

GIOVANNI VALCAVI

SELECTED
LEGAL
WRITINGS

Introduction

This volume brings together a selection of the most significant legal writings by the author, published in the most important Italian legal journals in fifty years of study and thought, on the topics of civil liability, monetary obligations and interest.

It also contains his writings on open-end guarantees which anticipated the recent legislative abrogation, those on industrial inventions, regarding the requisites of originality and extrinsic novelty and lastly, those on the agreement of forfeiture.

These studies were previously collected in «L'espressione monetaria nella responsabilità civile e altri saggi» [Monetary expression in civil liability and other essays] published by Cedam in 1994, with a preface by Prof. Alberto Trabucchi. These studies are completed here by the more recent analyses and thought of the author on «Juridical causation» and, after the introduction of the euro in Italy, those on the distinction between the dogmatic category of the credits of value and those of credits in currency, which he constantly opposed in a series of publications.

This first part is followed by the most significant writings published by the author in our most important journals, on subjects of civil procedural law.

They were collected in 1994 and again published by Cedam in the book «Problemi attuali e prospettive di riforma nel processo civile» [Current problems and perspectives of reform in the civil trial], which was prefaced by Prof. Enrico Allorio who is remembered by the author for their relations which lasted until recent years.

This part is also completed by the proposals for the reform of the civil trial, put forward by the author in the Tarzia Ministerial Committee, on the reform of the trial, and inspired by the principles of liberalization, which were recently taken up again by the Vaccarella Ministerial Commission.

The author has also recently learned that one of his previous fully motivated bills of law which introduces the civil liability of judges for erroneous decisions affected by fraud or negligence and taken up by subsequent parliamentarians, has reached the competent committee of Senators for their examination.

The last part brings together the most significant writings, again by the author, published in the Rivista di Diritto Fallimentare [Journal of Bank-

ruptcy Law]. Prof. Giuseppe Ragusa Maggiore, who unfortunately passed away recently, invited him to sit on the Editorial Committee of this journal.

The publication of this selection of legal writings is dedicated to the memory of this illustrious teacher and friend.

GIOVANNI VALCAVI

Varese, 26th April 2005