

# The Open Court

A MONTHLY MAGAZINE

Devoted to the Science of Religion, the Religion of Science, and the  
Extension of the Religious Parliament Idea

Editor: DR. PAUL CARUS.  
Assistant Editor: T. J. McCORMACK.

Associates: { E. C. HEGELER.  
MARY CARUS.

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VOL. XV. (NO. 3)

MARCH, 1901.

NO. 538

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CHICAGO

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LONDON: Kegan Paul, Trench, Trübner & Co., Ltd.

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## HUGO GROTIUS.

Dutch Jurist, Scholar, and Statesman.

(1583-1645.)

Painting by Abraham van de Temple in the museum Van der Hoop, at Amsterdam. After a copy by C. C. Burleigh made in 1882 for the Honorable Andrew D. White and now in the library of the Cornell University Law-School.

*Frontispiece to The Open Court.*

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## THE PROVINCE OF GOVERNMENT.

BY THE HON. C. C. BONNEY.

### I. INTRODUCTORY.

THE true province, office, and scope of civil government is a great and interesting theme. It touches all the relations that society deems sacred, and all the interests for which the warfare of life is waged.

In their government the people become united and powerful. In their government the many become united into one august and potent body, exercising authority, administering the laws, controlling the conduct of public affairs, preserving internal peace, defending the country against foreign foes, and performing such works as the general welfare demands.

In their government the people unite for the promotion of the common good, for the attainment of what they mutually desire, and for the preservation of what they hold in reverence. In their government the people find the largest prosperity of all in the highest well-being of each, and realise the philosophy of the great orator of the early Christian Church,—that all are members of one body, and if one member suffer, all the others suffer with it, and if one member be honored, all the others rejoice in its success. Poverty, sickness, misfortune, and crime; prosperity, health, success, virtue, and peace,—are all matters of common concern in the social state, and hence not to be ignored in the administration of the government.

But what are the limits of this all-protecting power? What are its relations to the individual, to the family, to the church, to the business calling, and to the people in communities or at large?

Before proceeding to consider these inquiries, the field of investigation must be narrowed and defined. A discussion of the province of government in general would be too diffusive to lead, within the limits of the present purpose, to any definite, practical conclusion. The conditions and relations of government are not the same in monarchical and in republican systems. Hence, to avoid confusion, we must confine our inquiries to the system under which we live, and which has for us a practical as well as a philosophical interest. What, then, is the true province of our own government, or governments?—for we seem to be living under several. Are they indeed separate, or are they only departments of one harmonious system of control? Municipal government, state government, and national government, confront us. What are their relations to each other, and to the people, and what is the true scope and duty of each?

The liberty of the individual and the authority of the Government are the two great counterbalancing forces of the American system. As the centrifugal force of the planets forever tends to draw them away from the sun, to roam unrestrained in their own paths through space, so the freedom of the individual continually impels him to resist the restraints of Government and the obligations of duty, and to seek in lawless ways the advancement of selfish interests and the attainment of personal ends. As the centripetal force of the solar system, if unchecked, would draw the planetary worlds into the consuming embrace of the sun, so the Government, if wholly unrestrained, would usurp all individual rights, and exercise a despotic authority over person and property, over "life, liberty, and the pursuit of happiness." And as the perfect balance of those opposing forces in the solar system secures its stability and perpetuity, so the just restraint of personal liberty by Government, and of Government by individual rights, results in the proper equilibrium and harmony of the opposing powers, and secures all the blessings of what is known as free government.

The relation of municipalities to the States, and of the States to the nation, has sometimes been described by declaring them, in poetic phrase,

"Distinct like the billows, yet one like the sea ;"

but I think a truer and nobler analogy may be found in moon, and planet, and sun, following forever their appointed paths among the stars.

Doubtless the same illustration has occurred to others. The heavens, says the sacred anthem, declare the glory of God, and the



firmament showeth his handiwork ; and so also do they indicate, in the movements of the heavenly bodies, the order and harmony that should be found in a wise system of civil government.

## II. THE NATIONAL GOVERNMENT.

The unity of God is the fundamental doctrine of religion, and the unity of the government is equally indispensable to a successful and enduring control of human affairs. A government divided against itself cannot endure. The people are the acknowledged source of all civil authority. They have created all departments of government, municipal, state, and national.

The people are one ; their governments also are one. Until it is seen that the governments of municipalities, states, and the country are harmonious parts of one system, and not independent and rival systems, their relations to each other and the public cannot be understood. They are all created by the same power, the power of the people. They differ in the uses they are intended to perform. Municipal and state governments are limited to the localities in which they are established, and they exist as well by the permission and the protection of the people of the whole country as by the active consent and effort of the inhabitants of the locality.

The National Government stands for all the people of all the States, and in theory exercises the will of all in their collective interests. It has the supreme authority of judgment and of execution. It is the final judge of the extent of its own powers, and the entire military force of the people is placed at its disposal for the enforcement of its decisions. If it oppress the people of any State or section, their sole remedy is through an appeal to the justice of the people of the whole country, who have the power, by the machinery of popular elections, to change the agents by whom the government is administered, and thereby to give redress to the oppressed.

The rights of States, and of municipalities, and of persons, depend, not merely on any reserved power of forcible resistance, but mainly on the public conscience of the whole country. The people of a State cannot even maintain a local prosperity, except in harmony with the views and interests of the people of the whole country. Sectionalism is the deadly Upas tree of the republican system, whose effluvium poisons the air of popular liberty, and converts the fair and fruitful garden of the common good into a dismal desert of selfishness and hostility. The rights and interests of the people

of every other State should be as dear to an American citizen as those of his own immediate locality. True citizenship is national. No State has the power to protect its inhabitants beyond its own borders, and every citizen of the United States ought to feel that wherever he may go in any lawful pursuit, the resistless power of his country will maintain his rights, and punish every aggressor. If any foreign power fail to protect an American citizen, the National Government interferes, and compels redress. And if any State fail to protect a citizen of another State in all his rights and lawful interests, it is the duty, and should be the pleasure, of the people of the whole country, through their common Government, to come to his relief. The idea that the parts of the country are independent of the whole is utterly pernicious, and should be rooted out of the public mind. The right of free local self-government in cities, counties, and States is of inestimable value, but this right depends for its perpetuity, as has been already said, not so much on physical force, as upon the desire of the people of the whole country to maintain such self-government, and upon their love of justice and fidelity to the law. A city, a State, or a section arrayed in hostility to the general welfare is a hateful sight; but never since human government began did the shining heavens look down on a more gracious scene than the grand family of the United States dwelling together in unity.

The idea of State citizenship was paramount in the confederation of 1778, in which each State retained "its sovereignty, freedom, and independence, and every power, jurisdiction, and right which was not expressly delegated to the United States in congress assembled."<sup>1</sup> And the same idea largely prevailed under the constitution of 1787, although that instrument expressly declares that "the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, do ordain and establish the constitution."<sup>2</sup> But the question of national citizenship was finally settled, and the right fully and firmly established by the Fourteenth Amendment, the adoption of which was proclaimed July 28, 1868. It declared, among other things, that "all persons born or naturalised in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside," and that "no State shall make or

<sup>1</sup>*Articles of Confederation and Perpetual Union*, Article 1.

<sup>2</sup>*Con. U. S. Preamble*.

enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, or deny to any person within its jurisdiction the equal protection of the laws." It also declared that "the Congress shall have power to enforce, by appropriate legislation," all the provisions of the amendment. The provision for national citizenship is in perfect accord with the spirit and purpose of the constitution as originally adopted; and rather establishes on a firm foundation the original import of the national charter than adds a new doctrine to its provisions.

By the side of this grand citizenship of the whole country, the citizenship of State or municipality appears, and is small and unimportant. The world knows little and cares less about the geographical or political divisions of the country, but it knows and respects the Government and the people of the United States. The true province of the National Government is to maintain this national citizenship, with all its accompanying rights and interests.

To accomplish the objects and purposes for which the constitution was ordained, the General Government has power, among other things, to raise revenues for the common defence and general welfare; to regulate commerce; to make war; to raise and support armies and navies; and to make all necessary and proper laws to carry into effect the powers vested in the Government of the United States, or in any department or office thereof. It is also made the duty of the General Government to guarantee to every State in the Union a republican form of government, and to protect the States against invasion, and on the proper application, against domestic violence. "To guarantee" is defined to be to make sure, to warrant, to secure the performance of a duty. The word "form," as used in this connexion, is defined as the equivalent of constitution, organisation, system. It means substance, as well as arrangement. The national power and duty to guarantee to every State a republican form of government are of tremendous import, for the nation must necessarily judge what is republican within the meaning of the constitution, and have authority to carry its decision into effect; and notwithstanding the judicial dogma that words should be construed in the sense they were understood to bear when employed, the living spirit of the constitution develops new meanings as the generations advance, and new emergencies of government arise. In constitutions, as well as in sacred Scripture, "the letter killeth, but the spirit giveth life."

The States are restrained in many particulars. Among them, they are deprived of the power to form alliances; to coin money to levy duties on commerce; to emit bills of credit; to deny full faith and credit to the public acts, records, and proceedings of each other; to deny to the citizens of any other State the privileges and immunities enjoyed by its own; and the constitution of the United States, and the laws and treaties made in pursuance thereof, are declared to be the supreme law of the land, and the judges in every State are declared bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding; and all legislative, executive, and judicial officers, both of the United States and of the several States, must be bound by oath or affirmation to support the constitution of the General Government. And yet, *mirabile dictu!* there are people who seem to question whether the Republic is a nation. The ghost of the ancient Confederacy, like the disturbed spirit of Hamlet's sire, revisits from time to time the glimpses of the moon. Here and there some political Belzoni exhibits the Confederate relic of the former century, recalling the song-celebrated mummy, who, we are told, walked about

"When the Memnomium was in all its glory."

But neither wandering ghost nor embalmed bones have any longer the power to inspire a popular movement. The War of Secession was an attempt to restore the dead Confederacy to life, and to establish it in at least the southern part of the Union, in the place of that living power which now rules the Republic, and has demonstrated its supremacy alike over domestic discord and foreign foe.

The true province of this living power is to maintain the national authority in all matters which affect the people of the whole country; to perform all such works and make all such regulations as the general welfare of all the people requires; and to protect the people of the several States in all the rights, privileges, and interests which are reserved or guaranteed to them by or under the constitution of the Union.

In many particulars the nation has failed to perform its duty toward the people of the several States. For example, it has failed to provide adequate remedies for violations of the obligations imposed on the several States; it has failed to provide an adequate and efficient public service; frequently it has wasted the public revenues in appropriations for schemes of no public importance, while works of the highest national interest—like a ship-canal con-

necting the Great Lakes with the rivers which pour their waters into the Gulf of Mexico—have been neglected. It seems to realise that soldiers and sailors need a special training for the proper discharge of their duties, and yet to suppose that the holders of high civil office can become statesmen by inspiration. In many other respects the General Government has failed to fulfil the grand purposes for which it was created. It should now advance. Every department demands reform. In every quarter a higher and better service is required.

### III. STATE GOVERNMENT.

While contemplating national power and glory, the States and their governments seem of comparatively small importance; but when viewed in their proper relations to the General Government, to the people, and to each other, they become invested with a wonderful dignity and interest. We turn from the lofty mountains, grand and glorious, to find a sweeter delight in the fields and gardens of the fertile plain. In the fruitful fields of the well-ordered State flourish all the virtues of civilised life. Every star in the radiant heavens looks down on a human home. The valleys ring with the shouts of school-children. The hills echo the music of church bells. The winds waft the perfumes of the fields into villages and cities, and carry back to the quiet farms the eloquent voices of workshop and mill. Agriculture, manufactures, and commerce, industry, learning, and religion, literature, science, and art, these are the powers that build the cultured State, and organise its inhabitants into an enlightened society for mutual assistance, protection, and advancement.

What is the province of government in relation to such a society? In general it is the right and the duty of the State government to protect the inhabitants in all their rights of person, property, and association, and to cause such public improvements to be made as the common good requires. The sacred things of society are person, family, religion, and property. To invade any one of these, in the humblest inhabitant, is to assail the State. Hence, the State prohibits and punishes such invasions as crimes against the peace and dignity of the whole people, and in their name tries the offender, and inflicts the penalty. It is manifest that government cannot endure without a fixed standard of right and wrong. To hold that justice or injustice are mere matters of public opinion, subject to change with the variations of popular caprice, would be to enthrone moral chaos, and to put "the abomination of deso-

lation in the most holy place" of civil government. So obvious has it been that those who make, interpret, and execute the laws should be guided by some acknowledged rules of moral right and wrong, existing independently of themselves, that the recognition of religion as indispensable to the well-being of the people, and as the guide of the State in matters of a moral nature, has been well-nigh universal. The frenzy of the Reign of Terror sought to dethrone religion, and set up human reason in its place; but the effort failed in the most ghastly catastrophe which modern history records.

The attempts recently made to "secularise the government," as the movement is termed, arise from a total misconception of the nature of the case, and of the relations of a separate Church and State. The free State protects the free Church; and the free Church preserves the free State. Neither can exist without the aid of the other. It is therefore as much the province of the Government to protect the religion of the people as it is to protect their homes and schools and possessions. It is not within the scope of this essay to show in detail how the free State and the free Church uphold and support each other. Whoever is interested in the subject may satisfy himself, if he will, by a reference to the early history of the country, and to the acts and words of the illustrious statesmen, jurists, and patriots who took a chief part in establishing the American system of free government, that the principles of the Christian religion were regarded as furnishing an unchanging and unchangeable standard of right and wrong for the guidance of lawmaker, judge, and executive.

The objects and purposes of State government, under the American system, are set forth in a somewhat specific way in the bill of rights common to the State constitutions. That for Illinois may serve as an example of them all. It declares that freedom and independence are natural attributes; that life, liberty, and the pursuit of happiness are inalienable rights; and that to secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed. It forbids that any person be deprived of life, liberty, or property, without due process of law; that is to say, without fair notice, an open trial, and a reasonable opportunity of defence.

It guarantees forever the free exercise and enjoyment of religious profession and worship; it forbids that any person be denied any civil or political right, privilege, or capacity on account of his

religious opinions; but provides that the liberty of conscience thus secured shall not be construed to dispense with oaths or affirmations, or excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State. The religion thus upheld and protected is the spirit of the religion of Christianity, but no person can be required to attend or support any ministry or place of worship against his consent, nor can any preference be given by law to any religious denomination or mode of worship. This provision relates to the religions established in this country, and would extend to other foreign systems of faith solely on the conditions that they are subversive of morality and foster the spirit of truthfulness and brotherly love. Even pagans are protected from all persecution on account of their views on the subject of religion. Thus the protection of the Church is harmonised with the guarantee of personal liberty. The individual must not assail religion; and those who administer the affairs of the Church must promulgate its teachings by persuasion, and not by force.

The bill of rights then secures freedom of speech and liberty of the press, with personal responsibility for the abuse of that liberty, and a provision that in all trials for libel, both civil and criminal, the truth, when published with good motives, and for justifiable ends, shall be a sufficient defence. Trial by jury is perpetuated; protection of persons, houses, papers, and effects against unreasonable searches and seizures is declared; and any arrest of person, or seizure of property, without probable cause set forth on oath and in writing, is forbidden. Protection against unjust criminal accusations, unfair trials, and unreasonable penalties, is given in ample and emphatic terms, which reminds us of the barbaric cruelties which other people have suffered for the want of such restrictions. Imprisonment for debt is prohibited. If private property be taken or damaged for public use, just compensation must be made. Acts innocent when done, cannot be made offences by subsequent legislation. Lawful contracts cannot be impaired by laws passed afterward. The military must be strictly subordinate to the civil power. Elections should be free and equal.

The people have a right to assemble in a peaceable manner, to consult for the common good, to make known their opinions to their representatives, and to apply for redress of grievances. These guarantees of free government conclude with the declarations that every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property, or reputation: that he ought to obtain, by law, right and justice

freely and without being obliged to purchase them, completely and without denial, promptly and without delay; and that a frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty. Other provisions of the constitution command the enactment of liberal home-stead and exemption laws, that the home and the family may be protected against the calamities of business misfortune; and the establishment of a thorough and efficient system of free schools, whereby all the children of the State may receive a good common-school education, thus recognising and declaring that the intelligence of the people is the safeguard of the republic. Such is the true province, and such are the limitations of State government under the American system. And surely it will be admitted that if the high ideals of the bill of rights could be realised in actual government, the dream of a free people, unrestrained except by self-imposed laws, yet strong as an empire in their unity for common ends, would be fulfilled,—a dream that lights up the dark expanse of the ages, like the soft glory of the galaxy, when we hear

"The trailing garments of the Night  
Sweep through her marble halls,  
And see her sable skirts, all fringed with light  
From the celestial walls!"

Such a government would be indeed a government of the people, by the people, and for the people; a government of equal rights and privileges, of liberty, industry, intelligence, religion, and charity. For whatever the catalogue of the fundamental principles of free government omits to express, that may be deemed essential to a well-ordered state, is so plainly implied that there need be no difficulty in its application in the practical administration of public affairs. In the preparation of laws, the legislator finds a solution of most of the difficulties that beset him, in a careful consideration of conflicting claims and interests, and a decision in favor of what the general welfare seems to require. The State is not a school of speculative philosophy. It gives great latitude to inventive genius of all kinds, but it deals with interests of such infinite value and such solemn import that it must act decisively and from fixed principles, and must exact obedience from all, irrespective of the private opinions of dissenters. They may dissent at pleasure, and express their dissent in any orderly way, and persuade the governing authority to change its course if they can; but until a change is wrought, it is the province of the Government to require a uniform submission to its authority.



As liberty and equality are the inalienable rights of all, and the Government exists for the sake of those and kindred rights, it follows that, as regards individual conduct, the best government is that which governs least; that is to say, which gives the best protection to person, property, and society, and in the highest degree promotes individual freedom, enterprise, and success. But such a government must, at the same time, if it would discharge its full duty, promptly perform all those public works that devolve upon it, including such improvements as the common good or general welfare demands, and the burden of which ought not to fall on individuals. It is not the province of the Government to build houses, shops, or churches: but it is the province and the duty of the Government to protect them and their occupants against all assaults; and it is also the province and duty of the Government to make highways, to bridge streams, to construct harbors, and the like, that the people may come and go, and trade and worship, with prosperity and in peace.

#### IV. THE MUNICIPALITY.

But if such be the province of State government, what is left for the municipality to perform? The municipality is the agent of the State in the service of the people. Its office is to assist in the execution of the laws enacted for the government of all the people, and to provide such additional safeguards and facilities as the local conditions may require.

In the county, township, village, and city, the relations of the people become more complicated and intimate, and demand a corresponding degree of governmental care. In these relations the forces of social life develop their most powerful activities; the competitions of business demand extraordinary efforts; and the strife for place and power excites the most determined exertions. Hence, special regulations are required, greater facilities called for, and a more thorough and efficient supervision rendered necessary. The police power of the State is exercised, and the public revenues collected and applied mainly through municipal instrumentalities. It is mainly by virtue of what is called the police power of the State that the people are protected in the actual enjoyment of their constitutional rights.

“It is,” says a high authority, “a settled principle, growing out of the nature of well-ordered society, that every holder of property, however absolute and unqualified may be his title, holds it under the implied liability that his use of it shall not be injurious

to the equal rights of others to the enjoyment of their property, nor injurious to the community. All property is held subject to those general regulations which are necessary to the common good and general welfare."<sup>1</sup> It is pre-eminently the province of the State government to make such regulations. It is settled by abundant authority that they may extend to the public health and safety; the restriction or prohibition of offensive or dangerous occupations; the suppression of disorderly proceedings; and the promotion of intelligence, virtue, and good morals. Laws for such purposes are upheld as a valid exercise of the police power. The actual enforcement of such laws is devolved on municipal agencies. The essential nature of municipal government is administrative. Its office is not to make the laws, but to take the active part in carrying them into effect. In obedience to the mandate of the State, its hand levies and collects the taxes, erects public buildings, constructs roads, builds bridges, arrests offenders, executes the processes of the courts, dispenses public charities, abates nuisances, and protects person and property from assault and injury. It is the office of municipal government to carry the guarantees of the bill of rights into actual effect and make them living verities to the people.

Municipal government is the hand by which the State executes its will. This hand, which does the bidding of the people as made known by the voice of the State, should be the hand of a master builder in the construction of public improvements; the hand of the soldier in defending the community and maintaining public order; the hand of fidelity in administering the public revenues; the hand of justice in executing the law; the hand of a woman in the sacred work of charity; and the hand of an angel in the protection of the people, especially the young and defenceless, against organised vice and crime. This is what should be; but too often we behold, in place of that divine symbol of intelligent power, the palsied and leprous fingers of corrupt greed, working in favor of the dangerous classes of society, and treating their interests as paramount to those of the classes to whose industry and virtue all the progress of the community is due. But the palsy and the leprosy of the hand of civil authority may be healed, if the people will. The miracle only waits their call, and will descend and display its restorative power whenever the earnest prayer of the popular heart ascends to its willing ear.

Municipal government touches the divine institution of the

<sup>1</sup> *S. S. & C. L.*, 438.

family on every side. The power of the nation and the authority of the State seem afar, but the municipality is ever by our sides and at our doors. It surrounds the home; and this fact is the guide to the nature of its office. It is so to protect the home and its inmates that they may all enjoy "life, liberty, and the pursuit of happiness," and that each may attain, in any lawful calling, the highest position for which he is qualified. What all the people need in substantially equal proportions, they may secure in either of two ways. They may cause it to be provided by a common agent, at the common expense, or they may allow private enterprise to supply the need, and be repaid by a tribute to be collected. The erection of a school-house from funds raised by taxation, is an example of the first class; and horse-railway service by a private corporation is a specimen of the second. Public charities rest on two grounds,—the protection of the community from the evils and crimes which pauperism always brings in its train; and the manifest duty of every society to afford a sufficient protection to every law-abiding member. Protection equalises the conditions of society. The strong need less than the weak; the rich need less than the poor. Public compulsions also rest on a double ground,—the protection of the people against violence and fraud; and their right to compel those to be industrious, though against their will, who, being able to take care of themselves, would nevertheless become a burden to the community.

The protection of education and religion has likewise a two-fold support. The people regard the first as of inestimable value, and the second as sacred, and both as indispensable to a well-ordered community; and in addition to those considerations, the school-house and the church are the citadels, without which intelligence and virtue could not wage victorious warfare against ignorance and vice.

The treatment of so vast a subject in so brief a space must necessarily be fragmentary and suggestive. The magnificent landscape may be outlined in an hour; but its infinite details would require weeks or months for their portrayal.

So let us pause, and recur to our view of government as one grand personification of the power, the intelligence, and the virtue of the people. Its purpose is, not to make the individual dependent on needless aid, but to render him more and more self-reliant and independent. The excellence of the whole depends upon the excellence of its parts: make the individual citizen great and free, and the nation will be strong and glorious. The restraints of a

just government are not felt by him who desires to act justly, for the mandate of the law is in harmony with his will. He who regards the person, family, home, property, business, and church of his neighbor, as sacred from every assault, will have no terror of the law that provides penalties for injuries to them. To him the face of civil government is majestic and benign, and its voice welcome and encouraging, for it is his protector and his friend. It protects the country against foreign invaders and domestic violence. It administers the laws, settles controversies, and executes judgment. It opens harbors for storm-driven ships, highways for the toiling people, and asylums for the friendless, aged, and infirm. It builds institutions of learning for the ignorant, who are willing to learn; prisons for the control of those who will not govern themselves. It protects even the dumb beasts from wanton cruelty. It substitutes a reign of law for a dominion of force. Or if it fail fully to accomplish all or any of these grand results, it is ever in the effort to attain them.

The patriotic subject of such a government beholds it, not as the unanswering sphinx of Egyptian plain, not as the enslaving tyrant of war-worn empire, but as the vicegerent of God, descending like Moses from the holy mountain, with the tablets of the law in his hand, and the divine glory illumining his face.

# THE SACRED FIRE AMONG THE SLAVIC RACES OF THE BALKAN.<sup>1</sup>

AN ETHNOLOGICAL STUDY.

BY PROF. VL. TITELBACH.

THE domestic hearth-fire is sacred among all Slavic peoples, without distinction of stage of culture. It may never be started by blowing with the mouth. A bride, on entering her new home, is led thrice around the hearth by the groomsman; she must stir the fire with the poker, and utter the following words: "As many as

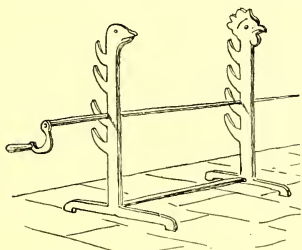


Fig. 1.

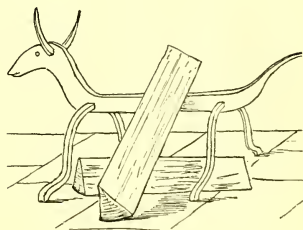


Fig. 2.

ANDIRONS OF BALKAN PEASANTS.

the sparks that fly, so many may the cattle be and so many the male offspring that shall bless our new home."

The form of the andiron in the peasants' houses has from time immemorial been either that pictured in Fig. 1, where one side is shaped to represent a snake and the other the head of a cock; or that pictured in Fig. 2, where some domestic animal is represented.

The fire on the hearth is never permitted to go out. It is the

<sup>1</sup>Translated from *Internationales Archiv für Ethnographie*. Bd. XIII. Leyden: Brill. 1900.

eternal sacred fire of the peasant's home. Its extinction betokens misfortune, or is a sign that some member of the family will die.

The servants employed on the farm gather about the fire and pass away the long autumn and winter evenings in lively conversation. On Christmas eve, the sacred billet, *Badujak*, is lighted, and is sprinkled by the father of the house with wine, olive oil, and honey. On St. Ivan's Day, the Ivan's fire is lighted, and maintained through the whole night. The young people of the village gather together and dance the *kolo*, accompanying their dance with songs. But the "living fire" is prized most highly of all, because, as the Slavic tradition goes in the Balkan peninsula and the Carpathians, it possesses special curative powers.



Fig. 3. METHOD OF GENERATING THE SACRED FIRE IN WESTERN MACEDONIA.

The living fire is generated as follows :

In some places (as in the mountains of Old Servia) it is customary to select two children, a boy and a girl, between eleven and fourteen years of age, who are entrusted with kindling the fire. They are conducted into a perfectly dark chamber, where they are obliged to remove all their clothing, and not to utter a single word. Two dry cylindrical pieces of linden wood are given to them, which they alternately rub briskly together until the pieces are ignited. A piece of tinder is fired by the sparks thus produced, and dedicated to sacred uses. This manner of obtaining the sacred fire is the oldest, but has now passed almost altogether out of use.

Another method prevails among the Servians of western Macedonia. Two slabs of oak wood are driven solidly into the earth, and in their upper extremities two round holes are bored in which a cylindrical piece of linden wood is so inserted that it can be rapidly rotated (see Fig. 3). A stout cord is drawn tight around the two upright slabs to prevent their springing asunder. A primitive violin bow is then constructed, the string of which is wound once around the piece of linden wood. By moving the bow to and fro the cylindrical piece of wood is brought into rapid rotation and through the heat of friction thus generated a piece of tinder inserted in the holes of the uprights is ignited.

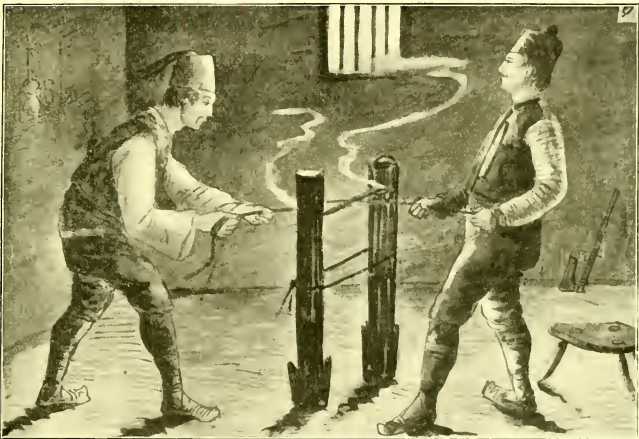


Fig. 4. METHOD OF PRODUCING THE SACRED FIRE IN THE KOSMAJ HIGHLANDS.

In the autumn of 1899, while in the Kosmaj Highlands, I saw the sacred fire produced in a different manner (see Fig. 4): Two peasants drove two semi-cylindrical pieces of wood into the ground and drew a rope taut about them. The piece of light linden wood was so inserted that it could be readily rotated by means of a simple rope wrapped once around it,—a device which was even more efficacious than that of the primitive violin bow, and led quickly to the desired end.

In Bulgaria, I once saw the living fire, *živā vatra*, kindled by shepherds. They selected the stump of a tree for this purpose

(see Fig. 5), and nailing to the flat top of the stump a prismatic piece of linden wood, they drew back and forth across it a second piece, by the friction of which the fire was kindled.

The purpose for which the sacred flame or living fire is used in the peasants' homes remains to be explained:

While on a scientific journey in the interior of the great forest districts of Servia, several years ago, I accidentally had an opportunity of witnessing a ceremony which illustrated the uses of the sacred fire.

It was in the autumn. In the village of Setonje, at the foot of the Homolje Mountains, there raged a general epidemic among



Fig. 5. SHEPHERDS MAKING THE SACRED FIRE IN BULGARIA.

the children which the prejudiced peasantry concealed from the authorities for fear that the physician of the province would visit the place. Two old women, who were obliged by tradition to have the names *Stana* (from *stati*, to stand, not to spread) repaired to a spot outside the village. One of them carried a copper kettle filled with water, the other an old house-lock and key. The first one then said: "Whither goest thou?" Whereupon the one with the lock in her hand answered: "I have come to lock out misfortune from the village." With these words she turned the lock, and cast it, together with the key, into the kettle of water. She then walked





Fig. 6. SERVIAN CEREMONY FOR CHECKING AN EPIDEMIC.

thrice around the village, repeating each time the same ceremony as she passed the "woman of the kettle."

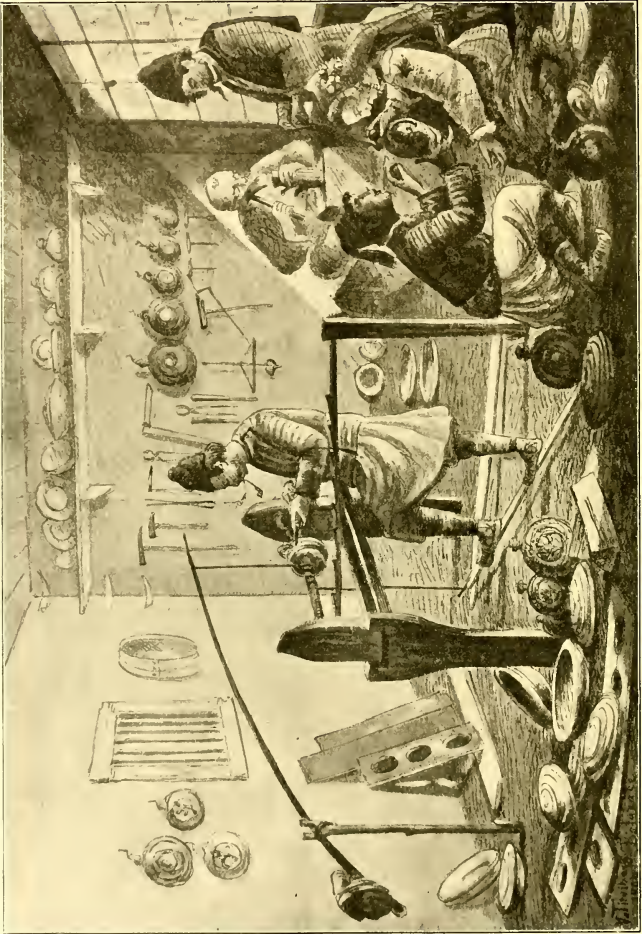


Fig. 7. WORKSHOP OF A PROFESSIONAL SERVIAN FIRE-MAKER.

In the meantime, all the inhabitants of the village gathered together, arrayed in festive attire, having extinguished before leav-

ing home the fires burning on their hearths. Two sturdy peasants then constructed on a hillock, to the right of an oak-tree, a tunnel sufficiently high to enable a person to crawl through comfortably on all fours. Lengthwise in the tunnel a wide board was laid and at its exit a second board was placed crosswise, the two together forming a T. In the meantime, an old woman and an old man had kindled on both sides of the tunnel the "living fire," in the manner represented in Fig. 6. When everything was ready, the woman with the kettle took her place to the right of the fire at the entrance to the tunnel, and the woman with the lock was stationed at the other end. To the left of the exit a peasant woman with a large pot of milk stood. To every one who crept through the tunnel she gave a sup of milk from a wooden spoon. At the other end of the tunnel stood a pot containing melted hog's fat, into the surface of which each person gazed as he crept through. Then, on the back of each person that crept through a third peasant woman drew a cross with a piece of charcoal. After all had crept through, each person present placed several of the glowing coals in a jar and hurried home to kindle the fires of their hearths. They then cast some of the charred wood into a vessel containing water and drank of it, in order to render themselves proof against the epidemic.

I learned afterwards that there existed a professional maker of fire for sacred purposes, and accompanied by a peasant I visited his workshop. He was a manufacturer of wooden-ware, and generated the sacred fire upon a primitive turning-lathe which he had constructed, selling small portions of it for twenty para (4 cents). Fig. 7 shows his workshop with the apparatus accurately represented. The mechanism is set going by means of two systems of levers, as appears from the drawing.

## THE VALUE OF ETHICAL CULT.

COMMENT ON MONCURE D. CONWAY'S ARTICLE "ETHICAL CULTURE VERSUS ETHICAL CULT."

BY J. CLEVELAND HALL.

MR. Moncure D. Conway has emancipated himself from many things. The knowledge that his emancipation has never had the assistance of any "underground railway,"—but has, on the contrary, been at times an openly hard-fought battle,—makes the product of his freedom always interesting.

His article on "Ethical Culture *versus* Ethical Cult," in the February *Open Court*, is, as usual, not lacking in this element. It is interesting,—from the *Standard Dictionary* definitions on through the "pottery" of Paul to the conclusion that Ethical Culture must destroy Ethical Cult in order to establish its era.

But some primal thoughts are ignored in the rapid scintillating passes of the intellectual rapier, which are proper to interpose openly as a shield, or to even wear as a secret armor against such an antagonist.

In the first place, that all men are born free and equal, although acceptable to Mr. Conway, is not an axiom. If it were so, certainly, the inspiration of a whirling dervish, or of a cataleptic trance medium, or of a savage medicine-man intoxicated on a decoction of roots and herbs, would be equal to the inspiration of Mr. Conway himself. But it is not true. There is no equality in intellect, intelligence, or inspiration. That Herr Most may be inspired, and inspired by God, aye, by a good God, may be maintained; but from even Mr. Conway's position regarding ethics, his inspiration is not a proper thing to be at large, and spread its infection in a community.

In the second place, when a rose is mentioned, there does not rise to the mind's vision a wild, untamed, pink collection of five

flat petals surrounding a brown cluster of awkward looking stamens; but a large, full-blown, richly colored, heavily perfumed product of "culture."

How futile and inapt would be an attack on the claimed supremacy of the rose in the flower kingdom, based entirely on the evident inferiority of an ill-selected specimen of the wild rose.

There was,—unquestionably,—a time in the history of Christianity when the Bible was a flat, immovable, arid waste; a place for heated conflicts and controversies; an arena, where in the hot glare of passion men played battledore and shuttlecock with Biblical texts,—“fought to win the prize, and sailed through bloody seas.” In such times,—and to-day in backwoods counties where such times still persist,—a militant Church meant a militant God; the Old Testament was the equal of the New Testament in authority over human conduct and human thought; and Jehovah ordering His people to massacre the Amorites was accepted as being as much a revelation of what God was, as was the Father whose affection is recorded in the Gospels. The “But I say unto you,”—of the Christ,—receives no attention in such times, and among people where “culture” is wanting.

It is not indicative of a breadth of knowledge of the modern Christian pulpit to assume that from it men speak to-day who accept the Bible as a dead-level book, and who do not know the difference between the Garden of Eden and the Garden of Gethsemane.

Perhaps, where neither “culture” nor the “cult” have penetrated, a so-called,—still called,—Christianity exists, such as Mr. Conway has for his “windmill” antagonist, such as men of his rugged honesty of purpose—from Marcus Aurelius to Robert Ingersoll—have always denounced as “obstinate,” uncultured, and a libel against Divinity. But had the writer of “Ethical Culture *versus* Ethical Cult” a regular sitting, or even an occasional seat, in the pew of any one of the representative churches in any American city, he would not have opened himself to the charge of being ignorant that Christianity has entered another phase,—even as has every other department of human endeavor to uplift humanity. No more certain is it that human thought has burst the bonds of Greek Philosophy, human Science left far behind Alchemy and Astrology, and human Art outstripped the crude drawings in Egyptian tombs or Roman catacombs, than that Christianity has left scholasticism forever, has spurned a “Praise God Barebones” nomenclature, and has emerged from that protracted spell in its chrysalis

of darkness, when it deserved its Antonines, its Mohammeds, its Voltaires, its Ingersolls, and its Conways.

In the third place: Mr. Conway can have no greater love for human freedom than He who said "Neither do I condemn thee, go and sin no more." But, until "marrying and giving in marriage" is transferred from this naughty world, "for the hardness of your hearts," Moses, and all other law givers among men will hedge men about with statutes; not because the Bible says so, but because men have found it to be better so. The lion ought to lie down with the lamb,—at his side, not inside; but so long as he prefers having the lamb inside, so long are fences, and barns, and armed shepherds necessary. This is true whether the lions and the lambs are animals or men.

With Mr. Conway's main conclusion, that ethical culture, meaning by that the virtues of human life put into practise, is more important than ethical cult, meaning by that ecclesiasticism, I find no fault. Although, of course, not having attained the freedom which he possesses, I still think that ethical cult still has, and will continue for a long time to have, its *raison d'être* in the "constitution of man."

## NO PROTECTORATE BUT AN ALLIANCE.

BY THE EDITOR.

NAMES are not as indifferent as they would seem. Romeo's argument, "A rose by any other name would smell as sweet!" does not agree with facts. Names have associations in the minds of the people, and there are words, like "liberty," which, bare of meaning though they may be in some cases, possess nevertheless an electrifying power. The significance of names must also be considered in dealing with the populations of Cuba, Porto Rico, and the Philippines, which have recently fallen into our possession by right of conquest.

It is true that the control of these islands is a matter of great importance to the United States, and to leave the possession of their main harbor defences to chance would be a criminal neglect of proper foresight. Should Cuba, Porto Rico, and Luzon forthwith become independent states, their main harbors might be suddenly seized by some powerful nation either on a flimsy pretext, or even for actual cause, while to recover them would cost thousands of lives, hundreds of millions of dollars and might become in the progress of time an imperative duty. Should the harbors of Cienfuegos and Havana fall into the hands of a European power, there would be practically an end to the American control of any Isthmian canal; and in case we should be involved in a naval war of any kind, we should deeply regret having surrendered Cavite and the harbor defences of Manila.

Thus the desirability of holding these points cannot be denied. But here the question comes in, Shall we for the sake of holding them reduce the entire islands to submission and establish a state of sovereignty over the populations? Here lies the difficulty of the situation. We can easily grant the inhabitants perfect liberty with unrestricted home rule, and it is the avowed purpose of our government to do so. But in doing so we ought to be careful to

avoid names that are or may become odious to the people. It will be necessary to protect these islands against foreign aggression, not so much for their sake as for our own, lest they become a prey to some powerful rival. But the word protectorate suggests the idea of vassalage and other feudal institutions. How much easier would it be to keep a foothold in these islands by gaining their good-will and preserving their friendship? Let our connexion with them, which is as desirable to them as it is to us, be in the form of a friendly alliance, and barring difference of size and power let it be stated in terms of equality. We should accordingly replace the words "protectorate," "sovereignty," etc., by the term "alliance" and call these islands officially "allied republics." We should thus gain the sympathy of the populations, and in critical times the sympathy of the inhabitants may be worth more than the guns of our soldiers.

Let us grant to the populations of our new possessions home rule and liberty on the condition that our alliance be indissoluble and let the management of the harbor defences be removed as much as possible from political influence, both in the United States and in the Islands. Let the territory be regarded as neutral ground, belonging to the allied nations, the control of which can be strictly regulated according to the interests and safety of both parties, and for the sake of serving the ends of their alliance; but let the arrangements be made in terms of an alliance.

All the complications that arise from the difficulty of the islands being subject to the United States and yet not part of them are thus avoided. It would be impossible for us to transform the inhabitants at once into citizens of the United States just as it would be unfair to make Christians of the Mohammedans in the Sulu Islands. But our responsibility for their institutions ceases when we treat them as allies, not as subjects, and recognise their right of regulating their home affairs according to their own notions—which of course does not exclude the advisability of exercising a moral influence and of persuading them to introduce reform and to change those customs of theirs which are evidently marks of an inferior civilisation.

The character of the relation between the United States and the allied republics could be such that citizens of our country might acquire, by change of residence, the right of citizenship in the Islands, and *vice versa* the inhabitants of the Islands might become, as soon as they lived in the United States, citizens of the



United States, and neither the former nor the latter should for that reason lose the citizenship of their original homes.

All these details may fairly be left to a consideration of the practical demands made by the contracting parties. Manila, being a conglomerate of diverse nationalities, should be divided into a number of independent states of which the United States government might be one, owing the territory of Cavite and other points of strategical importance. These states might enjoy perfect home rule and be as sovereign as are the states of our own Union, but should be united into a confederacy for the sake of harmonising their particular interests, of regulating their interstate relations and of attending to the administration of the whole. By not claiming the right of sovereignty and by avoiding all terms that savor of subjection and vassalage, we shall truly become more powerful in the Islands, for we shall gain their good-will, and instead of holding in possession so many million slaves we shall receive that many friends. *Quot servi tot hostes; quot socii, tot amici.*

## THE OLD TESTAMENT SCRIPTURES.

AS THEY APPEAR IN THE LIGHT OF SCIENTIFIC ENQUIRY.

BY THE EDITOR.

THE BIBLE has ever been, is still, and will remain forever, the most important book for the study of religion. It has been the religious primer of the Mediterranean nations, offering them the basic ideas of their education; and now it has become to the scholar and historian a veritable gold mine for the proper comprehension of the origin and growth of religious thought. That the Bible has been and is still misunderstood, as well as misapplied, that it is misinterpreted and taken for what it never pretended to be; and further that it served ends and purposes which at the time when the Scriptures were written had no existence at all, is certainly not the fault of the Bible, and cannot detract from its intrinsic value. We must study the Bible in order to understand it; we must read it both appreciatively and thoughtfully. An unthinking perusal of these ancient and venerable documents is as wrong and injurious as an irreverential scoffing at them. The former is stupid, the latter is unfair. In reading the Bible, we must not make our reason captive to blind faith by at once assuming a prayerful attitude; the unctious tone in which many pious people recite the text is not contained in the Bible; it is an addition of their own, and it adulterates the meaning. It provokes ridicule and must to a great extent be held responsible for the spread of iconoclasm and Pyrrhonism. On the other hand, the satires of Colonel Ingersoll overshoot the mark. They are just only as applied to the blind faith with which the Bible is received by a certain superstitious class of believers, by a class which may aptly be called Christian pagans. The attacks of the infidel upon the Bible lose their meaning if applied to the Bible itself as a collection of religious documents. Such mockery was perhaps valuable for certain circles, as a strong

stimulant, or a call to awake; it came as a rude shock to rouse people from their dogmatic slumber and to set them thinking; but in itself mere ridicule offers nothing that can be of any lasting benefit.

The Bible is to the uninitiated a book with seven seals; but these seals are being opened now, and the men who are opening them are not the scoffers, not the revilers of Christianity, but the theologians, the students of the Bible, professors of Hebrew and Greek, of Old and New Testament theology,—a band of scholars of high degree, who devote their lives to the investigation of the Scriptures, not for the purpose of disparaging religion, but for sheer love of studying it and comprehending its growth. It cannot be too strongly emphasised that Biblical criticism is not the product of scepticism, but the result of patient and painstaking inquiry. It is a work done by professional men, by the theologians themselves, not by outsiders; and in reading the Bible we shall do well to inform ourselves what has been done in this important field, and what our theologians in the present state of scientific knowledge think about its significance and origin.

\* \* \*

Though of all the religious books of the world the Old Testament is the only one that stands for a rigid monotheism, it would be a mistake to think that the children of Israel were the only nation that took hold of this important thought. Historians and philologists are familiar with the fact that monotheism was evolved in Greece at an early date, and that philosophers like Plato and Aristotle have the same right to be called monotheists as any of the prophets of Israel.<sup>1</sup> Since we have become better acquainted with Egyptian and Babylonian civilisation, we know that the idea of monotheism was not absent in either country. Sir Henry Rawlinson speaks of a party of monotheists in ancient Assyria, and King Amenhotep of Egypt attempted to introduce monotheism into the cult of Egypt. He built his capital at Tel-el-Amarna, where we still find an extensive library, containing also translations of religious books from Babylon. Judging from his portrait, he was not a strong man. He died young, and only two of his successors were able to continue his reform. The fanaticism with which he carried out his plans showed more zeal than wisdom,

<sup>1</sup> Xenophanes of Colophon may be regarded as the prophet of monotheism in Greece. He attacked polytheism with much vigor and satire. There is one God only, and he is not anthropomorphic like the gods of Homer and Hesiod. For he is "all eye, all ear, all thought:"

ὄλος ὄρα, ὄλος δὲ νοεῖ, ὄλος δὲ τ' ἀκούει.

and the result was that a new dynasty succeeded which made it a point to wipe out all vestiges of Amenhotep's innovations. The reactions was so severe that henceforth no other king dared to set his face against the established polytheistic ritual.

But while the ritual of both Mesopotamia and Egypt was polytheistic, while every city had its local shrines and tutelary gods and goddesses, we know to a certainty that the more advanced thinkers of both nations were in their hearts monotheists. Either they looked upon the many gods worshipped in the various temples as so many different names for one and the same deity, or they believed that above them all there was an unnamable supreme power, the Abraxas, or Adorable One, the true God, the source of all life and the author of all goodness. In this way, the gods of the people were conceived as messengers or angels of the sole and supreme God, in somewhat the same way as Christian Catholics look upon the saints.

Monotheism develops naturally, and it is peculiar that when firmly established by priests as a dogma to be believed by the people and popularised for the purpose, it evinces a certain intolerance. Philosophical monotheism does not endanger the shrines of pagan deities. The Platos of Egypt and Babylon left to the people their gods as well as their shrines; but in Judæa the monotheistic conception entered the heads of the priesthood, and they succeeded in making it popular among large masses of the people. This condition created a fierce intolerance which took offence at any other form of worship. Probably in this same way the monotheistic king of Egypt aroused the wrath of the Egyptian clergy, who saw themselves attacked by him in their most vital interests. Amenhotep did not proclaim that all the gods represented one and the same deity, the sole and true god of the world, but he pursued the opposite course: he widened his own God-conception, which was the sun-god, into the one and all. The same was done in Judæa. The ancient Israelites were as pagan as their neighbors. They worshipped the same kind of gods; they adored the stars, or the Zebaoth; they bowed their knees to the Baalim; they celebrated the death and resurrection of Naaman, who was none other than the Assyrian Tammuz and the Phœnician Adonis; they erected Ashuras in their temples; and Yahveh, the god of the covenant, the tutelary god of the Jews, was one god only among many other gods. In the progress of their religious development, however, the Israelites began to conceive of their gods as one god, and thus the plural forms Elohim and Zebaoth began to acquire the mean-

ing of singulars, which is to say, the word "gods" was used in the sense of "godhead"; and it became an established rule in Hebrew grammar that Elohim and Zebaoth, in spite of their plural form, should take the verb in the singular. The next step was the identification of Yahveh with all Jewish gods, the Elohim as well as the Zebaoth, and finally they worshipped this national deity as the sole God, Creator of Heaven and Earth.

The development of monotheism in Israel is by no means an anomaly or exception. It developed about simultaneously with, if not later than, the monotheism of other countries. But the peculiarity of Israelitic monotheism consists in this, that it took hold of the priestly class, which crushed out with the most zealous intolerance all other forms of worship, widening the conception of the national god of Judæa into the omnipotent lord of the whole world.

The vigor of Jewish monotheism finds a parallel only in the religious reform of Zarathustra, who, while more philosophical and less nationalistic, is as bold and as zealous as the Hebrew prophets. In Israel monotheism became a tribal instinct which dominated the minds of a number of zealots from whose ranks the prophets recruited themselves, and these prophets upbraided the people for their polytheism, insisting on the oneness of God, on his love of justice and hatred of paganism. The prophets, though rising from a minority fraction of the nation, stamped the religious character of the nation.

The prophets rose as the enemies of the priests and did not tire of denouncing the established rituals and festivals as immoral and ungodly. They were a party of opposition, the infidels and iconoclasts of their age; but the truth of their words appealed to the people, and when they gained access to the hearts of a number of influential priests, the result was a new faith,—a monotheistic religion.

It is well known that the people of Israel were split up at an early date into two little states: the Northern kingdom, or the Ten Tribes, which remained Israel proper; and the Southern kingdom, or Judæa, which had the good fortune to survive by several centuries her older and more powerful sister. Both kingdoms had common national traditions. They separated at a time when writing had been introduced, and the folklore of the country was no longer dependent upon oral transmission alone. Thus it happened that the original sources of Hebrew literature existed in two parallel versions which differed in many respects, but still bore a close resemblance to each other. These two parallel literary movements

show a like spirit of religious conception. Both reveal a monotheistic tendency; but they differ in their national coloring and in certain details which even now can be detected after they have been merged into that great unity called the Bible, and harmonised under priestly influence by the hand of a final redactor.

In the southern part of Palestine God was called Yahveh, in the midland and in the north on the right bank of the Jordan El, Eloah, or Elohim, and on the left bank where the tribe Ephraim dwelt, Zebaoth. Thus the name Elohim renders it probable that we have to deal with a tradition of the ten tribes while the name Yahveh indicates a Judaic origin.

It is probable that the final redactor had no longer the original documents of the Judaic, the Ephraimitic and other Israelitic authors at his command. The documents which he used must have been revised copies which already bore the stamp of pan-Israelitic harmonisation.

Besides these two streams of Hebrew traditions, coming from the two kingdoms, there is a third source of later origin which, in contrast to the popular style of the older writings, betrays a learned authorship. It presupposes an established priesthood with a definite ritual, and a rigorous monotheistic dogma, all institutions and laws being supposed to be given directly by God to Moses.

Most of the institutions portrayed in the priestly writings are a product of the period beginning 621 B. C. In 586 B. C. Israel ceased to play a political part in the world. While the Jewish aristocracy lived in Babylonian captivity, their national tradition became endeared to them, they learned to appreciate their religion and religious institutions, and when they returned to their country, foreigners conducted the affairs of the government, and allowed the people to attend to their religion as they saw fit. At this latter period of the history of Israel, that is to say after the Babylonian exile, when under the benevolent rule of Persia the Jews enjoyed a relative period of rest, the monotheistic belief became firmly established among the people themselves. The age was favorable for collecting and collating the religious literature of the past. The leading men of the nation were not implicated in politics, and thus they had leisure to concentrate themselves upon the problems of their religious life.

The date of the establishment of priestly influence can be fixed with precision, because we happen to have definite information as to the method by which it attained the ascendancy. We read in

the second Book of Kings, xxii. and xxiii., of a religious reform which endowed the nation with a new spirit, introducing the spirit of the prophets into the priesthood of Jerusalem. The old popular religion which was still adhered to by the majority of the people had prevailed against the iconoclasm of the prophets. It reasserted its power under King Manasseh, and the monotheistic movement might have been stifled in Judæa as it was in Egypt, had it not found its way to the hearts of the priesthood of Jerusalem. Manasseh's son and successor, Ammon, was assassinated in a palace revolution, whereupon the conspirators were slain and the younger son, a boy of eight years, was placed on the throne. Under the weak government of a child the religious institutions of the country were left to adjust themselves, and the people worshipped Yahveh as well as Baal, Moloch, and the sun and the planets. In 621 B. C., when King Josiah was eighteen years of age, Hilkiab, the high-priest of Jerusalem, delivered a book of laws to the king, which, as he said, he found in the temple. The king was deeply impressed and wanted a confirmation of the book through a direct revelation of God. So he sent for a woman of advanced age who had acquired fame as a prophetess, and when she confirmed the genuineness of the book the king summoned all the people to the temple, and made a covenant with God to keep the law.

Josiah's reform is too important an event to judge it by a brief recapitulation of the Biblical account, and we advise the reader to peruse the story again in the words of the priestly historian, which are translated in our authorised version of the Bible as follows :

"Josiah was eight years old when he began to reign, and he reigned thirty and one years in Jerusalem. And his mother's name was Jedidah, the daughter of Adaiah of Boscath. And he did that which was right in the sight of the Lord, and walked in all the way of David his father, and turned not aside to the right hand or to the left.

"And it came to pass in the eighteenth year of king Josiah, that the king sent Shaphan the son of Azaliah, the son of Meshullam, the scribe, to the house of the Lord, saying : Go up to Hilkiab the high priest, that he may sum the silver which is brought into the house of the Lord, which the keepers of the door have gathered of the people : And let them deliver it into the hand of the doers of the work, that have the oversight of the house of the Lord : and let them give it to the doers of the work which is in the house of the Lord, to repair the breaches of the house, unto carpenters, and builders, and masons, and to buy timber and hewn stone to repair the house. Howbeit there was no reckoning made with them of the money that was delivered into their hand, because they dealt faithfully.

"And Hilkiab the high priest said unto Shaphan the scribe, I have found the book of the law in the house of the Lord. And Hilkiab gave the book to Shaphan, and he read it. And Shaphan the scribe came to the king, and brought the king word again, and said, Thy servants have gathered the money that was found in the

house, and have delivered it into the hand of them that do the work, that have the oversight of the house of the Lord. And Shaphan the scribe showed the king, saying, Hilkiah the priest hath delivered me a book. And Shaphan read it before the king.

“And it came to pass, when the king had heard the words of the book of the law, that he rent his clothes. And the king commanded Hilkiah the priest, and Ahikam, the son of Shaphan, and Achbor the son of Michaiah, and Shaphan the scribe, and Asahiah a servant of the king's, saying, Go ye, enquire of the Lord for me, and for the people, and for all Judah, concerning the words of this book that is found: for great is the wrath of the Lord that is kindled against us, because our fathers have not hearkened unto the words of this book, to do according unto all that which is written concerning us.

“So Hilkiah the priest, and Ahikam, and Achbor, and Shaphan, and Asahiah, went unto Huldah the prophetess, the wife of Shallum the son of Tikvah, the son of Harhas, keeper of the wardrobe; (now she dwelt in Jerusalem in the college;) and they communed with her. And she said unto them, Thus saith the Lord God of Israel, Tell the man that sent you to me, Thus saith the Lord, Behold, I will bring evil upon this place, and upon the inhabitants thereof, even all the words of the book which the king of Judah hath read: Because they have forsaken me, and have burned incense unto other gods, that they might provoke me to anger with all the works of their hands; therefore my wrath shall be kindled against this place, and shall not be quenched. But to the king of Judah which sent you to enquire of the Lord, thus shall ye say to him, Thus saith the Lord God of Israel, As touching the words which thou hast heard; Because thine heart was tender, and thou hast humbled thyself before the Lord, when thou heardest what I spake against this place, and against the inhabitants thereof, that they should become a desolation and a curse, and hast rent thy clothes, and wept before me; I have also heard thee, saith the Lord. Behold therefore, I will gather thee unto thy fathers, and thou shalt be gathered into thy grave in peace; and thine eyes shall not see all the evil which I will bring upon this place. And they brought the king word again.

“And the king sent, and they gathered unto him all the elders of Judah and of Jerusalem.

“And the king went up into the house of the Lord, and all the men of Judah and all the inhabitants of Jerusalem with him, and the priests, and the prophets, and all the people, both small and great: and he read in their ears<sup>1</sup> all the words of the book of the covenant which was found in the house of the Lord.

“And the king stood by a pillar, and made a covenant before the Lord, to walk after the Lord, and to keep his commandments and his testimonies and his statutes with all their heart and all their soul, to perform the words of this covenant that were written in this book. And all the people stood to the covenant.

“And the king commanded Hilkiah the high priest, and the priests of the second order, and the keepers of the door, to bring forth out of the temple of the Lord all the vessels that were made for Baal, and for the grove,<sup>1</sup> and for all the host of heaven: and he burned them without Jerusalem in the fields of Kidron, and carried the ashes of them unto Beth-el. And he put down the idolatrous priests, whom the kings of Judah had ordained to burn incense in the high places in the cities of Judah, and in the places round about Jerusalem; them also that burned incense unto Baal, to the sun, and to the moon, and to the planets, and to all the

<sup>1</sup>It is a common practise in sacrificial meals for the bread or other kind of food that may happen to be used on that occasion, to be in the form in which it was made in ancient times.



host of heaven. And he brought out the grove<sup>1</sup> from the house of the Lord, with-out Jerusalem, unto the brook Kidron, and burned it at the brook Kidron, and stamped it small to powder, and cast the powder thereof upon the graves of the children of the people. And he brake down the houses of the sodomites, that were by the house of the Lord, where the women wove hangings for the grove. And he brought all the priests out of the cities of Judah, and defiled the high places where the priests had burned incense, from Geba to Beer-sheba, and brake down the high places of the gates that were in the entering in of the gate of Joshua the governor of the city, which were on a man's left hand at the gate of the city.

"Nevertheless the priests of the high places came not up to the altar of the Lord in Jerusalem, but they did eat of the unleavened bread among their brethren. And he defiled Topheth, which is in the valley of the children of Hinnom, that no man might make his son or his daughter to pass through the fire to Molech. And he took away the horses that the kings of Judah had given to the sun, at the entering in of the house of the Lord, by the chamber of Nathan-melech the chamberlain, which was in the suburbs, and burned the chariots of the sun with fire. And the altars that were on the top of the upper chamber of Ahaz, which the kings of Judah had made, and the altars which Manasseh had made in the two courts of the house of the Lord, did the king beat down, and brake them down from thence, and cast the dust of them into the brook Kidron. And the high places that were before Jerusalem, which were on the right hand of the mount of corruption, which Solomon the king of Israel had builded for Ashtoreth the abomination of the Zidonians, and for Chemosh the abomination of the Moabites,<sup>2</sup> and for Milcom the abomination of the children of Ammon, did the king defile. And he brake in pieces the images, and cut down the groves, and filled their places with the bones of men.

"Moreover the altar that was at Beth-el, and the high place which Jeroboam the son of Nebat, who made Israel to sin, had made, both that altar and the high place he brake down, and burned the high place, and stamped it small to powder, and burned the grove. . . .

"All the houses also of the high places that were in the cities of Samaria, which the kings of Israel had made to provoke the Lord to anger, Josiah took away, and did to them according to all the acts that he had done in Beth-el. And he slew all the priests of the high places that were there upon the altars, and burned men's bones upon them, and returned to Jerusalem.

"And the king commanded all the people, saying, Keep the passover unto the Lord your God, as it is written in the book of this covenant.

"Surely there was not holden such a passover from the days of the judges that judged Israel, nor in all the days of the kings of Israel, nor of the kings of Judah; but in the eighteenth year of king Josiah, wherein this passover was holden to the Lord in Jerusalem.

"Moreover the workers with familiar spirits, and the wizards, and the images, and the idols, and all the abominations that were spied in the land of Judah and in Jerusalem, did Josiah put away, that he might perform the words of the law which were written in the book that Hilkiah the priest found in the house of the Lord. And like unto him was there no king before him, that turned to the Lord with all

<sup>1</sup> Grove" is a wrong translation of the word "Asherah," which was a high wooden pole, representing the creative power of the deity. It was deemed in those ages so essential a symbol that it was not missing in the temple of Yahveh.

<sup>2</sup> Chemosh, the god of the Moabites, is mentioned on the Moabite stone.

his heart, and with all his soul, and with all his might, according to all the law of Moses; neither after him arose there any like him.

"Notwithstanding the Lord turned not from the fierceness of his great wrath, wherewith his anger was kindled against Judah, because of all the provocations that Manasseh had provoked him withal. And the Lord said, I will remove Judah also out of my sight, as I have removed Israel, and will cast off this city Jerusalem which I have chosen, and the house of which I said, My name shall be there.

"Now the rest of the acts of Josiah, and all that he did, are they not written in the book of the chronicles of the kings of Judah?

"In his days Pharaoh-nechoh king of Egypt went up against the king of Assyria to the river Euphrates: and king Josiah went against him; and he slew him at Megiddo when he had seen him. And his servants carried him in a chariot dead from Megiddo, and brought him to Jerusalem, and buried him in his own sepulchre. And the people of the land took Jehoahaz the son of Josiah, and anointed him, and made him king in his father's stead.

"Jehoahaz was twenty and three years old when he began to reign; and he reigned three months in Jerusalem. And his mother's name was Hamutal, the daughter of Jeremiah of Libnah. And he did that which was evil in the sight of the Lord, according to all that his fathers had done. And Pharaoh-nechoh put him in bands at Riblah in the land of Hamath, that he might not reign in Jerusalem; and put the land to a tribute of an hundred talents of silver and a talent of gold.

"And Pharaoh-nechoh made Eliakim the son of Josiah king in the room of Josiah his father, and turned his name to Jehoiakim, and took Jehoahaz away: and he came to Egypt and died there.

"And Jehoiakim gave the silver and the gold to Pharaoh; but he taxed the land to give the money according to the commandment of Pharaoh: he exacted the silver and the gold of the people of the land, of every one according to his taxation, to give it unto Pharaoh-nechoh.

"Jehoiakim was twenty and five years old when he began to reign; and he reigned eleven years in Jerusalem. And his mother's name was Zebudah, the daughter of Pedaiah of Rumah. And he did that which was evil in the sight of the Lord, according to all that his fathers had done."

How much is written between the lines, and how many facts appear in a new light when we begin to consider the situation and weigh the evidence of the genuineness of the book of the law discovered in the temple by Hilkiah! It is possible that "the doers of the work in the house of the Lord" were honest, that "they dealt faithfully," as our historian says, but it is characteristic of the king that "no reckoning was made with them of the money that was delivered into their hands." He was too young and too much under the influence of the priests.

The young king Josiah was obviously sincere, but we must qualify the unbounded praise with which the priestly historians reward his obedience, by saying that he was weak and short-sighted, qualities which made him a dupe of priestly fraud and an easy tool in the hands of Hilkiah. We can imagine that the power of the

nation was frittered away in useless quarrels between the priesthood of the capital and the priesthood of the provinces, for it is not probable that the priests of the country should without any struggle have given up their traditional rights with all perquisites and emoluments, thus allowing themselves to be reduced to beggary.

The priests of the capital had everything their own way. The punishment with which they visited their brethren in the country who dared to offer resistance was bloody and relentless. The king slew the priests of the high places and had the old historical fanes at Bethel and in other towns desecrated. Undoubtedly he destroyed many immoral and superstitious practices; he did away with wizards and those that had familiar spirits, but he himself consulted an old woman for an oracle from Yahveh. Nor did he succeed in convincing the people of the truth of the religion of the priesthood of the temple, for we read (in xxiii. 9) that, "Nevertheless the priests of the high places came not up to the altar of the Lord in Jerusalem, but they did eat of the unleavened bread among their brethren."

The question is now: Do we still possess the book which Hilkiah sent to the king, and what is the nature of the book? The question has been answered by De Wet, one of the most famous theologians and the father of Old Testament criticism. The result of his investigations have become the key to our comprehension of the religious history of Israel. He showed that the mooted book is Deuteronomy, and that this book cannot have originated before the prophetic movement but is a product of the prophetic monotheism, modified by the priesthood of Jerusalem.

We can no longer cross-examine the priest Hilkiah as to how he found the book; but we may assume to a certainty that if he himself was not its author, the book originated in his time and was written by a man of his immediate surroundings. The aim of the book is to establish as ancient Mosaic institutions the monotheism of the prophetic conception of God and to abolish the traditional method of worshipping on the high places, which implies the abrogation of the privileges of the priests in the country and a centralisation of the national worship in the temple of Jerusalem. The priesthood of Jerusalem placed itself thus in a hostile attitude toward the priesthood of the country, and we have good reason to believe that the reform of Josiah was never fully executed. All open resistance was broken in the year 621, and a Yahvist monotheism was established at Jerusalem. All further details are want-

ing. Certain it is that the military forces of the country must have been seriously weakened by the civil war of the religious parties. The king's council was influenced by a narrow fanaticism which led to the speedy ruin of Judæa. It is probably not an accident that we have no knowledge about the government of King Josiah, except the judgment of the Yahvist devotees that he was a good king, second to no one except David.

The Kingdom of Judæa had only a short respite. The Assyrian empire broke to pieces under the onslaught of the Medes and Chaldæans, and the latter founded a new Babylonian empire in Mesopotamia. The king of Egypt seized the opportunity to invade Asia. Josiah met him in battle and, notwithstanding the prophecy of Huldah the prophetess, he was defeated and slain. The priestly chronicler ascribes the King's death to the wrath of Yahveh, provoked by the paganism of his predecessors. He says :

"Notwithstanding the Lord turned not from the fierceness of his great wrath, wherewith his anger was kindled against Judah, because of all the provocations that Manasseh had provoked him withal."

Such is the judgment of the Yahvist historian, but we can very well imagine what the opinion must have been of the adherents of other religious parties.

For a while Judæa remained a vassal state of Egypt, but when Nebuchadnezzar, the Chaldæan crown-prince, defeated the Egyptian army at Carchemish on the Euphrates, King Jehoiakim of Judæa was obliged to swear allegiance to Babylon. In those days Jeremiah counselled submission, but Jehoiakim put his trust in fanatic advisers and rebelled. He was vanquished and deported to Babylon together with "all the men of might." In his place Nebuchadnezzar made Zedekiah king of Judæa, but when the latter rebelled also, the anger of Nebuchadnezzar knew no bounds. Defeated, Zedekiah was tried by a court martial. His sons were executed in his presence; his eyes were put out and he himself was led away a captive to Babylon.

Such was the fate of the Jews. It is heartrending to read the story of their implicit trust in Yahveh which made them scorn all compromise and worldly prudence. The Persian restoration of Judæa gave them only a shadow of national independence, and the Maccabee movement was a mere temporary revival. Judæa was doomed, not because the Gentiles would have it so, but because the priestly pretensions of the Jews and their unswerving faith in a final rehabilitation, rendered the continuance of their national independence an impossibility; and their trust in their God was

such that the Romans could settle the Jewish question not other wise than by a complete destruction of the temple and an annihilation of the commonwealth of Judæa together with the last shadow of its independence.

Thus the time of Judæa's political independence from Josiah's reform in 621 B. C. was only 35 years, and this period was too troublesome for rendering the assumption probable that the institutions of the law had ever been practically tried in the country. They seem to have existed only as an ideal of the Jerusalemite priests.

The Jews that were exiled by Nebuchadnezzar must have formed quite a colony. They consisted of the royal family "and all the men of might, even seven thousand, and craftsmen and smiths a thousand, all that were strong and apt for war, even them the king of Babylon brought captive to Babylon."

These eight thousand or more Jews represent the quintessence of the nation. They were all there was of the best classes, the aristocracy of both blood and intellect as well as strength; and their religious conviction was exclusively guided by the priests of Jerusalem who accompanied them into captivity. Now these priests shared the views of the book of laws which was discovered in the temple and they believed that the institutions and beliefs delineated therein, had been established by Moses himself. This error led to the reconstruction of the story of their national development by which the ideas of the deity which they cherished themselves were imputed to the patriarchs, as well as to their great law-giver.

The exiled Jews carried with them also some profane literature, among them the legends of ancient Israel as described by the northern school of the Elohist, and another collection of similar traditions told by the Yahvists, the former already prepared for further use by the influence of the prophetic spirit. In addition a new collection of national traditions was worked out by the priests from old and most valuable materials, and it is this book of priestly redactorship which became the framework of the Old Testament. All absolutely polytheistic recollections were omitted or changed, and the ancient traditions were modified to suit the religious ideal of the monotheistic priests. These priests aspired for scientific exactness, but it was the precision of the scholar, the philologist, not that of the scientist. It was *Stubengelehrsamkeit*, not natural philosophy. Dates are definitely determined and numbers are stated with a painstaking conscientiousness. They are sometimes contradictory and woefully improbable, but the assurance

with which they are given makes up for the defect. When we consider the slow growth of a true historiography among other nations, for instance, the Greeks, we need not wonder that our priestly authors, in spite of the dryness of their narrative, were devoid of all historical sense.

One instance may suffice.

The flight of the Israelites from Egypt, and their passage through the desert, appeared to the priests like the migration of a large nation, and thus they introduced numbers to suit their own imagination. Even to-day so many people could not exist in the desert; and a modern tourist agency would find it impossible to take care of such an army of wayfarers with their women and children, without making special preparations and utilising modern means of transportation for the purpose.

The priestly institutions were worked out into further details, resulting in the establishment of the Levitical law which was adopted in the times of Ezra, 440 B. B.

Finally, some later redactor, or school of redactors, united all Jewish literature into that collection of books which in their bulk constitutes our present Bible, and we owe it to the peculiar circumstances of the history of the Jewish nation, which had become a martyr to its religious convictions, that this collection of books bears a decidedly religious character.

It is probable that the priestly writings were composed during the thirty-five years which lie between Josiah's reform and the destruction of Jerusalem. Some of them may have been composed during the Babylonian exile or even later. The compilation of the canon from its three main sources (i. e., the Yahvist traditions, the Elohist traditions, and the priestly writings) can scarcely have taken place before Ezra's time. The date is indifferent and whatever it may be, it would not change the nature of the facts themselves.

But how do we know that such was the history of the literature of the Old Testament?

Happily, the last redaction of the Bible was done in a very conservative spirit, and the hand of the last editor who endeavored to harmonise the different sources left their main characteristic features untouched. It is more a combination than a fusion; and as a rule we have of almost all ancient traditions two versions of the same story. These versions can be differentiated partly by the name of God which is used, partly by the tendency of the narrator; for, in one set of stories as we have seen, God is called Yahveh,

and this version is now called by Hebrew scholars the source of the Yahvist (abbreviated by German scholars *J*), while in the other, God is called Elohim, which accordingly is called the source of the Elohist (abbreviated *E*). Judaic editors of Elohist traditions added the name Yahveh to Elohim, calling God "Yahveh Elohim," which is translated in the authorised English Bible by "The Lord God."

In spite of many similarities, the Judaic and the Israelitic versions are quite different. The Elohist tales preserve the traditions of Israel proper, that is to say of the midland, northern, and eastern tribes; and their authors derived their material from older documents, part of which were in written form, while the bulk may have been preserved orally in the way in which such narratives are always transmitted in a preliterate period. Professor Dillmann<sup>1</sup> characterises these documents as "the books of Israel's legendary history." The authors of these traditions show a special fondness for pointing out the origin of the ancient sanctuaries of the midland and eastern parts of Palestine, and also those of the far southwest, leaving out Judæa proper. They dwell with special emphasis on the glory of the tribe of Joseph, that is the tribes of Ephraim and Manasseh. A prior leadership of the tribe of Reuben is still recognised. Bethel is the sanctuary of the nation, where the tithes are to be paid. The city of Shechem is expressly pointed out as the possession of Joseph. Joseph receives a special blessing from Jacob. An account of the flood, however, was not contained in it. The mode of worship is the older form of the Israelites, who worshipped in the high places. It condemns, however, the teraphim or house-idols and other idolatrous things. It speaks of revelations of angels, has a regard for dreams and visions; and calls Abraham a prophet. It dwells on the idea of divine providence and God's method of unveiling his dispensations beforehand. It must have been a product of the time before the destruction of the northern kingdom, which took place in the seventh century; accordingly it seems to be older, and belongs most probably to the age when the prophetic order flourished in the northern kingdom, that is the ninth century. The original form of these documents has been tampered with and much has been omitted by later redactors, but enough of its characteristic features have been left to render them plainly recognisable.

The Judaic or Yahvist sources have been utilised by the final

<sup>1</sup>Dillmann's *Genesis, Critically and Exegetically Expounded*, has been excellently translated by Professor Stevenson of Edinburgh, and is published by T. & T. Clark of Edinburgh.

redactor only as supplementary documents, to fill out gaps which were not sufficiently covered by the Elohist and the Priestly Code. It contained old Jewish traditions; thus, for instance, it calls Hebron the residence of Abraham and Jacob; it makes Judah prominent in the history of Joseph; in many details it exhibits an obvious parallelism with the Elohist story of the lives of the patriarchs, and may have served as the main source for the Priestly Code. If this was so, it was certainly thoroughly remoulded and properly adjusted to the tendency of the writer. That it borrowed frequently from the legends of the Elohist is plainly perceivable in its accounts of Jacob and Joseph, legends which must have developed in Israel and not in Judah.

The third source, that of the Priestly Code, being the latest and hence the most sympathetic in doctrinary respects to the post-exilic generations of the Jewish people, has become the main and most important document for the redactorship of the Bible. It is systematic and rendered precise; it divides the history of God's revelation into three exact periods: The first period is from the creation to Abraham in which God is called simply *Elohim*, i. e., God. With Abraham a new epoch begins in which God chooses the Israelites as his elected people, and he characterises himself as *Ei Shaddai*, the Mighty One. The third period begins with Moses, to whom God reveals himself as *Yahveh*, which is, as it were, his proper name, and thus forms the most intimate connotation of his being.

The style of the Priestly Code is dry; the author lays down laws, ordinances, and institutions; he explains the origin of customs, which is mostly historical, and tries to justify prevailing institutions as remembrances of events of Israel's past. It loves genealogies, and fixes the chronology. It is austere in its manner and anxiously avoids all anthropomorphism. Jerusalem is regarded as the central sanctuary of the nation and the sole place where the temple of God can stand. While thus it evinces its late origin, the sources which have been utilised date back to the most ancient times of the kings of Israel. It forms, as it were, the frame into which the other sources, first the Elohist and then the Yahvist, have been inserted.

There is now being published<sup>1</sup> an edition of the Bible embodying the results of the literary investigation of the old Testament scriptures, in which colors are utilised to show at a glance the different sources from which the Bible has been compiled. These

<sup>1</sup>Dodd, Mead & Co., publishers, New York.



colors form the background on which the text is printed, and from this method the new Bible edition has been called "The Polychrome Bible." It is edited by a German-American scholar, Paul Haupt of the Johns Hopkins University, and the different Biblical books are assigned to the best Hebrew scholars selected from the theological faculties in both hemispheres. The publication of the original text is complete; but of the translation only six volumes have appeared, viz., the Psalms, Isaiah, Ezekiel, Judges, Joshua, and Leviticus. Although the work may have its shortcomings, it is as yet the best that theological scholarship has produced and may be regarded as a fair summary of the present state of our knowledge as to the origin and significance of the Scriptures.

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A few typical instances of the mode of composition that prevails in the Old Testament may be given. A sample of the nature of the Priestly Code is the creation story in the first chapter of Genesis. It utilises ancient materials which ultimately go back to Babylonian cosmology. That grand and vivid picture of the fight between Bel-Merodach and Tiamat and their helpers on both sides has been sobered down into a simple enumeration of God's work within the scope of a week. If we had not the positive evidence of the similarity of names, such as *Tohu*, *Bohu*, *Tehom*, and other unmistakable details, we should not recognise the Hebrew account as historically connected with the Babylonian epic.

By the side of the creation story of the Priestly Code, there is a second story of the origin of the world which is the story of the Yahvist school, being told in the second chapter of Genesis, verses 4 to 25. Consider the difference between the two. The author of the account in the Priestly Code attempts to offer a scientifically exact development in which an aboriginal chaos is more and more reduced to order. Plants and animals appear in progressive perfection, last of all man, at the command of the creative word of God. The priestly author's view of the origin of things finds expression in the verb ברא, "to create," while the more primitive Yahvist account speaks of עָשָׂה (*conficere, fabricare*) and יָצַר (*ingere*), which means, the former, "to fabricate," the latter "to mould," or "to give shape to," as a potter makes pots. The priestly writer is a theologian who looks at his subject through the spectacles of metaphysics, who is scientific and iconoclastic for his day, but dry and colorless; the author of the second account is a poet, anthropomorphic, naïve, almost child-like, but truly poetical and realistic, and depicting scenes of psychological interest.

The Yahvist account in Genesis ii. is the product of another climate. In the first story the world evolves from a general inundation, in the same way as the dry land with its vegetation appears in the spring when the waters of the Euphrates and Tigris recede. The second report in Genesis ii. presupposes the existence of a desert country, such as the highlands of Canaan. The plants are described as "herbs of the field," and they are supposed not to have existed as yet, because "the Lord God had not caused it to rain upon the earth, and there was not a man to till the ground. There, trees do not grow naturally, but must be planted. Therefore, while in the first account God makes the earth bring forth all kinds of plants and trees, in the second account God must plant trees himself. In the Priestly account, God makes man after his likeness, after the likeness of the Elohim; and he makes man and woman at the same time. The Yahvist account describes how God formed man of the dust of the ground, and then breathed into his nostrils the breath of life. He made man alone, and afterwards woman as a helpmate for him, and obviously the creation of the woman is told to account for the missing ribs over the pit of the stomach, offering an explanation which undisguisedly belongs to a very primitive age. In the first account, the animals are created before man; in the second account, the animals are created after man, as an abortive attempt to give him a companion.

The most characteristic instance in which the two accounts, that of the Priestly Code and that of the Yahvist, have been woven into one is the story of the Deluge. The compilation still shows the seams of the patches, and we are here allowed to watch the compiler in his work. The final redactor, who is distinguished by a pedantic conservatism, preserves as much as he can of the material on hand. Undoubtedly he had before him the written manuscripts of both accounts. He utilised the report of the Priestly Code, which was nearest to his own conception, and inserted pieces from the Yahvist account wherever it was possible. The Yahvist account is not preserved as completely as that of the Priestly Code. Where the Yahvist and the Priestly versions run parallel, he either preserved both versions side by side, or if they were too similar, he omitted the version of the Yahvist. His conservative spirit is evinced in that he does not shrink from frequent repetitions. The introduction to the story of the Deluge, relating the perversion of the world, is told by the Yahvist in Genesis vi. 5-8, and by the Priestly writer in the succeeding verses, 9 to 12. God's command to build the ark is only preserved in the

words of the Priestly version, verses 13 to 16. The command concerning the living beings to be taken into the ark and the beginning of the flood, is related in chapter vi. 17-22 in the Priestly version, and chapter vii. 1-5 in the Yahvist version. Thus, the redactor has preserved the Priestly report in its completeness, and given it the central position.

The redactor did not take the trouble to remove contradictions which originated through the preservation of both accounts. According to the Priestly version, God orders Noah to take one pair of each species of animals into the ark; but according to the Yahvist he is requested to take seven pairs of the clean and two of the unclean animals. According to the Yahvist, the Deluge originates through a conflux of the waters above the firmament with the waters underneath the earth,—an unmistakable recollection of Babylonian mythology; while the Priestly account makes the cause of the Deluge more prosaic and more plausible by attributing it to a heavy shower of forty days' duration. According to the Yahvist, Noah has to find out for himself whether or not the floods have disappeared, as related in chapter viii. 6-12. The Priestly version is simpler, for here God merely gives the command, and Noah obeys, as related in chapter viii., verses 16 and following. The Priestly report gives a precise chronology not only of the year, but even of the month and the day, in which the Deluge begins and ceases (chapter vii. 5, 11, 13, 24; viii. 3, 4, 5, 13, 14). It gives definite figures in its description of the ark (chapter vi. 15), and of the height which the waters attain (chapter vii. 20). The Yahvist cites no definite figures, but allows his imagination freer play and gives in each instance the impression of greater immensity (chapter vii. 4, 10, 12; viii. 6, 10, 12). The Priestly report is written in the spirit of a sober scholar who traces the event as a dry account of history, in the style of a chronicler. The Yahvist, on the contrary, is imbued with a poetical spirit; he gives more details of a personal nature, rendering the description more vivid.

The story concludes, as does its Babylonian prototype, with a definite promise that the catastrophe will not be repeated; and thus it ends with a covenant between God and mankind. And here we have an ancient nature myth preserved, according to which the surest sign that the storm-god has relented consists in his doffing his armor and putting away his bow. The bow becomes visible as it leans against the sky, and it is nothing else than the rainbow, which after a thunder-storm appears in the clouds, proving the reappearance of sunshine and the appeasement of the angry god.

The differentiation of the Biblical text into its sources, the singling out of the comments and insertions of the redactors, first of the redactor of the Yahvist and Elohist sources, then of the Priestly writings, and lastly of the final redactor who compiled these three different sources into one book, is a masterpiece of modern scholarship. At first sight, it seems almost incredible that the task could be accomplished, but in going over the evidence there is no gainsaying the arguments, and in many chapters of the Bible we can analyse the text in such a way as to trace back each single word to its respective origin, with a certainty which every one who takes the trouble to verify the investigations must admit.

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The Bible, and especially the Old Testament, with which we have been dealing exclusively in this present article, has been and is still sometimes considered the word of God, in the sense that it was literally dictated by the Holy Ghost. We need not say that this view has never been the official belief of the church, and that it is untenable. It is the expression of a childlike mind, which takes such a phrase as "the word of God" literally. Since the Council of Nice, the Church has considered the collection of books called the Bible as "canonical," that is to say, as standard works, which may be taken as a "norm." That is the meaning of the term "canon." And we may say that, taking the word canon in the sense of "standard," we may still accept the Scriptures as canonical; they are books of sterling worth and documents of primary importance. They are as classical in their way as our great poets Shakespeare, Goethe, Schiller, Homer, are in poetry, as Plato and Kant are in philosophy, and Beethoven in music.

But what is the main importance of the Biblical books for mankind? If they are not the word of God, if they have not the authority of being a direct revelation of the Deity, and yet are classical, what is their significance?

The Scriptures are documents bequeathed to us from ancient ages, describing the religious development of that nation which by destiny, accident, or historical necessity, however we may express it, has become the classical religious nation of the world. The Bible is an indirect revelation of God. God is not the responsible editor of the Scriptures, but the Scriptures reflect man's gradual comprehension of God. A scientific scrutiny of the Biblical books reveals to us the struggles of the patriarchs, prophets, and priests after a higher and nobler conception of God.

It would be absurd to claim that the God-conception of the

Bible is throughout one and the same, that it is everywhere identical and on the same level. If it were, there would have been no need of a painful and slow development which led man upwards from crude fetishism and idolatry through the barbarism of human immolations and animal sacrifices to the conception of a moral world-order, of a God who is justice, mercy, and love incarnate.

A scientific conception of the Bible has nothing to conceal, nothing to fear, and will not disparage these old venerable documents. There is no need of denying the truth that in the beginning the ancient Israelites were as superstitious and heathenish as the surrounding nations. They shared with their pagan neighbors many superstitions and idolatrous practices; but while the latter remained under the influence of mythology and paganism, the Jews worked their way out to salvation by a higher and nobler conception of God. That their monotheism was not as yet a finality, but only a seed-corn for further religious development, does not minimise the result of their aspirations, but on the contrary proves its vitality. Judaism produced Christianity, and Christianity is a religion which, even at the present time, is changing, developing, and progressing. Its history is not as yet finished, and its highest ideals are still to be realised.

Christianity represents, as it has been styled by its own apostles, a new covenant made between God and mankind on the basis of a broader and more cosmopolitan world-conception. While Jewish monotheism is still nationalistic, Christianity, the daughter of Judaism, makes claims to universality and catholicity. God is no longer the God of one nation, but the God of all mankind.

Christianity in its turn is as little a finality as is Judaism. It is passing at present through the fire of the furnace of science. The scholars' research of the Scriptures and the related documents have, in combination with a better scientific insight into the nature of things, modified and will still further modify the significance of the new covenant. The main factor of the changes in Christianity at the present time is the slow-working leaven of science. But science does not come as an enemy to religion, it comes as a purifier. Science is not a hostile aggressor, but an educator; and we may be sure that whatever changes science may work in our religious conceptions it will be for the better. The result will be a nobler, a higher, and a truer interpretation of the religious instincts of the human heart.

## MISCELLANEOUS.

### THE GIFFORD LECTURES.<sup>1</sup>

#### THE MASTER OF BALLIOL ON THE EVOLUTION OF THEOLOGY.

Dr. Edward Caird, Master of Balliol College, Oxford, delivered the first of his opening series of Gifford Lectures in Glasgow University, on January 10, within the Humanity Class-Room. The Very Rev. Principal Story and the Professors in the Arts Faculty accompanied Dr. Caird to the platform, and the class-room was crowded to excess by students and the general public.

Dr. Caird, who was received with applause, began by saying that a great part of the scientific and philosophical work of last century had been the application of the idea of evolution to the organic world and to the various departments of human life. And as religion was the most comprehensive of all these interests, it was inevitable that the attempt should be made to throw light on it by means of this idea. In a set of lectures delivered in another university he dealt with certain aspects of the researches into the history of man's religious life which had been prompted and guided by this conception. There is one aspect of this development, he continued, which is worthy of attention on which he could only touch incidentally in these lectures. This is the growing importance of reflective thought; in other words, the conscious reaction of mind upon the results of its own unconscious or obscurely conscious movements in the sphere of religion. Early religion does not trouble itself about its own justification; it does not even seek to make itself intelligible. It manifests itself rather in a ritual than a creed. Nevertheless, man is from the first self-conscious, and he is continually on the way to become more clearly self-conscious of himself and of all the elements and phases of his being. The time must at last come when he turns back in thought upon himself to measure and criticise, to select and reject, to reconsider and remould by reflexion, the immediate products of his own religious life. And, even if we allow that reflexion cannot originate entirely new moral and religious movements, it is inevitable that it should become continually more powerful to disturb and to modify religious faith, and that, in consequence, man's hold of beliefs which he cannot justify to himself should become more and more relaxed. Nay, it is inevitable that the results of reflective criticism should enter more and more deeply into the very substance of religion itself, so that it becomes scarcely possible for those who hold it to avoid theorising it.

Thus, to take an obvious instance, the later religion of the Jews was no longer that simple religious sentiment which bound the race of Israel together by binding

<sup>1</sup>From the *Glasgow Herald*, by John Sandison.

them all to the God of Abraham, Isaac, and Jacob. It had become enriched with wider thoughts by the chequered experiences of the national history, by the captivity and exile, which, as it were, tore it away from its natural root and forced it to seek a new spiritual principle of life; by the manifold relations of sympathy and antagonism into which the Jews were brought with other peoples. Thus it was that the most narrowly national of all races gradually became the organ of a spirit of prophecy, which looked forward to the universal reign of a God of all men, whose worshippers should be distinguished, not by race, but only by the energy and purity of their moral life. For it may fairly be said that, if the prophets still put forward a claim for the supremacy of Israel, it was rather as leaders of humanity in the path of spiritual progress—that in them all the families of the earth were to be blessed—than as a specially privileged and exclusive nationality. A religion that thus rose into the atmosphere of universality, freeing the spirits of its worshippers from the bonds of time and place, was no product of mere feeling or unconscious reason. It was so far lifted above all that was local and particular that it could encounter the speculative thought of Greece almost upon equal terms. It had become itself something like a philosophy, and could therefore in Alexandria and elsewhere make terms with any other philosophy, and blend and coalesce with it into a new product. And what is true of the religion of Judaism is still more true of Christianity. Springing out of a Judaism already deeply tinged with Greek ideas, developing itself under the constant pressure of Greek influences, Christianity was first what we may call a reflective religion,—a religion which gathered into itself many of the results of both Eastern and Western thought. Already in the New Testament it is not only a religion, but it contains, especially in the writings of St. Paul, the germs of a theology. Hence, strictly speaking, it has never been a religion of simple faith, or, if it ever relapses into such a faith, it immediately begins to lose its spiritual character, and to assimilate itself to religions that are lower in the scale. . . . It is impossible to sever action and feeling from thought, nor can thought exist without striving to systematise and justify itself as science, and a living religion must show its power in making its votaries as fearless in encountering the trials and perplexities of the intellectual as those of the moral life.

Here, however, we meet with one of the greatest difficulties, a difficulty which more than any other embarrassed the development of religion during the last two centuries; for philosophy and reflective thought has often been regarded, and not seldom has regarded itself, not as the ally and interpreter, but as the enemy of the faith in which religion begins, not as evolving and elucidating, but as setting aside and altogether destroying, the beliefs which are the immediate expression of the religious life. And sometimes it has undertaken to provide a more or less efficient substitute for them. This was the claim put forward in behalf of the so-called natural religion by many representatives of the eighteenth century, and it has been supposed to be put forward by the adherents of some later systems of thought. On the other hand, there have been, and there are, those who hold that the teaching of reason and philosophy upon religious subjects is mainly negative. Such a view of reason as the rival or enemy of faith is naturally met on the other side by the proclamation of faith as the enemy of religion. . . .

Whatever side we take of such a controversy, the result seems to be that there is a deep and apparently incurable schism in the spiritual life of man,—a schism between man's immediate experience and the reflexion in which he is involved whenever he attempts to understand himself. Now, it seems to me that we can to some extent sympathise with the motives of both sides in this controversy. On the

one hand, a faith which is not seeking intelligence is a faith which is stunted and perverted, for, as we have seen, the very nature of religion, and especially of the Christian religion, involves and stimulates reflexion upon the great issues of life. Hence the attempt to defend Christianity by questioning the right of the intelligence to criticise it is suicidal. The bulwark which it sets up for the defence of religion is also a barrier in the way of its natural development, and a religion which does not develop must soon die. The faith that does not seek but shuns and repels knowledge is already, and must become more and more, irrational.

The exclusion of science from the sphere of religion—meaning, as it does, the exclusion of religion from the sphere of science—necessarily leads to its withdrawal from other spheres of human life, until, instead of being the key to all other interests, it becomes a concern by itself, and, we might almost say, a private concern of the individual. On the other hand, it seems difficult to admit the claim of science at all without making it absolute, so as to leave no place for faith, and that whether religion be conceived as irrational or as rational. For while, in the former case, religion is set aside and Agnosticism takes its place, in the latter case it seems as if faith must equally disappear, because reason provides a complete substitute for it,—a *religio philosophi* which is based on a definite philosophical conception of the nature of God, and a definite proof of His existence. Thus, if it be admitted that a scientific interpretation of religion is possible, it might seem that this interpretation must take the place of religion itself; that if faith can be explained by reason, reason must altogether be set aside, and become its substitute. Moreover, it is impossible that religion can be rationalised without being greatly modified and transformed; and if such change be valid, how can we regard the first form of religion as more than a temporary scaffolding which has to be removed when the building is completed. On the other hand, it is impossible to admit the right of intelligence to examine and criticise up to a certain point and no further. . . .

There cannot be a doubt that this is a real difficulty which has produced, and is now more than ever producing, a division in our life, and ranging men in opposite ranks, not on the ground of individual or class prejudice, but on the ground of what are really the highest interests of man's intellectual, moral life. . . . Much remains to be done ere such difficulties as have been raised can be solved. But I think there is already in our hands in the idea of evolution a kind of Eirenicon or means of bringing the opposing sides nearer to an understanding with each other. In particular, that idea enables us to throw new light upon the relations of the unconscious or unreflective to the conscious or reflective life as stages or factors in the development of man, and thus, as it were, to break off the horns of the dilemma. For, in the first place, the very idea that there are two factors or stages of one life involves that they are not governed by two absolutely antagonistic principles, but that there is an essential link of connexion between them. Their difference and opposition, however far it may reach, must ultimately be conceived as secondary, and capable ultimately of being explained from their unity. Their conflict, in short, must be taken as analogous to the conflict of different members or forms of vital activity in one organism, a competition which in the healthy organism is always subordinated to co-operation, or, at least, only ceases to be co-operation at a lower stage that it may become co-operation at a higher. It is thus that in organic evolution greater differentiation of function proves itself to be the means to deeper integration and more concentrated unity, and in this unity nothing that was valuable in the lower stage of life is ultimately sacrificed, however much the form may be changed.



If we may apply this idea to the case before us, we can, as I have indicated, admit no fatal opposition between the unconscious and unreflective movement of man's mind and that which is conscious and reflective. We must maintain that, though reason may accidentally be opposed to faith, its ultimate and healthy action must preserve for us or restore to us all that is valuable in faith. Or, at least, if it necessarily comes into collision with faith in certain lower stages of development, yet as it advances this antagonism must disappear, or be reduced within ever narrower limits, till in the highest it altogether vanishes. We are too often disposed to say, *Fiat justitia, ruat cælum*, and to forget that justice sustains the universe and cannot be the cause of its ruin. And so we are too apt to think the division of faith and reason to be incurable, and to suppose that we must choose the one and reject the other, forgetting that a faith that really springs out of our rational or spiritual nature or commends itself to it cannot be fundamentally irrational or incapable of being in its essence rationally explained and defended, and that a reason which is unable to find an intelligible meaning in some of the deepest experiences of human souls must be one-sided and imperfectly developed.

Hence, while we cannot deny the relative opposition of the two forms of spiritual life, and are indeed obliged to recognise it as one of the most potent factors in development, on the other hand we cannot admit that it is an absolute opposition. Nor is it even possible to be satisfied with a conception of progress that has often been advocated in the last century, by no one more forcibly than Thomas Carlyle, the conception of an alternation of two different eras of human history—an era of intuition, faith, and unconsciousness, in which the minds of men are at one with themselves and work joyfully and successfully in the service of some idea which inspires them, but which they never seek to question or analyse, and an era of reflexion in which the native hue of resolution is sicklied o'er with a pale cast of thought, in which faith grows weak, and the symbols which formerly satisfied their souls and united them with each other are dissected and torn to pieces by scepticism. Apparently Carlyle has little consolation for those who are born in such an unhappy age of transition, except to bid them wait for a new inspiration, a new imaginative synthesis, to set up another symbol in place of that which has disappeared. Least of all has he any trust in the reflective intelligence, in the work of thought, as capable of bringing about such a synthesis or substantially contributing towards it.

But a deeper consideration of the process in question may show, as I have already indicated, that the two great movements which constitute it, the movement of unconscious construction, faith, and intuition, and the movement of reflective analysis and critical reconstruction, are not essentially opposed, but rather the necessary complements of each other in the development of man's spiritual life; and that, as it is essential to faith that it should develop into reason, so the criticism of reason, as it is a criticism of its own unconscious products, cannot be ultimately destructive or merely negative in its effect. Its searching fires may, indeed, burn up much of the wood, hay, stubble—the perishable adjuncts that attach themselves to the edifice of human faith—but it cannot touch the stones of the building, still less the eternal foundation on which it is built. I will not conceal my conviction that its dissolving power must be fatal to many things which men have thought, and still think, to be bound up with their religious life, but I do not believe that it will destroy anything that is really necessary to it. Christianity is not like some earlier religions essentially connected with imaginative symbols, which must lose their hold upon man's life and mind so soon as he is able to distinguish

poetry from prose. It had its origin, as we have seen, in an age of reflexion, and the first movement of its life was to break away from the local and national influences of the region in which it was born. It lived and moved from the beginning in an atmosphere of universality, and in spite of the reactionary influences to which in its further history it was exposed, and which gradually affected its life and doctrine, it never quite lost its essentially universal character. Hence when its official representatives have turned it into a system of superstition and obstruction, its own influences have often inspired the reformers and revolutionists, who attacked and overthrew that system. It has thus, we might say, brought "not peace but a sword" into the life of men, because it would not let them rest in any partial or inadequate solution of their difficulties, or in anything short of the ideal of humanity which is set before them.

Such a universal religion, built upon the idea of the unity of man with God, and therefore on the conviction that the universe in which man lives is in its ultimate meaning and reality a spiritual world, cannot be justly regarded as a transitory phase of human development, or as a creation of feeling and imagination which science and philosophy are bound ultimately to displace. Whatever may become of the special doctrines in which it has found its first reflective expression, it contains a kernel which is essentially rational, and which cannot but gain greater and greater importance the more man's spiritual life is developed. It has in it a seed of ideal truth which is one with man's mind—the *anima naturaliter Christiana* of which Tertullian speaks—and which, therefore, must grow with its growth and strengthen with its strength. And philosophy, in spite, or rather because, of its critical reaction upon all the products of Christian thought and life, must in the long run supply one of the most important of all the agencies by which that seed is brought to maturity. It must show itself neither as the enemy nor as the substitute for religion, but rather the essential form of its consciousness both of itself and of its relations to all the other interests of man.

When I say this, however, I am conscious that I am anticipating a conclusion which cannot be proved by any such general considerations as those that have been set forth in this lecture. The place of philosophy in relation to religion can hardly be appreciated by any other method than that of tracing out the main lines of their connexion in the past and up to the present day, showing how theology has evolved itself out of religion, and how it has reacted upon it, how it has attacked and criticised it, and how finally it has sought ideally to reconstruct it. In this sense the history of the evolution of theology and theological thought has a very practical interest for us.

This subject, however, covers an immense field, and I can only attempt to deal with a small part of it in such a course of lectures as the present. I propose to say something about the movement of theological thought in the Greek philosophers. This part of the subject may seem at first to have less immediate interest for us, as it is prior for the most part to the rise of Christianity, and therefore seems to be remote from those theological interests which are kindred with our own. This, however, is not more than an appearance. On the contrary, these speculations have great importance for us for two reasons.

In the first place, because of their influence upon Christian theology, for it was from Greece that the early fathers of the Christian Church borrowed the forms and processes of thought, the general conceptions of nature and of human life, of, in short, the general points of view or mental presuppositions which they brought to the interpretation of the facts of Christianity. A very large portion of what we

call Christian theology is really Greek philosophy in a new application. One of the most important problems, therefore, is to inquire how far Christianity was developed, and how far it was transformed or modified by the medium into which it was brought.

And, in the second place, Greek philosophy was itself one of the greatest efforts of the human mind to reason freely on the highest subjects; in fact, we might say that it was the first effort made by men armed with all the weapons of speculative thought, and freed from all those outward and inward hindrances that prevent philosophical thought from being thorough and faithful to itself. And though we may have much greater knowledge of the world than the Greeks, and in some directions better methods of thinking, yet I do not think we can ever afford to neglect what has been done by Plato and Aristotle, by the Stoics, and by the Neo-Platonists. To study Greek philosophy is still a first essential for him who would trace the evolution of theology.

### THE HUGO GROTIUS CELEBRATION AT DELFT, JULY 4, 1899.

The appearance of the report of the Peace Conference at The Hague in 1899 by its Secretary Mr. Frederick W. Holls,<sup>1</sup> Member of the Conference from the United States of America, recalls vividly to mind a notable festive ceremony which took place during the meeting of the Conference and which lent a graceful historic sanction and significance to its proceedings. This was the festival in honor of the great Dutch jurist, scholar, poet, and statesman Hugo Grotius (1583-1645), given on the day of our greatest and most sacred national holiday, the Fourth of July, in the historic church at Delft, as a tribute from the American people to the Dutch, in recognition of the many elements of our national greatness which we have derived from them and of the many reasons for which we owe them gratitude.

The Dutch are closely connected with America by historical traditions. It was Hollanders that first settled on the banks of the Hudson (1609) and that founded the city of New Amsterdam (1614), now New York, and it was they who formed the backbone of our Revolutionary resistance in the Hudson river region. From Delft-Haven sailed the *Mayflower* bearing the Pilgrim Fathers who brought to America the principles of toleration which had grown up in them during their stay in the Netherlands and of which Grotius was an apostle. From Leyden through Delft-Haven and Plymouth Rock, and again through New Amsterdam, came the free public school. The Province of Friesland gave to our independence its first formal recognition, and it was a Dutch captain that first saluted the stars and stripes. Moreover, the United States of America took their name from the United States of the Netherlands. Said the Honorable Seth Low, the American Commissioner upon whom devolved the task of thanking the city of Delft for the hospitality accorded to the assembled guests: "We have learned from you not only that 'In Union there is Strength,'—that is an old lesson,—but also, in large measure, how to make 'One out of many.' From you we have learned, what we, at least, value,

<sup>1</sup> *The Peace Conference at The Hague, and Its Bearings on International Law and Policy.* By Frederick W. Holls, D. C. L., a Member of the Conference from the United States of America. New York: The Macmillan Co.; London: Macmillan & Co., Ltd. 1900. (Pages, 572. Price, \$3.00.) The addresses referred to in the present sketch are also to be found in a memorial pamphlet entitled: *Proceedings at the Laying of a Wreath on the Tomb of Hugo Grotius in the Nieuwe Kerk, in the City of Delft, July 4th, 1899, by the Commission of the United States of America to the International Peace Conference of The Hague.* The Hague: Martinus Nijhoff. 1899.



THE MIEVEVELD PORTRAIT.  
 (From the 1720 edition of the *De Jure Belli ac Pacis*.)

to separate Church and State ; and from you we gather inspiration at all times in our devotion to learning, to religious liberty, and to individual and national freedom."

#### THE FESTIVAL.

The merit of having inaugurated this distinctively American festival in honor of the great Dutch Jurist, which the preceding considerations show to have been peculiarly appropriate, was due to the Honorable Andrew D. White, Chairman of the Commission of the United States, our present Ambassador to Germany, ex-president of Cornell University, and a historical scholar and publicist of wide erudition and culture. His commemorative address was delivered in the apse of the Grote Kerk of Delft in front of the tomb of Grotius and near that of William the Silent, before all the members of the Peace Conference, and all the members of the Dutch Government and the Diplomatic Corps accredited to The Hague, the Deans of the Law Faculties of the Universities of Leyden, Utrecht, Amsterdam, Gröningen, the Burgomaster and city authorities of Delft, and other distinguished visitors. The services were varied and elegant in character, embracing classical musical selections, magnificently rendered, and several minor addresses; M. Jonkeer van Karnebeek, the Netherlands delegate, presided; M. De Beaufort, the Dutch minister of foreign affairs thanked the Government of the United States for honoring his countryman; M. Asser, president of the Institute of International Law spoke of the contributions made by American statesmen to the development of the principles of international arbitration; and the Honorable Seth Low briefly and appropriately thanked all the persons whose kindness had made the occasion possible. At the conclusion of his formal address, Ambassador White deposited on the tomb of Grotius an exquisitely designed and permanent silver wreath bearing the inscription: "To the Memory of Hugo Grotius in Reverence and Gratitude from the United States of America on the Occasion of the International Peace Conference of The Hague, July 4, 1899." M. De Beaufort, the Dutch Minister of Foreign Affairs, then said:

"For the purpose of acknowledging the great merits of Grotius, a wreath has been placed, by order of the American Government, on his tomb. I sincerely hope that this fine and precious work of art will remain forever on the place where it is now fixed. May the numerous visitors to this church look on it with a sentiment of gratitude and admiration. May it act as a stimulus for future generations in their exertions in behalf of still further reforms in the practice of international law, and, last not least, may this wreath be an everlasting emblem of the friendly relations between America and Holland, and a guarantee of the unbroken continuance of that historical friendship of which America gives us on this memorable day such a splendid and highly valued testimony."

#### LIFE AND WORK OF GROTIUS.

Hugo Grotius was one of the most famed men of the seventeenth century, and like his illustrious countryman Erasmus was noted for the diversity of his accomplishments and his comprehensive literary power. He is one of the greatest prodigies in the annals of precocious genius, was a pupil of the celebrated Scaliger, and at an early age rose to the highest rank in his profession of the law, in historical writing, and as a statesman. Becoming involved in the warfare of the theological factions in Holland (the Arminians and Gomarists) he was imprisoned by Prince Maurice in 1619 at the fortress of Lovestein, from which he escaped later through the ingenuity of his wife, in a chest supposed to contain books and old linen. He

proceeded then to France, where he wrote and published (1625) his immortal work *De jure belli ac pacis*, which is the foundation of his fame.

Grotius's work, says Mr. Pattison in the *Encyclopædia Britannica*, "though not by any means the first attempt in modern times to ascertain the principles of jurisprudence, went far more fundamentally into the discussion than anyone had done before him. The title of the work was so far misleading that the *jus belli* was a very small part of his comprehensive scheme. In his treatment of this narrower question he had the works of Albericus Gentilis (1588) and Ayala (1597) before him, and has acknowledged his obligations to them. But it is in the larger questions to which he opened the way that the merit of Grotius consists. His was the first attempt to obtain a principle of right, and a basis for society and government, outside the church or the Bible. The distinction between religion on the one hand and law and morality on the other is not indeed clearly conceived by Grotius, but he wrestles with it in such a way as to make it easy for those who followed him to seize it. The law of nature is unalterable; God Himself cannot alter it any more than He can alter a mathematical axiom. This law has its source in the nature of man as a social being; it would be valid even were there no God, or if God did not interfere in the government of the world. These positions, though Grotius's religious temper did not allow him to rely unreservedly upon them, yet, even in the partial application they find in his book, entitle him to the honor of being held the founder of the modern science of the law of nature and nations."

And to quote a famous authority in political science, Bluntschli: "The elegance of his diction, the pearls from classical antiquity with which he adorned his pages, the temper of humanity which pervaded his argument, his effort to mitigate the horrors of the Thirty Years' War in the midst of which he wrote, and the warmth of his general sympathy for a moral as opposed to a material order, enlisted men's hearts on the side of his reasoning, while the deficiencies of his doctrine were not as yet detected."

#### AMBASSADOR WHITE'S EULOGY OF GROTIUS.

Ambassador White spoke at length and authoritatively of Grotius's life and work from the standpoint of an American; and we give below the principal passages of his address. After referring to the predecessors of Grotius and to the unorganised state of prior opinion in public law, he said:

"Grotius's great mind brooded over that earlier chaos of opinion, and from his heart and brain, more than from those of any other, came a revelation to the modern world of new and better paths toward mercy and peace. But his agency was more than that. His coming was like the rising of the sun out of the primeval abyss: his work was both creative and illuminative. We may reverently insist that, in the domain of International Law, Grotius said, 'Let there be light,' and there was light.

"The light he thus gave has blessed the earth for these three centuries past, and it will go on through many centuries to come, illuminating them ever more and more.

"I need hardly remind you that it was mainly unheeded at first. Catholics and Protestants alike failed to recognise it,—'The light shone in the darkness, and the darkness comprehended it not.' By Calvinists in Holland and France, and by Lutherans in Germany, his great work was disregarded if not opposed; and at Rome it was placed on the Index of books forbidden to be read by Christians.

"The book, as you know, was published amid the horrors of the Thirty Years'

War; the great Gustavus is said to have carried it with him always, and he evidently at all times bore its principles in his heart. But he alone among all the great commanders of his time stood for mercy. All the cogent arguments of Gro-



*Alex. D. White*

United States Ambassador to Germany, Ex-President of Cornell University and Chairman of the American Commission to the Peace Conference at the Hague in 1899.

tius could not prevent the fearful destruction of Magdeburg, or diminish, so far as we can now see, any of the atrocities of that fearful period.

"Grotius himself may well have been discouraged; he may well have repeated

the words attributed to the great Swedish Chancellor, whose Ambassador he afterward became, 'Go forth, my son, and see with how little wisdom the world is governed.' He may well have despaired as he reflected that throughout his whole life he had never known his native land save in perpetual, heartrending war; nay, he may well have been excused for thinking that all his work for humanity had been in vain, when there came to his deathbed no sign of any ending of the terrible war of thirty years. . . .

"Yet we see that the great light streaming from his heart and mind continued to shine; that it developed and fructified human thought; that it warmed into life new and glorious growths of right reason as to international relations; and we recognise the fact that, from his day to ours, the progress of reason in theory, and of mercy in practice, has been constant, on both sides of the Atlantic."

Referring to the deficiencies of Grotius's ideas from the present point of view Mr. White continues:

"It has also been urged that the system which Grotius gave to the world has been utterly left behind as the world has gone on; that the great writers on International Law in the present day do not accept it; that Grotius developed everything out of an idea of natural law which was merely the creation of his own mind and based everything on an origin of jural rights and duties which never had any real being; that he deduced his principles from a divinely planted instinct which many thinkers are now persuaded never existed, acting in a way contrary to everything revealed by modern discoveries in the realm of history.

"It is at the same time insisted against Grotius that he did not give sufficient recognition to the main basis of the work of modern international jurists; to positive law, slowly built on the principles and practice of various nations in accordance with their definite agreements and adjustments.

"In these charges there is certainly truth; but I trust that you will allow one from a distant country to venture an opinion that, so far from being to the discredit of Grotius, this fact is to his eternal honor.

"For there was not and there could not be at that period anything like a body of positive International Law adequate to the new time. The spirit which most thoroughly permeated the whole world, whether in war or peace, when Grotius wrote, was the spirit of Machiavelli—unmoral; immoral. It had been dominant for more than a hundred years. To measure the service rendered by the theory of Grotius, we have only to compare Machiavelli's *Prince* with Grotius's *De Jure Belli ac Pacis*. Grant that Grotius's basis of International Law was, in the main, a theory of natural law which is no longer held; grant that he made no sufficient recognition of positive law; we must nevertheless acknowledge that this system, at the time he presented it, was the only one which could ennoble men's theories or reform their practice.

"From his own conception of the attitude of the Divine Mind toward all the falsities of his time grew a theory of international morals which supplanted the principles of Machiavelli: from his conception of the attitude of the Divine Mind toward all the cruelties which he had himself known in the Seventy Years' War of the Netherlands, and toward all those of which tidings were constantly coming from the German Thirty Years' War, came inspiration to promote a better practice in war.

"To one, then, looking at Grotius from afar, as doubtless to many among yourselves, the theory which Grotius adopted seems the only one which, in his time, could bring any results for good to mankind."





VIGNETTE TO GROTTIUS'S GREAT WORK *De Jure Belli ac Pacis* (1625).  
(Reproduced from the edition of 1720.)

Ambassador White then proceeds to more technical points :

"It has . . . been urged against Grotius that his interpretation of the words *jus gentium* was a mistake, and that other mistakes have flowed from this. Grant it; yet we, at a distance, believe that we see in it one of the happiest mistakes ever made; a mistake comparable in its fortunate results to that made by Columbus when he interpreted a statement in our sacred books regarding the extent of the sea as compared with the land, to indicate that the western continent could not be far from Spain,—a mistake which probably more than anything else encouraged him to sail for the New World.

"It is also not unfrequently urged by eminent European writers that Grotius dwelt too little on what International Law really was, and too much on what, in his opinion, it ought to be. This is but another form of an argument against him already stated. But is it certain after all that Grotius was so far wrong in this as some excellent jurists have thought him? May it not be that, in the not distant future, International Law, while mainly basing its doctrines upon what nations have slowly developed in practice, may also draw inspiration, more and more, from 'That Power in the Universe not ourselves, which makes for Righteousness.

"An American, recalling that greatest of all arbitrations yet known, the Geneva Arbitration of 1872, naturally attributes force to the reasoning of Grotius. The heavy damages which the United States asked at that time and which Great Britain honorably paid were justified mainly, if not wholly, not on the practice of nations then existing, but upon what it was claimed *ought to be* the practice; not upon positive law, but upon natural justice; and that decision forms one of the happiest landmarks in modern times; it ended all quarrel between the two nations concerned, and bound them together more firmly than ever."

\* \* \*

Finally Ambassador White casts his glance into the deep abyss of the past, and his historical clairvoyance enables him to see the consummation of Grotius's ideals in the great Peace Conference he was at the time attending. His imagination conjures up the spectacle of the shade of William the Silent looking down with approval upon Holland's great son, and he says :

"May not that great and glorious spirit have also looked lovingly upon Grotius as a boy, lingering on this spot where we now stand, and recognised him as one whose work was to go on adding in every age new glory to the nation which the mighty Prince of the House of Orange had, by the blessing of God, founded and saved; may not, indeed, that great mind have foreseen, in that divine light, another glory not then known to mortal ken? Who shall say that in the effluence of divine knowledge he may not have beheld Grotius, in his full manhood, penning the pregnant words of the *De Jure Belli ac Pacis*, and that he may not have foreseen—as largely resulting from it—what we behold to-day, as an honor to the August Monarch who convoked it, to the Netherlands who have given it splendid hospitality, and to all modern states here represented: the first Conference of the entire world ever held; and that Conference assembled to increase the securities for peace and to diminish the horrors of war.

"For, my Honored Colleagues of the Peace Conference, the germ of this work in which we are all so earnestly engaged lies in a single sentence of Grotius's great book. Others indeed had proposed plans for the peaceful settlement of differences between nations, and the world remembers them with honor: to all of them, from Henry IV. and Kant and St. Pierre and Penn and Bentham, down to the humblest writer in favor of peace, we may well feel grateful; but the germ of arbitration

was planted in modern thought when Grotius, urging arbitration and mediation as preventing war, wrote these solemn words in the *De Jure Belli ac Pacis*: '*Maxime autem christiani reges et civitates tenentur hanc inire viam ad arma vitanda.*'

"My Honored Colleagues and friends, more than once I have come as a pilgrim to this sacred shrine. In my young manhood, more than thirty years ago, and at various times since, I have sat here and reflected upon what these mighty men here entombed have done for the world, and what, though dead, they yet speak to mankind. I seem to hear them still.

"From this tomb of William the Silent comes, in this hour, a voice bidding the Peace Conference be brave, and true, and trustful in That Power in the Universe which works for Righteousness.

"From this tomb of Grotius I seem to hear a voice which says to us as the delegates of the Nations: 'Go on with your mighty work: avoid, as you would avoid the germs of pestilence, those exhalations of international hatred which take shape in monstrous fallacies and morbid fictions regarding alleged antagonistic interests. Guard well the treasures of civilisation with which each of you is intrusted; but bear in mind that you hold a mandate from humanity. Go on with your work. Pseudo-philosophers will prophesy malignantly against you: pessimists will laugh you to scorn: cynics will sneer at you: zealots will abuse you for what you have *not* done: sublimely unpractical thinkers will revile you for what you *have* done: ephemeral critics will ridicule you as dupes: enthusiasts, blind to the difficulties in your path and to everything outside their little circumscribed fields, will denounce you as traitors to humanity. Heed them not: go on with your work. Heed not the clamor of zealots, or cynics, or pessimists, or pseudo-philosophers, or enthusiasts, or fault-finders. Go on with the work of strengthening peace and humanising war: give greater scope and strength to provisions which will make war less cruel: perfect those laws of war which diminish the unmerited sufferings of populations: and, above all, give to the world at least a beginning of an effective, practicable scheme of arbitration.'

"These are the words which an American seems to hear issuing from this shrine to-day; and I seem also to hear from it a prophecy. I seem to hear Grotius saying to us: 'Fear neither opposition nor detraction. As my own book, which grew out of the horrors of the Wars of Seventy and the Thirty Years' War, contained the germ from which your great Conference has grown, so your work, which is demanded by a world bent almost to breaking under the weight of ever-increasing armaments, shall be a germ from which future Conferences shall evolve plans ever fuller, better, and nobler.' And I also seem to hear a message from him to the jurists of the great universities who honor us with their presence to-day, including especially that renowned University of Leyden which gave to Grotius his first knowledge of the law; and that eminent University of Königsberg which gave him his most philosophical disciple: to all of these I seem to hear him say: 'Go on in your labor to search out the facts and to develop the principles which shall enable future Conferences to build more and more broadly, more and more loftily for peace.'"

T. J. McCormack.

## BOOK REVIEWS AND NOTES.

AMERICAN HISTORY TOLD BY CONTEMPORARIES. By *Albert Bushnell Hart*, Professor of History in Harvard University. Member of the Massachusetts Historical Society. New York: The Macmillan Company. 1901. Pages xx, 668. Price, \$2.00.

The third volume of Prof. Albert Bushnell Hart's admirable undertaking of an *American History Told by Contemporaries* has just been issued, and embraces that most interesting period between 1783 and 1845 which has been correctly denominated our national expansion. The idea is that American history may be read in the works of its makers, and to this end characteristic extracts from the best-qualified contemporaries are woven together so as to make a consistent and truthful whole. The material of the present volume is distributed into nine parts: the first is a practical introduction for teachers, pupils, students, and libraries, and treats of the purposes and value of a study of historical sources; the second part treats of the social, economic, political, and frontier conditions of the United States in 1783; the third part is devoted to a study of the Confederation (territorial questions, trade, and commerce); the fourth deals with the framing of the Federal Constitution and the establishment of the federal government; the fifth treats, under the title of federal supremacy, of parties and party leaders, foreign relations, and the controversies of the Federalists; part six is devoted to the Jeffersonian period (Jefferson democracy, territorial expansion, neutral trade, and the War of 1812); the seventh is consecrated to the development of our national conscience as it took form in the growth of the great West and the delineation of our foreign policy; part eight is concerned with the period of our social and political readjustment, inclusive of the Jacksonian period; part nine is taken up with slavery and abolition.

It has been the aim of the compiler to illustrate social and political conditions even at the expense of omitting what is sometimes considered as important and indispensable incidents. "To my mind," he says, "the foundations of true historical knowledge of our past are the actual conditions of common life: of country, town, and city; of farmer, artisan, merchant, and slaveholder; of church, school, and convention." He has consequently selected his extracts more from diaries, travels, autobiographies, letters and speeches, than from constitutional documents, first because they are more real and more human, and secondly because good collections of them do not abound.

The episode to which the greatest space is devoted is the building of the Federal Constitution. "In this, as in other disputed questions," says the author, "I have tried to give a fair representation to the various schools of thought; if some people were wrong-headed and illogical and unpatriotic, it is part of history to know what their arguments were and how they were refuted." So again, "In approaching the terrible contest over slavery the same method is adopted: the assailant, the champion, and the observer speaks, each for his own side." Beginning with the year 1783, "The West assumed a life and character of its own; and it has been my aim to bring out that abounding frontier life, that constructive political instinct, that force and energy, which are so notable in the development of the West and so important in our national history."

There is certainly no existing work in which students of colleges and secondary

schools may hope to find so much material for collateral reading and topical research as in the present volume; and the compiler and his assistants are to be congratulated upon the excellent results which they have obtained.

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LE PRÉHISTORIQUE, ORIGINE ET ANTIQUITÉ DE L'HOMME. Par *Gabriel et Adrian de Mortillet*. 3<sup>e</sup> édition entièrement refondue et mise au courant des dernières découvertes. Un volume in-8° de 709 pages, avec 121 figures dans le texte. Paris: Schleicher Frères, 15 rue des Saints-Pères. Price, 8 francs.

The present work of M. G. Mortillet is widely known in Europe as a complete and convenient manual on the origin of the human species and the first phases of its physical and moral development; and the third edition of it which now appears has been considerably augmented and brought so thoroughly up to date by the son of the author as to constitute almost a new book. The first part contains a clear and precise exposition of our present knowledge concerning the precursors of man, and the traces of his industry as discovered in the tertiary strata. Several pages are devoted to a question which is now occupying some attention, with regard to the existence, the anatomical and mental constitution of the pithecanthropos, supposed to be the intermediary link between the great anthropoid monkeys and man. The second part gives a detailed study of the first human races, their industrial development, and of their animal and vegetable environment. It furnishes an excellent portraiture of the social life of the quaternary period. The illustrations of the book, while not elegant according to the American standard, are both numerous and instructive.

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We have two additional volumes of the Citizens' Library of Economics, Politics, and Sociology to announce. The first is by Brooks Adams, the author of the *Law of Civilisation and Decay*, and bears the title *America's Economic Supremacy*. Its name alone is a sufficient claim to attention at the present juncture. It is Mr. Adams's theory that "most of the greatest catastrophes in history have occurred because of the instinctive effort of humanity to adjust itself to changes in the conditions of life, wrought by the movement from point to point of the international center of empire and wealth." From present indications he sees that "the seat of wealth and power is migrating westward, and may even now have entered America." If this be so, we are confronted with a mighty revolution which will move on as inexorably as any other force of nature; but it is the author's belief that if we are destined "to fulfil the functions which have been fulfilled by the dominant nations of the past, the corresponding administrative machinery will be duly evolved, as well as the men fitted to put that machinery in action." (New York: The Macmillan Co. 1900. Pages, viii, 222. Price, \$1.25.)

The second volume in the same series, by Dr. Charles J. Bullock, Assistant Professor of Economics in Williams College, consists of three lengthy essays on *The Monetary History of the United States*. The first treats of the three centuries of cheap money in the United States, from wampum and barter currency to the gold and silver agitation of recent years. It reviews the entire monetary history of the United States, and endeavors to show that "all the varied currency experiments with which our people have been vexed for nearly three centuries have been, first and fundamentally, efforts to secure a cheap medium of exchange." The second and third essays treat of the paper currency of North Carolina and New Hampshire,—states which "up to the very close of the Colonial period remained sparsely settled farming communities in which manufactures and commerce were

of slight importance," and which consequently offered a favorable field in which to test the author's theory. (New York: The Macmillan Company. 1900. Pages. x, 292. Price, \$1.25.)

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The Annual Report of the Smithsonian Institution for 1898 has appeared. It contains, apart from the secretary's reports, but one monograph: that by the late Prof. E. D. Cope, of Philadelphia, on the *Crocodilians, Lizards, and Snakes of North America*. It takes up considerably more than one thousand pages.

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The report of the United States Commissioner of Education for the year 1898-1899, Vol. I., contains a vast amount of material which will be useful to educators. The main subjects treated are as follows: Education in Great Britain and Ireland, Australasia, Belgium, Central Europe, Sweden, and Japan; the development of the common school in the Western States, from 1830 to 1865; the study of art and literature in schools; the organisation and methods of training in the United States Naval Academy at Annapolis; American text-books on arithmetic; public education in Italy; educational training for railway service; university extension in Great Britain; Confederate text-books, 1861-1865; educational periodicals in the United States; educational directory; economic geography; Swedish gymnastics; and the future of the colored race. (Washington, Government Printing Office.)

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#### MOSLEM AND CATHOLIC CONCEPTIONS OF ANIMALS.

*To the Editor of The Open Court:*

May I be permitted to add in connexion with the remark made at page 113 of my article "The Hebrew Conception of Animals" in the February *Open Court* the following note?

Muslim hunters and butchers have the custom called the *Hallah*, of pronouncing a formula of excuse (Bi 'sm 'illah!) before slaying any animal. Mr. W. Skeat in *Malay Magic* mentions that if a Malay takes a tiger in a pitfall, the Pawang or medicine-man has to explain to the quarry that it was not he that laid the snare but the Prophet Mohammed. The following text from the *Koran* clearly implies the future life of animals: "There is no kind of beast on earth nor fowl which flieth with its wings, but the same is a people like unto you; we have not omitted anything in the book of our decrees; then unto their Lord shall they return."

The other day I was glad to see that Dr. Corrigan, Roman Catholic Archbishop of New York, had approved of a catechism in which humanity to animals was taught. I believe this is the first time a Roman Catholic prelate has inculcated any such teaching, though many visionaries and saints like St. Francis made friends with animals. Here in Italy I never heard of a priest who taught humanity to animals except that (I think) the Archbishop of Palermo said he did not wish to have bull-fights.

I wish Dr. Corrigan would get the Pope to "pronounce" on the subject. It would be good for beasts and very good for men, for as some German statistician showed, homicides are in proportion to humanity to animals.

EVELYN MARTINENGO CESARESCO.

SALÒ, LAGO DI GARDA.

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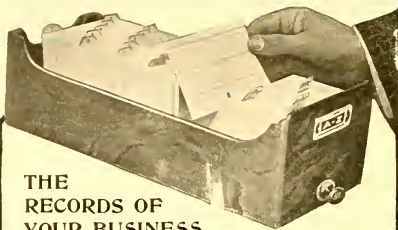
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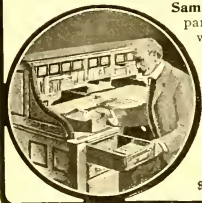


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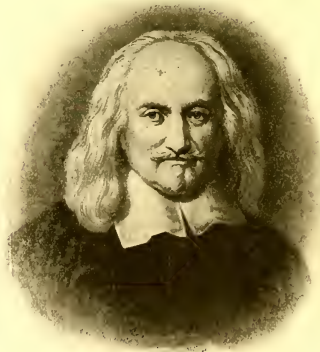
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