UNIVERSITY OP BOLOGNA.

The antiquity of this famous school is at least equal to that of Paris ; and were it necessary to construe the word university in the strict sense of a legal incorporation, it might lay claim to still higher antiquity, inasmuch as its teachers obtained some important privileges before any such concession was made to those at Paris. It is alleged, and apparently on documentary evidence, that the emperor Theodosius established a school at Bologna in 433,@@1 which, after it had fallen into decay, was restored by Charlemagne. It is probable that the school continued in existence from the period last mentioned ; but there is no evidence that it was entitled to the name *university,* as that word was understood in the twelfth century. According to Mr Hal­lam,@@2 there are a few vestiges of studies pursued in that city in the eleventh century ; and there was also, in the same century, a school of the liberal arts at Ravenna, and a college of *judges* and *advocates,* who, besides administer­ing and practising law, taught its principles in a public school. Masters and scholars are mentioned in documents of that age ; and a certain individual, who was probably the head, is called *legis doctor.* A lawyer, named Pepo, who is designated by this appellation, delivered lectures on law about 1075, but without attracting much notice.@@3

We may safely assume that, like the other early univer­sities, the progress of Bologna was gradual, and that its origin cannot be traced to any definite period of arbitrary establishment. The fame of successful teachers attracted pupils to their schools, and these, settling in the city, gra­dually claimed for themselves rights and privileges, which the citizens found it their interest to recognise, and which, in process of time, obtained the sanction of the emperor.

The university started suddenly into celebrity in the early part of the twelfth century, when Irnerius began to teach the Roman law. (See Civil Law.) This great ci­vilian is to be regarded, not only as the founder of the university of Bologna, but as the author of a great revolu­tion in the jurisprudence of Europe. While engaged in teaching the liberal arts at Ravenna, he accepted an invi­tation from the civic authorities of Bologna, and opened a school in that city. He was employed as a lecturer in arts when copies of some of the books of the code of Jus­tinian, which were beginning to excite attention, and to be circulated through Italy, reached Bologna.@@4 Irnerius applied himself diligently to the study of them, and, after making himself master of their contents, undertook to ex­pound them in the public schools. According to Conrin- gius, he engaged in this course of lectures with the sanc­tion of the republic of Bologna, and was rewarded for his labours at the public expense.@@5 His zeal and energy col­lected large crowds of pupils, and gave an effectual impulse to the study of Roman law throughout Italy, while they raised the reputation of the lecturer to a pre-eminent height. The precise time at which Irnerius commenced his lectures has not been ascertained, nor are the events of the latter part of his life known. His name is mentioned in the records of public business and judicial proceedings between the years 1113 and 1118, when he appears to have relinquished his scholastic labours, and to have enter­ed the service of the imperial court. By some he is sup­posed to have returned to his academical labours after the death of his patron Henry V. Sigonius, in his History of Bologna, fixes the time of his death in the year 1150.@@6

The study of law having thus revived, made surprising progress, and its fame spread rapidly from Italy over other parts of Europe. Students flocked from all parts to Bo­logna, and some eminent masters of that school repeated its lessons in distant countries.@@7 Throughout this and se­veral succeeding centuries, the schools of Bologna continued to be pre-eminent for legal learning. About the year 1220 they contained 10,000 students,@@8 and in the middle of the fourteenth century the number had increased to 13,000.@@\* “ Not very long after the revival of the civil law, another subject of study, of much less intrinsic worth, was brought into public notice at Bologna. In the early ages of the church, the public letters of bishops were known by the name of decretals *(epistolæ decretales),’’* the influence of which, at first feeble, kept pace with the increase of the papal power, till the decretals of the apostolic see came to be regarded as of equal authority with the canons of coun­cils. In 1151, Gratian, a monk of St Felix in Bologna, published a collection of these epistles, which was known simply by the title of *Decretum ;* a compilation which was immediatcly received with great favour, and was made the subject of public lectures in Bologna in the pontificate of Eugenius III., who died in the year 1153; and many scholars were attracted to the study of it.@@1\* (See Canon Law.) Such was the origin of pontifical or canon law, a branch of jurisprudence which was long regarded by the church with peculiar favour. Of the school of arts and phi­losophy, in which, as we have already stated, the university originated, nothing is known during the twelfth century. Though obscured by the splendour of the rising school of law, it appears nevertheless to have maintained a certain degree of celebrity. The emperor Frederick II. deemed it worthy of his patronage, and about the year 1220 trans­mitted to it certain works of Aristotle and other philoso­phers, which he had caused to be translated into Latin, partly from the original Greek, and partly from Arabic versions. The interesting letter which accompanied the gift is quoted by Conringius.@@n This gift gave a new im­pulse to the study of philosophy.

The earliest historical document connected with the university is the charter of privileges granted by the em­peror Frederick Barbarossa, at the diet of Roncaglia, in No­vember 1158. In this authentic or rescript, which is en­titled *Habita,* it is provided, first, that foreign scholars tra­velling to any seminary of learning should be allowed to pass without molestation ; and that no obstruction should be offered to them, nor claim made upon them, under pre­tence of any public offence, or debt of the province or city to which they belonged ; and, secondly, that all scholars, if any lawsuit were brought against them, should have the option of having it determined either by the *lord* or *master* under whom they studied, or by the bishop of the diocese.@@1’

@@@I Middendorpius, lib. iv. p. 3. Middendorp confesses himself unable to fix the year, but says that it took place during the reign of Theodosius. which began a. d. 425, and continued twenty-seven years. The date here given is that of Savigny, who appears however to doubt the genuineness of the document\*. Savigny, iii. 147.

@@@’ Mid. Ages, iii. 525, where reference is made to Tiraboschi, iii. 259, and elsewhere ; and Muratori, Dissert, xliii.

@@@3 Savigny, vi. cap. 26.

@@@\* Conringius, Dissert, iii. sect 19.

@@@• “ Jus Homanum Bononiæ in Italia doceri publice coepit, *sumptibus et cura* reipublicæ illius, per Irnerium.” Dissert. i. sect. 45.

@@@4 Malden, p. 41.

@@@, Hallam’s Mid. Ages, iii. 516.

@@@, Conringius, Dissert. iii. sect. 19. Middendorpius, lib. iv. p. 9.

@@@s Muratori, Script. Ber. Ital. xvi. 325.

@@@10 Malden, p. 45, who refers to Conringius, Dissert. iii. sect. 19 ; and Itterus, cap. iv. 3, 21. Hallam (Mid. Ages, ii. 286) says that the *Decretum* was published about the year 1140.

@@@II Dissert, iii. sect. 20.

@@@12 "Si litem eis quispiam super aliquo negotio movere voluerit, hujus rei optione data scholaribus, eos coram domino, vel magistro suo, vel ipsius civitatis episcopo (quibus hanc jurisdictionem dedimus), conveniat.” the edict is given by Conringius, Suppl. lxx., and is commented upon in his fifth Dissertation, and the annexed supplements. It is explained by Savigny, iii. pp. 153, 154.