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Abstracts

ANTONIO PADOA SCHIOPPA, Processi di libertà nell'Italia altomedievale

In the set of about a half thousand placita still existing for Lombard, Carolingian and postcarolingian Italy (VIIth-XIth century), we have 21 cases dealing with the personal status of men claiming to be free, or called to the court by a plaintiff asserting their condition of serfs: three among them are lombard placita, nine carolingian, nine postcarolingian. The article aims at focusing the ways and the procedure adopted by the public Courts of Justice of the Italian kingdom in deciding such cases. Very often the serfdom is confirmed by the judges, but in some significant cases the Court acknowledges the arguments and proofs put forward by the men claiming their status of free, or adopts a solution not fully corresponding to the plaintiff's request. The social status of the litigants and of the judges, the judicial decisions about the charge of the proof, the role played by oral and written evidence, the recourse to judicial oaths, the relationship with the edicts and other written texts of law are all elements helping to understand how in fact the public justice worked in these centuries.