

The Council as a market for legal services

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A general council was, among other things, a great court of law and a market for legal services. The Council's Rota judged disputes over benefices, elections, jurisdictions and properties brought from all over Latin Christendom. Its chancery issued confirmations, dispensations and privileges. Its penitentiary granted absolutions. Each of these procedures required documents, petitions, pleadings and representation, and each generated fees.

The Council therefore attracted a large population of legal professionals: canon lawyers, advocates, procurators who represented absent parties, notaries who drew up and authenticated documents, and scribes who copied them. Many of these professionals were university graduates, doctors of canon or civil law from Bologna, Padua, Paris, Vienna or Heidelberg. Earning fees from their clients and salaries from the Council, they formed a transnational legal elite whose members moved between councils, curias, princely courts and universities.¹

This market for legal services had several effects on the city. It brought money into Basel, spent on lodgings, food and clothing. It trained local notaries and scribes, who acquired the skills and contacts of international legal practice. And it created a demand for books of law, glosses, commentaries and formularies, which the printers of Basel would supply in the following decades. The printing of legal texts, above all the *Corpus iuris civilis* and the *Corpus iuris canonici* with their commentaries, would become one of the specialities of the Basel printing industry in the sixteenth century.²

The experience of the Council also prepared the Faculty of Law of the University of Basel, founded in 1460, which from the outset taught both canon and Roman law. The Basel jurists of the sixteenth century, among them Bonifacius Amerbach, the friend and heir of Erasmus, contributed to the humanist renewal of legal scholarship, which sought to recover the

original texts of Roman law from the accretions of medieval commentary. Part B returns to them.

The modern parallel lies in the market for legal services that accompanies every financial centre. Banks, companies and wealthy families need lawyers, notaries, tax advisers, trustees and arbitrators. Geneva has developed a significant centre of international arbitration, examined in the companion volume, while Zurich hosts the largest Swiss law firms. Basel's legal market is smaller, but it serves a concentration of multinational corporations whose legal departments are among the largest in Switzerland, and the Basel Chamber of Commerce hosts one of the arbitral institutions that now operate under the umbrella of the Swiss Arbitration Centre.³ The lawyers who followed the Council to Basel in the 1430s were the first international legal practitioners in the city's history.

1 Notes

1. On the legal professionals (canonists, advocates, procurators, notaries) at the Council of Basel and their careers, see Helmrath, 1987; the prosopographical literature on the Council. To be verified. ↩
2. On the printing of Roman and canon law texts in Basel in the late fifteenth and sixteenth centuries, see the literature on Basel printing; Hieronymus, Basler Buchillustration 1500–1545, 1984. To be verified. ↩
3. On the Swiss Arbitration Centre, formed in 2021 by the merger of the arbitration institutions of the Swiss Chambers of Commerce (including Basel), and the Swiss Rules of International Arbitration, see www.swissarbitration.org. To be verified. ↩

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