

A MORNING AT THE PARIS LAW SCHOOL

“Messieurs, à la fin de la dernière leçon je vous exposais les principes de la responsabilité de l'armateur des fautes du capitaine” * * *

Professor Lyon-Caen has not waited for the applause at his entrance to subside. The vermillion and gold braided toque is laid on the desk to one side, the glass of water is moved a mite closer. The *apparaîtreur* slams the windows to the murmured protests of the students: “De l'air, de l'air!” His evening clothes are immaculately neat but do not add to his dignity at half past eight in the morning. This particular *apparaîtreur*, the patriarch of the Law School, has a bald, shiny head, a halo of white curly hair and a most formidable white moustache. He raises his hand in protest and closes the last window with somewhat more force than usual in order to punctuate the fact that in such matters he is acting with authority.

Several hundred of us are hermetically sealed for an hour. The effect of this close atmosphere is immediate on the *apparaîtreur* who, seated to the left of the professor, folds his arms and proceeds to take up his interrupted slumbers of the morning. I have even thought that this ruthless exclusion of fresh air was due to a selfish desire to promote his slumbers! What would I not give to hear the dreams that these attendants must enjoy during the numberless weary hours they pass on the fringe of sleep; dreams of shipwrecked sailors holding solemn stockholders' meetings in the Roman Forum, presided over by a *femme commerçante!* If any manage to keep awake during lectures, how well-versed in law they must be!

I remember occasions when the *apparaîtreur* was of real use, or tried to be. One morning during a lecture, a small dog wakened him by his constant barking in the court upon which our class room faced. The students were becoming restless thinking that the mystery of the court might prove more interesting than the theory of *accessoire* in commercial jurisdiction. By a gesture, the *apparaîtreur* imposed silence and made a hurried exit. He succeeded in imposing the same golden quality on the dog; perhaps by the same imperious manner. I do not know.

A second occasion was when his slumbers were again disturbed, this time by a student who, just outside the class room door was pouring forth his whole soul fortissimo through pursed lips—"Marlbrough, s'en-va-ten guerre!" The tune is about as sentimental as a French student would attempt. I thought, "I'll wager, my friend, like myself, you crossed the deserted Luxembourg Gardens early this morning and sat down on a bench strewn with the pink and white bloom of the horse-chestnuts to read your newspaper or to listen to a bird returned from the midi trilling his joy at spring."

Yet another time was when free tickets to the Opéra Comique were being distributed to the students in the Secretary's office almost across the hall. The arrival of the *apparaîtreur* in their midst, imploring respect for the majesty of the law, was greeted with redoubled cheers. Presently he returned, shaking his head, but with the same amused smile. As he mounted the rostrum, the professor turned to him: "Alors, vous ne pouvez rien faire?" For answer, the *apparaîtreur* tipped his head to one side, seemed about to speak, even opened his mouth, shrugged his shoulders and displayed the palms of his hands. The lecture recommenced under difficulties.

The several hundred students who sit on the rising tiers of benches of the amphitheatre come from every nation and people except the United States, England, and Germany. There are Japs, Russians, Italians, Spaniards, Slavs, Turks, Arabs and negroes. Of course the largest proportion are French. There is a large proportion of Jews.

A few co-eds attend the classes. One of them I have frequently remarked. A plain, solid Frenchwoman, nearer forty than thirty—she holds a little *salon* about her during the quarter hour recess between classes. She is evidently a serious student. I often overhear her discussing with her neighbors some point of law raised during the preceding lecture. She is *bonne camarade*. I have seen her roughly handled in a *mêlée* of students, always good-humored and self-possessed. As the students fill in the seats about her before the first lecture, she shakes hands with each one:

"Bonjour, mon ami . . . oui, merci, ça va bien. Et toi?"

There is a large middle-aged man with a black beard, small blue eyes and a seamed face. His poverty is extreme. He cuts a

drab and pathetic figure as he walks up and down between lectures, his blue creased coat as much too short for him as his shapeless, shiny black trousers are too long for him. I took him for a Russian.

A few seats to my right sits a Turk with a mild expression and soft, brown eyes. Just in front of me a finely built French student, dressed in morning coat, gravely unfolds from his lawyer's bag a small square of green carpet which he places on the bench before sitting down.

Here one sees beards in every period of growth. I am now accustomed to what at first struck me as ridiculous. I have even become an interested daily observer of a youth across the room, whose blond appendage seems to lack courage to emerge from under his chin, and of that stout lad whose enormous soft, black beard and laughing eyes give a serio-comic expression to his twenty years.

Then there is the "dandy." Every morning he arrives in neat black morning coat, brown waist-coat and white spats. A light bamboo cane hangs over his left arm. Standing with one foot on a long bench that faces the amphitheatre, he fits to his eye a monocle attached by a black ribbon. He soberly draws a cigarette from a silver case and lights it, answering the sallies of the students with the utmost composure and with many a witty thrust. When the professor enters, he takes his seat facing the class and after ten minutes spent in polishing and refitting his monocle, he departs.

Taken as a whole, a class of students in the Law School of Paris lacks distinction. Certainly there is no composite type which I could describe. They are poorer, less neat about their person, smaller, paler, more round-shouldered and noisier than American students. There is scarcely a thought of class or university homogeneity or loyalty. They have no serious life or social interests in common, but work alone in their meagre quarters in the hundreds of hotels and boarding houses of the Latin Quarter. In the evening, they stick to their work or are seen strolling in noisy groups along the Boul. Mich.

The Paris student insists upon his complete independence and I believe it is to preserve this so precious a thing, that he shuns all serious alliances and lives a solitary life that breeds often an offensive egoism.

They talk with the fluent ease so characteristic of the French as a nation. No person or institution escapes the rapid-fire of their ridicule. Their humor is more facetious than real. While they are amiable and polite to a stranger, I have seldom succeeded in penetrating beyond their visible life in the class room and on the Boulevard. There is an enigma about them. One feels that they are all brain without being profound or even serious. Certainly they are enormously clever. The time to really love them is a fête night such as *mi-carême*. In their black velvet berets, they dance in great circles on the Boulevard. The confetti is inches deep. Claspng tight their *petites amies*, round and round they dance like so many children, to the uncertain harmonies of a student *fanfare* blowing themselves dizzy through papier-maché horns.

But a small proportion of those matriculated attend the lectures. Many hundred, and they are the well-to-do classes, study in their homes and read in the library. Matriculation permits the student to present himself for examination at the end of the year, but attendance at lectures is never required.

It is strange how little modernism has entered into the life and manners of the University. To take but a trifling instance, one may truthfully say that the fountain pen has only just made its appearance among the students. I used to class inkwells along with oil lamps and loaded pistols as dangerous things to carry. I know now that inkwells are innocuous and that they may be carried familiarly in pockets. Such an array of them I have never seen before. They are of all shapes, sizes and colors; they have single, double and treble stoppers that clasp, push and screw. But miracle of miracles, they never spill. These pesky little things, which all my life I had despised and feared as impractical and destructive, are the everyday companion of the Paris student, who, at the end of the lecture, clasps them to with a snap and nonchalantly puts them away in a vest pocket or a *serviette*.

The hour is up and I have covered several pages of foolscap with notes taken in a French which is far from being a model of concordance of genders and tenses. As he announces the subject of his next lecture, Professor Lyon-Caen's voice is drowned in the din of slamming note-books and shuffling feet. There is a sally of

applause as he retires, picking up the skirts of his professional robe of black, vermillion and ermine and preceded by the *apparaîtreur* bearing the untouched glass of water.

There now intervenes a fifteen-minute recess before the next lecture. The incoming and outgoing classes swarm through the same narrow door, upsetting the old law of physics that two bodies cannot occupy the same space at the same time, not however without a wrench to one's equanimity. Newspapers are brought out and one discusses with one's neighbor the latest exploits of the bandits Bonnot Garnier and Valet, or of the popular subscription that is to make France mistress of the air. Now and then a voice rises above the hubbub in some gross, facetious remark thrown out with a self-conscious air of smartness. Some one breaks into one of those irresistible French popular songs, "La Petite Dame du Metro," perhaps. It sweeps over the room daring, humorous, swift, without a spark of sentimentality. American College "close harmony" is impossible in the torrent of words and notes. The song goes to pieces in a shout as the interest shifts to some new object.

At last Professor Thaller enters leaning heavily on his cane. He is greeted with a frenzy of applause for his dry humor is dear to the French student. He draws towards him an immense volume containing the text of all the French Codes, smooths out a wrinkled brow, pulls at a gray goatee, adjusts a pair of very old-fashioned eye-glasses and commences in a voice that hardly rises above an undertone.

The most perfect silence is necessary in order to hear him and the students accord it to him. He has the gift of picturesque speech. His sarcasm attacks at random subjects far removed from his lecture, but which suggest themselves to his ruminating mind. He is never weary of praising the serious scholarship of the Germans and of expressing his contempt for the frivolities of the French student. At every mention of Germany an ominous swelling and dying sound of a mob expresses the ineradicable enmity of France for her neighbor. This is just the opening Professor Thaller enjoys:

"Ah, vous n'avez pas d'esprit, vous Français!"

"Mais si, si!"

"Non, non, je dis décidément que non! C'est enfantin, ce que vous faites là!"

"Ah, non, non, non!"

"Si, si. Mais cela se comprend. Voyons, vous êtes des étrangers. Vous n'êtes pas français. Les Français ne se dérangent jamais pour venir au cours."

Rather a good thing it is for the 909 foreigners that the 6,598 French law students do not all attend, for the capacity of the class rooms is already over-taxed.

When Professor Thaller has concluded, I go to the library to read till noon. A library card admits me, and I find myself in a great square room three stories high and lighted by a sky-light. Crossing this main room, I reach two secondary communicating reading rooms and through them may circulate by the catalogue and distributing rooms back to the main reading room. Around the walls of the three reading rooms, the books are stacked three stories high. Those on the ground-floor are alone freely accessible to the students. Here are found the codes, the reports, the digests, the most used text books, current French and foreign legal, historical and economic periodicals, bound files of the most important among them, and the hundreds of theses submitted by those who have received the degree of *Docteur en Droit*. The stacks on the upper floors can only be reached by the attendants by means of narrow iron balconies.

The books are arranged in neither alphabetical order of title nor of author, but in the order of their catalogue number, which seems to depend upon the order of the book's reception in the library. The card catalogue is not modern. It lies open in a small ante-room, formidable indeed in size, but written in an almost illegible longhand for the most part, and deficient in scientific arrangement.

Having found the catalogue number of the book I desire I fill out a slip which I send up in a dumb-waiter to the attendant who stands waiting to receive it just over my head on an iron grill balcony. I may in this way procure as many as ten books at a time.

The library, which opens at half-past nine to close again for an hour at lunch time, is well attended and in the mornings it is often difficult to find a seat at the long reading tables.

As each student leaves the precincts of the library, he opens his *serviette* and an attendant gives a perfunctory glance into it to see that he is not carrying away a library book.

It will not be out of place to conclude this sketch of a morning's work at the Paris Law School by a glance at the position which the School holds in the hierarchy of French public education.

The highly centralized and bureaucratic government of France has provided a complete system of education for her citizens. The laws pertaining to education are applicable over the whole of France and they are executed by the Minister of Public Instruction.

Education in France is divided into primary, secondary and higher. The primary schools are free and attendance is compulsory. The period of study is completed at twelve or thirteen years of age.

The secondary schools are called *lycées* and *colléges*. Upon graduating from the *lycée* at about the age of eighteen, the student receives the degree of bachelor and is prepared to enter the universities which are the seats of the higher education. In the *lycée*, education is neither gratuitous nor compulsory. It is both co-extensive with and superior to the primary schools in that the child may commence his education in the *lycée* without first attending the primary school and in that the primary school does not prepare for the university.

The examination for the degree of bachelor is held in the universities and so serves as both a graduating examination from the preparatory school and the entrance examination of the university.

Regionally, France is divided into sixteen academies of higher education, independent of each other, depending directly from the Ministry at Paris and constituting, each one, a university. Each university is divided into several faculties according to the needs of the region, those of letters, science, medicine and law.

While the unique history of the University of Paris sets it apart in many respects and chiefly in that of importance from the other fifteen universities created or brought under control of the State by Napoleon in 1808, theoretically it may be looked upon as simply one unit of a perfectly symmetrical system and the Law School or *Faculté de Droit* as one division of the University of Paris

in exactly the same sense that a law school may be a department of an American university.

We have already seen how the degree of bachelor obtained on leaving the *lycée* admits, also, to the university and that of course means to any one of the four faculties of letters, science, medicine and law.

In the Law School there are three classes of students: first, those regularly matriculated with a view to passing the examinations leading to a degree; second, those matriculated as *auditeurs bénévoles* or listeners who may not present themselves for a degree; and third, the public which is admitted to most of the courses freely, but who have no rights of any kind and may be excluded in the interests of good order.

The course leading to the most usual degree, known as the *licence*, which admits to legal practice and many official careers, requires three years. The fees amount in all to 750 francs or \$150. Each year's roster includes six main courses and each course offers three lectures a week.

It is not surprising to see Roman law figure at the head of the curriculum in the first year, forming as it does not only the substratum of much of the French Civil Law, but also of a large part of, the law of the world.

The first year includes also the history of law and constitutional law. The study of the Civil Code runs through all three years while political economy fills an important role during the first two years. Criminal and administrative law are taught during the second year and a choice may then be made between public international law and the Roman law of contracts. In the third year, commercial law is covered in two courses. This includes such important subjects as the jurisdiction of the commercial Courts, partnerships and corporations, carriers, sales, negotiable instruments, insurance, brokerage, admiralty, patents, trademarks, etc. Practice, private international law and a choice between industrial law and colonial legislation are offered during the third year.

The program is practically the same in all the Law Schools of France, since the degrees of each are equivalent, theoretically at least. Of course, as the Paris faculty is regarded as superior to

those of the provincial universities, a degree from Paris carries more weight.

The French curriculum is seen to be considerably more inclusive than that of an American Law School. In America, a student may graduate from a law school without having read a page of economics or having acquired a large view over the historical development of law either in the United States, England or Continental Europe. The structure of our Federal, State and Municipal governments is left to the individual researches of such students as are interested and have the time to apply to it.

On the other hand, American law schools devote a far greater time to the teaching of those departments of law which are of use in daily office practice. Such subjects in the French curricula would be found in the courses on the Civil, Criminal and Commercial Codes, which combined constitute only one-third of the whole program of work.

Sharp at the hour of noon, the library attendant raps on his desk with a ruler—the lunch signal. I join the throng that pours out onto the Rue St. Jacques, where seedy-looking individuals are distributing advertisements of quiz masters. Down the Rue Soufflot, we go to the Boul. Mich. where we scatter and sift into our favorite restaurants. I continue my way down the Rue de Monsieur le Prince, that marks the old line of the walls of Paris in the time of Philip Augustus. Across the Boulevard St. Germain is Thèrion's. I recommend to you its *soupe à l'oignon* and its *châteaubrian pommes pailles*.

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