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Between Medicine and Law: The Formation of Labour as a Juridical Object at the University of Pavia (1877-1943)**

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ABSTRACT: The formation of labour-related knowledge at the University of Pavia between the late nineteenth and early twentieth centuries is examined with particular attention to the processes through which labour was progressively constructed as a juridical object within academic contexts. Labour entered university teaching through hygiene and forensic medicine before being translated into juridical categories, highlighting the role of academic institutions in this process.

KEYWORDS: University of Pavia, Legal history, Juridification.

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1. *Introduction*

The emergence of labour law as an autonomous juridical field has been widely examined within legal history through the evolution of legal doctrines, social legislation and political reform[1]. Historiographical approaches have often focused on the moment in which labour became explicitly juridified, tracing the consolidation of legal categories through legislative change or political negotiation. While these perspectives have contributed significantly to understanding the development of modern social rights, they leave scope for further investigation of the academic environments in which questions related to work first entered university teaching. Before labour acquired a stable place within legal curricula, it circulated through other disciplinary contexts, particularly within medical faculties where issues of bodily capacity, occupational risk and social hygiene were addressed through scientific frameworks rather than juridical doctrines. This article shifts the focus from doctrinal consolidation to the earlier processes through which labour was progressively constructed as a juridical object within academic contexts.

Recent scholarship in legal history and the history of universities has emphasised the importance of examining disciplines not only through their doctrinal consolidation but also through the institutional practices that preceded their formal recognition[2]. From this perspective, labour can be approached as an emerging juridical problem that gradually took shape through teaching programmes, faculty debates and administrative decisions rather than as a fully articulated legal category. The university thus appears not merely as a space of transmission but as a site in which new forms of knowledge were negotiated and stabilised through everyday academic practices. This methodological shift

[1] G. Cazzetta, *Scienza giuridica e trasformazioni sociali. Diritto e lavoro in Italia tra Otto e Novecento*, Milano 2007; A. Padoa Schioppa, *Storia del diritto in Europa. Dal Medioevo all'età contemporanea*, Bologna 2005. For specialist studies of the legal construction of labour, see F. Rossi, *The Changing Structure of Labour Law: Judiciary Courts and Termination of Employment Contract in the Italian Liberal Age (1865–1914)*, in «Journal on European History of Law», 1 (2018), pp. 72–79; Id., *Una legalità sempre più attenuata. L'intervento delle associazioni sindacali nelle controversie di lavoro individuale (1928–1940)*, in «Historia et ius», 23 (2023), paper 20; Id., *Faticare nell'ombra. Una storia giuridica del lavoro femminile in Italia tra età liberale e fascismo*, in «Italian Review of Legal History», 10/1 (2024), pp. 463–508. These studies examine the development of labour law through legislation, doctrine and judicial practice. The present article addresses a complementary institutional question: how labour-related knowledge acquired a place within university teaching. The consolidation of an autonomous academic discipline must therefore be distinguished from the earlier development of legal categories concerning employment.

[2] P. Grossi, *Scienza giuridica italiana. Un profilo storico (1860-1950)*, Milano 2000.

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allows us to reconsider the origins of labour-related knowledge by focusing on the processes through which academic disciplines interacted and overlapped[3]. Although this article focuses on a single institutional setting, the dynamics observed at the University of Pavia point to broader processes through which labour-related questions circulated between medical and legal fields before the consolidation of labour law as an autonomous discipline, within broader processes of circulation across academic settings.

The University of Pavia provides a particularly revealing setting for such an analysis. With a long-established medical faculty and a rich documentary archive, it offers a detailed view of how teaching structures adapted to the social transformations associated with industrialisation and the growing authority of expert knowledge. Faculty minutes, professors' personal files and printed teaching materials make it possible to reconstruct how themes related to labour entered academic discourse through hygiene, forensic medicine and later occupational pathology. Rather than presenting Pavia as an exceptional case, this article treats it as a representative institutional environment in which broader European dynamics can be observed through local academic practices[4]. Its heuristic value lies in the density of its documentary record and in its capacity to illuminate these dynamics, particularly in relation to the circulation of medico-legal categories across different institutional contexts[5].

Within this institutional context, labour did not initially appear as a juridical object but as a question of health, environment and bodily function. Hygienists framed professional activity within discussions of urban conditions, demographic change and preventive medicine, situating the working body within a broader project of social governance. These early approaches did not aim to construct a legal theory of labour; instead, they provided a scientific vocabulary through which occupational environments could be observed and classified.

[3] M.G. Losano, *Las teorías del solidarismo y su influencia en la formulación de los derechos fundamentales económicos*, in E.A.P. Cunha Boiteux; F. Sorto; M.G. Losano (eds.), *Solidaridad y derechos humanos en tiempos de crisis*, Madrid 2011, pp. 37–65, p. 41.

[4] R. Crotti, *L'istituzione dello Studium generale*, in D. Mantovani (cur.), *Almum Studium Papiense. Storia dell'Università di Pavia*, Milano 2012, pp. 237–256, p. 241; E. Signori, *L'università del regime: il caso di Pavia*, in D. Mantovani (cur.), *Almum Studium Papiense. Storia dell'Università di Pavia*, Milano 2012, pp. 31–50, p. 33; A. Padoa Schioppa, *La scuola di Pavia. Alle fonti della nuova scienza giuridica europea*, in D. Mantovani (cur.), *Almum Studium Papiense. Storia dell'Università di Pavia*, Milano 2012, pp. 143–162, p. 150.

[5] Archivio Storico dell'Università di Pavia (ASUPv), Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, regg. 597 (1882–1885), 2359 (1886–1889), 592 (1921–1926), 3431 (1926–1934), 3440 (1934–1944); fascicoli docente: Sormani, Levy, Maggi, Martinotti, Tamassia, Filomusi Guelfi, Lattes, Galeazzi; Facoltà di Scienze Politiche, Verbali del Consiglio di Facoltà, reg. 1690 (1926–1937).

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The gradual expansion of hygienic teaching thus constituted one of the first academic spaces in which labour-related concerns gained visibility. These categories would later become central to the juridical evaluation of labour, particularly in relation to risk, responsibility and capacity[6].

The development of forensic medicine introduced a further layer of complexity to this process. By translating physiological observation into categories of responsibility and capacity, *medicina legale* created a hybrid disciplinary space that connected medical expertise with juridical reasoning. Courses dealing with evaluation, certification and expert testimony reflected the growing involvement of physicians in administrative and legal contexts, demonstrating how academic teaching responded to new institutional demands. Through these practices, the university functioned as a site where labour-related problems were articulated indirectly, long before they were stabilised as an independent juridical discipline. In this sense, forensic medicine emerged as a key site in the gradual juridification of labour-related questions within the university[7].

This article therefore examines how labour-related knowledge emerged within the academic framework of the University of Pavia before the consolidation of labour law as a distinct field. By analysing teaching practices, faculty deliberations and specialised manuals, it explores the role of hygiene, forensic medicine and occupational pathology in shaping an intellectual environment in which the working body became an object of scientific observation and institutional evaluation. The analysis foregrounds the role of academic institutions as key sites in the early juridification of labour and as spaces of pre-disciplinary formation, in which labour-related knowledge took shape through institutional practices before acquiring full juridical articulation within legal doctrine[8].

2. *The Academic Formation of Work-related Knowledge*

During the final decades of the nineteenth century, the Faculty of Medicine at the University of Pavia provided one of the earliest academic settings in which work-related questions began to acquire institutional visibility. From 1877 onwards, *medicina legale* appears recurrently in faculty records, indicating its

[6] M. Freeden, *The New Liberalism. An Ideology of Social Reform*, Oxford 1978; D. Moggach; P.L. Browne, *The Social Question and the Democratic Revolution: Marx and the Legacy of 1848*, Ottawa 2000; L. Cerasi (cur.), *Le libertà del lavoro. Storia, diritto, società*, Palermo 2016.

[7] C. Ghisalberti, *La codificazione del diritto in Italia*, Milano 1991.

[8] The article forms part of a broader research project on the academic construction of labour law at the University of Pavia. While other studies examine the role of legal manuals and the institutionalisation of labour law teaching, the present contribution focuses on the medical knowledge that shaped early academic understandings of labour and working conditions.

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stable integration into the institutional framework of the Faculty of Medicine[9]. This section examines how the instruction in hygiene (*insegnamento dell'igiene*) framed work primarily as a problem of public health and social environment rather than as a juridical category. By analysing teaching programmes, faculty deliberations and the broader scientific context of medical education, it becomes possible to observe how work entered the university curriculum through preventive science and laboratory practice. The following subsections examine this development by first analysing how *igiene delle professioni* framed professional activity as a matter of exposure and environment, and then by considering how laboratory practices contributed to stabilising work as an object of scientific inquiry within the medical faculty.

2.1. *Scientific Approaches prior to Juridical Conceptualisation*

During the final decades of the nineteenth century, work-related issues entered the academic environment of the University of Pavia primarily through the expanding field of hygiene. Rather than emerging as juridical questions, concerns connected to work appeared within medical teaching as part of broader reflections on public health, urban environments and the regulation of collective life. Hygienists increasingly framed labour within discussions of exposure, risk and environmental conditions, situating the working body within a scientific discourse focused on prevention and social governance. Within this

[9] Archivio Storico dell'Università di Pavia (ASUPv), Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, *Quadro dimostrante il modo di formare le sotto-commissioni per gli esami di Laurea in Medicina e Chirurgia* (1877), con menzione di medicina legale; reg. 597 (7 novembre 1882–23 novembre 1885); reg. 2359 (14 gennaio 1886–6 luglio 1889). Faculty minutes of the University of Pavia show that, from the late 1870s onwards, medicina legale was stably integrated into the institutional framework of the Faculty of Medicine, primarily through teaching organisation, examination procedures and the composition of examination boards. The verbali from 1877 to 1879 document its regular inclusion within degree examinations and final assessments, where medico-legal knowledge appears alongside clinical and pathological subjects, without being discussed as an autonomous disciplinary field. In the subsequent minutes of the Faculty of Medicine and Surgery (1880–1882), references to forensic medicine become more explicit, particularly in relation to examinations for licences and laurea, the appointment of commissions and the evaluation of professional competence. These records reveal a form of institutional normalisation of medico-legal teaching, in which forensic knowledge functioned as a transversal component of medical training and as a preparatory expertise for administrative and judicial contexts, rather than as an object of doctrinal debate.

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framework, labour was not conceptualised as a legal category but as a physiological reality embedded in the management of collective health[10].

The teaching activity of Giuseppe Sormani illustrates this development particularly well. His courses on public hygiene extended beyond clinical practice to include themes that teaching programmes of the period identified under the heading *igiene delle professioni*, allowing work to enter the medical curriculum through an environmental and social perspective. Topics such as sanitation, demographic statistics and public health legislation encouraged physicians to analyse how professional activity affected bodily resilience and collective welfare, transforming the study of labour into a question of social medicine rather than juridical doctrine. Through this pedagogical approach, the university became a space where labour was first observed as a biological and demographic phenomenon before being articulated in legal language[11]. Faculty minutes documenting the organisation of the instruction in hygiene reveal repeated discussions about laboratory resources, course structures and the institutional importance of hygiene within the Faculty of Medicine. These debates, often framed in technical or administrative terms, indicate how curricular decisions gradually expanded the scope of medical disciplines and opened new areas of inquiry related to occupational environments. The expansion of hygienic laboratories and the reorganisation of courses suggest that the university perceived the teaching of hygiene as a strategic discipline capable of responding to contemporary transformations associated with industrialisation, reinforcing its role as a mediator between scientific observation and emerging social concerns[12].

In this setting, the working population appeared primarily as an object of preventive observation. Hygienists addressed occupational environments alongside factors such as urban density, housing conditions or water quality,

[10] M. Freeden, *The New Liberalism. An Ideology of Social Reform*, Oxford 1978; D. Moggach; P.L. Browne, *The Social Question and the Democratic Revolution: Marx and the Legacy of 1848*, Ottawa 2000.

[11] Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Sormani, Giuseppe. Professor of hygiene at the University of Pavia during the late nineteenth century, Sormani played a central role in consolidating public hygiene as a scientific and teaching discipline. His activity extended beyond clinical instruction to include statistical observation, sanitary administration and public health legislation. The documentation preserved in his personnel file reflects the growing institutional importance of hygiene within medical education, particularly in relation to laboratory organisation and preventive teaching. His courses contributed to framing professional environments within a broader medical discourse on social regulation and collective health.

[12] Archivio Storico dell'Università di Pavia (ASUPv), Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 597 (7 November 1882–23 November 1885); reg. 2359 (14 January 1886–6 July 1889).

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reflecting a broader medical effort to understand disease as a social phenomenon. Work therefore entered academic discourse not through explicit theoretical programmes but through the practical logic of prevention, statistical observation and institutional adaptation. This gradual incorporation of professional environments into hygienic teaching laid the foundations for later developments in forensic medicine and occupational pathology, preparing the transition towards disciplines in which the body would be evaluated in relation to juridical and administrative norms.

2.2. *Teaching Practices and Academic Treatment of Occupational Conditions*

The institutional consolidation of hygienic teaching at the University of Pavia cannot be understood without considering the broader scientific environment of the Faculty of Medicine. Figures such as Federico Levy contributed to the expansion of laboratory-based approaches that emphasised bacteriology, experimental methods and preventive practices[13]. By extending experimental observation beyond the clinical setting, these developments reinforced the idea that occupational environments could be analysed through measurable scientific parameters, linking clinical observation with emerging forms of public health administration. Faculty discussions concerning laboratory equipment and teaching hours, recorded in academic minutes, reveal how these changes were negotiated within the institutional framework of the university[14].

At the same time, the presence of pathologists and physiologists provided the medical faculty with conceptual and technical tools to analyse bodily damage and functional capacity in ways that could later be mobilised for evaluative and normative purposes. Professors such as Luigi Maggi and Carlo Martinotti, although not directly concerned with work as a distinct object of academic analysis, contributed to the scientific infrastructure within which later debates on

[13] Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Levy, Federico. Hygienist and bacteriologist associated with the consolidation of laboratory-based teaching within the Faculty of Medicine at Pavia, Levy contributed to the expansion of preventive science through experimental and microbiological approaches. His academic activity reflects the growing institutional importance of bacteriology in medical education and its connection with public health administration. The documentation preserved in his personnel file illustrates sustained involvement in teaching organisation and practical instruction, highlighting the role of scientific infrastructure in shaping new forms of hygienic knowledge during the late nineteenth and early twentieth centuries.

[14] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 2359 (14 January 1886–6 July 1889); reg. 592 (18 November 1921–16 July 1926).

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occupational disease would become possible[15]. Their relevance lies in the stabilisation of teaching practices and scientific methods that later allowed occupational environments to be framed as legitimate objects of medical inquiry. Their teaching emphasised the measurable aspects of bodily function and pathological alteration, reinforcing a medical culture attentive to physical performance, fatigue and adaptation. Faculty deliberations on the reorganisation of scientific courses demonstrate that these disciplines formed a shared intellectual environment through which hygienists could extend their inquiries into the social sphere[16].

The emergence of work-related themes within hygiene depended not only on individual initiatives but also on institutional dynamics. Requests for laboratory expansion, adjustments to teaching programmes and the gradual integration of preventive science into the curriculum suggest that the university actively shaped the direction of medical inquiry. In this setting, work was treated as one dimension of a broader transformation marked by the increasing medicalisation of social environments. Yet these developments remained largely confined to the Faculty of Medicine: legal education at Pavia continued to privilege established doctrinal fields, revealing a disciplinary asymmetry that would become explicit only with the later mediation of forensic medicine[17].

The hygienic instruction phase examined here thus represents a crucial institutional moment in which labour became legible within academic teaching without yet acquiring juridical autonomy. By framing occupational environments within the language of public health, hygienists contributed to the

[15] Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Maggi, Luigi. Professor linked to pathological anatomy and experimental medicine at Pavia, Maggi contributed to consolidating laboratory-based teaching within the medical faculty. His activity reflected the growing emphasis on measurable physiological processes and pathological alteration as central tools of scientific inquiry. The documentation in his personnel file shows sustained involvement in teaching organisation and practical instruction, illustrating how experimental disciplines provided the epistemic background for later discussions on occupational disease and bodily performance. ASUPv, fascicolo docente, Martinotti, Carlo. Physiologist associated with experimental research and laboratory practice, Martinotti played a role in reinforcing the scientific infrastructure of the Faculty of Medicine during a phase of curricular transformation. His teaching emphasised functional observation, fatigue and adaptation, contributing indirectly to a medical culture attentive to bodily capacity. The archival material highlights his participation in academic activities that strengthened the experimental orientation of medical education at Pavia.

[16] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 592 (18 November 1921–16 July 1926); reg. 3431 (6 November 1926–8 May 1934).

[17] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3431 (6 November 1926–8 May 1934); reg. 3440 (18 June 1934–19 January 1944).

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formation of categories — risk, exposure and functional capacity — that would later support more specialised forms of evaluation. It was through the subsequent development of forensic medicine, operating at the boundary between faculties, that these categories began to be translated into normative terms within the university setting.

3. Medicina legale*: Between Medicine and Law*

If the teaching of hygiene introduced work-related questions into the academic sphere through the language of public health and environmental regulation, the growing role of forensic medicine at the University of Pavia marked a different phase, one in which medical knowledge began to intersect more directly with juridical reasoning. This transformation did not take the form of a sudden disciplinary shift, nor did it immediately produce a distinct field devoted to work. Rather, it unfolded gradually through teaching practices, institutional negotiations and the circulation of expertise between faculties. Forensic medicine (*medicina legale* in the Italian academic context) occupied a particularly complex position within the university structure. Formally located within the Faculty of Medicine, it nonetheless operated at the boundary with the Faculty of Law, creating an academic space in which the evaluation of the body acquired explicit normative implications[18].

[18] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 592 (18 November 1921–16 July 1926); reg. 3431 (6 November 1926–8 May 1934). On the historical relationship between medical expertise and juridical reasoning, see M. Boari, *Prospettive di mediazione tra sapere medico e sapere giuridico nell'opera di Paolo Zacchia*, in A. Pastore - G. Rossi (curr.), *Paolo Zacchia. Alle origini della medicina legale, 1584-1659*, Milano 2008, pp. 91–99; M.G. di Renzo Villata, *Paolo Zacchia, la medicina come sapere globale e la 'sfida' al diritto*, ibid., pp. 9–49, especially pp. 23–24. Boari examines the mediation between medical and legal knowledge, while di Renzo Villata highlights the parallel consideration of medical and juridical questions in Zacchia's work and the physician's contribution to the administration of justice. These studies provide a historical perspective on the mediating function of forensic medicine; they do not establish a direct line of transmission to the teaching practices examined here.

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[19]

3.1. Medicina legale *as an Inter-Faculty Discipline*

The institutional role of *medicina legale* at Pavia can be understood through the teaching activity of figures such as Arrigo Tamassia, whose courses occupied a position at the intersection between medical training and juridical culture. Rather than limiting his teaching to clinical or diagnostic questions, Tamassia addressed themes related to criminal responsibility, civil capacity and medico-legal doctrine, highlighting the necessity of translating physiological observation into categories intelligible to legal reasoning. In this context, the body ceased to be viewed exclusively as an object of medical investigation and became instead a site of evaluation shaped by normative expectations and institutional procedures[20].

[19] A. Franchini, *Medicina legale*, Torino 1979, p. 7; reproduction of an engraving from M. Alberti, *Systema Jurisprudentiae Medicae*, Francofurti ad Moenum 1725. The caption reads: «Una perizia medico-legale in tema di infanticidio è trasmessa dal Collegio medico a quello criminale. Stampa riprodotta da una edizione del 1725 del *Systema Jurisprudentiae Medicae* di Michele Alberti».

[20] Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Tamassia, Arrigo. Professor of forensic medicine whose teaching operated at the boundary between medical science and juridical culture, Tamassia contributed to consolidating medicina legale as an inter-faculty discipline. His academic activity reflects the increasing relevance of medico-legal expertise in areas such as responsibility, capacity and expert evaluation. The documentation

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This inter-faculty dimension was reflected not only in the content of the courses but also in their academic placement. The presence of *medicina legale* within both medical and juridical curricula illustrates how the University of Pavia fostered an intellectual environment in which disciplinary boundaries remained permeable and negotiation between fields was structurally embedded in teaching practice. Faculty deliberations concerning the organisation of courses frequently addressed practical matters — the distribution of teaching hours, curricular placement or ministerial approval — yet these discussions reveal the gradual consolidation of a hybrid academic space in which medical expertise acquired explicit juridical relevance[21]. A brief but significant episode illustrates this inter-faculty configuration. In 1885, the examination commission for *medicina legale* included medical professors such as Pellacani and Rampoldi, as well as Mantovani, a jurist affiliated with the Faculty of Law. Pellacani himself held an official appointment in forensic medicine at the Faculty of Medicine and Surgery while also teaching the same subject within the Faculty of Law, making his participation emblematic of the institutional overlap between the two faculties. In this context, the presence of a jurist trained in international law alongside medical specialists suggests that the evaluation of bodily conditions already involved forms of normative reasoning[22]. Forensic practice thus took shape as a shared academic responsibility within inter-faculty settings, rather than as a

preserved in his personnel file highlights his role in shaping teaching programmes that connected physiological observation with normative reasoning, reinforcing the institutional importance of forensic medicine within the university curriculum.

[21] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3431 (6 November 1926–8 May 1934); reg. 3440 (18 June 1934–19 January 1944).

[22] Archivio Storico dell'Università di Pavia (ASUPv), fascicoli docente, Domenico Mantovani Orsetti; Paolo Pellacani; Roberto Rampoldi. Mantovani Orsetti, jurist affiliated with the Faculty of Law, taught diritto internazionale and diritto internazionale e marittimo in the years 1859–1861, according to the archival database and his handwritten stato di servizio. Born in Treviso in 1821 and trained at the University of Padua, his academic trajectory reflects the flexible regime of nineteenth-century university appointments, dependent on ministerial authorisation and the status of libero insegnante. Pellacani held an official appointment in forensic medicine at the Faculty of Medicine and Surgery and taught the same subject at the Faculty of Law during the academic years 1883–1885. Rampoldi (1850–1926), long-standing professor at the Faculty of Medicine and Surgery, taught forensic medicine and ophthalmology from the late 1870s to the early 1920s and held significant institutional roles within the university.

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purely medical activity, reflecting the permeability of disciplinary boundaries within the late nineteenth-century university[23].

The hybrid nature of forensic medicine also mirrors broader transformations within European universities during the late nineteenth century, when the authority of scientific expertise began to extend into legal and administrative domains. As courts and public institutions increasingly relied on medical evaluation, universities were compelled to incorporate forms of teaching that prepared students to operate within these expanding frameworks of expert knowledge. At Pavia, the evolution of *medicina legale* did not result from a single reform but emerged through successive adjustments to programmes and teaching responsibilities, reflecting the pragmatic character of institutional change[24]. At this stage, work did not yet appear as an autonomous object of academic inquiry. Instead, the methodological tools developed through forensic medicine — evaluation, certification and the interpretation of bodily conditions — contributed to the formation of an academic vocabulary concerned with injury, capacity and functional impairment. Rather than isolating work as a separate subject, faculty debates focused on the authority of medical expertise and on the institutional mechanisms through which bodily integrity and functional ability were examined.

One of the clearest expressions of these dynamics can be found in Lorenzo Borri's *Nozioni elementari di medicina legale* (1900), explicitly addressed to law students and practising jurists, which illustrates an early stage of medico-legal mediation in which bodily conditions were assessed primarily in relation to civil status and criminal responsibility. The manual devotes extensive attention to marriage, filiation, legal capacity and succession, alongside penal questions such as homicide, abortion, sexual offences and bodily injury. Particular emphasis is placed on psychological evaluation and imputability, including detailed classifications of psychopathologies. Although the notions of illness and invalidity appear within the text, they are not developed as autonomous social categories but remain subordinated to specific civil or penal issues. The absence of any systematic reference to work or occupational risk confirms that Borri's manual does not articulate a labour-related framework; rather, it establishes a medico-legal vocabulary centred on capacity and responsibility that would only later be reoriented toward labour and insurance contexts[25].

[23] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 597 (7 November 1882–23 November 1885), session of 1885 (commission for the examination in medicina legale: Pellacani; Rampoldi; Mantovani).

[24] C. Ghisalberti, *La codificazione del diritto in Italia*…, cit.

[25] L. Borri, *Nozioni elementari di medicina legale ad uso degli studenti di giurisprudenza e dei giuristi*, Milano 1900, spec. pp. 520–540 on illness, invalidity and their relation to penal categories.

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3.2. *The Emergence of Labour-Related Problems within Medicina legale*

The expansion of *medicina legale* during the early twentieth century coincided with a growing interest in medical evaluation beyond its traditional role in judicial proceedings. Professors such as Gioele Filomusi Guelfi and Leone Lattes played a significant role in this transformation by emphasising the importance of medico-legal expertise in the analysis of bodily damage, functional limitation and individual responsibility. In doing so, their teaching contributed to repositioning *medicina legale* as a form of applied knowledge increasingly oriented toward institutional needs rather than solely toward judicial decision-making[26]. As a result, medico-legal expertise began to extend into areas connected to insurance systems and administrative governance, illustrating the growing entanglement between medicine and the modern state. Courses dealing with medico-legal doctrine introduced students to procedures of certification, expert testimony and institutional determination, showing how scientific knowledge could be mobilised in support of juridical and bureaucratic functions. Through these practices, a methodological vocabulary centred on measurement, responsibility and functional capacity took shape within university teaching, reinforcing the evaluative role of medical expertise in institutional contexts[27].

Faculty minutes (*verbali accademici*) documenting debates on medico-legal teaching reveal an increasing institutional attention to evaluative practices and the organisation of courses dealing with expert knowledge. Discussions concerning curricular placement, teaching responsibilities and ministerial approval show how the university gradually adapted to new expectations regarding

[26] Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Filomusi Guelfi, Gioele. Professor of forensic medicine whose academic activity illustrates the consolidation of medico-legal teaching as an inter-faculty discipline at Pavia. His courses addressed themes related to responsibility, expert evaluation and medico-legal doctrine, contributing to the institutional recognition of medical expertise within juridical contexts. The documentation preserved in his personnel file highlights his involvement in teaching organisation and ministerial procedures, reflecting the growing importance of forensic medicine within the university structure. Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Lattes, Leone. According to the personnel file, Lattes, born in Turin in 1887, held a long-standing appointment in medicina legale e delle assicurazioni at the Faculty of Medicine and Surgery, where he served as professore ordinario from the mid-1930s onwards, while simultaneously teaching medicina legale at the Faculty of Law as professore incaricato between 1936–1938 and again from 1949 to 1952. His academic career illustrates the institutional consolidation of forensic medicine and its inter-faculty circulation between medical and juridical training in the mid-twentieth century.

[27] D.R. Peretti-Griva, *Infortuni del lavoro e malattie professionali nella nuova legislazione*, Milano 1937.

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professional expertise[28]. Leone Lattes, in particular, contributed to consolidating a methodological framework focused on the assessment of bodily integrity and functional capacity, reinforcing the centrality of forensic medicine within both medical and juridical training[29].

Despite this reorientation, a predominantly penal and forensic horizon continued to structure much late nineteenth-century medico-legal knowledge, a persistence that becomes particularly visible in Carlo Raimondi's *Rassegna di medicina legale sperimentale e pratica* (1886). Conceived as a panoramic review of recent scientific literature, the text surveys developments in traumatology, toxicology, infanticide, sexual offences, psychiatric expertise and emerging technological risks, such as those associated with electricity. Despite its emphasis on experimental methods and practical application, labour does not appear as an autonomous analytical category, nor is functional incapacity for work addressed in a systematic manner. The *Rassegna* thus offers a valuable snapshot of the scope and limits of medico-legal knowledge in the 1880s, confirming that, at this stage, forensic medicine remained largely structured around criminal adjudication and individual bodily harm rather than occupational evaluation[30].

A parallel trajectory, operating at a different analytical level, emerges in Cesare Lombroso's article «La nuova scuola penale» (1910), published in «Archivio di antropologia criminale, psichiatria e medicina legale». Rather than addressing labour directly, Lombroso articulates a positivist penal framework grounded in anthropological, psychiatric and medico-legal expertise. The emphasis on empirical observation of the individual offender, biological and psychological determinants, and scientific classification reinforces the centrality of medical expertise in the attribution of responsibility. Although the text does not engage explicitly with work or occupational risk, it contributes to the broader cultural matrix in which medical knowledge becomes a key instrument of social regulation. In this sense, Lombroso's intervention helps to explain how medico-legal categories of normality, deviance and capacity were consolidated at the turn of the century, shaping later approaches to responsibility, aptitude and exclusion that would also affect the world of labour[31]. Lombroso's contribution is therefore invoked here not as a precursor of labour-related regulation, but as

[28] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3431 (6 November 1926–8 May 1934); reg. 3440 (18 June 1934–19 January 1944).

[29] Archivio Storico dell'Università di Pavia (ASUPv), fascicolo docente, Lattes, Leone.

[30] C. Raimondi, *Rassegna di medicina legale sperimentale e pratica*, Milano 1886 (estratto da «Annali Universali», Parte Rivista, vol. 277), on contemporary experimental and practical forensic medicine, with a predominant focus on penal issues.

[31] C. Lombroso, *La nuova scuola penale*, in «Archivio di antropologia criminale, psichiatria e medicina legale», XXXI (1910).

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an expression of the broader cultural process through which medical expertise became a central instrument of social classification and governance.

The institutional consolidation of medico-legal knowledge is clearly reflected in the *Manuale di medicina legale* directed by Mario Carrara (1937). Unlike the nineteenth-century manuals examined above, this work displays a fully systematised academic architecture, reflecting the maturity of the discipline within the university and its integration into state structures. The introductory pages emphasise the scientific and legislative relevance of medico-legal expertise, highlighting its role in shaping normative frameworks and informing legal practice.

Carrara explicitly reflects on the relationship between medico-legal knowledge and legislative development, framing forensic medicine as a discipline whose criteria progressively penetrate positive law rather than merely applying it.

> Soltanto in epoche più recenti la Medicina Legale, da dottrina prevalentemente pratica, è riuscita a penetrare nelle legislazioni, portando criteri nuovi e più aderenti alla realtà biologica. […] L'introduzione del criterio antropologico ha contribuito a modificare profondamente la valutazione giuridica di molti istituti, imponendo al legislatore di tener conto delle condizioni concrete dell'individuo[32].

Beyond its normative impact, Carrara also emphasises the didactic role of forensic medicine, explicitly addressing its formative influence within university teaching and the construction of a specific medico-legal mentality.

> Poiché questo libro è destinato specialmente alle mani dei giovani studenti, non dev'essere dimenticata la funzione che la Medicina Legale ha nell'insegnamento. […] Essa non può limitarsi a fornire nozioni isolate o descrittive, ma deve esercitare una superiore e più generale influenza didattica, educando una particolare mentalità medico-legale[33].

Particularly significant is the section devoted to personal injury and functional impairment, where accidents connected with industrial activity and machinery are explicitly addressed. The evaluation of bodily damage is no longer confined to individual acts of violence but extends to injuries arising from modern productive environments. The medico-legal assessment of incapacity thus operates within an already consolidated indemnificatory logic, closely linked to insurance mechanisms and state-regulated compensation systems. Although not conceived as a treatise on occupational medicine, Carrara's manual reveals a discipline fully equipped with the technical instruments required to quantify

[32] M. Carrara (dir.), *Manuale di medicina legale*, I, Introduzione, § III, Torino 1937, pp. 7–10.

[33] M. Carrara, *Manuale di*…, cit., p. 11.

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damage, determine residual capacity and translate bodily impairment into juridical categories. In this sense, it represents a moment of doctrinal and institutional maturity in the medico-legal genealogy of labour protection[34].

By the early 1940s, medico-legal knowledge had entered a phase of full academic normalisation, as reflected in Giuseppe Formaggio's *Appunti di medicina legale* (1942–1943), produced within a clearly defined teaching context. Unlike the comprehensive manuals of the previous decade, these lecture notes reflect a didactic environment in which medico-legal categories were already stabilised and transmitted as consolidated knowledge. The material systematises core notions concerning bodily injury, functional impairment and expert evaluation, indicating that the assessment of damage and incapacity had become routine components of medico-legal instruction. Particularly revealing is the integration of medico-legal evaluation into standard curricular practice during the early 1940s, suggesting that questions of injury, impairment and compensation were no longer exceptional or marginal topics. Although the *Appunti* do not articulate a distinct theory of labour or occupational disease, they testify to the full incorporation of functional and indemnificatory criteria into everyday teaching. In this sense, Formaggio's notes document the final stage of a process through which medico-legal expertise became an ordinary academic and administrative instrument, fully aligned with the requirements of a state-regulated system of bodily assessment[35].

3.3. *Medico-legal knowledge in a broader European context*

The developments observed at the University of Pavia should not be interpreted as an isolated institutional trajectory, but rather as part of a broader European process in which medico-legal knowledge played a crucial role in the gradual juridification of labour. Throughout the late nineteenth and early twentieth centuries, the categories through which bodily capacity, injury and functional impairment were assessed circulated across national contexts, contributing to the formation of a shared medico-legal vocabulary that extended beyond individual university settings.

A particularly significant reference in this respect is the medico-legal framework developed by Johann Ludwig Casper, which introduced an explicit connection between bodily impairment and the capacity to work. By defining incapacity in relation to professional activity and distinguishing between total and

[34] M. Carrara, *Manuale di*…, cit., p. 22.

[35] G. Formaggio, *Appunti di medicina legale*, appunti di lezione, Università di Pavia, a.a. 1942–1943.

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partial incapacity, Casper articulated a functional approach that would later prove central to the evaluation of occupational injury and compensation. Although developed within the German context, this framework was widely disseminated, becoming part of a broader European discourse on medico-legal evaluation and influencing subsequent approaches to bodily assessment within administrative and insurance systems. In this sense, the German medico-legal tradition constituted one of the earliest systematic frameworks through which incapacity could be translated into categories with direct juridical implications. A decisive conceptual departure can be observed in his *Manuale pratico di medicina legale* (1858–1859), particularly in the *Parte biologica*, where incapacity is no longer treated solely in relation to civil status or criminal responsibility.

> Si allega incapacità al lavoro quando le lesioni o le infermità prodotte rendano l'individuo inabile all'esercizio della propria professione o di qualunque pubblico servizio. […] L'incapacità può essere totale o parziale.[…] È totale quando l'offeso non sia più in grado di attendere ad alcun mestiere; è parziale quando, pur rimanendo alcune facoltà utili, egli non possa più esercitare il mestiere abituale o debba mutarlo per altro meno gravoso. […] Il medico-legista dovrà quindi tener conto non solo della natura della lesione, ma anche della professione esercitata e delle condizioni particolari dell'individuo[36].

Casper thus frames incapacity in relation to «work or any public service», introducing a functional assessment of bodily impairment. He further distinguishes between total and partial incapacity, thereby establishing a medico-legal vocabulary that evaluates the injured body in terms of residual capacity rather than abstract legal status. Although this framework was not yet embedded within a specific body of labour legislation, it anticipates later developments in the assessment of occupational injury, invalidity and compensation, marking a significant departure from earlier medico-legal manuals addressed primarily to jurists[37].

This circulation of medico-legal categories was not limited to doctrinal texts but was reinforced through institutional and professional networks. International congresses, such as those devoted to occupational medicine in the early twentieth century, brought together university professors, insurance representatives and public officials, creating spaces in which scientific knowledge and regulatory concerns were jointly articulated. These forums contributed to the

[36] J.L. Casper, *Manuale pratico di medicina legale*, II (Parte biologica), Torino 1859, spec. pp. 27–35 on incapacity for work or for public service, including the distinction between total and partial incapacity.

[37] J.L. Casper, *Manuale pratico di*…, cit., spec. pp. 27–35 on incapacity for work or for public service, including the distinction between total and partial incapacity.

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consolidation of a shared language centred on evaluation, certification and functional capacity, reflecting the growing integration of medical expertise within legal and administrative frameworks.

The national consolidation of this medico-legal vocabulary becomes particularly visible in the *V Congresso Nazionale di Medicina del Lavoro*, held in Florence in June 1922, whose acts reveal the dense institutional network connecting universities, insurance bodies and workers' organisations. The *Prefazione* explicitly states that the congress resumed meetings interrupted during the war, indicating that occupational medicine had already developed a pre-1914 congress tradition. The composition of the *Comitato Esecutivo* and *Comitato d'Onore* is especially revealing: directors of institutes of forensic medicine, including Cesare Biondi of Siena, deans of medical faculties such as *Achille Monti of Pavia*, representatives of the *Casse Nazionali d'Assicurazione*, and even workers' associations such as the *Sindacato Siciliano Infortuni* were formally integrated into the congress structure. This configuration illustrates that medico-legal evaluation had become structurally embedded within insurance legislation and labour administration. The working body was no longer merely observed or assessed in courtrooms; it was increasingly situated within a coordinated institutional system linking university expertise, social insurance and state regulation[38].

Beyond its institutional composition, the congress programme itself reveals the extent to which labour-related medical knowledge had already acquired a practical and normative orientation. The sessions addressed issues such as the prophylaxis of invalidity, the organisation of working time and shifts, work performed at home, occupational tuberculosis, industrial accidents and the reform

[38] *Atti del V Congresso Nazionale di Medicina del Lavoro* (Florence, 11–14 June 1922), Prato 1924. The Prefazione records the decision taken in December 1921 to resume the congresses interrupted during the war (1914–1918), confirming the existence of a pre-1914 congress tradition in occupational medicine. The Comitato Esecutivo included Cesare Biondi (Director of the Institute of Forensic Medicine, University of Siena), while the Comitato d'Onore listed Achille Monti (Dean of the Medical Faculty, University of Pavia), alongside representatives of the Cassa Nazionale Infortuni and workers' organisations such as the Sindacato Siciliano Infortuni (p. 20). Relevant contributions included L. Galeazzi on the prophylaxis of invalidities (p. 43), L. Borri on the reform of accident legislation (p. 408), L. Teleky on occupational diseases related to wartime production (p. 553), and G. Allevi on the eight-hour workday (p. 247). Cesare Biondi was Professor of Forensic Medicine and an active figure in the medico-legal and insurance-related debates of the interwar period, closely involved in both academic teaching and the practical application of accident and social insurance legislation. For an authoritative academic biography of Cesare Biondi, the entry *BIONDI, Cesare* in *Dizionario Biografico degli Italiani*, Treccani, X (1968), which records his birth in Barga (Lucca) in 1867, medical training at the University of Florence, academic appointments in Sassari, Cagliari and Siena, his foundational role in medico-legal and social medicine, his publication record and involvement in social insurance legislation, and his death in Florence in 1936.

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of accident insurance legislation. Particular attention was devoted to the prevention of occupational diseases and to the technical assessment of work-related risks, indicating that medico-legal expertise was directed towards concrete problems of labour regulation rather than remaining confined to judicial settings[39].

From this perspective, the case of Pavia can be understood as a particularly well-documented institutional setting within a wider European configuration. Rather than constituting an exceptional development, the interaction between hygiene, forensic medicine and occupational pathology observed in its teaching practices reflects a broader process through which labour was progressively constructed as a juridical object via the mediation of medico-legal knowledge. It thus appears not only as a site of local academic practice, but also as a node within a wider network of knowledge production that shaped the legal understanding of labour in modern Europe.

4. *From Medicina legale to Medicina del Lavoro*

The transition from medico-legal evaluation to a more structured form of occupational medicine within the University of Pavia did not occur through a single institutional reform, but through a gradual process of pedagogical, institutional and doctrinal consolidation. Within this evolving framework, the disciplinary identity of labour remained comparatively fluid. Forensic medicine did not replace hygienic approaches but coexisted with them, creating overlapping interpretative frameworks through which the working body could be understood. Faculty debates concerning teaching organisation demonstrate that the introduction of new topics often occurred incrementally, shaped by practical considerations rather than explicit theoretical programmes. Labour-related knowledge thus emerged through a process of gradual translation, in which medico-legal evaluation transformed the body into an object of institutional measurement situated at the intersection of medical science, legal reasoning and administrative practice[40].

[39] *Atti del V Congresso Nazionale di Medicina del Lavoro* (Florence, 11–14 June 1922), Prato 1924.

[40] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3431 (6 November 1926–8 May 1934); reg. 3440 (18 June 1934–19 January 1944). On the formation of occupational medicine at the intersection of hygiene, the physiology of work and clinical medicine, see F. Carnevale – A. Baldasseroni, *Mal da lavoro. Storia della salute dei lavoratori*, Roma-Bari 1999, pp. 13–15, especially p. 14. The authors discuss Luigi Devoto's investigations into the conditions of rice-field workers in Lomellina while at the University of Pavia, situating the emergence of occupational medicine within a broader interaction between medical research and social concerns.

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While instruction in hygiene framed labour-related questions in terms of preventive science, and forensic medicine translated bodily observation into normative evaluation, the early decades of the twentieth century witnessed a process of systematisation in which labour-related medical knowledge began to acquire greater internal coherence within the academic structure of the University of Pavia. This transformation did not take the form of an abrupt disciplinary rupture, but rather unfolded through teaching practices, specialised publications and institutional debates concerning the place of occupational medicine within the medical curriculum. Manuals, faculty deliberations and the emergence of new courses reveal how labour-related pathology moved from a dispersed set of medico-legal concerns toward a more structured academic presence[41].

One of the most revealing sources for understanding this phase is Cesare Biondi's medical manual, *L'incapacità al lavoro dal punto di vista medico-legale* (1926), published during the interwar period, which offers a systematic account of occupational diseases, functional incapacity and the medical evaluation of working ability[42]. Unlike earlier hygienic or forensic texts, this manual presents labour-related pathology as a coherent field of knowledge organised around specific diagnostic categories and administrative practices. Its internal structure reflects the gradual consolidation of themes that had previously appeared in dispersed form within university teaching: professional diseases, the physiological limits of labour, and the certification procedures required by emerging systems of social insurance. The reference to «rapporti giuridici» is therefore not theoretical rhetoric, but an indication that medico-legal reasoning operated within a concrete framework of benefits, procedures and administrative decisions.

> Dire incapacità al lavoro significa, in senso economico e sociale, dire incapacità di produrre. […] Le diverse estensioni dell'incapacità costituiscono per ciò stesso una serie di rapporti giuridici, destinati a permanere anche in forme diverse al cessare dell'attività lavorativa[43].

This formulation situates medico-legal expertise within an already operational administrative and indemnificatory framework, rather than within a purely doctrinal reflection on labour law.

The publication of this volume should be situated within a broader medico-legal publishing landscape, which also included theoretical-practical manuals

[41] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 592 (18 November 1921–16 July 1926); reg. 3431 (6 November 1926–8 May 1934).

[42] C. Biondi, *L'incapacità al lavoro dal punto di vista medico-legale. Manuale pratico di semeiotica e diagnostica medico-legale e di diritto previdenziale*, Torino 1926, Parte I, cap. I, pp. 2–3.

[43] C. Biondi, *L'incapacità al lavoro dal punto di vista medico-legale*, Torino 1926, pp. 1–2.

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devoted to the application of accident insurance legislation, such as the guide by Peretti-Griva on the new regulatory framework for workplace injuries[44]. This integration within positive legislation becomes even more apparent in the third part of the volume, significantly entitled *Il diritto previdenziale costituito*. Here the manual systematically examines the positive legislation governing industrial and agricultural accident insurance, invalidity and old-age schemes, maternity insurance and insurance against involuntary unemployment. It examines the legal definition of the «occasion of work», the classification of incapacity (temporary and permanent), the calculation and revision of indemnities, and the procedures governing compensation and dispute resolution. Entire sections are devoted to the physician's role in the application of these laws, detailing how medical evaluation determines the degree of incapacity and thus directly affects entitlement to benefits. Maternity insurance is treated as a legally regulated suspension of work accompanied by indemnification, while involuntary unemployment appears within the same framework of insured social risks. The working body is therefore situated within a structured system of rights, benefits and administrative procedures that extend far beyond clinical diagnosis[45].

Despite the breadth of this normative material, the manual does not establish a new juridical doctrine, nor does it propose labour law as a disciplinary system. Instead, it codifies a set of medical practices that had been progressively shaped within the university environment, translating decades of hygienic observation and medico-legal evaluation into a structured and teachable format. Chapters devoted to incapacity, functional assessment and occupational risk demonstrate how physicians conceptualised the working body through measurable parameters, emphasising diagnosis, prognosis and expert judgement. In doing so, the manual presupposes these legal relationships as operative realities within which medical expertise must function.

These themes are not approached as abstract legal questions, but as concrete medico-legal problems requiring evaluation, certification and administrative coordination. Even more revealing is the author's assertion that medico-legal

[44] D.R. Peretti-Griva, *Infortuni del lavoro e malattie professionali nella nuova legislazione*, Milano 1937. The volume provides a practical medico-legal guide to the application of accident and occupational disease legislation, illustrating the broader normative environment within which Biondi's manual should be situated.

[45] C. Biondi, *L'incapacità al lavoro*…, cit., Parte III, «Il diritto previdenziale costituito», pp. 443–620 (indice in pp. 618–620); spec. pp. 443–520 (infortuni industriali e agricoli; nozione di «occasione di lavoro»; incapacità temporanea e permanente; indennità; liquidazione e revisione), pp. 520–600 (procedimenti e contenzioso), pp. 600–620 (assicurazioni sociali, incl. maternità e disoccupazione involontaria).

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judgement is directed towards the «definizione di un rapporto giuridico»[46]. In this formulation, medical evaluation is explicitly directed toward determining statuses that trigger specific legal consequences. The physician does not merely describe anatomical or functional alterations; he participates in the determination of a normative status that affects compensation, insurance and administrative recognition. Labour incapacity thus appears as a hybrid category in which biological limitation, economic consequence and juridical qualification are inseparable. Particularly significant is the prominence accorded to certification and evaluative procedures. The attention devoted to medical reports, expert testimony and the assessment of residual capacity illustrates the growing relevance of physicians within administrative and insurance frameworks. Rather than confining medical expertise to courtroom settings, the manual situates it within a broader regulatory environment in which health, productivity and social protection became increasingly intertwined. The working body is thus approached as an object of technical measurement, subject to categorisation and documentation in ways that correspond to the subsequent consolidation of occupational medicine[47].

From the perspective of legal history, the manual represents a moment of pedagogical consolidation. Its publication signals that labour-related themes had achieved sufficient coherence to be presented as a structured field within medical teaching. Far from constituting an isolated intellectual initiative, it reflects an academic context in which courses, faculty deliberations and institutional negotiations had progressively shaped the contours of occupational knowledge. The manual therefore functions not as a doctrinal source in the legal sense, but as evidence of the internal evolution of medical teaching at Pavia, marking a transition from dispersed discussions to systematic codification. This codification, however, remained anchored in medical expertise and administrative practice rather than in the doctrinal elaboration of labour law within

[46] C. Biondi, *L'incapacità al lavoro*…, cit., p. 5: «Il nostro giudizio medico-legale in quanto è un apprezzamento di carattere medico, diretto da una particolare finalità di definizione di un rapporto giuridico; quello degli esperti del lavoro è un giudizio economico-sociale, che si fonda sul nostro e lo integra con altri elementi economici e sociali.»

[47] C. Biondi, *L'incapacità al lavoro*…, cit., Parte III, spec. pp. 480–520 (medical certification and expert evaluation of incapacity), pp. 560–590 (administrative procedures, assessment of residual working capacity and effects on insurance entitlements). The sections devoted to medical reports and expert assessments document the central role of physicians within insurance and administrative frameworks beyond strictly judicial contexts.

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the Faculty of Law, thereby reinforcing the disciplinary asymmetry that characterised the university's treatment of labour during this period[48].

Parallel to the publication of specialised manuals, faculty discussions increasingly addressed the possibility of introducing courses explicitly devoted to occupational medicine. The *verbali* of academic councils reveal that the emergence of *medicina del lavoro* was neither immediate nor uncontested. Early references to the subject appear within broader debates concerning the reorganisation of medical teaching, often framed in terms of practical needs or curricular balance rather than as the recognition of a new discipline. These deliberations demonstrate how institutional change proceeded gradually, shaped by statutory constraints, ministerial regulations and internal negotiations among faculty members[49]. The role of figures such as Leone Lattes and Luigi Galeazzi becomes particularly visible within this context[50]. Their teaching activity reflects a transitional moment in which medico-legal evaluation and hygienic observation began to converge around more explicitly occupational concerns. Discussions recorded in faculty minutes indicate that proposals for new courses were evaluated in relation to existing disciplinary structures, revealing the cautious manner in which the university incorporated emerging fields of knowledge. Rather than presenting occupational medicine as a disciplinary rupture, academic authorities tended to frame it as an extension of established medico-legal or hygienic traditions[51]. The eventual institutionalisation of *medicina del lavoro* thus appears as the outcome of a prolonged process of negotiation. Faculty debates concerning its introduction highlight tensions between innovation and continuity, as professors sought to integrate new themes without disrupting the established balance of the curriculum. These discussions also reflect broader transformations in the relationship between medicine and social regulation during the interwar period, when questions of productivity, insurance and public health became increasingly interconnected. Within this evolving framework, occupational medicine emerged not as an external imposition but as the crystallisation of practices that had long been present within the medical faculty[52].

[48] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3431 (6 November 1926–8 May 1934).

[49] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3440 (18 June 1934–19 January 1944); reg. 3443 (19 January 1944–18 January 1962).

[50] ASUPv, fascicolo docente, Lattes, Leone.

[51] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3440 (18 June 1934–19 January 1944); reg. 3443 (19 January 1944–18 January 1962).

[52] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3440 (18 June 1934–19 January 1944); reg. 3443 (19 January 1944–18 January 1962).

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Tracing the development of manuals, courses and faculty deliberations, it becomes possible to observe how labour-related knowledge acquired increasing visibility within the medical faculty at Pavia. The transition from hygienic observation and forensic evaluation to the institutional recognition of occupational medicine reflects a gradual reorganisation of teaching priorities rather than the creation of a new juridical field. At the same time, this consolidation within medical teaching did not immediately produce a parallel transformation within the Faculty of Law or in political studies. Labour continued to circulate within established doctrinal subjects, without yet crystallising into a specialised academic domain.

5. Academic Asymmetries: The Delayed Juridical Stabilisation of Labour

The developments examined in the previous sections reveal how labour-related knowledge gradually acquired visibility within the medical faculty of the University of Pavia through hygiene, forensic medicine and, later, occupational pathology. Yet this trajectory did not unfold uniformly across the university. While medical teaching incorporated themes connected to occupational environments, functional capacity and certification practices, the juridical and political faculties followed a different rhythm, remaining largely oriented towards established doctrinal traditions. This divergence did not result from a deliberate resistance to innovation, but rather from the distinct epistemic frameworks that shaped each faculty's curriculum[53]. Throughout the late nineteenth and early twentieth centuries, programmes in the Faculty of Law and in political or economic studies continued to prioritise fields such as civil law, criminal law, constitutional history and political economy[54]. Labour appeared indirectly, often

[53] P. Grossi, *Scienza giuridica italiana*…, cit.; A. Padoa Schioppa, *Storia del diritto in Europa*…, cit. The curricular asymmetry examined here should be distinguished from the development of labour law through legislation, doctrine and judicial practice. On the contribution of civil courts to the legal treatment of employment relations during the Liberal period, see F. Rossi, *The Changing Structure of Labour Law*…, cit., pp. 72–79; on the restructuring of individual labour disputes under corporatism, see Id., *Una legalità sempre più attenuata*…, cit., especially pp. 2–4 and 24–26. The delayed consolidation discussed in this section concerns labour as an autonomous subject of university teaching, rather than the absence of legal categories or institutions governing employment.

[54] Throughout the period under consideration, the Faculty of Law did not include an autonomous course in labour law, a structural absence that contrasts with the increasing density of labour-related themes within medical teaching. On the organisation of legal teaching at the University of Pavia and the absence of an autonomous labour law course in this period, ASUPv, Facoltà di Giurisprudenza, Verbali del Consiglio di Facoltà, regg. 597 (1882–1885), 2359 (1886–1889), 596 (1889–c. 1893) and 595 (1900–1906), which list the active disciplines

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embedded in broader discussions concerning social organisation or economic theory rather than as a specialised object of juridical analysis. The absence of a clearly defined academic space devoted to labour within these faculties contrasts with the increasing prominence of labour-related themes within medical teaching, highlighting an institutional asymmetry that characterised the university's intellectual landscape[55].

This asymmetry becomes particularly visible when teaching programmes are examined alongside faculty deliberations. While medical courses addressed occupational hygiene, medico-legal evaluation and the physiological limits of work, juridical curricula did not immediately translate these developments into new doctrinal categories. Instead, labour remained dispersed across existing legal subjects, reflecting the slower pace at which legal disciplines adapted to social and scientific transformations. The comparison between faculties therefore underscores the importance of institutional context in shaping the trajectory of knowledge formation. Labour did not enter the university through a single disciplinary pathway but emerged through multiple academic practices that evolved at different speeds.

From the perspective of legal history, this divergence should not be interpreted as a simple hierarchy in which one faculty precedes another. Rather, it reflects the distinct ways in which medical and legal traditions approached questions of social regulation. Medical teaching focused on observation, diagnosis and preventive intervention, allowing labour to be framed as a problem of health and bodily function[56]. Legal education, by contrast, relied on doctrinal continuity and conceptual stability, integrating new social issues only gradually into its existing frameworks[57]. The coexistence of these approaches created a complex academic environment in which labour-related knowledge remained without immediate disciplinary consolidation. The comparison also reveals how institutional structures influenced the visibility of labour within academic discourse. Faculty minutes indicate that discussions concerning new courses or curricular reforms were often shaped by practical considerations — statutory regulations, teaching loads and ministerial approval — rather than by theoretical

(civil, penal, administrative law, political economy, legal history) without reference to diritto del lavoro or legislazione del lavoro as independent subjects.

[55] ASUPv, Facoltà di Giurisprudenza, Verbali del Consiglio di Facoltà, reg. 597 (7 November 1882–23 November 1885); reg. 2359 (14 January 1886–6 July 1889).

[56] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3431 (6 November 1926–8 May 1934); ASUPv, Facoltà di Giurisprudenza, Verbali del Consiglio di Facoltà, reg. 2359 (14 January 1886–6 July 1889).

[57] ASUPv, Facoltà di Giurisprudenza, Verbali del Consiglio di Facoltà, reg. 2359 (14 January 1886–6 July 1889).

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debates about the nature of labour itself[58]. This pragmatic orientation helps explain why labour-related topics could develop extensively within medical teaching while remaining less clearly articulated within legal curricula. The university thus functioned as a site of differentiated innovation, where disciplines evolved according to their own internal logics while remaining connected through shared institutional frameworks.

By highlighting these academic asymmetries, this section shows that the emergence of labour-related knowledge at Pavia followed differentiated disciplinary trajectories rather than a single, unified path. Medical teaching addressed practical and administrative aspects of work at an early stage, while juridical disciplines incorporated labour-related issues more gradually and within established doctrinal frameworks. This divergence illustrates how institutional structures and disciplinary traditions shaped the visibility of labour within the university, preparing the ground for later processes of juridical stabilisation without producing a coherent legal field devoted to labour.

6. *Conclusion*

The analysis of teaching practices, faculty deliberations and medical publications at the University of Pavia has shown that labour-related knowledge developed within the academic sphere through a gradual and uneven process shaped by institutional dynamics rather than the immediate emergence of a juridical discipline. Approaching these developments from the perspective of legal history makes it possible to identify how labour first became visible through medical teaching, where hygienic observation, medico-legal evaluation and later occupational pathology contributed to framing the working body within academic discourse.

1. Labour entered the academic environment of Pavia primarily through the expansion of instruction in hygiene, which framed work within broader concerns related to public health, environmental conditions and preventive science. Rather than establishing work as a distinct object of juridical analysis, medical courses introduced categories that allowed occupational environments to be examined through scientific observation, situating labour within a wider project of social regulation.

[58] ASUPv, Facoltà di Medicina e Chirurgia, Verbali del Consiglio di Facoltà, reg. 3440 (18 June 1934–19 January 1944); ASUPv, Facoltà di Giurisprudenza, Verbali del Consiglio di Facoltà, reg. 2359 (14 January 1886–6 July 1889).

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2. The development of *medicina legale* created an institutional space in which medical knowledge intersected with juridical reasoning, enabling physicians to translate bodily conditions into legal frameworks concerning responsibility, capacity and expert evaluation. This mediating role did not yet produce a specialised field devoted to labour, but it introduced methodological tools that would later prove relevant for administrative and occupational contexts.

3. The emergence of *medicina del lavoro* illustrates how disciplinary change was embedded within existing academic structures, evolving through continuity rather than rupture. Faculty minutes demonstrate that the introduction of new subjects occurred through incremental institutional negotiations shaped by statutory constraints, ministerial regulations and the practical organisation of teaching.

4. The comparison between medical and juridical curricula reveals a significant asymmetry in the academic treatment of labour. While medical faculties addressed occupational health and bodily function with increasing depth, legal teaching remained anchored in established doctrinal traditions (civil and commercial law), incorporating labour-related issues more gradually and through existing frameworks. This divergence highlights the differentiated rhythms through which academic disciplines respond to social transformation.

By shifting the focus from legislative milestones to teaching practices and institutional negotiations, this study highlights dimensions of labour-related knowledge that remain largely invisible in narratives centred exclusively on doctrinal development. The case of Pavia illustrates how hygiene, forensic medicine and occupational pathology contributed to shaping an academic vocabulary that made labour intelligible within the university before its consolidation as an autonomous subject of legal teaching. Foregrounding the role of teaching, institutional structures and disciplinary interaction, the article demonstrates how legal history can be informed by attending to the institutional settings in which labour was progressively constructed as a juridical object.