
The Professions. The Long View

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1. Most pre-industrial societies throughout the whole world were dominated and ruled by aristocracies whose power — quite independently of the forms it assumed — rested essentially on the possession of land and on agricultural exploitation. Characteristically enough, the urban societies of Medieval and Renaissance Europe came more and more under the influence and often under the control of groups that, although avidly buying land when the occasion was favorable, did not originally derive their influence and power from agriculture. It is generally recognized that Western European history derived its unique character from the emergence and prevalence of these groups. They are generally referred to as « middle class » or « burghers » or « townsfolk », but *la réalité humaine* behind such labels is still in search of a definition and we still know very little about both the chronology of the emergence of the middle class and the reasons for its success. It is almost certainly a mistake to regard this class as composed simply of merchants, money lenders and successful manufacturers. This is not only incorrect, but it also tends to overestimate the role of money in social affairs.

A most influential element of the emerging middle class in the cities of Medieval and Renaissance Europe were the professionals, above all the notaries, the lawyers and the physicians.

Before the end of the twelfth century, most young men would learn law and medicine from their fathers or other relatives or from private masters whom they might serve as apprentices. The thirteenth and fourteenth centuries witnessed the diffusion and triumph of the Universities where lawyers, physicians and sometimes the notaries would be trained. Salerno, Bologna and Paris had set the example in the course of the twelfth century. Between 1220 and 1370 other Universities were established at Padua, Naples, Vercelli, Siena, Rome, Perugia, Parma, Pisa, Florence, Pavia as well as other places. The essential difference between the Universities and the previous schools was that the Universities were able to obtain a formal juridical recognition for the degrees that they bestowed.

The immense prestige that the Universities soon acquired naturally affected the social position of those who graduated from them, but the professionals improved their social position not only through scholarly prestige but also through more prosaic means.

The guilds performed a number of functions but undoubtedly one of their main purposes was to restrict competition and the legal instrument that the guilds of the professionals used to restrict competition was the right of licensure. They claimed this right and fought bitterly and unrelentingly to enforce it. The nature and spirit of the Universities being those of a guild, they, too, strove to protect their graduates from competition. The body (*Collegio*) of teachers who examined the candidates at a University was entrusted with the authority to see that only those persons who had passed the proper examinations would be licensed and permitted to practice.

In the course of the fourteenth and fifteenth centuries, the Italian guilds and colleges applied their restrictions and controls in regard to licensure in a progressively more strict and effective way, at least in the towns and their immediate countryside. The advocates of the restrictions and controls always claimed that they were needed to maintain a high standard of competence and ethics in the profession. I mentioned above that they were inspired by the selfish interest to restrict competition. In fact both motives were at play and reinforced one another, although if one looks at the preferential clauses in favor of the admission of relatives — sons,

brothers, nephews of the members — one is induced to believe that the selfish motive soon acquired considerable weight. Whatever the motives, there is no doubt that by limiting the right to practice to those who had followed specific curricula and passed specific examinations, an important step was taken in the direction of distinguishing the professional as a group and adding to their power their respectability.

2. Among lawyers, notaries and physicians, the lawyers were those who possibly resembled more closely their modern counterparts. At the other extreme, late Medieval and Renaissance physicians had next to nothing in common with their modern colleagues. As Dr. Ingrassia wrote at the end of the sixteenth century «we physicians are men of letters». To the end of the seventeenth century, medical education remained hopelessly bookish and unconditionally committed to the classical texts. The Galenic system as interpreted by Arab commentators dominated the field: its fallacious premises and conclusions were neither tested nor even questioned. At the Universities, medical students spent their time in studying philosophy, logic and astronomy and the theoretical principles of humoral galenic physiology. Clinical experience which is such an integral part of present-day medical training was not considered necessary for a licence to practice and sterile dialectical disputations held the place of experiment. The uncritical *Ipse dixit* dominated the field.

The notaries, too, need a few words of introduction. Since time immemorial there has always been two Europes; the Europe of beer and the Europe of wine, the Europe of the open fields and the Europe of the closed fields, the Europe of the herrings and the Europe of the olive tree. Contrasted with northern Europe, southern Europe was the land of the notaries public.

The Canon 28 of the Council held in London in November 1237, states that *tabellonium usus in regno Anglie non habetur, propter quod magis ad sigilla recurri auctentica est necesse*.¹ At the beginn-

¹ F. M. POWICKE and C. R. CHENEY, *Councils and Synods*, Oxford 1964, Part 1, p. 257.

ing of the fourteenth century, the German Baumgartenberg, in his *Formularius de Modo Pensandi*, reported that:

in Longobardia et Tuscia publica instrumenta scribuntur per publicos tabelliones... Et in talibus litteris non apponi solent sigilla, set ipse tabellio format tantummodo signum suum in litera et sufficit... sed ista non fiunt apud nos.²

In other words, in the South the notary was *persona publica*, the notarial act was (and still is) received in evidence of a judicial matter and the certificate of a notary was (and is at present) probative of the facts certified; in the North the notarial acts were not recognized to this extent and to be probative documents had to carry official seals.

The notary Italian style emerged in Longobard Italy about the eighth century and by the eleventh century he had acquired the *fides publica*.³ From the Italian Peninsula the notary public made an inroad into South-eastern France in the course of the eleventh century. In Lyon he was still an exception around 1260, but he became a regular institution from the 1280's onward.⁴ He never extended to northern France, the *pays de coutume*, which shared the culture of northern Europe. Toward the end of the thirteenth century notaries public appeared in England in episcopal services. As their usefulness was increasingly recognized both in ecclesiastical circles and outside them, the notaries became established in England during the fourteenth century,⁵ but there too, they remained exotic. In no northern country did the notaries public establish themselves and prosper as in southern Europe.

The notary public was a person of consequence and his appearance was associated with an atmosphere of dignity and ceremony. In medieval Italy he was as prestigious a figure as the lawyer and the physician — in fact, probably more prestigious than the physician.

² L. ROCKINGER, *Briefsteller und Formelbücher*, Munich 1863, p. 766.

³ A. PETRUCCI, *Notarii*, Milan 1958, pp. 7-25.

⁴ R. FÉDÔU, *Les Hommes de Loi Lyonnais à la fin du Moyen Age*, Paris 1964, pp. 142 ff.

⁵ C. R. CHENEY, *Notaries Public in England*, Oxford 1972, Chaps. 3 to 5.

3. It is not easy to determine the number of notaries, lawyers and physicians before the eighteenth century, but for several Italian cities of the Middle Ages and the Renaissance some scattered information can be assembled. Available data are presented in Table 1. They are derived from four types of sources, namely from reports of contemporary chroniclers, from tax polls, from official lists of

TABLE 1
NUMBER OF NOTARIES, LAWYERS, AND PHYSICIANS
IN SELECTED ITALIAN TOWNS: 1268 TO 1675

Town	Year	Population (000's) ¹	Number of			Type of Source	Bibliography
			Notaries	Lawyers	Physicians		
I	II	III	IV	V	VI	VII	VIII
Verona	1268	40	495			E	1
Bologna	1283	50	1059			E	2
Milan	1288	60	1500	120	28	C	3
Prato	1298	4	111			E	4
Florence	1338	90	500	80		C	5
Verona	1409	20	140	11	6	T	6
Pisa	1428	8	69			T	7
Como	1439	9	15	11	2	T	8
Verona	1456	20	107	8	17	T	6
Verona	1502	40	161	22	18	T	6
Verona	1545	45	117	33	21	T	6
Verona	1605	60	45	104	22	T	6
Carmagnola	1621	7	15	10	2	T	9
Florence	1630	70			33	L	10
Pisa	1630	13			12	J	10
Rome	1656	120			140	L	10
Rome	1675	130			164	L	10

¹ E. ROSSINI, *La professione notarile nella società veronese dal Comune alla Signoria*, in «Economia e Storia» 18 (1971), pp. 33-35.

² A. I. PINI, *Problemi demografici bolognesi*, in «Atti e Memorie della Deputaz. St. Patria per le prov. di Romagna», N. S., 16-17 (1969), pp. 195-216.

³ BONVESIN, *De Magnatibus Urbis Mediolani*, ed. F. Novati, in «Bull. Ist. St. Ital.», 20 (1898), pp. 67-114.

⁴ E. FIUMI, *Demografia, movimento urbanistico e classi sociali in Prato*, Florence 1968, p. 271.

⁵ VILLANI, *Cronica*, lib. II, chapter 94.

⁶ A. TAGLIAPIETRA, *L'economia veronese secondo gli estimi*, Milan 1966, p. 123.

⁷ B. CASINI, *Aspetti della vita economica e sociale di Pisa dal Catasto del 1428-29*, Pisa 1965, pp. 9 and 106. In 1298 there were in Pisa 232 notaries. D. HERTJIV, *Pisa*, New Haven 1958, pp. 10 and 36 estimates the population of the city in 1298 at about 38,000 people, but it is possibly an exaggeration.

⁸ G. MIRA, *Aspetti dell'economia comasca*, Como 1939, pp. 48-49.

⁹ M. ABRATE, *Popolazione e peste del 1630 a Carmagnola*, Torino 1973.

¹⁰ See C. M. CIPOLLA, *The medical profession in the age of Galileo*, in the press.

people belonging to a given profession, and from estimates made by modern scholars.⁶ It would be absurd to pretend statistical precision for the period in question and the figures have to be taken simply as orders of magnitude.

For comparisons among populations of different sizes it is customary to relate the number of persons practicing a given profession to the total population. I paid my tribute to tradition in Table 2 in which the size of the profession is given as a rate per 10,000 people, but I am the first to admit that the resulting ratios need important qualifications. Totals of population leave out of account many factors which cannot be determined by simple nose-counting. The population side of the equation tells us nothing about effective demand. Moreover, lawyers and notaries provide their services only to adults. On the other hand, in our specific case, figures refer to cities and the rates are, therefore, calculated in relation to the urban populations, but on occasion the professionals also served the population of the surrounding countryside.

One may also express the data on the size of the professions in the form of rates per 1,000 males of the so-called active population, namely, the people in the age group 15 to 65. We do not possess precise figures on the age structure of the populations concerned, but it is not absurd, hypothetically, to assume that the males in the age group 15 to 65 were about one-third of the total population. On this working hypothesis I constructed Table 3.

Tables 2 and 3 are not simply two different ways of presenting the same data. With all the limitations expressed above they suggest two different points of view. Table 2 suggests an analysis of the influences stemming from the side of demand, while Table 3 emphasizes the role played by factors of production on the side of supply.

⁶ In Column VII of Table 1 I have indicated the four types of sources respectively with the letters C, T, L and E. The figures corresponding to letters L and E are possibly the more accurate. Figures reported by chroniclers may be accurate, but they may also be exaggerated. Figures derived from tax polls generally underestimate the size of a profession because of incomplete listing or fiscal exemptions or because the specification of the profession was omitted, or a combination of these various circumstances. Thus, while we may accept the figures corresponding to letters L and E with a good degree of confidence, we must take the figures corresponding to letter C as possible *maxima* and the figures corresponding to letter T as possible *minima*.

TABLE 2
NOTARIES, LAWYERS AND PHYSICIANS IN RELATION
TO TOTAL POPULATION IN SELECTED ITALIAN TOWNS: 1283 TO 1675

Town	Year	Notaries	Lawyers	Physicians
		(per 10,000 people)		
Verona	1268	124		
Bologna	1283	212		
Milan	1288	250	20	5
Prato	1298	278		
Florence	1338	55	9	
Verona	1409	70	6	3
Pisa	1428	90		
Como	1439	17	12	2
Verona	1456	54	4	9
Verona	1502	40	6	5
Verona	1545	26	7	5
Verona	1605	8	17	4
Carmagnola	1621	21	14	3
Florence	1630			5
Pisa	1630			9
Rome	1656			12
Rome	1675			13

Source: See Table 1.

TABLE 3
NOTARIES, LAWYERS AND PHYSICIANS
IN RELATION TO MALE POPULATION IN THE AGE GROUP 15 TO 65

Town	Year	Estimated Male Population in Age Group 15-65 (000's)	Notaries	Lawyers	Physicians
			(per 1000 Males Aged 15-65)		
Verona	1268	13.3	37		
Bologna	1283	16.6	64		
Milan	1288	20.0	75	6	1
Prato	1298	1.3	85		
Florence	1338	30.0	17	3	
Verona	1409	6.7	21	2	1
Pisa	1428	2.6	27		
Como	1439	3.0	5	4	1
Verona	1456	6.7	16	1	3
Verona	1502	13.3	12	2	1
Verona	1545	15.0	8	2	1
Verona	1605	20.0	2	5	1
Carmagnola	1621	1.9	8	5	1
Florence	1630	23.3			1
Pisa	1630	4.3			3
Rome	1656	40.0			4
Rome	1675	43.3			4

Source: See Table 1.

In one table the base population represents potential demand, in the other it represents the supply of labor.

4. Whether one looks at the data from the point of view of demand or from that of supply, one is struck by the fact that by the end of the thirteenth century the service sector had already developed to a very remarkable extent. In northern Italy it would seem that as far as notaries, lawyers and physicians were concerned, in the urban areas the service sector had reached proportions that were not surpassed until the end of the eighteenth. We do not possess figures for the previous period but all evidence indicates that the prevailing situation, let us say around the tenth century, was vastly different from the one that prevailed at the end of the thirteenth century. One can only conclude that the great social and economic change which took place between the tenth and the thirteenth centuries was not only connected with the growth of trade and manufactures, but also with a remarkable development of the service sector.

There were possibly three main factors behind this development. To begin with, there were noticeable improvements in the standard of living, a large movement of people from the countryside to the towns and, with this, an increased division of labor and the transfer of activities from the economy of the household to the market. A second factor was the increasingly lay character of the society with lay professionals taking over activities that before were the monopoly of the clergy. Last, but not least, if in Italy the number of notaries, lawyers and lay physicians reached the relatively high level of the end of the thirteenth century, this was due to pressures stemming not only from private demand but also from public demand. In 1288 Father Bonvecino reports that in Milan « all poor needing surgical care are diligently cared for by surgeons especially assigned to this task; the latter receive a salary from the town ».⁷ By the end of the thirteenth century the institution of the *medico-condotto* (or *chirurgo-condotto*) was well established in the cities of northern Italy. In 1324, besides an unknown number of physi-

⁷ BONVECINUS, *De Magnalibus*, pp. 79-81.

cians and surgeons with private practice, there were in Venice 13 physicians and 18 surgeons « *ad salarium nostri communi* » — « with a salary from our community ».⁸ At the time Venice possibly had a population of about 100,000 which means that there were about 3 community doctors for every 10,000 people — a ratio which would be high even for many a modern society. The « physicians of the public », as these doctors were sometimes called, were medical men who in return for a regular salary paid to them from public funds were engaged to reside in a town and gratuitously treat all those in need of medical or surgical care. In the course of the thirteenth and fourteenth centuries the practice spread to the villages.

The most striking revelation from Tables 1, 2 and 3 is, perhaps, the size of the notarial profession in Italy at the end of the thirteenth century. Italy emerged from the dark ages as the classical area of the *droit écrit*. In the flourishing city states of the northern part of the Peninsula there prevailed a strong tendency, I would dare say a mania, to have recorded in written instruments all types of transactions. « Italians — wrote Master John de Bononia — like cautious men, want to have a public instrument for practically every contract they enter into, while the English are just the opposite, and an instrument is very rarely asked for, unless it is essential ». We owe to that mania much of our knowledge about the economic and social history of Genoa, Siena, Venice, Florence and many other Italian towns in the late twelfth and in the thirteenth century. Not only sales of property, farming of land and renting of houses were recorded by the notaries. Insurance contracts, loans, establishment of doweries, contracts of apprenticeship, setting up of companies, last wills, bills of lading, labor contracts, hiring of maids, all possible kinds of transactions, large and small, ordinary and uncommon, among friends or strangers, were recorded by the notaries at the request of the interested parties. I found in the cartulary of a notary of the fourteenth century an act in which a man promised

⁸ G. MONTICOLI, *I Capitolari delle Arti Veneziane*, Rome 1896, vol. 1, pp. 354-355, doc. 171 (18th Oct. 1324).

his maid that he would marry her if and when his wife died — and I still wonder whether the wife knew or not. There are acts in which a departing merchant agreed with his wife, in the presence of a notary who faithfully recorded the details of the agreement, that during the months of his absence from home he would limit his affairs with obliging ladies to a well specified number per month — and no more.

This general attitude toward the written probatory act in a society in which the illiterate were still the vast majority created a large private demand for notaries, but public demand also played a noticeable role. As feudalism waned and the modern state slowly emerged, both administrative and jurisdictional needs were satisfied in growing number by the notaries who in the twelfth and thirteenth centuries formed the substantial part of the town's bureaucracy and eminent role in the urban courts of justice.⁹ Herlihy estimates that by 1324 in Pisa the government absorbed almost fifty per cent of notarial services.¹⁰ Perhaps this is an exaggeration. In Bologna in the 1280's, out of more than one thousand notaries¹¹ about 75 were employed by the city.¹² There is no doubt however that public demand absorbed a good proportion of the services available — if not fifty per cent, at least seven or eight per cent.

5. The question of the relative «real» contribution of the different professions to development and or welfare is not only practically but also theoretically intractable. Economists have always had and still have a hard time in clearing up the connections between the ordinary market processes which can be objectively observed and the promotion of an economic and social welfare whose definition largely depends on subjective feelings and aims. In a market economy, the value of an input's contribution is a value placed by consumers through monetary votes (more or less distorted by peculiar arrangements of the market) and especially for the

⁹ ROSSINI, *La professione notarile*, pp. 18-32.

¹⁰ HERLIHY, *Pisa*, cit., p. 20.

¹¹ PINI, *Problemi*, cit., pp. 195-216.

¹² G. FASOLI, *Giuristi, Giudici e Notai*, in G. Rosset (ed.), in « Atti Convegno Intern. Studi Accursiani », Milan 1968, vol. 1, p. 34.

sector of medical and legal services, the last thing that can be assumed is rational behavior on the part of the consumer. As to the notaries' contribution to economic growth, however a cursory glance through their cartularies is more than sufficient to give an idea of their essential role in the establishment of companies; the provision of warranties, the making of sundry transactions which, in their absence, would never have taken place. They made possible the participation of the small investors in mercantile activity thus facilitating the accumulation of financial capital when capital was scarce and financial institutions still in their infancy. In the public sector the notaries were the technicians of the public administration and they played a central role in its development and in the corresponding rise of the modern state.

Whatever their respective contribution to the growth of wealth and of welfare, notaries, lawyers and physicians were definitely among the wealthy. Their impact upon the economy and the society has to be studied not only from the point of view of their action as factors of production but also from the point of view of their behavior as active agents of effective demand. They largely contributed to the demand for paper, ink, spectacles and books. As they had a strong propensity to perpetuate their profession in their families, they contributed to the demand for schools and teachers. Of course, they did not limit their expenditures to that and Marc Bloch laid emphasis on the importance of the French notaries among those « *rassembleurs de terres* » who completely changed the aspect of the French countryside between the fourteenth and the sixteenth century.¹³ Physicians were also ultimately responsible for the demand of products that made the fortune of many apothecaries and merchants. Realizing the peculiarities of the demand for medicines which is not a function of consumer's choice but of the physician's prescription, any association between doctors and apothecaries was strictly forbidden in most Italian towns.¹⁴

¹³ M. BLOCH, *Les caractères originaux de l'histoire rurale française*, Paris 1952, p. 142.

¹⁴ This was the case in Naples, Parma, Pisa, Cremona, Venice, Verona and Milan. In a few places such as Florence and Pistoia however the practice was admitted. See R. CIASCA, *Arte dei medici e speziali*, Florence 1922, pp. 313-314 and A. CHIAPPELLI, *Medici e Chirurghi in Pistoia*, in « Bull. St. Pistoiese », 8 (1906): 10 (1908).

There is another point which I would like to emphasize here which brings us back to the side of supply, though dangerously enough, to the nebulous sector of the intangibles. In Europe the notaries, the lawyers and the physicians soon acquired a high position in the social ladder, a position that their counterparts in China for instance, were never able to attain. They succeeded because of their professional organization their wealth, and also because they were educated among the illiterates. In turn, their ideals were directed toward education as well as the accumulation of wealth. With the power of money and the prestige of education, notaries, lawyers and physicians represented an invaluable element of strength within the class of the burghers. They also brought to this class, cultural interests and ways of thinking that are at the roots of our civilization. Their presence in the upper middle class and their contribution to the cultural characteristics of this class go far toward explaining the story of the European success.

6. As Tables 1, 2 and 3 show, until the middle of the sixteenth century the notaries were far more numerous than the lawyers and the lawyers were slightly more numerous than the physicians. From the beginning of the fourteenth century, however, the number of notaries diminished drastically both in absolute terms and in relation to the population.¹⁵ The change came in response to a fairly rapid and dramatic reduction in the demand for notarial services. In the private sector, merchants, bankers and business in general had less and less recourse to the notarial act and made instead more use of the private script in all kinds of transactions. According to Professor Melis, the change was initiated by the Tuscan businessmen in the second quarter of the fourteenth century and their new practices were soon followed by the business communities of Venice,

¹⁵ FIUMI, *Demografia*, cit. p. 271 notices that « the number of notaries in Prato kept diminishing not only in absolute terms but also in relation to population. The percentage of households headed by notaries » was:

3.7	in 1325
2.9	in 1372
2.2	in 1426
1.6	in 1471

Genoa, Milan and other Italian cities.¹⁶ If the chronology of the change has been fairly well established, the reasons for the change are not completely clear. Prof. Herlihy believes that «public faith in mercantile account books replaced the notary's pomp and caution».¹⁷

Possibly, as more people became literate, the private demand for notarial services also diminished in circles outside the business community. As the state progressively asserted itself, it enlarged the sphere of its action from mere jurisdiction to general administration and it extended its control over the whole community: thus an increasing number of transactions were ratified and validated by state officials and the intervention of the notary became unnecessary. In the public sector, the administration grew progressively more complicated and more sophisticated, but, paradoxically enough, this development also adversely affected the demand for notaries. With the fifteenth century the lawyers became the technicians of both politics and administration,¹⁸ while for the routine work of bureaucracy, accountants and scribes were adequate. In 1428, half of the notaries living in Pisa were either unemployed or moved around in the countryside in search of clients.¹⁹

As the number of notaries diminished their social position deteriorated. In Italy during the Renaissance, the dichotomy between the two cultures grew sharper and the position of the «empirics» in relation to the «humanists» was further downgraded. The society as a whole showed signs of involution with a progressively greater emphasis on pomp and titles, and the professionals followed the general course. In 1682 Dr. Redi wrote that the «professors of medicine at Padua must have a large retinue of servants and horse attendants and must wear long, majestic robes renewing them daily and he who does not keep up this pompous affectation is considered worthless even if he is the most learned

¹⁶ F. MELIS, *Sulle fonti della Storia Economica*, Florence 1964, pp. 100-111.

¹⁷ HERLIHY, *Pisa*, cit., p. 20.

¹⁸ L. MARTINES, *Lawyers and Statecraft in Renaissance Florence*, Princeton 1968, pp. 27 ff. and R. A. GOLDSWAIN, *Private Wealth in Renaissance Florence*, Princeton 1968, p. 135.

¹⁹ CASINI, *Aspetti*, cit., pp. 28 and 80.

person of this world». ²⁰ « *De la classe à la caste — de la clergie à la noblesse* », was the main theme of the social history of the professions during the sixteenth and seventeenth century on the European continent, ²¹ but in Italy and Spain more distinctly than elsewhere.

In Italy, in this game, the notaries were among the losers. Their education was now regarded as inferior, insufficiently humanistic and excessively vocational. Gone were the times when to be a notary allowed one to act also as a physician. In the cities, by the sixteenth century, to be able to read and write was no longer a sign of distinction. In the Genoese law of 1576 a detailed list defined those activities which were compatible with nobility and those which were not. Access to power was denied to those who busied themselves with the « mechanical arts » and to their children. The notarial profession was ranked among the vile « mechanical arts » and its members were thus excluded from active participation in the administration of the commonwealth. ²²

The downfall of the notaries vis-à-vis the lawyers had its counterpart in the medical field in the downfall of the surgeons vis-à-vis the physicians. The marvellous spirit of cooperation that prevailed in the Italian communities of the thirteenth and fourteenth centuries and brought together people of different skills and interests faded away leaving room to discriminations which increasingly placed a premium on birth and rank rather than on merit and performance. The downfall of the notaries and the surgeons marked the end of an era of social restlessness and vitality and the beginning of an era of fossilized social order.

7. Law and medicine (restricted to physics) remained the prestigious professions. By the sixteenth century peerage was equated with civility, dignity and trustworthiness and it became the essential precondition for access to power. Both law and medicine

²⁰ REDI, *Opere* (ed. 1741), vol. 4, p. 89, letter to Dr. Lorenzo Bellini, December 15, 1682.

²¹ For France see FÉDOUT, *Hommes de Loi*, cit., pp. 397 ff.

²² G. COSTAMAGNA, *Il Notaro a Genova*, Rome 1970, p. 179.

were regarded as compatible with a noble station. But when men give free rein to their innate propensity for discrimination and privilege, there is no limit to their subtle distinctions. Law and medicine were compatible with nobility and there were lawyers and physicians born from titled parents. On the other hand, not all lawyers and physicians originated from the upper class. Such circumstances became the reason for discrimination and the source of bitter conflicts within each professional group.

In each major town such as Milan, Genoa, Bologna, Florence, Verona and Rome, there was a local College of Jurists and a local college of Physicians. The College was a restricted, privileged body, empowered with control over the profession and all related matters. To belong to the College meant power and prestige. Each College, however, had the *numerus clausus* and starting with the end of the fifteenth century, in a number of towns, access to the College was denied to those lawyers and physicians who originated from merchant and working families.

Of course, in the large towns, the few privileged members of the local College did not and could not pretend to have the monopoly of the profession, but in a number of small towns such as Cremona and Pavia, which had a local College of Physicians, the members of the College tried to deny the right to practice to any other physician. The absurdity of the conflicting pretences to monopolize the profession and to exclude the commoners from the College was all too patent to be ignored. The College of Physicians of Pavia, to quote but one example, solved the question by obtaining from a distant emperor a privilege in force of which all those physicians who were accepted into the College became ipso facto «counts» at the moment of their cooptation.²³

All this was taken very seriously, but serious it was not, and therefore it could not last. Opposition and resistance from the physicians who were excluded by birth from the Colleges grew stronger with time. Moreover, the Colleges became the guardians of tra-

²³ D. PANEBIANCO, *Il Privilegio della Contea Palatina concesso al Collegio Medico di Pavia nel 1667*, in « Arch. Storico Lombardo » 95 (1969), pp. 165-167.

ditional orthodoxy at a time when medicine began to develop along new and more scientific lines. The golden age of the Colleges was from 1450 to 1650. After 1650 they entered a period of rapid decline. When the reforms of the Enlightenment legally abolished them, they were already dead bodies. Law and medicine remained the prestigious professions, but their story once more became identified with the story and the success of the self-reasserting bourgeoisie.