

important of all the faculties. Mr. Rashdall says, and there seems no reason to think the statement is exaggerated, "the great work of the universities, in Southern Europe at least, was the training of educated lawyers. The influence of Bologna and of the universities generally meant the influence of the lawyer-class upon social and political life." It is difficult for us to place a fair value on the work of these mediæval commentators. The explanations are generally thrown into the form of short dialogues, between an imaginary student and the Emperor Justinian himself. Very often we do not know which is more striking, the puerility of the question or the perverse ingenuity of the answer, which obscures what was before perfectly simple. E. g. on the subject of persons whom it is not lawful to marry, because they are connected with us by ties of affinity, the pupil says, "But seeing that a wife is connected with her husband by affinity why is marriage lawful at all?" To which the answer—and it is from the pen of the great master Accursius—is "A wife is not a connection by affinity, but she is the cause of affinity, even as unity is not number but is the beginning of number."

Justinian says he has divided the Institutes, which contain the first elements of law, into four books. There seems nothing very occult in this, but the gloss plunges us into a limbo of mediæval metaphysics, or perhaps it is physics. "Just as all the physical bodies are composed," says the glossator "of four elements, earth, water, fire and air, so that the whole world is governed by the forces of these four elements, so this book comprehends all law." And he gives us into the bargain the information that the earth is cold and dry, water is cold and wet, fire is hot and dry, air is hot and wet. Earth has the nature of melancholy, water of phlegm, fire corresponds to anger, blood to air.

In the gloss on one of the last titles of the Institutes we find the scholar pettishly saying, "Master, we have heard so much that we are weary, and you have become tedious to us. For heaven's sake tell us what more you intend to say." Justinian with commendable good temper continues the tranquil course of his exposition.

But in spite of their mediæval dress the notes of the learned doctors of Bologna are still full of instruction. And far more valuable than the positive results of their teaching itself, was the enormous influence which it gave to the study of law. The Roman law acquired in their day an ascendancy which it never afterwards lost. But for their labors in directing the minds of the students of that generation