this category of Senators, the equivocal and contradictory official statement on the assumption of their inability could be a *faux pas* in the complex system of the ancient regime: in that mentality, the possibility of being looked down by people whom they considered of a lower status was an appalling and unbearable event.

Also the new ennobled (roughly a fifth of all Senators) did not rise exactly from the gutter: it was not easy for a low-born to rise to a senatorial seat. One rather should say that for the major part they were the issues of provincial well off men, with medium-sized estates: after their ennoblement they formed the ironically called «Nobility of '22» (=1722), that meant the recent nobility created by Vittorio Amedeo II after the *avocazione dei feudi*[71]. It should be borne in mind that this unbiased King, after the dispossession of many ancient and powerful noble clans, did not hesitate to sell the expropriated fiefs to aspirants. So, if six-tenths of the batch had been, more or less, ancient nobles, two-tenths were newcomers. These figures may be commented in different ways: on the one hand, considering that among the Piedmontese aristocracy there were enduring barriers to full acceptance of *parvenus*, it was a good percentage, witnessing a more than discreet mobility; on the other hand, it is clearly visible the persisting prevalence of the descendants of old and good stocks.

But what is most important is that they all were, after the eighteenth century reforms, a service elite. We may say that the «reorientation» of the value system depended also on the new importance given by the King to the Senators of Piedmont. The shift to the new socially modes was clear: feudal possessions could be seen as a goal that many Senators intended to achieve, but they were perfectly aware that feudalism was by then a fiction; certainly, during the legal discussions in the Senate, no Senator was allowed to enhance or defend the role or the privileges of his fellow noble vassals. One further question that could be asked is what relation, if any, there was, in the restless and movable social turmoil, between the absenteeism of a (small) group of ancient noble families and their failure, probably due to the inability to adequate their mentality; but,

[70] ASTo, Sez. Riunite, art.797: *Regole che si sono sino al finire del 1755 osservate nell'alienazione de'feudi*.
[71] E. Genta Ternavasio, 1983, 92-93; A. Merlotti, 2000.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

all considered, the majority understood the new way: they were even unscathed by the *avocazione dei feudi* and were able to seek ways to carry on a successful family strategy.

The Senators of Piedmont were two-faced: the first was their professional face, as jurists and faithful servants of the monarchy, who had acquired an illustrious position thanks to their talents; this position remained firmly grounded in the structures of the absolute State; the second, was their social dimension: they lived next the throne, they were noble, both of ancient and of recent acquisition, and also the newcomers among them very soon were accepted and mingled together with the ancient aristocracy.

1.7. Conclusion

The Senate of Piedmont, since the years of Emanuele Filiberto (16th century) appears to be a vital organ of the State: the princes of the House of Savoy did not hesitate to delegate some of the most important functions to the members of that highly appreciated court. The Senate performed its duties with a strong team spirit, but the Dynasty successfully prevented Senators from becoming a real *corps intermédiaire*, a brake put on the absolutism: moreover, no transfer of power from the centre to the local is visible. If one intends to make comparisons with the French model, the *Cours de Parlement* were able to organize themselves as an almost independent body, which the monarchy couldn't help involving in everyday practice of government. On the contrary, to be a magistrate in the Savoyard State was no feather bed to lie on: the formation of a legal class obsessed with honor and privilege was strongly thwarted by the vertical structure of the power.

As far as Senators's social dimension is concerned, they give us a vivid portrait gallery of a class which, since the reforms of the 1720s, started steeply moving up towards the top of the ladder: in Piedmont a social change[72] was going on in the 18th century, and the Senators of Piedmont fully embodied the typical features of a service aristocracy: above all, they formed a subordinate institution at the King's disposal. The best qualities of such an aristocracy turned to the monarchy's advantage in the half of the 19th century, when the Savoys, Kings of Sardinia, ventured on the perilous journey of the *Risorgimento*, which would enable them to become kings of the unified Italy[73].

[72] E. Stumpo, 1979.
[73] E. Genta Ternavasio, 2020, 175.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

BIBLIOGRAPHY

AIMERITO Francesco, 2018, *Ricerche sul "Consiglio di Stato e dei memoriali" degli Stati sabaudi. Percorsi di equità, diritto e politica (secoli XVI-XIX)*. Giappichelli, Torino.

ANDERSON Perry, 1980, *Lo Stato assoluto*. Mondadori, Milano.

ASTUTI Guido, 1961, «Gli ordinamenti giuridici degli Stati sabaudi». In *Storia del Piemonte*, Casanova & C., Torino.

BALANI Donatella, 1978, «Studi giuridici e professioni nel Piemonte del Settecento». *In Bollettino Storico Bibliografico Subalpino*, LXXVI.

BALANI Donatella, *Toghe di Stato. La Facoltà giuridica dell'Università di Torino e le professioni nel Piemonte del Settecento*, Miscellanea di Storia italiana, serie V, n. 6, Deputazione Subalpina di storia patria, Torino.

BARBERO Alessandro, 1997, *Il mutamento di rapporti fra Torino e le altre comunità del Piemonte nel nuovo assetto del ducato sabaudo*, in *Storia di Torino*, vol. II, *Il basso medioevo e la prima età moderna (1280-1539)*, a cura di Rinaldo Comba. Einaudi, Torino, 372-41.

BARBERO Alessandro, 2002, *Il ducato di Savoia. Amministrazione e corte di uno stato franco-italiano*. Laterza, Roma.

BERGADANI Roberto, 1927, *Carlo Emanuele I*. Paravia,Torino.

BIANCHI Paola e MERLOTTI Andrea, 2017, *Storia degli Stati sabaudi (1416-1848)*. Morcelliana, Brescia.

BORRELLLI Giovanni Battista, 1681, *Editti antichi e nuovi de' Sovrani Principi della Real Casa di Savoia, delle loro Tutrici e de'Magistrati di qua' da' Monti. Raccolti d'ordine di Madama Reale Maria Giovanna Battista*. Torino.

BRIANTE Paola, *La Giudicatura nel Settecento*, in *Dal trono all'albero della libertà. Trasformazioni e continuità istituzionali nei territori del Regno di Sardegna dall'antico regime all'età rivoluzionaria*, Atti del Convegno Torino, 11-13 settembre 1989, Roma 1991 (Ministero per i beni culturali e ambientali – Ufficio centrale per i beni archivistici. Sagg, 15), I. Roma, 199-206.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

BRIEGEL Françoise e MILBACH Sylvain (dir.), 2016, *Les Sénats des Etats de Savoie. Circulations des pratiques judiciaires, des magistrats, des normes (16.e-19.e siècles) : actes du Colloque de Gèneve des 9-10 octobre 2014.* Carocci editore, Roma.

BURNIER Eugène, 1884-1885, *Histoire du Sénat de Savoie et des autres compagnies judiciaires de la même province*. Auguste Durand libraire, Chambéry-Paris.

CAIANI Ambrogio A., 2012, *Louis XVI and the French Revolution (1789-1792*). Cambridge University press, Cambridge.

CANNADINE David e Price Simon (ed.), 1987, *Rituals of Royalty, Power and Ceremonial in Traditional Society*. Cambridge University press, Cambridge.

CARRÈ Henri, 1912, *La Fin des Parlememts 1788-1790*. Hachette, Paris.

CASANA Paola, 2016, «Les collections de décisions sénatoriales set leur évolution dans le cadre du droit savant (XVIe-XIXe siècles)». In *Les Sénats des Etats de Savoie*, Carocci editore, Roma, 113-124.

CASTRONOVO Valerio, 1977, *Carlo Emanuele I,* in *Dizionario biografico degli italiani*, XX. Istituto della Enciclopedia Italiana, Roma, 326-340.

CHEVAILLER Laurent, 1953, *Essai sur le souverain Sénat de Savoie 1559-1793 : organisation, procédure, compétence*. Gardet, Annecy.

CHEVAILLER Laurent, 1978-1979, «Emmanuel-Philibert et la réorganisation de l'état savoyard (1559-1580)». In *Revue savoisienne*.

CIBRARIO Luigi, 1869, *Origini e progressi delle istituzioni della Monarchia di Savoia sino alla costituzione del Regno d'Italia*. Firenze 1869, 249

CLARETTA Gaudenzio, 1884, *La successione di Emanuele Filiberto al trono sabaudo e la prima ristorazione della casa di Savoia*. eEedi Botta, Torino.

COMBA Rinaldo e FEA Giorgio, *Identità del Piemonte fra Medioevo ed Età Moderna: atti del Convegno*. Torino, Centro studi piemontesi; Cuneo, Società studi storici di Cuneo, 2004.

COMOLI MANDRACI Vera, 1985, *La capitale per uno stato, Torino. Studi di storia urbanistica*. Celid, Torino

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

DECOURT HOLLENDER Bénédicte, 2016, *La magistrature sénatoriale du royaume de Piedmont-Sardaigne au XIXe siècle: des hommes* et *des carrières*, in *Les Sénats des Etats de Savoie*. Carocci editore, Roma, 243- 258.

DECOURT HOLLENDER Bénédicte, ORTOLANI Marc e PENNINI Andrea, 2019, «Les institutions, XVIe-XVIIIe siècles». In *Les États de Savoie, du duché à l'unité d'Italie (1416-1861)*, sous la direction de Giovanni Ferretti. Garnier, Paris, 136-146.

DEROSSI Onorato, 1786-1794, *Notizie corografiiche et istoriche degli Stati di S. M. il re di Sardegna, raccolte ed ordinate da Onorato Derossi*, 4 voll. Torino

DIONISOTTI Carlo, 1881, *Storia della magistratura piemontese*. Paravia, Torino.

DOYLE William, 1996, *Venality: the Sale of Offices in Eighteenth-Century France*. Clarendon Press, Oxford.

FEDIX P.F., 1848, *La vénalité des charges*. Chez Garnier Frères, Paris.

FERRARA Michela, *Contributo allo studio della storia della Camera dei Conti di Piemonte in età moderna (1660-1700),* tutor Prof. Claudio Rosso, a.a. 2017-2018, XXXI ciclo di dottorato. Università del Piemonte Orientale.

FRAPÉ A., 1848, *De la vénalité des offices et de la possibilité de son extinction par une nouvelle organisation*. Imprimerie et librairie générale de jurisprudence de Cosse et N. Delamotte, Paris.

GENTA TERNAVASIO Enrico, 1982, *Le abilitazioni a possedere feudi negli Stati sabaudi nel sec. XVIII*, in *Studi in onore di Ugo Gualazzini*, II. Giuffré, Milano

GENTA TERNAVASIO Enrico, 1983, *Senato e Senatori di Piemonte nel secolo XVIII*. Deputazione Subalpina di storia patria, Torino.

GENTA TERNAVASIO Enrico, 1989, «Ordres et classes dans les riforme des Rois de Sardaigne, Ducs de Savoie». In *Bibliothèque de l'Archivum Augustanum*, XXIV.

GENTA TERNAVASIO Enrico, 2001, *Sénateurs et culture juridique*, in *Les Sénats de la Maison de Savoie (Ancien régime- Restauration). I senati sabaudi tra antico regime e restaurazione*. Giappichelli, Torino.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

GENTA TERNAVASIO Enrico, 2016, «Souverain et cours souveraines. Compétitions et rencontres». In Briegel Françoise e Milbach Sylvain (dir.), *Les Sénats des Etats de Savoie*. Carocci editore, Roma, 235-242.

GENTA TERNAVASIO Enrico, 2020, «Ruling over the Ruling Class: Doctrine and Practice of Government in the Kingdom of Sardinia». In Broers Michael e Caiani Amedeo (a cura di), *A History of the European Restorations, I, Governments*, *States and Monarchy*. London.

GENTA TERNAVASIO Enrico, 2020-2021, «*Sovranità e giurisdizione tra Piemonte e Sicilia:la contea di Modica*». In *Filippo Juvarra. regista di corti e capitali. Dalla Sicilia al Piemonte all'Europa*, a cura di F. Porticelli, C. Roggero, C. Devoti, G. Mola di Nomaglio. Centri studi Piemontesi, Torino.

GORLA Gino, 1977, *I tribunali supremi degli Stati italiani tra i sec. XVI e XIX quali fattori della unificazione del diritto nello Stato e della sua uniformazione fra Stati (Disegno storico-comparativo)*. Leo s. Olschki editore, Firenze.

HANLEY Sara, 1983, *The Lit de Justice of the Kings of France: Constitutional Ideology in Legend, Ritual, and Discourse*. Princeton University Press, Princeton.

Il regno di Vittorio Amedeo II di Savoia nell'isola di Sicilia. Documenti raccolti e stampati per ordine della maestà del Re d'Italia Vittorio Emanuele II, 1862. Tipografia degli eredi Botta, Torino.

IOLI Giovanna (a cura di), 1987, *Da Carlo Emanuele I a Vittorio Amedeo II: atti del convegno nazionale di studi*. Città di S. Salvatore Monferrato, S. Salvatore Monferrato

LATTES Alessandro, 1908, *L'interinazione degli Editti. Studio di storia del diritto pubblico piemontese*. Carlo Clausen, Torino.

[RR.CC. 1723] *Leggi e Costituzioni di Sua Maestà da osservarsi nelle materie civili, e criminali né Stati della M.S., tanto di qua, che di là de' Monti, e Colli*, 1723. Per Giò Battista Valletta stampatore di sua Maestà, Torino.

[RR.CC. 1729] *Leggi e Costituzioni di S.M. Loix, et Constitutions de Sa Majesté*, 1729. Appresso Giò Battista Chais, Torino.

[RR.CC. 1770] *Leggi, e Costituzioni di S.M. Loix, et Constitutions de Sa Majesté*, 1770. Stamperia Reale, Torino.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

LEVI Giovanni, 1985, *Come Torino soffocò il Piemonte*, in Id., *Centro e periferia di uno Stato assoluto. Tre saggi su Piemonte e Liguria in età moderna*. Rosenberg e Sellier, Torino, 11-69

LO FASO DI SERRAFALCO Alberico, 1999, «Piemontesi in Sicilia con Vittorio Amedeo II. La lunga marcia del conte Maffei». In *Studi piemontesi*, XXVIII, fasc.2, 539-555.

LOMBARDI Giorgio (a cura di), 1986, *La guerra del sale, 1680-1699: rivolte e frontiere del Piemonte barocco*. Franco Angeli editore, Milano.

LOMBARDI Giorgio, 2011, *Note sul controllo degli atti del sovrano negli Stati sabaudi ad opera delle supreme magistrature nel periodo dell'assolutismo*, in Id. *Scritti scelti,* a cura di Palici di Suni Elisabetta- Sicardi Stefano. Edizioni Scientifiche Italiane, Napoli, 73-114.

MANNO Antonino, 1876, *Sulla riunione dei feudi ordinata da Vittorio Amedeo II*, G. B. Paravia. Torino.

MANNO Giuseppe, 1928, *Degli ordinamenti giudiziari del Duca di Savoia Emanuele Filiberto I*. Torino.

MASOERO Mariarosa, MAMINO Sergio e ROSSO Claudio (a cura di), 1999, *Politica e cultura nell'età di Carlo Emanuele I.*: *Torino, Parigi, Madrid. Convegno internazionale di studi, Torino, 21-24 febbraio 1995*. Olschki, Firenze.

MERLIN Pierpaolo, 1982, *Giustizia, amministrazione e politica nel Piemonte di Emanuele Filiberto. La riorganizzazione del Senato di Torino*, in «Bollettino storico bibliografico subalpino», LXXX, 35-94.

MERLIN Pierpaolo, 1991, *Tra guerre e tornei: la corte sabauda nell'età di Carlo Emanuele I*. Sei, Torino.

MERLIN Pierpaolo, 1995, *Emanuele Filiberto. Un principe tra il Piemonte e l'Europa*, Sei, Torino.

MERLOTTI Andrea e MASSABÒ RICCI Isabella, 1993, *In attesa del duca: reggenza e principi del sangue nella Torino di M.G.B.*, in *Torino 1675-1699. Strategie e conflitti del Barocco*, a cura di G. Romano. Cassa di Risparmio di Torino, Torino, 121-174.

MERLOTTI Andrea, 2000, *L'enigma delle nobiltà. Stato e ceti dirigenti nel Piemonte del Settecento*. Leo S. Olschki, Firenze.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

MERLOTTI Andrea, 2002, *Ignazio Maurizio Graneri*, in *Dizionario Biografico degli Italiani*, vol. 58. Istituto della Enciclopedia Italiana, Roma, 538-540.

MERLOTTI Andrea, 2003, «L'educazione di Vittorio Amedeo II di Savoia». In *L'institution du prince au XVIII^e siècle. Actes du VIII^e Colloque franco-italien des sociétés française et italienne d'études du XVIIIe siècle tenu à Grenoble en octobre 1999*, a cura di Luciani Gérard-Volpilhac-Auger Catherine. Institut d'Histoire de la Pensée Classique, Ferney-Voltaire, 115-122.

MERLOTTI Andrea, 2008, *Maria Giovanna Battista di Savoia Nemours, duchessa di Savoia*, in *Dizionario Biografico degli Italiani*, vol, 70. Istituto della Enciclopedia Italiana, Roma, 243-248.

METHIVIER Hubert, 1974, *L'Ancien Régime*. Presses Universitaires de la France, Paris.

MICOLO Frank, 1984, *Le Regie Costituzioni. Il cauto riformismo di una piccola corte*. Giuffrè, Milano.

MOLA DI NOMAGLIO Gustavo, 1992, *Feudalità e Blasoneria nello Stato sabaudo. La castellata di Settimo Vittone*. Ferraro, Ivrea.

MOLA DI NOMAGLIO Gustavo, 2006, *Feudi e nobiltà negli Stati dei Savoia: materiali, spunti, spigolature bibliografiche per una storia: con la cronologia feudale delle Valli di Lanzo*. Società storica delle Valli di Lanzo, Lanzo Torinese, 2006.

MONGIANO Elisa, 1990, *Il Senato di Piemonte nell'ultimo trentennio dell'Antico Regime, (1770-1789*). Fondazione Sergio Mochi Onory per la storia del diritto italiano, Roma.

MONGIANO Elisa, 2010, «L'ordinamento giudiziario degli stati sabaudi nel XVIII secolo». In *Recherches Alpes-Maritimes et contrées limitrophes regionales*, n. 196, 1-12.

MOR Carlo Guido, 1929. *Recenti studi su Emanuele Filiberto*. Leo S. Olschki editore, Firenze.

MOROZZO DELLA ROCCA Emanuele, 1887, «Lettere di V. A. II di Savoia re di Sicilia a Gaspare Maria conte di Morozzo della Rocca, suo ambasciatore a Madrid (1713-17)». In *Miscellanea di storia italiana*, XXVI. Stamperia Reale della ditta G.B. Paravia e comp., Torino.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

NICOLSON Adam, 2012, *Gentry. Six Hundred Years of a Peculiarly English Class*. Harper Collins Publishers, London.

Nuove constitutioni ducali, 1582. Appresso gli eredi del Bevilaqua, Torino.

ORESKO Robert, 2004, «Maria Giovanna Battista of Savoia-Nemours, (1644-1724). Daughter, consort and regent of Savoy». In *Queenship in Europe 1660-1815*, a cura di Clarissa Campbell Orr. Cambridge University press, Cambridge, 16-55.

PATETTA Federico, 1928, *Emanuele Filiberto. La legislazione*. Lattes, Torino

PECORELLA Corrado, 1989, *Il libro terzo degli "Ordini nuovi" di Emanuele Filiberto*. Giappichelli, Torino.

PECORELLA Corrado, 1994, *Il libro quarto degli "Ordini nuovi" di Emanuele Filiberto*. Giappichelli, Torino.

PENE VIDARI Gian Savino, 1994, «Profili delle istituzioni sabaude nei secc. XV-XVIII (da Amedeo VIII a Carlo Emanuele III)». In *Aspetti di Storia giuridica piemontese*, a cura di Claudia de Benedetti, Giappichelli, Torino, 88-89.

PENE VIDARI Gian Savino, 2001, «Sénateurs et culture juridique». In *Les Sénats de la Maison de Savoie (Ancien régime- Restauration). I senati sabaudi tra antico regime e Restaurazione*. Giappichelli, Torino, 197-215.

PENE VIDARI Gian Savino, 2002, *Giudici e processo nelle raccolte legislative sabaude. Introduzione*, in *Costituzioni Sabaude. 1723*. Giuffré, Milano, IX-XL.

PENE VIDARI Gian Savino, 2016, *I Senati sabaudi: modelli e tendenze nel corso dei secoli*, in Briegel Françoise– Milbach Sylvain (a cura di), *Les Sénats des Etats de Savoie*, Carocci editore, Roma, pp. 75-90.

PENNINI Andrea, 2019, *«DI NOSTRA CERTA SCIENZA» Le istituzioni degli Stati sabaudi tra XVI e XVII secolo,* in *POLITICA, ISTITUZIONI E DIPLOMAZIA. I ragionamenti di Giovanni Francesco Gandolfo all'alba del ducato di Vittorio Amedeo I 1631-1632*. Biblioteca di Politica.eu, I, Torino, 31-42.

PERILLAT Laurent, 2016, «*Sénat* de Savoie et juridictions d'exception Sénat de Savoie et juridictions d'exception (XVIe-XVIIIe siècles)». In Briegel Françoise e Milbach Sylvain (a cura di), *Les Sénats des Etats de Savoie*. Carocci editore, Roma, 139-152.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

PETRONIO Ugo,1972, *Il Senato di Milano. Istituzioni giuridiche ed esercizio del potere nel Ducato di Milano da Carlo V a Giuseppe II*. Giuffrè, Milano.

POLLAK Martha D., *Turin, 1564-1680. Urban design, military culture, and the creation of the absolutist capital*. Chicago University press, Chicago 1991.

QUAZZA Guido, 1957, *Le Riforme in Piemonte nella prima metà del Settecento*. Modena.

QUAZZA Romolo, 1960, *Vicende politiche e militari del Piemonte dal 1553 al 1773* in *Storia del Piemonte*, vol. I. Casa Editrice F. Casanova & C, Torino, 183-271.

RAULICH Italo, *Storia di Carlo Emanuele I, duca di Savoia*, voll. 2. Ulrico Hoepli, Milano 1896-1902.

RICOTTI Ercole, 1861-1869.*Storia della monarchia piemontese*, voll. 6. G. Barbera editore, Firenze

RICUPERATI Giuseppe, 1994, *Il Settecento*, in *Il Piemonte Sabaudo. Stato e territori in età moderna*. Utet, Torino (*Storia d'Italia*, diretta da G. Galasso, VIII/1), 431-834.

RICUPERATI Giuseppe, 2001, *Lo Stato sabaudo nel Settecento. Dal trionfo delle burocrazie alla crisi d'antico regime*. Utet, Torino.

ROSBOCH Michele, 2020, «La Corte dei conti unitaria: fra continuità e innovazioni». In *La Corte dei Conti a tutela del pubblico erario fra passato e futuro*, *Quaderno* n. 3/2020 de la «Rivista della Corte dei Conti».

ROSSO Claudio, 2008, «Le due Cristine: Madama Reale fra agiografia e leggenda nera, in IN ASSENZA DEL RE. Le reggenti nei secoli XVI-XVII (Piemonte ed Europa)», a cura di Franca Varallo, *Biblioteca dell'«Archivum Romanicum». Serie I: Storia, Letteratura, Paleografia*, vol. 354. Leo S. Olschki editore, Firenze, 362-397.

SCLOPIS Federigo, 1863, *Storia della legislazione italiana*, vol. II. Unione tipografico editrice, Torino.

SCLOPIS Federigo, 1881, *Storia dell'antica legislazione in Piemonte*, 2 voll. Giuseppe Bocca, Torino.

SEGRE Arturo e EGIDI Pietro, 1928, Emanuele Filiberto (1528-1559). Paravia, Torino.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

SOFFIETTI Isidoro (a cura di), 1969, *Verbali del Consilium cum Domino Residens del Ducato di Savoia (1512-1532)*. Giuffrè, Milano.

SOFFIETTI Isidoro e MONTANARI Carlo, 2008. *Il diritto negli Stati sabaudi: fonti ed istituzioni (secoli XV-XIX)*. Giappichelli, Torino (Storia Giuridica degli Stati Sabaudi, 14).

SOFFIETTI Isidoro, 1976, «*La costituzione della Cour de Parlement di Torino*». In *Rivista di storia del diritto italiano*, XLIX, 301-308.

SOFFIETTI Isidoro, 1990, «Le fonti del diritto nella legislazione del Regno di Sardegna nel XVIII secolo». In *Studi in memoria di Mario E. Viora*, (Biblioteca della Rivista di storia del diritto italiano, 30). Fondazione Sergio Mochi Onory, Roma, 679-689.

SOFFIETTI Isidoro, 1998, «La Restauration dans le Royaume de Sardaigne : un conflit de rémanences». In *Bibliothèque de l'École des Chartes*, CLVI 1, (*Rémanences du droit d'Ancien Régime dans la France contemporaine*, a cura di H. Bastien), 107-110.

SOFFIETTI Isidoro, 2010 (1), «Riflessioni sulle sentenze penali del senato di Piemonte (secolo XVIII)». In *Justice, juges et justiciables dans les états de la maison de savoie*, *Recherches Alpes-Maritimes et contrées limitrophes regionales*, n. 195, 48-52.

SOFFIETTI Isidoro, 2010 (2), «La giurisdizione della Camera dei conti e le fonti del diritto nei secoli XVIII-XIX. Osservazioni». In Marc Ortolani (a cura di), *Pouvoirs et territoires dans les États de Savoie* Serre éditeur, Nizza, 369-374.

SORDI Bernardo, 2020, «A proposito di 'Ricerche sul "Consiglio di Stato e dei memoriali" degli stati Sabaudi di Francesco Aimerito». In «Rivista di storia del diritto italiano», II, 200-205.

STONE Laurence e FAWTIER STONE Jeanne C., 1986, *An Open Elite? England 1540-1880*. Clarendon Press, Oxford.

STUMPO Enrico, 1979, *Finanza e stato moderno nel Piemonte del Seicento*, Istituto storico italiano per l'eta moderna e contemporanea, Roma.

SWANN Julian, 1995, «The French Nobility 1715-1789». In Scott (a cura di.), *The European Nobilities in the Seventeenth and Eighteenth Centuries*. Logman, New York- London.

Anno 7 Numero 1
Giugno 2021
ISSN 2421-4302

SYMCOX Geoffrey, 1989, *Vittorio Amedeo II. L'assolutismo sabaudo (1675-1730)*. Sei, Torino.

SYMCOX Geoffrey, 1994, «L'età di Vittorio Amedeo II». In *Il Piemonte Sabaudo. Stato e territori in età moderna*. Utet, Torino (*Storia d'Italia*, diretta da G. Galasso, VIII/1), 271-438.

TESAURO Antonino, 1590, «Prefatio». In *Novae decisiones Sacri Senatus pedemontani*. Torino.

VARALLO Franca, 1991, *Cerimonie al tempo di Carlo Emanuele 1. di Savoia*. Slaktine, Ginevra

VAN CAENEGEM Raoul Charles, 1991, *Law in the Medieval Word*, in Id., *Legal History. A European perspective*. The Hambledon Press, London.

VIORA Mario, 1928 (ristampa anastatica nel 1996), *Le Costituzioni piemontesi (Leggi e costituzioni di S. M. il Re di Sardegna), 1723-1729-1770, I, Storia esterna della compilazione*. F.lli Bocca, Torino.

WOOLF Stuart J., 1973, «Dal primo Settecento all'Unità». In *Storia d'Italia*, vol. VIII, Einaudi, Torino.