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THE SOCIAL THOUGHT OF THE ANCIENT CIVILIZATIONS

BY

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PREFACE

It is the present author's belief that many of the so-called histories of thought have been seriously at fault as scientific presentations of the subject. Some writers, overzealous in the advancement of their field from the angle of their own bents and interests, have erred in using selected portions of the historical thought as a vehicle whereby they imposed their own upon the more or less unsuspecting reader; others have added such voluminous comments and interpretations of their own, often on the basis of very slender evidence, and read so many obviously unjustified meanings into the historical writings as seriously to subvert or disguise their real meaning; still others have tried to cover so much ground within the confines of a single book that their product was excessively piecemeal and over-selective, and in no sense a fair sampling of the thought of the writers of any given epoch. It is the purpose of this study to avoid these weaknesses as far as possible by confining it to the most significant writers or documents of the different ancient civilizations. The writer will indulge in almost no interpretation, will reduce comment to a minimum, and will be wary about theorizing or generalizing. Finally, he will as far as possible use factual material in the form of the actual statements—the documentary materials, archaeological and historical—and let them tell their own story in their own words, trusting that the reader is sufficiently orientated in the various social disciplines to appreciate the more apt, revealing, and pointed passages and to apprehend the significance of the embodied ideas. This has been consistently done, except in the case of the Biblical literature, available to everyone, and in certain ancient legal codes, where, in order to conserve space, quotations have frequently been omitted. The writer has considered his task to be mainly that of discovering, collecting, selecting, and organizing the material from these ancient civilizations that is pertinent to the

thought and background of social scientists, and of presenting these materials in a manner as objective as possible. That is the first task of the social scientist working with historical materials.

A special error of some of the students of the pre-Greek and non-Greek ancient literature has been to force each into some standardized mold or method of treatment. This is impossible without distorting or padding the material, for the literary bits available are fragmentary, and their persistence or discovery has been largely a matter of chance; hence they differ in nature and content. A scientist can allow the materials discovered to date to tell their tale only as dictated by the nature and the quantity of the varieties and forms at hand. There will thus be much difference in the mode of treatment and subjects considered from chapter to chapter.

The literary materials coming from the Egyptians, Babylonians, Assyrians, and Hittites have been largely made available by archaeological excavation. Hence what is available consists mainly of unselected samples of what existed. The materials from Persia, India, China, and the Hebrews have come to us by direct transmission through the historical processes among successive generations of men. But here chance and the misfortunes of war, migration, and time have sadly riddled the record.

As far as possible in this treatment the writers, known or unknown, will be placed in their respective epochs and cultures. Their ideas and institutions, in the light of idealized modern ethical and social scientific principles, may seem crude and even brutal. But they may, on the other hand, be remarkably efficient and enlightened when examined in relation to their age and heritage.

Each people is introduced by a concise review of the pertinent facts regarding their physical setting, their racial and cultural composition, their major or determining social institutions, and the most significant economic and political changes in their history during the period under consideration. Without such a background of conditions and events their social thought has little significance for the social scientist.

This work is strictly that of a social scientist. The writer is not a philologist or a student of ancient Oriental languages.

He does not propose to engage in any literary or historical investigation of sources or to translate or attempt to improve the text of translations. He is accepting the standard translations of the older materials, the best possible translations of the newer findings, and, in a few cases, the only ones available. Nor does he allow himself to enter into any of the critical controversies among Oriental scholars but, where difference of opinion exists, rests his conclusions upon the consensus of opinion of the technical experts. He has assumed that the work of the Orientalist, the Near Eastern archaeologist, and the scholar of ancient languages and literatures is not an end in itself but a means of making available for various types and varieties of students this ancient lore. For their mistakes and failures he assumes no responsibility. He is accepting and using the findings of the appropriate researchers.

Finally, not all the literature examined was actually composed originally in the pre-Greek period. But in almost every case its essential thought and its main development were definitely pre-Greek. This is particularly true of the thought of Persia considered and the ideas of Gautama of ancient India. There is also much valuable social thought connected with the great ancient philosophies which is introduced or added after Grecian times and which consequently falls outside our time limits. Except where this clearly and authoritatively has its roots in earlier thought it will not be considered.

In addition to the assistance rendered him by the Library of the University of Nebraska, the writer wishes to acknowledge courtesies extended him by the Library of the University of Pennsylvania, the Museum of the University of Pennsylvania, and the libraries of the University of Chicago, especially that of the Oriental Institute.

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J. O. HERTZLER.

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There is no new thing under the sun. Is there a thing whereof it may be said, See, this is new? It hath been long ago, in the ages which were before us.

Eccles. 1:9–10

THE SOCIAL THOUGHT OF THE ANCIENT CIVILIZATIONS

CHAPTER I

THE DESIRABILITY AND THE POSSIBILITY OF AN EXAMINATION OF THE SOCIAL THOUGHT OF THE ANCIENT CIVILIZATIONS[1]

The more the social sciences advance in content and method the more the students of these sciences feel the need of a knowledge of the origins and the evolution of the fundamental concepts, viewpoints, and objectives that underlie them at present. These are now seen to be as essential as a knowledge of the history of the actual social processes and institutions. Most of the social sciences have met this need by so-called "histories" of the thought of their particular field. Our concern here is specifically with the history of social thought as a background for the sociologist, though it is equally valuable for the scientists in the allied fields.

A history of the social ideas of the past not only gives substance and foundation to our contemporary social thought but also gives us an understanding of contemporary civilization as a whole, for the ideas of the past are determining factors in the institutions, attitudes, customs, relations, groupings, and other social forms and situations of the present. A fair knowledge of the nature, the effect, and the fate of social thought in the past safeguards us against repeating many of the mistakes of the past, for human nature does not change so rapidly as to invalidate all past experience. In fact, the careful student is struck by the frequent applicability of much of the thought of the ancients to present-day conditions. A knowledge of past thought lends sanity and

[1] Previously printed in *Social Forces*, Vol. X, No. 3, pp. 328–338, March, 1932.

soundness to one's utterances. As Fontenelle exclaimed, "How many foolish things we should say now if the ancients had not said them before us!" The history of thought shows how ruling ideas, both good and bad, have developed; it shows the factors of different types responsible for the maintenance of beliefs and views; it makes possible integrity of thought.

Finally, an examination of ancient social thought makes for calmness, modesty, even at times for a very desirable humility in its students. Some historian of ancient peoples has cryptically remarked, "The ancients have stolen all of our good ideas." Similarly a Babylonian sage of 2100 B.C. or earlier stated, "The life of yesterday, it is every day the same." While it is by no means a fact that all our good ideas are to be found among the ancients, yet, to the confusion of the modern thinker, inflated with the assumed importance and superiority of present-day thought, they turn out to be surprisingly many. Such a study is an invaluable aid in maintaining in the student a dispassionate and scientific objectivity. He is not so apt to be swept away by fads in thinking or to be confused by controversies. The broader sweep of his thought enables him to distinguish and emphasize fundamentals of the career of human society.

The history of social thought is now a standard part of sociological science. Most of these historians have begun their analysis of thought with the Greeks; certainly no farther back than the Hebrews. With the exception of a few brief chapters, sociology is lacking in the examination of any of the thought before the Greeks. The contention of the present writer is that this leaves social thought without much of its foundation material. While it has been excusable and understandable in the past, the time has now come when we can and must carry the history of social thought back into pre-Greek civilizations.

This tendency among sociologists to maintain that there is little social thought of value before the Greeks, especially those of the post-Socratic period, is due to one or more of the following reasons: (1) a lack of knowledge of the significance of earlier cultures; (2) a difference of opinion as to when social thought of scientific significance begins and what constitutes such thought; and (3) a failure to appreciate the light that the culture concept throws on the matter of thought origins, development of thought, and the linkage or interdependence of eras and cultures.

I. The Effect of the New Discoveries and New Knowledge Upon the History of Early Thought

In the first place, where lack of knowledge of earlier cultures exists on the part of sociologists, this may be due to the fact that (1) they have not known that such knowledge now exists or (2) they have not had access to those archaeological, ethnological, and very early historical materials upon which such a knowledge must be based or (3) they have not bothered to make a sympathetic and comprehensive study of them.

Owing to the researches of ethnographers, archaeologists, and historians, our knowledge of the cultures of ancient peoples has recently become much more intimate and extensive. In fact, it has vastly increased during the lives of most of those now active in the field of sociology. For a long time the only literature of those times that had fairly common currency was that of the Hebrews, and that, being labeled religious, was not examined until recently for its anthropological and sociological implications. The examination of the other available literature dealing with ancient civilizations, as, for example, the works of Diodorus and Herodotus, was quite generally looked upon as a vested right of the classicists and ancient historians alone, and was respected as such. However, with the weakening of departmentalizing tendencies, this literary store is being added to the recent archaeological findings.

While the knowledge of ancient peoples is still meager and fragmentary, and while social thought is relatively scanty and inchoate as compared with available evidences of thought along other lines, notably the religious, there is enough of it now at hand to serve as a challenge to the historian of social thought. Excavations by archaeological investigators in Mesopotamia, Persia, Asia Minor, and Egypt; the deciphering, translation, and reediting of hieroglyphic, cuneiform, and other ancient texts, documents, and tablets; and intensive historical researches of all kinds and along all lines, including especially the ancient literatures of China, India, and the Hebrews, have made possible the study of the social institutions, the proverbs, epigrams, and other wisdom literature, the social criticism and prophecies, the laws, the ethical systems, the epic literature, the philosophies of history, the political thought, the economic relations, the social

classes, and a host of other culture products and social activities and situations, all of which are notably revealing of genuine social thought and actual social practices in these ancient civilizations. It is now possible for us to push our study back into the fourth millennium B.C. Scholarly competence in the history of social thought requires such knowledge. Enough data are now available to make possible a satisfactory initial study.)

II. The Changing Conception of the Content of Social Thought

In the second place, while it is undoubtedly true that the systematic discussion of social phenomena begins with the post-Socratic Greeks, it is equally true that the social thought of the great civilizations preceding the Greeks, by virtue of the fact that it emanated from great civilizations that endured for centuries or even millenniums, must be considered. In fact, with equal assurance, one is justified in maintaining that these great civilizations, involving millions of people in a multiplicity of relationships and a whole array of highly diversified social institutions in highly complex social organizations, required a relatively high type of social thought.

It also stands to reason that the various social problems of adjustment, control, treatment, and organization, which grow out of human relationships in both primary and organized groups, had to be met before the time of the Greeks. The clash of personalities and interests, the need of ordered relationships, and the demand for social interpretations and principles had to be satisfied. No social group can carry on without these. We have created an artificial distinction between pre-Greek and post-Greek thought. Contrary to the beliefs of many, man has for ages been thinking of his relations and obligations to his fellow men. He had to if he and his group were to endure.

As soon as men, living in groups of two or more, become conscious of life with their fellows, they begin to philosophize about this, and try to reduce it to generalizations. After generations and centuries of experience, of primitive dialectic, of examination of folkways and mores, these social notions become more or less standardized into proverbs, legends, systems of rules, and law. Thus they come as the result of a long process of unconscious organization of social thought.

Social thought can then be said to originate when men begin to generalize about social phenomena, especially about social relationships, in a manner sufficiently definite and coherent so that successive observers, when they check the generalizations as statements of social fact, find them more or less accurate and usable. Even the most superficial examination of the literature of the ancients preceding the Greeks shows an abundance of thinking that conforms to these requirements.

III. The Effect of the Culture Concept

In the third place, the culture concept implies that all social thought, including that of the post-Socratic Greeks, that of Europe, and even that of America, as well as any other phase of culture, has a long and complex history behind it. This study of culture, as emphasized by the anthropologists and archaeologists, and more recently by the cultural sociologists, has opened up a new viewpoint respecting ancient civilizations. Before this culture concept was introduced into sociology, we could safely and conscientiously begin as late as the Greeks. Now, however, since we have a clearer conception of the nature, evolution, and linkage of cultures, we see that we must go back to early contacting cultures if we are to have a comprehensive grasp of the nature and content of any phase or era of culture. We now note that few cultures are absolutely self-developed, and almost none disappears without passing on many of its elements to other cultures. In any era men are the heirs of the past.

Culture diffusion has always been common, though the process has varied in rapidity and in the ease with which it occurred. The ancient cultures of Egypt, Babylonia, Persia, Greece, and Rome were not isolated, not even in their prehistoric eras, as archaeology ever more patently demonstrates. The early Near East and the Mediterranean area were regions of fructifying culture contacts. There is no more reason for thinking of Greek thought as something highly unique or as an independent development—a sport or mutation, so to speak—than to look upon Hebrew and Christian religion and their theological elements as unique. For example, after several generations of research we see that a considerable number of supposedly basic and unique elements of Judaism and Christianity go back to remote times and various cultures, revealing these developments as blendings

or mosaics of elements, unified, of course, into more or less systematic growths. In a similar manner the modern student of Greek culture sees it as a compounding of elements derived from the entire Mediterranean area and the far Aryan East, as well as the Near East. Aristotle, the greatest thinker of Greece, was not peculiarly Greek. He drew on the whole known world for his knowledge and made personal contacts with many of the various peoples and cultures. As the record of the past becomes clearer, the linkage of ancient cultures becomes more definite. Equally important is the fact that in ancient civilizations the foundations of modern civilizations were being laid. Our western culture is itself an amalgam of cultures diffused from northern Africa and western Asia, as most culture anthropologists and historians of the ancient world attest.[1]

The social thought of a given people or civilization at any moment is a vast accumulation of the social thought of every people or culture with which contacts, direct or indirect, have been made. For culture is continuous and contagious, and transmission of some, at least, of its elements is inevitable as contacts are made. Owing to the great mobility of peoples, even of prehistoric peoples, cultural transfusion and diffusion must be considered in any study of any phase of culture.

Hence the thought of the past, however remote, and of peoples now long gone, is woven into the fabric of the thought of the present. Later thought is thus the product of blending, readaptation, and cross-fertilization of past concepts, beliefs, and ideals and an enhancement and elaboration of these based upon additional observation, experience, and, quite recently, some research.

The importance of the phenomena of culture diffusion has not been sufficiently taken into consideration in the history of thought, especially social thought. In most of the available writings it is not considered at all. One of the objectives of this study is to pick up some of the notable strands of social thought in the literature, formal and otherwise, of the peoples preceding the Greeks, who have contributed in some measure to the fabric

[1] *Cf. Cambridge Ancient History*, Cambridge, 1923, Vol. I, Preface; M. ROSTOVTZEFF, *A History of the Ancient World*, pp. 8, 9, Oxford, 1926–1928; C. WISSLER, *Man and Culture*, pp. 34–35, New York, 1923; W. D. WALLIS, *Culture and Progress*, pp. 107–108, New York, 1930; M. JASTROW, *The Civilization of Babylonia and Assyria*, p. 2.

of our modern social thought, notably the Egyptians, Babylonians, Hittites, Persians, and Hebrews. Of course, much thought will also be found that has had no demonstrable influence upon modern thought.

Certain ancient cultures which have had only the most remote and indirect influence upon western civilization, as far as is now known, will also be examined, notably those of India and China. These latter groupings of early social thought will be examined as foundation cultural material; as solutions of or comments upon social situations of the past which may now be existent or which may be typical of some future era; as checks upon present thought; as a means of getting at conceptions of great societary fundamentals; and as means of understanding social processes.

IV. The Causes and Means of Culture Diffusion among the Ancients

The same examination of archaeological and historical sources that points to widespread diffusion of ancient culture traits also indicates the means and methods whereby the fructifying contacts were made. To be sure, because of the relative inefficiency of the means of communication and transportation in ancient times, the culture contacts were not so frequent or so numerous as they are today. But, given a sufficient lapse of time, population pressure, diminishing returns, and, if we are to believe a certain school of geographers, possibly also climatic fluctuations, together with the accompanying famines, disease, migrations, and war, did produce a surprising number of contacts. The process was aided by expanding and enriching cultures, accompanied by increasing wants and the resultant barter and trade. Later on, of course, as travel and trade routes were developed by land and water, and as given languages and methods of writing became more universal, these contacts, both physical and psychosocial, increased tremendously in number and effect. Let us examine in greater detail the actual nature of some of the more significant contacts.

Until recently our studies of the ancient cultures of the Near East have begun with the Egyptians along the Nile and the Sumerians in the lower Tigris-Euphrates valley about 4000 B.C. Speiser,[1] however, on the basis of quite extensive recent archaeo-

[1] E. A. Speiser, *Mesopotamian Origins*, Philadelphia, 1930.

logical findings and philological investigations, has come forward with the hypothesis of the "Japhethites"[1] as the basic population of the Near East, antedating the Sumerians, the Semites, and the Indo-European peoples in the region. They were, he believes, the population indigenous to the highland zones of the Near East and were responsible for that stratigraphically earliest culture that has long confused archaeologists. This earliest culture, which he refers to as "aëneolithic," is widespread and uniform, extending over the Mesopotamian region, Syria, and Anatolia, thus presupposing a dynamic people having racial unity. He concludes, with considerable plausibility, that theirs was the ethnic and the cultural foundation upon which the Sumerian and Semitic, and later the Indo-European, invaders built.

When we confine ourselves to accepted fact, our study of the great, significant cultures begins with ancient Babylonia and Egypt. Both of these, owing to their limited resources, had to draw supplies from outlying portions of their empires and beyond. This was difficult because both were detached agricultural civilizations. Both particularly needed metals and wood; Babylonia also needed stone of various kinds for its economic and religious purposes. These needs for various materials were satisfied partly by conquest and forcible acquisition but mainly by barter and trading. This led to the establishment of colonies and dependencies, the development of trade routes, the opening of trading posts and markets, and, of course, the expeditions of a military or semimilitary nature incidental to such organization and expansion. Inevitably their culture followed their warriors, traders, and other empire builders.

Both predynastic Egypt and old Sumerian Babylonia of the fourth millennium B.C. used copper from the land of Magan ("land of ships"), which must be identified as the Sinai peninsula.[2] At this early time these cultures, the Babylonian and Egyptian, also influenced each other, as is attested by the similarity of their maceheads and the common use of the cylinder seal and of recessed brick walls.

The only land route that this intercourse between the Euphrates and the Nile could follow was along the upper north or

[1] In contrast to "Semites" and "Hamites," standard scientific classificatory terms.

[2] H. R. HALL, *Cambridge Ancient History*, Vol. I, p. 262.

northeast river bank of the Euphrates and along the narrow strip of hill country at the southeastern end of the Mediterranean, bordered on one side by the Mediterranean Sea and on the other by the Arabian Desert, the area occupied later by the Israelite and other Semitic tribes. Back and forth along this ridge moved the commodities, individuals, ideas, customs, institutions, and armies of Babylonia and Egypt. Across it, also, moved the other outland enemies of each, especially, later on, the armies of Medea, Chaldea, and Persia and those of Alexander.[1]

While ancient Babylonia was most dependent upon various parts of the known world for supplies, it in turn had certain abundant resources which were much sought after. It occupied by far the richest part of that famous area appropriately referred to by Breasted as the "Fertile Crescent." This was a sizable strip, rich as to soil, fairly well-watered, and with excellent natural means of intercommunication, extending from the Persian Gulf northwestward along the Euphrates and the Tigris up through Assyria and then bending southwestward and following the most easterly portion of the Mediterranean shore down to the Sinai region. This area was the only really civilized region in that portion of the world at the time. Though some portions of it were semiarid part of the year, in it was raised a relatively inexhaustible supply of foodstuffs, including corn and dates. Much wool of finer quality than that of the desert sheep, because better nourishment was available, was also produced and made into the widely known "Babylonitish garments." Hence Babylonia became a great exchange center, its cities ancient Londons, where the produce of the Fertile Crescent and the entire communicating world was exchanged. Aided by well-established and well-guarded trade routes and an extensive system of canals, as well as by rivers and their tributaries, its great business houses carried on trade over vast distances and had regular correspondents and branch houses.[2]

The successive waves of migrating Semites from the deserts of Arabia also did much to cause a widespread circulation and diffusion of culture throughout the ancient Near Eastern area.

[1] Note, for example, the map showing the ancient trade routes through Palestine and Phoenicia in J. BAIKIE, *The Amarna Age*, opposite p. 358, New York, 1926.

[2] J. L. MYRES, *The Dawn of History*, pp. 96–97, New York, 1911.

The first wave, occurring during the fourth millennium B.C., resulted in the occupation of the Mesopotamian steppe, north Syria, and presently Elam across the Tigris. Crossing the Euphrates higher up, the Semites moved down between the rivers, invading Babylonia from the north. This is the Accadian influx, and its outstanding ruler is Sargon I of Accad.

The second great migration, known as the Canaanite-Amorite, occurred about the middle of the third millennium. The invaders took possession of all the strip of highland country between the Euphrates and the Mediterranean and everything south of this as far as the edge of the great desert. One group penetrated as far as Babylon of Babylonia, a city of hitherto quite secondary rank, which became the central capital of a new united kingdom whose greatest king was Hammurabi. Another section moved northward into the middle valley of the Tigris, later on to become the Semitic state of Assyria. Still another section reached the rolling country of Harran between the tributary Khabur River and the Euphrates proper, where ephemeral settlements were established. The most graphic description of a phase of this section's migration, probably the so-called Leah families, is still to be found in Genesis.

The third great wave, known as the Aramaean, came about a thousand years later (*c.* 1350 B.C.). It brought with it the Hebrews, Edomites, Moabites, Ammonites, and other related peoples. It filled the whole eastern Mediterranean country as far north as the Taurus mountains. The great Semitic migration, that of the seventh century A.D., which flooded Syria, Persia, India, and all of northern Africa, even Spain, Sicily, and part of France, does not concern us here. Each of these Semitic migrations not only carried with it whatever it had in the way of original culture but picked up and transported the materials of the peoples with whom it came in contact. Thus it served as a potent medium of diffusion.

There is reason for thinking that there was some contact between the Near and the Far East at a relatively early time. Shells from the Indian Ocean have been found in the graves of the Middle Kingdom in Egypt, indicating that the mariners who ventured on the Red Sea got to the shores of the Indian Ocean. The fact that ships of the fleet owned jointly by Solomon and Hiram of Tyre visited Pahang, "the home of the peacock," in the

tenth century B.C. indicates that long before this time sailors had traversed the Indian Ocean and ventured beyond India and Ceylon. In various parts of India traces of contact with Sumerian civilization are found. Relics have been found that are at least a thousand years earlier than the earliest Aryan invasion. These include inscribed seals similar to the square stamped ones of Susa and Sumeria. These signs have a remarkable resemblance to Sumerian writing, and the notation is similar.[1]

The main force producing culture contact and diffusion, however, was the expansion of the empires of Babylonia, Egypt, Assyria, the Hittites, Medea, Chaldea, Persia, and Greece. Each successive empire increased its territory, always at the expense of some preceding empire, and, of course, increased the area in which cultural contacts of all kinds were made. While the first great Babylonian Empire, that of Sargon I, formed by the combining of Sumer and Akkad, occupied only the lower Tigris-Euphrates valley (though he did get to the Mediterranean on a raid), the second under Hammurabi (around 2100 B.C.) included most of Elam to the east across the Tigris, extended to Armenia to the north, included Palestine on the west, and stretched into the desert on the south to embrace Ur and Larsam, thus occupying all of the Fertile Crescent, which was henceforth to be one of the prizes sought by the successive empires. The Egyptian Empire at its peak in the fifteenth century B.C., under Thutmosis (Thothmes) III, sometimes referred to as the Napoleon of Egypt, extended across the Isthmus of Suez into western Asia up to the border of Anatolia, including all of Palestine and Syria, and extended along the Red Sea almost down to the Indian Ocean and west into the Nubian Desert. The fleets of Thutmosis carried his power along the south shore of Asia Minor and possibly also incorporated the Aegean Islands including Crete, though this latter may be only his boast as a ruler. This empire was at this time a considerable fraction of the known world.

One of the most important of all archaeological discoveries to date has been the so-called Tell-el-Amarna letters, found at the site of that name in Egypt in 1887–1888. They are part of the official diplomatic correspondence of the kings Amenhotep III and Amenhotep IV (the famous monotheist Ikhnaton) of the fourteenth century B.C. and are the oldest international corre-

[1] D. A. MACKENZIE, *Ancient Civilizations*, p. 256, London, 1927.

spondence in the world. Close and frequent contact was maintained among the kings of Babylon, the Hittites, Assyria, the Mitanni, Cyprus, and seventy or eighty vassal princes of Amurru (Syria), Canaan, including the young Hebrew people just establishing themselves in Canaan, and other parts of the empire. It is significant to note that the tablets are all in Babylonian cuneiform, indicating that it was the diplomatic language, the *lingua franca*, of the time. The letters show a wide, eager world of feverish activity, closely linked by ties of self-interest and mutual advantage, taking the form of a multiplicity of trading and military relations and also the intermarriage of the nobility.[1]

Only during the last thirty-five years have we discovered any precise and definite knowledge of the Hittite peoples, who at their height during the thirteenth century B.C. included most of the peoples of inner Asia Minor (Anatolia), the peoples of northern Syria, and all the Mesopotamian peoples. Their influence lasted possibly six or seven centuries. While much is still to be discovered, we know that they had a peculiar script and practiced a particular art and architecture. Though they were never joined in one single empire, and though their sphere of influence was not so widespread as that of the other peoples here discussed, at a certain epoch in their history the Hittites occupied all of the intercontinental bridge between Asia and Europe, controlling the land routes of communication; consequently they had an undeniable influence upon culture movements.

The Assyrian Empire, when at its apogee under Assurbanipal in the seventh century B.C., extended on the east and north to the Iranian plateau including all of Elam and Medea, to the north almost to the Caspian Sea and the Caucasus mountains, to the northwest well up into Asia Minor including Cilicia and to the west; to the southwest it included Syria, Palestine, and Egypt south to beyond Thebes. The Medean and Chaldean empires of the sixth century at the time of Nebuchadnezzar extended these boundaries beyond the Iranian plateau into central Asia to the east, included Bactria, penetrated northwest in the direction of the Black Sea, and extended the control of Egypt to the first cataract. The great Persian Empire of the fifth century B.C., almost entirely through the efforts of Cyrus, included all of Asia to India on the southeast and extended northeast farther than

[1] See BAIKIE, *op. cit.*

any empire ever had before; to the northwest it included all of Asia Minor and extended into the Balkans of Europe; in Egypt it extended south almost to the heights of what is now Ethiopia and penetrated far westward into the Nubian Desert and along the southern Mediterranean shore. Never before had there been such an extensive empire. The empire of Alexander the Macedonian was the only other one of ancient times to equal it in extent. This, in addition, extended down into the valley of the Ganges.

Each of these empires gave way to the next. Each in turn became part of the next. With each the seat of power and influence shifted. The traders' caravans, as always, followed the flag of the marching armies. Changing dynasties caused a continual shifting of peoples. Conquerors forced not only their rule but often also their culture upon the conquered. Unavoidably there was a grand mixing and interpenetration of Sumerian, Semitic, Egyptian, Indo-European, and possibly Japhethite culture elements. In fact, almost every culture of the known world participated in a process of fructifying give and take that extended over a period of three thousand years. Europe is the chief inheritor of this composite culture.

V. The Types of Materials Used

Social thought from the point of view of this study will consist of any thought reflecting man's attitudes and ideas respecting his relationships with his fellows and the adjustment of relations between human groups of any kind; any social criticism, for this points to social ideals and standards; any specifically mentioned human and social values; any ideas about major social institutions; any expressions of a sense of social responsibility; any thought about social change or development or the desirability of such; any effort to arrive at sounder notions of human and social interest; any thought about social control.

In one's search for the actual sources of ancient social thought, resort must be made to ancient history, but a history based increasingly on the ever accumulating archaeological findings rather than on the limited and not always accurate literary materials. The social thought will be found in or will be derived from the burial texts of the ancients; the inscriptions and friezes of their monumental and public structures; their cult objects; their art; their lists of proverbs and maxims; their tales, myths,

legends, and prophecies; their literature of all kinds—epic, educational, religious and, philosophical—their laws and legal codes; their commercial and legal documents; their political records; their correspondence, where it exists; the pronouncements of their great men; and the records of their ceremonials and festivals. These, examined in the light of the economic, political, and social changes of the respective eras of given successive civilizations and of the ancient world as a whole, give one a conception of pre-Greek social thought which, while by no means complete, is yet fairly comprehensive and typical.

VI. The Setting of the Ancient Civilizations

In the chapters that follow, certain social aspects of the thought of ancient Egypt, Babylonia, the Hittites, Assyria, Persia, India, China, and the Hebrews will be examined. These early Near Eastern and Oriental civilizations were the first ones to work out a culture strong enough to project itself into history. They were the first to have some sort of alphabet and writing and hence the means of recording their ideas for distant generations and cultures. They were the first to develop a material culture which produced the leisure essential to the development of thinking and the arts; they were the first to have an intranational and international life sufficiently rich and stimulating and full of challenges and incitement to lead people to think searchingly about themselves, their relations with their fellows, their social organization, and their hereafter.

The reasons for the early development of these peoples are not so difficult to determine. Their environments were very nearly ideal. Four great river valleys—the Nile, the Tigris and Euphrates, the Ganges, and the Hoang Ho—with equable climates bordering on the semitropical, played a very important part. Here were excellent climatic conditions, no serious temperature extremes, a sufficiency of rainfall, and an abundance of sunshine. The fertile soil produced an abundance of food and made possible a substantial economic base. Relatively large populations occupied these valleys, producing abundant contacts and a vitalizing interstimulation. Seasonal floods needed to be controlled and utilized, and available water was conducive to the construction of canals and the development of irrigation on an

extensive scale. The rich produce of the valleys encouraged migrations and led to efforts at conquest.

Culture clashes were provoked that were often stimulating and enriching. Internal civil and economic rivalries also served as prods to organization and thought. Hence in these ancient civilizations we find relatively luxuriant and complex cultures with established industry and commerce, education, politics and government, religion and morals, law, and the arts. Practically every important department of the life of large organized groups was represented by diversified, well-developed, and stabilized social institutions. The inevitable accompanying social philosophy existed in a variety of forms, as the fragmentary evidence clearly shows.

CHAPTER II

THE SOCIAL THOUGHT OF THE ANCIENT EGYPTIANS

I. The People, Their Culture, and the Nature and Sources of Their Literature

Great civilizations were flourishing in the valleys of the Nile and of the Tigris and Euphrates before the fourth millennium B.C. Which appeared first we do not know.

The institutional and thought history of Egypt cannot be divorced from the Nile. This mighty river, nearly 2,500 miles long with its upper tributaries, flows for its last 1,500 miles, without any inflow whatsoever, through the rocky and arid region that is the Egypt of our study. Its most significant segment, from the first cataract to the head of the delta, is a valley or gorge eroded out of the plateau of the Sahara desert about 550 miles long and nowhere over 30 miles wide. This great river was not only the highway and foundation of the communicative system but the very source of life itself, for it provided the indispensable water; and the periodic inundations of the narrow plain deposited the rich silt which made possible the intensive agriculture by which most of the population sustained itself. Every aspect of Egyptian life was powerfully influenced by this river.

Furthermore, Egypt's seven or eight million inhabitants lived as it were in one vast walled city, bastioned about by forbidding defenses of rocky hills, stretches of naked gravel, and vast expanses of shifting sands. Within this protected area, interrupted by infrequent intrusions from without, they built up their great and relatively enduring civilization.

When the curtain of history was raised for just a glimpse in the sixth millennium, the long but slender valley of the Nile was dotted with villages, grouped into small, independent political units. The people lived in houses made of sun-dried brick; they used decorated pottery made of clay, made cloth of cultivated

flax, raised their own grains, had domesticated animals, worked with tools of bronze, and carved ivory and stone. They plied the Nile in boats, probably originally developed from reed floats, maneuvered by oars and sail, and they carried on an exchange of products and ideas. As early as 4241 B.C. these ancient Egyptians had already discovered the year of 365 days and introduced a calendar year of this length, divided into twelve months of thirty days each and five feast days. At this time they had also invented writing and brought it to a considerable degree of perfection.

When the record becomes clear about the Third Dynasty, and the written social thought begins, the people had long since emerged from the hazy predynastic state. Their civilization was complicated and flourishing. The First Dynasty had been established about 3400 B.C., several centuries earlier. This Third Dynasty was the age of the Great Pyramids. The very existence of the pyramids themselves implied an elaborate set of institutions, including an efficient and centralized political organization, a hereditary kingship, a highly developed religious life, well-established social classes, an economic surplus, an extensive division of labor, probably the *corvée*, private property, public works on a large scale, a high type of engineering science and architecture, and variety of skilled craftsmen. Even "in the earlier millennia of their history the Egyptians were a gifted people, intellectually alert, and already awake when other nations still slumbered; indeed, their outlook on the world was as lively and adventurous as was that of the Greeks thousands of years later."[1]

The dynastic period of Egypt was one of alternate development and degeneration, political and economic prosperity and depression, of eras of great and noteworthy cultural advance followed by others when the people slumbered in their ineptitude, of times of order and great imperial power contrasted with times of chaos, upheaval, and confusion. During the first two dynasties, the so-called archaic period, launched by King Menes and lasting over four hundred years, Upper and Lower Egypt, up to this time separate kingdoms, were welded into a single prosperous nation. The advance in writing, art, and craftsmanship was marked during this period as compared with its development during the

[1] A. ERMAN, *The Literature of the Ancient Egyptians*, p. xxii, London, 1927.

long pre-dynastic period. During the period of dynasties III to VI, known as the Old Kingdom (3190–2631 B.C.), art, architecture, and literature flourished, and Egyptian influence was extended abroad. The great pyramids of Zoser, Cheops, and Khafre and the Sphinx at Giza were constructed; the conquest of Nubia to the south was begun; and trade was developed with the east Mediterranean area. Then followed the first period of disintegration covering dynasties VII to X (2631–2300 B.C.). Politically the country resolved itself into a feudal regime with the powerful nobles setting up rival city-state governments of their own. This was an age of social confusion and upheaval and of great individual misery.

About 2375 B.C. the Eleventh Dynasty arose, finally achieving supremacy and seating the somewhat centralized authority in Thebes instead of at the ancient capital of Memphis. Through this and the Twelfth Dynasty, lasting until 2000 B.C., Egypt was in the so-called Middle Kingdom period and enjoyed the great classic period of her culture. While still feudal in its organization, the power of the monarchy was supreme. The nation was raised to a high degree of prosperity and power. Foreign trade was resumed, the southern frontier was extended to the second cataract, the mines of Sinai were worked, public buildings were constructed, and, what is significant from our point of view, a remarkable social literature flourished.

Dynasties XIII to XVI (2000–1635 B.C.) were again a time of disintegration and chaos. During the first two of these dynasties rebellion was rife, and petty knights ruled in many parts of the land. The country, disorganized and disunited, became an easy prey to the great Asiatic invaders, the Semitic, Mongol, or possibly Hittite Hyksos, who ruled in Egypt through the Fifteenth and Sixteenth dynasties (1800–1635 B.C.). During this epoch Egyptian cultural life seemed to be at a standstill.

Around 1635 B.C. a Seventeenth Dynasty arose at Thebes and persistently fought the foreign kings, who were finally expelled at the beginning of the Eighteenth Dynasty. Now was launched the great Empire Period during which, with the help of the horse introduced by the Hyksos, the boundaries of the empire were extended to Mesopotamia on the east and into Nubia to the fourth cataract on the south. Not only Egyptian statecraft but also Egyptian commerce was carried to the ends of the

known world. Egypt, for a while, was supreme in the ancient Near East. Owing to a large influx of immigrants from various parts of the empire and also to trade relations, many internal social changes occurred. The sciences and the liberal arts, medicine, architecture, sculpture, philosophy, and a varied literature flourished, and a great monotheistic religion came into existence for a time. The last Pharaoh of this splendid Eighteenth Dynasty was the heretical Ikhnaton (Amenhotep IV), a genius whose bent was for monotheistic religion rather than empire building and maintenance. Under his administration Egypt lost her military and political control of the Near East and henceforth gradually declined. (The Empire Period extends through the Twenty-first Dynasty and ends about 945 B.C. Egypt now passed into a series of obscure dynasties, some of them controlled by foreigners; these concluded with the subjugation by Persia, Greece, and Rome.)

The Egyptians of history were a blending of at least two racial stocks. A Negroid race from central Africa had probably made its way into the Nile valley shortly after the last glacial epoch. About 5000 B.C. a great Hamitic invasion from the eastern Sahara also settled in the valley. This mixture related the early Egyptians to the Libyans or North Africans on the one hand and, on the other, to the peoples of eastern Africa, now known as the Galla, Somali, Bega, and other tribes. After this mixture had adjusted itself for several centuries, the land was in turn invaded by Semitic nomads of Asia, who not only left some of their biological characteristics but also stamped certain features of their language unmistakably upon that of Egypt.[1]

During most of this period of Egypt's ancient life, the people had a stable government under a king or Pharaoh, and a closely centralized body of national and also local officials. The king's chief administrative officer was the vizier or wazir.[2] The land was subdivided into forty-two nomes or districts, originally

[1] J. H. BREASTED, *History of Egypt*, pp. 25–26, Charles Scribner's Sons, New York, 1905; G. A. BARTON, *A History of the Hebrew People*, pp. 6–7, New York, 1930; A. H. SAYCE, *The Religions of Ancient Egypt and Babylonia*, p. 23, Edinburgh, 1902.

[2] He combined in his person, one gathers, the functions of sage, secretary of state, chief justice, superintendent of construction, and, possibly, secretary of the treasury. Reference is occasionally made to the vizier in the literature as "chief of all works of the king."

probably the territories of the forty-two tribes which at an early date composed the population of the valley. These were administered by the ranking local officials known as *nomarchs*. In addition there were the village and city officials similar to the sheiks of today. Economically the Nile valley was, on the whole, in a flourishing state. The well-controlled inundation produced enormous harvests of wheat and barley. There were also extensive vineyards and gardens, large herds of cattle, sheep and goats, droves of donkeys, vast numbers of poultry and wild fowl, and large quantities of fish from the river. An inexhaustible supply of substantial building materials was at hand. Flax grew abundantly and provided both cloth and occupational opportunities. Much of the land was owned by the crown and cultivated by serfs under a sort of feudal system. The population consisted of a series of classes ranging from the nobles and officials at the top, through the free middle class, to the free landholders or husbandmen, then through the artisans and herdsmen, to the slaves and serfs at the bottom who made up the bulk of the population.

The internal strength of the state was evidenced by the extensive use of the *corvée*, that is, the levy on the small landholders and artisans, as well as serfs, for their services at opportune times of the year on public works, such as building and cleaning canals, developing or conducting of irrigation projects, and the construction of pyramids and other regal monuments. Marriage was largely monogamic, though the harem was not unknown, and the inheritance seems to have been through the female line. Education, indispensable for the upper classes, was highly utilitarian in its nature. The religion was mainly a polytheism in which the sun and the Nile played important parts. Its most significant feature from our point of view, since without it most of our source material would never have existed, was the prominent place given in it to the life after death. The body was preserved with an array of necessities and other materials making identification possible for the returning spirit.

The diverse social relationships of this rich and teeming culture necessitated hourly decisions regarding behavior within and between different groups, such as families, occupations, ranks, and classes, and in various types of social situations—domestic, economic, religious, political. As we have implied, a definite

and extensive system of social order with the requisite institutional agencies was in effect. In the early pyramid age social sensitiveness and a social consciousness emerged; the terms for "righteousness" and "justice" appeared.[1] Right social action was desirable, and men were eager to affirm their innocence of antisocial behavior. For the first time in the recorded history now available, man contemplated himself among his fellows; he wanted a good name on earth and laid down the means of achieving it in daily life.

Ancient Egypt offers the earliest existing specimens of social thinking. A series of papyri; a considerable number of monumental inscriptions, some going back to the Third Dynasty; and later some clay tablets are available. They provide a record, fragmentary and highly specialized in nature, to be sure, but sufficient to enable us to judge the scope and character of this archaic thought. The outstanding feature of these early texts is that they are largely of a funerary character. This is doubtless due in part to the fact that the contents of tombs were much more often preserved than those of houses or temples.[2] (The upper classes were buried either in crypts hewn into the rocky cliffs and then sealed or in specially constructed edifices of stone, of which the pyramids were the elaborate form used by the Pharaohs.) This fact also introduces both an element of chance and a selective feature. Much of the writing was on papyrus. Thus what we have rests upon the unlikely chance that a fragile sheet of papyrus would last for four or five thousand years. Accordingly, out of a once large mass of writings, only isolated fragments have been made known to us.[3]

One of the features of this Egyptian funerary literature is the fact that the Egyptian provided a vast amount of interesting and valuable data and ideas in his burial papyri and inscriptions, most of them, apparently, prepared before death by the future occupant himself. Much descriptive matter regarding behavior, especially along the lines of economic, social, and political achievement, is included, as are also various contemporary and earlier classics dealing with social situations and functioning, in a measure, as

[1] BREASTED, *op. cit.*, p. 166; see also T. E. PEET, *Cambridge Ancient History*, Vol. I, p. 346.

[2] *Cf.* BREASTED, *Cambridge Ancient History*, Vol. II, p. 197.

[3] ERMAN, *op. cit.*, p. xxiii.

archives.[1] But, of course, monumental sources, even when complete, are at best but insufficient records.

The chief sources of early Egyptian thought vary from period to period. For the thought of the Old Kingdom we are largely dependent upon the so-called *Pyramid Texts*, discovered in 1880–1881. These consist of monumental inscriptions preserved in Fifth and Sixth Dynasty pyramids. While entirely funerary in character, they are vast in extent and give, by implication, a new view of the great and complicated fabric of the institutional and thought life of ancient Egypt. Breasted states that they "form the oldest body of literature surviving from the ancient world and disclose to us the earliest chapter in the intellectual history of man as preserved to modern times."[2] The Middle Kingdom had its *Coffin Texts*, while the New Empire had its *Book of the Dead*, which consists of collections of chapters written on rolls of papyrus or linen which had been placed with the mummy in its case, or they were written on the walls of tombs. The events and literature recorded date from the third millennium

[1] T. Eric Peet gives a possible explanation of these lengthy tomb inscriptions. "On the tomb-stelae of the great nobles of the Old Kingdom we find their good deeds recited in order to persuade the passers by their tombs to say those prayers which according to Egyptian belief could secure food and drink to the dead. So Herkhuf says: 'I was one who was excellent; beloved of his father, approved of his mother, one whom all his brethren loved. I gave bread to the hungry, clothes to the naked. I ferried across the river him who had no boat. Ye who live upon the earth, who pass by this tomb in going up or down stream, and who shall say, "Thousands of bread and beer for the owner of this tomb," I will give thanks to you in the Necropolis.' Here we have a tacit admission of the fact that all the virtues enumerated are impotent to procure for the deceased the most elementary physical needs of life in the tomb. He uses the catalogue of his good deeds merely to persuade his survivors to recite those prayers which it is believed could secure for him food and drink. But we must observe the logical consequences. Felicity in or beyond the tomb is dependent on the performance of correct rites and the pronouncing of the correct prayers by a man's fellows at his tomb. The most obvious way in which he can enlist their sympathy and services is by assuring them on his grave—stating that he acted kindly to his neighbors in his lifetime and bidding them requite it in this way. Thus good actions do indirectly help to ensure a happy hereafter." *Op. cit.*, Vol. I, pp. 346–347. See also BREASTED, *Ancient Records*, Vol. I, pp. 328–331, Chicago, 1906.

[2] BREASTED, *Development of Religion and Thought in Ancient Egypt*, Preface. Charles Scribner's Sons, New York, 1912.

B.C. on. The materials were collected in the Empire period (1580–1167 B.C. according to Budge). Parts of the *Book of the Dead* were known in Greco-Roman times; in fact, Herodotus and Diodorus obtained most of their information regarding early Egypt from these sources. Since then the lists have been accumulating.

In addition to these special sources, archaeologists working in the numerous and often well-preserved ruins of temples, tombs, and public buildings are finding a rapidly accumulating number of other papyri; additional records written on coffin covers; limestone tablets, possibly used for instructional purposes; and some clay tablets, notably the Tell-el-Amarna letters. These last amount to nearly 300 separate clay tablets and constitute part of the files of the diplomatic correspondence of the courts of Amenhotep III and Amenhotep IV, kings of Egypt between 1411 and 1357 B.C., with various kings, princes, and chieftains of Babylonia, Assyria, Phoenicia, Palestine, and the Mitanni and Hittites. While of untold value along a variety of lines, they add little to our special search.

In addition to the fact that early Egyptian literature is so largely funerary in character, other difficulties must be mentioned. One of these is that the available literature deals so largely with material things or religious affairs. The social thought and the expressions of social consciousness must be carefully extracted from what often seems to be quite beside the point of such a study as this. Another characteristic that limits the scope of the thought is the fact that the early Egyptian always thought in concrete graphic form; he did not have a terminology for the expression of abstract ideas, even if his materialistic and opportunistic life had allowed it. Finally, most of the thought in which we are interested comes before 1250 B.C. After that Egypt is in decline. She is successively conquered by the Amorites, Libyans, Ethiopians, Assyrians, Greeks, Romans, and Arabs. There may have been social thought in the interim before the period in which we are interested elapses, but it is not recorded.

While the literature is limited, yet a selection must be made for our purpose. And while this social thought is scattered and incipient as it emerges from a host of obscuring influences, it is far too abundant and too significant to be adequately and justly

treated within the confines of a single chapter. The chapter following will treat of the most voluminous single class of Egyptian literature, the numerous and occasionally extensive lists of precepts and admonitions. This chapter will be confined to a number of other typical varieties of social writing which indicate the nature and scope of this literature. Included will be the social philosophy of disillusionment of Imhotep, the vizier of King Zoser of around 3150 B.C.; the ideals of political administration as voiced by Henku, the nomarch in the twenty-ninth century; the social reflections and lamentations of the sensitive Priest of Heliopolis of the Ninth or Tenth dynasty; the diatribe against social conditions and standards of the *Man Weary of His Life* of the Ninth Dynasty during the feudal period; the pointed and comprehensive social criticism, the admonition to reform, and also the messianic or utopianistic pronouncements of Ipuwer and Nefer-rohu of the close of the Tenth or the beginning of the Eleventh Dynasty, approximately 2300 B.C.; the brilliant conceptions of social and administrative justice found in the *Tale of the Eloquent Peasant* of around 2400 B.C. in the Middle Kingdom; and the magnificent spirit of justice and social responsibility which plays through the traditional address read to the new incumbent of the vizierial office known as the *Installation of the Vizier*, the earliest copy of which goes back to Thutmosis (Thothmes) III (1501–1447 B.C.).[1]

II. The Social Thought

From the earliest times the Egyptian recognized that he owed certain duties to his village and his neighbor. Particularly was he impressed with the idea of respecting the lives and property of his neighbors, and their wives and cattle. The rise of ideas of kindness and humanity as well as ideas of social expediency can also be traced. It did not pay to retaliate or take vengeance. A very definite code for social behavior, particularly as regards overt behavior or the reaction to external events, appeared. The results of experience and discretion were written down. As the

[1] The datings used throughout are those of the *Cambridge Ancient History*, which are increasingly being accepted as standard. While there has been some question as to the periods to which to assign the various ancient authors mentioned, a considerable agreement has now been reached in most cases. Such generally accepted assignings are used herein.

society became highly organized, and the nation a world power, ideas of justice, social values, social criticism, principles of administrative excellence, and social and diplomatic astuteness were developed and given voice in the literature. The one important detail to remember throughout is that owing to the fact that the literature came largely from funerary sources, it reflected these social ideas mainly as they were held by the kings, nobles, and upper classes.

The oldest bits of Egyptian social literature that we have are two ancient sets of precepts or admonitions for the young men of the official class, those of the viziers Kagemni and Ptahhotep, very ancient and very wise officials of the Third and Fifth dynasties. These will be treated along with others of their type in the chapter following. Hence we begin here with the thought attributed to another ancient vizier. The expressed ideas of these three viziers reflect in a pointed way the existent thought of this early era.

1. Imhotep and His Philosophy of "Eat, Drink, and Be Merry." In a papyrus[1] and also on a wall of a Theban tomb, both of the Eleventh or Twelfth Dynasty, has been found a poem which has come to be called the "Song of the Harper." It was a dirge chanted during and after the feudal age of Egyptian history while the mummy figure was carried around at the funeral feast. The papyrus is headed, "Song That Is [or Was] Sung in the Tomb-house of King Intef [Twelfth Dynasty], Which Is in Front of the Singer with the Harp." Its philosophy and perhaps most of its form is thought to date back to the old worthy Imhotep, vizier of King Zoser of the Third Dynasty (3190–3100 B.C.). Imhotep was not only a great political administrator but also an architect, sage, and magician-physician, later recognized as the founder of medicine. He was much given to dilating upon the uncertainty and brevity of life and developed the doctrine that a man is soon gone and forgotten; therefore he should enjoy life to the fullest extent while he may. In the copies available Harzozef or Hardedef, a prince of the time of the Pyramids, shares with him the credit for the ideas.

How happy is this good prince!
His goodly destiny is fulfilled:

[1] Papyrus No. 10,060, British Museum, commonly known as "Harris 500." Also found in a papyrus at Leiden.

The body perishes, passing away,
While others abide, since the time of the ancestors.
The gods who were aforetime rest in their pyramids.
As for those who built houses—their place is no more;
Behold what hath become of them.
I have heard the words of Imhotep and Harzozef,
Whose utterances are of much reputation;

Yet how are the places thereof?
Their walls are in ruin,
Their places are no more—
As if they had never been.

None cometh from thence,
That he might tell us their state;
That he might restore our hearts,
Until we too depart to the place,
Whither they have gone.

Encourage thy heart to forget it,
And let the heart dwell upon that which is profitable for thee.
Follow thy desire while thou livest,
Lay myrrh upon thy head,
Clothe thee in fine linen,
Imbued with luxurious perfumes,
The genuine things of the gods.

Increase yet more thy delights,
Let not thy heart be weary,
Follow thy desire and thy pleasure,
And mould thine affairs on earth
After the mandates of thy heart,
Till that day of lamentation cometh to thee,
When the stilled heart hears not their mourning;
For lamentation recalls no man from the tomb.

Celebrate the glad day!
Rest not therein!
For lo, None taketh his goods with him,
Yea, no man returneth again that is gone thither.[1]

[1] This translation is by BREASTED, *A History of Egypt*, New York, p. 206, 1910. Other English translations can be found in BREASTED, *Development of Religion and Thought in Ancient Egypt*, pp. 182–183, New York, 1912; *The*

2. The Administrative Idealism of Henku the Nomarch.—Among the many interesting tomb inscriptions this one is not insignificant. Henku, nomarch of the twelfth nome of Upper Egypt late in the Fifth Dynasty (2965–2825 B.C.) had placed on his tomb a rather lengthy description of his justice, fairness, and magnanimity and his ability to produce and maintain prosperity as a governor. The fragment reflects what was considered to be right and proper for a nomarch to do in those early days whether he did it or not. The readers will detect in this political idealism the "full-dinner-pail" appeal among others.

O all ye people of the Cerastes-Mountain; O ye great lords of other nomes, who shall pass by this tomb, I, Henku, tell good things. . . . I gave bread to all the hungry of the Cerastes-Mountain; I clothed him who was naked therein. I filled its shores with large cattle and its lowlands with small cattle. I satisfied the wolves of the mountain [sacred in Henku's locality] and the fowl of heaven [the hawk, also sacred] with flesh of small cattle. . . . I was lord and overseer of southern grain in this nome. . . . I settled the feeble towns in this nome with the people of other nomes; those who had been peasant-serfs therein, I made their offices as officials. I never oppressed one in possession of his property so that he complained of me because of it to the god of my city; I spoke, and told that which was good; never was there one fearing because of one stronger than he, so that he complained because of it to the god. . . . I was a benefactor to the nome in the folds of the cattle, in the settlements of the fowlers. I settled its every district with men and cattle. . . . I speak no lie, for I was one beloved of his father, praised of his mother, excellent in character to his brother, and amiable to his sister.[1]

To show further efflorescence of a fine social sensitiveness, the following extract from the tomb inscription of a citizen of this period may be mentioned: "I was one beloved of the people.

Dawn of Conscience, pp. 162–168, New York, 1934; A. WEIGALL, *A History of the Pharaohs*, Vol. I, p. 292, London, 1927; E. A. W. BUDGE, *The Literature of the Ancient Egyptians*, pp. 242–243, J. M. Dent & Sons, Ltd., London, 1914; J. B. HURRY, *Imhotep*, pp. 18–19, London, 1926; ERMAN, *op. cit.*, pp. 132–134, London, 1927.

[1] Translation by BREASTED, *Ancient Records*, Vol. I, pp. 126–127, University of Chicago Press, Chicago, 1906. See also J. BAIKIE, *History of Egypt*, Vol. I, pp. 198–199, New York, 1929; BREASTED, *Development of Religion and Thought in Ancient Egypt*, pp. 168–169, New York, 1912; *The Dawn of Conscience*, pp. 123–124, New York, 1934.

Never was I beaten in the presence of any official since my birth; never did I take the property of any man by violence. I was a doer of that which pleased all men."[1] At about the same time a song on the tomb of Neferhotep carries the sentence: "Give bread to him who has no field, and create for thyself a good name for posterity forevermore."

Similarly in the twenty-sixth century B.C., Harkhuf of Elephantine, one of the earliest of African explorers, had inscribed on his tomb, among other things, these thoughts:

> I was . . . [beloved] of his father, praised of his mother, whom all his brothers loved. I gave bread to the hungry, clothing to the naked, I ferried him who had no boat. . . . I was one saying good things and repeating what was loved. Never did I say aught evil to a powerful one against anybody. I desired that it might be well with me in the Great God's presence. Never did I [judge two brothers] in such a way that a son was deprived of his paternal possession.[2]

3. Dialogue with His Soul of a Man Weary of His Life.—The period of the Seventh to the Tenth dynasties is known as the Feudal Period of Egyptian history, because of the similarity of the conditions prevailing and those of the Middle Ages of Europe. It was a time of trouble, chaos, and confusion. The land, at least the delta region, witnessed a great foreign invasion from Asia; internal dissension and civil wars, economic depression, the upheaval of the class system, a wave of immorality and social degeneracy, and a marked decline in the cultural life also occurred.[3] This age developed, during or just after it, consequently some of the outstanding contemplative literature of pre-Greek times. Several examples are notable for their revealing pessimism, while two give us the first prophetic and utopianistic writings on record. Of the first type we shall examine briefly *The Dialogue with His Soul of a Man Weary of His Life* and the Lamentations of the Priest of Heliopolis; of the second, the writings of the old analysts and prophets Ipuwer and Nefer-rohu. These ancient bits of writing are characterized chiefly by vivid descriptions of the appalling state of Egypt, and the futility of

[1] BREASTED, *Ancient Records*, Vol. I, p. 125.

[2] *Cf.* BREASTED, *The Dawn of Conscience*, pp. 125–126, Charles Scribner's Sons, New York, 1934.

[3] *Cf.* M. I. ROSTOVTZEFF, *A History of the Ancient World*, Vol. I, p. 36, Oxford, 1926–1928.

life, together with prophecies or at least anticipations of better things.

The writing known now as the *Dialogue with His Soul of a Man Weary of His Life* is a most significant piece of pessimistic literature. The document is in the form of a papyrus of the Ninth or Tenth Dynasty (2500–2300 B.C.), preserved in the former Royal Library at Berlin (Papyrus No. 3024). The Misanthropist, as Breasted calls him, points to upheaval and degeneracy and depicts the despair resulting from injustice, disease, self-indulgence, and social chaos. It is a great social diatribe which incidentally also presents the social conditions and standards. The unfortunate man had apparently been abused, robbed, and forsaken by his friends. He is in darkest despair and contemplates suicide. In this condition he has the dialogue with his soul, presented in the form of four poems. In the first he reiterates in a series of strophes the fact that his name has come to be displeasing to his fellows. "Lo, my name is abhorred," in a number of ways: like the smell of birds on a hot summer's day or the smell of a fish handler or of water-fowl congested in a bed of willows or like crocodiles. The second poem, of special interest to us, deals with the corruption of the men of his time. Here are sounded the very depths of social degeneracy. Each three-line strophe begins with the words, "To whom do I speak today?" probably meaning, "What manner of men are those to whom I speak?"

Brothers are bad,
The friends of today lack love.

Hearts are shameless,
Every man seizeth the goods of his neighbor.

The meek man goeth to ground [*i.e.*, is destroyed],
The audacious man maketh his way into all places.

The man of gracious countenance is wretched,
The good are everywhere treated as contemptible.

When a man stirreth thee up to wrath by his wickedness,
His evil acts make all people laugh.

Robbery is practiced,
Everyone stealeth the possessions of his neighbor.

Disease is continual,
The brother who is with it becometh an enemy.

One remembereth not yesterday,
One doeth nothing in this hour.

Brothers are bad . . .
. . . [Missing].

Faces disappear,
Each hath a worse aspect than that of his brother.

Hearts are shameless,
The man upon whom one leaneth hath no heart.

There is no righteous man left,
The earth is an example of those who do evil.

There is no true man left,
Each is ignorant of what he hath learned.

No man is content with what he hath;
Go with the man [you believe to be contented], and he is not [to be found].

I am heavily laden with misery,
I have no true friend.

Evil hath smitten the land,
There is no end to it.

In the third poem, death, as a glad release, is carefully and fully described in most graphic terms. The fourth poem is a forward glance into the ultimate future. The sojourner yonder shall be justified and enjoy exceptional privileges. A frequently appearing touch of this early period is found in the final advice of the soul, "Follow after the day of happiness, and banish care," which probably means that one should aim to make oneself happy and contented at all times and not worry too much about the present or the future.[1]

[1] The translation above is from Budge's treatment, *op. cit.*, pp. 231–235. For other translations and interpretations in English see BREASTED, *Development of Religion and Thought in Ancient Egypt*, pp. 188–197; ERMAN, *op. cit.*,

This magnificent fragment forcibly and graphically presents the travail of the individual spirit as he is confronted by social conditions and forces that have victimized him but are beyond his control. As has often occurred since, death is idealized as the release. But one who wishes to live sees in it also a plea for happy social relations and a crusade for social righteousness.

This can easily be compared to the Book of Job, as both Breasted and Peet compare it.[1] Job, especially in his calmer moments, reminds one forcibly of this suicide who, at least fifteen hundred years before him, while suffering a similar experience also longed for death.

4. The Lamentations of the Priest of Heliopolis.—Various other bits of literature have survived from the Egyptian dark ages. Another significant fragment has as author a man who later was a priest of Heliopolis and was named Khekheperre-sonbu, and surnamed Onkhu. He also was filled with disgust and disquiet at the widespread corruption and decadence of all classes. His disillusionment led him to write down his reflections. He did it so well that four hundred years later a scribe copied his composition upon a board now preserved in the British Museum.[2]

In the two introductory paragraphs he shows that he realizes that his ideas are different from those embedded in the Egyptian literature. He then launches into his lamentation, parts of which are found below.

I am meditating on the things that have happened, the events that have occurred in the land. Transformations go on, it is not like last year, one year is more burdensome than the next. . . . Righteousness is cast out, iniquity is in the midst of the council-hall. The plans of the gods are violated, their dispositions are disregarded. The land is in distress, mourning is in every place, towns and districts are in lamentation. All men alike are under wrongs; as for respect, an end is made of it. The lords of quiet are disquieted. . . .

I am meditating on what has happened. Calamities come in today, tomorrow afflictions are not past. All men are silent concerning it, [although] the whole land is in great disturbance. Nobody is free from

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pp. 168–179; G. MASPERO, *New Light on Ancient Egypt*, pp. 109–115, London, 1909; J. BAIKIE, *History of Egypt*, Vol. I, pp. 366–367.

[1] BREASTED, *op. cit.*, p. 188; PEET, *Comparative Study of the Literatures of Egypt, Palestine and Mesopotamia*, p. 117, London, 1931.

[2] No. 5645.

evil; all men alike do it. Hearts are sorrowful. He who gives commands is as he to whom commands are given; the heart of both of them is content. Men awake to it in the morning daily, [but] hearts thrust it not away. The fashion of yesterday therein is like today and resembles it [because] of many things. . . . There is none so wise that he perceives, and none so angry that he speaks. Men awake in the morning to suffer every day. Long and heavy is my malady. The poor man has no strength to save himself from him that is stronger than he. It is painful to keep silent concerning the things heard, [but] it is suffering to reply to the ignorant man. To criticise an utterance causes enmity, [for] the heart receives not the truth, and the reply to a matter is not endured. All that a man desires is his own utterance. . . . [1]

The society that he describes is one shackled by its own inertia, filled with iniquity and disorder, dependent upon cowardly and corrupt leaders, unable to discern not only the right and truth but its own profound misery, and without initiative to inaugurate its own reconstruction. As Breasted hints, many of his reflections might be appropriate in the mouth of a sensitive social observer of our own times. Here we have highly developed social consciousness and a deep sense of the unworthiness of the society of the day.

5. The Great Egyptian Prophets Ipuwer and Nefer-rohu.—The Egyptians, like certain other Near Eastern peoples, especially the Hebrews, had their prophets. Their social criticisms and predictions were circulated widely by word of mouth, eventually written down and passed on to successions of generations, and probably read and commented upon in the schools. Fragments of the sayings of two Egyptian prophets, Ipuwer and Nefer-rohu, have survived to this time.[2]

These two prophecies, like the two pieces of Egyptian literature just discussed, are also products of the dark ages of Egyptian history, the period from the fall of the Sixth Dynasty until the rise of Thebes to supremacy under the Antefs and Mentuhoteps of the Eleventh and Twelfth Dynasties (2375–2000 B.C.). While most barren in the sort of events to which history has traditionally

[1] Translation in Breasted, *op. cit.*, pp. 200–202; *The Dawn of Conscience*, pp. 178–180. See also Budge, *op. cit.*, pp. 235–236; Erman, *op. cit.*, pp. 108–110; A. H. Gardiner, *Admonitions of an Egyptian Sage*, Appendix, pp. 95–112, Leipzig, 1909.

[2] The Ipuwer fragment is the Leiden Papyrus I, No. 344, dating from the Nineteenth Dynasty. The Prophecy of Nefer-rohu is Petrograd, 1116B.

devoted itself, it was an age most interesting from the point of view of our knowledge of the conditions of human living. Voices speak out of the almost unmitigated darkness of these three obscure centuries—voices of protest, denunciation, and prophecy. At the end of this period these two prophets speak out, Ipuwer in the Tenth Dynasty and Nefer-rohu somewhat later. These Egyptian prophets, it will be noted, share many of the characteristics of the Hebrew prophets,[1] especially their appearance in "bad times," their proficiency as social analysts and critics, and their ability to lay down constructive or rather idealistic admonitions looking toward the regeneration of society and the golden age that might ensue.

Ipuwer stands, dramatically, in the presence of the Pharaoh and delivers his long and impassioned discourse. He does not hesitate to lay before the august assemblage the terrible wickedness, misery, disorder, and disaster which confront the land. He finds the institutional life of the Nile valley in confusion. Government is disorganized owing to violence and warfare within and terrors of foreign invasion. The property is destroyed, and the economic processes of the land cease. Foreign commerce decays and disappears. Asiatics raid the eastern frontiers. The conditions of the classes have been altered—almost a complete reversal in some cases. The disrespect for the law is widespread. The public welfare is disregarded. Social, moral, and spiritual decay are imminent.[2]

> The [very] door-keepers say: "Let us go and plunder."[3] The washerman refuseth to carry his load. Even the bird-catchers have to make themselves ready for battle, with shields. . . . A man looketh upon his

[1] J. O. Hertzler, *History of Utopian Thought*, pp. 47–50, New York, 1923.

[2] On the prophecy of Ipuwer *cf.* GARDINER, *op. cit.*, Leipzig, 1909; MASPERO, *op. cit.*, pp. 228–233, London, 1909; BREASTED, *Development of Religion and Thought in Ancient Egypt*, pp. 203–216; J. M. POWIS SMITH, *The Prophet and His Problems*, pp. 16–33, New York, 1914; BREASTED, "The Earliest Social Prophet," *American Journal of Theology*, Vol. XIV, pp. 114–116, January, 1910; H. O. LANGE, "Prophezeiungen eines Aegyptischen Weisen," *Sitzungsberichte der Königlichen preussischen Akademie der Wissenschaften*, pp. 601–610, 1903; H. RANKE, in H. GRESSMAN, *Altorientalische Texte und Bilder*, Vol. I. pp. 202–210; Ed. MEYER, *Die Israelıten*, pp. 451–455, 1906; BUDGE, *op. cit.*, pp. 236–240, London, 1914; WEIGALL, *op. cit.*, Vol. I, pp. 236–238, 240; ERMAN, *op. cit.*, pp. 92–108.

[3] The translation is that of Gardiner.

son as an enemy. The virtuous man goeth in mourning because of what hath happened in the land. Strangers [normally despised] are become Egyptians everywhere. Nay but the land is full of troops of brigands. A man goeth to plough with his shield. . . . Nay, but Nile is in flood, yet none plougheth for him. Every man saith: "We know not what hath happened throughout the land." Nay, but women are barren, and there is no conception. Khnum [creator of man] fashioneth men no more because of the condition of the land. Nay, but poor men possess fine things. He who once made for himself no sandals [*i.e.*, a barefooted slave] now possesseth riches. Nay, but many dead men are buried in the river. The stream is a sepulchre, and the Pure Place is become a stream. Nay, but the high-born are full of lamentations, and the poor are full of joy. Every town saith: "Let us drive out the powerful from our midst." . . . The land turneth around as doth a potter's wheel, and the robber possesseth riches. Plague is throughout the land. Nay, but the river is blood. Doth a man drink thereof, he rejecteth it as human, [though] one thirsteth for water. . . . Nay, but the crocodiles are glutted with what they have carried off. Men go to them of their own accord [*i.e.* commit suicide]. Nay, but gold and lapis lazuli, silver and turquoise, carnelian and bronze, marble and . . . are hung about the neck, of slave girls. But noble ladies walk through the land, and mistresses of homes say: "Would that we had something that we might eat." . . . Men do not sail to Byblos [north] today [*i.e.*, engage in commerce]. What can we do to get cedars for our mummies? . . . Nay, but laughter perisheth and is no longer made. It is grief that walketh through the land, mingled with lamentations. Nay, but great and small say: "I wish I were dead!" Little children say: "He ought never to have caused me to live!"

Forsooth, all animals, their hearts weep. Cattle moan because of the state of the land. A man strikes his brother [the son] of his mother. The roads are guarded. Men sit over the bushes until the benighted [traveler] comes, in order to plunder his burden. What is upon him is taken away. He is belaboured with blows of the stick and slain wrongfully. Forsooth, grain has perished on every side. . . . Everybody says: "There is none." The storehouse is ruined. Its keeper is stretched upon the ground. . . . All is ruin.

Forsooth, the splendid judgment-hall, its writings are taken away. Public offices are opened and [their] census lists are taken away . . . [officials] are slain and their writings are taken away. The laws of the judgment-hall are cast forth; men walk upon [them] in the public places; poor men break them up in the streets. Two things are done that have never been for long time past; the King is taken away by poor men. Behold a few lawless men have ventured to despoil the land of the

kingship. The secrets of the kings of Upper and Lower Egypt are divulged. Behold, the judges of the land are driven out through the land.

He then fearlessly charges the king with being partly responsible for the prevailing conditions:

Taste, knowledge, and truth are with thee. Confusion is what thou dost put throughout the land together with the noise of tumult. Behold, one uses violence against another. People conform to that which thou hast commanded. If three men journey upon a road, they are found to be two men; the greater number slay the less. . . . It is because thou hast acted so as to bring these things about. Thou hast spoken falsehood. . . . Would that thou mightest taste some of these miseries. To be ignorant of it is what is pleasant in their hearts. Thou hast done what is good in their hearts. Thou hast nourished people with it.

Much has been omitted from this social arraignment. But the nature and the spirit of Ipuwer's criticism is obvious. His is a resolute and complete exposure of social ills, given with detachment and objectivity. There is no fanaticism or ecstasy. A unique note is the lack of sympathy for the poor and lower classes. He is chiefly worried over the fact that the established order of society has been overthrown; that slaves and artisans are supreme, and the upper classes have been dispossessed, shorn of power, and reduced to beggary and want.

But the most unique element is the fine utopian fragment at the end. Ipuwer is too wise to leave his listeners in a state of hopelessness and dejection. He anticipates or at least hopes for the advent of an ideal sovereign. From a portion of the papyrus which is incomplete one gets the impression that this savior will restore peace and that under his beneficent influence social life will again flourish, marriages again become fruitful, safety once more reign on all the highways, and the invaders be driven out. Then follows this astonishing fragment:

He brings cooling to the flame. It is said he is the shepherd of all men. There is no evil in his heart. When his herds are few, he passes the day to gather them together, their hearts being fevered. Would that he had discovered their character in the first generation [of men]. Then he would have stretched forth his arm against it. He would have smitten the [seed] thereof and their inheritance. . . . Where is he today? Doth he sleep perchance? Behold his might is not seen.

Professors H. O. Lange, Ed. Meyer, J. H. Breasted, and others claim Messianic significance for this passage, declaring it to be a prophecy of a coming prince who will order and heal his people and restore the land to its former prestige and power. Breasted, in fact, states:

> While there is no unquestionably predictive element in this passage, it is a picture of the ideal sovereign, the righteous ruler with "no evil in his heart," who goes about like a "shepherd" gathering his reduced and thirsty herds. Such a righteous reign, like that of David, has been and may be again. The element of hope, that the advent of the good king is imminent, is unmistakable in the final words: "Where is he today? Doth he sleep perchance? Behold, his might is not seen." . . . The peculiar significance of the picture lies in the fact that, if not the social programme, at least the social ideals, the golden dream of the thinkers of this far-off age already included the ideal ruler of spotless character and benevolent purposes who would cherish and protect his own and crush the wicked. Whether the coming of this ruler is definitely predicted or not, the vision of his character and his work is here unmistakably lifted up by the ancient sage—lifted up in the presence of the living king and those assembled with him, that they may catch something of its splendor. *This is, of course, Messianism nearly fifteen hundred years before its appearance among the Hebrews.*[1]

In this passage also appears another famous device in social literature, namely, the use of the ideal to criticize the real. Later social analysts and reconstructionists appearing in times that were bad for everyone, and especially dangerous for reformers, were to make much greater use of this technique.

Maspero and Powis Smith both contend that this prophecy is not the first of its kind but rather a representative bit of an important branch of Egyptian literature. Forerunners had created a style and a method. Ipuwer and Nefer-rohu simply applied these principles to their own times. Unavoidably their own genius is reflected in their utterances and conclusions, however.[2]

A less widely known prophecy is that of Nefer-rohu who appeared a dynasty or so later than Ipuwer. The prophecy is thought to have been written at the time of King Amenemhet I

[1] *Development of Religion and Thought in Ancient Egypt*, pp. 211–212. Italics mine.

[2] *Cf.* MASPERO, *op. cit.*, p. 233; POWIS SMITH, *op. cit.*, p. 29, New York, 1914.

(1995–1965 B.C). It relates how King Snefru, seeking diversion, commanded that some one should be brought before him to amuse him with "beauteous words and choice speeches." Neferrohu obtained the commission. On being asked to tell of things to come he first took advantage of the opportunity to present to the king the present miseries of the realm.

Up, mine heart, that thou mayest bewail this land whence thou art sprung. . . . Rest not! Behold, it lieth before thy face. Rise up against that which is in thy presence. . . . The whole land hath perished, there is nought left. . . . This land is ruined; none concerneth himself about it any more, none speaketh, and no eye weepeth.

I will speak of what is before me, and foretell nought that is not also come. The river of Egypt is empty, men cross over the water on foot. All good things are passed away, and the land is laid low through misery, by reason of yon flood of the Bedouins who traverse the land. Foes are in the East, Asiatics are come down into Egypt; no helper heareth. By night one will suddenly be fallen upon; men shall force their way into houses; sleep shall be banished from mine eyes, and I lie there and say: "I am awake."

The wild beasts of the desert shall drink from the river of Egypt, in order that they may cool themselves upon their banks, for that there is none to scare them away. This land is taken away and added to, and none knoweth what the issue will be.

I show thee the land in lamentation and distress; that which never happened [before] hath happened. Men shall take up weapons of war, that the land may live in uproar. Men shall fashion arrows of copper, that they may beg for bread with blood. Men laugh with a laughter of disease. Men will not weep because of death. . . . One slayeth another. I show thee the son as foeman, and the brother as adversary, and a man murdereth his father.

All good things have departed. The land is destroyed . . . that which was made is as though it had not been made. Men take the goods of a man [of high estate] from him and give them to one from without. I show thee the possessor in deprivation, and him that is [from] without contented.

Moreover, hatred reigns among the townsmen; the mouth that speaketh is brought to silence, and a speech is answered, while the hand reaches out with the stick. . . . A thing spoken is as fire for the heart, and what a mouth uttereth is not endured. The land is minished, and its governors are multiplied. [The field] is bare, and its imposts are great; little is the corn and great the corn-measure, and it is measured to overflowing.

I show thee the land in lamentation and distress. The man with a weak arm hath an arm. . . . I show thee how the undermost is turned to uppermost. . . . Men live in the necropolis. The poor man will acquire riches . . . paupers eat the offering-bread. . . . The nome of Heliopolis will no longer be a land.[1]

Then appears the Messianic statement, in itself more remarkable than that of Ipuwer, for Ipuwer presented only the ideal. Nefer-rohu actually predicts the appearance of an ideal ruler of state under the form of the sun-god Ra. While this may be merely a puff to a monarch already on the throne, it, and the arraignment preceding, have a singular ring of sincerity, as well as an undoubted power.

A king shall come from the south, called Ameni, the son of a woman of Nubia, and born in Upper Egypt. He shall receive the White Crown, and wear the Red Crown . . . Be glad, ye people of his time! . . . They that work mischief and devise hostility, they have subdued their mouthings for fear of him. The Asiatics shall fall before his carnage, and the Libyans shall fall before his flame. The foes succumb to his onset, and the rebels to his might. The royal serpent that is on his forehead, it pacifieth for him the rebels. . . . And Right shall come again into its place, and Iniquity—that is cast forth. He will rejoice who shall behold this, and who shall then serve the king.[2]

6. The Tale of the Eloquent Peasant.—The Middle Kingdom period produced a different variety of literature. Conditions of social balance, economic prosperity, and internal peace apparently had been restored. The literature depicts the problems of a rather stable society. One choice bit is known as *The Tale of the Eloquent Peasant.* That it was a widely circulated tale is evidenced by the surprisingly large number of existing papyri preserving it.[3]

It is supposed to relate to conditions existing in the Eleventh or Twelfth Dynasty, though by some, notably Breasted, it is

[1] A. ERMAN, *The Literature of the Ancient Egyptians*, "The Prophecy of Neferrohu," pp. 112–115, Methuen & Co., Ltd., 1927. Reprinted by permission of the author and publisher.

[2] Quoted from ERMAN, *op. cit.*, pp. 112–115. See also BAIKIE, *op. cit.*, Vol. I, p. 239.

[3] There are three in the Berlin Museum (Nos. 10,499, 3023, and 3025), part of one in the British Museum (No. 10,274), and two in the Amherst collection.

dated as early as the Ninth or Tenth. Its practical objective quite obviously was to set forth the proper character and spirit and the high standard of impartial justice expected of the official class in Egypt. This it does in the typically concrete manner of the ancient Egyptian. A poor peasant going down into the valley with his donkeys laden with the produce of his oasis is robbed of his load by an unscrupulous underofficial. He hastens to ask for justice from the steward under whom the unjust official is serving. The steward is so delighted with the eloquence of the peasant that he reports the proceedings to the Pharaoh. The Pharaoh is also greatly charmed and has the trial prolonged to the extent that the peasant makes nine separate grandiloquent appeals to the steward, each more magnificent than the preceding. These are written down for the pleasure of the Pharaoh. The peasant in his appeals dramatically depicts one quality or function of the just official after another. Parts of some of the more important pleas follow.

First appeal:

Thou art the father of the orphan, the husband of the widow, the brother of the forsaken, the kilt [or apron] of the motherless. Let me put thy name in this land above every good law, O leader free from avarice, great man free from littleness, who destroys falsehood and brings about truth. Respond to the cry which my mouth utters; when I speak, hear thou. Do justice, thou who art praised, whom the praised praise. . . .

Third appeal:

O grand steward, my lord! Thou art the lord of the sky together with thy court. All the affairs of men [are thine]. Thou art like the flood [inundation], thou art the Nile that makes green the fields and furnishes [or nourishes] the waste lands. Ward off the robber, protect the wretched, become not a torrent against him who pleads. Take heed, [for] eternity draws near. Prefer acting as it is [proverbially] said, "It is the breath of the nostrils to do justice." Execute punishment on him to whom punishment is due, and none shall be like thy correctness. Do the balances err? Does the scale-beam swerve to one side? . . . Speak not falsehood, [for] thou art great [and therefore responsible]. Be not light, [for] thou art weighty. Speak not falsehood, for thou art the balances. Swerve not, for thou art a correct sum. Lo, thou art at one with the balances. If they tip [falsely] thou tippest [falsely]. . . . Thy tongue is the index [of the balances], thy heart is the weight, thy two lips are the beam thereof.

Fifth appeal:

Thou art appointed to hear causes, to judge two litigants, to ward off the robbers. But thou makest common cause with the thief. Men love thee, although thou art a transgressor. Thou art set for a dam for the afflicted, to save him from drowning.

Sixth appeal:

O grand steward, my lord! Destroy injustice, bring about justice. Bring about every good thing, destroy every [evil thing]; like the coming of satiety, that it may end hunger; [or] clothing, that it may end nakedness; like the peaceful sky after the violent tempest, that it may warm those who suffer cold; like fire that cooks what is raw; like water that quenches thirst.

Thou art instructed, thou art educated, thou art taught, but not for robbery. Thou art accustomed to do like all men, and thy kin are [likewise] ensnared. [Thou] the rectitude of all men are the [chief] transgressor of the whole land. The gardener of evil waters his domain with iniquity that his domain may bring forth falsehood, in order to flood the estate with wickedness.

Seventh appeal:

Thou rudder of heaven, thou prop of earth, thou measuring tape. . . . Rudder, fall not. Prop, fall not. Measuring tape, make no error.

There is none silent whom thou wouldst not have roused to speech. There is none sleeping whom thou wouldst not have wakened. There is none unskilled whom thou wouldst not have made efficient. There is no closed mouth which thou wouldst not have opened. There is none ignorant whom thou wouldst not have made wise. There is none foolish whom thou wouldst not have taught.

Eighth appeal:

Thy heart is avaricious; it becomes thee not. Thou robbest; it profiteth thee not. . . . The officials who were installed to ward off iniquity are a refuge for the unbridled [even] the officials who are installed to ward off falsehood. . . . Do justice for the sake of the lord of justice . . . thou [who art] Pen and Roll and Writing Palette, [even] Thoth [God of writing and legal procedure] who art far from doing evil. . . . For justice is for eternity. It descends with him that doeth it into the grave. . . . His name is not effaced on earth; he is remembered because of good. . . .

Ninth appeal:

He who consorteth with deceit shall have not children and no heirs on earth. As for him who sails with it [deceit], he shall not reach the land, and his vessel shall not moor at her haven. . . . There is no yesterday for the indifferent. There is no friend for him who is deaf to justice.

There is no glad day for the ayaricious. . . . Lo, I make my plea because of thee to Anubis [god of the dead].[1]

This interesting old tale implies that the level of administrative and judicial idealism current at the time was high. The actual achievement, of course, as also implied in the tale, probably fell short of this. But it is remarkable that such a high standard—one that matches any modern standard of justice—should have prevailed at this early age and that it should have enjoyed such great popularity among the official class. Breasted summarizes the matter well when he states:

> The high ideal of justice to the poor and oppressed set forth in this tale is but a breath of that wholesome moral atmosphere which pervades the social thinking of the official class. It is remarkable, indeed, to find these aristocrats of the Pharaoh's court four thousand years ago sufficiently concerned for the welfare of the lower classes to have given themselves the trouble to issue what are very evidently propaganda for a regime of justice and kindness toward the poor. They were pamphleteers in a crusade for social justice.[2]

7. The Installation of the Vizier.—In the tomb of Rekhmire, vizier under Thutmosis III (1501–1447 B.C.) of the Eighteenth Dynasty (1580–1322), and in two other later tombs were found copies of a now famous ancient document which has come to be known as *The Installation of the Vizier*.[3] It was evidently the traditional address or charge orally delivered to the vizier by the king whenever a new incumbent was inducted into the vizierial office. This address shows that the spirit of justice, character, and high idealism was not only to be found in the wisdom literature of the time, notably the *Teachings* of Amen-em-apt, but also, as in *The Tale of the Eloquent Peasant*, had pervaded the whole governmental structure, reaching to the throne itself. Some of

[1] This translation from BREASTED, *op. cit.*, pp. 216–226; see also his *Dawn of Conscience*, pp. 182–193. For other translations and comment see PEET, *Cambridge Ancient History*, Vol. I, pp. 349–350; BAIKIE, *op. cit.*, Vol. I, pp. 367–369; ERMAN, *op. cit.*, pp. 116–131, London, 1927 (complete trans.); A. H. GARDINER, "The Eloquent Peasant," *Journal of Egyptian Archaeology*, Vol. IX, pp. 5–25, 1923.

[2] *Development of Religion and Thought in Ancient Egypt*, p. 226.

[3] The period from the Twelfth to the Eighteenth dynasties is that of the Hyksos domination of Egypt and is barren of literature.

the passages pointedly reflecting the attitude toward social justice and administrative excellence and fairness are given; the ceremonial and ritualistic element is excluded.

Regulation laid upon the Vizier X [candidate's name]. Life! Prosperity! Health!

Look to the office of the vizier; be watchful over all that is done therein. Behold it is the established support of the whole land.

. . . Behold it [the vizierate] is not to show respect-of-persons to princes and councillors; it is not to make for himself slaves of any people.

Behold, when a petitioner comes from Upper or Lower Egypt [even the whole land . . . see thou to it that everything is done in accordance with law, that everything is done according to the custom thereof, [giving] to [every man] his right. Behold a prince is in a conspicuous place, water and wind report concerning all that he does. For behold that which is done by him never remains unknown.

When he takes up a matter [for a petitioner] according to his case, he [the vizier] shall not proceed by the statement of a departmental officer. But it [the matter under consideration] shall be known by the statement of one designated by him [the vizier], saying it himself in the presence of a departmental officer with the words: "It is not that I raise my voice; [but] I send the petitioner [according to] his [case to another court] or prince." Then that which has been done by him has not been misunderstood.

Behold, it is a saying which was in the vizierial installation of Memphis in the utterance of the king in urging the vizier to moderation. . . . "Beware of that which is said of the vizier Kheti. It is said that he discriminated against some of the people of his own kin [in favour of] strangers, for fear lest it should be said of him that he [favoured] his kin dishonestly. When one of them appealed against the judgment which he thought to make him, he persisted in his discrimination." Now that is more than justice [Maat].

Forget not to judge justice. It is an abomination of the god to show partiality. This is the teaching. Therefore do thou accordingly. Look upon him who is known to thee like him who is unknown to thee; and him who is near the king like him who is far from [his house]. Behold, a prince who does this, he shall endure here in this place.

. . . . . .

Be not wroth against a man wrongfully, [but] be thou wroth at that at which one should be wroth.

Cause thyself to be feared. Let men be afraid of thee. A prince is a prince of whom one is afraid. Behold, the dread of a prince is that he does justice. . . . Behold, the [fear] of a prince [deters] the liar, when he

[the prince] proceeds according to the dread of him. Behold, this shalt thou attain by administering this office, doing justice.

. . . Make no [delay] at all in justice, the law of which thou knowest. . . .

Behold the regulation that is laid upon thee![1]

Here we find emphasized the fact that justice shall be administered according to the law, in an absolutely impartial manner, without showing any distinctions or preferences whatsoever. Public respect and even fear must be maintained, and delays in procedure avoided.

At about the same time a feudal baron, by the name of Ameni, who is also head of the local government, has the following revealing inscription on the doorpost of his tomb chapel:

There was no citizen's daughter whom I misused, there was no widow whom I afflicted, there was no peasant whom I evicted, there was no herdman whom I expelled, there was no overseer of five whose people I took away for [unpaid] taxes. There was none wretched in my community, there was none hungry in my time. When years of famine came, I ploughed all the fields of the Oryx barony [his estate] as far as its southern and its northern boundary, preserving its people alive, furnishing its food so that there was none hungry therein. I gave to the widow as to her who had a husband. I did not exalt the great [man] above the small [man] in anything that I gave. Then came great Nile's [inundations], rich in grain and all things, but I did not collect the arrears of the field.[2]

8. The Negative Confessions.—In any such study two sets of moral and social declarations, known as the *Negative Confessions* must be included. These two lists had accumulated since the Eleventh or Twelfth dynasties and finally appeared in collected form in Book CXXV of the texts of the *Book of the Dead* of the Eighteenth Dynasty.[3] They were part of the ritual bound up with the Egyptian conception of the afterlife and were declarations or protestations of innocence which the deceased was supposed to make when judged by Osiris and his forty-two associates in the Hall of the Two Truths. Incidentally, the names of the Forty-two Assessors were the titles of the gods of

[1] Translation from BREASTED, *Development of Religion and Thought in Ancient Egypt*, pp. 240–243; see also his *Dawn of Conscience*, pp. 208–212.

[2] Quoted in BREASTED, *The Dawn of Conscience*, pp. 213–14.

[3] Especially important copies are the Papyrus of Nebseni (British Museum No. 9900) and the Louvre Papyri Nos. 3073, 3074.

the forty-two nomes of Egypt. Actually, like many other elements incorporated in religious rites, they were an accumulation of principles of behavior reflecting social essentials, selected over many centuries and, as a result of emphasis by the priests, were firmly inculcated in the minds of the people. The scribes of the Eighteenth Dynasty considered these declarations or confessions one of the best and most important parts of the *Book of the Dead.*

The one list consists of thirty-seven and the other of forty-two declarations, fully two-thirds of which have pointed significance for the student of social thought. These two sets are known respectively as A and B. The older and shorter consists of denials of certain definite sins; the later and longer shows a marked preference for denials of evil qualities rather than evil deeds. It would be a mistake to regard these lists as giving a complete code of Egyptian religious and social ethics and a still greater mistake to assume that a development is demonstrated in comparing the older with the newer code. They simply show that certain actions mentioned in them were regarded as sinful in this brilliant Middle Kingdom period.

The outstanding deduction that can be made, as Sayce states,[1] is that acknowledgment was made that orthodoxy in belief and practice was not sufficient to ensure future salvation; it was necessary to avoid antisocial acts and to be actively benevolent as well. "It was not so much what a man believed as what he had done, that enabled him to pass the awful tribunal of heaven and be admitted to everlasting bliss." Happiness in the future life is dependent on social morality in this one. This is consequently one of the most noteworthy relics of ancient literature.[2]

List A:[3]

1. I have not done evil to mankind.
2. I have not oppressed the members of my family.

[1] SAYCE, *op. cit.*, pp. 173–174, Edinburgh, 1902.

[2] *Cf.* BUDGE, *The Book of the Dead*, pp. 188–196, London, 1898; BREASTED, *Development of Religion and Thought in Ancient Egypt*, pp. 299–307; BREASTED, *The Dawn of Conscience*, pp. 250–271; W. M. F. PETRIE, *Social Life in Ancient Egypt*, pp. 65–69, Boston, 1923; PETRIE, *Religion and Conscience in Ancient Egypt*, pp. 111–163, London, 1898; BUDGE, *Amen-em-apt*, pp. 29–45, London, 1924.

[3] Both translations are from BUDGE, *The Book of the Dead.*

3. I have not wrought evil in the place of right and truth.
4. I have had no knowledge of worthless men.
5. I have not made to be the first consideration of each day that excessive labor should be performed for me.
6. I have not brought forth my name for exaltation to honors.
7. I have not ill-treated servants.
8. I have not thought scorn of God.
9. I have not defrauded the oppressed one of his property.
10. I have not done that which is abominable unto the gods.
11. I have not caused harm to be done to the servant by his chief.
12. I have not caused illness.
13. I have not caused hunger.
14. I have not made to weep.
15. I have done no murder.
16. I have not given the order for murder to be done for me.
17. I have not inflicted pain upon mankind.
18. I have not defrauded the temples of their oblations.
19. I have not purloined the cakes of the gods.
20. I have not carried off the cakes offered to the Khus [the glorious dead].
21. I have not committed fornication.
22. I have not polluted myself in the holy places of the god of my city.
23. I have not diminished the bushel.
24. I have not filched away the land.
25. I have not encroached upon the fields of others.
26. I have not added to the weights of the scales [to cheat the sellers].
27. I have not misread the pointer of the scales [to cheat the buyer].
28. I have not carried away the milk from the mouths of children.
29. I have not driven away the children which were upon their pastures.
30. I have not snared the feathered fowl of the preserves of the gods.
31. I have not caught fish.
32. I have not turned back the water at the time [when it should flow].
33. I have not cut a cutting in a canal of running water.
34. I have not extinguished a fire when it should burn.
35. I have not violated the times [of offering] the chosen meat-offerings.
36. I have not driven off the cattle from the property of the gods.
37. I have not repulsed God in his manifestations.

This list closes with the cry: "I am pure! I am pure! I am pure!"

Petrie[1] arranges these in groups of five, being of the opinion that the ancient Egyptians like other Oriental peoples, as well as many primitives, arranged their important rules and confessions in this manner so that they could be memorized and recited on the fingers. Thus most of the decalogues are really two pentads.

List B:

1. I have not done iniquity.
2. I have not robbed with violence.
3. I have not done violence [to any man].
4. I have not committed theft.
5. I have not slain man or woman.
6. I have not made light the bushel.
7. I have not acted deceitfully.
8. I have not purloined the things which belong to God.
9. I have not uttered falsehood.
10. I have not carried away food.
11. I have not uttered evil words.
12. I have attacked no man.
13. I have not killed the beasts which are the property of God.
14. I have not acted deceitfully.
15. I have not laid waste the lands which have been ploughed.
16. I have never pried into matters [to make mischief].
17. I have not set my mouth in motion [against any man].
18. I have not given way to wrath concerning myself without a cause.
19. I have not defiled the wife of a man.
20. I have not committed any sin against purity.
21. I have not struck fear [into any man].
22. I have not encroached upon [sacred times and seasons].
23. I have not been a man of anger.
24. I have not made myself deaf to the words of right and truth.
25. I have not stirred up strife.
26. I have made no man to weep.
27. I have not committed acts of impurity, neither have I lain with men.
28. I have not eaten my heart.
29. I have abused no man.
30. I have not acted with violence.
31. I have not judged hastily.
32. I have not taken vengeance upon the God.
33. I have not multiplied my speech overmuch.

[1] *Social Life in Ancient Egypt*, pp. 65–69.

34. I have not worked wickedness.
35. I have not uttered curses [on the king].
36. I have not fouled water.
37. I have not made haughty my voice.
38. I have not cursed the god.
39. I have not behaved with insolence.
40. I have not sought for distinctions.
41. I have not increased my wealth except with such things as are justly mine own possessions.
42. I have not thought scorn of the god who is in my city.

According to these widely used and exceedingly important lists in the life of the Egyptian for centuries on end, a large number of specific social duties were imperative. Modesty and humility was recommended (B, 40). Conduct should be judicious and discreet (A, 16; B, 16, 31). Frivolous, evil and foolish speech and gossip should be avoided (B, 9, 11, 17, 33, 37), as should bad company (A, 4). No less than twenty-three of the confessions deal with actual antisocial acts in personal relations (A, 1, 5, 12, 13, 14, 15, 16, 17, 18; B, 1, 2, 3, 5, 7, 12, 14, 21, 26, 29, 30, 34, 39). Among the acts specifically forbidden are causing excessive labor to be performed; causing illness, hunger, weeping, pain, fear; or committing murder or even having it committed; committing fornication, robbery, violence, or attack; abuse; or behaving with insolence. Character, purity and truth are set up as ideals (B, 18, 20, 23, 24, 27). A large number of duties regarding property are included (A, 23, 24, 25, 26, 27, 32, 33; B, 4, 6, 10, 15, 41) involving the prohibition of short-weighting and tampering with the scales; moving boundaries or markers; tampering with the irrigation ditches and stealing water; theft; and destruction of cultivated fields. Family duties are mentioned in only one confession (A, 2), and sex relations in two (B, 19, 27). Five confessions involve the treatment of inferiors (A, 7, 9, 11, 28, 29), prohibiting ill-treatment of servants, defrauding the poor of their property, depriving children of their mothers, and abusing children in other respects.

Man's duty toward his fellows is put on a higher footing than his duty toward the gods. It is not until the dead man before Osiris has proved that he has acted with honesty, justice, consideration and mercy toward his fellows that he is allowed the delights of the "fields of Alu" (paradise). Here we have

reflected not only the behavior actually outlawed but also the social philosophy of the Egyptians.

9. Early Egyptian Law.—The law of a people is always a type of literature that reveals many important aspects of their social thinking and of their social institutions. It is generally known that other Near Eastern peoples had substantial sets of laws in the period preceding the Greek and Roman ascendancy. While the number of actually existing legal documents and fragments of laws surviving from pre-Ptolemaic Egypt is so small as to make it impossible systematically to survey its jurisprudence, nevertheless it is clear that from early times a set of developed legal institutions existed.[1] About a dozen legal documents are known to have existed in the first great brilliant period of Egypt, the Old Kingdom (*c.* 3400–2475 B.C.). The statements available point to a legal system, the essentials of which were in written form. There are extant several legal documents from the second brilliant period, the Middle Kingdom (*c.* 2160–1788 B.C.), but the material is insufficient for judgment. The New Kingdom (1580–712 B.C.) also produced legislation, but none is available.

While no actual documents are available, history records the widespread use of law. An inscription in the tomb of Rekhmire states that the vizier sat in the court to do justice with the forty rolls, or four decalogues, containing the law, open before him.[2] Declareiul also refers to a code in eight volumes which was placed before the Tribunal of Truth.[3] This probably consisted largely of a body of moral and religious customs. The numerous lists of precepts were also closely related to the law in both content and importance.[4] In fact, one gathers that the law sometimes was little more than hard-and-fast precepts which were all the more valued because they left no room for speculation. In the main, it would seem that the codes were summaries, more or less complete, of the reigning prince's edicts, and the clear, curt directions which these administrative officers gave. These, of course, were greatly influenced by both custom and precept. The spirit dominating the administration of the law can also be sensed in *The Installation of the Vizier* discussed above.

[1] E. SEIDL, *Encyclopaedia of the Social Sciences*, Vol. IX, p. 209.
[2] BREASTED, *Cambridge Ancient History*, Vol. II, pp. 47, 210.
[3] J. DECLAREIUL, *Rome the Lawgiver*, pp. 8–9, New York, 1927.
[4] E. REVILLOUT, *Cours de droit égyptien*, pp. 47–50, Paris, 1896.

There do exist from this early period contracts of sale, deeds of gift, wills and judgments, quite similar to such documents in later periods. They, however, add little to what has been presented regarding the thought or institutions in this or the following chapter. Nothing specific in the way of codes is available until Greek times. Hence, desirable as it may be, no Egyptian law can be included in this study.

CHAPTER III

THE SOCIAL WISDOM IN THE ANCIENT EGYPTIAN PRECEPTS[1]

I. General Nature and Characteristics

The most important single type or class of early Egyptian literature consists of the so-called admonitions, precepts, or teachings. They are not only the most extensive but, because of their peculiar nature, most revealing of the life and thought and attitudes of the population elements from which they emanated. They reflect the profound respect that the upper-class Egyptian had for experience and wisdom and the enthusiastic reverence that he had for learning. He was well aware of the superiority that the learned man possessed over the unlearned and, consequently, its vast importance for the ruling class. As one of these ancient worthies states, the ignorant man "is like a heavily laden donkey, he is driven by the scribe." Therefore the boys of the upper class were sent to the "instruction house" or school where they were made letter-perfect in learning these lists of instructions. They had not only to memorize them but also to inscribe them as written exercises on limestone tablets, some of which have survived to this day.

A series of ten books or lists of precepts are available covering Egyptian life more or less sporadically from the Third Dynasty (3190–3100 B.C.) to Ptolemaic times.[2] The first of these in

[1] Most of this chapter was previously published in *Social Forces*, Vol. XII, No. 2, pp. 174–186, December, 1933.

[2] The Ptolemaic dynasty began technically in 306 B.C. Translations of one or several of these lists in English, German, or French by such eminent scholars as Breasted, Petrie, Erman, Lauth, Brugsch-Bey, Maspero, Chabas, and Amelineux are available. Sir E. A. Wallis Budge has, however, rendered an excellent service by publishing his own superior translations in English of nine of these lists in his *The Teaching of Amen-em-apt*, London, 1924. Because of the quality and uniformity of the translations, and the convenience of having them together for purposes of comparison, his lists will be used throughout this study. For the translation of the Ptolemaic

chronological order is the Instruction of Kagemni, a list generally attributed to a vizier during the reign of King Huni at the end of the Third Dynasty.[1] These precepts, of which only five are available in the existing papyri, Kagemni ostensibly wrote for his sons. An interesting passage at the end states, "He said to them: 'Whatsoever is in writing on this roll pay heed unto it as if I myself were repeating it to you.' . . . And the children laid themselves down flat upon their bellies, and they recited these sayings according to what was written." The next oldest book of social precepts is that of Ptah-hotep,[2] either the governor of the town of Memphis and high confidential adviser or vizier of King Assa or Dedkere Isesi (*c.* 2883–2855 B.C.) of the Fifth Dynasty. While originally written for his son, it evidently was used as a textbook in the schools for centuries afterward. It is the world's earliest complete book in existence and amounts in all to forty-six paragraphs of varying length, containing a large number of highly interesting and significant admonitions.

The teachings next in chronological order are those of Tuauf or Dawef, who wrote them for his son Pepi, most likely in the Sixth Dynasty (2853–2631 B.C.).[3] The first part of this is a eulogy of the profession of scribe, but the second part contains a number of precepts of consequence. This is followed by King Khati's or Ekhtai's instructions for his son Meri-ka-Ra or Merikere of the ninth or tenth dynasty (2500–2300 B.C.) amounting to twenty-nine sizable and rather important paragraphs. Next in order are the hints for ruling as a king of Amen-em-hat I (2212–2182 B.C.), the first king of the Twelfth Dynasty, for his son who became Usertsen or Senusret I.[4] While there is much wily political philosophy in this list, it can be practically ignored as far as the objectives of this study are concerned. It is followed by twenty statements regarding the philosophy of social

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Precepts, see ISAAC MYER, *Oldest Books in the World*, pp. 451–453, New York, 1900.

[1] Also known in the translations as Kegemni, Kaqemna, or Kakemna.

[2] Or Ptah-hotpu, Ptah-hetep, or Petah-hotep, depending upon the translator. The original texts of both the *Precepts* of Kagemni and Ptah-hotep are the Prisse Papyri in the Bibliothèque Nationale, Paris, and the Carnarvon Tablets in the British Museum.

[3] In British Museum papyri Nos, 10,182 and 10,222.

[4] Also from British Museum (No. 10,182).

conduct by Antef, a high official of King Usertsen I (2192–2147 B.C.).[1] After this comes the *Teaching* of Sehetepabra, a prince and seal bearer of Amenemhat III (2013–2004 B.C.), also of the Twelfth Dynasty.

The most extensive and comprehensive of all the collections of aphorisms, precepts, and admonitions is the *Teaching* of Amen-em-apt, a minister of agriculture, or grain scribe, of the Eighteenth Dynasty (*c.* 1500 B.C.) amounting to some thirty chapters, 114 sections, and 551 lines.[2] It is the one book of teachings written for the benefit of all and not primarily for a given scribe's or vizier's sons or for the official class. This is followed in the Nineteenth Dynasty (*c.* 1350 B.C.) by the teachings of the scribe Ani (or Any) for his son, a notable collection of sixty-eight precepts or paragraphs.[3] More than a thousand years later we have the Ptolemaic *Precepts* of the period of Greek supremacy in Egypt with twenty-five admonitions. These are apparently a set of survivals from the earlier period, since they show no new ideas whatsoever. Incidentally they do not give evidence of any Greek influence, bearing out the occasional contention that the Greeks only superficially affected basic Egyptian culture.

Naturally these lists are of unequal merit from our point of view. Of the eleven lists those richest in social thought are the teachings of Kagemni, Ptah-hotep, Khati, Amen-em-apt, Ani, the *Negative Confessions*, and the Ptolemaic *Precepts*. Of the authors of these various lists, two, Khati and Amen-em-hat, were kings, and the remainder were officials or professional scribes or sages.

No claim is here made that these precepts by themselves give an adequate or a comprehensive picture of ancient Egyptian social thought. They are faulty reflectors in several respects. (1) They have the weaknesses that inhere in such a medium of expression; they are brief, concrete, and specific statements of necessary or desirable behavior in different social situations. Only occasionally does one run across that philosophizing that is most revealing of the general social principles to which the

[1] In the Prisse Papyrus and also in the form of a monument inscription (British Museum, No. 197).

[2] British Museum Papyrus No. 10,474.

[3] Papyrus of Bulak (No. 4 in the Egyptian Museum, Cairo). Also No. 10,470 in the British Museum.

thinkers adhered. (2) As teachings they have a definite objective which is not that of impartially and objectively examining the nature of social structure or the principles of social order but of giving rules for practical everyday living. As such they are a curious mixture of honest and sincere admonition to just and honorable social behavior, and crafty, opportunistic hints as to how to "get next" and "get on." (3) Being precepts they devote very little attention to the highly important impersonal relations in secondary groups or to the broader sociological implications of the complicated civilization of the Nile Valley but deal mainly with behavior in the primary group. The types of literature mentioned above reflect in part these other aspects of early Egyptian social thought. (4) These precepts come from the upper classes, even the ruling classes, and represent the social attitudes of these classes, and not that of the culture as a whole. Of course, only the upper classes were literate and left records of their thought.

But these lists are relatively abundant. They contain a wealth of information that cannot be duplicated in any other ancient writings to which we now have access, and even though this information is, at least in its origin, more or less partial and biased, it does offer much that is acceptable as substantial and reliable evidence of the social thought of the people. In all truth it must be said that in the village communities of ancient Egypt the upper classes had of necessity to live close to all the other classes. If the society as a whole was to endure, their social and political philosophy had to be based on a fairly comprehensive view of social life as a whole. Hence their thinking does not show so much class bias as one might expect. They sought to help men to lead safe and reputable lives in a given social setting. Their precepts are specifically means of maintaining social discipline and order in human relationships. They are based usually on centuries of wise observation and actual experience in social life. Moreover, these precepts are the results of extensive selective processes occurring over long periods of time and thus are of tried and proved worth for their era. They are the conventional daily social philosophy of the wisest among the official body.

Inevitably the precepts reflect not only standards of individual behavior and the requirements in the way of individual discipline

but also ideals of general social order and conceptions of social values. Indirectly they point to the various institutional forms and requirements of the times and thus reveal the nature of the social organization. Finally, most of these lists were used as textbooks. Consequently they had a very considerable influence on the behavior of successive generations and were important agencies in the continuity of the social philosophy of the classes affected by them. They are a very important link in the chain of learning of the ancient world and cannot be ignored.

In the sociological analysis of these lists of precepts that follows we are confining ourselves to those statements dealing with or reflecting the nature of social relationships or social institutions, the requirements for social order, or the principles of social policy; those recommending or advising against various types of social behavior or duties on the grounds of individual or group expediency; or those delineating individual qualities of social significance.

These lists of precepts, like most other collections of proverbs, maxims, teachings, or admonitions, show no organization of ideas and no logical arrangement. They are, so it seems to the modern Western mind at least, jumbled together in the helter-skelter manner in which they came to their inventors or collectors. They do, however, if examined critically, fall into groups dealing with preponderating types of suggested or required social behavior. The groupings that follow are made from the point of view of the sociological significance of the ideas involved, and only the present writer is responsible for them.

Of approximately 400 precepts and maxims in the lists indicated above about 225 have been found to be quite pertinent to our study. The remaining 175 deal largely with duties to the gods or other religious obligations or ceremonial requirements or are of such a nature that they have no clear sociological significance. Of the various precepts examined, by no means all can be quoted, nor can any but the more significant or apt parts of given precepts be given. Lack of space does not permit a comprehensive or exhaustive presentation. A judicious sampling will, however, convey a fairly clear idea of the nature of this block of early thought.

Part of the precepts are intended for those who are or will be rulers and deal pointedly with conduct desirable or essential

among rulers; the greater proportion, however, are appropriate for people generally. Certain precepts designed especially for rulers and future rulers will be dealt with first.[1]

II. The Precepts Classified

The old vizier Ptah-hotep of the Fifth Dynasty devotes six rather lengthy paragraphs of his list of forty-six to the exposition of a set of very unideal but *very shrewd observations regarding the sort of behavior necessary to ingratiate oneself with superiors, how to make a favorable impression, how to flatter superiors, and how to gain the good will and approval of the common people.* "If thou art one of those who are sitting at table with a man who is greater than thyself, accept what he gives thee, what is set before thy nose. . . . Keep thy face turned downwards until he addresses thee, and speak only when he speaks to thee. Laugh when he laughs. That will be exceedingly pleasing to his mind . . . " (VII).[2] "If thou art in the antechamber of a nobleman . . . abase thyself the first day. Press not forward lest thy being turned back should take place. Keep a keen watch on the confidential servant who announces thee . . . " (XIV). "If thou art with common people make thyself like the peasant folk by concealing thy mind. The man who conceals his mind enjoys a good reputation . . . " (XIV). "If thou art one to whom petitions are made, be courteous, and listen to the petition of the petitioner. Stop not his words, until he has poured out all that is in his heart and has said what he came to

[1] While some of the precepts dealt with in this study are quoted and commented upon in some of the histories of ancient Egypt, there has been very little systematic comparative treatment. Some reference is made in J. H. Breasted, *Development of Religion and Thought in Ancient Egypt*, New York, 1912, and *The Dawn of Conscience*, New York, 1934. In the two works by Budge and Myer, referred to above, some general comment is made in connection with the presentation of the texts. The only comprehensive effort at any kind of analysis known to the writer is in W. M. F. Petrie, *Religion and Conscience in Ancient Egypt*, pp. 110–163, London, 1898. This is exclusively from the moral point of view and is not based on all the lists now available. This present study is the first sociological analysis and the first to include all of the lists now available. See also A. Erman, *The Literature of the Ancient Egyptians*, pp. 54–85, 234–242, London, 1927.

[2] The numerals, Roman or Arabic, in parentheses, throughout this paper, refer to the numbers given to the precepts or paragraphs of precepts, depending on the practice for the given text, in the standard translations.

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say. A man with a petition to make loves the official who will agree to what he says and will let him talk out his grievance fully . . . " (XVII). "If thou seekest for friendship with a man, ask not for it, but go to his house and pay a visit with him alone, so that he may not be able to make his attitude to thee unpleasant. Talk wisely to him after a certain period. Find out what his mind is by conversing with him. If there comes up as a subject something that he has seen thee do, or if he does something that makes thee ashamed, hold thy peace or show thyself friendly to him; browbeat him not. Prepare an answer for him with words that will tell, answer not in a way that will irritate him; do not leave him. . . . His moment must not come . . . " (XXXIII). " . . . Control thy mouth. . . . Make thyself to be wholly in accord with thy lord. . . . Concentrate thy mind at the time when thou art speaking and thou shalt make remarkable utterances and the princes who hear them shall say: 'Good, good are the things that come forth from his mouth'" (Conclusion, VIII).[1]

Amen-em-apt has eleven precepts dealing with *behavior to superiors.* The intention throughout seems to be, first, peaceful relations with the superior; second, the good will and admiration of the superior; and, third, the possible good that may come to the actor at the hands of the superior. These admonitions are concerned with instructions respecting the proper way of greeting and conversing with the chief, the assumption of an attitude of humility in the presence of the chief, refraining from gluttony or even from eating in his presence, refusing to accept bribes from those in authority, avoiding commands to superiors, and refraining from repeating conversations with superiors or from cursing them (XLII, L, LI–LIII, LXXIX, XCIV, XCVIII, CII, CIV, CVIII). The keen knowledge of human nature and the technique of the fine art of smoothly flattering people and cultivating their good will and at the same time taking care of "number one" are evidenced in the following passages. "Keep well thy tongue in making an answer to him that is thy chief, at the same time

[1] Since the *Negative Confessions* were largely accumulations of social experience, widely prized and insistently passed on from generation to generation, they might well be included here. They have been treated in the preceding chapter but summarized under headings used in this chapter for those who care to examine them with the precepts.

guarding thyself against reviling him. Never permit his speech to fall on thee like a lasso so that thou must uncoil it by means of thy answer. Put answers to him answering like a subordinate in thy agitation. At the same time taking good heed not to oppose him" (XLII).[1] "Be thou a creature of nought in the presence of thy chief. Thou shalt acclaim him humbly in thy speech. Thy adulatory remarks, they shall meet and turn aside his cursings. Thy homage . . . shall disarm his violence" (L). "If thou seest a man who is greater than thyself . . . follow after him and greet him with words of respect" (CIV).

Ani states: "Sit not whilst another man stands, if he be older than thyself, or if he has attained to a higher grade in his profession than thyself" (XXVIII). "Answer not a man in authority over thee when he is wroth. . . . Speak thou that which is sweet when he speaks words that are bitter, and pacify his heart" (LIX). "Keep on friendly terms with the administrative officer of thy district, and give him no opportunity of bringing a charge against thee . . . do not set aside his request. Say to him words of approval . . . " (LXIII). In this same connection it is stated in the Ptolemaic *Precepts:* "Do not establish thy tomb above those who command thee and of him who giveth thee orders" (V). "Do not make sport of an old man, thy superior" (XXc).

Old Kagemni offers as a general policy *the desirability of conforming to the action of the other person as a means of maintaining his good favor.* "If thou art seated at meat with a greedy man eat thou when he has finished his meal; and if thou art seated at meat with a winebibber accept thou a drink whenever it pleases him to offer thee one. Reject not the pieces of flesh. . . . Take what he offers thee, and refuse it not; remember acceptance conduces to gentleness on his part" (III).

Ptah-hotep gives *special advice* of a somewhat Machiavellian nature *to those who will have to assume leadership.* "If thou art in the position of a leader, press forward thy plans by thy commands; do what thou hast decided upon. But remember the days that are to follow. If there be no word on thy behalf among those who are praised, calamity will overwhelm thee and misery will overtake thee" (XVI). Ani believes that

[1] E. A. W. Budge, *The Teaching of Amen-em-apt*, Martin Hopkinson, Ltd., London, 1924.

there is little difference between the leader and the rest of the flock (LII). Ptah-hotep and Amen-em-apt both admonish wise behavior in the Council, Amen-em-apt's statements possibly having been suggested by those of Ptah-hotep. Ptah-hotep states: "If thou art in the position of a man of high rank who sits in the council of his lord, devote thy heart entirely to what is good . . . hold thy peace. . . . Speak only when thou knowest a matter and canst explain it . . . " (XXIV). Amen-em-apt similarly says: "Be not continually rising up and sitting down whilst thou art making thy answer; thy testimonies must support themselves. Make no altercation with the supporters of a lord. . . . Speak the truth in the presence of the President. . . . Watch carefully, so that thou mayest come back on a second occasion" (LXXVII). Amen-em-apt also emphasizes the importance as an official of not tampering with the Courts of Law (LXXVIII) and of knowing how to handle men (XCIII). King Khati advises his son to have young men be continually trained as soldiers and to keep his armies full, because if his borders are safe the land will flourish (XIV).

Kagemni stresses the fact that one should not hide one's light under a bushel but that the display of the light should be discreet and circumspect. "Make thy name to come forth. Being modest in thy speech, thou shalt be proclaimed," (IV). Amen-em-apt believes that a good name, the good wishes of one's fellowmen, and a kindly disposition are better than great riches (LXII).

Modesty and humility are quite generally advocated. Kagemni states in his very first teaching, "The timid man is strong, and he who is just in word and deed is praised. The hall is opened to the humble man, and a wide room is given to him that is gentle in speech; but sharp knives are against him that would force a way . . . " (I). Ptah-hotep admonishes his son not to be conceited or too sure of himself; excellent abilities are found where least expected. "Magnify not thy heart because of thy knowledge, and fill not thy heart with the thought about it because thou hast knowledge. Hold converse with the ignorant man as well as with the learned. No limit has been set to a handicraft, and no handicraftsman is equipped with all its excellences. Fine speech is hidden deeper than mother-of-emerald stone, and yet it is to be found among the women who

grind flour at the mill" (I). "Be not haughty in thy heart, lest it be humbled" (XXV). He also admonishes people who have achieved fame and success after having been poor and humble not to forget their former station (XXX); he advises all people to be properly reverent to their superiors and those upon whom they are dependent (XXXI). Tuauf advocates modesty in speech: "Speak not words of pride and arrogance . . . " (XXII). Amen-em-apt suggests modesty but not reticence: "Never run with swift steps to attain that which will be advantageous to thee; on the other hand never create the circumstances that will destroy it" (XCII).

Amen-em-apt devotes several precepts to a *discussion of chatterers and hotheads*, admonishing people to avoid them as far as possible. The underlying implication is that they are a source of harmful suggestion and also that association with them creates a bad reputation. "The fiery, hot-headed man. . . . He shrieks imprecations, his voice soars upwards into the heights of heaven, the god Aāhu [the Moon god] stands still in his course and holds him to be an abomination" (VI). "The noisy, hot-headed man when his rage is greatest, turn thyself aside from before him . . . " (VIII). "The talk and action of the noisy, hot-headed man all comes to nought in the end" (X). "Make not to be a friend of thine the hasty, hot-headed man, even though thou hast to go to his house frequently to have speech with him" (XLI). "Make no undertaking in company with the noisy, hot-headed man . . . " (LV).

Temperance and moderation in eating and drinking are presented as eminently desirable forms of behavior. Kagemni, in an almost ascetic attitude, states, "If thou art seated at meat with many people abstain from the food which thou lovest. It is only a minute's restraint of the appetite, and greediness is a disgrace and tends to gluttony. . . . He who is intent on satisfying the lust of the belly is a shameful person" (II). Tuauf advises against overeating (XXV). Amen-em-apt implores, "Make no undue haste to sing the praises of the wine-cup" (CXI). Ani stresses the unwise and even dangerous things that one may do while under the influence of liquor. "Undertake nothing as the result of having drunk beer, for if thou dost, words which can have a second meaning may come forth from thy mouth without thy knowing it. When thou fallest down

and breakest thy bones there will be no one there to help thee. Thy boon companions will stand up and say, 'Away with this drunken beast!' When people come to have speech with thee they will find thee lying prostrate on the ground, and thou wilt be as helpless as a little child" (XIII).

A considerable number of precepts fall under the heading of *requirements for judicious conduct.* Kagemni says, "Take care to act in such a way that people do not oppose thee . . . " (V). Ptah-hotep points out the disadvantages of approaching people at the wrong time (XXVI). Amen-em-apt gives various bits of advice along this line: Do not retaliate for an injury if you can reply orally (IV). Three precepts warn against falsifying the rolls (LVIII, LIX, LXXXII). Another states, "Remember not too exactly the antecedents of a man when thou art striving to seek his help" (LXIII). Another points to the advisability of protecting or standing by "the man in thine own town" (LXXXV). Recognizing both the importance of secrecy and the ease with which information spreads and becomes distorted, he says, "Make not thy works to circulate among the common folk" (XC). Ani advises us, first, not to scrutinize our neighbor's behavior too closely (VI); second, to keep away from strange places (XIV); third, "Let not thy heart be exalted before the flatterer" (XXXVII); and, fourth, "Go not into a crowd of people if thou findest that thou art stirred up to fight in the presence of men who are about to strike each other" (L).

Special attention is devoted to *the importance of wise and sensible speech and the avoidance of frivolous, foolish speech and slander, gossip, and malicious talk.* Ptah-hotep recommends silence whenever some one else "is speaking evil things" for "Those who are listening will applaud him, but thy name will be fair in the opinion of the princes" (III). In another he states, " . . . Make respect for thyself to spread with understanding and with gentleness of speech. Command not except when thou canst guide. . . . Keep not silence entirely, take care as to the path thou treadest" (XXV). Tuauf believes in asking few questions of any kind, but particularly to guard against asking foolish ones (XXI). Amen-em-apt says "Keep thy tongue from speech of lying or slander" (XXXIV). Hear no evil; speak no evil: "I beseech thee to spread with thy tongue only the report of that which is good upon the earth, whilst as far as reports of evil are

concerned, hide them in thy belly" (XL). Again he says, with striking figures, "The word that is uttered by a man with malicious intent is swifter to hurt than the wind that precedes the storm. . . . He gives utterance to strings of words that carry destruction in them. . . . He loads the boat with the discourse of iniquity, he makes himself the ferryman of him that catches men in a net of words. . . . He causes men and women to become enemies by his scandal-mongering. . . . His lips are date-syrup, his tongue is a deadly dagger . . . " (XLIII). "God hates the man who utters frivolous, lying speech" (XLVIII). "Better is it for a man to keep his information in his belly than to publish it abroad with the addition of lies" (XCI). Ani teaches, "Multiply not thy words. . . . Make thyself no mere tongue-wagger" (X). "Make use of no evil speech towards anyone who comes; a word dropped on the day of thy gossiping may turn thy house upside down" (XXXII). In one precept he emphasizes the advantage of kindly words: "When thy words are such as to be restful for the heart, the heart inclines itself gladly to receive them" (LXII).

The *avoidance of bad company* is quite generally recommended, for, as Amen-em-apt puts it, "If thou sailest with a robber thou wilt be left in the stream" (XXIX). Ani warns against the presence of a drunken man (VI). He begs the hearer or reader to "Take good heed to avoid the man of evil speech. . . . Keep thyself far from men who act crookedly, and make none of them thy companion" (XVII), and also to beware of flatterers (XXXIV). In the Ptolemaic *Precepts* we read: "Make not a wicked man thy companion" (III); "act not according to the counsels of a fool" (IV); "walk not with one of foolish mind" (XXI); and "stop not to hear his words" (XXII). Amen-em-apt twice warns also against being in bad places, especially food stores and beer houses. "Do not acquire the habit of passing the day in eating-houses and places where roasted meat is sold. Do not acquire the habit of passing the day in tasting one pot of beer after another. Those who pass their whole time at the food-store become tomorrow merely victuals" (XXII). Later on he states "Accustom not thyself to sit in the beer-house" (CI).

The attitude of the ancient Egyptians with respect to what they considered to be *actual antisocial acts in personal relationships* is reflected in the two lists of *Negative Confessions* discussed

in the previous chapter. It will be recalled that twenty-three of the confessions concern such acts. In the Ptolemaic *Precepts* are found the admonitions: "Kill not" (II); "save not thy life at the expense of another's" (XII); and "do not pervert the heart of thy acquaintance if it is pure" (XXIII).

Several lists include precepts that unmistakably deal with *justice, with special reference to its administration.* Ptah-hotep points out that the leader must be truthful and honest: "If thou art in the position of a leader and it is thy duty to give orders to a great number of people, pursue thou a course which is wholly excellent, and continue in it until there is no defect whatsoever in thy administration. Truth is great, and her virtue is lasting, and she has never been overthrown since the time of Osiris . . . " (V). He recommends impartiality in a later precept: "If thou . . . art chosen to go on a mission to make tranquil the multitude, search out the matter with strict justice, and declare thy finding, taking no side" (XXVIII). Khati advises his son to deal in a summary manner with an unjust and disloyal administration (V). He presents in some detail the nature of a just administration. "Do the right, and thou shalt continue upon the earth. Make the weeper to cease his plaint. Fleece not the widow woman. Drive no man away from the property of his father. Defraud not the princes by removing them from their hereditary offices. Take good heed not to inflict punishment unjustly. Slay none unnecessarily; it will not be profitable for thee. Inflict punishment by means of beatings and putting men under restraint; through treatment of this kind this land shall have a sure foundation" (XII). Khati also pleads for impartiality: "Make no distinction in thy behavior towards the son of a man of rank and the son of a man of humble parentage . . . " (XV). Antef, the governor, says of himself: "I am a good one in the courts when cases are being tried, equable of mind, free from words, or acts, that irritate" (15); "I am a man of justice, like the scales, impartial . . . " (17). Amen-em-apt admonishes against accepting bribes: "Accept not a bribe from a man of power and authority if thou art to treat wrongfully for him the poor man in distress" (LXXIX).

Cheerfulness, helpfulness to fellows, and friendliness are also looked upon as desirable by these ancient social thinkers. Ptah-

hotep says, "Let thy face shine with cheerfulness as long as thou livest. . . . Do not let any man approach thee and find thee with a gloomy face. A man wishes to remember what is pleasant in the years that he has yet to live" (XXXIV). Amen-em-apt states, "If thou seest another man stumbling from time to time, go with him and enable him to continue on his way" (LXIX). He goes so far as to advocate the loving of one's enemies when he states, "Show thyself friendly to the man for whom thou hast antipathy" (CIII). Ani counsels, "Be friendly and associate thyself with one who is just and true, when thou hast observed the manner in which he acts" (XVIII); and in the Ptolemaic *Precepts* we are reminded, "Take not a haughty attitude" (XXIV).

Character, purity, truth, and self-control are essential individual qualities. Ptah-hotep reminds the young man, "Thy character is more than thy friends . . . it is greater than a man's valuable possessions. . . . It is an excellent thing for the son of a man to have a good character" (XXXV). Amen-em-apt advises not to distort the truth (LIX).

III. The Precepts (*Continued*)

Several groups of precepts deal with economic relations. One group is concerned with *economic well-being, its social importance, its acquisition, and the desirability of having it for all alike.* Khati writes for his son " . . . Treat thy people well. Make the boundaries of thy country to flourish. . . . It is a good thing to make provision for those who are to come after. . . . The man who has nothing is greedy for the property of others" (X). Again he writes, "Make great [wealthy] thy princes and they will carry out thy laws. The man who possesses wealth in his house favors no man; the man with possessions has no need of bribes. The poor man does not say what it would be right for him to say, and the man who says, 'I would have more,' is not trustworthy for he will favor the side that will bribe him" (XI). Ani stresses the importance of developing an estate and even goes into some detail regarding the use of its different parts (XXIV). In another precept he advises giving to the hungry. You never know when you will be poor yourself. "Eat not bread whilst another stands by hungry and thou dost not stretch out thy hand to him with bread in it. It has never been known

whether a man will become destitute. One man has riches and another man is poor. . . . The man who was rich a year ago is a stable servant this year" (XLII).

One famous precept in Ptah-hotep centers around both the idea of the stewardship of wealth and gratefulness for the chance favors of Providence. "If thou hast become great, having been once in a very lowly state, and if thou hast acquired possessions, having been at one time in a state of destitution . . . forget not that which happened to thee in the times that are past. Set not thy heart's confidence on thy goods, which have, after all, only come to thee as gifts of God. Thou wouldst not be superior to any other man if what has happened to thee had happened to him" (XXX). In three of his precepts Amen-em-apt deals with the folly of avariciousness and covetousness. "Commit not an act of avariciousness so that thou mayest obtain additional wealth" (XII). Again he says, "Fashion not thy heart in such wise that it hankers after things of wealth. . . . Let not thyself abandon thy heart to the things that are extraneous" (XXV). In a third he advises against coveting wealth; it is a fetter that makes a man stumble; gold so easily turns to lead (LXX).

A considerable number of precepts deal with *miscellaneous duties regarding property*. Thus Amen-em-apt admonishes against encroachment on the dykes of the temple lands (XI); against cheating the widows and helpless men out of their land "when assessing the bounds of the estate" (XVII); against "treading down the boundaries of the fields" (XVIII); against encroaching upon the adjoining fields when ploughing and thus adding to one's own (XX, XXI); against the receipt of stolen goods (XXVII); against the falsification of the scales, the weights, or the measuring rod (LXX, LXXIII). Ani advises not to waste goods on a stranger (XIX), not to try to alienate another's slave (XXIII), and to avoid trespass and tampering with title deeds (LI).

Surprisingly few *family duties* are mentioned in view of the fact that the precepts deal so largely with primary group relations. The few we do have are given a prominent place, however, and cover the essential duties rather fully. Ptah-hotep in a striking paragraph points to the desirability of having a son and then expresses a philosophy of stern justice. "If thou

wouldst be a perfect man and dost possess a house and estate, beget a son. . . . If he does what is right, and if he imitates thee in thy actions and hearkens to thy teaching, and his behaving is perfect in thy house, and he cares for thy property as if it were his own, seek thou for him every kind of honor. He is thy son whom thy heart's desire has begotten; let not thy heart drift away from him. . . . But if he follows an evil course and opposes thy plans and does not carry out thy instructions, and his behavior in thy house is detestable, and he treats with contempt all thy words and sets his mouth in motion with vile words, and his face is turned away, and nothing remains in his hands, cast him away, for he is no son of thine, and he was not born for thee" (XII). In an equally striking one, discussing marriage and the treatment of the wife, he says, "If thou wouldst be wise or prosperous get married. Love thou thy wife . . . wholly and rightly. Fill her belly and clothe her back; oil for anointing is the medicine for her limbs. Make her heart to rejoice as long as thou livest; she is a profitable field for her lord. Enter not into disputes with her. . . . Make her prosper permanently in thy house" (XXI).[1] In another he points out that if one would have trusted servants one must be just and liberal with them.

Ani, in the spirit of old Ptah-hotep, though varying slightly in essentials, also points to the importance of having a son. "Marry a wife whilst thou art a young man; she will produce thy son. If thou dost produce thy son whilst thou art still young, thou will be able to train him to become a proper man. Good it is for a man if his posterity are numerous, and he will be applauded by reason for his children" (I).

In another long but pointed passage Ani presents the obligations one owes to one's mother. "Increase the breadcakes which thou givest to thy mother, and carry her as she carried thee. She carried thee as a heavy load many times. . . . When she brought thee forth after thy months, she set thee like a veritable yoke upon her neck, and her breasts were in thy mouth for three years. Whilst thou wast growing, disgusting in thy excrement, she felt not disgust at thee. . . . Afterwards she placed thee in the school, and whilst thou wast being taught thy letters, she came to thee there day by day, regularly and unfailingly, with breadcakes and beer from her house. When thou art a young

[1] See also XXXVII.

man and dost marry a wife, and act the master and possessor of a house, I pray thee look back at thine own childhood and how thou wast reared, and do for the child that shall be born to thee everything that thy mother did for thee. Let it not happen that she have cause to blame thee. . . " (XLI). He deals in a knowing manner in another precept with a married woman's conducting of her home. "Attempt not to direct a married woman in her house when thou knowest that she is a perfect housewife. Say not to her, 'Where is that? Bring it to us,' when she has put the object in the proper place. Make thine eye to watch her, and hold thy peace, and then thou wilt be able to appreciate her wise and good management. Happy wilt thou be if thou art hand in hand with her. There are very many men who do not understand this. The interfering man only sets confusion in his house, and never finds himself the actual master thereof in all matters in reality" (LVII). In the Ptolemaic *Precepts* we also read, "Let not bitterness penetrate into the heart of thy mother" (I) and "let it not happen that thou maltreat thy wife whose strength is less than thine; let her find in thee her protector" (VIII). Regarding the treatment of a son the *Precepts* also advise, "Do not maltreat thy child, he is feeble, lend him thy aid" (XIV) and "abandon him not to any other of thy sons who is stronger and more courageous" (XV).

Several other precepts deal with *sex relations that ought to be avoided.* Ptah-hotep warns against entering into entangling alliances with the women in the homes of one's friends (XVIII) and also states, "Have no intercourse with a woman-child" (XXXII). Amen-em-apt says "Avoid the beautiful singing woman" (LXX) and also warns against the wiles of widows (CX). In Ani we find a teaching regarding the prostitute and the married charmer which has influenced proverbial literature elsewhere. "Guard thyself well against the woman from the outer district who is not known in her town. Cast no longing glances after her as do those who are like to her, and have no carnal intercourse or other relation with her. She is a deep ditch, and where her currents will lead no man knows. When a woman, whose husband is absent from her, shows her beauty and invites thee to her every day, saying that there are no witnesses present, and puts her net in position to snare thee, it is a great, abominable deed deserving the death penalty for a man to hearken to her, even

if she has not succeeded in her object. . . . Yet men will commit abominable deeds in order to gratify this one passion" (VIII). Feeling that the counsels of a woman are unsound, Ani states, "Follow not the counsels of a woman, and let her not lead captive thy understanding" (LVIII). In the Ptolemaic *Precepts* we find the instruction, "Let not thy son be familiar with a married woman" (XVIII).

Among the most frequently mentioned duties of all in these lists of precepts are those having to do with *the treatment of inferiors and unfortunates.* Ptah-hotep warns against trying to kick down the humble man who has "made good" (X) and also admonishes his fellows, "Rob not the house of the peasants. . . . If he [the chief] knows it he will be hostile to thee" (XXXI). Antef says, "I am a friend toward those who are in a lowly condition, and to the man who has nothing my just dealing is sweet" (9). "I am the food of the hungry man who has no possessions and open-handed to the destitute" (10). "I act as the man of knowledge for him that is ignorant, and I teach a man that which will be beneficial for him" (11). Amen-em-apt repeatedly instructs on this subject. He warns against plundering the poor or mistreating the destitute (I). Do not talk down to the aged (II). He insists on showing kindness to people of humble condition (XXXV). Be dignified in the presence of the lower classes (XLVII). As a kindness to him relieve the poor man of part of his hidden treasure (LXI). Do not laugh at the blind man or dwarf, frustrate the lame man, or irritate the injured man by praising the man who wronged him (XCIX). With Ani (VI) Amen-em-apt also would aid the old man when the latter is drunk (CV). Finally in the Ptolemaic *Precepts* it is stated, "Let it not happen that thou maltreat an inferior, and there will come to thee the respect of the venerable" (VII). "Take not away the pleasure of those dependent upon thee" (XVII).

One finds in these lists, as in almost all ancient instructional materials, definite warnings against in any way modifying these precepts, specific admonitions to perpetuate them, and a rather lengthy array of statements pointing out the advantages to be enjoyed by those who scrupulously observe them. Ptah-hotep appends nine rather sizable paragraphs to his list of precepts conveying these ideas. Among the phrases that one notes

immediately are: "It is the Teaching that a man should hand on when speaking to his posterity" (I); "Everyone who has heard is an excellent person, and it is an excellent thing for him to hear more" (II); "calamity overtakes the son who will not hear" (III); "suppress no word in this book, and add nothing to it, and set not one thing in the place of another" (VII).

Khati points out that for him who imitates his ancestors and accepts the precepts "Truth comes to him in a well-rubbed-down state in the form of the sayings of the ancestors" (VIII, IX). Amen-em-apt gives a detailed list of the special proficiencies acquired by a knowledge of the precepts and the disadvantages flowing from their violation (*Intro.* Lines 1–12, 46–58). Sehetepabra says at the end of his list, "Do these things, and your bodies shall be strong and healthy, and they shall prove of benefit to you for ever and ever." Ani repeats the thoughts of his predecessors (XXXVI).

IV. A General Characterization of the Precepts

We have here a form of literature by and, with one notable exception, for the upper classes, a repository of wisdom for living and ruling. Its traditional, if not its actual, authors were viziers or other high officials of ministerial rank, kings and princes, professional sages and scribes, men whose authority and reputation as successful men of affairs greatly enhanced in the eyes of their own and later generations the value of their practical social teachings. That these precepts must have been highly popular and widely read throughout the long history of Egypt is evident from the large number of different sets and the relatively large number of copies in several cases that have survived the same selective processes that governed the literature treated in the preceding chapter.

The very nature of Egyptian upper-class life gave importance and interest to these precepts. The tasks of political administration, the management of estates, the advising of subordinates and servants, the maintenance of family, the preservation of reputation and position, the amenities of both official and private life presented behavior situations and problems that cried for policies, principles, and codes. Furthermore, these nuggets of wisdom appealed to the Egyptians who always highly prized wit, versatility, cleverness, and smooth performance.

Of these lists the longest, most complete, and probably most important were those of Ptah-hotep, the vizier of the Old Kingdom; Amen-em-apt, minister of agriculture, of the Middle Kingdom; and Ani, the scribe, of the Second Empire period. Ptah-hotep's precepts evidently are a collection that had grown up among the officials of the Egyptian state, some of them doubtless antedating the known collection by centuries. They present to us the conventional daily philosophy of the wisest among the official body, both of the brilliant Old Kingdom, from which they date, and the more sophisticated but more perturbed later periods during which they also had wide currency. As Breasted has pointed out, over half of Ptah-hotep's admonitions deal with personal character and conduct (paragraphs 1, 2, 3, 6, 8, 10, 11, 13, 17, 18, 19, 22, 29, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41), while the remainder of the forty-three are concerned with administration and official conduct (paragraphs 4, 5, 7, 9, 12, 14, 15, 16, 21, 23, 24, 25, 26, 27, 28, 30, 39, 42, 43). The sum total of Ptah-hotep's teaching is:

> Keep on friendly terms with everyone; do not be arrogant or conceited or ill-tempered or covetous, because these failings annoy people; marry a wife, and avoid entanglements with women, whether strangers or kinsfolk; be courteous and deferential to your superiors, and keep clear of quarrels; always be cheerful; lead the happiest life you can as long as you can, taking care not to work harder than you need, and not to worry about your house and estate and their everyday concerns.[1]

The teachings advocate gentleness, moderation, discretion, cleverness, poise, and balance. Life is abundantly worth while; enjoy it. Be cheerful, do right, and deal justly with all. Then you will enjoy happiness, wisdom, professional success, and prosperity.

One of the significant features of Ptah-hotep's precepts is that they contain no religious teachings of any kind. God is the author of destiny and the dispenser of good, material and otherwise, but neither prayer nor sacrifices are mentioned, nor is there any reference to life beyond the grave or man's responsibility for such a life. His thought is that of a shrewd but kindly, worldly-wise old courtier—a keen student of human nature and

[1] BUDGE, *Amen-em-apt*, pp. 11–12.

human relationships—who is concerned with fitting his son for life here and now among his fellows.

Amen-em-apt gives us the longest and by all odds the most unique list of precepts. All of the other lists were written specifically for the instruction of the young men of the official class, particularly sons and heirs, and were highly utilitarian and worldly in their nature. While this latter note is by no means lacking in Amen-em-apt, his audience is broader, including all who can profit by wisdom. His object was to teach men to treat all of their fellow men with kindness and consideration, to have pity for the helpless, show charity to the destitute, and help those in need or trouble or adversity.

A second feature, quite unusual, which distinguishes it from the other more general lists, is the omission of all precepts dealing with the relations of men with women, whether licit or illicit. Ptah-hotep and later Ani devote much attention to avoiding certain types of women, offer advice on how to treat wives and other women that come into a man's life, recommend marriage, having a son, and the proper treatment of parents.

Another particular feature of Amen-em-apt's teachings is the more frequent reference to God. God is not separated from man by an impassable gulf. There is a definite connection between man and God. Man is safe and well-guarded only when he places himself in the "hand of God" (line 253). He states, "Seat thyself in the arms of the God" (line 431, 457). He who finds wisdom "shall find the Life" (line 123), and this "Life" has decidedly spiritual connotations. Again he states, "The love of God is more precious and to be esteemed than the respects [or reverences] of the nobleman" (lines 525, 526). But his work was not written to teach religion. Its primary object was social and moral instruction.

He writes, he says, the admonitions that will enable a man to maintain a "safe" position under all conditions. They will help him to preserve his fair name, to keep his character unsullied, to move in good society, to be healthy in body, to be free from carping care, and to keep a firm hold on his possessions.[1]

Be moderate, neither overzealous nor apathetic. Be humble and unostentatious in your benefactions. Show kindness,

[1] BUDGE, *op. cit.*, p. 131.

humanity, and consideration for others of all ages and classes. Mind your own business. Be independent but courteous. Keep away from evil people of all kinds. Be weighty in speech and dignified and temperate in behavior. Avoid covetousness and the heaping up of riches. Treat people with kindness sufficient to gain their good will, but beware of undue familiarity and friendship. Avoid gossip, and use the soft answer to turn away wrath. The man who is modest and just among his fellows is "safe in the hand of God." Throughout is the hint that virtue is its own reward. The author frequently rises above pure social utilitarianism. It is undoubtedly the highest type of social thinking promulgated in early Egypt.

The teachings of the scribe Ani of the New Empire show great dependence upon the lists of earlier times, especially Ptah-hotep and Amen-em-apt. He attempts, however, to supplement the preceding lists and does introduce several new ideas. In the main, though, he but states the precepts of the preceding in different language and with occasional change of emphasis.

V. Deductions and Summary

Certain more or less obvious conclusions may be set forth.

1. Each succeeding set of precepts shows similarity to the earlier ones but also usually incorporates some necessary additional ideas. Ptah-hotep sets the pace and establishes a set of principles. Subsequent writers pay all honor to their predecessors but also, perceiving that the older precepts do not supply advice on every important subject, proceed to add some supplementary admonitions.[1] By the time we get to the Ptolemaic *Precepts*, however, we find not a single unique idea expressed. This considerable similarity of the precepts of the different lists is due partly, undoubtedly, to transmission from generation to generation and borrowing by the subsequent writers but also to the fact that the great bulk of the precepts deal with universal and omnipresent aspects of social relationships in a stratified society which are not seriously affected by the succession of eras. It has probably occurred to the reader that many of the precepts in these lists are as apt and as effective in producing the anticipated result today as they must have been 4500 years ago.

[1] *Cf.* Budge, *The Literature of the Egyptians*, p. 228.

2. In view of the fact that all of the important lists were written by 1350 B.C., they show a high development of practical wisdom, social analysis, wit, versatility, and administrative adeptness at a relatively early date.

3. They reflect a strictly utilitarian, though by no means inhumane, social philosophy. They combine shrewd pragmatism and opportunism with a very superior conception of justice. They are the earliest written expressions of worldly wisdom in organized groups, excepting a few fragments of Babylonian aphorisms and admonitions found in the Library of Ashurbanipal, which may go back to a much earlier date.[1] They inculcate proper behavior to superiors and inferiors, official and personal, to people generally, and to property, because it is worth while for the individual to do so. The individual is admonished to act appropriately in a social way because in so doing he will be able to "get on," people will like him and respect him, and recognition and promotion will come to him; the lower classes will give him their good will and support. There is no very clear expression of social rightness for the sake of society's order. The reason given for right action is so often that "it is profitable" or that it gains the doer a "good name." The highest piece of commendation the official could inscribe on his tomb was, "I did that which all men approved." The politic or expedient procedure is usually the desirable and recommended one. At the same time some purely humanitarian and disinterested motives are also in evidence. There are *many* things that it is *well* to do; there are *some* duties that *must* be performed in the interests of mercy, justice, social order, and general well-being.

4. The point of view underlying that behavior most clearly redounding to the benefit of the group as a whole is that of the individual, however, throughout these precepts. The spirit and motive are egoistic or egocentric and not impersonally social. The only clear variation from the individual point of view is the occasional precept in which that of the class predominates.

5. The wisdom is almost entirely practical and concrete. There is little probing into the inner nature of things. The philosophical or speculative and the scientific or causal aspects

[1] *Cf.* M. JASTROW, *Civilization of Babylonia and Assyria*, pp. 461–462, Philadelphia, 1915; E. A. W. BUDGE, *Babylonian Life and History*, pp. 153–155, New York, 1926.

of events and behavior are not touched upon. In the discussions of justice, for example, there is no devotion to the abstract elements, no elaborating of the nature of justice; the discussion is confined almost entirely to the necessity of justice and to its administration.

6. Finally, these precepts show a keen knowledge of human nature and the essentials of the fine art of living comfortably and prosperously in the primary group. In this respect also they are highly valuable case material. They were so useful through all the periods of dynastic history that we find them employed down to the time of the Egyptian Christian ascetics.

VI. General Summary of Ancient Egyptian Social Thought

By way of conclusion and summary, it may be said that the ancient Egyptian literature with significance for the social scientist falls into five loose groups which overlap considerably. There is, first, the earliest, the most frequently appearing, and the most abundant type, the precepts or admonitions. These embody the philosophy of social relationships and the conceptions of social obligations of the official classes. They can be looked upon as statements of the Egyptian social code in effect among the upper classes from the beginning of the dynastic period down to Greek and possibly Christian times. They constitute one of the most exceptional sets of social documents of antiquity.

A second group consists of those documents voicing discontent and sorrow because of the social chaos and confusion during the Dark Ages. Notable here are the *Dialogue with His Soul of a Man Weary of His Life*, the *Lamentations of the Priest of Heliopolis*, parts of the enunciations of Ipuwer and Nefer-rohu, and the *Song of the Harper*, containing the philosophy of disillusionment and the statements regarding the uncertainty and futility of life of the old vizier. Imhotep may also be included here.

A third group includes that rare collection of statements expressing ideals of political administrative official duty and the nature and importance of social justice. Outstanding here are the tomb inscription of Henku the nomarch, the *Tale of the Eloquent Peasant*, and the charge given at the installation of the Vizier.

A fourth group incorporates Egyptian prophecy and messianic proclaimings, the specimens available being those of Ipuwer and Nefer-rohu.

The fifth group constitutes what is generally known as the *Negative Confessions*, consisting largely of the declarations of innocence of antisocial acts and of failure to fulfill certain duties among one's fellows. Here we have a very concise behavior code incorporated in the religious practices.

Egyptian social thought takes the form of examination of human nature, social description, social criticism, social admonition in certain precepts and prophecies, a certain amount of social analysis, much social idealism, and some social reconstruction or utopianism. As a medium it uses no formal and specialized type of social literature but the ancient and highly efficient forms such as the tale, the prophecy, the proverb and precept, and the song or chant, or it embodies it in ritual or ceremonial. Every example that we have shows that it was written with a utilitarian object in view. It was literature with a purpose. Considering the fact that it has funerary connections almost without exception, it is amazingly free of religious connotations. It gives us a varied and rich picture of the secular thought along social lines of the intellectually awakened portion of one of the most brilliant early civilizations. It profoundly affected every culture that made any contact with it.

CHAPTER IV

THE SOCIAL THOUGHT OF BABYLONIA

I. The Geographical and Historical Setting

The scene shifts to the rich valleys of the Euphrates and Tigris. This is an area extending width-wise between the Arabian Desert on the south and southwest and the mountains and plateaus to the northeast and north, never more than 200 miles wide and for most of the region considerably less. It stretches lengthwise from the Persian Gulf some four to five hundred miles northwestward and includes the lower and middle drainage areas of the two great rivers. The middle area, known as Mesopotamia, is a more or less rocky plain; the lower portion, known as Babylonia, is a flat alluvial district, the product of the deposit of the rivers, subject to seasonal inundation and cut by the shifting channels of the rivers and by canals. The rivers have played a master role in this area since earliest times. They formed and are still forming the lower area; the fertility and the prosperity of the whole were dependent upon their seasonal floods; they were the chief means of communication, the main channels of trade, and the chief agencies for the distribution of the culture. Aided by a fairly equable climate, the lower area has provided rich agricultural possibilities whenever the irrigation and drainage system was functioning properly. Small grains, such as wheat, millet, and sesame, indigenous to the region, have been cultivated since before the earliest records, while the date and fig have been staples. Over the Mesopotamian plains roamed the gazelle and the wild ass, while in the thickets along the river banks were found the lion, the wild ox, and the wild boar. The domestic animals were brought in by man—the camel coming with the Bedouin from the Arabian Desert, as did also the great flocks of sheep and goats, while the horse was the "animal from the east."

There was neither metal nor stone to be found in all the borders of Babylonia. The limestone, basalt, marble, and alabaster and the copper, lead, and later iron that were used came from the mountains of northern Mesopotamia, as did also most of

the timber. The clay deposits of the alluvial plain were the source of practically all building materials and were also extensively used in the manufacture of household appliances, especially pottery, and in the making of writing tablets.

The culture of these valleys is so old that its beginnings can only be conjectured. More than 4000 years[1] before the beginning of the Christian era a high type of civilization was in effect in this area. The territory was divided among a number of mutually independent city-states, chief among which were Eridu, Ur, Larsa, Uruk, and Nippur. While the governmental institutions were simple, they were effective. The people built their private and public structures out of burned and unburned brick. They carried on communication and made permanent their ideas by means of a system of wedge-shaped characters, the cuneiform, which a later age was to adopt and make the formal writing of the known world. Written inscriptions are available which certainly go back to 3500 B.C.[2] Art was already conventionalized and showed great skill. Religion was well-developed with a full material equipment. Each city had its god and its temple. The people were skilled in the use of metal. Agriculture was the chief mode of production with herding of almost parallel importance. Commerce was carried on not only within the land itself but by means of the trader's caravans with all the surrounding peoples. A carefully constructed and well-maintained system of canals served both as the great feeders for the irrigation ditches which interlaced the lower valley and as means of communication and transportation. The arts of defense had reached a high degree of development as a matter of necessity in this readily accessible and much contested territory. Woolley, who has carried on extensive excavations in south Babylonian mounds, states that the contents of the graves of 3500 B.C. and even earlier belonged to a civilization already old and endemic, if not decadent. Nothing was in an experimental stage. Its duration was to be reckoned in thousands of years.[3] Ancient Babylonia was, in fact, one of the two earliest if not the oldest center of human civilization.

[1] *Cf.* R. W. ROGERS, *A History of Babylonia and Assyria*, p. 2, New York, 1915; G. A. BARTON, *Sketch of Semitic Origins*, p. 155, New York, 1901.

[2] BARTON, *op. cit.*, p. 155.

[3] C. L. WOOLLEY, *The Sumerians*, Oxford, 1929.

From the earliest days, before the unification under the great king Hammurabi (2123–2081 B.C.), the country was loosely divided into two parts, Sumer or Shumer occupying the lower valley and Akkad the upper or northwestern part. Originally this also represented a racial cleavage, that between the Sumerians of Sumer and the Semites of Akkad. Which arrived in the valley first is still a matter of controversy, though on the basis of durability and persistence of culture the Sumerians would seem to be the oldest. The Sumerians are depicted in the ancient inscriptions, reliefs, and sculptures as roundheaded and cleanshaven, in contrast to the Semites who are longheaded and bearded. The Sumerians spoke what is called an agglutinative tongue, the affinities of which are still a puzzle. Their physical forms, features, and characteristics suggest, according to Budge, that they were an offshoot of an east Asiatic people,[1] possibly of Turanian stock, while Jastrow and Eduard Meyer, on the other hand, believe that they were originally a mountain people who came from the northeast or the northwest. They furthermore contend that they were probably hunters in their old home environment, since legend made Nimrod, the founder of Euphratean culture, a mighty hunter. Their gods also were always pictured as standing on mountains, and their early construction showed survivals from a type that used timber extensively.[2] Other authorities think that they were of Armenoid origin.

The Semites were part of that great racial group that emerged from the Arabian Desert in successive waves and gave the world not only the Semites of Babylonia and Mesopotamia but also the Assyrians, Amorites, Canaanites, Aramaeans, Phoenicians, Carthaginians, Hebrews, Ammonites, Moabites, Edomites, Nabataeans, Arabs, Sabaeans, and Abyssinians. All of these show a good degree of similarity in their physical and mental characteristics and in their language.

The early history of Sumer and Akkad was dominated by both the racial and the cultural conflict between Semites and Sumerians. Out of this struggle eventually emerged the political dominance of the Semites and the cultural dominance of the

[1] E. A. W. Budge, *Babylonian Life and History*, p. 12, London, 1886.

[2] M. Jastrow, *The Civilization of Babylonia and Assyria*, pp. 105–107, Philadelphia, 1915.

Sumerians. The establishment of the Babylonian monarchy marked the close of the political career of the Sumerians as a race. Their culture, however, "went marching on." It was, in fact, the dominant originative and molding factor in Babylonian civilization. In government, law, writing, literature, and art the Semites merely borrowed from their Sumerian teachers, and, although in some respects they improved upon their models, in each case the original impulse came from the Sumerian race.[1] For example, the Semites took over the cumbrous and awkward cuneiform script and were using it to write their own tongue, a language inflected and not agglutinative and quite unrelated in form and vocabulary to the Sumerian. They also borrowed Sumerian words and adapted them to their own modes of speech. The Sumerians were among the most important introducers of culture into the Near Eastern world, some contending that they also played a part in the cultural development of predynastic Egypt.[2]

In Babylonian chronology reference is always made to a list of mythical kings. One list mentions ten who ruled a total of 241,200 years before a certain "flood."[3] Berosus, a Babylonian priest of the third century B.C., in his chronology also speaks of a postdiluvian dynasty of 34,091 years.

Down to the time of the dynasties of Babylon the actual political history of Babylonia is a matter of continual contention of the city-states with one another. Again and again an energetic and skillful ruler of one of them would reduce many or all of the others to a state of vassalage and establish a short-lived empire. Occasionally an especially successful ruler would establish a dynasty that persisted for three or four generations. But more often it happened that as soon as such a conqueror passed away the cities subdued reasserted their independence, and the process

[1] *Cf.* L. W. KING, *A History of Sumer and Akkad*, London, 1923.

[2] For example, S. H. Langdon states, "In the opinion of the present writer the entry of the Sumerians into Mesopotamia and Egypt heralded the dawn of civilization in the ancient world, and with their decline and disappearance the most talented and humane of early peoples became extinct." *Cambridge Ancient History*, Vol. I, pp. 462–463.

[3] For the archaeological evidence of an actual early flood, probably the basis for this break in the chronology, and also of the deluge myths of the Near East, see C. L. WOOLLEY, *Ur of the Chaldees*, pp. 25–31, New York, 1923.

of rivalry and conquest began anew.[1] The earlier history presents a picture of alternating centralization and disintegration. The earliest records now preserved concern Lagash, Nippur, and Kish in the land of Sumer. It would seem that the city of Kish exercised the earliest superiority over Sumer. The first great name was Mesilim (*c.* 3100 B.C.) of Kish, who received the allegiance of Lagash and other cities. One of the next great names was that of Ur-Nina (*c.* 3000 B.C.) who founded the dynasty of Lagash, destined to endure through six reigns. He built city walls and dug canals among other works of beneficence, in addition to his conquests. The grandson Eannatum (*c.* 2920 B.C.) was an even greater man than his grandfather. He laid low the cities of Umma and Kish and also drove back the Elamites. From his reign came the famous *Stele of the Vultures*, an illustrated narrative of his diplomatic and military achievements as well as of the great canals and reservoirs constructed by himself.[2] Entemena, grandson of Eannatum, extended the domain of Lagash still farther and also revived artistic handicrafts. With him the dynasty exhausted its power, though it continues through four more patesis or priest-kings. The next dynasty, still seated in Lagash, included the great Urukagina (*c.* 2800 B.C.), who insisted on the title of king rather than patesi. He gave in one of his inscriptions a long and vivid account of the oppressions from which he freed the people and the political and social reforms that he effected. He also mentioned great public works completed. Notable likewise is the fact that he was responsible for the greatest codification of law before Hammurabi. After Urukagina political power departed from Lagash forever. It was sacked and destroyed by Lugal-zaggesi, of Ur, who founded a new regime. Peace and prosperity prevailed during his reign (*c.* 2685) and through that of his successors. This dynasty is followed by that of the Semitized patesis of Kish, whose chief achievement was their offensives against the ever eager Elamites to the East.

[1] *Cf.* G. A. BARTON, *The Royal Inscriptions of Sumer and Akkad*, p. xvii, New Haven, 1929.

[2] The digging of canals was one of the important tasks of Babylonian rulers from the earliest days. They frequently reckoned time from the digging of an important canal. *Cf.* B. MEISSNER, *Babylonien und Assyrien*, Vol. I, p. 7, Heidelberg, 1920.

With Sargon I (*c.* 2675 B.C.) began the first great Semitic dynasty with Agade or Akkad as its capital city. Sargon not only conquered Sumer but extended his empire, as an ancient document puts it, "from the Upper Sea to the Lower Sea," *i.e.*, from the Mediterranean to the Persian Gulf. The son Naram-Sin, a worthy successor, held the father's empire and extended his conquests. His successor was Shargali-sharri, who successfully repulsed an Elamite invasion. This dynasty lasted 197 years and was followed by the domination of the kings of Uruk (Erech) and Gutium, a temporary revival of Sumerian power, beginning about 2475 B.C. About this time also began the penetration of a new wave of Semites from the desert. The last king of this Ur dynasty was captured by the Elamites (*c.* 2330), who had invaded the valley and controlled all southern Babylonia. The new Isin dynasty (2350–2125 B.C.) broke the Elamite power and created a temporary empire of some note. They called themselves "Kings of Sumer and Akkad." Civilization in Babylonia since at least 4000 B.C. had been Sumerian at foundation. But it was now definitely succumbing to the Semitic influence, effective to the north since about 3000 B.C.

In 2225 B.C. the first of the two great Semitic (Amorite) dynasties was established with Babylon, heretofore an undistinguished city, as the seat. The Babylonian Empire now reached its epitome. These two dynasties, the efflorescence of the Semitic invasion of half a millennium before, endured 400 years. Their greatest man, and the most notable in all Babylonian history, was Hammurabi, sixth king of the first dynasty, of whom more will be said below. Gradually the nation was weakened in a military sense by the development of the arts, the increase of trade and commerce, and the general progress of civilization. About 1758 the empire gave way to the rule of a line of unknown foreigners, the so-called Kassites, from the east, which lasted until 1181 B.C. During this long reign the Kassites were absorbed into Babylonian culture as a whole. The period was a sort of Babylonian "Dark Ages." The Kassites were overthrown by a Semitic revolution, and the second dynasty of Isin (1180–1047 B.C.) came into existence.

For centuries—at least since 2200 B.C.—the Assyrian power in the north had been waxing strong, undergoing internal strengthening and solidifying. Decadent Babylonia now was

forced to submit to Assyria, and Mesopotamia and Babylonia were for centuries part of the great Assyrian empire, first as vassals and then as an integral part. But Babylonian culture lived on. Much of it was in fact adopted *in toto* by the conqueror.[1]

The general nature of early Babylonian civilization can be but briefly depicted. Each city was governed by a patesi, an official similar in duties and power to the nomarchs of Egypt. These patesis, as we have noted above, quarreled among themselves, made war upon each other, invaded and, if possible, conquered each other's territory, and established dynastic control over the entire subjugated area. It would seem that the hydrographic conditions, *i.e.*, the enforced cooperation over considerable areas in constructing and maintaining the canals that filled up very quickly if neglected, was one of the situations that forced centralization from an administrative center, however fluctuating it might be, on a people traditionally devoted to city-state organization. A variety of taxes, including customs duties collected at the gates of the cities, were levied to support the political institutions and the military enterprises. The population was composed of various social-economic grades, occasionally affected, one gathers, by racial lines. At the apex of the pyramid was the aristocracy headed by the patesi. The nobles lived on their estates and at the court of the king alternately. The priests ranked with the nobles. Below them were the city businessmen —bankers, merchants, jobbers—and skilled artisans. Next in rank were the tenant-farmers, who superintended their rented farms themselves, hired the laborers, and paid their rent in kind. Below these were the numerous class of free laborers, who hired themselves out, received wages, and had the right to make contracts. The great base of the pyramidal structure consisted of slaves recruited from the conquered peoples, those purchased abroad, the debtors, and, of course, the national increase of these groups. As will be seen, the lot of the Babylonian slave was not a bad one on the whole. These slaves were employed on the great estates and also by the urban builders and manufacturers.

[1] For a more extensive account of Babylonian dynastic history see such works as KING, *op. cit.*; ROGERS, *op. cit.*, Vol. II; JASTROW, JR., *op. cit.*, pp. 120–186.

The economic life of ancient Babylonia was a varied one. Basic, of course, was the agriculture carried on, with the aid of canals and irrigation, in the river bottoms. Some of the finest grains of the Near East were raised in this part of the Fertile Crescent. The less fertile lands were given over to the herding of enormous flocks of sheep and goats and the raising of asses, camels, and later horses. The products of field and herd were worked up into articles for local consumption and also for foreign commerce. Among the various craftsmen mentioned in the inscriptions are the carpenter, smith, worker in precious metals, the weaver, leatherworker, dyer, potter, brickmaker, vintner (maker of barley beer and date brandy), and the surveyor. The conversion of the unusually heavy and durable Babylonian wool into cloth and rugs was an especially important industry, and the products, notably the famous "Babylonitish garments," were among the most significant articles of commerce. Different cities were noted for special kinds of cloth. Thus the city of Mar made the famous *mairatu*. The other great export articles were the grains, dates, and leather products. Brickmaking, using the alluvium to be found everywhere in the lower valley, was another important industry. In fact the month of *Simanu* (May-June) was the "month of bricks." It was at this time of the year that the floods brought down sifted alluvium, which was molded at the time when it was of the right consistency and degree of moisture and put above water level to bake slowly in the sun.

Babylonia, owing to its accessibility, the wealth and quality of its natural products, and the complete absence, on the other hand, of certain basic essentials, such as metal, spices, stone, and timber, became one of the greatest commercial nations of antiquity. Rafts and boats plied its rivers and canals, and its caravans penetrated the ends of the known world. Its earliest records mention the construction of great storage buildings, and the great bulk of its literary fragments consists of commercial and legal documents connected with this extensive internal and foreign trade.

Property took varied forms. There was the public property in the cities such as the various public buildings, both political and religious, and the pasture lands in the open country probably still common land. The great estates were held as grants from

the king under a sort of feudal regime. There was also a considerable amount of privately owned urban and rural land judging from the various contract tablets indicating property transfers. Commonplace also was the private property in grain, manufactured goods, precious metals, slaves, and livestock. There is every evidence of a flourishing material life during most of the history of ancient Babylonia.

The family was a very important element in the society of the time. The father was the recognized head, though some evidences of mother-right occasionally appear. While the wife was under the husband's control, yet she had much freedom. She had control over her own dowry. It appears from old documents that the wife could conclude independent private contracts and that she had legal standing in the family circle as well as before a court of law. She had her private property and retained the right to dispose of it. Both marriage and divorce were formal. While monogamy prevailed, as among most Oriental peoples, polygamy and concubinage were not uncommon. Children were the supreme end of marriage, and adoption was widespread. Disposal of a wife on the grounds of sterility was a common practice.

Originally each city had its own god. When one city conquered another its god also became the supreme god of the other. In this way with successive conquests a sizable pantheon eventually developed with Marduk, god of Babylon, as the chief god, the source of light and wisdom and justice. The priests were numerous, well-organized, and made their beliefs and principles carry significance in the culture of their peoples.

The absence of stone was a determining factor in the architecture, art, and writing of the people. All stone had to be imported, hence was used sparingly. Clay bricks, sun-dried or kiln-burned, with the exception of an occasional door lintel or arch head of imported wood or stone, were the only building material. The buildings, therefore, public and private, conformed in their architecture to that appropriate to the major building material. Brick exterior walls with clay or rubble filler were used in the construction of the ziggurats (worship towers), fortifications, city walls, and for certain walls of buildings. For decorations in their buildings the Babylonians depended largely on mosaics and friezes made of painted and enameled tiles or bricks. The

statuary was made of imported stone. Metals, being of small compass, were extensively imported from earliest times and used for artistic purposes.

The abundance of the plastic clay, readily molded into tablets, and the presence of an ancient, well-developed system of writing fostered the development of the literary art. The ancient Sumerians and Babylonians, for example, seemed unwilling to transact even the smallest item of business without recourse to the written document.[1] The cheapness of the writing material was undoubtedly an inducement to the scribes to put various traditional culture elements into writing. The imperishability of these clay tablets has preserved in a marvelous way the literature of this early civilization. Thus in contrast to Egypt where the records were either on papyri enclosed in rock-bound tombs or engraved upon stone steles, obelisks, or temple walls, in Babylonia and Assyria the literature is found upon memorial tablets, prisms and cylinders of clay mainly, or upon obelisks and steles of imported stone or upon the walls of palaces and temples, usually in the forms of mosaics. Babylonia is lacking in one very revealing type of literature common in Egypt, namely, the biographies and eulogies which the nobles inscribed upon the walls of their tombs. These threw a vast amount of light on the political and social-economic life of Egypt.

By the time of Hammurabi an immense literature had come to flower, a literature as valuable and interesting as that written on the papyri and monuments of Egypt. A considerable number of nature myths centering around the creation of the world had come down from remote antiquity. In their final collected and systematized form they compose the great *Creation Epic*, the forerunner of others now more widely known. Of even greater significance is the *Gilgamesh Epic* in twelve books. This epic is really the *Nibelungenlied* of Babylonia. It recounts the deeds, exploits, and sufferings of Gilgamesh. His name, like that of Odysseus in Greek literature and Siegfried in Germanic mythology, formed the center around which a variety of ancient stories and legends clustered in the course of time. The eleventh book of the *Gilgamesh Epic* is the account of the Deluge, the prototype of the Hebrew narrative of the Flood. There are also

[1] D. D. LUCKENBILL, *Ancient Records of Assyria*, Vol. I, p. 4, Chicago, 1926.

a number of myths and legends such as those of Adapa, the first man, bearing close resemblance to the Adam story of *Genesis*, and of Sargon who, like Moses, was exposed as an infant in a basket of reeds on the river, where he was rescued by a peasant, beloved of Ishtar the goddess, and finally became king. There are also many hymns and penitential psalms. All of these are of great significance to the folklorist and the student of cultural diffusion, for they have profound influence upon later cultures. Richest in social thought, however, are the great code of Hammurabi, the various lists of maxims of conduct and proverbs, a series of writings of a contemplative nature revealing a rich social philosophy, and innumerable letters, legal documents, and contracts.[1] These documents with social significance will be treated below.

II. The Code of Hammurabi

1. Its Background and Its Promulgator.—The period of Hammurabi's dynasty, the first of Babylonia (2225–1926 B.C.), was one of great literary, as well as commercial and political, activity. Many of the tablets found in the great library of Assurbanipal, the Assyrian, have been ascribed to this period by their characteristic forms of expression. In fact, Johns states, " . . . the view is general among Assyriologists that this period produced most of the masterpieces which later generations chiefly reproduced."[2] The outstanding, surviving literary contribution of this period, and perhaps the most significant existing literary product of all Babylonian civilization, is the Code of Hammurabi. This code is the first great legal code on record in the history of civilization and also the most signal legal document of far antiquity. It is the result of a long series of processes and procedures in the regulation and adjustment of social relations of all kinds in this ancient empire.[3] We know also, from abundant documentary material, that it remained the standard of Babylonian laws, with some modifications and additions of course,

[1] At the site of Nippur alone more than 30,000 contracts and accounts dating from the fourth millennium to the fifth century B.C. were found. L. W. King, *Legends of Babylon and Egypt*, p. 19, London, 1918.

[2] C. H. W. Johns, *Hastings' Dictionary of the Bible*, Extra Vol., p. 584, New York, 1906.

[3] On the social significance of law see Chap. V.

for centuries after the time of its promulgation. It was obeyed not in Babylonia and Assyria only but wherever the empire of Babylonia extended and the influence of Babylonian culture was felt.[1] It therefore, in its very nature, is a revelation of much of the underlying social philosophy and the institutional organization of Babylonia and its environs, particularly that related to its social, economic, and judicial organization.

Although he was one of the relatively early actors in the drama of extensive empires and great cultures, Hammurabi is today one of the best known characters of ancient history. The date lists of his reign show him successively subduing one antagonistic or obdurate city-state after another, including Isin, Larsa, Uruk, Assur, and Nineveh, as well as defeating the Elamites and conquering the whole of Assyria. He was the first to weld a united Babylonian empire out of the various city-states and peoples of the valley. Even in the earlier years of his reign of forty-three years (2130–2087 B.C.) there were frequent periods of peace. But the last nine years, when the entire region was in a state of tranquillity, were the really great years, because they were devoted to construction along a variety of physical and social lines. Not only did he weld his empire into a political unity, but he enlarged and improved the canal system; furnished Uruk and other cities with an abundant water supply; restored temples in various cities that had been destroyed in war; built up Assur and Nineveh; promoted agriculture and commerce and developed various necessary new institutions and agencies incidental thereto; established caravan routes, post roads, and a system of communication similar to our pony express; tried to bring about a happier racial relationship between the Semitic and non-Semitic elements of the population, including the recognition of both the Sumerian and Akkadian languages as official; and revised the empire's judicial system, at the same time effecting various minor reforms. But the crowning achievement of his long career was his codification of the customs, usages, decisions, and laws of the region, made toward the close of his reign.

The code was discovered in January, 1902, by M. J. de Morgan, while excavating the acropolis of Susa, the ancient Persepolis,

[1] A. H. SAYCE, "The Legal Code of Babylonia," *American Journal of Theology*, Vol. VIII, p. 275, 1904.

once the capital of Elam. It originally had been carried to Susa from E-sagila, the Temple of Marduk, in Babylon, a distance of 200 miles, by Shutruk-Nahunte, a conquering Elamite king, in 1176 B.C., as a trophy of war. Among the debris the archaeologists found three large fragments of black diorite. When fitted together they formed a monolithic column nearly eight feet in height and seven in circumference at the bottom, tapering slightly upward. At the upper end of the front side is a bas-relief representing the sun-god Shamash presenting the code of laws to Hammurabi. The remainder of the column is engraved in beautifully cut cuneiform Semitic script and contains 3,614 short lines in 214 columns, with the exception of a space polished smooth supposedly by the conqueror for some inscription of his own which was, however, never made. It forms the longest cuneiform inscription yet recovered. The restored column is now in the Louvre in Paris. The first translation, made in the same year in which the code was found, was by Father Vincent Scheil.[1] Since then many others have been made.

The code is very clearly not a series of arbitrary enactments invented by Hammurabi but a redaction of old partial or local codes and of customs, usages, and decisions of priests, judges, and patesis. Each community of the region had formulated its own laws and administered them according to custom which was already age-old. Thus when the Sumerians conquered the region and settled down in it they observed their own laws, and it is quite likely that they adopted some of those of their predecessors in the country. It is certain that they were greatly influenced by peoples with whom they came in contact. The Sumerians had a code of family laws, some of which are preserved on a very ancient tablet in the British Museum (K. 251).[2] The various waves of Semitic invaders each brought their own nomad law with them and, as is so typical of customs and laws, adhered to them tenaciously. Thus a hodgepodge of law existed in the region from the earliest times which caused various kings to carry on codifications before Hammurabi's day. Parts of several of these are available. The oldest of these is that of the Sumerian reformer king Urukagina of Lagash (*c.* 2800 B.C.). Not only did he chasten the unscrupulous upper classes and sweep the corrupt

[1] *Délégation en Perse, Mémoires*, Vol. IV, pp. 11–162, Paris, 1902.

[2] See BUDGE, *op. cit.*, pp. 120–121.

officials from office, but he also set up a body of laws regulating taxes and fees, protecting the helpless against extortion, providing against the violent alienation of goods or property and also for restitution of the same in case of alienation, prescribing enactments regulating marriage and divorce, and instituting other principles to assure justice and fair treatment for all. He abolished certain old law, added some new, and codified all. There is also knowledge of old Akkadian law going back to the dynasty of Akkad about 2700 to 2600 B.C.[1]

The years 2456–2404 B.C. marked the reign of Dungi, king of Ur, another Sumerian ruler, who was the author of a code, popular and widespread in its influence, which drew heavily on Urukagina's. Of this code three tablets have been found, and altogether twenty-six laws of this redaction are known. They prove that this code was the result of a long history of legal decisions which in due time became laws.[2] Enough consecutive material is available to show that this code was fairly comprehensive and had its laws arranged in groups by subjects. Among the matters dealt with were the care and protection of gardens, the responsibilities of neighbors, slavery, false accusations, property and taxation, marriage and the family, injury to pregnant women, rentals, adoption, and the obligations of oxherds. Much of the material in the Code of Hammurabi is thus seen to be a matter of growth extending over many centuries among both the Sumerian and the Semitic elements of the population. Koschaker goes so far as to maintain that it not only is a compilation of older Akkadian and Sumerian laws but "tends to strike a balance between the two legal systems."[3] Hence, as might have been expected, laws belonging to different periods of social advancement exist in it side by side.[4]

[1] P. KOSCHAKER, *Encyclopaedia of the Social Sciences*, Vol. IX, p. 211.

[2] *Cf.* S. H. LANGDON, "The Old Sumerian Law Code Compared with the Code of Hammurabi," *Journal of Royal Asiatic Society*, pp. 489–515, October, 1920; *Cambridge Ancient History*, Vol. I, p. 461; see also C. W. H. JOHNS, *Babylonian and Assyrian Laws, Contracts and Letters*, pp. 39–43, London, 1904.

[3] *Op. cit.*, p. 213.

[4] On the backgrounds of the code see also M. JASTROW, JR., "Older and Later Elements in the Code of Hammurabi," *Journal of the American Oriental Society*, Vol. XXXVI, pp. 1–37, 1917; G. A. BARTON, *The Royal Inscriptions of Sumer and Akkad*, New Haven, 1929.

2. The Social Thought and Institutional Lore of the Code.—The code consists of three parts, the prologue, the body of law, and the epilogue. In the prologue Hammurabi describes at length, in a manner not abjectly modest, the benefits that he has conferred on the people, cities, and gods of Babylonia. He mentions over sixty notable acts performed by himself such as preventing the strong from plundering the weak, increasing plenty and abundance, the restoration of cities, rebuilding of temples and sanctuaries, promotion of agriculture, building water-supply systems, collecting the scattered peoples of attacked cities, storing grain, providing sumptuous banquets, and subduing invaders. In several places are also found the statements that he caused righteousness to prevail in the land, destroyed the wicked and the evil, and above all that it was he "who made justice prevail and who ruled the race with right." It closes with the words, "When Marduk sent me to rule the people and to bring help to the land, I established the law and justice in the language of the land and promoted the welfare of the people."

The epilogue is a most lengthy one. At its beginning Hammurabi again states his various achievements. He then recites at some length his reasons for providing the code and expresses the hope that all will avail themselves of the opportunities that it offers each individual and the advantages that will accrue from maintaining it among the people.

. . . to pronounce judgments for the land, to render decisions for the land, to give justice to the oppressed, my weighty words I have written upon my monument, and in the presence of the image of me, king of righteousness, have I set up. The king who is preeminent among kings am I. My words are precious, my wisdom is unrivalled.

Let any oppressed man who has a cause come before the image of me, the king of righteousness. Let him give heed to my weighty words! And may my monument enlighten him as to his cause and may he understand his case! May it set his heart at ease.

In the days to come, for all time, let the king who arises in the land observe the words of righteousness which I have written upon my monument! Let him not alter the judgments of the land which I have pronounced, the decisions of the country which I have rendered! Let him not efface my statutes! If that man have wisdom and be able to guide his land aright, let him give attention to the words which I have written upon my monument! And may this monument enlighten him

as to procedure and administration, the judgments of the land which I have pronounced, and the decisions of the land which I have rendered.[1]

The epilogue closes in typical Oriental manner with a list of nearly a hundred curses that will be visited on him who ignores or suppresses the code and effaces or alters the statutes.

The laws themselves reveal in their arrangement the habits of system and organization that the complicated civilization had bred in the king's codifiers if not in the population at large. Regulations dealing with the same theme are usually brought together, though there are some exceptions. No consistent system of classification, however, is followed throughout. Sometimes laws are grouped together because they deal with the same crimes or legal questions, but more commonly because they concern the same class or profession.[2]

The first five laws (§§1–5) deal with false accusation, false witness, and reversal of judgment on the part of a judge.

§1. If a man accuse a man and charge him with murder but cannot convict him, the accuser shall be put to death.

§3. If a man, in a case [before the court], offer testimony concerning deeds of violence and do not establish the testimony that he has given—if that case be a case involving life, that man shall be put to death.

The careless judge was severely dealt with.

§5. If a judge pronounce a judgment, render a decision, deliver a sealed verdict, and afterward reverse his judgment, they shall prosecute the judge for reversing the judgment which he has pronounced, and he shall pay twelve fold the damages which were [awarded] in said judgment; and publicly they shall expel him from his seat of judgment, and he shall not return, and with the judges in a case he shall not take his seat.

[1] Trans. by D. D. LUCKENBILL, Appendix II of J. M. POWIS SMITH, *The Origin and History of Hebrew Law*, University of Chicago Press, Chicago, 1931.

[2] Various translations of the code into English are available. Among these are R. F. HARPER, *The Code of Hammurabi*, Chicago, 1904; R. W. ROGERS, *Cuneiform Parallels to the Old Testament*, pp. 398–465, New York, 1912; C. H. W. JOHNS, *Babylonian and Assyrian Laws, Contracts and Letters*, pp. 44–99, Edinburgh, 1904; C. EDWARDS, *The Hammurabi Code*, London, 1921. The translation used here will be that of Luckenbill, referred to above.

The next group (§§6–25) consists of laws concerned with theft including kidnaping of children, the aiding or harboring of fugitive slaves, housebreaking and brigandage, and stealing at a fire Receiving stolen goods is a capital offense.

§7. If a man purchase silver or gold, manservant or maidservant, ox, sheep, or ass or anything else from a man's son or from a man's servant without witnesses or contracts, or if he receive [the same] for safekeeping, that man is a thief; he shall be put to death.

The theme of §10 is similar to this. The gradation of the penalty for theft from or injury to different classes is found throughout the code.

§8. If a man steal ox or sheep, ass or pig, or boat—if it belonged to god or palace [nobility], he shall pay thirty fold; if it belonged to a common man, he shall restore tenfold. If the thief have nothing wherewith to pay, he shall be put to death.

The penalty for kidnaping was death.

§14. If a man steal a man's son who is a minor, he shall be put to death.

One aiding slaves to escape or harboring fugitive slaves is also to be put to death (§§15, 16). Another interesting feature of the code is that if the robber or brigand is not captured, the loss of the victim is made good by the state.

§22. If a man practice brigandage and be captured, that man shall be put to death.

§23. If the brigand be not captured, the man who has been robbed shall establish the amount of his loss before the god, and the city and the governor in whose land or border the robbery was committed shall compensate him for whatsoever was lost.

§24. If there were loss of life, the city and governor shall pay one mina of silver to his heirs.

One who steals at a fire shall be thrown into the fire (§25).

In another series (§§26–41) the duties and privileges of soldiers, constables, and tax collectors are set forth, as are also the property arrangements in case of capture or death and the nature of the rewards for substitutes. Failure to follow orders, accepting bribes, or malfeasance of duty means death throughout. One who quits his property and flees the country to avoid military

service loses his property if he is away three years; if he returns after a year and performs his service, his property will be restored to him (§§30, 31). No feudal property may be given away or assigned for debt, but purchased property may (§§37–39).

The next division (§§41–66) deals with land ownership and land usage and includes the responsibilities of farmers, tenants, herdsmen, and gardeners. The lazy tenant must pay his rent none the less.

§42. If a man rent a field for cultivation and do not produce any grain in the field, because he has not performed the necessary work on the field they shall convict him, and he shall give to the owner of the field grain on the basis [of the yields of the adjacent (fields)].

Sections 43 and 44 deal with other details of the relation of the landowner and the lazy tenant. If a field be inundated and the crop destroyed, the loss is the tenant's, and he has no rent to pay (§§45, 48). If any of the crop remains, it shall be shared according to the contract.

§48. If a man owe a debt, and Adad [the storm-god] inundate the field or the flood carry the produce away, or, through lack of water, grain have not grown in the field, in that year he shall not make any return of grain to the creditor; he shall alter his contract-tablet, and he need not pay the interest for that year.

The careless property owner shall make full restitution for damages caused by his failure to act (§§53, 54). The same holds good for damages caused by the sheep of the careless shepherd (§§57, 58) and the man who is careless in an orchard (§59).

§53. If a man neglect to strengthen his dike, and do not strengthen his dike, and a break be made in his dike, and he let the water carry away the farmland, the man in whose dike the break has been made shall restore the grain which he has damaged.

§54. If he be not able to restore the grain, they shall sell him and his goods, and the farmers whose grain the water has carried away shall divide the results of the sale.

Sections 60–65 deal with the responsibilities of orchard managers and the system of payments for services rendered.

Sections 66–69 were the portion erased by the Elamite king on the original column, but most of the laws of that portion are known from the clay tablets containing duplicate texts of the

code. This section deals with the rights and duties of gardeners, the letting of houses to tenants, grain and money loans and the relationships of a merchant and his agents or traders. This later subject, with special emphasis on the money loaned to the trader to carry on his business and its use, return, and theft, is covered in §§99–107. Sections 108–126 deal with further commercial arrangements. A barmaid who overcharges or gives short measure is thrown into the water (§108). If a wine-shop [brothel] keeper allows disorderly or antilegal conduct in her house, she receives the death penalty.

§109. If outlaws hatch a conspiracy in the house of a wine-seller, and she do not arrest these outlaws and bring them to the palace, that wine-seller shall be put to death.

If a man accepts goods for transportation and then appropriates it for himself, when caught he must restore to the owner fivefold (§112). Sections 117–126 constitute debt and deposit regulations.

One lone section (127) makes the slander of a woman which cannot be proved an offense punishable by having the hair of the forehead cut off or by branding, as one translation puts it.

This section is followed by one of the most important divisions of the code, namely, the one laying down the regulations regarding marriage contracts; adultery; rape; divorce and separation; concubinage; type of immorality, particularly incest; marriage settlements; the property of women; the different forms of inheritance; and the adoption of children (§§128–193).

A definite marriage contract was legally essential. "If a man take a wife and do not draw up a contract with her, that woman is not a wife" (§128). Several statutes deal with adultery. An adulterous wife and her paramour are bound and thrown into the water. But if the husband spare his wife, the king shall spare the man (§129). If a man rape a virgin, he shall be killed, but she is without fault (§130). If a man falsely accuse his wife of adultery, "she shall return to her house" (§131); if others accuse her, for her husband's sake, she shall submit to the ordeal by water (§132).

Several laws involve the behavior of the wife when her husband is captive or has deserted her. If the man is captive, but his wife is well provided for, and she enter into another man's house and give herself to him, she shall be thrown into the water

(§133). If the man has left no provision, the wife is without fault—she is entitled to support (§134). If the man return after captivity, under the conditions just mentioned, the wife and any children she has borne in the interim shall be his (§135). If a man desert his wife and city, the wife is no longer his, and she need not return to him (§136).

The subject of divorce, including grounds and financial settlements, occupies several laws (§§137–143). If a man divorces a wife who has borne him children, she shall receive back her dowry and also her portion of "field, garden, and goods," to enable her to bring up the children (§137). If the wife has borne no children "he shall give her money to the amount of her marriage settlement, and he shall make good to her the dowry which she brought from her father's house" (§138). "If there were no marriage settlement, he shall give to her one mina of silver for a divorce" (§139). "If he be a common man, he shall give her one to three mina of silver" (§140). When the wife is seriously at fault the husband may divorce her without payment of any kind; under any conditions she loses status as wife.

> If the wife of a man who is living in his house set her face to go out, playing the fool, ruining her house, and belittling her husband, they shall convict her; if her husband announce her divorce, he may put her away. [For] her journey [home] no alimony shall be given to her. If her husband do not announce her divorce, her husband may take another woman. That woman [the first wife] shall dwell in the house of her husband as a maidservant (§141).

A wife also had the right to divorce her husband.

> If a woman hate her husband and say, "Thou shalt not have me," her past shall be inquired into for any deficiency of hers; and if she have been careful and be without past sin and her husband have been going out and greatly belittling her, that woman has no blame. She shall take her dowry and go to her father's house (§142).

But if she has not been careful and has been guilty of unwifely conduct, and apply for a divorce, "they shall throw that woman into the water" (§143).

The laws regarding concubines are fairly numerous (§§144–148) and indicate that the practice of employing them for various purposes was widespread. A man whose wife provides him with a concubine to bear children for her may not take one of his own

(§144). If the wife is childless and does not provide a concubine for her husband, he may take one, but she can never have precedence over the wife (§145). An upstart concubine may be reduced to slave status by the wife (§146). If she has borne no children, the mistress may sell her for money (§147). If a wife become diseased, the husband may take a concubine, but he shall maintain his wife as long as she lives (§148). If she wishes to go to her home, she shall receive back her dowry (§149). Property and debt settlements of husband and wife are briefly treated in three laws (§§150–152). This group is concluded with this significant law:

> If the wife of a man bring about the death of her husband because of another man, they shall impale that woman [§153].

The subject of incest within various hereditary and contracted relationships is treated at some length in the code (§§154–158), the penalties varying from expulsion from the city for a man having incestuous relations with his daughter to burning for both when widowed mother and son have sexual intercourse.

Sections 159 to 164 dispose of the subjects of the dowry and marriage settlements as affected by different types of property settlement and also by breaches of contract.

The subject of inheritance of property as it applies to children, concubines, the children of concubines, the children of slaves and free women, a daughter who becomes a nun or priestess or palace woman, and a daughter who becomes a concubine is extensively treated in §§165 to 184, indicating a great devotion to property. The estate left by a father shall be divided among the sons whom he had not yet set up for themselves (§165). When only the youngest son is unmarried at the death of his father the older sons shall give him not only his share of the estate but also money for a marriage settlement, so that he may marry (§166). Children of the first and second wife of a man shall inherit the common father's estate equally (§167). If in the opinion of the judges a father was not justified in disinheriting his son, the latter shall receive the property due his sonship (§168). Even a first offense worthy of disinheritance shall be condoned (§169). If a man recognizes the children of a concubine as his children, they and the children of his legal wife shall share the estate equally (§170). If he has not recognized the concubine's children as legal children,

they and their mother will be free at the man's death (§171). A legal widow cannot be evicted from her husband's house (§§171, 172). The dowry of a woman who has divorced her first husband and married a second is divided equally between the children of her first and second marriage (§§172A, 173). If she have no children by the second husband, the children of the first receive the dowry (§174).

The children of a slave who marries a free woman are not slaves (§175). When such a free woman's slave husband dies, she shall receive back her dowry, and

> they shall divide into two parts whatever her husband and she had acquired from the time they joined hands; the owner of the slave shall receive one-half, and the daughter of the man one-half for her children [§176].

If a father gives his daughter who has become a nun, a priestess, or a palace woman permission to do with her inheritance as she pleases, no one may say her nay when she does so upon his death (§179). But if he has not given her this discretion, she is subject to such disposition of her share of the paternal estate as her brothers may dictate (§178). But she must be given a share (§§180, 181), though upon her death it belongs to her brothers. If she has been given no dowry by her father before his death, she shall receive only one-third of the portion of a son (§§181, 182).

Sections 185 to 193 are concerned with adoption of children, evidently a common practice.

> If a man . . . take a young child for sonship [*i.e.*, adopt him] and rear him, one may not bring claim for that adopted son (§185).

Undue influence may not be used on parents to have them give up their son for adoption (§186). If a man does not teach his adopted son his handicraft, his actual father may reclaim him (§189). Furthermore,

> If a man do not reckon among his sons the young child whom he has taken for sonship and reared, that adopted son may return to his father's house (§190).

A man may not cut off an adopted son from sharing in his estate. He shall give him one-third the portion of a son (§191). If an adopted son of a chamberlain or a palace woman say, "Thou

art not my mother," they shall cut out his tongue (§192). If he discover his true parents and turn against his adopted parents who have faithfully reared him, "they shall pluck out his eye" (§193). Section 194 deals with the careless nurse. If through carelessness the child left in her care die, and she substitute another without the consent of the father and mother, "they shall cut off her breast."

The next group of laws (§§195–214) relates to penalties for assault and battery and for homicide. The *lex talionis*, graded according to class, prevails throughout.

If a son strike his father, they shall cut off his hand (§195).

If a man destroy the eye of another man [a patrician], they shall destroy his eye [§196].

If a man break a man's bone, they shall break his bone (§197).

If he destroy the eye of a common man [a working man] or break a bone of a common man, he shall pay one mina of silver [§198].

If he destroy the eye of a man's slave or break a bone of a man's slave, he shall pay one-half his price [§199].

The same principle obtains for various other blows and offenses against the body or person. A man is responsible for unintentional damages to another.

If a man strike [another] man in a quarrel and wound him, that man shall swear, "I did not strike him intentionally," and he shall be responsible for the physician (§206).

If a gentleman die as the result of an unintentional blow, the striker shall pay one-half mana of silver and, if a common man, one-third mana (§§207, 208).

If a man strike the daughter of a man [patrician] and bring about a miscarriage, he shall pay ten shekels of silver for her miscarriage, [§209].

If she dies, then daughter for daughter. If the woman suffering the miscarriage is the daughter of a commoner or is a maidservant, the penalties in either case are appropriately reduced (§§211–214).

Fixed fees, graded according to class, prevailed for physicians. For a major operation on a patrician the physician received ten shekels of silver, on a commoner five shekels, and on a slave two shekels from his owner (§§215–217). Vastly more significant

was the fact that the physician was severely punished for bungling an operation.

> If a physician make a deep incision upon a man with his bronze lancet and cause the man's death, or operate on the eye socket of a man with his bronze lancet and destroy the man's eye, they shall cut off his hand (§218).

If by his operation he cause the death of a slave, he shall restore to the owner a slave of equal value (§219). The same principles are operative for other forms of medical attention (§§220–223) and apply also to the services of veterinary surgeons (§§224, 225). Barbers who make slaves unrecognizable by their haircuts are severely punished if their act is done knowingly (§§226, 227).

Fixed wages for builders also exist (§228). One of the most remarkable laws in the code makes the builder responsible for the stability of his structure,

> If a builder erect a house for a man and do not make its construction firm, and the house which he built collapse and cause the death of the owner of a house, that builder shall be put to death (§229).

If the house in falling kills the son, the builder's son shall be killed (§230); if a slave, the builder shall give a slave (§231). Moreover, he shall produce, at his own expense, a firm house for the collapsed one (§232). Any necessary strengthening or repair of the house shall be at the expense of the builder (§233). The same principles apply to the builder of boats (§§234, 235). If a boatman loses a rented boat, he shall replace it to the owner (§236); if he lose another man's cargo, he must restore any portion sunk (§237). There are also provisions for damages in case of collision of boats (§240).

Another series of laws (§§241–277) deals with economic matters, such as the renting of oxen, the responsibility for loss of rented animal or article, together with tariffs of wages and charges for the use of draft animals and carts. Throughout, such principles as the following persist: The renter is responsible for the piece of property while he is using it, even to the extent of full restoration in case of loss or damage to the animal or article; workmen are severely punished for stealing property entrusted to them, *e.g.*, seed, sheep, or ploughs; wages are fixed;

the owner must accept losses due to a "visitation of God"; herdsmen must make good losses of stock through disease spread by their carelessness. Interesting indeed is §274 in which the wages of a variety of artisans—baker, tailor, lapidary, silversmith, carpenter, leatherworker, basket maker, and mason—are specifically set forth. Sections 244–251 are concerned with injuries to oxen and the case of the goring ox, also treated in Exodus 21:28–36.

The code concludes with a group of five sections (§§278–282) on the sale of slaves and the mutilation of a slave who denies his master. All but the last govern the void or invalid sale of slaves. The last law involves the renunciation of his master by a slave.

> If a male slave say to his master, "Thou art not my master," his master shall prove him to be his slave and shall cut off his ear [§282].

3. Summary of the Code.—Certain generalizations and principles of outstanding importance grow out of an examination of the code. The collection is distinctly a civil code; it contains no religious or ceremonial regulations. Crime is an offense against the state, which punishes it with merciless but impartial justice. The placement of the god Shamash at the head of the stele is merely a concession to the ancient fictions or attitudes of thought.

This, in turn, points to the existence of centralized power and well-organized social control. The code not only shows a highly organized legal system but also suggests a judicial organization and a corps of responsible enforcing officials. It implies the ability to deal with complex social, economic, and political matters through this central agency. It contains indirect reference to a broad system of social control, including law, religion, established classes, an involved family system, a varied mass of custom, personal prestige, and group ideals, enforced by public opinion as well as by statute and the other political institutions. These were potent agencies by means of which the individual was both persuaded and forced into conformity with the requirements of group order. Both the centralized power and the diversified social control imply a highly developed social consciousness, a willingness to abide by established authority, a self-respect and control of self, and a rather general recognition of the necessity of getting along in an orderly and cooperative manner.

Caste and status are imbedded in the code. Babylonian society was pyramidal, with social control mediated from class to class. This system served the political and economic needs of the time, subordinating groups, transmitting a unifying authority, and providing a scheme of penalty and award. At the apex was the king. His class was known as the *amelu*—patricians, nobility, gentlemen—consisting probably of the governors, nobles, the officers and ministers of state, the priests, the gently educated, the large landed proprietors, the bankers and large merchants. They were the ruling class and lived in *ekallu* or "great houses." The amelu had aristocratic privileges and liabilities, and the right to exact retaliation for corporal injuries, but he also bore the burden of heavier punishment for crimes and misdemeanors with higher fees and fines to pay. The *mushkinu*—commoners, plebeians, middle class—were probably the tradesmen and artisans, the tenant-farmers under the métayer system, and the free wage-earning population. They were free men, but had to accept monetary compensation for injuries and paid smaller fees and fines. They owned slaves and goods. The broad base of the social pyramid consisted of the *wardu*—slave, chattel, or "head"—who were owned by both amelu and mushkinu. They were used to do most of the work in house and field and constantly changed hands by sale, bequest, or when temporarily pledged for debt. These slaves in Babylonia could, however, acquire property and even hold other slaves. Their masters fed and clothed them, paid their doctor's fees, but took all compensation for injury done them. They were usually given a slave girl as wife but could marry free women, and in the latter case the children were free. Slaves could acquire wealth, from which the master took his share, and purchase their freedom. Slave girls were taken as concubines, and their sons often were accepted as patricians. The distinction of classes in the fixing of fines and punishments is characteristic of the code throughout. The illegality of an act was always regarded as of higher or lower severity corresponding to the difference in rank of the victims. The code could not dissociate the act either from the actor or from the one who suffered through it.

Both the code and the numerous contracts and other business documents found show that Babylonia was a great trading and agricultural community, in an advanced stage of civilization.

All economic activities and institutions were minutely regulated. The land was partly in the form of the king's estates and partly in the form of private property. Various ways of disposing of property were recognized, such as sale, lease, barter, gift, deposit, loan, and pledge, all of which were matters of contract, substantiated by the proper documents or oath of witnesses. Land might be farmed by the owner, by an employee, or by a tenant. Rentals, both land and all kinds of chattels, subject to a variety of qualifications and conditions, are minutely set forth. While the land laws usually favor the landlord, a fine spirit of justice prevails, as, for example, in the case (§48) where no interest need be paid when storm or drought destroyed the crop. Twenty-four laws relate directly to agriculture, and many others indirectly. Distinct provisions are made for all ordinary exigencies. Twenty-three laws, strikingly similar to the principles prevailing in the present Western world, cover the inheritance of property. Exact rules controlled all who took property of others into their custody, as, for example, traveling agents in charge of caravans, boatmen with cargoes, shepherds and other herdsmen with other men's livestock. Receipt had to be given for goods or stock received, and all losses had to be made good, except where these were due to "acts of God." The price of all labor, including that of skilled craftsmen, was specifically fixed by law.

In the field of criminal law the *lex talionis* prevailed among equals, and a system of graded fixed compensations among unequals, depending on the respective class of actor and victim. Death was freely awarded for various forms of theft, brigandage, disorder, shirking of state service, and criminal negligence. Specified forms of the death penalty, as impaling, burning, or drowning, were inflicted for certain crimes. Exile was inflicted for incest within certain degrees, and disinheritance for repeated unfilial conduct. Fines were widely used as compensation, and penalty for a great variety of offenses.

Carelessness, neglect, and inefficiency were severely punished. The careless irrigator had to pay for damages done by overflowing ditches. The unskillful surgeon's mistakes might cost him the loss of his hands or heavy fines. The careless or grafting builder of houses or boats, the inefficient veterinarian, the lazy or careless boatman or shepherd, all were required at least to make complete compensation for losses attributable to them.

Incidentally the prominence of physicians and the semi-scientific practice of medicine in Babylonia are revealed by a total of fifteen laws, most of which are, however, concerned with the fixing of fees for different services and for patients of different social standing.

Marriage and the family are treated at length, almost one-fourth of the code applying to these institutions. Marriage is a matter of contract and decidedly commercial or financial in its nature, involving always a dowry and usually also a bride price or "marriage settlement." Divorce for cause was possible by either husband or wife, always accompanied by the appropriate readjustments of property, dowry, bride price, and occasionally, under specific conditions, by alimony. Adultery and incest were variously punished depending upon circumstances and degrees of relationship. While monogamy prevailed, concubinage was not uncommon. The children of concubines were frequently legitimatized. Responsibility was fixed upon the man for the support of his wife and children. Inheritance was highly developed. Adoption was adequately safeguarded against abuse. Progeny were the primary objective of marriage.

The position of women was unexampled in antiquity. The wife was always mistress of the dowry that she brought and could spend her money as she pleased. The unsupported or deserted wife was free to acquire a husband capable of supporting her. Women had the right of divorcement. The contract tablets and other legal documents show that women invested their money and sold estates and slaves, lent money on interest, and even went to law in their own names. They could become scribes, even members of judicial bodies, and own and manage businesses of their own.

The impression one receives is that everything is absolutely and specifically regulated. While the regulations are harsh and severe in certain respects, and always direct and unbending, they are by no means lacking in humanitarian considerations. For example, bodily injury inflicted in a quarrel without intent or an accidental blow that causes a miscarriage does not carry the full penalty. Justice is tempered with reason, if not with mercy. The code is characterized by a despotic, and yet on the whole beneficent, paternalism. It constitutes the enactments of a strong and imperious ruler who is guided by a surprisingly

high sense of justice and dominated by the finest social, ethical, and political motives to which the civilization was heir and that the complex conditions permitted. It is the law code of a great secondary group, composed of culturally and racially diverse peoples in impersonal relations. Thus both its humanitarianism and its justice are legal and not personal.[1]

III. The Wisdom Literature

The active commercial and political life of Babylonia unavoidably led to thought along legal and administrative lines and to the development of commercial instruments and legal and political institutions. The great mass of the thousands of inscriptions and tablets which have come from the ruins of the Tigris-Euphrates valley are devoted to these aspects of life. There is evidence, nevertheless, based on a comparatively small number of examples, of wisdom literature; evidence that occasional individuals were thinking about their more informal personal conduct, their daily relations with and duties toward their neighbors, and also occupied themselves with more abstract thinking along the lines of social ethics. Among these fragments are partial lists of proverbs, maxims, aphorisms and admonitions, statements of purity and excellence, some criticism of social practices, and bits of sober contemplation about life which no student of social thought can afford to miss. As in Egypt and throughout the Orient, many of these were doubtless used in instructing the pupils in the schools of the scribes.

While the sage, who did much of this thinking, was not so important in Babylonian life as a whole as the military leader, the lawgiver, the trader and banker, or even the magician or priest, he did function as thinker and teacher. On the back of one of the Creation tablets is this reference to the wise man:

[1] For excellent summarizing treatments of the code see R. C. Thompson, *Cambridge Ancient History*, Vol. I, pp. 516–528; M. Jastrow, Jr., *The Civilization of Babylonia and Assyria*, pp. 283–316; C. W. H. Johns, *Hastings' Dictionary of the Bible*, Vol. V, p. 584*ff.*; C. W. H. Johns, *The Oldest Code of Laws in the World*, pp. 1–59; C. J. Gadd, *Encyclopedia Britannica*, 14th ed., Vol. II, pp. 862–864; A. H. Sayce, "The Legal Code of Babylonia," *American Journal of Theology*, Vol. VIII, pp. 256–266, 1904; C. F. Kent, "The Recently Discovered Civil Code of Hammurabi," *Biblical World*, Vol. XXI, pp. 175–190, 1908; G. E. Vincent, "The Laws of Hammurabi," *American Journal of Sociology*, Vol. IX, pp. 737–754, 1904.

Let the elder enlighten,
Let the wise, the learned, meditate together,
Let the father rehearse, make the son apprehend.

Practically all of the actual tablets on which this wisdom literature is found are from the famous library at Nineveh of Ashurbanipal, Assyrian conqueror, who reigned in Babylon as King Kandalanu (647–626 B.C.). To him all later ages owe an eternal debt of gratitude for the great work of collecting the ancient literary treasures of Babylonian civilization. Many, perhaps most, of the writings go back to much more ancient times. A goodly number are traced back to Hammurabi's era, perhaps occasionally to collectings and editings under his auspices, and some have their origins back in ancient Sumerian and Semitic culture. Langdon states, "It is not at all unlikely that profound wisdom of this kind was current in the Babylonian schools as early as 2300 B.C. or the period of Isin, Larsa, and Babylonian dynasties.[1] With the advances of archaeology in the Tigris-Euphrates valley our knowledge of Babylonian wisdom literature is slowly increasing. In due time we may possess enough of it to enable us to know it in all its various aspects.

1. A List of Admonitions.—A magnificent fragment is the following collection of admonitions. The text, though not the specific copies, Langdon believes, goes back to Hammurabi or earlier, while the thought he maintains to be of Sumerian origin.[2] A copy from Ashurbanipal's library yielded two versions, while a third, written in neo-Babylonian, is also known.[3] Incidentally in it is found the great thought that recurs in practically all of the world's significant cultures: "Recompense evil with good." The

[1] S. H. LANGDON, "Babylonian Proverbs," *American Journal of Semitic Languages and Literature*, Vol. XXVIII, p. 218, July, 1912.

[2] S. H. LANGDON, *Babylonian Wisdom*, pp. 88–92, London, 1923.

[3] British Museum K. 3364, K. 7897, K. 8282; see L. W. KING, *Cuneiform Texts of the British Museum*, Vol. XIII, pp. 29–30; H. Macmillan, *Some Cuneiform Tablets Bearing on the Religion of Babylonia and Assyria*, No. 2, in *Beiträge zur Assyriologie*, Vol. V, pp. 531–712; R. W. ROGERS, *Cuneiform Parallels to the Old Testament*, pp. 175–178, New York, 1912; M. JASTROW, JR., *The Civilization of Babylonia and Assyria*, pp. 464–465, Philadelphia, 1915; LANGDON, "A Tablet of Babylonian Wisdom," *Proceedings of the Society of Biblical Archaeology*, pp. 105–116, 131–138, 1916; BUDGE, *op. cit.*, pp. 153–155.

collection reminds one somewhat of the Wisdom of Jesus, Son of Sirach.

Thou shalt not slander—speak what is pure!
Thou shalt not speak evil—speak kindly!
He who slanders and speaks evil,
Shamash [god of justice] will visit it on thy head.

Do not speak boastfully—guard thy lip.
If in anger—do not speak out.
Speaking in anger, thou shalt regret it later
And in silence nurse thy sadness.

Speak not evil of thy friend and companion;
Do not speak meanly—speak what is kindly!
If thou promisest, give what thou has promised.
If thou has encouraged him, leave him not afterwards at loss.

On the reverse of the tablets are found the statements

Their [the members of one's household] shalt thou not take away,
Thou shalt not tyrannically oppress them.
With one who thus acts, his god is angry,
He is not pleasing to Shamash; he will requite him with evil.

Give food to eat, give wine to drink,
Seek the truth, avoid what is wrong.
With him who thus acts, his god is pleased,
He is pleasing to Shamash; he will requite him with good.

Be helpful and kind to the servant.
The maid in the house do thou protect.
In the mouth of the people thy reputation thus shalt be wholesome.

Render aid and be merciful always.[1]

To these the translation by S. H. Langdon adds the following choice passages:

Force not thyself into an assembly of men to tarry there, and seek not out the place where there is contention.
For in the strife they will compel thee to come to a division [*i.e.*, to take a side],

[1] Translation thus far by L. W. King.

Thou wilt become involved in their seeking for testimony,
And in a case with which thou hast nothing to do they will drag thee forward as a witness.

Harm not in any way thine adversary.
Recompense the man who doeth evil to thee with good.
Oppose thine enemy with righteous dealing.

Marry not the strange woman [harlot] whose lovers are many.
The maiden of Ishtar [temple prostitute] whose person is dedicated to the goddess,
The woman servant of the temple whose strength [speech] is abundant,
Will never be a support to thee in thy misfortunes,
In thy fighting she will exert herself against thee.
Reverence and obedience [or submission] exist not in her.
If she entereth thy house, lead her out,
For her mind is set upon the path of the stranger.
Finally, the house into which she setteth her foot is destroyed, and the man who hath married her will remain unhappy.[1]

This work reveals a high level of morality and a profound practical social wisdom.

2. A Babylonian Pessimist.—Another tablet from the ninth century B.C. carries a theme which also undoubtedly is much older. The sage, a Babylonian Koheleth, arrives at the pessimistic conclusion that the rich and the evildoers alone are fortunate. Perhaps, therefore, they are really the wise. At any rate, men worship riches and folly and will not learn otherwise.

The powerful man is wise and a possessor of discretion,
The heart of God is as far removed as the centre of heaven;
His might is felt in heaviness, yet men will not learn.
All the handiwork of the goddess Aruru [a mother and earth-goddess] is but a breath of air.
The son of a prince is in all respects preferred.
The fool begets a son of renown;
The strong and brave begets one whose name is altered.
So be it. Why should I bemoan, O God? Men will not be taught.
Heed then, my friend, give ear to my counsel,
Guard the choice speech of my wisdom.
Men prize the word of the man of note who hath learnt to slay,
Men belittle the weak who have no sin.

[1] *Babylonian Wisdom*, pp. 88–92.

Men testify for the wicked to whom crime is righteousness;
Men drive out the upright man, who seeks the advice of God.
Men give full measure of precious metal for him whose name is robber;
Men plunder the income of him whose sustenance is scanty.
Men give power to the victorious whose gathering is crime;
Men destroy the weak and smite the feeble.
Me too, enfeebled as I am, do the great ones persecute.

The piece ends with the reflection that, in the end, for rich and poor alike comes the "secret of death." The face grows pale, and the journey over the river of the dead must be undertaken. But even this certainty does not affect the foolishness of mankind, who continue to worship the idol of riches.[1]

3. An Incantation with High Social Motives.—A tablet going back to the period 2100–1100 B.C. contains most of an incantation, intended to remove bans and curses of all kinds, through ritualistic utterances and ceremonies. The sufferer asks the priest to intercede with the god in his behalf and discover the lapses of behavior responsible for his misfortune. The questions most clearly social in their implications are included herewith. They indicate that in Babylonia, as well as in Egypt, as early as 1500 B.C. there existed a formulated list of obligations, fully half of them social in nature. In spirit this list is similar to the Egyptian *Negative Confessions*. An occasional line, due to wear, cannot be deciphered. The priest asks in behalf of the suppliant:

Has he spoken evil?
Has he spoken hatefully?
Has he spoken unlawfully?
Has he . . . bribery caused a judge to receive?
Has he upon the fallen trampled?

. . . . . .

Has he set a son at variance with a father?
Has he set a father at variance with a son?
Has he set a daughter at variance with a mother?
Has he set a mother at variance with a daughter?
Has he set a daughter-in-law at variance with a mother-in-law?

[1] See T. Eric Peet, *A Comparative Study of the Literatures of Egypt, Palestine and Mesopotamia*, pp. 125–126, by permission of the British Academy and the Oxford University Press, London, 1931; B. Meissner, *Die Babylonische-Assyrische Literature*, in the series *Handbuch der Literaturwissenschaft* (Wildpark), Potsdam, 1927; A. Jeremias, *Babylonische Dichtungen, Epen und Legenden*, pp. 14–15, Leipzig, 1925.

Has he set a mother-in-law at variance with a daughter-in-law?
Has he set a brother at variance with a brother?
Has he set a friend at variance with a friend?
Has he set a companion at variance with a companion?
Has he not set free a prisoner or loosed a captive?
Has he not let a prisoner see the light?
Has he said of a prisoner [captive], "Seize him," or of a bondman, "Bind him"?

. . . . . .

Is it offense against . . . hate against an older brother?
Has he despised father and mother; has he insulted an elder sister?
Has he yielded in little things [and] refused in great?
For No, said Yes?
For Yes, said No?
Has he spoken an unsuitable word; has he a rebellious . . . ?
Has he spoken coarsely?
Has he used false weights . . . ?
Has he accepted counterfeit money; has he not accepted good money?
Has he driven out a righteous son; has he an unrighteous son set up?
Has he set up a wrong landmark; has he not set up a right landmark?
Has he entered his neighbor's house?
Has he approached his neighbor's wife?
Has he shed his neighbor's blood?
Has he taken away his neighbor's garment?
Has he not set a man free from force?
Has he driven away a brave man from his family?
Has he broken up a united family?
Has he lifted himself up against a superior?
Was his mouth straightforward, but his heart false?
Did his mouth consent, but his heart deny?
Is it on account of evil which he thought?
To pursue the just and oppress him,
To destroy, drive away, cast down,
To set up power, to stir up, to cause to speak against,
To do evil, to rob, to cause to rob,
To busy himself with evil?
Is his mouth loose and foul?
His lips are they deceitful, contentious?
Has he taught impurity; unseemliness commended?
After evil has he followed?
Has he exceeded the bounds of right?[1]

[1] From *Cuneiform Parallels to the Old Testament* by Robert W. Rogers, copyright 1926, by permission of The Abingdon Press; ROGERS, *Religion of*

4. "Eat, Drink, and Be Merry."—Gilgamesh, the great Babylonian mythical hero, comes to a maiden Sabitu, who is pictured as dwelling by the sea. She proclaims to the hero, who is low in spirit, the philosophy found somewhere in the literature of every people. This rendition goes back to about 2000 B.C.

O Gilgamesh, why dost thou run in all directions?
The life that thou seekest thou wilt not find.
When the gods created mankind,
They determined death for mankind;
Life they kept in their hands.
Thou, O Gilgamesh, fill thy belly,
Day and night be thou merry,
Daily arrange a merry-making,
Day and night be joyous and content!
Let thy garments be pure [*i.e.*, a sign of joy]
Thy head be washed, wash thyself with water!
Regard the little one [*i.e.*, your child], who takes hold of thy hand,
Enjoy the wife [lying] in thy bosom.
Peaceably do your work.[1]

5. Proverbs.—Parts of a bilingual book of proverbs, written in both Sumerian and Babylonian, have been found which are confidently thought to go back to the first Babylonian dynasty. They may, of course, be much older than this, since they were apparently originally written in Sumerian and then translated into Semitic (Babylonian). The lists, from which those below have been selected, were arranged as reading lessons for students.

A hostile act thou shalt not perform, that fear of vengeance shall not consume thee.

Does a woman conceive when a virgin or grow great without eating?[2]

Babylonia and Assyria, pp. 157 *ff.*, New York, 1908; M. JASTROW, JR., in *The Sacred Books and Early Literature of the East*, Vol. I, pp. 249–250, New York and London, 1917; H. ZIMMERN, *Die beschwörungstafeln Shurpu*, Leipzig, 1901.

[1] The thought of this, even the phrases in parts, are identical with *Eccles.* 9:7–9.

[2] Another translation runs, "Without copulation does a woman conceive, and without eating does she become corpulent?" A parallel proverb states, "Copulation supplies milk to give suckle." S. H. Langdon says, "The point of this proverb appears to be that procreation must precede birth and the nursing of children. Both of the proverbs . . . are probably aimed at the indolent wives of Babylonia who sought after luxury and

Though I toil they take away from me, and though I toil even more and more, who repays me?

[He that says] "Oh, that I might take revenge and even add to it more!" is like unto a man that draws water from a well in which there is no water and rubs his skin without anointing it.

He has dug a well where no water is; he has raised a husk without kernel.

The strong live by their own wages; the weak by the wages of their children.

He is altogether righteous and good, yet he is clothed in rags.

My knees go, my feet are unwearied; but a fool has cut into my course.

His ass I am; I am harnessed to a mule; a wagon I draw; to seek reeds and fodder I go forth.

The life of yesterday, it is every day the same [*i.e.*, nothing new under the sun].

If the seed corn be not sound, it will not produce verdure and create seed.

The tall grain thrives, but what do we understand of it? The meager grain thrives, but what do we understand of it?

The city whose weapons are not mighty—from before its city gate the foe shall not be warded off.

If thou goest and takest the field of an enemy, the enemy will come and take thy field.

Upon a glad heart oil is poured out of which no one knows.

Friendship is for the day of trouble; posterity for the future.

Friendship in days of prosperity is servitude forever [or Enter into a friendship the very first day and thou dost thereby deliver thyself into everlasting servitude].

Writing is the mother of eloquence and the father of artists.

If there be strife in the abode of relations, there is eating of uncleanness in the place of purity [meaning strife in a family is compared to defiling a holy place with filth and calumny].

Strife you find among the servants, gossip among barbers.

Be gentle to the enemy as to an old oven.

The gift of the king is the nobility of the exalted; the gift of the king is the favor of governors.

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shrank from motherhood, a burden which many left to slave wives. They cannot expect descendants of their own blood without complying with the laws of nature." "Babylonian Proverbs," *American Journal of Semitic Languages and Literature*, Vol. XXVIII, p. 221, July, 1912. Repr. by permission of the University of Chicago Press.

Thou art so offensive that when thou goest into the river the water becomes foul, and when thou goest into the garden the fruit grows bitter.

A drunken man has the strength of a woman.

With disease that cannot be cured and hunger that cannot be stilled, a coffer of silver and a trunk full of gold are not able to restore health or to still hunger.

The ox of an enemy shall eat weeds, one's own ox shall be in fat pasture.

Like an oven which has become old thy changing is difficult [or, it is difficult to change thee].

Words thou shalt not employ falsely.

Evil thou shalt not do, and so an everlasting treasure thou wilt obtain.

If I call unto him, lo! he is one born of woman. If I polish him, lo! he is but unburnt brick.

A joyful [lewd] woman at the gate of the house of a judge—her word prevails over that of her husband.

Once or twice he has made gains; yet he is not content [meaning, The more a man has the more he wants].

By himself he dug and wrought [meaning, If you want a thing done, do it yourself].

The tenant of the farm two-thirds of the produce on his own head to the master of the orchard pays out.[1]

IV. Letters, Contracts, Bills of Sale

The various letters, private as well as official, and the business documents have special interest and value, inasmuch as they reveal the intimate details of Babylonian life, in its public, commercial, and private aspects. The private letters carry requests, news good and bad, and depict personal and family situations and attitudes. The public letters are of a political or diplomatic nature and contain orders to subordinates, proclamations, petitions, and reports. The legal documents are largely concerned with buying and selling, leasing and renting, marrying, giving in marriage, divorce, forming of partnerships, going into bankruptcy, suffering wrong and going to law, granting power of attorney, and willing away and inheriting property.

[1] See Langdon, *ibid.*, pp. 217–243; S. H. Langdon, *Babylonian Wisdom*, pp. 82–87; G. A. Barton, *Archaeology and the Bible*, pp. 467–468, Philadelphia, 1927; *Sacred Books and Early Literature of the East*, Vol I, pp. 246–247, New York, 1917; R F. Harper, ed., *Assyrian and Babylonian Literature*, pp. 448–450, New York, 1901.

In short, the struggles and achievements, disappointments and sorrows, loves and hates are all mirrored here. Some of the clay tablets forming these different types of documents go back at least to the time of Dungi (2456–2398 B.C.).[1] Since thousands upon thousands of tablets of this type are now available, only a few of the more typical can be given.[2]

A private letter informing relatives of having moved to a different district and making a request for news about relatives:

Letter of Iddina [the writer] to the Lady Kudashu:

My Lady! Daily I implore Bel and Nabu to grant long life and happiness to my lady. Through the protection of the gods I am well and all with me [are well]. Do not worry on my account that you have not received word. Since the month of Siwan [third month] I have removed to the land of Paniragana under the guidance of Bel and Nabu.

Iddina has asked for news about Ina-Marduk his father and Ina-E-sagila-ramat his mother. Iddina has asked for news about Shullumu his father and Damka his mother. Iddina has asked for news about Duinuk his brother.

By the life of the gods, why do not I get any news from them?[3]

A letter from a husband to his wife, telling her to take good care of the house:

Nabu-zer-ushabshi to Sekku, my wife. May Bel and Nabu proclaim good health and long life to my wife! Through the protection of the gods I am well, and Bel-iddin also is well. Now I have sent a message to Iddin-Marduk, the son of Ikisha, that he should give thee 10 gur of grain. Do not neglect the house. Have a look to things. Pray to the

[1] LANGDON, *Cambridge Ancient History*, Vol. I, p. 453.

[2] Some of the more accessible collections are C. W. H. JOHNS, *Babylonian and Assyrian Laws, Contracts, and Letters*, Edinburgh, 1904; R. W. ROGERS, *Cuneiform Parallels to the Old Testament*, pp. 241–282, New York, 1912; M. JASTROW, JR., "Text Book Literature of the Babylonians," *Biblical World*, Vol. IX, pp. 248–268, 1897; A. UNGNAD, *Babylonian Letters of the Hammurabi Period*, University of Pennsylvania Museum, 1915; L. W. KING, *Cuneiform Texts from Babylonian Tablets, Etc., in the British Museum*, Vols. XXII, XXIII, London, 1896; L. W. KING, *Letters and Inscriptions of Hammurabi*, No. 5, London, 1900; E. A. W. BUDGE, *The Tell-El-Amarna Tablets in the British Museum*, London, 1892; H. F. LUTZ, *Old Babylonian Letters*, University of California Publications in Semitic Philology, Vol. IX, No. 4, pp. 279–365.

[3] *Cuneiform Texts*, XXII, No. 6.

gods on my behalf. Let me hear through some message what you are thinking of.[1]

A peremptory request for money of the Hammurabi period:

To Adaiatum speaks as follows Ili-ishmeanni:
May Shamash and Marduk grant you life. Send on the money which you spoke of. As I told thee, I need it. In any case, by all means send it to me.[2]

A letter of the Hammurabi period asking the performance of three commissions:

To Etiatim speaks as follows Ili'u-Shamash:
May Shamash and Marduk grant you life! I am well. (1) It is impossible for me to come to see you. I am obliged to go to Gatana. (2) The she-ass and a young one of good breed, let the butcher kill for me. The young one I got from Belanu, son of Sin-terrim, for 5½ shekels of silver. Two shekels of silver I gave him. Three and one half shekels of silver give him. Do not give him more or less. Let him weigh the silver for me. (3) As to the one female slave which I left with you, do not put her to service. Sell her for silver on my account. Hand over 7½ ka of sesame and take a receipt for 2 gur. One gur you have received, and this leaves 1 gur.[3]

A letter from King Hammurabi ordering a canal to be cleaned out:

To Sin-idinnam, Hammurabi speaks as follows:
Gather the men who have fields along the Damanum canal to dig [clean out] the Damanum canal. Within this month, let them complete the digging of the Dawanum canal.[4]

An order by Hammurabi to investigate a charge of graft against an official:

To Sin-idinnam, Hammurabi speaks as follows:
Shummanlailu has reported as follows:
Bribery has taken place in Dur-Gurgurri. The man who took the bribe and the witness to these matters are here. Thus he [*i.e.* Shummanlailu] has reported. Now this Shummanlailu and a watchman and

[1] *Cuneiform Texts*, XXII, No. 151.
[2] *Cuneiform Texts*, XXXIII, Plate 25.
[3] *Cuneiform Texts*, Plate 22.
[4] L. W. King, *Letters and Inscriptions of Hammurabi*, No. V, London, 1900.

one . . . I am sending down to thee. When you receive this tablet, investigate it, and if bribery has taken place, send me an official report of the silver and whatever is [involved] in the bribe, and [send] to me the men who took the bribe and the witnesses to these matters.[1]

Letter of the First Dynasty of Babylonia from a tenant or serf to his landlord:

To my lord say, Thus saith Ibgatum thy servant:

As, my lord, thou hast heard, the enemy has carried off my oxen. Never before have I sent to thee, my lord. Now I have caused a letter to be brought to thee, my lord. Do thou, my lord, send me one young cow. I will weigh out and send five shekels of silver to thee, my lord. My lord, what thou sayest, under the command of Marduk, thy protector, what pleases thee, no one can hinder thee, my lord. My lord, do thou make her worth the five shekels of silver that I have weighed out and sent to thee. Do thou, my lord, treat seriously this request, do not trifle with my wish. Let my lord not wonder at this request, which I send my lord. I am thy servant. I will do thy will, my lord. As to the young cow, which thou, my lord, dost send, let her be on credit, and either to Basu, or wherever is convenient to my lord, do thou send. With Ili-ikisham, my brother, let the young cow come. And I, in order that my lord should quickly consent and send the young cow, will forthwith weigh out and send fifteen shekels of silver to thee, my lord.[2]

Letter of an absent son to his father during the first dynasty:

To my father, say, Thus saith Zimri-erah, may Shamash and Marduk give thee health forever. Be thou well. I have sent for thy health. Tell me how thou art. I am located at Dur-Sin on the canal Kashtim-sikirim. There is no meat fit to eat. Now I have made them bring two-thirds of a shekel of silver to thee. For this money send some nice fish and something to eat.[3]

A receipt for interest on money loaned:

One-half mina of silver at an interest of one shekel for five shekels [20 per cent per year], from Ur-Dun-pa-e, Gir-ni-ni-shag has received. Month Gan-gan-e [ninth month] in the year when the lord of the goddess of Uruh was appointed.[4]

[1] KING, *op. cit.*, No. VIII.

[2] From *Warka Texts*, 2185.

[3] *Sippara Text*, 273.

[4] D. V. MYHRMAN, *Sumerian Administrative Documents*, No. 22, Philadelphia, 1910.

The record of the sale of a slave:

One male slave . . . -lum by name, for 11 shekels of silver, to Ur-E-Lugal-ani, Ur-Nusku, the commission broker has bought. In the presence of Gudea, the MU of the arelime, Shu-dug-ga-zi-da, the kalu priest . . . as witnesses. Month Azag-Shiru [seventh], ninth day in the year when Bar-Sin destroyed Urbillum [*c.* 2372 B.C.].[1]

A marriage agreement drawn up before a notary:

Judicial settlement: Ninmar, son of Lu-Nannar, appeared and said, "In the name of the king, Lu-Dingirra, son of Guzani, is to marry Damgula, my daughter. Arad, son of Ur-lamma, and Ur-shid, son of Lu-Nannar [the bride's brother], take an oath to this [witnesses]. Lu-dingirra has been married to Damgula.

Ninmar for a second time appeared and said: "Nin-azag-zu, daughter of Guzani, is to marry my son, Sib-kini." It is attested that the name of the goddess Ninmar and the name of the king were invoked in an oath.

Sib-kini, the shepherd, has been married to Nin-azag-zu, Til-e-makh-ta being the *mashkim* [notary], Lu . . . and Ur-ka-silim judges. In the year following the destruction of Sinanu [*c.* 2361 B.C.].[2]

Purchase of a cow:

A cow at the price of 6½ shekels of silver from Lugal-erin to Lu-absa, son of Slupia, is confirmed. Ur-Ish-Bau, son of Ur-dun [and] Kalamma, the *nipush*, have sworn. Ur-nigin-gar, *mashkim*.[3]

Record of the sale of a daughter by her father as concubine and maidservant during the reign of Hammurabi:

Shamash-nuri, the daughter of Ibi-Sha-a-an, has been bought from Ibi-Sha-a-an, her father, by Bunene-abi and Belizunu [man and wife]. For Bunene-abi, she is a wife [*i.e.*, a concubine], for Belizunu, a maid. At any time that Shamash-nuri says to Belizanu, her mistress, "Thou art not my mistress," she is branded and sold for silver. The full price of 5 shekels has been weighed out. The staff has been handed over. The transaction is consummated. His heart [*i.e.*, the seller's] has been satisfied. For all times no claim can be made by one party against

[1] MYHRMAN, *ibid.*, No. 15.

[2] V. SCHIEL, *Recueil de travaux relatifs à la philologie et l'archéologie Égyptienne et Assyrienne*, Vol. XXII, pp 153–154, Paris, 1903.

[3] Quoted in M. JASTROW, JR., *Civilization of Babylonia and Assyria*, p. 319, Philadelphia, 1915.

the other. In the name of Shamash, Â, Marduk, and Hammurabi they have sworn.[1]

A divorce settlement:

Judicial settlement: Lu-Babbar, son of Nig-Bau, rejects Gin-Enlil [his wife]. Gin-Enlil appeared and said: "In the name of the king give me 10 shekels of silver in lieu of a judicial settlement." He has paid her 10 shekels of silver. Duggi-ul and Uku-il, farmer, have sworn to this, Ur . . . being the *mashkim*. In the patesiate of Ur-Lamma (*lagash*) The year of the destruction of Kharshi and Khumurti [c. 2374].[2]

The transfer of a piece of urban property:

7½ gin improved property, adjoining the house of Ali-Akhati, with the long side facing the street, the house of Adad-rabi, son of Ur-Innanna. from Adad-rabi, son of Ur-Innanna, Apil-Sin, son of Bulalum, has bought. As its price in full 2½ shekels and 15 she [180 she = 1 shekel] of silver he weighed out. For all times, Adad-rabi shall not make any claim on the house. In the name of the king he has sworn an oath, before Sin-garrol, son of Buggani-dug, Elali, son of Nabi-ilishu, Ur-Ningishzida, son of Nurum [and], Azag-Nannan [as] the scribe. Month of Gan-Gan-e, in the year when King Sin-ikisham made a statue of gold and silver [c. 2195 B.C.].[3]

There is very little literature from ancient times that reveals more intimately and concretely the daily life, the institutional organization, and the special cultural peculiarities of a people than the documents in tablet form from old Babylonia, of which the few presented above are typical.

V. Conclusion

It is possible that the disproportionately large amount of commercial and legal literary remains coming down to us, as compared with all other types, was characteristic of the situation actually existing in ancient Babylonia. Its teeming economic activity and its ever changing and shifting political sovereignties of necessity demanded devotion to the problems of regulation and regimentation thus produced. At the same time the magnificent folklore of the *Gilgamesh Epic*, with its

[1] King, *Cuneiform Texts*, Vol. VIII, No. 22b.

[2] Quoted in Jastrow, *op. cit.*, p. 322.

[3] Chiera, *Legal and Administrative Documents from Nippur*, No. 22, Philadelphia, 1914.

culturally significant creation and deluge myths, and a vast array of other cosmological, philosophical, and mythological writings indicate a wide and profound interest in other matters.

The literature with a distinct sociological bearing, though relatively scarce as compared with the available materials of these other related types, nevertheless gives us a concise and clear-cut impression of the extent and nature of their consciousness of matters social. Furthermore, not only was much thought devoted to problems of order and the administration of complex, racially diverse, impersonal groups, but also much concern was given to the ethical aspects of personal relations, discreet and expedient behavior based on long experience and observation, and the avoidance of folly and false values. Men of vision were making criticisms of social trends and epochs; others were developing something in the way of primary-group social philosophies; sages were writing and teaching admonitions and proverbs.

The conclusion is also unavoidable in the light of the millenniums of social history of the Tigris-Euphrates valley, that a vast amount of thinking had been done on all the problems—psychological, political, economic, sociological—involved in the organization of efficient and reasonably durable human societies. Either accident or circumstance has decreed, however, that only scattered fragments of this should have survived in written form for the students of later centuries.

CHAPTER V

ANCIENT LAW WITH SPECIAL EMPHASIS UPON THE ASSYRIAN AND HITTITE COLLECTIONS OF LAWS

I. The Social Significance of Early Law

Law is an outstanding phase of the institutional complex of any society, for it consists of the rules that govern the individual members in their dealings with one another and with the associations to which they belong.[1] It imposes the legal requirements with regard to the forms of behavior that are indispensable if established human groups are to function efficiently and survive, and it enforces these by external or penal sanctions. It is a key institution in another sense also in that, in the last analysis, most of the basic jurisdictions—economic, political, domestic, religious, educational—get their indispensable requirements written into the law of the land in order that these various minimal prerequisites of social life in human aggregates be met without fail. Thus law, to a considerable extent, summarizes the social control of a group and through that points not only to the other institutions but also to a number of related conditions, such as the ethical level that the group has achieved; the major contemporary social trends and the eliciting and repressing policies that seem to be necessary in coping with them; the forms of property, its administration and descent; the position and relationships of various population elements; and the general social philosophy prevailing, especially the nature of justice. In brief, law that has endured for any time and been effective reflects the mental patterns, the social conscience, and the routinary social and institutional behavior of that people fairly accurately. It is a definite and fairly durable form of social evidence or source material.

At the same time it must be frankly admitted that law by no means gives a completely accurate picture of a culture. Law notoriously has in it many lags, due to its conservative tendency

[1] *Cf.* J. Declareuil, *Rome the Law-giver*, pp. 3–4, New York, 1926.

to retain survivances and anachronisms. This causes it, at any given time, to reflect the characteristics of a past age. At various times in the past it has not reflected the culture of the people as a whole but, being imposed upon them by an elite, an oligarchy, a priesthood, or a conqueror, actually has been culturally superior to and above the ready comprehension of the mass. Throughout history there has also been a considerable official borrowing of laws from peoples of prestige with whom contact was made, that were, as a matter of fact, neither accepted nor respected as actual daily legal requirements. Furthermore, the actual practices of the majority may nullify many a written law and convert it into a dead letter, a fact of which a later historian may not be cognizant. Finally, while codification gives law a desirable unity and stability, it tends to crystallize it and give it a prestige and a sanctity that may hold it intact beyond the time when it accurately reflects the social needs of a people. In spite of these possible shortcomings, ancient legal codes deserve a far wider study than they have received thus far, as a source both of social thought and of a knowledge of some of the more important social institutions.

Thanks to the work of the archaeologist, considerable portions of three great legal documents from the ancient Near East are now available. They are the Code of Hammurabi, from the First Dynasty of Babylonia, discussed in the preceding chapter; the ancient middle Assyrian Code of the fourteenth or thirteenth centuries B.C., available for study since 1920; and the Hittite Code written around 1350 B.C. and discovered in 1907. To these must be added the long-known and extensive Hebrew Code, the earliest editings of which occurred 900–750 B.C.; the ancient Persian civil-religious Code in the *Vendidad*, the material of which dates back to 600 B.C. and probably much earlier; and a series of Hindu legal codes, several of which are prior to 400 B.C. What we have of these codes exists as facts, as concrete case material available for treatment by the appropriate method. Examined in the light of their environmental and cultural backgrounds, their historical epoch and sequences, and the eccentricities of their development, what do they reveal for the student of social thought and social institutions? What common characteristics and what unique elements present themselves, and why? As was done in the case of the Code of Ham-

murabi, the Hebrew and Persian codes will be treated as an integral part of the thought of their respective cultures. The Assyrian and Hittite codes, on the other hand, stand almost alone as available and appropriate examples of the social thought of their times. Much material is found in the great library of the Assyrian emperor Ashurbanipal at Nineveh which might be considered under an Assyrian heading. Most of it, however, is definitely known to have come from Babylonian times. The Assyrians were its collectors and editors, not its creators. Hence we have considered this as part of Babylonian thought. Some 1500 ancient Assyrian letters have been found, as well as an equal number of business documents. While these are of vast importance in themselves, they bear only indirectly upon our study.[1]

A few concluding observations must be recorded before taking up the Assyrian and Hittite codes in some detail. A study of ancient law at best must be more or less incomplete, for in the case of the first three codes, those of Babylonia, Assyria, and the Hittites, greater or lesser portions are known to be missing; and in the case of the *Vendidad* of Persia, uncertainty exists as to the civil significance of the legislation or the proportion of the population that it governed.

The Persian, the Hebrew, and the Hindu codes are so closely bound up with ritualistic requirements and so much governed by religious ideas that it is sometimes difficult to discern the clearcut nature of the other institutions of necessity involved. Throughout, theology, the mother of law, is still very much in evidence. Thus Hammurabi is pictured on the stela as receiving the code from the seated sun-god Shamash; Moses is said to have received the Decalogue from Yaweh on Sinai; and Zoroaster, in asking Ahura Mazda what His will is, receives the laws among many other elements as his answer.[2] While these

[1] For one ancient piece of social literature which is probably Assyrian in its inception see the famous *Teachings of Ahikar* treated in the Appendix.

[2] The reputed receipt of the law from a divine or semidivine giver, or under divine inspiration, is quite common among ancient peoples and, it may be added parenthetically, implied among certain moderns. In Babylonia, before Hammurabi, the Sumerian Urukagina received the law from the god Ningirsu. In India, only a little later than the time of Zoroaster, Gautama received his list of civil and ethical rules by divine revelation; and about the beginning of the Christian era, according to a frequently

religious elements throw light on religious institutions, they may distort the manner in which the laws reflect other institutions.

Another complicating factor is the fact that none of these codes are arranged according to any system that is readily comprehensible to modern members of the West European or American world, nor is the arrangement that they do have sufficiently systematic or consistent to make comparison easy. The Hebrew Code, known to have been subjected to at least four editings, presents the most amazing jumble of all. Frequently the student of these codes has to effect his own system and do the arranging and classifying essential for purposes of study.

Finally, it might be mentioned that in ancient as well as modern times great names have been connected with great codes. Three great personalities, Hammurabi, Moses, and Zoroaster, are linked with three of these ancient codes; supposed historical characters give their names to several of the Hindu lists; and undoubtedly great personalities lurk behind the other two, the Assyrian and the Hittite, though they are thus far unknown. Always there are these great personalities who see lack or confusion in the body of precedents and possibilities of improvement in the customs of a people. Such men themselves, or through their agents, then simplify, codify, or expand existing precedent or law, cleanse it of the abuses that inevitably develop in any institution, and then present this revision and synthesis as the ancient, acknowledged, sanctioned, and even sacred principles of right and justice of the people.[1]

II. The Discovery and the General Nature of the Assyrian and Hittite Codes

Excavators of the German Oriental Society working at the mound of Kaleh-Shergat, on the site of Ashur, or Assur, the earliest capital of Assyria, found shortly before the World War an

accepted dating, the Brahman law comes from Manu, a minor deity. In Greece, Athena, in a dream, communicated the laws of the Locrians to the lawgiver Zaleucus. In Egypt the lawgivers Menes, Rameses II, and Bocchoris were Pharaohs and hence semidivine. Mohammed received his civil and ethical rules from Allah.

[1] In addition to the names mentioned in connection with great codes might be cited also those of Draco, Solon, and Lycurgus in Greece; Justinian in Rome; Alaric the Goth; Edward I of England; Howel (A.D. 909–950), author of the Welsh Code; Maimonides (1135–1204); and Napoleon.

ancient Assyrian code of laws of the fourteenth or thirteenth century B.C. which appears to have been in effect in an area equal to if not greater than[1] that covered by the code of Hammurabi. Jastrow maintains that it occupied the same position in the north that Hammurabi's did in the south, and, moreover, this influence for the duration of the Assyrian Code was simultaneous, since we know that the Code of Hammurabi was in effect for nearly 1500 years after its promulgation. This is probably not the earliest Assyrian law. Koschaker maintains that old Assyrian law developed during the last centuries of the third millennium. While there is no evidence of this law from Assyria itself, there are documents from Assyrian colonies in Asia Minor in what was later called Cappadocia which quite definitely point to this.[2] Smith believes that the original of this code may not have been more than a century older than the one found.[3] The tablets available formed part of the extensive library archive at Ashur, an archive considerably older than the great library gathered centuries later by King Ashurbanipal (647–626 B.C.) discovered more than seventy-five years ago on the site of ancient Nineveh.

At the time of the early Assyrian Code, that is near the middle of the second millennium B.C., the city of Ashur was still the one urban center in the little kingdom of Assyria. The nation was young and centuries removed from the time when it was to have status as a great empire in the west Asiatic areas. Thus we note the first difference between this code and the older one of Hammurabi; namely, it represents an earlier stage of social evolutions. In the second place, the Assyrian Code is probably not so highly developed as a codification of law as is the Babylonian Code. The earlier code is the final product of a series of codifications and shows a considerable degree of polish and refinement. The Assyrian Code, on the other hand, reveals uncouthness and

[1] M. JASTROW, JR., "An Assyrian Law Code," *Journal of the American Oriental Society*, Vol. XLI, pp. 1–59, 1921. The first published text by Otto Schroeder (*Keilschrifte aus Assur verschiedenen Inhalts*, Leipzig, 1920, being the thirty-fifth volume of the *Wissenschaftliche Veröffentlichung der Deutscher Orient-Gesellschaft*, Nos. 1–6, 143–144, 193) does not tell exactly when and in what part of the mound the portions of the code were found, but the society's excavations extended from 1903 to 1914.

[2] P. KOSCHAKER, *Encyclopaedia of the Social Sciences*, Vol. IX, p. 211.

[3] S. SMITH, *Early History of Assyria*, p. 318, New York, 1928.

immaturity in its structure and content. In this connection, the Code of Hammurabi deals with universal principles; the sections of the more recent code seem to refer to particular sets of circumstances. This gives them the appearance of being a collection of actual decisions or judgments of judges (or priests) in particular cases which have passed into law.[1] Koschaker is of the opinion that it was a collection of court decisions and laws, the latter largely derived from an urban code of Ashur, and that the whole was the work of private individuals who modernized or glossed older laws by later additions.[2] At any rate, the collection does not seem to have developed into a system of law. It is written law in the making. In fact, the question has been raised as to whether it would not be more accurate to speak of the Assyrian document as a compilation in writing of predominant practices rather than a code. This difference between it and the Babylonian Code, as Smith points out, is the more remarkable because copies of the older code were undoubtedly made and studied in Assyria at the very time from which the Assyrian laws date. The Assyrian Code is also a much less consistent mingling of practices and customs that were harsh and crude on the one hand with others that showed great advance over the Code of Hammurabi in their humanity and their modernness.

The Assyrian laws thus far excavated are written on three large tablets with some fragments of various editions. Jastrow is of the opinion that the code must have consisted, in its complete form, of at least three more tablets.[3] The first tablet consists of fifty-eight or nine laws, according to the way that the translator divides certain passages, dealing extensively with the laws relating to women. The second tablet with twenty-one laws available presents laws relating to land, fields, and houses. The third tablet of which whole paragraphs are lost, and of which only eight are more or less legible, obviously consisted of a series of laws dealing with breach of confidence.

The Hittite Code was discovered by the German excavators at Boghazkeui in 1906 and 1907 as one of a great many other

[1] *Cf.* C. J. Gadd, *Encyclopaedia Britannica*, 14th ed., Vol. II, p. 864; Smith, *op. cit.*, p. 318.

[2] Koschaker, *op. cit.*, p. 213.

[3] *Op. cit.*, p. 6.

very significant documents of the ancient Hittite empire. The Hittites, though often mentioned in Babylonian, Egyptian, Assyrian, Hebrew, and Greek documents, are a people about whom little has been known until recently. There is complete ignorance regarding their origin, though it is suspected that they were of mixed Aryan and Caucasic elements.[1] Though it is generally thought that they were in Asia Minor at an early date, the earliest definite evidence of their civilization runs back to 3000 B.C.[2] The Hittites, however, first appear in history about 2000 B.C. and are at that time already a powerful people.[3] During this second millennium B.C. they invaded Babylonia and overthrew the first dynasty of Babylon; they expanded to the south into Syria and possibly into Palestine; they were responsible for the fall of the Egyptian empire in Asia in the fifteenth century;[4] the expansion of the Assyrian empire was stemmed by them for centuries; and it is likely that Hittites or their allies were the opponents of the Greeks in the Trojan Wars (*c.* 1184 B.C.).

Their rule extended over a greater part of Asia Minor, Syria, and western Mesopotamia between the years 2000 and 1200 B.C., and they imposed their relatively high culture upon these regions. In earlier times they seem to have had a general cultural unity but no centralized political power, consisting rather of a number of separate and independent city-states. Now they were a confederated people and had two great capitals, Hittite City or Boghazkeui in the north and Carchemish in the south.[5] During this millennium of their greatness, their sphere of influence was extended by means of wars, alliances, and treaties and also frequently by dynastic marriages. During this time they also were a great commercial people, carrying on especially exchange of inland wares for those of the Aegean. In fact, economic penetration was one of their favorite means of extending their empire. Controlling the mines of Asia Minor with their

[1] B. B. CHARLES, *Hastings' Encyclopaedia of Religion and Ethics*, Vol. VI, p. 723.

[2] G. A. BARTON, *Archaeology and the Bible*, 5th ed., p. 81, Philadelphia, 1927.

[3] J. GARSTANG, *The Land of the Hittites*, p. 52, London, 1915.

[4] The Tell-el-Amarna letters show an extensive correspondence between the Egyptian court and the Hittite rulers.

[5] CHARLES, *op. cit.*, p. 723; A. E. COWLEY, *The Hittites*, p. 21, Schweich Lectures, 1918.

silver, copper, lead, and perhaps also tin, their metal wares were carried among every people of western Asia. with the consequent transforming effects on the culture of the various peoples.[1] Carchemish was one of the great commercial cities of this millennium. Rivaling the Egyptians and Babylonians, its inhabitants ranked third in political and economic importance among the peoples of the ancient East[2] and were their cultural equals. This latter statement rests for support upon their extensive cultural remains, notably their architecture (temples and palaces); the sculpture and inscriptions, including the numerous rock-cut pictographs, the monuments; their diplomatic correspondence; the treaties, the regal proclamations; commercial documents; and so on found among a large number of cuneiform tablets.[3] Some of their culture had been quite evidently borrowed, but it was strong and distinctive nevertheless and pointed to a great and rich past. Incidentally, it also left its unmistakable mark on contiguous peoples.[4]

The Hittites were a strong and cosmopolitan, but a culturally unified, people. While their archives are written in five languages,[5] and while there were scholars in the kingdom who were masters of six,[6] they were, however, sufficiently independent and creative to work out their own hieroglyphic script in which most of their rich and varied literature is written.[7] Gradually their power declined, as is the manner of nations, ancient and modern, and was finally broken by Sargon II. Before the end of the eighth century B.C. they had been absorbed by Assyria and Phrygia.

The great legal code comes from the so-called New Empire period which began about 1385 B.C. It is thus undoubtedly

[1] A. H. SAYCE, Introductory note to J. GARSTANG, *The Land of the Hittites.*

[2] F. HROZNY, *Encyclopaedia Britannica*, 14th ed., Vol. II, pp. 598–608; L MESSERSCHMIDT, "The Ancient Hittites," *Annual Report of the Smithsonian Institute*, 681–703, 1903.

[3] Winkler unearthed more than 2500 at Boghazkeui alone.

[4] *Cf.*, *e.g.*, Sayce's introduction to GARSTANG, *op. cit.*; BARTON, *op. cit.*; HROZNY, *op. cit.*, p. 606.

[5] A. T. OLMSTEAD, *History of Assyria*, p. 35.

[6] HROZNY, *op. cit.*, p. 606.

[7] P. JENSEN, "The So-called Hittites and Their Inscriptions," in H. V. HILPRECHT, *Explorations in Bible Lands in the Nineteenth Century*, pp. 755–793, Edinburgh, 1903.

from the fourteenth century. The king was Shuppiluliumash. The empire is at the peak of its military and political power and is temporarily supreme in the West Asiatic area. The Hittite rule thus extends over many peoples different in race, language, and customs; and law consequently shows that it is designed for a heterogeneous rather than a homogeneous population.[1] The law also, however, reflects a civilization whose primary interests are agricultural rather than urban and commercial.

The code itself is in two parts, containing about 200 paragraphs. The existing laws, from the point of view of a modern student of institutions, by no means cover all or even the most important relations with which a code might be expected to concern itself. The chief subjects dealt with, in order, are assault and battery; slaves; marriage; bandits; land-tenure laws; feudal duties; military service; domestic animals; theft and damages; incendiarism; horticultural laws; laws fixing wages, rent, and prices; and laws on adultery, rape, and unnatural sins.

One of the peculiarities of the Hittite list of laws is the occasional reference to revision. In several cases it is stated that "formerly" the practice was so-and-so but that "now" it is thus. Usually the revised custom or law is milder than the older form.[2] Another peculiarity is that, somewhat like the Assyrian Code, it was probably never published as a code in the form in which it has come down to us but is rather an official collection of individual laws and decisions for the use of officials of the royal courts.[3]

III. The Social Thought in the Assyrian Code

Part I of the Assyrian Code relates, in general, to women. The specific laws are concerned with a variety of aspects of woman's life such as theft, prostitution, adultery, rape, fighting, assault, inheritance and property transmission, the dowry, support by husband, veiling of women, betrothal, and the practice of sorcery.

The woman uttering loose or vicious or careless talk is alone responsible. "If a woman, whether the wife of a man or the daughter of a man utter vulgarity or indulge in low talk, that

[1] Gadd, *op. cit.*, p. 865.
[2] Gadd, *op. cit.*
[3] Koschaker, *op. cit.*, p. 214.

woman bears her own sin; against her husband, her sons, or her daughters they shall have no claim."[1] If a wife steal of her sick or dead husband, both she and the receiver of the stolen goods shall be put to death. If the husband be healthy at the time of the theft, he shall impose any penalty upon his wife that he wishes, and the receiver of the goods shall be given like punishment (§3). If the wife give goods stolen from the husband to a slave, either male or female, the slave's nose and ears and the wife's ears shall be cut off. If the husband pardons his wife, then the slave's ears shall not be cut off (§4). If a woman steal from another man, her own husband may return the stolen goods and ransom her and, if he wishes, cut off her ears. If he do not wish to ransom her, then the owner of the goods may cut off her nose (§5).

If in a fight a woman crush a man's testicle, one of her fingers shall be cut off; if the other testicle becomes infected or is also injured, both of her eyes shall be destroyed (§8). If a man mistreats or manhandles another man's wife, one of his fingers shall be cut off. If he kisses her, they shall cut off his lip with a a poisoned bronze knife (§9). If a man or woman commit murder, the "avenger of blood" shall kill the murderer; or he may take his or her property (§10).

If a man rape a woman, he shall be killed (§12). If a man's wife have an assignation with another man who is aware that she is married, both shall be killed, but if not knowing that she is married he has intercourse with her, the adulterer shall go free. The woman's husband in the latter case shall do with her as he likes (§§13, 14). In the case of willing adultery on both sides if the husband catch the adulterous pair, he may kill both his wife and the other man; if he cuts off his wife's nose as punishment, then her partner shall be castrated and his face disfigured, but if the man spares his wife then the other man must also be spared (§15). But if a man's wife wish the relations with another man, the latter is without blame (§16). If a man rape a virgin and she become pregnant

[1] Part I, §2. Trans. by D. D. LUCKENBILL, Appendix III to J. M. POWIS SMITH, *The Origin and History of Hebrew Law*, University of Chicago Press, Chicago, 1931. The parts of the code quoted will be taken from this translation. Other translations available to American readers are the one by BARTON, *op. cit.*, and that by JASTROW, *loc. cit.*

. . . the father of the virgin shall seize the wife of the adulterer and give her to be raped. . . . The father shall give his ravished daughter to the one who raped her as wife. If he have no wife, the ravisher shall pay to her father threefold the price of the virgin in silver. . . . If the father be willing, he shall take threefold the price of the virgin in silver and give his daughter to whom he pleases" (§54).

But if the virgin voluntarily give herself to the man, his wife shall not be taken, but he must pay the father threefold the price of the virgin nevertheless (§55).

If a man falsely or maliciously accuse another man's wife of adultery and "there is evidence," that man shall be placed in fetters and thrown in the river, or, as it is stated in the next law, he is to be given forty blows, be put in the corvée for a month, be mutilated, or fined one talent of lead (§§17, 18). If such a secret assertion be made about a *male* companion, the man shall suffer any one of the same penalities just mentioned (§19). When a man has sexual relations with another man, he shall be made a eunuch (§20).

If a procuress by trickery or deception persuade a married woman to enter her house of ill-fame, the married woman is innocent of any offense, but the men who had intercourse with her, if they knew she was a married woman, and the procuress shall be put to death. If the wife enter knowingly, the husband may punish her as he wishes (§23). Several variations of the situation where a warned woman is voluntarily or involuntarily in another woman's house for immoral purposes are treated (§24).

A second set of laws in Part I is concerned primarily with the property arrangements following the death of either husband or wife or the divorce of the wife. The property division is determined by which type of residence the wife established, for two types were recognized in Assyrian law. The wife might remain in her father's house and receive her husband there, this apparently being the case among the poorer classes, or she established residence in the house of her husband. If she came to her husband, she brought a dowry and certain gifts from both families. The legislation reflects these different situations. If the husband of a woman who dwells in her father's house die, and she have no son by him, "every gift which her husband settled upon her, which is not used up, the brothers of her husband . . . shall

take" (§25).[1] But if a woman, dwelling in her father's house, have sons, when their father dies, they are to receive their father's gifts to their mother (§27). If a widow with a minor son marries a man, and this son is not officially adopted, he has no share in the estate of his mother's husband (§28). If a woman upon marrying reside with her husband, "her dowry and anything which she brought from the house of her father, as well as that which her father-in-law gave her on entering her husband's house, is free to her sons. The sons of her father-in-law shall make no claim, and if her husband survive her, he may give to his sons as he wishes" (§29).

The institution of the levirate seemed to prevail in the Assyria of this period. Thus if the son of a man die, and the wife of that son live in the father-in-law's house, the father-in-law shall give her to his next son (§30). On the other hand, if a man's wife die, and if his father-in-law have another daughter, and he be willing, the son-in-law may take her as wife. Or he may have back his bride price but no food (§31). There is also the law, parts of which are missing, that adds this astonishing arrangement to the stipulations of the code: "If a woman be dwelling in the house of her father, and her husband die, and she have a son . . . then her father to her father-in-law shall give her in marriage. If her husband and her father-in-law be both dead, and she have no sons, she is a widow; where she wishes she may go" (§33).

Several laws relate to widowhood. If a man take a widow into his house for two years, she has the legal status of wife (§34). If a widow enter into (marries) a man's house, all her property is his; if a man enter a woman's house, all is the woman's (§35). If a wife is deserted, she must remain unmarried for five years. At the expiration of the five-year period she is legally free and may marry whom she will. But if the husband has been forcibly retained and then returns, he shall give the new husband of his wife a woman as wife and receive back his own wife. If the wife marry within the five-year period, the original husband may have the children (§36). If, however, it is a mere case of betrothal, and if the husband to-be is made captive by the enemy, and she have no father-in-law or son, she shall wait for two years, and if she have no means of support, she shall be

[1] Barton gets a different meaning out of this passage.

cared for by the palace. During these two years she has the estate of her husband to-be. At the end of the two years she may marry whom she please. If her husband to-be should later return, his estate and his betrothed are his, but any children that she may have had by the second husband belong to him (§45). If a widow have no support from her husband she may live with any of his sons. "The sons of her husband shall support her; her food and drink, as for a fiancée whom they are courting, they shall agree to provide for her" (§46).

The man alone may divorce his wife. But if he do divorce her, he may give her something if he wishes. If she lived in her father's house, he may demand all of his presents to her except the bride price (§§37, 38).

The legislation gives the earliest evidence of the Oriental attitude toward veiling. All respectable women, whether full wife, concubine not with her mistress, captives, daughters, or sacred prostitutes, if married, are obliged to be veiled and have heads covered when appearing on the street. On the other hand, unmarried priestesses, harlots, and maidservants are not permitted to be veiled. If the harlot wear a veil, she shall be punished with fifty blows, and bitumen shall be poured on her head; the maidservant violating the rule shall have her ears cut off. The law goes even farther; a man who sees a harlot or maidservant go veiled and does not report her is himself liable to a punishment of fifty blows, pierced ears, and possibly a month of forced labor in the press gang (§40). The veiling of a concubine or captive woman by a man in the presence of five or six witnesses and uttering the words, "She is my wife," was accepted as a marriage ceremony (§41).

The only crimes mentioned in the parts of the code available, other than those involving sex offenses, are sorcery. "If a man or a woman practice sorcery, and they be caught with it in their hands, they shall prosecute them, they shall convict them. The practicer of magic they shall put to death" (§47).

Causing a miscarriage by abuse of the woman is seriously dealt with. If a man strike a woman (not his wife) well advanced in pregnancy and cause a miscarriage, he shall give his own son in its place, and he himself shall be killed. In the same act it is stated, "If that which was in her were small, he shall make restitution with a life" (§4*a*). The next law somewhat contradic-

torily states, "If a man strike the wife of a man in her first stage of pregnancy, and cause her to drop that which is in her, it is a crime; two talents of lead he shall pay" (§50). If a man cause a harlot to have a miscarriage by blows, "blows for blows they shall lay upon him" (§51). If a pregnant woman voluntarily bring about an abortion, "they shall convict her, they shall crucify her; they shall not bury her. If she die from dropping that which was in her, they shall crucify her. They shall not bury her" (§52).

The laws of Part II relate chiefly to real estate—its inheritance and sale, the boundary marks, use of property not owned, and irrigation. Some of the laws are partly illegible; hence their meaning is not clear. The first and second law show that when a father died his property might be divided among his sons, the first son having certain special advantages and claims. On the other hand, the land might remain a whole and be cultivated in common by the brothers. In this latter case, the eldest son had a double share at harvest.

The sixth law deals at length with the process whereby the buyer acquires clear and free title to a piece of land. Three times for a month he shall make the following proclamation before the scribe and the magistrates for all to hear:

> Field and house of so-and-so, son of so-and-so, in the cultivable area of this city, I am buying. Such as are in possession, or have objection, or have any claims against the property, let them bring their tablets, let them lay them before the magistrates, let them present their claims, let them prove their title, and let them take what is theirs.

If no one comes forth to dispute his title "the buyer shall receive in full up to the fence of his field." The judges then declare in three separate tablets all later claims invalid.

Tampering with boundary markers is dealt with in two laws which exist in full. They distinguish between "large" and "small" boundary:

> If a man meddle with the "large boundary" of his neighbor, they shall prosecute him, they shall convict him. Whatever the amount of field which he seized upon, threefold he shall restore. One of his fingers they shall cut off, a hundred blows they shall inflict upon him, one month of days he shall do the king's work.

If a man change the "small boundary" which is of reed palings, they shall prosecute him, they shall convict him. One talent of lead he shall pay; whatever the amount of field which he seized, threefold he shall restore; fifty blows they shall inflict upon him; one month of days he shall do the king's work (§§8, 9).

In a fragment of a law (§21) we read, "If a man in a field not his . . . surround it with a boundary wall and set up a boundary stone, . . . they shall prosecute him, they shall convict him. . . . " The punishment was undoubtedly even more severe than for tampering with the "large boundary."

If a man dig a well on another's property, not only does he not have a claim upon the well, but he shall receive twenty blows and serve at forced labor for twenty days (§10). But if a man with the knowledge and consent of the owner plant a garden or orchard, dig a well, or raise trees on another's land, the garden is "free" to him, but "field for field to the owner . . . he shall give" (§12). If a man make these improvements without the owner's consent, the owner takes it all (§13). If a man make bricks in another's field, he shall give back clay threefold, his bricks shall be forfeited, and he shall receive fifty blows and a month at forced labor (§§14, 15).

Where water is used for irrigation purposes, the adjoining property owners shall decide upon its division and use. If there is dissatisfaction, the case should be taken to the judges (§§17, 18). The primary concern is that of an equitable division of water.

What we have of Part III deals largely with the unlawful sale of children, slaves, or livestock held as pledge for the return of a loan. If the creditor sell the son or daughter of the debtor or any animal held as pledge, his loan shall be forfeited, he shall give up his own child, he shall receive lashes and work twenty days at forced labor. If he sell them into a foreign land, most of the penalty is doubled (§§2, 3). If a jewel be held as pledge, "and the man in whose house the pledge was deposited do not close the doors which guard his house, and anything be taken from his house, that man is a thief, he shall bear the theft" (§9). The last law (§10) seems, from its fragments, to impose penalties upon creditors who made exorbitant exactions upon debtors.

Several conclusions legitimately grow out of this brief examination of these fragments of the Assyrian Code. While the punishments are exceedingly severe, there are also evidences of

humanity and an impartial justice. The penalties take the form of death, the cutting off of ears or nose or both or of one or more fingers or a lip, the imposition of from 50 to 200 lashes, castration, mutilation, crucifixion or impalement, service of the king (*corvée* or press gang), and money fines. At the same time the principle of retaliation, in direct contrast to the Babylonian Code, is almost entirely lacking, except in the case of the murderer who may be killed by the relatives of his victim or the husband of the adulterous wife who may kill both the wife and her paramour (§15). But even here the family of the murdered may take property as a substitute. Nor is there any evidence of those gradations of punishment's varying with the social class of the lawbreaker and victim, as has been noted in the Code of Hammurabi. Everyone is treated alike. It may be concluded, therefore, that all Assyrians at this time were equal before the law. Futhermore, the test of ordeal by water is used as a supplement to the usual procedures, and there is the hint of its use as an objective though magical way of determining guilt. In a criminal charge, if witnesses or other mode of proof were lacking, the accused was thrown into the river, and if he floated he was innocent. Also in a dispute when both parties had taken oaths that were contradictory, the ordeal was used to decide between them. Finally, in spite of much crudeness and brutality, the code has a place for mercy. For example, the phrase "he may do as he likes" appears several times as applied to the husband or father in the case of his wife or daughter's having committed an offense. The man may extend mercy or pardon and thereby set aside the stipulated penalty.

There are some distinct crudities in the legal procedure. Occasionally it is stated that witnesses or interested parties may "seize" a culprit and determine his guilt. Thus in §11 witnesses may seize an adulterer and put him to death, undoubtedly a survival of an age when punishment was imposed by individuals or groups of citizens. "He may do as he pleases" or "doing . . . as he likes" is also applied to the husband or father in the case of his wife or daughter's having committed an offense. Apparently not all judicial procedure occurred through a recognized and impartial officially constituted tribunal.

The state is well-developed. As was pointed out above, there is little evidence of private vengeance. The law is administered

by the state. The phrase "he shall be brought before the king or the judges" recurs frequently. Moreover, the public executioner carries out the sentences of the judges. But while the state administers the law, the penalty seems to be largely in behalf of the wronged party and not of the people of the state as a whole. The frequency of a month in the king's service as a form of punishment also attests to the large part played by the power of the state.

The legislation on sex crimes seems to bulk large in what we have of the code (fourteen laws in all), but it may not have been a disproportionately large portion of the whole. Crimes of this nature were more severely dealt with than they have been by the most Puritanical modern nations. Moreover, the presence of a law may not necessarily imply a large number of violations of that phase of morality but rather an alert opposition to it.

This ancient Assyrian world is one in which men have vast power over women though always with safeguards for the women. Women are in fact the property of their fathers or husbands. The wife or daughter can be sold or pledged for debt to a creditor, though the creditor who holds his debtor's daughter for debt cannot hand her over to a third party without the consent of the father (§27). Wives, having no independent rights, can be taken from the husband to pay for his transgressions (§54). The husband is free to punish his wife (§§3, 5). The husband alone has the choice of divorce, and he may give his wife something when he dismisses her or send her away empty-handed, "as his heart moves him." The exception is the wife's dowry, which she takes with her. The father, having a property right in his daughter, is compensated for the loss of his daughter's virginity (§55). All that a widow brings with her when she marries is her husband's. A given father's children are always his regardless of circumstances. On the other hand, a widowed mother must be supported by her sons in case the father has made no provision for her (§45); even if she be the second wife and has no children, the obligation falls on the children of the first wife. An abandoned wife is taken care of.

Private property is well-established. Clear title is very important; tampering with the boundary stones carries a heavy penalty; use right is carefully defined; and the division of an estate is carefully provided for. The prevailing metallic money was

made of lead, the payment of fines in lead talents being mentioned repeatedly. Only once is silver money mentioned, that being the law in which the rape of a virgin is compensated for by a threefold payment in silver.

While the Assyrians, owing to their innumerable military and trade relations, had catholic tastes and borrowed widely, their code shows very little dependence on any other known one. Contrary to a quite logical expectation, it seems to be especially free from the influence of the great and widely known Code of Hammurabi. The Assyrian Code is free from Babylonian administrative and legal terms and has different officials and a different practice. The social conditions dealt with are in certain cases peculiarly Assyrian; the severe punishments inflicted accord with the national temperament; the attitude toward women in several respects is consonant also with the general tenor of the nation; and the legal procedure reflects their own particular type of centralized government, with the assumption of so much authority by the king. It seems to be their own independent product, meeting uniquely and indigenously their own particular problems of order and control. The extent of the control exercised by this code is not definitely known, but it is quite likely that it was recognized throughout upper Mesopotamia, Syria, and Palestine.[1]

IV. The Social Thought of the Hittite Code

The Hittite Code covers a large number of the typical control problems arising in a society of its general culture epoch. Moreover, the legislation is well-grouped according to subjects. These classes of legislation will be taken up briefly in the order in which they appear in the translations available.[2] It will be noted that the Hittite Code, unlike those portions of the Assyrian Code available, presents frequent parallels to the Babylonian Code of seven hundred years earlier and occasional similarity to the later Hebrew Code. In general, however, the Hittite Code seems to be milder in its penalties and to exhibit a later or higher

[1] *Cf.* S. Smith, *Cambridge Ancient History*, Vol. III, p. 108.

[2] The translations used will be those of Barton, *op. cit.*, pp. 369–388, and Arnold Walther in J. M. Powis Smith, *op. cit.*, pp. 246–274. The Barton translation will be used in all exact quotations, unless stated otherwise.

stage of development than the Babylonia, Assyrian, or Hebrew codes.

The first eighteen laws of the code deal with murder, assault, and battery.[1] The first two are concerned with intentional murder.

If anyone intentionally kills a man or a woman, that one shall bring and give four persons, either male or female, and for the future he is free (§1).

If anyone intentionally kills a slave or slave girl, that one shall bring and give two persons, either male or female, and for the future he is free (§2).[2]

Here, it is noted, first, that the Hittite Code even for intentional murder abolishes the *talio* with its blood revenge and substitutes for it a payment in the form of slaves. Second, it demands the greater compensation for the murder of a free man than a slave, thus grading the penalty according to the social status of the injured person, after the manner of the Babylonian Code. The third and fourth laws treat of wounds that result in death. The principle is the same except that in this case two slaves must be given for the free man who dies and one slave for a slave.

Laws 7 to 18 deal with different kinds of injury, such as knocking out teeth; blows on the head; breaking a hand, foot, or nose; cutting off an ear; or causing a miscarriage. In each case the injury carries a definite compensation in terms of money, and the compensation paid to a free man for injury suffered is twice that paid for injury to a slave. The tenth law carries a blanket statement and also points to interesting responsibilities of the guilty party.

If anyone strikes a person and there are consequences, then that one shall make restitution; he shall pay the man for it: this one shall be in his house while he is convalescing; after he has recovered, then he shall give him 6 shekels of silver, and the doctor's bill and business-loss he pays (§10).

Sections 19 to 24 of the code deal with the stealing of slaves.[3] The penalty varies with the political conditions involved,

[1] The parallel legislation in the Code of Hammurabi (hereafter referred to as C. H.) is §§195–214.

[2] From G. A. Barton, *Archaeology and the Bible*, by permission of the American Sunday-School Union, Philadelphia.

[3] C. H. §§14–20.

especially the citizenship of the owner and the thief and the place in which the theft occurs and the place where the thief or slave was apprehended. The penalty varies from a compensation in the form of six persons (the text states, "formerly twelve persons he gave") to one person and compensation in the form of from 40 to 12 shekels of silver. The man catching a runaway slave is rewarded with 2 or 3 shekels of silver, depending on what he has given the slave in the way of equipment and whether he caught him on one side or the other of "the river." If the monetary systems are at all comparable, the code shows that slaves had a higher value in Hittite City than in Babylonia seven hundred years earlier.

The twenty-fifth law, as Walther translates it, involves sanitation and public health. "If a man put filth in a cistern or well . . . he who put filth is to give three half shekels of silver to the owner or the village and to the palace they shall give three half-shekels. . . . " The law allows the king to remit the palace share.

The Hittite laws (§§26–36) concerning marriage and the bride price are fewer in number, provide for fewer contingencies, and are more concise than those of either the Babylonian or Assyrian codes.[1] The betrothal gift and the dowry are standard institutions. The two kinds of marriage, according as to whether the woman remains at home or goes to live with her husband, are recognized by Hittite as by Assyrian law. Thus if a wife who has gone to her husband die, her dowry goes back to her father; if she die in her father's house, it goes to her children (§27). If a betrothed maiden marry another, either at her own impulse or at that of her parents, she shall be restored to her betrothed (§28). If a man have paid a bride price for a maiden, and her parents then change their minds, they must pay the man back double the bride price (§29); but if the man change his mind after having paid the bride price, he loses it (§30). Marriages between freemen and slaves apparently were common, and the parties were adequately and justly protected by law (§§31–36). The laws show that slaves could accumulate property for themselves, earn and save money with which to pay the bride price for a wife, and marry a free woman. Near the end of the code we find the Hittite levirate law: "If a man takes a wife and the

[1] C. H., §§128–161.

man dies, his brother shall take his wife; then his father shall take her; if also his father dies, one of the brothers shall take her, whichever one the woman shall choose" (§193).

If a bandit be seriously hurt while attacking a party and die, "there is no penalty in that case"; in fact, "thou owest nothing to the bandit" (§§37, 38).[1]

Two separate groups of laws (§§39–41, 46–49) concern themselves with leased land and feudal holdings. A lease must be maintained for the period of the contract (§39). If a soldier disappear (supposedly killed in battle) another may claim his holding, if he also assume the responsibility of rendering military service. If he refuse the military duty, "the men of the city shall cultivate it" (§40). If the holding be that of a land superintendent, another land superintendent may take it if the original owner disappear, provided again he be willing to give military service. If not, the land reverts to the king (§41). Laws 46 and 47 also indicate that the land was held either by the king or by the cities and was granted to individuals only on condition of certain military services. The principle is also established that pay shall be given only for work rendered (§§48–49).[2]

Among a group of laws dealing with losses and damages (§§42–45) is found this interesting stipulation: "If at a fire anyone pulls a man out and he [*i.e.*, the rescuer] dies, he [*i.e.*, the rescued] shall give a son in his stead." Another states that a finder, if he does not return what he has found, becomes a thief (§45).[3]

A voluminous section (laws 57–92) covers the theft and killing of domestic animals.[4] It is interesting to note that the bee is a domestic animal among the Hittites and that their laws, unlike those of the Babylonians and Hebrews, mention horses. The following is typical on the subject of theft of a stud animal:

> If anyone steals a full-grown horse (if it is half a year old, it is not a full-grown horse; if it is a yearling, it is not a full-grown horse; if it is two years old, this is a full-grown horse), heretofore he gave thirty horses; but now fifteen horses he may give; five horses two years old,

[1] C. H., §§21–25.
[2] C. H., §§26–41.
[3] C. H., §§257–60.
[4] C. H., §§241–256.

five horses a year old, five horses six months old he may give; and for the future he is free (§58).[1]

The same stipulations hold for theft of bulls and rams. If a straying animal is appropriated, seven of like kind shall be given as compensation and penalty (§§60–62). For the theft of a draft animal, whether ox or horse, ten animals shall be paid in return (§§63, 64); for a female animal six of like kind. There are also extensive rules regarding the compensation for damages committed by straying animals, the penalty for injuring animals, fees for hiring animals, payment for rescuing animals from wolves, and a variety of other situations indicating that the life of the people under the code was primarily agricultural and that domestic animals played a very important part in this life.

Other forms of theft carry their own type of penalty (see §§93–97). If a freeman is caught in a storehouse or granary, he shall pay 12 shekels of silver; if it is a slave, he shall pay 6 shekels. If a free man burglarizes a house, he shall pay 12 shekels of silver and make restoration according to his theft. The slave burglar similarly is fined 6 shekels, but he also has his nose and ears cut off. If the slave's master makes restitution for the theft, he may have his slave back; if not, the slave goes to the victim. Thus the master may or may not assume responsibility for his slave's acts as he chooses.

A later section (§§119–144) also deals with various additional forms of theft, but parts of most of these laws are effaced, and hence the full meaning is difficult to obtain. They involve the theft of such miscellaneous objects as birds, peasants, the contents of a chariot, jars and vases, ornaments, saddles and harness, doors, weapons, and barbers' tools. The principle of a penalty in the form of a fine considerably in excess of the value of the object stolen prevails throughout, with the unexplainable exception of §126 in which is found the phrase, "If anyone steals a bronze lance from the gate of the palace, that one shall die."

Three laws (§§98–100) deal with fires. If a freeman accidentally causes a fire and the house burns down and people or livestock perish, "such an one shall not make restitution" (§98). If the slave lights the fire, however, his master shall make restitution, and the slave shall have his nose and ears cut off and be

[1] BARTON, *op. cit.*

returned to his master (§99). If anyone burns a barn, he shall restore the grain in it and rebuild the barn (§100).

Theft or damage of vines, trees, grain, or vegetable crops is the subject of a group of laws comprising §§101 to 118.[1] Throughout, the thief must pay a penalty in terms of money. In the case of a damaged crop or tree the guilty one usually pays a fine and must make some sort of restitution. The following law illustrates the principle:

> If anyone lights a fire in a field and it catches the standing crop and burns the field, he who lighted it shall take the burned field and shall give a good field to the owner of the field; that one shall cultivate it (§106).[2]

Laws 145 to 149 fix the damages to hired animals or slaves or a rented house.[2] Thus the one who damages a rented house shall repair it and pay 1 mina of silver (§146). An injured rented slave ("unskilled workman") must be compensated for (§147). The last law of the group introduces the unique element of requiring two slaves as payment for a piece of prize livestock: "If anyone borrows a bull as a breeder and says, 'It is dead,' he shall seek the owner; then he shall take it and give for it two persons, and for the future he is free" (§149).

Laws 150 to 161 fix wages, rentals, and fees for certain services.[3] Sections 150 to 156 obviously fixed wages by law, but parts or all of these laws are effaced so that we are denied the details. The rental of a plough ox is 1 shekel per month (§151), and that of a bronze ax is the same. Another law shows a great discrepancy between the wages of men and women.

> If a man goes and offers himself for wages and undertakes the management of a cart, is lodged in a straw-barn, and irrigates a cultivated field, his wages for 2 months are 30 pas [or pecks] of barley. If a woman goes and offers herself for wages in the kitchen [or harvest?], she shall receive as wages for 2 months 12 pas of barley (§158).

Similarly the fees that bronze- or coppersmiths receive for making different tools or utensils are fixed and vary according to the weight of the object (§§160, 161). One law is tacked on to

[1] C. H., §§59–66.
[2] C. H., §§234–240.
[3] C. H., §§268–277.

this section fixing the penalty for diverting water from an irrigation ditch at 1 shekel (§162), and another (§163) states the responsibility of a shepherd.

Laws 164 to 169 state ritualistic observances which must be resorted to to insure safety on a journey, atone for desecration of a field, or sanction the establishment of a boundary. Section 170 makes death the penalty for casting a spell by "killing a serpent and speaking the name of another."

Not only are fees fixed, but prices as well. One of the largest sections of the code (§§172–186) fixes the prices not only of livestock, grains, land, wearing apparel, skins, and meat but also of the services of various types of artisans for different periods of time.[1] Thus, "if anyone hires an artisan, either a potter, a smith, a carpenter, a shoemaker, a tailor, a weaver, or a maker of lace, he shall pay 10 shekels of silver" (§176B). "If anyone employs a skilled bird-raiser, he shall pay 25 shekels of silver" (§177). The prices for given species of animals differ according to sex and use. Thus the price of a plough ox is 15 shekels; of an ordinary full-grown ox, 10 shekels; of a full-grown cow, 7 shekels; of a 6-months-old bull calf, 4 shekels; of a pregnant cow, 8 shekels; of a calf, 2 shekels (§178). Similar gradations prevail for horses, goats, asses, and sheep. The price of a sacred headdress is fixed at 12 shekels; 2 pairs of breeches, at 10 shekels; an apron, at 3; a storm cloak, at 4; and a turban, at 1 (§182). A considerable range of prices prevails for the fresh meat and dressed skins of different domestic animals (§§185, 186).

The last group of laws (§§187–200), with the exception of the levirate law (§193) discussed above, deal with vice and sexual offenses. Sections 187, 188, 199, and 200 are concerned with sex relations with animals. In all cases except that of relations with a horse or mule, the penalty is death, though the king may grant a pardon. Incestuous relations (§§189, 190) are spoken of as "punishable abominations," though no punishment is mentioned.[2] The first offense of committing adultery with a neighbor's wife out of doors is not punishable, but the second is (§191). Adultery with a slave woman or prostitute carries no penalty (§194), but relations with a brother's wife, the daughter of a

[1] C. H., §§268–277.

[2] The Walther translation in place of "punishable abomination" has "capital crime," probably the correct translation.

free woman taken as wife, or with the mother of a daughter who has been taken as wife are "punishable abominations" (§195). If a husband apprehend his wife in an adulterous relation and kill both her and her paramour, "there is no penalty" (§197). He has the choice also, however, as in the Assyrian Code, of allowing both to live, though the other man shall have his head scarred. But we also have the final statement, "The king may kill them; the king may let them live" (§198).

By way of summary it may be stated that one of the outstanding features of the Hittite Code is the large amount of space devoted to theft, some 54 of the 200 laws being concerned with this subject. This probably, as J. M. Powis Smith points out, reflects a long history of civilization and an accumulation of experience in the field of theft, robbery, and burglary.[1] In addition it may be said that it also points to a large amount of private property and to a fairly complicated society needing detailed mention of its various essential controls, especially in the field of property relations. An interesting feature demonstrating rather high moral standards is that the finder of a lost article or animal is a thief if he retains what he found but is rewarded if he returns it to its owner. If a man who finds a lost or strayed animal fails to report it, he must restore seven animals in its place. Another interesting feature is that the slave who breaks into a house or granary must pay only half as much as the freeman for the same offense. Likewise the slave who steals vines or fruit pays only 6 shekels as compared with 12 for the freeman.

The land apparently was held by communities in common and assigned to individual cultivators according to the stipulations of the code, or it was under the king's control and held as a feudal grant. In either case, however, it had to be cultivated, and certain military duties had to be performed by its holder, or it reverted to the community or the king.

Another exceptional body of laws are those fixing wages, rentals, and prices (§§150–161, 172–186).[2] In the wage scale it is to be noted that the woman worker's wages are much less than a man's. On the other hand, the price of an unskilled female slave is the same as that of a male, that is, 20 shekels (§177). It

[1] *Origin and History of Hebrew Law*, p. 275, Chicago, 1931.

[2] These are to be compared with the Code of Hammurabi, §§215–217, 221–224, 234, 239, 242–243, 257–258, 261, 268–277.

would seem that supply and demand were either deliberately ignored in the ancient Babylonian and Hittite civilizations or that the cultures were so submissive to customary procedures that variations in supply and demand were not recognized. In spite of the classifications established, the fixed prices also seemed to ignore qualitative variations within the classes.

The legislation governing sexual matters is not so voluminous as in the Assyrian Code. It shows that sexual intercourse with animals was also considered as a cardinal offense, since, with the exceptions noted above, it was punishable by death. It adds the significant feature that certain incestuous relations do not carry the death penalty if both parties are willing. The Hittite Code also shows the usual distinction between promiscuous intercourse with women of the in-group and the out-group, the latter, on the whole, being allowable, if they are not acquaintances. Moreover, slave girls and harlots were common sexual property. There is also, in the several cases where the death penalty can be imposed for sexual offenses, the power of the king to grant a pardon.

The fact that almost no mention is made of requirements of even a remotely religious nature would indicate that this was a purely civil code. While there is much parallelism between this code and that of Hammurabi, and while the earlier code undoubtedly exercised a considerable influence, the Hittite Code seems to be a product of Hittite life and experience. Its tone is unique.[1] On the other hand, it moves in the same circle with the Babylonian, Assyrian, and the later Biblical Code, recognizing the same general principles and social classes and employing the same general procedures and penalties. The difference is one of degree in culture level and moral quality. An interesting fact found in the code repeatedly is that earlier customs or requirements, but especially penalties, are modified in the interest of humanitarianism. Equally evident is the fact that various cruel penalties found in both the Babylonian and Assyrian codes, such as forced labor, mutilations, castration, and impalement, are absent in this one. The death penalty is inflicted in only eight instances, and facial mutilation is only

[1] D. G. HOGARTH (*Cambridge Ancient History*, Vol. III, p. 154) is of the opinion that the Hittite Code was largely borrowed and hence does not clearly reflect Hittite life at all.

for slaves guilty of theft or arson. The general impression is that the Hittites at this time were a settled monarchical society possessed of an advanced agricultural and military civilization. It is obvious that the code that we have did not cover every aspect of their social organization, nor does it do more than suggest the various possible reaches of their life. But it does show clearly that the major life situations were subject to a high degree of control and that advanced, though not always consistent, conceptions of justice prevailed.[1]

[1] For an excellent detailed analysis of the Code of Hammurabi and of the Assyrian and the Hittite codes see W. M. FLINDERS PETRIE, "Assyrian and Hittite Society," *Ancient Egypt*, pp. 18–28, March, 1924.

CHAPTER VI

THE SOCIAL THOUGHT OF ANCIENT PERSIA

I. The Underlying Cultural Conditions

In directing our attention to ancient Persia, the social thought of an Aryan people is considered for the first time. While definite scientifically acceptable knowledge of the original homeland of the Aryans is still unknown, it is the opinion of many students that it was just north of the Himalayas, near the sources of the river Amu Darya on the tablelands of Central Asia. At any rate, in a series of great migrations these people settled two different regions of Asia and eventually occupied all of Europe. The two earliest migrations were down into India, probably before 2000 B.C. and to Persia or Iran in the southwest at possibly an even earlier date. These two peoples together constitute the Indo-Iranian branch of the Aryan race. The other migrations have come to be called those of the Armenians, Greeks, Romans, Teutons, Celts, and Slavs.

From the ancient land of origin, impelled undoubtedly by population pressure, came the Medes and Persians, the former perhaps an earlier migration. As they moved west they found the Mesopotamian region occupied by Sumerians and Akkadians. Hence they had to be satisfied with the south Caspian region, Elam, and the rugged valleys and broad tablelands of Iran, less fertile but also less densely occupied. The Babylonians, according to available records, knew of these people as early as the days of Naram-Sin (2557–2520 B.C.). They may be recognized under the name of Manda mentioned in the Hittite inscriptions as early as or earlier than 1300 B.C. Their first appearance in recorded history as a people of action is under the name of Amidai and Madai, and it was Shalmaneser III (859–824 B.C.), the Assyrian, who as opponent first brought them into the current of events. These early references to their existence, however, reveal very little about them. We do not know at how early a date they occupied the lands later identified with them or how

widely their territories extended. For centuries more they were complacently following their simple agricultural and herding life. During this hazy, early period they were developing a religious, political, and social philosophy which was to be a dominant influence in central and western Asia.

With Cyrus and his destruction of the Medean and the establishment of the Achaemenian dynasty the Persians suddenly and emphatically burst in upon the stream of history and, in the space of a single generation, during the reigns of Cyrus, Cambyses, and Darius I, established an empire which ranked second only to those later developed by Alexander the Macedonian and by Rome.

While extensive knowledge of the military campaigns is at hand, relatively little of a literary nature exists. The chief source for the general social philosophy of the times is, in fact, a body of religious literature known as the *Zend-Avesta* and the various Pahlavi texts which have been made available to the modern world in a roundabout way through the Parsis of India. Part of this literature, especially, of the *Yasna, Gathas, Yashts,* and the *Vendidad,* is the oldest and probably antedates the era of Persia's military supremacy, the so-called Achaemenian period (558–330 B.C.). Alexander the Great brought this period to a close, and during the time of his ascendancy in Persia much of the Avestan literature was destroyed, though, it must be magnanimously stated, probably by accident or carelessness. Nevertheless with the national power broken and most of the sacred books burned, this religious and social philosophy lived on. In the Sasanian empire or dynasty (A.D. 226–651) Zoroastrianism again flourished; and during the first century and a half of this period a desperate effort was made to collect the old, original literature. Various editings and commentaries on the ancient ideas and principles, composing practically all of the other Zoroastrian books, were made at this time. These are known as the Middle Persian or Pahlavi texts. Zoroastrianism now held its glory until the battle of Nehavand (A.D. 642) when the Mohammedan Arabs under the Kaliph Omar blotted it out in Persia. The people were forced to accept the *Koran,* flee, or die. Several remnants fled to western India, and Zoroastrianism migrated with them. Their descendants, known as the Parsis, survive to this day in and around Bombay. All that we have of this ancient

literature has come to us by way of the Parsis, among whom it has survived in relatively pure form. This is often the case with a cherished culture element retained by a culture group subjected to great cultural competition. One of the greatest periods of Parsi editing and comment was the seventeenth century. It was these various Parsi Avestan materials that Abraham Hyacinthe Anquetil-Duperron translated and published in 1771, making the western world his eternal debtor.[1]

Just how important the Avestan literature and philosophy were in the empire of the Achaemenidae, or how great was the influence of Zoroaster, its great promoter, is not clear. At best, but speculations exist on this point. A mass of Parsi legend exists to the effect that Vishtaspa or Hystaspis, possibly the father of Darius I, was converted by Zoroaster and became the royal patron of his philosophy. The famous rock inscriptions of Darius on the mountain at Behistun, still legible, specifically mention Zoroastrian principles. Zoroastrianism is known to have become the state religion and spread over the whole of the great Persian Empire; and Marathon, Salamis, and Plataea alone prevented it from becoming possibly the supreme religion of Europe. (In the main, however, the Avestan literature reflected the thought of a cohesive culture group, rather than that of a political unit.)

The outstanding personality standing behind the Avestan thought of early Persia is Zarathustra or Zoroaster, the Latinized form. His work was known to the early Greeks and, through them, to the Romans. Herodotus, of the fifth century B.C., gives a remarkably accurate account of Zoroastrian tenets and practices. Pliny, in his *Historia Naturalia*, speaks of Zoroaster in nine separate passages. Plato, Aristotle, and Eudoxus also mention him, as do later writers such as Plutarch and Diogenes Laertius.[2] According to the accounts, Zoroaster was an Iranian Aryan of the locality known as Bactria, in the eastern part of the Persian area near the Hindu Kush mountains. The ancient references to him in the Greek classics almost uniformly

[1] Only fragments of what was once a most abundant literature are available. Pliny the Elder mentions 2,000,000 verses composed by Zoroaster (*Historia Naturalia*, Vol. XXX, pp. 1, 2.).

[2] M. M. DAWSON, *The Ethical Religion of Zoroaster*, p. xiv, New York, 1931.

ascribe his life to about 6000 years B.C. Other estimates place him around 1600 to 1400 B.C. But the best authorities, including those among the Parsis, assign him to the seventh and sixth centuries B.C., giving as his approximate dates 660–583 B.C. There is much legendary material regarding him. This, of course, is characteristic of all great founders of religion and great lawgivers. In the Zoroastrian literature, for example, are passages which maintain that the Sage's coming had been predicted ages before; that his birth was heralded by supernatural signs and omens and accompanied by wonders and prodigies. There is even some reference to an Immaculate Conception and a Virgin birth, though these may apply to One who was to come later.

At the age of twenty, like Gautama, without the consent of his father and mother, he wandered forth and gave himself to thought and study. In his late twenties he, like Jesus, had a time of retirement and seclusion to fight out his problems and establish his principles. At thirty he received a "call" and began his ministry. The call is quite common in the history of religious leaders; it is found also in the cases of Gautama, Moses, Jesus, John, and Mohammed. The core of the religion that Zoroaster established is found in Magianism, the ancient religion of the Iranian Aryans. Combined with this are principles, practices, and codes coming down through ages of successful adjustment, physical and social, in the Iranian setting. Zoroaster reemphasized certain of these ancient elements, introduced new ones, gave more vital interpretations to many of them, and suffused the whole with his dynamic personality. He seems to have been a man of penetrating mind and stirring individuality, well-fitted by nature to play the role of philosopher, teacher, humanitarian, prophet, and reformer. Though he probably wrote none of the literature of the *Avesta*, his influence was direct and actually or nearly contemporaneous in its older portions, especially, of the *Yasna*, the *Gathas*, *Yashts*, and the *Vendidad*.

The thought reflects its geographical, occupational, and social backgrounds. Persia is a land of high mountain ranges; rich, adequately watered and also semiarid plains and plateaus; deserts; fertile valleys; forests; and salt swamps. Parts of it are unbearably hot in summer, and other parts bitterly cold in winter.

In the days of Zoroaster, as now, agriculture and herding were the chief occupations, and, for the thrifty and hard-working, effort was well-rewarded. Hemmed in by mountains, seas, valleys and deserts at an early date, the Persians were a home-making and homekeeping folk, scattered about in small communities. Even in the days of the Empire there were few very populous cities. Through most of history the Persians have had little intercourse with the outside world. On the whole, the general setting demanded energy of body and mind, independence and a self-sufficiency, thrift, application, and familism. A robust morality and a philosophy of hard work could be anticipated.

II. The Social Thought

The social thought or the thought having clear-cut implications for the social scientist is not segregated in any part of the Avestan literature, nor is it anywhere systematically treated but must be found here and there. Hence no unity or sequence can be expected. An unmistakable social philosophy does, however, appear among the fragments and disconnected ideas. The more important divisions of this follow.

1. The Cornerstone of Behavior: The Moral Triad.—At the very heart of the Zoroastrian teachings is the great formula for successful and complete living, so intimately bound up with the quest for purity. Most of the social thought is, in fact, an elaboration of this formula. It is best expressed in the *Vendidad.*

> Purity is for man, next to life, the greatest good; that purity is procured by the law of Mazda to him who cleanses his own self with Good Thoughts, Good Words, and Good Deeds.
>
> Make thyself pure, O righteous man! Any one in the world here below can win purity for himself, namely, when he cleanses himself with Good Thoughts, Good Words, and Good Deeds.[1]

In another passage we read:

> I give praise unto well-thought, well-spoken, well-performed thoughts, words, and deeds; I abandon all evil thoughts, words, and deeds.[2]

[1] *Vendidad*, Fargaard X, 19. The references are to the translations of the *Zend-Avesta* in the *Sacred Books of the East*, Vols. IV, XXIII, XXXI.

[2] *Ormazd Yast*, Introduction.

In several later passages it is presented from different angles.

Of the mind, good thoughts; of the tongue, good words; of the hand, good works; these make the virtuous life.[1]

Oh thou, my perishable body, think good thoughts with thy mind! Oh thou, my perishable body, do good deeds with thy hand![2]

That every thought, word, and deed, the consequence of which is joy, happiness, and worthy recompense . . . is well-thought, well-said, and well-done.[3]

The fiend of procrastination, in one of the older parts of the literature, makes this soothing plea to lovers of ease, a type of person much deplored by the ancient Persians:

Sleep on, poor fellow; the hour hath not yet struck. Fix not thy mind upon the three excellent merits, good thoughts, good words, good deeds! Rest rather thy mind now upon the three abominations, evil thoughts, evil words, evil deeds![4]

In a beautiful passage in the twenty-second *Yasht* an account is given of the Good Man who has departed this life, and as his soul wanders amid plants and scents, his own conscience advances to him in a sweet-scented wind in the shape of a maiden, bright, strong, tall, beautiful, and noble. His soul addresses her:

What maid art thou? And she, being his own conscience, answered, "O, thou youth of good thoughts, good words, and good deeds, I am thine own conscience. Everybody did love thee, for that goodness and victorious strength in which thou dost appear to me. I was lovely and thou madest me still lovelier; I was fair and thou madest me still fairer; I was desirable and thou madest me still more desirable—through thy good thought, good speech, good deeds.[5]

2. The Philosophy of Work and Prosperity.—The practical aims and ends of Zoroaster are evidenced in the fact that the whole of creation is placed under the guardianship of six Amesha-Spentas or holy spirits. In addition to their regular portfolios of right, good mind, dominion, piety, well-being, and immortality, they also had the custody, respectively, of all useful domestic animals,

[1] *Nasks* (*Tahmura's Fragments*), c. XXVIII, 57.
[2] *Aögemaïde Nask*, 25.
[3] *Dadistan-i-Dinik*, c. XXXVIII, 2.
[4] *Vendidad*, Fargaard XVIII, c. II, 17.
[5] *Yasht* XXII.

fire and life-giving heat, metals and minerals, the earth, its cultivation and cleanliness, the purity of the water and water-courses, and, finally, all trees and vegetation.[1] Similarly Angro Mainyus or Ahriman, the Evil Spirit or devil, employed sixteen evils to retard the progress of and, if possible, destroy mankind.[2] Most of these reflect the utilitarian character of the thought. They impair resources, halt or reduce efficiency, or diminish the ranks of the workers. The great destructive evils are (1) the great serpent and winter which freezes water and earth and retards the growth of fruit-bearing trees and other vegetation useful to mankind; (2) the fly that stings and brings death to cattle; (3) sinful lusts and evil thoughts; (4) corn- (or barley-) eating ants; (5) doubt and unbelief in the creator; (6) wild beasts that are destructive to animal kind; (7) pride and tyranny; (8) unnatural sin or vice; (9) indolence and poverty; (10) idol and image worship; (11) devastation or plague; especially fevers and epidemics; (12) sorcery, witchcraft and wizards; (13) defiling the earth by burying corpses; (14) falsehood; (15) illness of women; and (16) excessive heat and raging flood.[3]

In another famous passage in the *Vendidad* Zoroaster further elaborates his philosophy of work and prosperity. For their encouragement and inspiration he gave to his people a saying in which he declared that Ahura-Mazda had revealed to him the five most sacred places, *viz.*, where the sacred fire burns; where homes are established with wife and children, with fire and plenty; where the most corn and fruit are raised; where the dry lands are irrigated, and marshy lands drained; and, finally, where the most fertilizer is produced. The text runs:

O Maker of the material world, thou Holy One! Which is the *first* place where the Earth feels most happy?

Ahura-Mazda answered: "It is the place whereon one of the faithful steps forward, O Spitama Zarathustra, with the holy wood [for the fire's altar] in his hand, the baresma [the bundle of sacred twigs which the priest holds in his hand while reciting the prayers], the holy meat in his

[1] *Gathas*, Yasnas (Chapters) XXVIII, XXXI, XXXIV, XLII, XLIII, XLIV, L, LI.

[2] Ahriman is contrasted to Ahura-Mazda, God, the Eternal Light, the source and creator of all good. These two forces, Good and Evil, are in continual opposition with each other.

[3] *Vendidad*, Fargaard I.

hand, the holy mortar in his hand, fulfilling the law with love and beseeching aloud Mithra, the lord of wide pastures, and Rama Hvastra [the god that gives good folds and good pastures to cattle]."

O Maker of the material world, thou Holy One! Which is the *second* place where the Earth feels most happy?

Ahura-Mazda answered: "It is the place whereon one of the faithful erects a house with a priest within, with cattle, with wife, with children, and good herds within; and wherein afterwards the cattle go on thriving, holiness is thriving, fodder is thriving, the dog is thriving, the wife is thriving, the child is thriving, the fire is thriving, and blessing of life is thriving."

O Maker of the material world, thou Holy One! Which is the *third* place where the Earth feels most happy?

Ahura Mazda answered: "It is the place where one of the faithful cultivates most corn, grass, and fruit, O Spitama Zarathustra! Where he waters ground that is dry or dries ground that is too wet."

O Maker of the material world, thou Holy One! Which is the *fourth* place where the Earth feels most happy?

Ahura-Mazda answered: "It is the place where there is most increase of flocks and herds."

O Maker of the material world, thou Holy One! Which is the *fifth* place where the Earth feels most happy?

Ahura-Mazda answered: "It is the place where flocks and herds yield most dung."[1]

In another passage the production of crops is put forth as a great good.

O maker of the material world, thou Holy One! What is the food that fills the law of Mazda?

Ahura-Mazda answered: "It is growing corn again and again, O Spitama Zarathustra!

"He who sows corn sows holiness; he makes the law of Mazda grow higher and higher; he makes the law of Mazda as fat as he can with a hundred acts of adoration, a thousand oblations, ten thousand sacrifices.

When barley is coming forth, the Daevas [devils] start up; when the corn is growing rank, then faint the Daevas' hearts; when the corn is being ground, the Daevas groan; when wheat is coming forth, the Daevas are destroyed. In that house they can no longer stay, from that house they are beaten away, wherein wheat is thus coming forth. It is as though red-hot iron were turned about in their throats, when there is plenty of corn.[2]

[1] *Vendidad*, Fargaard III, 1–6.

[2] *Vendidad*, Fargaard III.

He advocated industry and preached a gospel of hard work. Work, the most effective agent in destroying the power of Angro-Mainyus, had a sanctity all its own. The world is a battlefield, and life is an eternal combat between good and evil. One set of weapons consists of work and thrift. The good man carries on agriculture, restores the fertility and carefully utilizes the soil, cares for flocks and herds, produces abundant crops, builds up an estate, and creates a state of general prosperity.

His doctrine along this line may be well-summarized by means of the following sentences:

Contend constantly against evil, strive in every way to diminish the power of evil; strive to keep pure in body and mind and so prevent the entrance of evil spirits who are always trying to gain possession of men. Cultivate the soil, drain marshes, destroy dangerous creatures. He who sows the ground with diligence acquires more religious merit than he could gain by a thousand prayers in idleness. Diligence in thy occupation is the greatest good work. To sew patch on patch is better than begging rich men for clothing. The man who has constantly contended against evil may fearlessly meet death. Death being a fact, have no fear of it, fear only not having lived well enough. Indulge not in slothful sleep lest the work which needs to be done remains undone. The cock lifts up his voice with every splendid dawn and cries: Arise, ye men, and destroy the demon that would put back the world in sleep. Long sleeping becomes you not; arise, 'tis day; who rises first comes first to paradise! In whom does Ahura-Mazda rejoice? In him who adorns the earth with grain and grass, who dries up moist places and waters dry places. He who tills the ground is as good a servant of religion as he who offers ten thousand prayers in idleness.[1]

In conformity with his own doctrine, but quite contrary to the usual spirit of the Orient, Zoroaster prohibits fasting, self-torture, excessive grief, everything calculated to enervate or injure the body or to reduce the power of the will. Asceticism is for him a sin because it causes one to waste one's opportunities; it thwarts natural powers and makes one a parasite.

No one who does not eat has strength to do heavy work, strength to do works of husbandry, strength to beget children. By eating, every material creature lives. By not eating, it dies away.[2]

[1] *Vendidad*, Fargaard XVIII. Collected and arranged by A. W. MARTIN, *Seven Great Bibles*, pp. 111–112, New York, 1930.

[2] *Vendidad*, Fargaard III, 33.

Of two men he who fills himself with meat is filled with the good spirit much more than he who does not do so; the latter is all but dead; the former is above him by the worth of an asperena, by the worth of a sheep, by the worth of an ox, by the worth of a man.

It is this man that can strive against the onsets of Asto-vidhotu [a bone-breaking evil spirit]; that can strive against the self-moving arrow; that can strive against the winter fiend, with the thinnest garments on; that can strive against the wicked tyrant and smite him on the head; it is this man who can strive against the ungodly Ashemaogha [the deceiver fiend] who does not eat.[1]

Finally, waste should be avoided.

Ahura-Mazda, in sooth, doth not suffer us to waste anything that we may possess, not even so much as an asperena's weight of thread, not even so much as a maid lets fall in spinning.[2]

Clothing or any other article touching a dead body was defiled and had to be destroyed. Hence good men were forbidden to waste good clothing by throwing it over corpses.

Whosoever throws any clothing on a dead body, even so much as a maid lets fall in spinning, is not a pious man whilst alive, nor shall he, when dead, have a place in the happy realm.[3]

3. The Denunciation of the Liar.—The ancient Persian had an almost fanatical hatred of the liar.[4] The person who spake falsely was the most despicable of all types and the first condemned, because he was the foe of truth, and truth was indispensable in human relations. Good words are truthful words; right means first and foremost the truth. "The best thing is truth, and the worst thing is falsehood."[5] The Yasnas of the *Gathas*, mainly spoken by the mouth of Zoroaster himself, it is thought, have saying after saying bearing on this subject.[6]

[1] *Vendidad*, Fargaard IV, 48–49.

[2] *Vendidad*, Fargaard V, 60.

[3] *Vendidad*, Fargaards V, VIII, 61.

[4] Herodotus said of the Persians, "The basest thing with Persians is to lie; and next it is to be in debt, for this reason, among many others, that he who is so must needs sink to lying at last." *Natural History*, Vol. I, p. 183.

[5] *Dinkard*, XII, 40.

[6] *Gathas*, Yasnas XXI, 12; XXXI, 1; XXXII, 4, 5; XXXIV, 4; XLIII, 3, 4, 8; XLIV, 14; XLVI, 6; XLVIII, 2, 11; LIII, 6.

All men are warned against the liar. "Let none of ye attend the liar's words and commands. He leads house, clan, district, and country into misery and destruction. Resist them, then, with weapons."[1] No man who wishes to be looked upon as good and worthy should have any traffic with a liar, "For he is himself a liar who is good to a liar."[2] In fact, the good citizen is definitely admonished to show ill to the liar.

Whoso worketh ill for the liar, in word or thought or hands, or converts his dependents to the good—such men meet with the will of Ahura-Mazda, to his satisfaction.[3]

Whether one be lord of little or of much, he is to show love toward the righteous but be ill toward the liar.[4]

4. The Obligations to Fellow Men.—At the head of the list is the Zoroastrian statement of the almost universal golden rule and its accompanying law of love. The great social rule is negatively stated.

That nature alone is good which shall not do unto another whatever is not good for its own self.[5]

Closely bound to this thought content is the passage that immediately follows it in the scriptures.

And this, too, was considered by them, that one should become the friend of every man, and this is thy nature; also should bring them forward into a good life, and this is thy wisdom; also think of them as thine own, and this is thy religion; and, through them, bring happiness unto thyself, and this is thy very soul.[6]

The principle of love is stated in the words

When men love and help one another to the best of their power, they derive the greatest pleasure from loving their fellow men.[7]

The specific duties involved in these two general rules are well stated in the two following passages which come from the writings of the Sasanian period.[8]

[1] *Gathas*, Yasna XXXI, 18.
[2] Yasna XLVI, 6.
[3] Yasna XXXIII, 2.
[4] Yasna XLVII, 4.
[5] *Dadistan-i-Dinik*, c. XCIV, 5.
[6] *Ibid.*, 6.
[7] Dinkard, VIII, 454.
[8] These Sasanian writings, known as the *Pahlavi Texts*, were the copies

The greatest concerns of men are these, to make him who is an enemy a friend, to make him who is wicked righteous, and to make him who is ignorant learned.[1]

Him who is less than thee consider as an equal, and an equal as a superior, and a greater than him as a chieftain, and a chieftain as a ruler. And among rulers one is to be acquiescent, obedient, and true-speaking; and among accusers be submissive, mild, and kindly regardful.[2]

A considerable number of specific commandments, obligations, and responsibilities are presented in the various texts. In the *Dina-i Mainog-i Khirad*, just referred to, are found the following statements:

Commit no slander; so that infamy and wickedness may not happen unto thee. For it is said that slander is more grievous than witchcraft.

Form no covetous desire; so that the demon of greediness may not deceive thee, and the treasure of the world may not be tasteless to thee, and that of the spirit unperceived.

Indulge in no wrathfulness, for a man when he indulges in wrath becomes then forgetful of his duty and good works . . . and sin and crime of every kind occur unto his mind, and until the subsiding of the wrath he is said to be just like Ahriman [the devil].

Suffer no anxiety, for he who is a sufferer of anxiety becomes regardless of enjoyment of the world and the spirit, and contraction happens to his body and soul.

Commit no lustfulness, so that harm and regret may not reach thee from thine own actions.

Bear no improper envy, so that thy life may not become tasteless.

Practice no sloth, so that the duty and good work, which it is necessary for thee to do, may not remain undone.

Thou shouldst be diligent and moderate, and eat of thine own regular industry.

Do not extort from the wealth of others; so that thine own regular industry may not become unheeded. For it is said that: "He who eats anything not from his own regular industry but from another, is such-like as one who holds a human head in his hand and eats human brains."

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and collections of the Avestan literature made during part of the Sasanian epoch (A.D. 226–380) in an effort to repair the great loss of texts during the dark centuries after Alexander. The material, of course, goes back to the Achaemenian dynasty. The copies now available, however, are of Parsi workmanship and were written in the seventeenth century A.D. in the neighborhood of Bombay.

[1] *Shayast-La-Shayast*, c. XX, 6.

[2] *Dina-i Mainog-i Khirad*, XX, 3–7.

Thou shouldst be an abstainer from the wives of others; because all these three would become disregarded by thee, alike wealth, alike body, and alike soul.[1]

Very wise information is given as to how to respond to people with whom one unavoidably has relationships at times.

With enemies fight with equity. With a friend proceed with the approval of friends. With a malicious man carry on no conflict, and do not molest him in any way whatever. With a greedy man thou shouldst not be a partner, and do not trust him with the leadership. With a slanderous man do not go to the door of kings. With an ill-famed man form no connection. With an ignorant man thou shouldst not become a confederate and associate. With a foolish man make no dispute. With a drunken man do not walk on the road. From an ill-natured man take no loan.[2]

Several injunctions of an economic-legal nature appear. The good man should return things he has borrowed, keep a contract, refrain from practicing usury among the faithful, avoid accumulating excessive riches.

He that does not restore a thing lent when it is asked for back again steals the thing; he robs the man. So he does every day, every night, as long as he keeps in his house his neighbor's property as though it were his own.[3]

Break not the contract, O Spitama! Neither the one thou hadst entered into with one of the unfaithful nor the one that thou hadst entered into with one of the faithful, who is of thine own faith.[4]

The *Vendidad*[5] makes taking interest on loans to others of the faith "the worst sin." But this is not applicable to those not of the faith. This distinction is sometimes orgotten, for "he knows that it is lawful to take high interest, but he does not know that it is not lawful to do so from the faithful."

Men are enjoined to practice charity, to succor the poor, and extend hospitality to all good men. The saving power of philanthropy is expressed in the statement, "A man's body is protected

[1] *Ibid.*, II, 8–30, 42–51.
[2] *Ibid.*, II, 52–63.
[3] *Vendidad*, Fargaard IV, 1.
[4] *Mihir Yast*, c. I, 2.
[5] Fargaards III, CIV, 41–42.

in this world by philanthropy."[1] Generosity and charity are admonished thus:

> He hath promoted nought, O Zoroaster, nor shall he promote ought . . . who hath not rejoiced and who rejoiceth not the righteous man that cometh within his gates; for they, O Spitama Zoroaster, shall enter into Paradise, who are most generous to the righteous and who least vex their souls.[2]

Those who do not aid those of the faith are condemned, for "they seek not after righteousness; they seek not to succor and maintain the poor follower of the Holy Law."[3] There is great reward for those who do help their own. "Whosoever shall give meat to one of the faithful, as much of it as the body of this Parodars bird of mine [a very small quantity], I, Ahura-Mazda, need not interrogate him twice; he shall go to Paradise."[4] There is one passage which does not connote sectarian obligations: "As far as possible, one should not partake of food till after feeding the needy." Finally we are told, "The greatest good work is liberality."[5]

Presumption, arrogance, and haughtiness are presented in the light of ultimate results or more abiding tests and values.

> Thou shouldst not become presumptuous through any happiness of the world; for the happiness of the world is such-like as a cloud that comes on a rainy day, which one does not ward off by any hill.
>
> Thou shouldst not be too much arranging the world: for the world-arranging man becomes spirit-destroying.
>
> Thou shouldst not become presumptuous through much treasure and wealth; for in the end it is necessary for thee to leave all.
>
> Thou shouldst not become presumptuous through predominance; for in the end it is necessary for thee to become non-predominant.
>
> Thou shouldst not become presumptuous through respect and reverence; for respectfulness does not assist in the spiritual existence.
>
> Thou shouldst not become presumptuous through great connections and race; for in the end thy trust is on thine own deeds.
>
> Thou shouldst not become presumptuous through life; for death comes upon thee at last.[6]

[1] *Dinkard*, VII, 453.
[2] *Nasks* (*Tahmura's Fragments*), 105–109.
[3] *Ibid.*, c. XLIV, 100.
[4] *Dinkard*, IX, 638.
[5] *Dina-i Mainog-i Khirad*, IV, 3.
[6] *Dina-i Mainog-i Khirad*, II, 98–113.

5. An Evaluation of Wealth.—The Zoroastrian literature very definitely questions the procedures essential to the acquisition of wealth, the validity of amassed wealth, and the social value of many wealthy men. In a fine passage in the *Dina-i Mainog-i Khirad* we read:

> The sage asked the spirit of wisdom thus: "Is poverty good, or opulence?"
>
> The spirit of wisdom answered thus: "Poverty which is through honesty is better than opulence which is from the treasure of others. For it is stated thus: 'As to him who is the poorest and most secluded person, whenever he keeps his thoughts, words, and deeds honest . . . for him even there is lawfully a share of all the duties and good works which mankind shall do in the world. As to him, too, who is opulent, who is a man of much wealth, when the wealth is not produced by honesty, though he takes trouble in duties and good works and righteous gifts, his good work is then not his own, because the good work is his from whom the wealth is abstracted.
>
> " 'And as to that much wealth which is collected by proper exertion, and one consumes and maintains with duties and good works and pleasure, even that is no better thereby, because it is necessary to consider that as perfect. But as to him who is a man of much wealth, whose wealth is collected by proper exertion, and he consumes and maintains it with duties and good works and pleasure, he is great and good and more perfect.' "[1]

While the last sentence of the passage just quoted seems to justify wealth under certain conditions, another well-known passage definitely admonishes against the striving for great wealth. In the *Dinkard* we read, "That man has the worst desires who thinks it right to amass the riches of this world."[2]

6. Good Government.—Both the ruler and the nature of good government are discussed. In the *Gathas* the plea is made to Ahura-Mazda for a good ruler.

> Let the good kings obtain the rule. Let not the evil monarchs govern us, but let the righteous gain the day and rule us, with deeds done in good discernment.[3]

In the *Vistasp Yast* the quality of the ruler rests upon a religious valuation.

[1] XV, 1–11.
[2] III, 129.
[3] Yasna XLVIII, 5.

He wieldeth his power according to the will of Ahura-Mazda, the spirit of good, and for the destruction of the spirit of evil; whichever of two rulers goeth quicker to perform the sacrifice and prayer in not the right way, he doth not rightly wield the power and he may not reign. Such an one shall suffer ill in the next world, though he be the sovereign over a land, with brave steeds to mount and brave chariots to drive. Give thou, O Zoroaster, the crown unto him who with a good will giveth the sway unto thy teachings![1]

While the civil requirements in the definition of a good government are almost inextricably bound up with the religious, the general civil nature of its function is nevertheless quite clear.

Good government is that which maintains and directs a province flourishing, the poor untroubled, and the law and customs true, and sets aside improper laws and customs. It . . . keeps in progress . . . good works. It causes friendliness and pleading for the poor. . . . If there be any one who desists from the way of the sacred beings, then it orders some one to effect his restoration thereto . . . it allots, out of the wealth that is his, the share . . . of good works and the poor. . . . A good king, who is of that kind, is called equal to the angels and archangels.[2]

Justice and the duties to the Creator are put on the same plane, as fundamental obligations.

Why are we men produced in the world, and what is it that we must do therein?"

The answer to this is . . . that man was created to do justice and to do for his Creator that which is acceptable to him.[3]

7. The Home, Family, Children, and Sex Relations.—The home and homestead constitute one of the most important places on earth.

The *Vendidad* records this question and reply:

Oh Maker of the material world, thou Holy One, which is the second place where the earth feels most happy?"

Ahura-Mazda made answer and said, "It is the place whereon one of the faithful erecteth a house with a priest [householder?] within, with cattle, with a wife, with children, and good herds within; and wherein afterwards the cattle continue to thrive, virtue to thrive, the dog to

[1] C. VII, 47–48.

[2] *Dina-i Mainog-i Khirad*, XV, 16–26.

[3] *Dadistan-i-Dinik*, c. VII, 1, 2.

thrive, the wife to thrive, the child to thrive, the fire to thrive, and every blessing of life to thrive."[1]

Marriage and children are highly recommended. In fact, celibacy is utterly condemned; the unmarried of both sexes are looked upon with disfavor, and continence in the married state is most emphatically not celebrated as purity. These views are demonstrated in the succeeding passages.

Verily say I [Ahura-Mazda] unto thee, O Spitama Zoroaster, he that hath a wife is far above him that liveth in continence; he that maintaineth a household is far above him that hath none; he that hath children is far above him that hath no child.[2]

Every man that has a material body should regard his own marriage as a good work incumbent on him to perform . . . and he should promote the marriage of others.[3]

Unhappy is the land that hath long lain unsown with the seed of the sower and wanteth a good husbandman, like unto a well-shapen maiden that hath long gone childless and wanteth a good husband.[4]

The *Ashi Yast* declares that among the evils of the world, "This is the worst deed that men and despots commit, when they deprive maids, who have long been unfruitful, of marrying and bringing forth children."[5] Zoroaster presents from this same *Yast* the following maiden's prayer: "Grant us, O Vayu [the genius of fruitfulness] . . . that we may find a husband, young and beautiful in person, who will treat us well our lives long and bless us with offspring."[6]

Zoroaster also relates a vision that he had in a dream: "I beheld a rich man without children, and he was not exalted in mine eyes; and I beheld a poor man with many children, and he was exalted in mine eyes."[7]

The very sex act itself, within the married relation, is glorified. "Frequent repetition of the act of propagating the offspring is an act of great worth."[8] This is entirely proper, for "the man and

[1] Fargaard III, c. I.
[2] Fargaard IV, c. IIIb, 47.
[3] *Dinkard*, IX, 609.
[4] *Vendidad*, Fargaard III, c. III, 24.
[5] c. X, 59.
[6] c. X, 39.
[7] *Bahman Yast*, c. II, 13.
[8] *Dinkard*, IX, 639.

woman were by him [Ahura-Mazda] also made to lust and thereby became father and mother of mankind upon the earth. . . . And the law and the religion authorized this as a proper desire . . . the entire progress of the world is joined and will flow therefrom until the end of the world."[1]

In entire consistency with its general philosophy regarding the importance of a continuous reproductory process, the ancient Persian literature condemns abortion and birth control. In the *Vendidad* we find the following rather lengthy statement regarding abortion:

> If a man come near unto a woman, either dependent upon the head of a household or not so dependent, either married or unmarried, and she conceive by him, let her not, being ashamed before the people, produce the menses in herself, against the course of nature, by means of water and of plants.
>
> And if the woman, being ashamed before the people, shall produce the menses within herself against the course of nature, by means of water and plants, it is a fresh sin, as grievous as the first.
>
> If a man come near unto a woman, either dependent upon the head of a household or not so dependent, either married or unmarried, and she conceive by him, let her not, being ashamed before the people, destroy the fruit in her womb; and if the woman, ashamed before the people, shall destroy the fruit in her womb, the sin is upon both the man and herself: the murder is both upon him and upon her; both he and she shall pay the penalty for wilful murder.
>
> If a man come near unto a woman, either dependent upon the head of a household or not so dependent, either married or unmarried, and she conceive by him, and she saith unto him, "Lo, I have conceived by thee!" and he answer, "Go, then, unto the beldame and ask her for a drug that she may procure thee a miscarriage," and the woman goeth unto the beldame and asketh her for a drug that may procure for her a miscarriage, and the beldame giveth her banga or shaeta, a drug that killeth in the womb or expelleth from the womb, or some other drug that causeth miscarriage, and he say unto her, "Cause thou thy fruit to perish!" and she cause her fruit to perish, the sin is then upon the heads of all three, the man, the woman, and the beldame.[2]

Any form of birth control is evil, especially the wasting of the seed.

[1] *Dadistan-i-Dinik*, c. LXXVII, 4–6.

[2] Fargaard, c. II *a*, *b*, 9–13.

He that wasteth seed useth to cause the death of progeny. If this were practiced in every case, producing a foul cessation of the procreation of mankind, all human life would come to an end; and certainly conduct which, if indulged in by all, would depopulate the world is, and furthereth, the dearest wish of Ahriman.[1]

The child of the betrayed woman must be supported by its father.

If a man come near unto a woman, either dependent upon the head of a household or not so dependent, either married or unmarried, and she conceive by him, so long shall he support her, until the child is born. If he shall not support her and on that account the child shall come to grief, he shall for his crime pay the penalty of wilful murder.[2]

Adultery is condemned. "Thou shouldst be an abstainer from the wives of others; because all these three would become disregarded by thee, alike wealth, alike body, and alike soul."[3]

It is the duty of a father to provide for his daughter or a brother to arrange for his sister a husband of the faith.

He shall . . . give in marriage unto one of the faith a virgin, whom no man hath known. . . . "Oh thou Creator of the material world, thou Holy One, what sort of a virgin?" Ahura-Mazda made answer and said, "His sister or his daughter, of full age, with earrings in her ears, past her fifteenth year."[4]

As to the type of a woman to marry, it is said, "Let your love ever be for a foresighted and modest woman, and marry such a one only."[5] Similarly the wife who is highly approved is described as follows:

The woman who is young, who is properly disposed, who is faithful, who is respected, who is good-natured, who enlivens the house, whose modesty and awe are virtuous, a friend of her own father and elders, husband and guardian, handsome and replete with animation is chief over the women who are her own associates.[6]

[1] *Dadistan-i-Dinik*, c. LXXVII, 11.
[2] *Vendidad*, Fargaard XV, c. IIb, 15–16.
[3] *Menuk-i-Khrat*, 12.
[4] *Vendidad*, Fargaard XIV, 15.
[5] *Andarz-i-Ataport i Marashand.*
[6] *Menuk-i-Khrat.*

In one of the *Yasts* the virtuous wife is spoken of as "the saintly woman, rich in good thoughts, good words, and good deeds, well-principled and obedient to her husband."[1] While her opposite is described as "the devilish woman, rich in evil thoughts, evil words and evil deeds, evil religion, ill-principled, and disobedient to her husband."[2]

8. Hygiene and Sanitation.—The laws of purification compose a large part of the *Vendidad*, but the procedure is mainly a ceremonial one, and its chief concern is that of expelling demons from the body due to the pollution of death or avoiding demons bound up with dead matter whether in the form of outgoing breath, the parings of nails, or the cut or shaved hair; the pollution of disease; or the menstruation or childbirth of women. Incidentally, however, some of the rules have specific significance in the prevention of contamination, the prevention of epidemics, and personal hygiene. For example, the pollution of the earth by dead bodies is prohibited, and serious penalties attached.[3] Fairly sound principles are established regarding the pollution of a pond or stream and the means of correction.[4] The placing of the corpse in the dakhma, where it is quickly consumed by vultures and wolves, results in rapidly disposing of it.[5] Part of the process of cleansing garments defiled by death and illness is sound in the light of modern knowledge.[6] A house in which there has been a corpse should be fumigated.

If a dog or a man die within a house or a tent, what shall the worshippers of Ahura-Mazda do?

Ahura-Mazda answered, "They shall search for a dakhma; they shall look all about for a dakhma. If they find it easier to remove the dead, they shall do so and permit the house to stand and shall fumigate it with garlic or benzoin or aloes or pomegranate or some other pungent plant. If they find it easier to remove the house, they shall do so, leaving the dead lying upon the spot, and shall fumigate the house with garlic or benzoin or aloes or pomegranate or some other pungent plant.[7]

[1] XXII, c. II, 18.
[2] V. 36.
[3] *Vendidad*, Fargaard III, c. IV, 36–39.
[4] Fargaard VI, c. III, 30–32, 39–41.
[5] Fargaard VI, c. V, 44–51.
[6] Fargaard VII, c. III, 12–22
[7] Fargaard VIII, c. I, 1–3.

Possibly to prevent contagion, as well as to avoid contact with the foul demon, the touching of a dead body is prohibited.[1] Nail parings and cut hair must be disposed of.[2]

9. The Law of the Vendidad.—Herodotus and Diodorus make occasional mention of Persian laws, especially of the Achaemenian period. In the Old Testament reference is also made to the "law of the Medes and Persians which altereth not." But no ancient Persian civil codes or lists of legislation are available thus far. The only semblance of a code that we do have is a mixture of religious and civil regulations which comes down to us in the *Vendidad*. It is safe to assume from what we do know that the *Vendidad* was not the working law of the Persian Empire, as the Code of Hammurabi was in Babylonia for a succession of dynasties and as the Assyrian and Hittite codes may have been among their respective peoples. But that it had a dominant influence, even in higher circles, is equally certain. Its significance was religious rather than civil. It has, in fact, been referred to as the Zoroastrian Pentateuch.[3] Perhaps some day the great Persian civil codes themselves will be found.

In the *Vendidad* we are furnished with considerable material regarding the laws and ordinances in force among the Avestan people, probably in effect long before Cyrus. While there are other sets of laws in the Zoroastrian literature—seven, to be exact[4]—the others are incomplete and of later date and scene. Much of this legal matter has been touched upon under other headings. The object here is merely to outline its general nature.

The fact that these laws are so intimately bound up with religion creates a serious difficulty in determining their place in the social organization of the times. For religious influence adds an emotional element and a supernatural intent which disguise the fundamental part of the laws in the social scheme. At the same time, these laws undoubtedly did have outstanding significance in the daily lives of large numbers of people. While Zoroaster was undoubtedly a genius, this genius expressed itself partly in his

[1] Fargaard VIII, c. VI, 33.

[2] Fargaard XVII, I, II.

[3] A. G. BROWNE, *A Literary History of Persia*, Vol. I, 30, Cambridge, England, 1929.

[4] M. N. DHALLA, *Zoroastrian Civilization*, p. 95, Oxford, 1922.

activity as a condenser, crystallizer and writer of social and religious thought and customs which had been current in certain sections of the Iranian region or among earlier Aryan clans for centuries. It is equally true that moral and social requirements promulgated under religious influences or auspices reflect usually the best thought as to general social behavior requirements. Finally, while Zoroaster was in a sense a lawgiver, this function was only incidental to his career as an ethical and social reformer and religious founder and leader. The *Vendidad* law thus has significance as part of his general program of social and moral reform and reconstruction.

In the *Vendidad*, the god Ahura-Mazda himself is represented as laying down rules and precepts for the conduct of man in his relation to society and with reference to the general conduct of his life on earth. Since the program is a broad one, we find this list to be a collection of religious, ethical, ecclesiastical, ritualistic, social, economic, penal, and hygienic laws. Those laws of it that have secular significance conveniently fall into five classes or groupings: first, those dealing with crimes against morality, such as adultery, abortion, and unnatural crime; second, crimes against property, involving breach of contract, loans and interest, theft and robbery; third, crimes against the person, especially outrages, assaults and wounds, and manslaughter and murder; fourth, crimes against private and public health, taking the form of defilement and uncleanliness and dealing with burial of the dead, contagion, illnesses, and all that contaminates the earth, air, fire, or water; and, fifth, crimes against animals (ill-treating, ill-feeding, and other forms of cruelty). There are also various odds and ends of law on a number of other subjects which make it fairly comprehensive in its coverage of social situations. Interesting in this latter connection are those concerned with the responsibility of kinsmen, the probation of physicians and their fees, and the numerous penalties of all kinds. At best, however, the civil intent of this law is most vague and unsatisfactory. The laws are not segregated in any one part of the *Vendidad*, nor do they appear in any systematic arrangement. They are scattered through Fargaards IV, V, VI, VII, VIII, XVI, XVII, and XVIII.

In addition to legislation mentioned in preceding sections and now recognized as falling in one or the other of the above cate-

gories, the following may be presented as further standard types. Among the numerous passages dealing with assaults we find the following:

If a man rise up to smite a man, it is an *agerepta* [*i.e.*, seizing a weapon with a view to smiting another]. If a man come upon a man to smite him, it is an *avaoirista* [brandishing a weapon with a view to smiting another]. If a man actually smite a man with evil aforethought, it is an aredus [*i.e.*, when a man actually smites another with a weapon but without wounding him or inflicts a wound that is healed within three days]. Upon the fifth Aredus [*i.e.* the sixth commission] he becomes a Peshotanu [*i.e.*, he shall receive 200 stripes or shall pay 1200 dirhems].[1]

One of the laws on defilement runs as follows: "O Maker of the material world, thou Holy One! If a man shall throw on the ground the whole body of a dead dog, or a dead man, and if grease or marrow flow from it on to the ground, what penalty shall he pay?" The answer is 1000 stripes.[2]

Another block of interesting legislation deals with the probation of physicans and their fees.[3] Physicians must first practice on unbelievers. If they are successful, then they may treat the faithful. The fees are graded by both rank and sex somewhat in the manner of the Code of Hammurabi.

A healer shall heal a priest for a holy blessing; he shall heal the master of a house for the value of an ox of low value; he shall heal the lord of a borough for the value of an ox of average value; he shall heal the lord of a town for the value of an ox of high value; he shall heal the lord of a province for the value of a chariot and four.

He shall heal the wife of the master of a house for the value of a she-ass; he shall heal the wife of the lord of a borough for the value of a cow; he shall heal the wife of the lord of a town for the value of a mare; he shall heal the wife of the lord of a province for the value of a she-camel.

He shall heal the son of the lord of a borough for the value of an ox of high value; he shall heal an ox of high value for the value of an ox of average value; he shall heal an ox of average value for that of an ox of low value; he shall heal an ox of low value for the value of a sheep; he shall heal a sheep for the value of a meal of meat.[4]

[1] Fargaards IV, III a, 17.
[2] Fargaards VI, II, 245.
[3] Fargaards VI, VII*a*, VII*b*.
[4] Fargaards VII, VIIb, 41–43.

A variety of punishments appear in the Zoroastrian literature, including flogging, fines, bodily mutilations, death, exclusion from participation in social or religious festivals, penal servitude, branding, and compelling the criminal to kill a certain number of noxious animals. In the *Vendidad* flogging is the almost universal penalty, the punishment prescribed in some cases amounting to as much as 10,000 stripes. It is inconceivable how anyone could endure that many blows and survive. The old German law required a maximum of only 200; and the Hebrew law, 40. Another interesting feature is the progressive increase of the punishment with each repetition of the offense. Thus for assault resulting in a light wound the penalty for the first offense is 15 stripes; for the second, 30; the third, 50; the fourth, 70; and the fifth, 90. If the culprit refuses to take his punishment voluntarily, he shall be subject to force and receive 200 stripes.

10. Progress and Messianism.—The spirit of progress animates the entire Zoroastrian literature. Zoroaster impressed on his followers the necessity of helping the world to go forward. This is a duty not to be shirked. All effort is directed to this end. In one of the oldest *Gathas* is the prayer, "May we be such as those who bring on this great renovation and make this world progressive till its perfection shall have been reached."[1] Similarly in the *Dadistan-i-Dinik* the question is asked, "For what purpose is a righteous man created in the world, and in what manner is it necessary for him to live in the world? The reply is this, that the Creator created all creatures for progress, which is his wish; and it is necessary for us to promote whatever is his wish that our wish may be realized."[2]

There is also in the Zoroastrian literature a millennial period with a Messiah in the form of a distant descendant of Zoroaster. Of him it is declared, "As to the renovation of the universe and the future existence, it is declared that they arise in his time."[3] This material is thought to be the product of a later age, when trials and tribulations readily produced utopianistic thought.

[1] Yasna, XXX, 9.
[2] c. III, 1, 2.
[3] *Dinkard*, XIV, 12–15.

CHAPTER VII

THE SOCIAL THOUGHT OF EARLY INDIA

I. The Backgrounds of the Period

The subcontinent of India is a vast tract of land extending from the hottest equatorial regions in the south to far within the temperate zone. Its greatest dimensions north and south and east and west are about the same, some 1900 miles. It falls chiefly into three regions: the rough and broken mountainous areas of the Himalayas on the north; the broad, fertile river plains, with temperate climate, south of the Himalayas traversed by the Indus and the various Gangetic tributaries rising in the Himalayas and flowing generally in a southerly direction, known as the Middle Lands—a section on the whole most conducive to the development of a great civilization—and, finally, the southern three-sided tableland constituting the peninsular portion.

During the period preceding the Persian and Greek invasions, the period of interest to us, several different racial stocks are involved. Modern students believe that we must begin with a pre-Dravidian people, the earliest indigenous aborigines occupying the hills and jungles of the more isolated regions. Next are the Dravidian stocks, until recently thought to be the original aboriginal inhabitants but now quite generally believed to be very early migrants from Western Asia, who brought their language with them. Then about 2400 B.C. began the long migratory waves of the Indo-Aryans, the racial brothers of the early Persians, which lasted until approximately 1500 B.C.[1] These came from the Bactrian region, over the passes of the Hindu Kush into South Afghanistan, and thence down the river valleys into north-central and middle India. They never got into the peninsular area proper. These are the real culture peoples of India. These stocks, along with later invaders and contiguous races, have produced various mixtures. Notable are the Turko-

[1] *Cambridge History of India*, Vol. I, pp. 41*ff*., Cambridge, 1922.

Iranian types, the Scytho-Dravidian, Aryo-Dravidian, the Mongoloids (of Burma, for example), and Mongolo-Dravidian mixtures. Of these various stocks the Sanskrit-speaking Aryans are the ones of significance in our study, since they were responsible for most of the thought of consequence that has come out of India. They dominated not only the thought but the entire culture and history of India.

Since the first exact date in the story is 326 B.C., the year when Alexander invaded India, we must depend on the ancient Indo-Aryan literature for our knowledge, vague at best, of early life in India. The chief source is the *Rig-Veda*, a collection of 1017 hymns arranged in ten books of unequal size. These constitute a sort of Hindu *Iliad* and *Odyssey*. While the hymns consist mostly of invocations to the gods, they throw some little light on the social and political conditions of earliest Aryan India, giving miscellaneous information regarding life and thought. The earliest hymns show the Aryans up on the northwestern frontiers starting south and east. Later hymns reflect a more settled society in the broad stretches of Hindustan. Mention is made of the overthrow and the enslavement of the dark-skinned Dravidians. The hymns show substantial matrimonial and domestic institutions. The patriarchal family and mainly monogamic marriage were in effect; the standard of female morality was fairly high; women lived under the protection of their fathers, then when married under their husbands, and if unmarried, and the father dead, under the control of the eldest brother; dowry and bride price existed with apparently a high value placed on marriage; the parent-and-child relation was an affectionate one; the parental rights were large and occasionally cruelly exercised; the head of the family was also the owner of the property of the family; finally, several generations lived under one roof, the sons as they married remaining part of the patriarchal family.

The early hymns show that caste in the later sense was unknown, but the Aryan tribesmen were divided into four grades, which later become the castes. These were the Brahmans or sacrificing priests; the Kshatriyas or nobles, who claimed descent from the early leaders; the Vaisyas or peasantry; and then the Sudras, the hewers of wood and drawers of water, mainly of non-Aryan descent. Mention is also made of eighteen different guilds of workpeople, such as the woodworkers, stoneworkers,

metalworkers, weavers, leatherworkers, and potters. This points also to some specialization in industry.

The political organization centered around the king, who led the army in war and is mentioned as the patron of poets and artists. There was also an assembly. The king exercised both criminal and civil jurisdiction, with some assistance.

The economic life was primarily pastoral, with cattle the most important beasts, and horses ranking next. Agriculture was a definite part of the Vedic economy, the practice of ploughing being repeatedly mentioned. Property was definitely institutionalized and was passed on by inheritance. The most frequently mentioned crimes were theft, including burglary and highway robbery. The standard of value seems to have been the cow, and in the early days coins were unknown. There was no city life, but the village community was the heart of the life of the people, as it is to this day.

Chariot racing was the greatest amusement, as it invariably was among the ancient peoples having the horse. Dancing had both recreational and religious significance. The religion was most elaborate, being a complicated nature worship. The language was Indo-European, though the Indian alphabet presently came to be Semitic in nature, supposedly owing to the fact that Dravidian ocean traders brought it back from Babylon in the seventh century B.C.[1]

Later India departs in minor ways from this early scheme of life. Small, more or less independent tribal states appear; accumulated and concentrated wealth comes into the picture; caste lines are very closely drawn; religious practices become more absorbing; cities develop; but, in the main, the general characteristics of this Indian social organization are essentially the same during the period of our concern as they were centuries earlier.

Our interest lies in the social thought of India prior to the Greek invasion, that is, the thought currents of the sixth, fifth, and fourth centuries B.C., in so far as they can be determined. The religious literature is all that has survived from these early times, but, like the religious literature of most early peoples, it is quite inclusive and contains not only most of the early history

[1] See A. B. KEITH, "The Age of the Rigveda," in *Cambridge History of India*, Vol. I, pp. 77–113.

but also most of the folklore, folkways, ethics, wisdom writings, and other ethicosocial philosophy. The complicated systems of philosophy and religion of India will not be discussed here, though a few bits will have to be inserted to give the setting for the social thought. The thought of a social nature is part of the patterns that grew up around Brahmanism on the one hand and Buddhism on the other. These must be examined for its sources and core.

Though early Persian and Indian thought both emanate from Aryan stocks, they are vastly different in nature. This difference must rest partly on geography and climate. The natural scene of Persia with its varied terrain, its harsh climate, and relatively poor fertility produced a social philosophy of efficiency and hard work. On the other hand, the Aryan invaders of India after acclimatization and adjustment to the warm, benignant climate and the well-watered, steaming, productive plains, developed a brooding, speculative tendency. The virile nomads were transformed into Vedic poets and philosophic brooders about Atman, the Absolute, and Nirvana. Instead of the philosophy of mastery, conquest, and productivity of their Iranian kinsmen, they embraced one of patient resignation and ultimate escape. This naturally left a literature impoverished as far as social thought was concerned. The Brahmanical writings particularly show this. Since Gautama's scheme of translation of self involved "deed structures," it necessarily was much richer in its statements of social principles and policies.

II. Brahmanistic Thought

The Brahmanistic literature produced before the Greek invasion is of such nature as to prevent it from having very much social thought in it. What there is is largely incidental. The available literature, voluminous in amount, consists largely of a series of sacred books, several great epics, and some legalistic literature. The oldest are the four sacred *Vedas* or books of knowledge, originating long before 1000 B.C. These are the *Rig-Veda* or *Veda* of verses or hymns; the *Yajur-Veda* of sacred prescribed formulas; the *Sama-Veda* of chants; and the *Atharva-Veda*, concerned with charms, rituals, and sacrifices. There are also four subordinate *Vedas* known as the *Upa-Vedas*, and six auxiliary sciences known as *Vedangas*. These are all primarily

religious and involve a nature worship in which sun, moon, sky, earth, air, fire, and other natural phenomena are deified. These deities reflect their Indo-European base.

The *Brahmanas*, meaning "Priestlies," are the legalistic or priestly books of Hinduism (1000–800 B.C.). By the time that they came into existence the clans were safely settled in the river valleys, and the simple Vedic religion had been transformed into a system of strict domination, elaborate ceremonies, carefully prescribed compulsory ritual, and material offerings and sacrifices—all under the control of Brahman priests. Here are set forth in manual form the details of the ritual and worship that had to be performed with meticulous exactness. They represent, says Eggeling, "the intellectual activity of a sacerdotal caste which, by turning to account the instincts of a gifted and naturally devout race, had succeeded in transforming a primitive worship of the powers of nature into a highly artificial system of sacrificial ceremonies."[1] The Brahmanas seek deliverance for the individual by means of works of a ritualistic nature.

The *Upanishads* (800–600 B.C.) present philosophical Hinduism.[2] They consist of between 150 and 250 treatises of varying length providing a series of metaphysical and psychological ideas and interpretations. The earlier ones are largely allegorical treatments of Vedic ritual and myth, but the later ones show increasing independence of method and thought. In contrast to the *Brahmanas*, the *Upanishads* provide deliverance through esoteric knowledge. In the *Aitareya Upanishad* (II, 6) we are told that all earthly reality and the great One Reality is contained in knowledge. All that is is guided by knowledge. Knowledge is its foundation. Knowledge is Brahman (the all-comprehending and universal self)." Similarly, the *Yajur-veda Upanishad* states, "He who has understanding, is self-controlled, and ever pure, he reaches that realm whence there is rebirth."

There is social and ethical admonition in the *Upanishads*, but it is of a desultory nature. Socialized behavior is advocated as one aspect of the process whereby the individual eventually, after many rebirths, achieves deliverance from the entangle-

[1] J. EGGELING, Introduction to the *Catapatha Brahmana*.

[2] Cf. ROMESH CHUNDER DUTT, *Ancient India*, Vol. I, p. 16, Calcutta, 1889. He assigns the *Upanishads*, the works which closed the great Epic period, to *c.* 1000 B.C.

ments of this world and final union with the Supreme. Thus sobriety and devotion, self-restraint, generosity, and loving-kindness are cardinal virtues. The *Chhandogya Upanishad* states, "Those whose conduct here has been good will quickly attain some good birth—the birth of a Brahman or Kshatriya or a Vaisya. But those whose conduct has been evil will quickly attain an evil birth—the birth of a dog or a hog or a chandala." The social teaching of the *Upanishads* is essentially self-interested and individualistic. Good behavior is practiced for the sake of personal and private advantage and not primarily as part of a cooperative and reciprocating life among one's fellows.

The two great Indian epics are the *Ramayana* and the *Mahabharata*. The nucleus of the *Mahabharata* probably goes back to the tenth century B.C., while in its general form it dates *c.* 350 B.C. The *Ramayana* also goes back several centuries into the pre-Christian era. In its earliest form it may be even older than the *Mahabharata*.[1] The great triumph of both occurred, however, after the temporary vogue of Buddhism. The *Mahabharata*, meaning "Great War of the Bharatas," is the longest poem in the world and deals with the successive episodes in the great contest waged by the Bharatas for the possession of North India. It is replete with the rivalries and exploits of the warrior heroes. The *Ramayana* embodies the legends surrounding the mythical hero Rama, who was an exemplar of all morality and duty and much concerned with the repression of wrong and the inculcation of virtue. These great and enormously lengthy poems were sung from court to court by the traveling bards and contained the floating folklore and epic traditions of the people. They were full of old tribal narrative, presenting the legends of the warriors and their heroic deeds of chivalry and daring, interspersed inevitably, of course, with much religious, priestly, and ascetic lore. Incidentally certain amounts of social discourse and philosophic treatise[2] are incorporated. Thus, to be found in them are statements of Indian ideals of love and devotion, justice, self-restraint, and rightness. Conceptions of the ideal role of the warrior, the wife, and the husband are presented. Men are admonished to

[1] H. H. GOWEN, *A History of Indian Literature*, p. 241, New York, 1931.

[2] For an excellent treatment see R. W. FRAZER, *A Literary History of India*, pp. 210–241, London, 1907.

be mild and forgiving in conduct; they should avoid harshness and revenge; practice charity and kind deeds, especially charity and boundless generosity toward Brahmans. But not to commit corporal injury, to speak the truth, not to steal, to be pure, to restrain the senses—these rules of duty were for all castes.[1]

III. The Ancient Hindu Legal Codes

The most important type of ancient Sanskrit writing from the point of view of this study is the legal literature. This falls into three classes. First there is the dharma, meaning "law," "right," or "duty." A series of books, known as the dharmashastras, present the law dealing with the discharge of duty. A second group, the arthashastras, are groups of cold-blooded manuels on the cult of the useful, the way to order one's wordly concerns so as to conduce to happiness. The third group are the kamashastras, having to do with the "worship of the desirable" or, rather, the enjoyment of pleasures, sensual as well as sensuous. These include some of the most licentious treatises in literature, at least from the point of view of the Westerner.

The dharma literature, of special concern to us, includes a number of important law collections extending over a long period of Hindu history. The more important ones are the *Institutes of Gautama*,[2] *Apastamba's Aphorisms*, the *Code of Manu*, and the dharmashastras of *Baudhayana* and *Vasishtha*. Of these, the writing of the first two quite definitely falls within the period of our interest, the Institutes of Gautama being hardly later than 500 B.C. and possibly considerably earlier; and the Aphorisms of Apastamba dating approximately 400 B.C.[3] These are the two oldest existing books of the *Sacred Law of India*, as the subtitles state.

Sanskrit law, however, pursued throughout a course of spontaneous development. These codes are all closely related, and subsequent ones are largely revisions of earlier ones. Therefore they may be treated as a body. All are rooted deeply in the ancient *Vedas;* they are, in fact, in part at least, digests of the

[1] H. O. Taylor, *Ancient Ideals*, pp. 78–81, New York, 1896.

[2] This Gautama was not the founder of Buddhism, but another famous early character. The name was a common one among the upper castes.

[3] For the text of these see *Sacred Books and Early Literature of the East*, II. For the others mentioned see *ibid.*, XII, XIV, XXV.

teachings of the *Vedas*. While there is not much formal social thought in them, strictly speaking, they have considerable significance for the student of culture and the history of social institutions, especially those interested in the sociological and anthropological aspects of law. A comprehensive treatment from these angles would be justified. This study will be confined, however to a brief summary of their content from the point of view of the social scientist.

These dharmasutras (literally, "rules of law") were legal manuals or textbooks written by the teachers of the Vedic schools for the guidance of their pupils. Consisting chiefly of strings of terse rules embodying most of the essential duties of life for every condition and situation, they were intended to be committed to memory. For centuries, before being written, they passed from generation to generation in oral form. Incidentally, they were the earliest attempts in India at a systematic treatment of law subjects. While at first held to be authoritative in restricted circles, they were later acknowledged as sources of law applicable to all Aryans.

As already noted, they were Vedic in origin and hence an essential part of the religious system, but, like other ancient sacred legal codes, they were also the civil and criminal law and controlled every aspect of life. Thus they reflect the nature and the types of requirements and prohibitions continually binding upon the Hindu in his domestic, political, economic, and social and class relations, as well as rules governing the conduct of kings and the administration of justice.

Every one of these codes is largely built around the four stages of an individual's life, namely, studenthood, householder or family career, hermithood or semiretirement, and finally the life of the ascetic or complete retirement. Of course, not all receive equal emphasis or scope of treatment. The stage of householder receives the most attention, for as the *Institutes of Gautama* state: "The householder is the source of these, because the others do not produce offspring" (III, 3). The duties for each of the four stages are set forth in great detail. The greater number of these duties, in some cases as many as three-fourths, are only of religious or ceremonial significance. The duties of studentship concern initiation and purification; proper personal habits, such as those of dress, food, attire, and hair, usually involving long

lists of prohibitions; but above all proper behavior to his guru (teacher) and the members of his family. The sections dealing with the householder are concerned with involved marriage rules, the administration of property, domestic rites, the preparation and consumption of food, almsgiving, the relationships with various types and classes of people, private habits, avoidances, and many others, including a vast array of mystical ceremonial requirements. The duties of hermit and ascetic deal with food prohibitions, clothing requirements, chastity, restraint in all behavior, forbidden places and creatures, personal habits, and of course a great variety of religious prescriptions and proscriptions.

Separate lists of duties are given for each of the four castes as well, namely, the Brahmans, Kshatriyas, Vaisyas, and Sudras. Of these the first three were supposed to go through the four stages above outlined. Thus for a Brahman student the following is prescribed among many other duties:

> Let him wear a skin only as his upper garment. Let him not look at dancing. Let him not go to assemblies for gambling, etc., nor to crowds assembled at festivals. Let him not be addicted to gossiping. Let him be discreet. Let him not do anything for his own pleasure in places which his teacher frequents. Let him talk with women so much only as his purpose requires. Let him be forgiving. Let him restrain his organs from seeking illicit objects. Let him be untiring in fulfilling his duties, modest, possessed of self-command, energetic, free from anger, and free from envy [*Apastamba*, I, 1, 3, 10–24, *SBE*, Vol. II].[1]

Lawful and unlawful occupations for the different castes at different stages of life are set forth in detail. These are concisely summarized in a passage in the *Vasishiha.*

> The lawful occupations of a Braham are six:
> Studying the *Veda*, teaching, sacrificing for himself, sacrificing for others, giving alms, and accepting gifts.
> The lawful occupations of a Kshatriya are three:
> Studying, sacrificing for himself, and bestowing gifts;

[1] In this treatment only the most typical or most comprehensive passage in the various codes on a given subject will be cited. In every case, however, there are parallel groups of rules in each of the codes which can readily be referred to by consulting the tables of contents of the appropriate volumes of the *SBE*.

And his peculiar duty is to protect the people with his weapons; let him gain his livelihood thereby.

The lawful occupations of a Vaisya are the same:

Besides, agriculture, trading, tending cattle, and lending money at interest,

To serve those superior castes has been fixed as the means of livelihood for a Sudra (II, 13–20 in *SBE*, Vol. XIV. See also *Manu* X, 74–131, *SBE*, XXV).

Occasionally some interesting exceptions occur. Thus we read in the *Institutes of Gautama*, "Agriculture and trade are lawful for a Brahman provided he does not do the work himself" (X, 5).

Typical of ancient (and modern) Indian culture were the requirements upon women. In the code of Manu the whole philosophy of woman's place is concisely set forth, the principles being, however, identical with those stated in the earlier codes.

By a girl, by a young woman, or even by an aged one, nothing must be done independently, even in her own house.

In childhood a female must be subject to her father, in youth to her husband, when her lord is dead to her sons; a woman must never be independent.

She must not seek to separate herself from her father, husband, or sons; by leaving them she would make both her own and her husband's families contemptible.

She must always be cheerful, clever in the management of her household affairs, careful in cleaning her utensils, and economical in expenditure.

Him to whom her father may give her, or her brother with the father's permission, she shall obey as long as he lives, and when he is dead, she must not insult his memory (V, 147–151).

She who, controlling her thoughts, words, and deeds, never slights her lord resides after death with her husband in heaven and is called a virtuous wife.

In reward of such conduct, a female who controls her thoughts, speech, and actions gains in this life highest renown and in the next world a place near her husband (V, 165–166).

Drinking spirituous liquor, associating with wicked people, separation from the husband, rambling abroad, sleeping at unseasonable hours, and dwelling in other men's houses are the six causes of the ruin of women (IX, 13).[1]

[1] See also *Baudhayana* II, 2, 3, 44–53; *Vishnu* XXV, XXVI. Attention is called to the use of "thoughts, speech, and actions" similar to the "moral triad" of the Persian Aryans.

Above all, a wife should be fertile, particularly capable of bearing sons. In the *Baudhayana* we read:

> Let him [the husband] abandon a barren wife in the tenth year, one who bears daughters only in the twelfth, one whose children all die in the fifteenth, but her who is quarrelsome without delay (II, 2, 4, 6).

Marriage relations and violations of prohibited or undesirable sex relations occupy much space. Marriage outside the caste for both parties, the social effects upon the offspring of such cross marriages, and the degrees of relationship within which marriage is allowable are treated in detail; the duty of having offspring, especially sons, is emphasized; times when sex intercourse is allowable and forbidden are set forth (impregnation is a sacrament); various types and degrees of adultery are dealt with, as are also abortion and what might be called birth control; the desirable and forbidden qualities and characteristics of girls suitable as brides are presented in great detail.[1] Since there are twelve different kinds of sons,[2] inheritance is a complicated matter, though, in the main, each preceding type is preferable as heir to the one next in order. Within a given class the eldest inherits. Where the wives are of different castes a rather involved line of succession further complicates the matter.[3]

Most of these codes have extensive sections on the subject of criminal and civil law. In these a great variety of offenses are mentioned that fall under the given code. The *Code of Vishnu* mentions, among others, offenses of those of inferior castes to superiors; thefts; insults, treated according to actor and victim; defilement; unlawful occupations; adulteration of commodities; the use of false dice in gaming; pocket picking; milking cows without permission; causing damage to livestock; enslaving men; purchasing stolen property; embezzlement; destroying landmarks; acting as false witness; murder; and illicit intercourse (V, 1–196). In each case the form of settlement or the penalty is indicated. The typical civil court consists of king and councilors, but whenever the king's judge and three Brahmans learned in the *Vedas* come together cases may be heard.[4]

[1] See *Manu* III, 4–15.
[2] *Cf. Vishnu* XV, 1–47.
[3] *E. g., Baudhayana* II, 2, 3, 10–12.
[4] *Manu* VIII, 1–3, 11.

A large number of rules dealing with a great variety of penances, ordeals, and punishment are found in these codes. The penances consist of such acts as fasting; quoting verses from the *Veda* or repeating prayers; standing in wet clothes; avoiding certain persons, male or female; shaving the head or beard; sleeping on the ground; consuming carefully prescribed quantities of various specific foods and occasionally the excrements of animals; bathing at certain times and in certain ways with various liquids, clean and foul; giving up certain things and enjoyments; and various ceremonial observances and rites, such as the famous horse sacrifice. These penances are made for the violation of a great array of civil, criminal, and sumptuary as well as religious rules and even for murder.[1]

The penalties range from compensation by means of some form of wealth, through public humiliation, outcasting, torture, and mutilation to death. Where the offense is against another person the compensation penalty is governed by the castes of the persons involved. For example, "he who has killed a Kshatriya shall give a thousand cows for the expiation of his sin. He shall give a hundred cows for a Vaisya. Ten for a Sudra."[2] Similarly a man of the first three castes who committed adultery with a Sudra woman was banished; but a Sudra who committed adultery with a woman of the first three cases suffered capital punishment.[3] One who has violated the wife of a guru must himself cut off his sex organs, "or he may die embracing a heated metal image of a woman."[4] A typical law on adultery for a female is the following: "A woman who commits adultery with a man of lower caste the king shall cause to be devoured by dogs in a public place."[5] Another interesting law states, "A drinker of spirituous liquor shall drink exceedingly hot liquor so that he dies."[6] The wife deserter is dealt with thus:

[1] For the two most exhaustive lists of offenses and the attendant penances and sacrifices, see *Vishnu*, XLVI–LVII; *Manu* XI, incorporating nearly 200 rules.

[2] *Apastamba*, I, 9, 24, 1–3.

[3] *Ibid.*, II, 10, 27.

[4] *Ibid.*, I, 9, 25, 1–3; or *Gautama* XXIII, 8–9.

[5] *Ibid.*, XXIII, 14.

[6] *Apastamba* I, 9, 25, 3; *Manu* XXIII, 10.

He who has unjustly forsaken his wife shall put on an ass's skin, with the hair turned outside, and beg in seven houses, saying, "Give alms to him who forsook his wife." That shall be his livelihood for six months.[1]

The *Institutes of Gautama* gives a typical list of offenses that cause the offender to be made an outcast.

The murderer of a Brahman; he who drinks spirituous liquor; the violator of a guru's bed; he who has connexion with the female relatives of his mother and of his father within six degrees or with sisters and their female offspring; he who steals the gold of a Brahman; an atheist; he who constantly repeats blamable acts; he who does not cast off persons guilty of crime causing loss of caste; and he who forsakes blameless relatives become outcasts.

Likewise those who instigate others to acts causing loss of caste,
And he who for a whole year associates with outcasts.[2]

A much more extensive list, the latest and most exhaustive, is found in the Code of Manu (XI, 60–68). In the case of almost every offense, civil, religious, or criminal, mentioned in these codes, the most extreme penalties or punishments can be obviated by performing some elaborate religious rite.

Mention is also made in these codes of weights and measures; private wealth or property in the shape of horses, carriages, clothes, jewelry, and money but not of land, though no doubt the homestead and the pasture land immediately adjoining were permanently owned; debts and their recovery; lending and borrowing; duties and eligibility of witnesses; duties of a king; and rules governing agriculture.

Of all of these ancient Aryan codes now available in manuscript and translation the Code of Manu is not only the most recent, as far as we know, but also the most extensive and complete. Its twelve books and 2685 rules contain the greater proportion of those found in the preceding codes, either as exact repetitions or with slight modification.[3] Also in it is some floating proverbial wisdom of the philosophical and legal schools. While it is now

[1] *Apastamba* I, 10, 28, 19.

[2] XXI, 1–3.

[3] G. BÜHLER, in fact, states in his Introduction to his translation (*SBE*, XXV, p. lxvi), "Nearly all the rules are found in the other dharmasutras and in the Vishnusmriti, and more than three-fourths of the verses find counterparts in the aphorisms and verses of the older law books."

quite generally thought to have been actually written in the period 242 B.C. to A.D. 500, it summarizes, and to an extent codifies, quite accurately the Hindu laws and aphorisms for a period of a thousand years or more preceding its composition.[1] This difference, however, exists between the Code of Manu and the earlier bodies of law: the dharmasutras belong to different Vedic schools, but Manu's code knows of no such divisions and professes to be the law for all the Aryans.[2]

The legendary page Bhrigu is introduced as the disciple of Manu and in this case his scribe and the promulgator of his great work. Manu, being according to ancient Hindu legend the father of mankind, was naturally considered also as the founder of social and moral order, a ruler of men, and the author of legal maxims.

Though actually composed after the cultural ascendancy of the Greeks, the content of the Code of Manu, in effect in oral form for centuries before put in the writing of the various contributory codes, must take its place alongside of the Code of Hammurabi and of the codes of the Assyrians, the Hittites, and the Hebrews as one of the greatest collections of social thought of pre-Greek antiquity. The careful student will find reflected in it much of the social and secular, as well as the religious, philosophy of behavior and many of the manners, customs, and institutions of one of the greatest of early civilizations. It is still one of the most widely read works in the whole range of ancient Indian literature. So vital have this code and its predecessors been through the centuries that they are to this day the foundation of Hindu jurisprudence.

While occasional subjects in the Code of Manu have been referred to in the very general treatment of ancient Hindu law above, and while some of the content has been quoted, a brief summary of it will be given in conclusion to provide some comprehension of its nature and scope in so far as social scientists are interested in it.

Its opening verses narrate how the great sages approached Manu, the descendant of self-existent Brahman, and asked him to explain the sacred law. He states how he learned "these Institutes of the Sacred Law" from the creator who himself pro-

[1] BÜHLER dates it between 200 B.C. and A.D. 200.

[2] ROMESH CHUNDER DUTT, *Ancient India*, Vol. I, p. 26, Calcutta, 1889.

duced them and how Bhrigu, one of the ten great sages, was assigned the task of expounding them. Here we have again the fiction of law divinely established. He then recites the order of creation itself and describes the duties of the four castes. After this he launches upon the body of the law found in the twelve long chapters. In the course of the enumeration he treats at great length the duties of a man of upper caste during each of the four recommended stages of his life, mentioned above. An exhaustive discussion of the all-important subject of marriage is included, covering in order such details as the proper caste of a future wife, the ten kinds of women not to marry (111, 6–9) and the qualities of one to marry, the ceremonials of marriage, blamable and blameless marriages, the appropriate times for sexual union, the arrangements for producing a male child, and the treatment of wives.[1]

Of interest to the anthropologist is the long list of lawful and forbidden foods (V, 1–56) in which religious reasons bulk large, but sound dietary considerations are evident, and detailed statement of the various types of impurity of all ages, sexes, and castes at different times and in different conditions and situations (V, 57–146). These include impurity due to childbirth, contact with corpses or any part of a corpse, death, miscarriage, menstruation, irregular sex intercourse, the passing of excrements, and vomiting, and are accompanied by various rules governing the processes of purification.

The rules governing the duties of women summarize in an excellent manner those of the preceding codes (V, 147–169). At the different stages of her life a woman must be subject to various males as noted above; she must be cheerful, clever, and economical; if she is to enjoy life after death, she must never displease her husband; she must be patient, self-controlled, and chaste; she must desire offspring and do nothing to prevent their rapid appearance; she must avoid all infidelities.

In the discussion of the duties of the king (VII) are set forth not only his political and supernatural significance, his function

[1] "Men who seek their own welfare should always honour women on holidays and festivals with gifts of ornaments, clothes, and dainty food,

For if the wife is not radiant with beauty, she will not attract her husband; but if she has no attractions for him, no children will be born" (III, 59, 61).

in the administration of the law, his personal suitability for inflicting punishment, and so on but also some interesting digressions on somewhat related subjects. Notable is this philosophizing about punishment:

> Punishment alone governs all created beings; punishment alone protects them; punishment watches over them while they sleep; the wise declare punishment to be identical with law.
>
> If punishment is properly inflicted after due consideration, it makes all people happy; but inflicted without consideration, it destroys everything.
>
> If the king did not, without tiring, inflict punishment on those worthy to be punished, the stronger would roast the weaker, like fish on a spit;
>
> The crow would eat the sacrificial cake and the dog would lick the sacrificial viands, and ownership would remain with anyone; the lower ones would usurp the place of the higher ones.
>
> The whole world is kept in order by punishment; for a guiltless man is hard to find; through fear of punishment the whole world yields the enjoyments which it owes (VII, 18–22).

Interesting also is the discussion of the vices that degrade a king and destroy his usefulness (VII, 44–53); the importance of selecting a coterie of noble ministers as aids and advisers and of appointing skilled, learned, and properly poised ambassadors (VII, 54–68); the importance of proper fortification and military defense (VII, 69–76); the wedding of a proper consort; hints on the discreet treatment of important people, both in his realm and among neighboring kingdoms; the principles of military strategy; the fixing of taxes for different classes; and precautions against assassination.

The subject most lengthily treated of all is the civil and criminal laws, amounting to two books (VIII, IX) and 756 verses. This large body of law falls under eighteen heads: (1) nonpayment of debts; (2) deposits and pledges; (3) sale without ownership; (4) partnership; (5) resumption of gifts; (6) nonpayment of wages; (7) nonperformance of agreements; (8) rescission of sale and purchase; (9) disputes between masters and servants; (10) disputes about boundaries; (11) assault; (12) defamation; (13) theft; (14) robbery and violence; (15) adultery; (16) duties of husband and wife; (17) partition of inheritance; and (18) gambling and betting (VIII, 4–7). "These," it states, "are in this world the eighteen topics which give rise to lawsuits." Of these, 11

to 15 and 18 relate to criminal law, while the others deal with civil cases.

The code treats also in great detail the occupations required of and allowable to the four castes with occasional mention of activities specifically forbidden (X, 74–131). Especially interesting are the exceptions permitted the castes in times of stress (X, 81–122). The last subject of significance to us is that of penances and sacrifices (XI) already treated above. The code concludes with the verse

> A twice-born man who recites these Institutes, revealed by Manu, will be always virtuous in conduct and will reach whatever condition he desires (XII, 126).[1]

With the striking exception of these legal codes, however, Brahman thought is socially impotent. To be valiant and friendly and just is of no great permanent significance to the actor or to society. Renunciation was the truly great act, for by means of it the individual attained the unchanging, the eternal, the absolute and infinite. Furthermore, by the sixth century B.C., Hindu society had become so sharply separated into the four castes that the social requirements operated only within these social strata. The prescribed performances, ceremonies, and conformity, in so far as they required perfect equality or justice, had only fellow caste members in mind. In interclass relations either avoidance or the careful recognition of gradation dominated.[2]

IV. The Social Thought of Gautama

The original Aryan religion with its simple Vedic hymns and rites and its nature deities by 500 B.C. had become a complicated, overgrown institution with an immense pantheon of gods, a

[1] For an excellent treatment of this code from quite a different angle see the recent work by Kewal L. Motwani, *Manu, A Study in Hindu Social Theory*, Madras, 1934. The standard works are G. Bühler, ed. and transl., "The Laws of Manu," *SBE*, Vol. XXV, 1886; A. C. Burnell, *The Ordinances of Manu*, London, 1884; J. Jolly, *Manava Dharma-Sastra, The Code of Manu*, London, 1887; W. Jones, *Manava Dharma Sastra, or the Institutes of Manu*, Madras, 1863.

[2] For a more optimistic account of the social aspects of early Indian thought, see S. V. Venkateswara, *Indian Culture through the Ages*, Vol. I, especially pp. 34–45, London, 1928.

most elaborate ceremonial, an ecclesiastical hierarchy, a rigidly maintained caste system, and an almost overwhelming mass of arid theological-metaphysical-theosophical speculations. The physical machinery, intellectualistic hairsplitting, and hollow conformity to superficial forms had become ends and essence. Moreover the Brahmanical priesthood had seriously failed in their functions and obligations. They were politically active and were connected with various unscrupulous practices; they had established a religious monopoly which lent itself to vicious exactions and to the encouragement of the grossest superstitions; they declined as altruistic leaders and required sacrificial rites, demanded excessive payments, and insisted on much meaningless self-torture. As often happens when a religion becomes spiritually and emotionally sterile, a reaction occurred. About 522 B.C. a Gautama appeared, the first real personality to emerge in India from the mist of myth and legend. While he, too, may be legendary (certainly a mass of legend has grown up around him), one senses behind the early thought and story of his supposed career something manifestly human and real. He protested against all this Brahmanical rigmarole and excrescence and propounded a simpler and more humanly vital doctrine. Being himself of the Kshatriya caste, he upheld Aryan institutions and traditions. His reorganization of thought was within the cultural rubrics and according to the social and spiritual needs of the times. He emphasized personal morality and public service, right thought and right living, instead of sacrifice and demons and stereotyped behavior. As a prince his ideas had weight. So successful was his reform work that within 250 years of his death the great emperor Asoka made his philosophy the state religion of India. Though presently unseated from its position of supremacy, it continued on until about A.D. 1000 in India whence it spread as a dominant current of thought to Ceylon, Tibet, Burma, Siam, Malay Archipelago, China, Manchuria, Korea, Mongolia, and Japan. Our concern here is not with the hodgepodge of complicated and self-contradictory propositions and the multitudinous requirements of modern, wide-flung so-called Buddhism—the cults that eventually grew up around his thought—but with the ideas of Gautama and the writings that most directly and intimately reflect the social aspects of his philosophy. In the Western sense of the term, Gautama was

not a religious founder or leader but rather an inspired interpreter of social and psychological principles, which, if followed, would enable men to emancipate themselves from many of their ills and establish harmony among themselves and ultimately with the universe.[1]

Just as Jesus was looked upon as the "Christ" or "Savior" or "Messiah," so Gautama was referred to as the "Buddha" or "Enlightened One," He was also known as Sakyamuni ("the sage of the Sakya tribe") and as Tathagata ("he who has arrived at the truth"). Gautama Siddhartha ("he who accomplishes his aim"), the former being the family name, was born in 563 B.C.[2] near Kapilavastu, the principal town of the Sakya clan.[3] This town was situated in modern Nepal, on a southern spur of the Himalayas, some 100 miles due north of Benares, on the river Rahini of the Ganges system. His father, Suddhodana, was the raja or ruler of the Sakya clan and community.[4] Born of the "ruler" caste, the son was reared under the most favorable conditions. The best pundits of the day taught him. According to various records, he had attendants and equipages in profusion. His father at one time built for him three palaces, one for each of the three Indian seasons—the hot, the cold, and the rainy. He was provided with all that wealth and social position could supply. At sixteen he married his cousin Yosadhara. After ten years a son Rahula, was born. Throughout his life Gautama was shielded to the utmost from acquaintance with

[1] *Cf.* E. B. HAVELL, *The History of Aryan Rule in India*, pp. 45–56, London, 1918; A. W. MARTIN, *Seven Great Bibles*, pp. 68–69, New York, 1930.

[2] *Cambridge History of India*, Vol. I. Other dates given are 557 and 560 B.C.

[3] For the archaeological substantiation of Gautama's birthplace and death, see E. J. THOMAS, *The Life of Buddha in Legend and History*, pp. 16–20, 160–164, New York, 1927.

[4] Rhys David points out that, according to the earliest Pali records, northeast India in this sixth century B.C. was divided up into ten more or less independent little kingdoms or duchies and republics. One of these kingdoms was that of the Sakyas or Sakiyas. According to an ancient tradition, there were 80,000 families in the clan or roughly a population of half a million. The people lived in small villages, surrounded by their rice fields and the common pasturage and forest land. These villages, governed through a sort of town meeting, were each tiny self-governed republics. Over these were the central authorities of the clan, operating under the raja. *Cambridge History of India*, Vol. I, pp. 175–178.

unpleasant and painful experiences. Dancing girls were provided for his entertainment, and noble youths and beautiful maidens were his companions. The hours and days were spent in music and archery, dancing and song. Until he was twenty-nine he lived this more or less useless life of the favored, protected, rich young man. But like other young men of less exalted rank, he not only had an insatiable curiosity but also was restless, surfeited with the life that he was living, and unsatisfied by the Brahman philosophy in which he had been steeped.

When he was twenty-nine came the "Incitement" or the "Four Seeings" and the "Great Renunciation." One day, so the story goes, while driving in the royal park in his chariot, he beheld in quick succession four sights, three of them most pitiable and distressing. First he saw a feeble, trembling, tottering old man; next a hideous, loathsome leper; third, a funeral with its putrefying corpse; and finally a venerable, mendicant monk or ascetic. Startled by these sights, he returned home to think and to find some way of escape from old age, disease, and death. Finding that philosophical speculation offered no way out, he decided that the way of the monk was the way of salvation. So one night he renounced his home and wife and son, his future chieftainship, his wealth and position and ease, and departed with his old and faithful servant for the forested mountains, to become a wandering monk, a recluse. For six years he devoted himself to asceticism. He wandered far and wide; he sought insight and salvation by means of prayers and sacrifices; he practiced the severest austerities such as starvation, watching, and self-mortification. Finally, when on the verge of physical collapse, he concluded that this offered no way out. It was, he is supposed to have said later, "like time spent in tying the air into knots." One day (or for many days, according to some of the legends), seated under the famous bo tree at Buddhagaya, in deep meditation, the long-sought solution or "Great Enlightenment" came, in the form of a positive, constructive gospel of life, which, in itself, should eventually lead to escape. The last forty-five years of his life, to 483 B.C. (or 477 or 480), were devoted to his public ministry, during which he laid down his basic doctrines, taught them avidly, and collected a large number of enthusiastic disciples. This ministry was confined to the kingdoms of Magadha and Kosala, the latter of which contained the territory of

the Sakyas. Gautama himself wrote down none of his ideas. Not until the great efflorescence of his thought during the reign of King Asoka (*c.* 240 B.C.) were his ideas, heretofore carefully memorized, put into written form.

The fountain sources of Gautama's sayings is the *Tripitaka* that is, the three divisions or "baskets" (*Pitakas*). These are the *Vinayapitaka* or rules of discipline for the order of disciples or monks; the *Suttapitaka,* the ethical sermons delivered by him; and the *Abhidhammapitaka* or the metaphysical and pyschological background of his teaching. The more important social elements of his thought will be treated below. Only such philosophical and theological aspects will be considered as have some bearing on our major objective.

Gautama repudiated the authority of the Vedic system and denied the divine inspiration of the *Vedas;* he bowed to no authority and refused to set up a creed; he rejected rituals as wasteful and irrelevant and would have nothing to do with asceticism or self-mortification; he discarded distinctions of caste as degrading and undemocratic; he was averse to speculation on metaphysical problems and regarded theological beliefs as superstitious. What he sought was fervent and inspiring practical social ethics the keynote of which was universal charity and brotherhood; he wanted temperance and moderation rather than asceticism, self-discipline instead of speculation, and enlightened reason instead of infallible dogmas. Above all he wanted men to know that they were not the pawns of the gods but that their fate—their deliverance or peace—was in their own hands. They made their future by their own acts.

Gautama, however, shared the lot of various other great thinkers. Within a few centuries of his death a vast array of institutional machinery had accumulated and distorted and here and there almost submerged some of the finest elements of his thought.[1]

1. The Noble Eightfold Path.—In his famous address given in the deer park Isapatana, at Benares, shortly after the Enlightenment, Gautama devoted himself to an analysis of his famous Middle Path, the way of the cessation of suffering and the foundation of the kingdom of righteousness. This was strongly social

[1] For a parallel discussion of social duties according to Gautama, see DUTT, *op. cit.*, Vol. II, pp. 261–274.

in its implications and contained the statement of the Eightfold Path, the heart of his social ethics.

There are two extremes, O Bhikkhus [disciples], which he who has given up the world ought to avoid.

What are these two extremes? A life given to pleasures, devoted to pleasures and lusts; this is degrading, sensual, vulgar, ignoble, and profitless. And a life given to mortifications; this is painful, ignoble, and profitless.

By avoiding these two extremes, O Bhikkhus, the Tathagata has gained the knowledge of the Middle Path which leads to insight, which leads to wisdom, which conduces to calm, to knowledge, to enlightenment, to nirvana. . . . It is the noble Eightfold Path, namely: right views, right intent, right speech, right conduct, right means of livelihood, right endeavor, right mindfulness, right meditation.[1]

T. W. Rhys David in his introduction to this Sutta presents a slightly more extensive rendering.[2]

1. Right Views; free from superstition or delusion.
2. Right Aims; high, and worthy of the intelligent, earnest man.
3. Right speech; kindly, open, truthful.
4. Right Conduct; peaceful, honest, pure.
5. Right Livelihood; bringing hurt or danger to no living thing.
6. Right Effort; in self-training and in self-control.
7. Right Mindfulness; the active, watchful mind.
8. Right Contemplation; earnest thought on the deep mysteries of life.

Here was a scheme of salvation, simple in its nature, easily understood, free from superhuman agency, largely social in its implications, resting on self-culture and self-control.[3]

2. The Ten Commandments.—Among Gautama's sayings are a series of admonitions, charges, or commandments which appear several times in the literature.[4] These show some similarity to the Hebrew Decalogue. One rendition states:

1. Ye shall slay no living thing.
2. Ye shall not take that which is not given.

[1] Dhamma-Kakka-Ppavattana-Sutta, *SBE*, Vol. X, pp. 146–147; also *Mahavagga-Vinaya*, Vol. I, 6:17, 18; 56.

[2] *Op. cit.*, pp. 143–144.

[3] For a more extensive analysis of the Eightfold Path, see *Digha Nikaya*, ii, 312.

[4] See, *e.g.*, *Maha-Sudassana Sutta*, I, 15; *Khuddaka-Patha*, 2.

3. Ye shall not act wrongfully touching the bodily desires.
4. Ye shall speak no lie.
5. Ye shall drink no maddening drink.
6. Accept no gold or silver.
7. Shun luxurious beds.
8. Abstain from late meals.
9. Avoid public amusements.
10. Abstain from expensive dress.

In the *Khuddaka-Patha* the same charges are given but in a different order and occasionally with more elaboration.

1. Abstinence from destroying life.
2. Abstinence from taking what is not given.
3. Abstinence from unchastity.
4. Abstinence from falsehood.
5. Abstinence from spirituous liquors, strong drink, intoxicants, which are a cause of negligence.
6. Abstinence from eating at the wrong time [*i.e.*, after noon].
7. Abstinence from looking at dancing, singing, music, plays, and spectacles.
8. Abstinence from wearing garlands, scents, unguents, ornaments, and adornments, which are a cause of negligence.
9. Abstinence from a high or large bed.
10. Abstinence from accepting gold and silver.

Laymen observed the first five; devotees, the first eight, disciples (bhikkhus) or monks, all. The first four are similar respectively to four commandments of the Hebrew Decalogue, namely, "thou shalt not kill"; "thou shalt not steal"; "thou shalt not commit adultery," and "thou shalt not bear false witness." The other six have no parallels in the Hebrew list. The last five however, bear a very close resemblence to the charges that Jesus gave his disciples when he sent them on their mission.

Gautama is quoted elsewhere as giving supplementary instructions intended mainly for monks. These conform in spirit and content to the commandments especially for monks. The discussion is known as "The Small, Middle, and Great Moralities."

In the first division of the primary moral rules the monk abandons the killing of living things, lays aside the use of a stick or knife, and full of pity he dwells with compassion for the welfare of all living things.

Abandoning the taking of what is not given, he takes and expects only what is given and dwells without thieving.

Abandoning incontinence, he lives apart in perfect chastity.

Abandoning falsehood, he speaks the truth, is truthful, faithful, trustworthy, and breaks not his word to people.

Abandoning slander, he does not tell what he has heard in one place to cause dissension elsewhere. He heals divisions and encourages friendships, delighting in concord and speaking what produces it.

Abandoning harsh language, his speech is blameless, pleasant to the ear, reaching the heart, urbane, and attractive to the multitude.

Abandoning frivolous language, he speaks duly and in accordance with the doctrine and discipline, and his speech is such as to be remembered, elegant, clear, and to the point.

He [the monk] eats at the right time, does not see displays of dancing and music, does not use garlands, scents, and ornaments, or a high bed.

He does not take gold and silver and certain kinds of food or accept property in slaves, animals, or land. He does not act as a go-between, or take part in buying and selling and the dishonest practices connected therewith.

The Middle Moralities include avoiding the injury of seedlings, the storing up of food and various articles, the seeing of spectacles, displays of animal fighting, matches, contests, sports, and army manoeuvres, all kinds of games of chance and gambling, the use of furniture, cosmetics, shampooing, and various ways of tending the body. The monk does not indulge in vulgar talk and tales or wrangle about the doctrine or act as messenger for kings and others or practice the deceitful interpretation of signs.

The Great Moralities include the avoiding of many acts and practices of which the Brahmins were especially accused, such as the interpretation of signs on the body, portents, dreams, marks made by rats, the performance of various sacrifices and magical ceremonies, the interpretation of lucky marks on things, persons, and animals, prophesying victory to an army, foretelling astronomical events, famines, epidemics, lucky days, and the use of spells.[1]

The Ten Fetters that stand in the way of the realization of the Eightfold Path and the Commandments are mentioned in connection with the *Ketokhila-Sutta* and in several other places. These are (1) the delusion of self—the illusion that the ego or soul is a thing by itself or is immortal—(2) doubt that there is a moral world order and a way of salvation; (3) the superstition that external religious rites, prayers, sacrifices, hearing sermons, relic worship, pilgrimages, and other ceremonies can

[1] *Samannaphala-sutta*, Digha, I, 47. Also *Teviga-sutta*, II, *Kulam Silam*, *Magghima Silam*, *Maha Silam*, *SBE*, Vol. XI, pp. 189–200.

lead to salvation; (4) sensuality and evil passions instead of moderation and temperance; (5) hatred and consciousness of difference, ill-feeling toward one's fellow men; (6) love of the life of this world; (7) desire for a future life; (8) pride; (9) superciliousness or self-righteousness; and (10) ignorance.

The man who is to achieve the status of Brahmana, one free from evil or, as it has been put, a "first-class person," must have certain qualities, which are set forth in the *Dahmma-pada.*[1] Among these are the following:

Him I call indeed a Brahmana who does not offend by body [or deed], word, or thought and is controlled on these three points.

Him I call indeed a Brahmana who is free from anger, dutiful, virtuous, without appetite, who is subdued. . . .

Him I call indeed a Brahmana whose knowledge is deep, who possesses wisdom, who knows the right way and the wrong and has attained the highest end.

Him I call indeed a Brahmana who is tolerant with the intolerant, mild with faultfinders, and free from passion among the passionate.

Him I call indeed a Brahmana from whom anger and hatred, pride and envy have dropt like a mustard seed from the point of a needle.

Him I call indeed a Brahmana who utters true speech, instructive and free from harshness, so that he offend no one.

Him I call indeed a Brahmana who takes nothing in the world that is not given him, be it long or short, small or large, good or bad.

3. Advice to Young Men.—Gautama was asked about the social activities that young men should avoid. He spoke at some length listing six, which he referred to as the "Six Openings for Swallowing up Wealth." For each of these six he in turn laid down six disadvantages.

Young master, to be given to drinking fermented liquor and distilled liquor, which gives rise to sloth; to be given to roaming the streets at unseasonable hours; to frequent festivals; to practise gambling, which gives rise to sloth; to have evil companions; to be given to idling: such are the Six Openings which swallow up wealth.

a. Now, young master, there are these six disadvantages of indulging in intoxicants: loss of wealth, increase of quarrelling, liability to sickness, loss of good name, immodest acts, weakening of brain-power. These six.

[1] Chap. XXVI, *SBE*, Vol. X

b. Now, young master, there are these six disadvantages of roaming the streets at unseasonable hours: One is off one's guard and unprotected, one's wife and children are unprotected, one's property likewise; one is suspected of evil doings; false rumors about one have weight; one is exposed to many states of ill. These are the six.

c. Now, young master, there are these six disadvantages of frequenting festivals. [One keeps thinking] "Where is the dancing? Where is the singing? Where is the music? Where is the recital? Where is the tambour-playing? Where are the tom-toms?" These are the six.

d. Now, young master, there are these six disadvantages of being given to gambling: If one wins, he wins a foe. If he lose, he has to lament his loss. Gone is his visible means of subsistence. He goes to the Mote-Hall, but his word has no weight there. Friends and ministers of state treat him with contempt. He is not sought after by those who give and take in marriage; for they say "A gambler is not competent to support a wife." Such are the six disadvantages of being given to gambling.

e. Now, young master, there are these six disadvantages of bad companions. All the rogues, drunkards, topers, cheats, frauds, and rowdies are his friends and boon companions. These are the six.

f. Now, young master, there are these six disadvantages of idling. [The idler says] "It's too cold" and does no work; or "It's too hot" and does no work; or "It's too early" and does no work; or "It's too late" and does no work; or "I'm too hungry" and does no work; or "I'm too full" and does no work. So as he lives with all these excuses about work, the wealth that has not yet come to him does not arise, and the wealth that has come goes to destruction.

Thus spake the Exalted One.[1]

4. Opposition to Caste Distinctions.—The following passages from the *Dhammapada* (V) indicate Gautama's attitude toward degrading and undemocratic caste distinctions. He really sustained a doctrine of brotherhood, at least within the religious fraternity, which denied discriminations based on class, caste, or color. The passages quoted are reminiscent of the story of Jesus' experience at the well with the woman of the outcast Samaritans (John 4:1 *ff.*).

My doctrine makes no distinction between high and low, rich and poor. It is like the sky. It has room for all, and like water it washes all alike.

Ananda [the beloved disciple] coming to a well asked a girl of the despised caste of the Tshandalas for a drink of water, but she, fearing a

[1] *Dhammapada Nikaya*, iii, 181.

gift from *her* hands would make him unclean, declined, whereupon Ananda said, "My sister, I did not ask concerning thy caste or thy family. I beg water of thee, if thou canst give it me.

To him in whom love dwells, the whole world is but one family."

As a mother even at the risk of her own life protects her son, her only son, so he who has recognized the Truth [of brotherhood] cultivates good will without measure among all beings, unstinted, unmixed with any feeling of making distinctions or showing preferences.

5. The Rule of Love.—The Rule of Love, dispersed so widely among the great thought systems of the world,[1] is also to be found in the ideas attributed to Gautama. It is mentioned several different times in the *Dhammapada* alone.

For hatred does not cease by hatred at any time; hatred ceases by love; this is an old rule (I, 5).

Let a man overcome anger by love, let him overcome evil by good; let him overcome the greedy by liberality, the liar by truth! (XVII, 223).

Let us live happily then, not hating those who hate us! Among men who hate us let us dwell free from hatred! (XV, 197).

6. The Conditions of Communal Stability.—The agencies of social control which Gautama seems to advocate are most conservative both in spirit and in nature. The old time-honored methods must be used. These attitudes are reflected in an occasional passage of which the following is typical:

Now at that time the venerable Ananda was standing behind the Exalted One and fanning Him. And the Exalted One said to the venerable Ananda:

"How now, Ananda? Have you ever heard that the Vajjians repeatedly assemble together and in large numbers?"

"I have heard so, Lord."

"Well, Ananda, so long as the Vajjians shall assemble repeatedly and in large numbers, just so long may the prosperity of the Vajjians be looked for and not their decay. . . . So long, Ananda, as the Vajjians assemble in harmony and disperse in harmony: so long as they do their business in harmony: so long as they introduce no revolutionary ordinance or break up no established ordinance but abide by the old-time Vajjian Norm, as ordained: so long as they honour, reverence, esteem, and worship the elders among the Vajjians and deem them worthy of listening to: so long as the women and maidens of the families dwell without being forced or abducted: so long as they honour, revere, esteem,

[1] See J. O. HERTZLER, "On Golden Rules," *International Journal of Ethics*. Vol. XLIV, pp. 418–436, July, 1934.

and worship the Vajjian shrines, both the inner and the outer: so long as they allow not the customary offerings, given and performed, to be neglected: so long as the customary watch and ward over the Arahants that are among them is well kept, so that they may have free access to the realm and having entered may dwell pleasantly therein: just so long as they do these things, Ananda, may the prosperity of the Vajjians be looked for and not their decay."[1]

7. On Charity and Almsgiving.—The literature, quite consistently, emphasizes the free giving of gifts and the sharing of wealth, with the hint of a conception of the stewardship of wealth.

> The mighty sea, unmeasured mighty lake,
> The fearsome home of multitudes of pearls—
> As rivers, serving countless hosts of men,
> Flow widely forth and to that ocean come:—
>
> Just so, on him that giveth food, drink, clothes,
> Who bed and seat and coverlet provides,
> Torrents of merit flood that mortal wise,
> As rivers, bearing water, reach the main.[2]

Master Gautama, I am a giver of gifts, a lord of almsgiving: affable am I and a proper man to ask a boon of. I pursue wealth in a lawful way, and having done so I give freely of my wealth thus lawfully obtained,—I give alms to one, two, three, five, seven, ten, twenty, even up to a hundred,—nay to more than that. [Tell me this], Master Gautama, by so giving, by making such sacrifices, do I beget any merit?

Surely, young man, by so giving, by making such sacrifices . . . you do beget much merit! He who pursues wealth in a lawful way and having done so gives freely of his wealth thus lawfully obtained—by so giving, by making such sacrifices, he begets much merit.[3]

8. Profitable and Unprofitable Talk.—The literature of Buddhism, like that of the other Near Eastern and Oriental cultures, presents an occasional admonition or story which calls attention to the folly of idle or foolish talk, and others again which emphasize the importance of wise speech. The *Digha Nikaya* (iii, 36–37) contains an excellent passage on unprofitable talk, somewhat humorous in nature, which is quite explicit in its enumeration of types.

[1] *Dhammapada Nikaya*, ii, 73.
[2] *Samyutta Nikaya*, V, 400.
[3] *Sutta Nipata, Maghasutta.*

Now at that time the brethren of the Band of Six had a habit of rising up in the night before it was dawn. Then, donning wooden slippers, they used to parade up and down in the open air, chattering in shrill loud tones, hawking and spitting, and talking all manner of idle babble, such as: talk about kings and robbers and ministers of state; talk about armies and of fear, tales of fights; talk about food, drink, clothes, beds, lodgings, flowers, garlands, scents, kinsfolk, and carriages; about villages, suburbs, towns, provinces, women, and soldiers; gossip of the streets and wells and tales of ghosts; all sorts of talk; about the world and the ocean; of things existent and nonexistent. . . . Moreover, they distracted the brethren from their meditation.

In the *Anguttara Nikaya* (i, 199), on the other hand, is found a passage emphasizing the Ariyan or Wise Man's Speech.

They who talk angrily, full of wrath and proud,
Carp at each other's failings when they meet,
And take delight in blame and finding fault,
And in their rival's fall. But Ariyans
Will never follow practices like these.
If there be one, a wise man, fain of speech,
He knows the proper time, and speech concerned
With righteousness and practice of right talk.
Thus speaks a sage, not angry, well-restrained
With humble mind, not laying down the law,
Not curious, but wisely speaks fair speech,
Welcomes the kindly word, rejects the cruel,
Knows no resentment, does not carp at faults,
Does not retort nor crush his rival down,
Nor for the issue speak. O true it is
That Ariyans' words alike instruct and please!
Thus Ariyans speak, such is the Ariyan talk;
And knowing this the wise should humbly speak.

9. Advice Regarding Friends.—In a well-known passage Gautama outlines in considerable detail both the nature and the characteristics of both false and true friends.

[Then the Exalted One said to the young householder Sigala:]

a. False

"There are these four, young master, who are to be reckoned as foes masquerading in the garb of friends:

"The out-and-out robber: the one good at mere words: the smooth-tongued: the wastrel comrade.

"Now in four ways the out-and-out robber is to be reckoned as a foe masquerading in the garb of a friend. First, he is an out-and-out robber; then he desires to get much by giving little; he does his duty out of fear; he follows one for his own gain. In these four ways is he such.

"In four ways the one good at mere words is so to be reckoned. He greets you with talk about his past deeds; he greets you with professions of future deeds; he ingratiates himself with empty words; but when need arises he points to his own ill-luck. In these four ways is he such.

"In four ways the smooth-tongued is so to be reckoned. He is compliant in evil deeds; but he is not compliant in a good deed; he sings your praises to your face; but behind your back he speaks ill of you. In these four ways is he such.

"In four ways the wastrel comrade is so to be reckoned. He is your mate in drinking liquor, fermented and distilled; he is your mate in roaming the streets at unseasonable hours; he goes along with you loafing to festivals; he is your mate in being given to gambling which leads to sloth.

b. The True

"These four, young master, are to be reckoned as true-hearted ones.

"The friend who helps you is to be so reckoned; the one who is unchanged in weal and woe; the one who tells you what is for your good; the one who shows affection for you.

"In four ways the friend who helps you is so to be reckoned. He watches over you when you are slack; he watches over your property when you are slack; he is your refuge in time of fear; when need arises he supplies you twice over. In these four ways he is such.

"In four ways the one who is unchanged in weal and woe is so to be reckoned. He tells you his secrets; he keeps yours; he does not forsake you in trouble; he sacrifices his very life for your good. In these four ways.

"In four ways the one who tells you what is for your good is so to be reckoned. He keeps you from wrong-doing; he puts you in the right way; he tells you what you did not know before; he shows you the way to heaven. In these four ways is he to be considered a true-hearted one.

"In four ways the one who shows his affection for you is so to be reckoned. He rejoices not in your misfortune; he rejoices in your good fortune; he defends you against those who slander you; he commends those who speak well to you. In these four ways he is to be reckoned a true-hearted one."

Thus spake the Exalted One.[1]

[1] *Dhammapada Nikaya* (Sigalonada), iii, 186–187.

10. The Doctrine of Change.—Gautama, like his contemporary Heraclitus in Greece, believed in the perpetual flux of all things. In all our experience there is no permanence attaching to anything. All individual existence, all the world of phenomena are subject to change; nothing is abiding in its nature. The universe itself is a ceaseless ever-becoming. Impermanence (*aniccam*) and evanescence characterize everything; of changeless, fixed being there is no sign. Especially is this true of all living things; these, too, are undergoing changes from day to day. Life is ever onflowing and transient. Most significant from our point of view is the fact that human life also shares with all else this eternal change and decay and reconstruction.

Out of this hypothesis grows his philosophy of karma, reincarnation, and nirvana—in brief, the doctrine of salvation. This, being bound up inflexibly with the social-moral order, is profoundly social in its implications. Man's eternal career depends upon his karma or deed. Karma especially means the effect of the deed upon the subsequent character of the doer. The deed itself is transient, but it leaves its traces or marks on the character enduringly. In this respect Karma simply expresses the universal law of cause and effect. Everything that exists has a cause, and every effect in turn becomes the cause of future effects. Actions can lead only to new existences. Applied to the career of an individual it means that he is at any one moment just what his deeds and desires of the past have made him; and in the future he will become just what his deeds and desires of the past are making him. Good deeds will produce a good result, and evil deeds an evil result; the change will be either good or bad, for better or for worse. Or, expressed differently, a man's good karma will tend to make a good individual, and vice versa. For that matter, all creatures and all entities of any kind are the result of an immeasurably long chain of deeds.

The actual residues of behavior are known as samskaras or deed structures and are a combination or rather a preponderance of good deeds over bad or bad over good. These formations have come about through living or function or action and are in continual process of development. The samskaras, in fact, constitute human being. A given individual may reach the stage of arhat or sainthood during his own life by building up favorable samskaras through a mastery of the Four Noble Truths,

largely metaphysical in nature; the Noble Eightfold Path; the Commandments; and the other rules and principles, the ones of a social nature having been presented above.

But beyond any such terrestrial attainment lies the supreme goal, nirvana. This is achieved only after successive reincarnations, during which a balance of favorable samskaras is built up. For death does not destroy samskaras; it simply discontinues their presence in the body of a special individual. Death, in fact, disappears as a significant effect; it merely transfers the obligation of working indefatigably and continuously in accumulating good deeds. Rebirth of career thus continues until all bad samskaras have been wiped out. When this has occurred, that is, when all samskaras are good, then karma and rebirth cease, and nirvana, a state of passionless, delusionless, selfless, endless rest and peace, is achieved.

Though the underlying philosophy and spirit is different, Gautama's, like Zoroaster's, doctrine of salvation rests upon good works. Most of these good works are essentially social in nature or at least redound indirectly to the benefit of other human beings. Gautama adopted the best teachings regarding social behavior which he found and made them applicable in all the duties of daily life. Socialized action leads to rewards eventually. His inexorable creed was, "As thou sowest, so shalt thou reap." While the wholesome effects upon social philosophy and social organization were mainly incidental, since karma and nirvana were the main objectives, they were nevertheless not inconsiderable among the devotees scattered over the entire Eastern world and now numbering more than half a billion.

CHAPTER VIII

THE SOCIAL THOUGHT OF ANCIENT CHINA

I. The General Background

A culture, later to be known as the Chinese, was developing in the valley of the Hwang Ho at the same time that other cultures, destined to be great, were growing in the valleys of the Nile and the Tigris and Euphrates. As we examine the civilization of ancient China we occupy ourselves for the first time in this study with the products of the Turanian branch of the human race. While definite information is lacking, it is probable that the Chinese racial stocks originated in, or near by, the region that they have occupied during legendary and historic time. In fact, there are still aboriginal tribes in the southwest of China, reckoned by some to number as high as 180. Nor is there any evidence that would lead one to connect the Chinese with any other people than those that we find near them now, people of much the same racial stock. There have, however, been occasional intermixtures with these, notably with the Tibetans, Tartars, Japanese, and Shans. These intermixtures were the result of migrations of stocks within the general region.[1] History records one notable influx of peoples from the northwest as early as the time of Huang-Ti (2697-2595 B.C.) and various other later ones. On the whole, the population has been fairly homogeneous, presenting few of the marked racial and cultural clashes noticeable in Babylonia and India.

The culture of ancient China was an unusually advanced one at a relatively early time in world history. More than twenty-five centuries before the dawn of the Christian era and nearly twenty centuries before the founding of the city of Rome, China was possessed of a civil and criminal code, statute laws, nine departmental ministers of state under the emperor, extensive

[1] H. H. Gowen, and J. W. Hall, *An Outline History of China*, pp. 19–22, New York, 1926.

home industries, a large import and export trade, a systematized canal and river service, a standing army and extensive agriculture, local government and tributary taxation, and schools of literature, art, science, and music under the patronage and protection of hereditary dukes and other people of rank. To this astonishing list of cultural accomplishments must be added a well-developed writing, a remarkably advanced astronomy, a calendar, the magnetic needle, mathematics, the metric system of weights and measures, musical science with its instruments and notation, agricultural implements, cooking utensils, herbal medicine, silk production, weaving, drawing, painting, engraving, pottery, bookkeeping and accounting, engineering, embracing many primary principles of physics, and, as hinted above, the writing of essays, fiction, and poetry.[1]

While authentic Chinese history begins about 2000 B.C., the history of written legend and tradition goes back another thousand years. To be exact, the *Shu King* or *Book of History* goes back to the famous "five-emperor period" which began in the twenty-ninth century B.C., an era when China was administered by five great and incredibly exemplary rulers.[2] This period is in the borderland between myth and real history. Continual allusion is made to these men and this period by later writers. To the first of the group, Fu Hsi (*c.* 2852 B.C.), according to the legends, have been attributed many useful advances in civilization, including a cabinet of six members; the ceremonies with which marriage was contracted; the invention of musical instruments, especially the thirty-five-stringed lute; the use of writing in picture symbols, superseding the more ancient system of knot notation; the taming and use of the six domestic animals, the horse, dog, ox, sheep, pig, and fowl; the cultivation of the mulberry and the feeding of silkworms on the leaves; the development of a system of divination; the weaving of mats and nets; and the first recognition of Shang-ti, the Supreme Ruler, in worship.

The second of these great rulers was Shen Nung (2737–2705 B.C.), known as the "Divine Husbandman." Tradition associated him with the establishment of agriculture and medicine.

[1] GOWEN and HALL, *op. cit.*, pp. 61–62.
[2] *Ibid.*, pp. 23–36.

Legend says that "He first fashioned timber into plows and taught people the art of husbandry" and also that "he discovered the curative virtues of plants and instituted the practice of holding markets for the exchange of commodities." One legend recounts his discovering every day a poisonous plant and its antidote. Even more interesting is another mentioning the glass front that Shen Nung had made for his body so that he might study the processes of digestion.

The third of this group was Huang-Ti (2697–2595 B.C.), mentioned above, a great warrior who extended the boundaries of China and subdued the aborigines. He is said also to have invented armor, wheeled vehicles, and a sort of compass. A minister of his is supposed to have invented a new system of ideograms from watching the footprints of birds. The fourth was Yao (2357–2258 B.C.), a great political genius who carried out a union of the states and established new methods of insuring justice. Legend has it that he placed outside his palace a tablet on which anyone might write advice or record a grievance to the government and also a drum which might be beaten to call attention to the grievance. He is said also to have been responsible for flood control, measures of weight and extent, rules of conduct, and the establishment of principles of worship, mourning, courtesy, and chivalry. The last of this illustrious crew was Shun, Yao's immediate successor. He has been one of the "twenty-four examples of filial piety." In addition, he regulated the calendar and mitigated certain punishments in vogue, notably altering the thickness of the birch rod used in whipping schoolboys.

Between this shadowy era and the founding of the famous Chou dynasty came two relatively unimportant dynasties, the Hsia (2205–1766 B.C.) and the Shang (1750–1125 B.C.). By the beginning of the Hsia dynasty the general character, manners, and institutions of the Chinese are fixed on a high civilizational plane. The first of these two dynasties marks the division of the land into nine provinces, an extension of the canal system, the discovery of wine and an effort at prohibition, and a revolution that overthrows the new political system and also establishes the right of revolution in Chinese thought. During the Shang dynasty the culture is of high degree. Especially notable is the development of work in bronze. Vessels of this period, beautiful,

splendid, and with a distinctive style of their own, still exist. About 1340 B.C. after internal troubles had again necessitated a change of title we have the following speech, in which the idea of "tao" or "correct road" is used, henceforth to run through all Chinese thought:

Be your majesty calm! Reform the government. Heaven looks down on those below and grants them years according to their compliance with immutable laws. It is not Heaven which cuts off man's destiny prematurely, but man who neglects virtue and breaks his own career. *It is the hereditary duty of rulers to care for the people, and each of them is a continuing link in the ordered scheme of Heaven.* Sacrifices must be regular, not so excessive as to travel beyond the correct road [tao].[1]

The Chou (or Chow) dynasty, extending from 1124 to 249 B.C., is one of the longest in Chinese history and of singular importance in any cultural study, for it is during this period that a succession of events occur which leave their impress not only upon China but upon the culture of the world. During the early part of this dynasty the great *Book of Documents*, containing imperial decrees and ministerial orders, and the *Book of Odes*, containing popular poems and sacrificial hymns presenting many glimpses of the social and national life, are begun.

These two books [says Faber] form the foundation of the collected ancient literature and developed civilization of the Chinese. China ever remains in most intimate connection with the ideas of these two books, for they form the plan for the mental training of the Chinese both of ancient and modern times, being constantly subjects for examination.[2]

One of the most original innovations of the Chou dynasty was a law, obviously devised with some eugenic intent, that forbade marriage between persons bearing the same family name, subject to slight concessions in the case of two or three extremely common family names. It is possible that this reflected the dawning of some of the evils of inbreeding. This rule has never ceased to be operative.

[1] E. H. PARKER, *China and Religion*, pp. 25–26, London, 1905. Italics mine.

[2] *The Mind of Mencius*, p. 15, London, 1882.

In a political and military sense the Chou dynasty was characterized by great changes and much confusion. One of the early soverigns of the thirty-five constituting the dynasty, Wu Fang by name, in rewarding the chieftains who had served him well in his military enterprises, created five orders of nobility. He assigned to the members of each order certain lands by means of which to maintain their new dignities. Thus 1773 new estates, or in a sense "states," were formed, resulting in considerable geographical expansion. Presently these various independent subrulers broke away from the central authority and formed loose confederations of semi-independent states. These little feudal principalities were in a state of perpetual warfare with each other. Consequently for some two-thirds of the Chou dynasty it was a time of bloody strife and base intrigue, of invasion and usurpation, of making and breaking of alliances and agreements, with a constant shifting of control. There was also a long series of wars against Tartars and Huns on the north and against the aboriginal clans in the south. Political, social, and moral conditions obtained that provoked negative protest and demanded positive reform. The intellectual life also was in an anarchic state, for into the arena of contending powers swarmed philosophers of various schools with their conflicting theories of the universe and of life, each seeking the patronage and support of one or another of the territorial lords.[1]

As has been the case so often in later history, this state of mental convulsion about the middle of the sixth century B.C. became an "age of the great sages." A small number of exceptional men, making use of the old literature, based traditionally upon eternal and natural principles, came forward to save society by crystallizing existing knowledge, experience, and thought into a workable scheme of social order and social control. Outstanding among these were the two greatest sages to appear in the history of Chinese thought, the contemporaries Lao-tse and Confucius and, a century later, the interpreter of Confucius, Mencius. Among the lesser lights were Chang Tzu, a Taoist writer; Yang Tzu, an ethicist of the fourth century B.C.; and Mo Ti or Mih-Teih (*c.* 450 B.C.), an early socialist and advocate of

[1] *Cf.* A. W. MARTIN, *The Great Religious Teachers of the East*, pp. 121–122, New York, 1911.

mutual love. The influence of the thought of these men is dominant among the teeming millions of China down to this day.[1]

Partly because of location, but mainly owing to the tremendous momentum and strength, and certain special and peculiar features developed by Chinese culture during these early millenniums, there has been a continuous and unbroken Chinese civilization which has varied little in emphasis from prehistoric times to the present day, and this in spite of many political changes. This is not true of any other ancient civilizations. Some have disappeared altogether; others have changed so much as to bear no relation to their ancient counterparts; while Egypt has been presided over by a variety of races, each with a history of its own. India alone compares with China in this respect, but her life has been shorter, and her modifications have been much greater. Chinese culture has demonstrated a persistence and a toughness of fiber which is the marvel of students of social processes. Moreover, it has been so strong that it has absorbed every new culture element and racial stock that came under its influence. Some one has well said that China is a sea that salts all that flows into it.

II. The Social Thought of Lao-tse

The two greatest thinkers of this age reacted in almost opposite ways to the thought and conditions of their time. Lao-tse developed a doctrine of original simplicity, spiritual austerity, self-denial, and complete democracy and placed this over against the multitudinous disorganization and misorganization, the superficialities and hypocrisies, the false philosophies, and the excessive devotion to things that do not matter. Confucius' thought, on the other hand, centered around formalism and etiquette, the importance of traditional and customary procedure, the nature and function of social groups and social organization, and a

[1] Though an age of upheaval this was nevertheless one of material advance, and the upper classes at least lived on a plane of exceptional physical comfort. H. A. Giles states that the "Citizens, when not employed in cutting each other's throats, enjoyed a reasonable security of life and property. They lived in well-built houses; they dressed in silk or homespun; they wore shoes of leather; they carried umbrellas; they sat on chairs and used tables; they rode in carts and chariots; they travelled by boat; they ate their food off plates and dishes of pottery . . . they measured time by the sundial." *A History of Chinese Literature*, p. 5, London, 1927.

humanitarianism that ranges in content from the expedient to the sublime.

1. Life.—Very few established facts are available regarding the life of Lao-tse. The name by which he is known—Lao-tse or Lao-tzu or Lau-tzi, or the Latinized form of it, Laocius, given by the Jesuits when they came to China—means the "old philosopher" or the "old one," and much legend is connected with him. His real name was Li Erh or Li Ir. He is supposed to have been born in 604 B.C. in the state of Ch'u, corresponding to the present province of Hupeh and Hunan.[1] During at least the later years of his life he was the "Sze," that is, the "recorder" or "historiographer" or "curator of the archives" or "keeper of the libraries" at the Imperial Court of Chou at the imperial city, the modern Honan-Fu, variously called Loyang and Kao. As such he undoubtedly was fully abreast of the intellectual developments of his time and had abundant opportunity of meeting the astrologers, historians, and scholars of the minor courts. While holding this position he preached his doctrines attempting thereby to stay the prevailing license and anarchy and incidentally developed the reputation of being a man of great learning. Since one of his strongest principles was his desire for privacy, and one of his most persistent recommendations was the avoidance of hero worship, publicity, and glory, it is quite likely that, contrary to the more bustling Confucius, he went to some length in keeping information regarding himself away from the public. Hence the scarcity of information regarding him. A Chinese historian Sz-ma Ts'ien gives us the names and employments of Lao-tse's son and grandson and also points out that one of his more distant descendants held office under the second Han emperor, while this one's son in turn was instructor to a royal prince in Shan Tung.[2]

Two interesting events in Lao-tse's life are most revealing of his general character and attitudes. When he was an old and somewhat famous man, Confucius, then thirty-four and a young teacher and official attached to one of the smaller courts, visited the Imperial Court to improve his knowledge and met Lao-tse.

[1] GOWEN and HALL, *op. cit.*, p. 70; F. HIRTH, *The Ancient History of China*, p. 231, New York, 1908. E. H. Parker (*Studies in Chinese Religion*, p. 47, London, 1910) gives the northwest corner of the modern province of An Hwei as his birthplace.

[2] PARKER, *op. cit.*, p. 48.

Being so different in temperament and viewpoint, neither philosopher came from the encounter with much respect for the other. Lao-tse considered his visitor too formal and obsequious; while Confucius professed himself unable to understand the older man's mental flights. Confucius told Lao-tse that he desired to search out the ancient history of China and restore its passing glory by a scheme of social proprieties. Lao-tse is said to have replied:

> The men about whom you talk are dead, and their bones are mouldered to dust; only their words remain. When a man of first-rate qualities finds his opportunity, he makes his career; if he finds no opportunity, he betakes himself off like the grass carried away by the storm. I have always understood that a good trader keeps back his best wares; in the same way a man of first-rate qualities hides his potential virtues behind an expressionless face. Get rid of your superior airs and your multitudinous requirements, of your mannerisms, and your inordinate desires, none of which can be of any advantage to your body. This is all I have to say to you.[1]

At another time Confucius told Lao-tse that he had been studying books for twenty years looking for wisdom. Lao-tse replied:

> If it could be transmitted to men, who would not wish to transmit it to his children? Why do you not obtain it? This is the reason: Because you do not give it an asylum in your heart.

After one of these interviews Confucius is said to have commented:

> I know how the birds fly, how the fishes swim, how animals run. But the runner may be snared, the swimmer hooked, and the flyer shot by the arrow. But there is the Dragon. I cannot tell how it mounts on the wind through the clouds and flies through Heaven. Today I have seen Laotze, and I can only compare him to the Dragon [*i.e.*, supramundane and unintelligible mystery].[2]

The other story has to do with his retreat. When he first propounded his philosophy of life and behavior his notions were

[1] *SBE*, XXXIX, 34.
[2] *SBE*, XXXIX, 34–35.

enthusiastically received, but people did not care to carry them into effect for long. The pomp, artificiality, and reckless luxury of the Royal Court, the dissipation and warlike ambition of the feudal states, and the lax conduct of all classes of men, to all of which Lao-tse had objected, continued and filled him with disgust. The decrepitude of the court increased; the general confusion and anarchy became worse; the struggle for political power and material profit was more and more noticeable; the collapse of society seemed to be imminent. Men refused to accept tao and sincerity. Moreover, Lao-tse was surfeited with his official duties. So he decided to shake the dust of ungrateful China from his feet and seek peace, oblivion, and death in the wilderness of the West. According to the story, he set off with one disciple for the Kwan Yin Pass, at the bend of the Hwang Ho near modern Sian-fu, through which he intended entering into the wilds of Tartary or Tibet. His fame was known to Yin Hi, the officer in charge of the pass. This gatekeeper looked with regret upon the setting of so great a luminary and therefore asked the sage to commit to writing some of his teachings before permanently retiring. His words are said to have been, "If you are going to disappear into retirement, sir, I hope you will make a book for me." Lao-tse, in compliance with this request, put his wisdom in written form, now known as the *Tao-Teh-King*. He was at this time a very old man, probably eighty-eight or eighty-nine, since he was eighty-seven when Confucius visited him. He thus died around 515 or 514 B.C.

2. Thought.—The *Tao-Teh-King* is probably the shortest piece of famous writing in the history of ancient literature. It consists of approximately 5000 Chinese characters, divided into eighty-one so-called chapters. Many of these chapters consist of only a single sentence, and not one of them, including their subdivisions, would amount to a page of the average-sized book. The whole is divided into two parts, the first consisting of the *Tao* or treatment of the "Correct Way," as it is commonly translated, the second with *Teh* or "Virtue" or "Grace." *King* means "book" or "classic." The title thus means the "Classic of the Correct Way of Virtue."

The work both in its inception and in its content is much more original than any of the writings of Confucius. At the same time it is based on existing Chinese philosophical concepts, and

many of its utterances can be referred back to the old classics from which the inspiration and suggestion were manifestly drawn.[1] Lao-tse's work is largely that of reinterpretation and reemphasis of the ancient virtues of sincerity, austerity, simplicity, and high thinking.

The central idea in Lao-tse's *Tao-Teh-King* is the tao, and its primary objective is to aid men in attaining this tao. The meaning of the word is not entirely clear, but to refer to it as the "way" comes near, though it is not a full rendering of it. It is the Ultimate and Enduring Reality, the Universal Spirit; it is ever existent, self-existent, uncreated; all comes from it, and all returns to it; it is the order and principle of the Universe, of Life and Things—"the Honored Ancestor of All Things," in Lao-tse's own words. While it is unfathomable and unknowable, man's duty is to conform to it. It is achieved not by striving to perform an array of prescribed acts—not by specific acts of charity or by religious austerities, by forcing of faculty or by various kinds of reform, personal or social—but by nonaction, by the higher indifference, by avoiding pretense, by living humbly and simply and honestly, by being oneself. It does not imply bodily withdrawal from the world or an avoidance of life's obligations and responsibilities but merely an emotional and intellectual detachment from the distractions, vanities, striving, and conflicts of daily living. What Lao-tse emphasized particularly was the emptiness of rank, luxury, and display; the superiority of mind and spirit and the calm inner life over matter; and the importance of being part of the eternal and ultimate, rather than of devoting oneself to striving or having or attaining in the fleeting present. He said, "Follow diligently tao in your own heart, but make no display of it to the world," a statement comparable to that of Jesus, "Take heed that ye do not your righteousness before men, to be seen of them."

A sizable literature has grown up around the small document attributed to Lao-tse himself which is rich in interpretations, elaborations, and expositions of his thought. Much has also been added which is attributed to Lao-tse, who speedily became a legendary character, in order to give it validity. We shall confine ourselves, however, to the *Tao-Teh-King* itself. This will

[1] *Cf.* E. H. PARKER, *China and Religion*, p. 36; *Studies in Chinese Religion*, p. 96.

make the discussion shorter, and perhaps less colorful, but vastly more accurate.[1]

a. Simplicity.—Lao-tse emphasizes above all else the desirability of simplicity, calmness, moderation, quietude, and contentment. Whatever be our position in life or our responsibilities, our first duty is to keep a calm and placid mind, be modest and self-effacing, simple of speech, honest, and given to contemplation.

The sage manages affairs without doing anything and conveys his instructions without the use of speech (2:3).

Sincere words are not fine; fine words are not sincere (81:1).

There is no guilt greater than to sanction ambition; no calamity greater than to be discontented with one's lot; no fault greater than the wish to be getting. Therefore the sufficiency of contentment is an enduring and unchanging sufficiency (46:2).

As for you, do you come forth in your natural simplicity, lay hold of verities, restrain selfishness, and rid yourself of ambition (19:1).

In ruling men and in serving Heaven there is nothing like moderation (59:1).

For regulating the human in our constitution and rendering the proper service to the heavenly there is nothing like moderation. It is only by this moderation that there is effected an early return to man's normal state (59:1, 2).[2]

Humility is the true road to greatness. In a passage paralleling the Beatitudes of Jesus in structure, subject, and spirit Lao-tse states:

Whosoever adapteth himself shall be preserved to the end.
Whosoever bendeth himself shall be straightened.
Whosoever emptieth himself shall be filled.
Whosoever weareth himself away shall be exalted.
Whosoever humbleth himself shall be exalted.
Whosoever exalteth himself shall be abased.

Therefore doth the sage cling to simplicity and is an example to all men.

He is not ostentatious, and therefore he shines.

[1] For an excellent treatment of the broader taoism see PARKER, *Studies in Chinese Religion*, pp. 45–151.

[2] These passages from the *Tao-Teh-King* are taken from the four translations available to me: L. GILES, *The Sayings of Lao-Tzu;* P. CARUS, *The Canons of Reason and Virtue; SBE*, Vol. XXXIX, pp. 47–124, trans. by James Legge; PARKER, *Studies in Chinese Religion*, pp. 99–131. The great majority are from Legge.

He is not egoistic, and therefore he is praised.

He is not vain, and therefore he is esteemed.

He is not haughty, and therefore he is honored.

And because he does not compete with others, no man is his enemy.

The ancient maxim, "Whosoever adapteth himself shall be preserved to the end," verily it is no idle saying.

Without doubt he shall go back to his home in peace (22:1, 2, 3).

The social triumphs resulting from humility, gentleness, and abasement are depicted in passage after passage.

It is through his not making himself great that the sage can accomplish great achievements (34:3).

The gentlest thing in the world will override the strongest (43:1).

With virtue and quietness one may conquer the world (45:2).

That whereby the rivers and seas are able to receive the homage and tribute of all the valley streams is their skill in being lower than they—it is thus that they are the kings of them all. So it is that the sage, wishing to be above men, puts himself by his words below them and, wishing to be before them, places his person behind them.

In this way, though he has his place above them, men do not feel his weight, not though he has his place before them do they feel it an injury to them (66:1, 2).

I have three precious things which I prize and hold fast. The first is gentleness; the second is economy; and the third is shrinking from taking precedence of others.

With that gentleness I can be bold; with that economy I can be liberal; shrinking from taking precedence of others, I can become a vessel of the highest honor. Now-a-days they give up gentleness and are all for being bold; economy, and are all for being liberal; the hindmost place, and seek only to be foremost—of all which the end is death.

Gentleness is sure to be victorious even in battle and firmly to maintain its ground. Heaven will save its predecessor, by his very gentleness protecting him (67:2, 3, 4).

There is nothing in the world more soft and weak than water, and yet for attacking things that are firm and strong there is nothing that can take precedence of it—for there is nothing so effectual for which it can be changed (78:1).

A violent wind does not last for a whole morning; a sudden rain does not last for the whole day (23:1).

The soft overcomes the hard; and the weak the strong (36:1).

The softest thing in the world dashes against and overcomes the hardest; that which has no substantial existence enters where there is no crevice (43:1).

In similar manner, human distinctions of rank and class are considered to be vain and empty, and pushfulness is the sheerest nonsense. The superior man takes no pride in superiority, rank, or any of the dignities of men. These, one gathers, merely evidence the values held by fools and men of small caliber.

The wise man knows no distinctions; he beholds all men as things made for holy uses (3:1).

He who stands on tiptoes does not stand firm; he who stretches his legs does not walk easily. So he who displays himself does not shine; he who asserts his own views is not distinguished; he who vaunts himself does not find his merit acknowledged; he who is self-conceited has no superiority allowed to him. Such conditions are like remnants of food or a tumor in the body, which all dislike. Hence those who pursue the course of the tao do not adopt and allow them (24:1).

He quite consistently points to the folly and absurdity of vain show.

If I were suddenly to become known and put into a position to conduct a government . . . what I should be most afraid of would be a boastful display.

The great tao is very level and easy; but people love the by-ways.

Their courtyards and buildings shall be well kept; but their fields shall be ill-cultivated, and their granaries very empty. They shall wear elegant and ornamental robes, carry a sharp sword at their girdle, pauper themselves in eating and drinking, and have a superabundance of property and wealth—such princes may be called robbers and boasters. This is contrary to the tao surely (53:1, 2, 3).

b. Charity and Justice as Evidences of Social Defect.—Lao-tse objects pointedly to the necessity of charity, benevolence, or justice. They are, in fact, offensive to him, for benevolence connotes inferiority and misery of one man, and the condescending patronage of the other, while charity and justice exist only where the defects of government have produced poverty and a sense of wrong. In a state or society where real equality existed there would be no occasion for such concepts even arising. But owing to these weaknesses in corrupt and complicated human societies, the proprieties, the crowning absurdity, appear as a means of preserving chaotic and antisocial relations.

When the tao was lost, its attributes appeared; when its attributes were lost, benevolence appeared; when benevolence was lost, righteousness appeared; and when righteousness was lost, the proprieties appeared.

Now propriety is the attenuated form of leal-heartedness and good faith and is also the commencement of disorder; swift apprehension is only a flower of the tao and is the beginning of stupidity.

Thus it is that the great man abides by what is solid and eschews what is flimsy; dwells with the fruit and not with the flower (38:5, 6, 7).

If we could renounce our benevolence and discard our righteousness, the people would again become filial and gentle (19:1).

c. The Illusion of Greatness.—The rule or way of the universe shows also that the small shall become great, the last shall be first, and the self-effacing become the most important. The reason implied is that these lesser things are not ends in themselves but contributors; hence they grow.

All difficult things have their origin in that which is easy, and great things in that which is small [63:2].

The tree which fills the arms grew from a tender shoot.

The castle of nine stories was raised on a heap of earth.

The journey of a thousand miles began with one step [64:2].

The highest excellence is like that of water.

The excellence of water appears in its benefiting all things and in its occupying, without striving, the low place which all men dislike (8:1).

The reason why heaven and earth are able to endure and continue thus long is because they do not live of, or for, themselves. This is how they are able to continue and endure. Therefore the sage puts his own person last, and yet it is found in the foremost place; he treats his person as if it were foreign to him, and yet that person is preserved. Is it not because he has no personal and private ends that . . . such ends are realized? (7:1, 2).

d. The Folly of Possessions.—Possessions not only cause worry and cares, but they distract attention from the more worth-while things. They develop from desires, largely artificial and selfish in nature. The sage is always rich because he is contented, and he has learned that it is more blessed to give than to have.

When gold and jade fill the hall, their possessors cannot keep them safe (9:2).

The sage does not accumulate for himself. The more that he expends for others the more does he possess of his own; the more that he gives to others the more does he have himself (81:2).

If we could renounce our artful contrivances and discard our scheming for gain, there would be no thieves nor robbers (19:1).

e. The Emptiness of Learning.—"Learning" as such is also folly, for at best it only repeats what other men have said,

perpetuates many absurdities, is often merely an ornamental acquirement, and inclines men to make vain and invidious personal distinctions. Moreover, it is never final. Only knowledge of self, of men, and of fundamentals is good.

To know and yet think we do not know is the highest attainment; not to know and yet think we do know is a disease [71:1].

He who knows other men is discerning; he who knows himself is intelligent. He who overcomes others is strong; he who overcomes himself is mighty. He who is satisfied with his lot is rich; he who goes on acting with energy has a firm will.

He who does not fail in the requirements of his position continues long; he who dies and yet does not perish has longevity [33:1, 2].

A state may be ruled by measures of correction; weapons of war may be used with crafty dexterity; but the kingdom is made one's own only by freedom from action and purpose [57:1].

f. Duty without Reward.—One should do one's duty but have no thought of glory and rewards.

A skillful commander strikes a decisive blow and stops. He does not dare by continuing his operations to assert and complete his mastery.

He will strike the blow but will be on his guard against being vain or boastful or arrogant in consequence of it. He strikes as a matter of necessity; he strikes it but not from a wish for mastery [30:3].

When the work is done, and one's name is becoming distinguished, to withdraw into obscurity is the way of Heaven [tao] (9:2).

g. Government and Rulers.—Lao-tse pays considerable attention to the nature of government and to the related subjects of rulers and taxes. Government he places in the category of necessary evils. The ruler, similarly, is indispensable to the social machine, but he should attract as little attention and raise as little discussion as possible and keep the secrets of his unhappy craft to himself. Laws and other regulations should be as few, but as clear, as possible, and taxes should be no greater than is absolutely necessary. In the main, that government is best that governs least, for it is conducive to perfect, primitive simplicity.

He who would administer the kingdom, honoring it as he honors his own person, may be employed to govern it; and he who would administer it with the love which he bears to his own person may be entrusted with it (13:3).

A state may be ruled by measures of correction; weapons of war may be used with crafty dexterity; but the kingdom is made one's own only by freedom from action and purpose.

How do I know that this is so? By these facts:

In the kingdom the multiplication of prohibitive enactments increases the poverty of the people; the more implements to add to their profit that the people have the greater disorder is there in the state and clan; the more acts of crafty dexterity that men possess the more do strange contrivances appear; the more display there is of legislation, the more thieves and robbers there are.

Therefore a sage has said, I will do nothing, and the people will be transformed of themselves; I will be fond of keeping still, and the people will of themselves become correct. I will take no trouble about it, and the people will of themselves become rich; I will manifest no ambition, and the people will of themselves attain to the primitive simplicity (57:1, 2, 3).

The state should be governed as we cook small fish, without much business (60:1).

What makes a great state is its being like a low-lying, down-flowing stream—it becomes the center to which tend all the small states under heaven.

Thus it is that a great state, by condescending to small states, gains them for itself; and that small states, by abasing themselves to a great state, win it over to them.

Each gets what it desires, but the great state must learn to abase itself [61:1, 3, 4].

The people suffer from famine because of the multitude of taxes consumed by their superiors. It is through this that they suffer famine [75:1].

h. War.—War is quite inconsistent with Lao-tse's general philosophy. Hence war, and the use of arms generally, should be avoided as far as possible and engaged in only where absolutely necessary. At best, it is destructive and leaves baleful after-effects of various types.

When a nation is filled with strife then do patriots flourish (18:2).

Wherever a host has been stationed, briars and thorns spring up. In the sequence of great armies there are sure to be bad years (30:2).

Now arms, however beautiful, are instruments of evil omen, hateful, it may be said to all creatures. Therefore they who have the tao do not like to employ them.

Those sharp weapons are . . . not the instruments of the superior man—he uses them only on the compulsion of necessity. Calm and

repose are what he prizes; victory by force of arms is to him undesirable. To consider this desirable would be to delight in the slaughter of men; and he who delights in the slaughter of men cannot get his will in the kingdom.

He who has killed multitudes of men should weep for them with the bitterest grief (31:1, 2, 3).

Those who are violent and head-strong do not die a natural death (42:3).

There is no calamity greater than lightly engaging in war. To do that is near losing the gentleness which is so precious. Thus it is that when opposing weapons are actually crossed, he who deplores the situation conquers (69:2).

i. The Golden Rule.—Perhaps the greatest single idea in Lao-tse's small collection of great and scintillating ideas is his version of the golden rule or, rather, his repudiation of either the law of retaliation or the law of justice as Confucius was to state it. Lao-tse said, "It is the way of tao . . . to recompense injury with kindness" (63:1). This reminds one of the later similar New Testament statement, "Be not overcome of evil, but overcome evil with good" (Rom. 12:21). In another passage Lao-tse states:

I would return good for good; I would also return good for evil.
I would meet trust with trust; I would likewise meet suspicion with confidence (49:2, old trans.).

Legge's translation of the same passage is more complete:

To those who are good to me I am good. And to those who are not good to me I am also good. And thus all get to be good. To those who are sincere with me I am sincere. And to those who are not sincere with me I am also sincere. And thus all get to be sincere (49:2).

Lao-tse's ideal social state is that of a simple democracy in which there is a minimum of regulation and control. The common and widely prevalent personal and material aspirations which inevitably produce concentrations of property for some and poverty for most others, which align men into classes and create continual social conflict and individual distraction by things that do not matter are tabooed. In fact, owing to his criticism of pomp, show, ambition, glory, and greed, his demonstration of the emptiness of majesty and propriety, the vanity of effort and possessions, and his general denunciation of the

numerous false or superficial common gods of mankind, Lao-tse has been called "the Chinese Carlyle."[1] Social life, even in the form of the organized state, is necessary and unavoidable, but it is not an end in itself. It should be merely an unobtrusive contributor to the great and all-absorbing end, the achievement of the tao by making possible for men a life of order, peace, quietism, freedom, and the comprehension of the eternal and enduring fundamentals.

He incidentally propounded several great principles of social behavior or social relationship. Notable are the following: Gentleness is more effective than force; a great amount of benevolence and charity means inexcusable social disorganization and inequality; the social proprieties are necessary as social lubricants when social relationships are undemocratic; much that passes as social knowledge is a perpetuation of absurdities that are deep-seated in our sentiments and attitudes; one should not seek personal rewards for having done one's social duty, self-preservation demands no less; depression and general decline follow war; and, finally, retaliation breeds chaos, and consequently injury should be recompensed with kindness.

III. The Social Thought of Confucius

1. Life and Career.—A third of a century after the death of Lao-tse, at the time when Confucius was in his prime, the political and social disorder of the Chou dynasty persisted. If conditions had changed at all, the change was for the worse. While the kings of the Chou dynasty were nominally in authority in Confucius' young manhood, actually the country was divided into more or less independent feudal states. (These were always in a state of rivalry with each other and occasionally in a state of war. As a result, the economic and social life, as well as the political life, was in a disorganized state, and the ideals and practices of the people suffered a parallel decline.) New and conflicting philosophies of life appeared and added to the confusion. It was in this setting that Confucius appeared putting forth the traits and behavior of the superior man; the principles of strong, stable, peaceful government; and the social rules necessary to regulate individual life in family and group in the interests of general well-being.) In contrast to Lao-tse he took a great interest in this

[1] Parker, *op. cit.*, p. 97.

world, its men, their lives, and its relationships and institutions. To reform the social life of his native land was his main ambition and task. But he sought to do this not by any abstruse philosophy or by radical social, economic, or political departures or untried schemes but by a utilization of ancient, time-tried methods. On the basis of extensive historical studies he placed on record what had existed for ages and gave it his own interpretation for his time. His reforms sought return to idyllic relationships and institutions of the past.

Confucius' real name was K'ung Ch'in Chung-ni, of which K'ung was the family name, Ch'in the personal or Christian name, and Chung-ni the special name given upon reaching full age. Later he was called K'ung-Fu-tsze, meaning "Kung the Philosopher or Master." The Jesuits, who first carried his fame to Europe, Latinized this into Confucius. He was born 551 B.C. in the western part of the principality of Lu, in eastern China, in what is the modern province of Shantung. He was the son of an old military man by the name of Shuh-Liang-Heih, the officer in charge of the district of Tsow in the state of Lu, and a man remarkable through his life for his strength, bravery, and skill. His lineage was as distinguished as any in China could be, for the Kung family traced its ancestry back to the sovereigns of the Shang dynasty and from them back to Hwang-Ti, an almost legendary character of the twenty-eighth century B.C. Shuh-Liang-Heih was the father of ten children, nine girls by his legitimate wife, and a crippled son by a concubine. In his late sixties he decided that he wanted a sound son, so he sought a younger wife in the Yen family where there were three daughters. The two elder objected to the old man's suit; but the youngest, Ching-tsai, only seventeen years of age, was willing to abide by her father's judgment. Confucius was born the following year, and his aged father died three years later.

Confucius early gave evidence of his future interests. As a child he showed a pronounced proclivity for serious study and an inborn appreciation of ceremonial and festivals, even, it is said, having used tripods, sacrificial dishes, candles, and official hats as playthings. He thus bore out the Wordsworthian epigram, "The child is father to the man." As an adolescent he had already acquired an enviable reputation for his intellectual attainments. He states in the *Analects* (2:4), "At fifteen I had my mind bent on

learning." At nineteen he married. His only son, Li, was born the year after. Later a daughter was born. It is known that the marriage was not an affectionate one and that the solitary son was by no means a success. But he did leave issue. His son was a scribe and interpreter of his grandfather's thought. Today the Kungs, Confucius' descendants, are probably the oldest nobility on earth, the present members of the family having passed the seventieth generation in unbroken line.

Shortly after his marriage Confucius received his first appointment to public office, the post of inspector or keeper of the granaries in his home state of Lu. This position, however, did not tax his capacities. The next year he was promoted to the position of superintendent of farms and lands ("parks and herds"). He was deeply conscious of the dignity of his office and the duty of faithfully fulfilling its requirements. Throughout his long career in various public offices he was a man of incorruptible honor and devoutly consecrated to his ideals. Having much leisure time he devoted himself to the records of the past and to quiet thought and exchange of opinions. At the age of twenty-two, drawing on his reputation for learning and wisdom already established, he began to eke out his slender salary by taking pupils whom he instructed in the arts of official, social, and sacrificial deportment; music; and archaeology. Henceforth, though frequently holding public office, teaching and historical research were to be his chief life work. At one time he is said to have had 3000 pupils plus a large number of disciples. Through most of his life his relationship with the duke of his province was a close one. Parker says, "The reigning duke bore much the same relation to the King or Emperor of China that the Duke of Weimar bore to the 'Roman' Emperor of Germany; and Confucius was his Grace's Goethe."[1]

When Confucius was twenty-four his mother died. He now had an opportunity to put into effect the forms of mourning etiquette that he so much admired. He reverently buried her in his father's tomb and then mourned for her officially three years. At the conclusion of this mourning period the duke placed a traveling equipage at his disposal that he might visit the imperial capital for the examination of documents and other study. It was at this time that he met Lao-tse with the results

[1] PARKER, *China and Religion*, p. 52.

discussed above. Upon his return to Lu he devoted a number of years to his own literary researches and to the direction of the studies of his numerous pupils, who reverenced him deeply and sincerely. He also apparently took part in the debates on public questions and frequently held unpopular ideas on political and social ethics. At any rate, the chief men of the state were gradually becoming aware that a great man had risen among them. In 517 B.C. one of its principal ministers gave orders on his deathbed that his son and another member of their clan should attend the Confucian school. Such pupils, of course, increased the reputation of Confucius and enlarged his means. In 516 B.C. the anarchy and rebellion engineered by the three upstart vassals had reached the point where the duke had to flee to the neighboring state of Chi where he later died in exile. Confucius fled with him, but after affairs had quieted down he returned to Lu, devoting himself, almost exclusively, for more than fourteen years to teaching, traveling about, and proclaiming those political, social, and moral principles later embodied in the *Four Books*.

At last in 501 B.C. Yang Huo, the pretender to the rule of Lu, also was forced to flee, and prospects brightened. A year later Confucius was appointed governor of a town. So successful was he that he was promoted to be superintendent of works and then to be minister of justice of the province. These offices afforded him opportunity to test the practical value of some of his teachings. The results, we are told, bordered on the miraculous. The poor were properly cared for; the aged were treated with sympathy and wisdom; crime diminished and almost disappeared; war was discouraged; the extravagant and profligate were brought to justice. People became so honest that jewels dropped on the highway were left untouched; all men were honest and loyal, and all women were chaste and docile. A general state of tranquillity and prosperity prevailed. Confucius was the idol of the people and the support of the duke. People migrated from other states to live under this beneficent rule. In fact, he so strengthened the power of the duke that neighboring states grew jealous and contrived to undermine the success of their rival. Knowing the weakness of the duke for spectacular entertainment, the surrounding dukes made him a gift of eighty beautiful dancing girls and thirty teams of fine horses. He became so infatuated

with these that he shamefully neglected the duties of his office. This combined with the duke's frequent inconsistencies, his voluptuousness, and his indecorum so disgusted Confucius that he resigned his high office and retired to private life in 497 B.C. For the next thirteen years he wandered from land to land, followed by his disciples, seeking in vain for a ruler who would employ him. He noted now everywhere what had dismayed him on his earlier travels, namely, an absence of principle among the people, increasing political corruption and anarchy, selfishness and insincerity, loose living and a wholesale denial of the ancient proprieties—in brief, a complete disintegration of the machinery of social control. In 484 B.C. when he was sixty-eight years of age, through the influence of a disciple, he was invited to return to his native land. Here he remained till his death in 478 B.C., spending these last years of his life editing the five great *Kings* or *Classics* of ancient Chinese literature. These last years were saddened by the death of his son Li and of his favorite disciples Yen Yuan and Tzi-lu. He died discouraged at his apparent lack of success. "The great mountain must crumble," he said; "the strong beam must break; the wise man withers away like a plant." He was buried at Ch'u-fu, where the grave is still visited by multitudes of people. A disciple is said to have mourned at his grave for six years.

2. The Writings.—The literature by him or purporting to state his teachings consists of nine books divided into the *Five Kings* or *Canons* or *Classics* and the *Four Books.* The *Five Kings* are mainly editings by him of the ancient historical writings, poems, and odes, the famous *Hexagrams*, the lists of ceremonies, and his own history of the state of Lu. These five classics are known respectively as the (1) *Shu King* or *Book of History;* (2) *Shi King* or *Book of Odes;* (3) *Yi King*, or *Book of Changes;* (4) *Li Ki King* or *Book of Rites;* and (5) *Ch'un Ch'iu* or *Spring and Autumn Annals.* The *Books* contain the sayings and teachings of Confucius. The greatest of these is the *Lun Yu* or the *Analects* or *Sayings*, believed to have been written down by his disciples or their pupils. These contain his epigrammatic sayings, the nuggets from his conversation, the dialogues with his disciples, and his remarks concerning government, social behavior, and similar subjects and come as near to being a "close-up" of his thought as it is possible to obtain. The *Ta Hsio* or *Great Learning* is an outline of his social

ethics and a development of his ideas on self-culture. In it society is conceived as being an extension of the individual. The *Chung Yung* or *Doctrine of the Mean* expounds his dominant conception of the middle path between extremes and emphasizes equilibrium or balance. It is said to have been committed to writing by Tse-Tse, the grandson of Confucius, from his recollections of the teachings of his grandfather and from reports by his father and other disciples. The fourth, the *Book of Mencius*, is a treatise on political economy by Mencius or *Meng-tse* (372–289 B.C.), principal representative of the Confucian school.

Through what he wrote and said and did Confucius has had a greater influence on the development of Chinese culture than any other man. Taking the best social philosophy of a brilliant past, through his own peculiar personality and life he put it in a new focus, gave it new vitality, and projected it into the future with such force that it flourishes with brilliance after twenty-four hundred years among hundreds of millions of devotees. He, however, taught little that was new or particularly original. He himself in one of his most important utterances described himself as "a transmitter, not a creator; one who believed in the wisdom of the ancients and loved them." Before his day a literature of great social importance existed, but it was not highly treasured. Confucius pointed out its value, based all his teachings on it, and read into it meanings which perhaps had not existed. To use Professor Hirth's figure,[1] he was but a phonograph recording the wisdom of the first sages for the benefit of his contemporaries and posterity. Although a religion was later developed out of the teachings of Confucius, he was neither a religionist nor a metaphysician; he taught no religion, and he avoided discussion of the supernatural; nor was he even a theorist in the ordinary sense of the word. He was essentially a practical man laying down a teaching that was of the earth earthy. For him human behavior and the thought about it was the all-important thing. He taught social relations and their duties; he pointed out how the superior man would act; he was interested in politics and government and was concerned about the efficiency of social institutions generally; above all, he wished to perpetuate the best aspects of the long-established social order. His

[1] *Op. cit.*, p. 250.

precepts form a social code remarkable for its simplicity, its historical substantiation, its practical sagacity, and its penetrating human insight and understanding.

While his objectives are fairly clear, he seemed to have no system of either individual behavior or social organization in mind. His teachings are mostly in the form of crisp and lucid, but disconnected, aphorisms and proverbs. He gave no elaborate discourses. Usually his statements came as replies to questions of his disciples or pupils as they were brought out by mere incidents of their daily lives. Any attempt at systematic treatment, therefore, must be more or less arbitrary and imposed upon his various sayings and pronouncements.

3. His Social Thought. *a. His Aim, the Production of the "Superior Man."*—The primary aim of Confucius is to produce what is variously translated as the "superior man," the "gentleman," the "higher type of man," and the "nobler sort of man" and to convert the entire population into such superior men. This use of the term "superior" does not imply superiority over other men in the sense of social prestige or social recognition but rather superiority as to personal qualities and aspirations, superiority to their own selves to date. Inherent in it is the progressive reaching out for relatively more "perfect virtue,"[1] that is, attempting to cultivate higher and more useful traits and qualities. The implication persists throughout the discussion that good government, good family, or a good society in general is possible only when individuals themselves are good. Hume points out that the qualities of the "superior man" are described at least eighty-eight times in the *Analects* alone.[2] In the discussion that follows, the more important traits will be treated briefly.

The superior man has poise and is self-sufficient. "A gentleman in his thoughts does not outstep his place" (*Analects*, XIV, 28).[3] "What the superior man seeks is in himself; what the ordinary man seeks is in others" (*Analects*, XV, 20). He is sincere. "The superior man must make his thought sincere" (*Great Learning*, VI, 4). "Is it not his absolute sincerity which

[1] *Analects*, IX, 6.

[2] R. E. HUME, *The World's Living Religions*, p. 118, New York, 1924.

[3] Throughout where the term "gentleman" is used, the translation is by Leonard A. Lyall; where "superior man" is found, James Legge is the translator.

distinguishes a superior man?" (*Doctrine of the Mean*, XIII, 4). He is also high-minded and above petty things. "A gentleman is high-minded, not proud: the small man is proud but not high-minded" (*Analects*, XIII, 26). "A gentleman cherishes the mind; the small man cherishes dirt" (*Analects*, IV, 11). He is calm. "A gentleman is calm and spacious; the small man is always fretful" (*Analects*, VII, 36). He believes in truth. "The object of the superior man is truth. . . . The superior man is anxious lest he should not get truth; he is not anxious lest poverty come upon him" (*Analects*, XV, 31). When speech is necessary it should be deliberate and well-chosen; deeds are preferred to talk, however. "A gentleman is shamefast of speech; his deeds go further" (*Analects*, XIV, 29). "A gentleman wishes to be slow to speak and quick to act" (*Analects*, IV, 24). "A gentleman puts words into deeds first and backs these up with words" (*Analects*, II, 13). "On matters beyond his ken a gentleman reserves his judgment. If names are not right, words do not fit. If words do not fit, affairs go wrong. If affairs go wrong, neither courtesy nor music flourish. If courtesy and music do not flourish, law and justice fail. And if law and justice fail them, a people can move neither hand nor foot. So a gentleman must be ready to put names into speech, to put words into deed. A gentleman is nowise careless of words" (*Analects*, XIII, 3). He is earnest at all times. "The superior man in everything puts forth his utmost endeavors" (*Great Learning*, II, 4).

This gentleman acts justly and fairly and adheres to the right. "Gentlemen trust in justice; the small man trusts in favor" (*Analects*, IV, 11). "A gentleman is broad and fair; the small man takes sides and is petty" (*Analects*, II, 14). "A gentleman has no likes and dislikes below heaven. He follows right" (*Analects*, IV, 10). "A gentleman considers what is right; the small man considers what will pay" (*Analects*, IV, 16). "Faithfulness and truth are his masters" (*Analects*, I, 8). What is even more important is the fact that he tries to draw the good out of others. "A gentleman shapes the good in man; he does not shape the bad in him. The small man does the contrary" (*Analects*, XII, 16). "A gentleman knows neither sorrow nor fear. . . . He finds no sin in his heart, so why should he sorrow, what should he fear?" (*Analects*, XII, 4).

His life is a matter of growth. "The superior man is distressed by his want of ability; he is not distressed by men's not knowing him" (*Analects*, XV, 18). "A gentleman's life leads upwards; the small man's life leads down" (*Analects*, XIV, 24). "He is not ashamed to mend his faults" (*Analects*, I, 8). He is concerned with the "big things" of life. "A gentleman has no small knowledge but can undertake big things; the small man can undertake nothing big but has knowledge of small things" (*Analects*, XV, 33). "A gentleman is consistent, not changeless" (*Analects*, XV, 36). Moreover, while he is capable of cooperation, he is a unique person in himself. "Gentlemen unite but are not the same. Small men are all the same, but each for himself" (XIII, 23). His life is controlled by love. "Not for one moment may a gentleman sin against love; he must hold it fast in flurry and haste and hold it fast in utter overthrow" (*Analects*, IV, 5). "Gentlemen without love there may be, but the small man must always be a stranger to love" (*Analects*, XIV, 7). At the same time he is capable of righteous hatred. "Tzu-kung said: 'Does a gentleman also hate?' 'He does,' said the Master. 'He hates the sounding of evil deeds; he hates men of low estate who slander their betters; he hates daring without courtesy; he hates stiffnecked courage matched with blindness' " (*Analects*, XVII, 24).

In several passages Confucius discusses these essential behavior traits in the form of concise summaries: "There are three duties that a gentleman holds dear: to banish from his bearing violence and levity; to sort his face to the truth; to banish from his speech what is low and unseemly" (*Analects*, VIII, 4). "A gentleman has three things to guard against. In the days of thy youth, ere thy strength is steady, beware of lust. When manhood is reached, in the fulness of strength, beware of strife. In old age, when thy strength is broken, beware of greed" (*Analects*, XVI, 7). "A gentleman has nine aims: to see clearly; to understand what he hears; to be warm in manner, dignified in bearing, faithful of speech, keen at work; to ask when in doubt; in anger to think of difficulties; and in sight of gain to think of right" (*Analects*, XVI, 10).[1]

[1] For an even more extensive analysis of the qualities and behavior of the "superior man" as Confucius conceives of him, the reader is referred to *Chung Yung* or *Doctrine of the Mean*.

b. The Formula of Conduct, the "Silver Rule."—When asked by a disciple for a maxim to be acted on throughout one's life Confucius gave his famous "silver rule," as it has been called. This is simply the golden rule stated negatively as we find it in practically all of the great social literatures, the only exception being the positive statement of Jesus. Confucius answered in reply to his disciple's request, "Surely the maxim of charity is such: Do not unto others what you would not they should do unto you" (*Doctrine of the Mean* I, 32). This is given a slightly different connotation when he states, "Fidelity to one's self and the corresponding reciprocity are not far from the path" (*Li Ki*, 28, 1, 32). Here we find the term "path," so deeply rooted in early Chinese thought.

This great rule appears several times in the *Analects*, the *Doctrine of the Mean*, and the *Great Learning*, indicating that Confucius, like most of the other great thinkers of all people, considered it a basic formula in the conduct of life. In the *Analects* he states, "What I do not wish men to do to me I also wish not to do to men" (V, 11; see also XV, 23). The *Doctrine of the Mean* gives this version: "When one cultivates to the utmost the capabilities of his nature and exercises them on the principle of reciprocity, he is not far from the path. What you do not want done to yourself do not do unto others" (XIII, 3).

In elaboration of this silver rule, Confucius stated:

> What a man dislikes in those who are over him let him not display toward those who are under him; what he dislikes in those who are under him let him not display toward those who are over him! What he hates in those who are ahead of him let him not therewith precede those who are behind him; and what he hates in those who are ahead of him let him not therewith pursue those who are ahead of him! What he hates to receive upon the right let him not bestow upon the left; and what he hates to receive upon the left let him not bestow upon the right! This is called the standard by which, as by a measuring square, to regulate one's conduct (*Great Learning*, X, 10).

Confucius admitted to a stern qualification of his rule, however. Lao-tse, it will be remembered, stated, "Recompense injury with kindness!" Confucius, similarly, was asked by a disciple whether injury should be recompensed with kindness. He answered: "With what then will you recompense kindness? Recompense injury with justice; and recompense kindness with

kindness" (*Analects*, XIV, 36). This epitomizes the difference between the antiworldly idealist on the one hand and the staunch supporter of social forms and institutional principles on the other.

Closely allied to the golden or the silver rule is the principle of love and its place in social relationships. Confucius addresses himself to this subject also repeatedly, as noted in the preceding section. The following statement is significant in connection with the Silver Rule:

> A disciple, Chung-Kung, asked, "What is love?" Confucius replied: "Without the door to behave as though a great guest were come; to treat the people as though we tendered the high sacrifice; not to do unto others what we would not they should do unto us; to breed no wrongs in the state and breed no wrongs in the home." Chung-Kung said: "Though dull, I hope to live by these words" (*Analects*, XII, 2).

It is quite clear from the general thought of Confucius that he put the performance of the duties due to one's fellow man above all other duties, except, possibly, that of self-development, with which he found it to be in no way inconsistent. In fact, duty to others was a necessary means of self-development. "Now the man of perfect virtue, wishing to be confirmed himself, confirms others; wishing to be enlarged himself, enlarges others" (*Analects*, VI, 28).

c. The Art of Living and Its Basis in Investigation and Thinking.—The happiness and efficiency of the individual and the degree to which social relations are mutually satisfying and the state peaceful and effective in function depend on the individual learning the art of living, the highest and most important practice of man. The process whereby this adequacy of living is achieved in all its various aspects is to be found in the *Great Learning*.

> The ancients, when they wished to exemplify illustrious virtue throughout the empire, first ordered well their states. Desiring to order well their states, they first regulated their families. Wishing to regulate their families, they first cultivated themselves. Wishing to cultivate themselves, they first rectified their purposes. Wishing to rectify their purposes, they first sought to think sincerely. Wishing to think sincerely, they first extended their knowledge as widely as possible. This they did by investigation of things.
>
> By investigation of things, their knowledge became extensive; their knowledge being extensive, their thoughts became sincere; their thoughts

being sincere, their purposes were rectified; their purposes being rectified, they cultivated themselves; they being cultivated, their families were regulated; their families being regulated, their states were rightly governed; their states being rightly governed, the empire was thereby tranquil and prosperous (XXXIX of *Li Ki*, SBE, Vol. XXVIII, pp. 2, 3, 4).

At the center of the picture is the individual. His development and fulfillment are the primary objective. To produce this rounded fullness is the art of living. Social activity and social organization must contribute to this end of a well-spent life for as many people as possible. That this process is a slow one Confucius grants. He states, "At fifteen I had my mind bent on learning. At thirty I stood firm. At forty I was free from doubt. At fifty I knew the decrees of Heaven. At sixty my ear was an obedient organ for the reception of truth. At seventy I could follow what my heart desired without transgressing what was right" (*Analects*, II, 4).

Especial attention must be devoted to the emphasis that Confucius puts upon the necessity of ardent inquiry and investigation, an insatiable thirst for knowledge, and the ability to think clearly. "To this attainment," he states, "there are requisite extensive study of what is good, accurate inquiry into it, careful consideration of it, clear distinguishing about it, and earnest practical application of it" (*Doctrine of the Mean*, XX, 19). Always we must be learning. "Learn as if you might not attain your object and were always fearing lest you miss it" (*Analects*, VIII, 17). But the learning must always be accompanied by thinking. "Learning without thought is labor lost; thought without learning is perilous" (*Analects*, II, 15).

The absurdity of proceeding with any sort of behavior, whether it be inner or overt, without having sufficient data is well set forth in the following passage:

> There is the love of being benevolent without the love of learning—the beclouding here leads to a foolish simplicity. There is the love of knowing without the love of learning—the beclouding here leads to dissipation of mind. There is the love of being sincere without the love of learning—the beclouding here leads to an injurious disregard of consequences. There is the love of straightforwardness without the love of learning—the beclouding here leads to rudeness. There is the love of boldness without the love of learning—the beclouding here leads

to insubordination. There is the love of firmness without the love of learning—the beclouding here leads to extravagant conduct (*Analects*, XVII, 8).

Not all people are capable of apprehending or profiting by knowledge, however. "To those whose talents are above mediocrity, the highest subjects may be announced. To those who are below mediocrity, the highest subjects may not be announced" (*Analects*, VI, 19). Sooner or later, making a man wise will make him good. "It is not easy to find a man who has learned for three years without coming to be virtuous" (*Analects*, VIII, 12).

d. The Rules of Propriety; the Social Lubricants.—Confucius, sound social observer and psychologist that he was, appreciated fully the importance of standardized and socialized conduct in social order. "Let the superior man never fail reverentially to order his own conduct; and let him be respectful to others and observant of propriety. Then all within the four seas will be his brothers" (*Analects*, XII, 5). Properly to observe the rules of propriety a man must be of full moral stature and social acumen. "If a man be without the virtues proper to humanity, what has he to do with the rites of propriety?" (*Analects*, III, 3). The rules are established methods of acting in different human situations and prevent confusion, embarrassment, and uncouthness.

Respectfulness, without the rules of propriety, becomes laborious bustle; carefulness, without the rules of propriety, becomes timidity; boldness, without the rules of propriety, becomes insubordination; straightforwardness, without the rules of propriety, becomes rudeness (*Analects*, VIII, 2).

Propriety is not to be neglected, either in passive or in active moments. "Look not at what is contrary to propriety; listen not to what is contrary to propriety; speak not what is contrary to propriety; make no movement which is contrary to propriety" (*Analects*, XII, 1). The superior man always acts appropriately and in good taste in all situations.

The superior man does what is proper to the station in which he is; he does not desire to go beyond this. In a position of wealth and honor he does what is proper to a position of wealth and honor; in a poor and low position, he does what is proper to a poor and low position; situated among barbarous tribes he does what is proper to a situation

among barbarous tribes; in a position of sorrow and difficulty, he does what is proper to a position of sorrow and difficulty.

The superior man can find himself in no position in which he is not himself. In a high situation he does not treat with contempt his inferiors, in a low situation he does not court the favor of his superiors; he rectifies himself, and seeks for nothing from others, so that he has no dissatisfaction (*Doctrine of the Mean*, XIV).

Confucius recognized the fact that the discipline of sound and wholesome rules shapes character. "Without an acquaintance with the rules of propriety, it is impossible for the character to be established" (*Analects*, XX, 3). In the *Li Ki* it is stated, "The rules of propriety serve as instruments to form men's characters. . . . They remove from a man all perversity and increase what is beautiful in his nature. They make him correct, when employed in the ordering of himself; they ensure for him free course, when employed toward others" (VIII, Sec. I, 1). The same classic, edited by Confucius, also states, "The rules of propriety are for man what the yeast is for liquor. By the use of them the superior man becomes better and greater. The inferior man by neglect of them becomes smaller and poorer" (VII, Sec. IV, 7).

e. The Five Specific Duties.—Confucius divided the possible relations of man into five groups, attaching to each specific duties. Any one deserving to be considered "superior" recognized these relations and fulfilled the duties of such of the five as came within the realm of his experience. These five duties were respectively those connected with the five typical relationships, namely, ruler and subject, husband and wife, parent and child, older and younger brothers and sisters, and friends. As typifying the duties identified with each of these five relations, he bade (1) sovereigns be benevolent and subjects loyal; (2) husbands devoted and wives affectionate; (3) parents wise and children obedient; (4) older brothers and sisters considerate of younger, and the younger deferential toward the older; and (5) friend faithful to friend. The duties, along with the statements suggesting the process of their fulfillment, are set forth in the following memorable passage in the *Doctrine of the Mean:*

The universal path for all under heaven is fivefold, and the virtues by means of which it is trodden are three. There are ruler and minister; father and son; husband and wife; elder brother and younger; and the

intercourse of friend and friend; the duties belonging to these five relationships constitute the universal path for all. Wisdom, benevolence, and fortitude—these three are the universal virtues of all. That whereby these are carried into exercise is one thing.

Some are born with the knowledge of these duties; some know them by study; and some know them as the result of painful experience. But the knowledge being possessed, it comes to one and the same thing.

Some practice them with the ease of nature; some for the sake of their advantage; and some by dint of strong effort. But when the work of them is done, it comes to one and the same thing (II, 9, 10, 11).

That the observance of these duties was rather difficult Confucius admitted and mentioned his own shortcomings.

In the way of the superior man there are four things, to not one of which have I as yet attained. To serve my father as I would require my son to serve me, that I have not been able to do; to serve my sovereign as I would expect a minister under me to serve me, that I have not been able to do; to act towards my elder brother as I would expect my younger brother to act towards me, that I have not been able to do; to be the first to behave towards friends as I would expect them to behave towards me, that I have not been able to do (*Doctrine of the Mean*, XIII, 4; I, 33).

f. The Family, Its Members, Their Relationships and Obligations.—The ancient classics which Confucius edited present the traditional conception of the Chinese family, the position of women, the nature and basis of marriage, and the multitudinous proprieties connected with the parent-and-child relation, filial piety, and mourning. The books, on the other hand, that purport to contain his own sayings and principles deal with these subjects only occasionally and then only incidentally. Since we are confining ourselves in these studies to the thought of specific personalities, this present treatment may be disappointingly sketchy. It is not to be implied that Confucius had no interest in the family but rather that the subject was profusely covered in the classics. A most superficial perusal of the *Li Ki* (*Record of Rites*) will support this contention.[1]

Confucius reemphasized the ancient Chinese eugenic principle that seemingly sought to prevent marriage within prohibited

[1] For an excellent comprehensive treatment of the Chinese family and its allied subjects, see M. M. Dawson, *The Ethics of Confucius*, pp. 137–171, New York, 1915.

degrees of consanguinity. "The Master said: 'A man in taking a wife does not choose one of the same surname as himself' " (*Li Ki* XXVII, 36). In the *Tso Chuan* or *Tso's Commentary* the reason for this rule is given: "When husband and wife are of the same surname, their children do not do well and multiply." The position of women is succinctly presented in the following passage from the older portion of the *Li Ki*, a viewpoint that Confucius accepted: "The woman follows the man. In her youth she follows her father and elder brother; when married, she follows her husband; when her husband is dead, she follows her son" (IX, 10).

Happy relationships within the family are a source of great contentment. Confucius said: "It is said in the Book of Poetry: 'A happy union with wife and children is like the music of lutes and harps! When there is concord among brethren, the harmony is delightful and enduring. Thus may you regulate your family and enjoy the delights of wife and children! The Master said, 'In such a condition parents find perfect contentment' " (*Doctrine of the Mean*, XV, 2, 3).

Parents are loyal to their children and protect them, and the children act in a reciprocal manner, even at the expense of those principles of right which are essential for the larger, more impersonal social group. "Everyone calls his son his son, whether he has talents or has not talents" (*Analects*, XI, 7). The principle is illustrated more fully in this narrative: "The duke of She informed Confucius, saying, 'Among us here there are those who may be styled upright in conduct. If their father have stolen a sheep, they will bear witness to the fact.' Confucius said, 'Among us, in our part of the country, those who are upright are different from this. The father conceals the misconduct of his son, and the son conceals the misconduct of the father. Uprightness is to be found in this' " (*Analects*, XIII, 18).

The shortcomings of youth should be viewed charitably, and judgment suspended until they grow up. "A youth is to be regarded with respect. How do we know that his future will not be equal to our present? If he reach the age of forty or fifty and has not made himself heard of, then indeed he will not be worth being regarded with respect" (*Analects*, IX, 22). The youth, on the other hand, has certain obligations. "A youth, when at home, should be filial and abroad respectful to his elders. He should be earnest and truthful. He should overflow

in love to all and cultivate the friendship of the good. When he has time and opportunity, after the performance of these things, he should employ them in polite studies" (*Analects*, I, 6). A particular rule of action regarding parents should be observed, even when they are wrong. "In serving his parents, a son may remonstrate with them, but gently; when he sees that they are not disposed to acquiesce, he should show increased reverence but not give up; and, should they punish him, he ought not to murmur" (*Analects*, IV, 28). Finally, mourning should be sincere. "In the ceremonies of mourning it is better that there be deep sorrow than a minute attention to observances" (*Analects*, III, 4).

g. Government and Governors.—The subject of government in all its varied aspects was a matter of great interest and importance to Confucius. He pays more attention to this subject than any other, with the exception of his devotion to the superior man. This concentration of attention is partly due to the challenges created by the political confusion of the times and also to the fact that Confucius himself was involved in governmental tasks intermittently through most of his life. There is also the implication that if the state is well-governed, and order, peace, justice, and sufficiency are maintained, many other social matters will more or less take care of themselves, and there will be fewer obstacles to achieving the life of the superior man.

Not only is the family the smaller counterpart of the state, but in the family the individual readily learns political behavior. "This is meant by 'To rightly govern the state, it is necessary first to regulate one's own family.'] One cannot instruct others who cannot instruct his own children. Without going beyond the family, the prince may learn all the lessons of statecraft, filial piety by which the sovereign is also served, fraternal submission by which older men and superiors are also served, kindness by which also the common people should be ministered unto" (*Great Learning*, IX, 1).

Government is necessary. "As men are constituted, the thing most important to them is government" (*Li Ki*, XXIV, 6). When asked regarding the function of government, Confucius replied, "To govern means to rectify. If you lead with correctness, who will dare not to be correct?" (*Analects*, XII, 17). This thought is repeated in the *Li Ki*. "Government is rectification. When the ruler does right, all men will imitate his self-

control. What the ruler does, the people will follow. How should they follow him in what he does not do?" (XXIV, 7). This point of view is also all-important in connection with insuring stable government. "The duke Gae asked, saying: 'What should be done in order to secure the submission of the people?' Confucius replied, 'Advance the crooked, and set aside the upright; then the people will not submit' " (*Analects*, II, 19).

Government must be for the people and reflect their will. "The duke of She asked about government. The Master said, 'Good government obtains when those who are near are made happy, and those who are far are attracted' " (*Analects*, XIII, 16). In the *Great Learning* we read, "By winning the people, the kingdom is won; by losing the people, the kingdom is lost" (X, 5). "When he loves what the people love and hates what the people hate, then is a ruler what is called the parent of his people" (X, 3).

The governors, ministers, and officials generally must be possessed of certain qualities if they are to function effectively, maintain the requisite ordered relationships, and satisfy the needs of the people. "The ruler must first himself be possessed of the qualities which he requires of the people and must be free from the qualities which he requires the people to abjure" (*Great Learning*, IX, 4). "When a prince's personal conduct is correct, his government is effective without the issuing of orders. When his personal conduct is not correct, he may issue orders, but they will not be obeyed" (*Analects*, XIII, 6). The great ruler produces a great people. "If a truly great ruler were to arrive, it would require a generation, and then virtue would prevail" (*Analects*, XIII, 12). Similarly, "If a minister make his own conduct correct, what difficulty will he have about assisting in government? If he cannot rectify himself, what has he to do with rectifying others?" (*Analects*, XIII, 13). "When the ruler excels as a father, a son, and a brother, then the people imitate him" (*Great Learning*, IX, 8). "Let there be men, and the government will flourish; but, without men, government decays and dies" (*Doctrine of the Mean*, XX, 2). "He who exercises government by means of his virtue may be compared to the north polar star which keeps its place and all the stars turn toward it" (*Analects*, II, 1). Of a certain successful official, Confucius said, "By his generosity, he won all. By his sincerity, he made

the people repose trust in him. By his earnest activity, his achievements were great. By his justice, all were delighted" (*Analects*, XX, 1).

Confucius said of Tsze-Ch'an that he had four of the characteristics of a superior man. "In his own conduct he was humble; in serving his superiors he was respectful; in providing for the people's support he was kind; in ordering the people he was just" (*Analects*, V, 15). Position or wealth, in themselves, do not assure respect for a ruler. "The Duke King of Tse's had a thousand chariots, each drawn by four horses; but on the day of his death the people did not honor him for a single virtue. P'ih-e and Shu-ts'e died of hunger at the foot of the Show-yang mountain, and yet the people honor them to this day" (*Analects*, XVI, 12).

For carrying out the specific duties of governing, Confucius presents nine rules in a famous passage in the *Doctrine of the Mean*.

> All who have the government of the kingdom with its states and families have nine standard rules to follow—the cultivation of themselves; the honoring of the worthy; affection towards their relatives; respect towards their great ministers; kind and sympathetic treatment of the whole body of officers; dealing with the mass of the people as their children; encouraging the resort of all classes of artisans; indulgent treatment of men from a distance; and the kindly cherishing of the princes of the states (II, 13).

In a more detailed elaboration of these duties he approaches close to the ancient principle of the end justifying the means. Certainly expediency is not left out of consideration.

> The treatment of all his thoughts, purification, arraying himself in his richest dresses, and the avoiding of every movement contrary to the rules of propriety—this is the way in which the ruler must cultivate his own character. Discarding slanderers, keeping himself from the seductions of beauty, making light of riches and honoring virtue—this is the way by which he will encourage the worthy. Giving his relatives places of honor, and large emolument, and entering into sympathy with them in their likes and dislikes—this is the way by which he can stimulate affection towards relatives. Giving them numerous officers to discharge their functions and execute their orders—this is the way by which he will stimulate his great ministers. According to them a generous confidence, and making their emoluments large—this is the way by which he will stimulate the body of his officers. Employing

them only at the regular times and making the imposts light—this is the way by which he will stimulate the people. Daily examinations and monthly trials, and rations and allowances in proportion to the work done—this is the way in which he will stimulate the artisans. Escorting them on their departure and meeting them on their coming, commending the good among them, and showing pity to the incompetent—this is the way in which he will manifest his indulgent treatment of men from a distance. Continuing families whose line of succession has been broken, reviving states that have ceased to exist, reducing confusion to order, supporting where there is peril, having fixed times for receiving the princes themselves and their envoys, sending them away after liberal treatment and with liberal gifts, and requiring from them small offerings on their coming—this is the way in which he will cherish with kindness the princes of the states (*Doctrine of the Mean*, II, 15).

Confucius also deals with the highly important matter of the essentials of good government and the evidences of its presence among a people.

Tsze-kung asked about government. The Master said, "The requisites of government are that there be sufficiency of food, sufficiency of military equipment, and the confidence of the people in their ruler."

Tsze-kung said, "If it cannot be helped and one of these must be dispensed with, which of the three should be forgone first?" "The military equipment," said the Master.

Tsze-kung again asked, "If it cannot be helped and one of the remaining two must be dispensed with, which of them should be forgone?" The Master answered, "Part with the food. From of old death has been the lot of all men; but if the people have not confidence in their rulers, there is no stability for the state" [*Analects*, XII, 7].

As a further statement of prerequisites to good order we find the following: "To rule a country of a thousand chariots, there must be reverent attention to business, and sincerity; economy in expenditure, and love for men; and the employment of the people at the proper seasons" (*Analects*, I, 5). Righteousness is the final test of a government. "In a state, gain is not to be considered prosperity, but its prosperity will be found in righteousness" (*Great Learning*, X, 23). "When a country is well-governed, poverty and a mean condition are things to be ashamed of. When a country is ill-governed, riches and honors are things to be ashamed of" (*Analects*, VIII, 13). This latter passage probably means that one of the important functions of

government is to secure the equitable distribution of the products of human labor to the end that no deserving person shall suffer want.

He presents a variety of thoughts regarding success in governing, approaching the problem particularly from the angle of the individual governor. For example, in selecting and discharging officials he offers the following advice: "He [the ruler] does not cause the great ministers to repine at his not employing them. Without some great cause, he does not dismiss from their offices the members of old families. He does not seek in one man talents for every employment" (*Analects*, XVIII, 10).

Tzu-chang asked Confucius: "How should men be governed?"

The Master said: "He who would govern men must honor the five things fair and spurn the four things evil."

Tzu-chang said: "What are the five things fair?"

The Master said: "A gentleman is kind but not wasteful; he burdens but does not embitter; he is covetous, not sordid; high-minded, not proud; he is awesome, not fierce."

Tzu-chang said: "What is meant by kindness without waste?"

The Master said: "To further what furthers the people, is not that kindness without waste? If burdens be sorted to strength, who will grumble? To covet love and get love, is that sordid? Few or many, small or great, all is one to a gentleman: he dare not slight any man. Is not this to be high-minded and not proud? A gentleman straightens his robe and cap and settles his looks. He is stern, and men look up to him with dread. Is not this to be awesome and not fierce?"

Tzu-chang said: "What are the four things evil?"

The Master said: "To leave untaught and then kill is cruelty; not to give warning and to expect things done is tyranny; to give careless orders and be strict when the day comes is robbery; to be stingy in rewarding men is littleness" (*Analects*, XX, 2).

The people are always mightily influenced by the king.

Chi Kang, speaking of kingcraft, said to Confucius, "Should we kill the bad to help the good?" Confucius answered, "Sir, what need has a ruler to kill? Did ye desire good, sir, your people would do good. The king's mind is the wind, and grass are the minds of the people: whither the wind blows, thither the grass bends" (*Analects*, XII, 19).

In the last analysis good government depends upon the quality of the rulers. "When the men are there, good government will flourish, but when the men are gone, good government decays and becomes extinct. With the right men the growth of good

government is as rapid as the growth of vegetation is in the right soil" (*Doctrine of the Mean*, II, 1, 2).

The relation between governing and various economic matters is also dealt with. "To centralize wealth is to disperse the people; to distribute wealth is to collect the people" (*Great Learning*, X, 9). In this connection also, as the people are, so is their ruler. "If the people have plenty, their prince will not be left to want alone. If the people are in want, their prince will not be able to enjoy plenty alone" (*Analects*, XII, 9). Salary should not be an official's preoccupation. "Heen asked what is shameful. The Master said, 'When good government prevails in a state, to be thinking only of one's salary; and when bad government prevails, to be thinking, in the same way, only of one's salary. This is shameful' " (*Analects*, XIV, 1). The matter of revenues must also be carefully dealt with.

When he who presides over a state or a family makes his revenues his chief business, he must be under the influence of some small man. He may consider him to be good; but when such a person is employed in the administration of a state or family, calamities and injuries will befall it together; and though a good man may take his place, he will not be able to remedy the evil. This illustrates again the saying, "In a state gain should not be considered prosperity; its prosperity should be sought in righteousness" (*Great Learning*, XXXIX, 39).

Finally, positive means of government are better than negatives.

To govern simply by statute and to reduce all to order by means of pains and penalties is to render the people evasive and devoid of any sense of shame.

To govern upon principles of virtue and to reduce them to order by the rules of propriety would not only create in them the sense of shame but would moreover reach them in all their errors (*Analects*, II, 3).

h. Education, Its Theory and Techniques.—Many of Confucius' statements about the various phases of education strike a decidedly modern note. As to the advantages of education he states, "When the man of high station is well-instructed, he loves men; when the man of low station is well-instructed, he is easily ruled" (*Analects*, XVII, 4). In the *Li Ki* we find the school specifically mentioned. "If he wish to transform the people and to perfect their manners and customs, must he not start with the lessons of the school?" (XVI, 1). Education

seems to have a leveling effect, if one senses aright the saying, "There being instruction, there will be no distinction of classes" (*Analects*, XV, 38).

Its function is stated in the saying, "Teaching should be directed to develop that in which the pupil excels and correct the defects to which he is prone" (*Li Ki*, XVI, 14). But effort should not be wasted on unlikely material. "I do not open up the truth to one who is not eager for knowledge nor help out any one who is not himself anxious to explore causes. When I have presented one corner of a subject to any one and he cannot learn from it the other three, I do not repeat my lesson" (*Analects*, XII, 8). Again he said, "To those whose talents are above mediocrity the highest subjects may be announced. To those who are below mediocrity the highest subjects may not be announced" (*Analects*, VI, 17). Some disciple also inserted in the *Analects* the account of an incident that emphasizes the desirability of teachableness and quick-mindedness.

> The Master said to Tsze-Kung, "Which do you consider superior, yourself or Hwuy?" Tsze-Kung replied, "How dare I compare myself with Hwuy? Hwuy hears one point and understands the whole subject; I hear one point and understand the next." The Master said, "You are not equal to him. I grant you, you are not equal to him" [*Analects* V, 8].

The teacher's objective is well-stated in the saying, "To keep old knowledge warm and get new makes the teacher" (*Analects*, II, 11). He leaves us with a precaution of value to everyone. "Yu, shall I teach thee what is wisdom? To know what we know and know what we do not know, that is wisdom" (*Analects*, II, 17).

i. Human Nature and Its Functioning in Different Social Situations.—In Confucius is found an apparent inconsistency in his attitude regarding human capacities. In one utterance he states that men are all more or less alike but because of the influences and experiences of life become different. "By nature men are nearly alike; by practice they get to be wide apart" (*Analects*, XVII, 2). The other implies that there are variations and that some individuals are much more worthy, of educational attention, for example, than others. "Rotten wood cannot be carved; a wall of dirty earth will not receive the trowel" (*Analects*,

XII, 22). Another passage points out that the individual is unavoidably influenced psychically by others: "Mind is no hermit. It has always neighbors" (*Analects*, IV, 25). The personality is a whole. "A man and his faults are of a piece" (*Analects*, IV, 7). At the same time there should be a balance between nature and nurture if a finished product is to result. "Nature outweighing art begets roughness; art outweighing nature begets pedantry. Art and nature well blent make a gentleman" (*Analects*, VI, 16). It is best for people to be with others of their own kind. "Mingle not in projects with those whose ways are not thine" (*Analects*, XV, 39).

The difficulty of the individual's being able to develop a critical perspective regarding himself is pointedly put in the passage "I have met no one who can see his own faults and arraign himself within" (*Analects*, V, 27). When individuals with certain traits are placed in certain situations, certain specific reactions can be expected. "Love of daring, inflamed by poverty, leads to crime; a man without love, if deeply ill-treated, will turn to crime" (*Analects*, VIII, 10). When reputations of people are once established, we do not change them readily. "When a man of forty is hated, it will be so to the end" (*Analects*, XVII, 26). The power of the social environment as an influencing factor is appreciated. "It is virtuous manners which constitute the excellence of a neighborhood. If a man in selecting a residence do not fix on one where such prevail, how can he be wise?" (*Analects*, IV, 1). Finally, the power of example is recognized. "From the love within one family, the entire state may be made loving; from its courtesies, the entire state may be made courteous; while from the ambition and perverseness of one man, the entire state may be led into rebellion; such is the power of example" (*Great Learning*, IX, 13).

IV. Mencius

While Mencius did not precede the time of the efflorescence of Greek thought, being a contemporary of Plato, Aristotle, Zeno, Epicurus, and Demosthenes, his thought is a direct outgrowth and a completion of that of Confucius and is thus necessary to give us a complete understanding of ancient Chinese thought. We are, therefore, in this one case, violating the

principle of confining ourselves only to pre-Greek thinkers, thus far maintained in this study.

1. Life and Significance.—In spite of the fact that the *Book of Mencius* is one of the best known and most widely read of the Chinese classics, relatively little is known of its supposed author's life. He was born in 372 B.C., in the little state of Tsou, now part of the province of Shantung, not far from the birthplace of Confucius. His name was Meng K'o or Mang-tsze, meaning "the philosopher Mang," Mencius being the Latinized form. He lost his father in early childhood and was educated entirely throughout his immaturity by his mother, who according to the legends used remarkable methods and has earned the reputation of being a model mother. She is said to have changed the residence of herself and son several times in order to avoid associations and other influences that would have a bad influence upon him. As particular instances, she moved from the neighborhood of a cemetery because her boy imitated the mourners; from near a slaughterhouse to keep him from imitating the cries of the animals being slaughtered; and from near a market because he would mimic the manners of the shopkeepers.

When older he studied for a while with Tzu-ssu or Tse-Tse, the grandson of Confucius, and his disciples. Part of his life was spent in public service under two different kings, trying to get them to introduce his views on state management. Finding, however, that the kings of his day cared for nothing but war, he retired from political activity at the age of forty. He then came forward as a teacher and philosopher. At different times he had a considerable entourage of students and disciples. He lived the last twenty years of his life in retirement, devoting himself largely to writing and to his followers. He died 289 B.C., in his eighty-fourth year.

During the century and a half that had intervened between the time of Confucius and that of Mencius the process of decay of the Chou dynasty, so well-advanced in the time of the earlier thinker, had continued and at an accelerated rate. In Confucius' time the Emperor had nominal power at least; now he was a mere shadow. Civil war prevailed everywhere; the foundations of sound control had been overthrown; political and social confusion was widespread and augmented by innumerable philosophers who traveled from court to court giving much

gratuitous, banal advice. Ambitious, irresponsible adventurers repeatedly plunged the different districts into chaos; social and individual principles of life were more confused than ever before; and the dialecticians added to the general murkiness. Mencius again brought forth the ancient ideas as Confucius edited them and developed them, now in a state of eclipse, and gave them a popularity that has never since subsided.[1] His presentation is not a slavish repetition, though his work in the main forms part of the Confucian doctrines and tradition. There is considerable addition of thought and occasionally an opposite conclusion. Like Confucius, Mencius is not a mystic but a practical, straight thinker. His main concern is with political and economic problems with an occasional excursion into the psychological field. His primary aim was to secure an orderly political state which reflected the people's wishes, gave them economic sufficiency, and allowed the inherent goodness of human nature to express itself in the whole life of men. His thought is developed by means of aphoristic sayings in the *Book of Mencius* of the Confucian canon. No effort is being made in the pages following to survey his thought comprehensively as a whole but only to present by samples or cases the more significant emphases from the point of view of the social scientist. Even in this connection most of his political economy will be omitted.

2. Thought. *a. The Goodness of Human Nature.*—The cardinal tenet of Mencius is the doctrine of the inherent and original goodness of man's nature, a point of view that he takes over from Confucius and the ancient "Odes" before him and elaborates into a major doctrine. "The tendency of man's nature to good," he said, "is like the tendency of water to flow downward. There are none but have this tendency to good just as all water flows downwards" (Book VI). This nature was corrupted by wrong principles and bad practices. To keep it good and righteous required good principles, knowledge, and correct living.

> From the feelings proper to it, it is constituted for the practice of what is good. This is what I mean in saying that the nature is good. If men do what is not good, the blame cannot be imputed to their natural powers. The feeling of commiseration belongs to all men; so does that

[1] On the life of Mencius consult J. LEGGE, *The Life and Works of Mencius*, London, 1875; L. A. LYALL, *Mencius*, London, 1932; GOWEN and HALL, *op. cit.*; HIRTH, *op. cit.*

of shame and dislike; and that of reverence and respect; and that of approving and disapproving. The feeling of commiseration implies the principle of benevolence; that of shame and dislike, the principle of righteousness; that of reverence and respect, the principle of propriety; and that of approving and disapproving, the principle of knowledge. Benevolence, righteousness, propriety, and knowledge are not infused into us from without (Book VII).[1]

This theory of human nature is best brought forth in an argument on the subject between the philosopher Kao and Mencius.

Kao said, "Man's nature is like rushing water; make a passage for it towards the east, and it will flow eastwards; make a passage for it towards the west, and it will flow westward. Man's nature has no particular bent towards good or evil, any more than water has a particular bent towards east or west."

Mencius replied, "Water has indeed no bias either east or west; but will it flow indifferently up or down? Man's bent towards good may be likened to the tendency of water to flow downwards. There are no men but have this bent towards good, just as there is no water which does not flow downwards. Of course, by striking it, you can make water jump up over your head, and you can also, by proper management, force it up a hill as by water-wheels; but is this in accordance with the nature of water? It is simply a question of force; and if men are caused to do what is not good, it is in precisely the same way" (Book IX, Chap. II).

A disciple wishing for a more specific statement than the above said to Mencius:

There is the philosopher Kao; he declares that the nature of man is neither good nor bad. Others say that it may be trained to do either good or evil; others, again, say that some natures are good and some bad; and now you say that man's nature is good. Then are all those wrong? To this Mencius replied, "To judge by our feelings, man's nature is adapted for the practice of what is good; and that is what I mean when I say it is good. If a man does what is evil, the blame cannot be laid upon his natural powers" (Book IX, Chap. III).

The native goodness of men is distorted and perverted by untoward conditions. Mencius contends, for instance, that crops of barley, if sown under identical conditions, will yield identical

[1] The passages quoted are from the translations by James Legge in the *Sacred Books of the East;* E. FABER, *The Mind of Mencius;* or LYALL, *op. cit.*

results; and that if there are differences between the harvests, they must be accounted for on the grounds of inequalities of soil, of rainfall, or of cultivation and not through any difference in the nature of barley. In the following famous passage he clinches his argument regarding the possible deleterious effect of environment and conditions:

There is the Ox Mountain which was once overgrown with beautiful trees. The mountain, however, was situated on the frontier between two states; and in process of time all the trees were hacked about until there was very little left of them. Even when the trees did attempt to sprout again, cattle and goats came and browsed upon the young shoots, and the mountain was stripped bare, so that nowadays people do not understand that it was once finely wooded. But is barrenness the nature of that mountain? And can we then say that the human mind is devoid of a sense of charity and duty? No; a man's moral sense suffers loss just as trees suffer under the axe. Day by day hacked about, how can they retain their beauty? Then comes the restoring influence of night, when the moral sense reasserts itself; still, the fetters and gyves of the day more than counteract this influence, and men sink to the level of brutes, in which condition it would seem that charity of heart and duty toward one's neighbor had never had any place in their minds. Can this condition be regarded as fitting for the human race? If it receive its proper nourishment, there is nothing that will not grow; if this nourishment is wanting, there is nothing which will not decay. Confucius said, "Hold fast to your moral sense, and it will remain with you; let it go, and you will lose it" (Book XI, Chap. VIII).

If men do what is not good, the blame cannot be imputed to their natural powers (Book XI, Part I, Chap. VI, v. 6).

b. The Superior Man.—Mencius, like his master, devoted much attention to the concept of the superior man, emphasizing especially his traits, function, and influence. Among the dozens of references the following have been selected as typical:

To dwell in the wide house of the world, to stand in the correct seat of the world, and to walk in the great path of the world; when he obtains his desire for office, to practice for the good of the people; and when that desire is disappointed, to practice them alone: to be above the power of riches, and honors to make dissipated, of poverty and mean conditions to make swerve from principle, and of power and force to make bend—these characteristics constitute the great man [Book III].

In this same connection he stated:

> Love, right, courtesy, and wisdom are the being of a gentleman. Rooted in his heart, their living here is clearly seen in his face; they stand out in his back; they show in his four limbs (Book XIII, Chap. XXI).

As illustrative of the distinctive capacities of the superior man note the following: "That whereby man differs from the lower animals is little. Most people throw it away; the superior man preserves it" (Book IV, Part II, Chap. XIX).

The superior man has a superior influence. "Wherever the superior man passes, he civilizes; and he leaves behind him an atmosphere of spirituality (Book XIII, Chap. XIII).

c. Love or Charity of Heart.—Mencius, similarly, also places again before the people the dominating place that love must play in the life of any group of people. Lyall[1] in the index to his translation of the *Book of Mencius* mentions no less than fifty-three passages where love or charity of heart, as the older translators put it, is discussed from one angle or another. Notable are Mencius' discussions of love as a way of winning the people (Book VII, Chap. IX), enhancing justice (Book V, Chap. III), and insuring the peacefulness of homes (Book III, Chap. VII); love as a way of life (XIV, Chap. XVI) and as a factor in success (Book XIV, Chap. XIII); the connection between love and wisdom, honor, right, and courtesy (Book XI, Chap. VI; Book VIII, Chap. XIX; Book III, Chap. VII; Book III, Chap. IV); the greatness of the loving man (Book II, Chap. III); and the importance of love to a king (Book II, Chap. XII; Book VII, Chap. III).

One passage particularly must be mentioned, since it is an illustration of the terse figurativeness and the canny observation of processes which characterizes so many of Mencius' sayings.

> Love conquers want of love as water conquers fire. Men's deeds of love today are like taking one cup of water to save a cartload of wood on fire. When the fire is not put out, they say, "Water does not conquer fire!" And this again so encourages their want of love that at last all of it is gone (Book XI, Chap. XVIII).

d. Filial Duties and Relationships.—Mencius adds several new ideas to this important Confucian category. "There are three

[1] LYALL, *op. cit.*

things which are unfilial, and to have no posterity is the greatest of them" (Book IV, Part I, Chap. XXVI). The completeness of the devotion that should be given to parents is depicted in this passage:

There are five things which are commonly recognized to be unfilial. The first is laziness about employing legs and arms, resulting in failure to support parents. The second, gambling and chess-playing and fondness for wine, with the same result. The third, prizing goods and money and selfish devotion to wife and children, with the same result. The fourth, giving way to the temptations that assail one's eyes and ears, thus bringing his parents to shame. The fifth, reckless bravery, fighting and quarrelling, endangering thereby the happiness and the support of one's parents (Book IV, Part II, Chap. XXX, 2).

To show the difference between the nature of the relationship between friends and that between father and son, Mencius states, "To urge one another to what is good by reproof is the way of friends. But between father and son reproof is the greatest offence against that tenderness which should subsist" (Book IV, Part II, Chap. XXX, 4). The service of kin is the greatest and most basic of all services rendered by men.

Mencius said, "Which service is the greatest? The greatest is to serve our kin. Which watch is greatest? The greatest is to watch our life. I have heard of men that did not waste their life who could serve their kin; I have never heard of a man that wasted his life who could serve his kin. What else do we do but serve? But serving our kin is the root of all service . . . " (Book VII, Chap. XIX).

An interesting comprehension of the psychology of the father-and-son relationship on the part of Mencius is demonstrated in the following well-known incident:

Kung-sun Chow said, "Why is it that the superior man does not himself teach his son?"

Mencius replied, "The circumstances of the case forbid it being done. The teacher must inculcate what is correct. When he inculcates what is correct and his lessons are not practised, he follows them up with being angry; then, contrary to what should be, he is offended with his son." At the same time the pupil says, "My master inculcates in me what is correct, and he himself does not proceed in a correct path." The result of this is, that father and son are offended with each other. When father and son come to be offended with each other, the case is evil. . . . The ancients exchanged sons, and one taught the son of

another. Between father and son there should be no reproving admonitions to what is good. Such reproofs lead to alienation, and than alienation there is nothing more inauspicious (Book VII, Chap. XVIII).

e. On Human Inequalities.—There are in Mencius two statements on the subject of human inequalities, one supporting the idea that they are inherent; the other, that we are what we make ourselves.

Mencius said, "To be unequal is the nature of things. One is worth twice or five times the other or ten or a hundred times or a thousand or ten thousand times as much. To size them and treat them as one is to upset all below heaven" (Book V, Chap. IV).

The variant opinion is stated thus:

Kung-tu-tza [a disciple] said, "We are all alike men. Why is one a great man and one a small man?"

Mencius said, "Those that are led by the great in them are great men, and those that are led by the small in them are small men" (Book XI, Chap. XV).

f. Instruction and Social Control.—Education is a fundamental necessity in maintaining the requisite controls. "Men possess a moral nature; but if they are well fed, warmly clad, and comfortably lodged, without at the same time being instructed, they become like unto beasts" (Book III, Part I, Chap. IV). People must be taught the necessary social duties. "Let careful attention be paid to education in schools, inculcating in it especially the filial and fraternal duties, and grey-haired men will not be seen upon the roads, bearing burdens on their backs or on their heads" (Book I, Part I, Chap. III). Teaching is superior to government as an upbuilding agency. "Good government does not win the people as good teaching does. The people fear good government; they love good teaching. Good government wins the people's money; good teaching wins their hearts" (Book XIII, Chap. XIV).

g. On Governors and Government.—While Mencius adds little new thought to this subject, he says some things in a most frank and sprightly manner. His political philosophy is democratic fundamentally, the general prosperity and happiness of the people being his first care, and loyalty to the sovereign, as taught by Confucius, of secondary importance. Economic sufficiency as

well as instruction, discussed above, both as an essential for the stability of a given government and for the contentment and proper social behavior of the people, is repeatedly mentioned.

An intelligent ruler will regulate the livelihood of the people, so as to make sure that they shall have sufficient wherewith to serve their parents and also sufficient wherewith to support their wives and children (Book I, Part I, Chap. VII).

When a sage governs the world, he will cause pulse and grain to be as abundant as water and fire. If pulse and grain were as abundant as water and fire, should the people be otherwise than virtuous? (Book VII Part I, Chap. XXIII).

Only men of training can without a certain livelihood maintain a fixed heart. As to people, if they have not a certain livelihood, it follows that they will not have a fixed heart. If they do not have a fixed heart, there is nothing which they will not do in self-abandonment, moral deflection, depravity, and wild license. When they have thus been involved in crime, to pursue them and punish them is to entrap them (Book I, Part I, Chap. VII).

Mencius admonishes a king:

If you love goods, share them with your people. If you love beauty, King, give the people their share (Book II, Chap. V).

Some seem to be predestined to rule; others, to be ruled.

Some labor with their minds, and some with their muscles. They who labor with their minds govern others; they who labor with their muscles are governed by others. They who are governed by others support them; they who govern others are supported by them. This is a principle universally recognized (Book III, Part I, Chap. IV).

A governor to be successful and to rule long and have the complete fealty of the people must observe a variety of principles. He must be benevolent. "If you will put benevolence in practice in your government, your people will love you and all in authority and will be ready to die for them" (Book I, Part II, Chap. XII). He must know how to satisfy them; and if he does, they will be willing to die recklessly in war for him.

If your Majesty will give a benevolent government to your people, be sparing in punishments and fines and make the taxes and levies light, so causing fields to be ploughed deep and weeding to be carefully attended to and the strong-bodied, during their days of leisure, to cultivate filial piety, fraternal respectfulness, sincerity, truthfulness,

serving thereby, at home, their fathers and elder brothers and, abroad, their elders and superiors—you will then have a people who can be employed with sticks they have prepared, to oppose the strong mail and sharp weapons of the troop of Ts'in and Ts'oo (Book I, Part I, Chap. V).

The governor must also stand in well with the small upper class. "Governing is not hard; do not offend the great houses. The whole land cleaves to him to whom the great houses cleave; all below heaven cleaves to him to whom the one land cleaves" (Book VII, Chap. VI). But you must have the good will of the masses, too.

That Kee and Chow lost the empire arose from their losing the people; to lose the people means to lose their hearts. There is a way to get the empire—get the people, and it is yours. There is a way to get the people—win their hearts, and they are yours. There is a way to win their hearts—simply procure for them what they like, and lay not upon them what they do not like. The people turn to a benevolent government as water flows downhill and as wild beasts flee to the wilderness (Book IV, Part I, Chap. IX).

Unavoidably the influence of a good governor is good.

Mencius said, "To blame men is not enough; to find flaws in government is not enough. Only a great man can correct faults. . . . If the lord has love, love is nowhere wanting; if the lord do right, right is nowhere wanting; if the lord is straight, nothing is awry. Once the lord is straight the land is at rest" (Book VII, Chap. XX).

Mencius cleverly tried to pin the king down to a statement regarding his attitude toward his own responsibility for good government, with the following humorous result.

Suppose the chief criminal judge could not regulate the officers; how would you deal with him?

The king said: "Dismiss him."

If within the four borders of your kingdom there is not good government, what is to be done?

The king looked to the right and left and spoke of other matters (Book I, Part II, Chap. VI).

But no governor can satisfy everyone. "If a governor will please everyone, he will find the days not sufficient" (Book IV, Part II, Chap. II).

h. General Social Philosophy.—Certain qualities and bents of character and personality must be existent if certain individual or social results are to be expected. Among other things there must be appropriate native stuff. "The carpenter or the cartwright can give men square and compasses; he cannot make them skillful" (Book XIV, Chap. V). Other conditions follow. "Before a man can do things there must be things he will not do" (Book VIII, Chap. VIII). "The great man is he that does not lose his child's heart" (Book VIII, Chap. XII). "The men of mind, that are clever, shrewd, and wise, have mostly lived through fevers and through hardships" (Book XIII, Chap. XVIII). Similarly:

> When Heaven is about to confer a great office on any man, it first disciplines his mind with suffering and his bones and sinews with toil. It exposes him to want and subjects him to extreme poverty. It confounds his undertakings. By all these methods it stimulates his mind, hardens him, and supplies his shortcomings. A man must be often wrong before he will mind; toil of heart and stress of thought are needed before he will act; looks must prove, and voices show, before he understands (Book XIII, Chap. XV).

"Men must be resolute about what they will not do, and then they are able to act with vigor" (Book IV, Part II, Chap. VIII).

Mencius frequently presents passages that have pronounced bearing on social psychology. The power of suggestion or, more specifically, of example is thus set forth: "If you do not walk the Way yourself, your wife and son will not walk it. In giving orders to men if you do not hold to the Way, they cannot be followed even by your wife and son" (Book XIV, Chap. IX). Another conveys the thought that if we do not get a favorable response from others, the fault must be in our behavior to others.

> If a man love others, and that love is not returned, let him examine himself as to his love of others. If he rules others, but his government is not successful, let him examine himself as to wisdom. If he is polite to others, but they impolite to him, let him examine himself as to real respect for them. When by what we do we do not achieve our aim, we must examine ourselves at every point. When a man is right, the whole empire will turn to him (Book IV, Part I, Chap. IV).

There must be inner collapse of morale before there is external breakdown.

A man must first despise himself, and then others will despise him. A family must first destroy itself, and then others will destroy it. A kingdom must first strike down itself, and then others will strike it down (Book IV, Part I, Chap. VIII).

If one cannot lead, one must willingly follow.

Not to be able to command others and at the same time refuse to receive their commands is to cut one's self off from all intercourse with men (Book IV, Part I, Chap. VII).

He is fully appreciative of the changelessness that habit induces.

That which everyone below heaven calls nature is nothing but habit; and habit has its roots in gain. . . . Heaven is high, and the stars and planets are far, but by going into their habits, mid-summer day a thousand years hence can be determined where we sit (Book VIII, Chap. XXVI).

He also calls attention to our tendency to mind other people's business and be "hard" on others and "easy" on ourselves.

The desire of men is this—that they neglect their own fields and go to weed the fields of others and that what they require from others is great, while what they lay upon themselves is light (Book VII, Part II, Chap. XXXII).

In conclusion, Mencius presents the comforting thought that if we have been careful to be decent and observe the requirements of good behavior toward others, if they persist in acting in an unkindly manner toward us, we should not blame them; perhaps they do not know any better.

A gentleman is unlike other men because he keeps his heart. Its keeper is love; its keeper is courtesy. Love loves men; courtesy respects men. If a man loves others, most men will love him; if he respects others, most men will respect him.

When a man is cross and rude to him, a gentleman must question himself and say, I must have been wanting in love; I must have been discourteous, or how could this have happened? If he finds that he has shown love and that he has shown courtesy, and if the man is still cross and rude, the gentleman must question himself and say, I must have been insincere. If he finds that he has been sincere, and the man is still cross and rude, the gentleman says, This is merely a man gone wrong. Then what is there to choose between him and a bird

or beast? And why be hard on a bird or beast? (Book VIII, Chap. XXVIII).

V. Conclusion

There are certain obvious strengths and weaknesses in the social thought of these great thinkers of early China. Lao-tse was a keen and remorseless "debunker" of the artificialities and superficialities of his epoch and made a plea for a return to fundamentals. He wanted a strong, spontaneous man, self-sufficient, capable in thought, and simply and sincerely social in conduct, standing fast and unperturbed in all the welter of social change and conflict. He cared for wisdom, intellectual superiority, spiritual interests, the greatest possible individual freedom, and all possible aloofness from the world. Where social relations could not be avoided, they were to be on a basis of complete brotherhood, reciprocity, and forgiveness. His glance encompassed the ends of human life and not merely the social machinery requisite for life in human groups. But he failed freely to accept the fact that this machinery—these means—were a stern necessity, and he took a socially negative stand. His philosophy was one of the largest possible avoidance of the duties and responsibilities of group life. Being a great man, however, he was not selfish, anarchistic, or antisocial; this his discussions of charity on the one hand and the golden rule on the other clearly demonstrate. He simply considered matters social to be of secondary importance and did not want to be bothered with them any more than was absolutely necessary.

Confucius, on the other hand, though making the "superior man" the pivot of his thinking, fully appreciated the indispensability of the social-control features of group life. Therefore he consistently and repeatedly advocated the policy of keeping men socially good by means of the established etiquette and customs, refined manners, lofty moral rules, well-stereotyped specific duties, shrewd political manipulation, and wise and just government. By thus influencing and controlling behavior bents he hoped to direct men in proper social channels. By scholarship he expected them to get wisdom. Though he believed in satisfying and aiding the people, government preferably took the form of an enlightened and benevolent paternal despotism. The idea is implicit in the general thought that social reformation must

come mainly from without, usually from the top and work downward, consequently depending largely on the example and will of the ruler and the beneficence and efficiency of his government. Confucius' own political life and activity clearly demonstrated this. In general, his social philosophy was an enlightened but conservative ethical, social, and political utilitarianism. Mencius largely followed the leads of his master, the only distinctive addition being his conception of the original goodness of human nature and its misdirection or corruption by the influences of social life, presented with such brilliant and masterly dialectic. His ideas, in fact, are always put forth with originality and understanding and give the unmistakable impression that he was a strong, attractive, and unique personality. These qualities undoubtedly account for the fact that he was able to give the work of Confucius, rapidly being forgotten in his time, its amazing longevity and popularity.

Ancient Chinese social thought presents a magnificent paradox. It must in all honesty be stated that here is a social philosophy superior to that of any of the other civilizations thus far examined. The thinking and dialectic are brilliant; the observations surprisingly accurate, even in the light of modern social disciplines; and the conclusions clearly reflect centuries and even millenniums of recorded human experience. Here are definite ideas on a number of points: (1) the superior individual with a delineation of traits, usually determined in the light of their place and effect in social relationships; (2) the principles of social control that must prevail in established societies, especially those bent on keeping stationary; (3) basic rules or formulas of social living; (4) an appreciation of investigation and knowledge in the establishment of such systems and rules; and (5) much in the way of practical and utilitarian conclusions regarding human nature, its make-up, its influencing or conditioning, and its manipulations. The appropriateness and timeliness of many of the views simply bespeak the remarkably advanced nature of this great ancient culture.

The objective of these thinkers was to save China from the chaos and disintegration of "bad times" by means of a noble and often brilliant social conservatism, or even archaism. They tabooed innovation and experiment, made all idealistic innovations suspect, and called only for deep consideration of tried and

tested theories. They synthesized the workable principles and ways of the past and presented them as desirable schemes of living. Some of these principles were universal and are as appropriate and effective today as they were in the China of five millenniums ago. They produced social philosophies admirably conceived to promote solidarity and persistence as a group. A civilization until recently intact and almost unchanged for nearly two thousand years and one of the oldest and most extensive governments man has yet known are evidence in point. On the other hand, it is not accidental that a people dominated by these systems of thought with their unwavering backlook should not have moved ahead socially or politically in 2500 years. In general, they resuscitated the past in order to duplicate it and not to fashion the future in the light of it and with its aid. They were retrospective, not prospective. Their social philosophy was a poor one for achieving a fullness of life. This requires change, usually stimulated by vigorous thought along new lines, much experimentation and innovation, a sublime discontent, and an everlasting reaching out. The ancient civilizations were not in a position to conceive of such as these.

CHAPTER IX

THE SOCIAL THOUGHT OF THE HEBREWS

The Israelite people, as a united nation, endured less than a century and at their height occupied a territory no larger than Vermont or New Hampshire. As a people they were economically poor, numerically small, and politically insignificant. And yet they are the best known of all the peoples of antiquity. The Bible, which they wrote, is one of the most famous books of all history, and its thought—the richest of the Orient—has profoundly affected the thought and institutions of at least two-fifths of the world's population, especially that of all Western peoples.

I. Racial and Cultural Backgrounds

These Israelites or Hebrews were one of the youngest of the Semitic peoples previously discussed. They shared with the other Semites common physical and mental characteristics. Comparative philology also notes the family resemblance between the Hebrew language as we have it in the Bible and the language of the Phoenicians, Arabians, Moabites, and Mesopotamians, and it even finds elements of it among the Egyptians. During the time of the occupation of Palestine, the Hebrews also lived among Semitic neighbors. To the north and at the east end of the Mediterranean were the Phoenicians; farther inland were the Canaanites or Amorites; Aramaeans or Syrians to the northeast; Moabites, Ammonites, and Edomites to the east; and the Bedouins or Bedawi to the south occupying the whole of the Arabian peninsula.

The Israelites were originally a collection of scattered and more or less unorganized patriarchal and pastoral clans which converged in Palestine from various parts of the great Semitic area—western Asia and eastern Africa. It is quite possible that each of the successive migrations of Semites from the deserts and tablelands of Arabia contributed at least indirectly to the

population of Israel. According to the Hebrews' own traditions,[1] the nation was eventually composed of twelve tribes descended from the sons of Jacob, borne by four different women: six—Reuben, Simeon, Levi, Judah, Issachar, and Zebulun—from Leah, forming the so-called Leah tribes; two—Joseph, subdivided into Ephraim and Manasseh, and Benjamin, from Rachel, forming the Rachel group; two—Gad and Assher—from Zilpah, Leah's handmaid; and two—Dan and Naphtali—from Bilhah, Rachel's handmaid. The account itself indicates that these different tribes entered the confederation at different times. The Leah tribes formed an alliance and called themselves "Sons of Israel." Israel is an old name. An Akkadian or Amorite—freeman and farmer—who lived in Mesopotamia between 2800 and 2600 B.C., 1200 years before the Israelites were heard of, was known in the documents of the time as "Israel, son of Rishzuni." Perhaps this first federation of Hebrew tribes had a chieftain named Israel and called themselves "sons of Israel," as was a common practice. Jacob is another such name. It appears in several Babylonian documents written between 2200 and 2100 B.C. in which Amorites were participants. These Amorites traveled westward to Palestine having possibly a leader named Jacobel, who founded the city in Palestine by that name mentioned in the *Tel-el-Amarna Letters* between 1470 and 1450 B.C. The term "Hebrew" is now regarded as the survival of the name "Habiri" which is also found in the *Tel-el-Amarna Letters* and also in Hittite and Mitannian documents, referring to a people living in the region of Haran of Mesopotamia. A portion of them moved westward and were struggling successfully for a foothold in Palestine between 1375 and 1350 B.C. These Habiri were artificial brotherhoods composed of Aramaic and Hurri stock, formed for purposes of adventure, plunder, and conquest. It is possible, in fact probable, that the Leah tribes, the "sons of Israel," were of these Habiri. These historical fragments, of course, fit perfectly into the Abraham legend in Genesis,[2] according to which Abraham, or a tribe or group of tribes of that name, started from Ur in southern Babylonia, sojourned for a while at Haran, and then penetrated Palestine. (Incidentally,

[1] *Gen.* 29:31; 30:24; 35:16–20.

[2] *Gen.* 12; 24:4, 7; see also S. A. Cook, *Cambridge Ancient History*, Vol. I, p. 236.

Abraham was a good Amorite name. Just after the reign of Hammurabi, Babylonian business documents mentioned an Abraham.) The route outlined for the Abraham of Genesis is the same as that followed by historically established Amorite migrations.

The Leah tribes, in gaining a foothold in Palestine, made an alliance with tribes already there, whom they looked down upon. These were undoubtedly the four tribes supposedly descended from slave girls. Still later, the Rachel tribes or Joseph tribes (Joseph, Ephraim, Manasseh, and later Benjamin), living to the south, forced their way into Palestine and formed an alliance with the other tribes already mentioned. These had migrated into Egypt during the Hyksos regime where they had been subject peoples until about 1220 B.C., when they were led out by a leader named Moses.

The original purpose of the confederation was undoubtedly protection against the common danger, which for several centuries had threatened the tribes, either from the original inhabitants whom they sought to dispossess, or from other invaders of the third great Semitic wave of migration, who were seeking to gain possession of this section of the Fertile Crescent, this land of "milk and honey."[1]

The Israelite invaders gradually conquered and subdued the other people and cities of Palestine, though they were eternally assailed by surrounding peoples—Phoenicians, Philistines, Moabites, Hittites, Midianites, and later the Assyrians, Babylonians, Persians, Greeks, and Romans. Only for short periods were they ever at peace. Presently they ceased to be a nomadic people and became an agricultural and increasingly a village people. They also took up trade, and among them were not only the well-to-do rural landowners but also the urban wealthy. They were undergoing a transition from an ethnic to a political organization with the rise of the monarchy under Saul around 1025 B.C.; its expansion under David, *c.*1010 B.C.; and its consolidation under Solomon, *c.*974. As a nation they enjoyed a brief period of

[1] For the historical and archaeological material here referred to see G. A. BARTON, *A History of the Hebrew People*, Chap. II, New York, 1930, and his *Archaeology and the Bible*, 5th ed., rev., Chaps. IX, X, Philadelphia, 1927; also R. H. KENNETT, "Israel," in HASTINGS, *Encyclopaedia of Religion and Ethics*, Vol. VII.

recognition by the powers about them at this time. Solomon married foreign princesses and owned a trading fleet jointly with Hiram, Phoenician king of Tyre. This period of prosperity and relative peace was looked back upon later as the golden age of Hebrew history. After this, while certain classes at least continued to flourish in an economic way, the decline of the people as a political unity set in. In 937 B.C.[1] the division of the Hebrew monarchy into Israel (the northern) and Judah (the southern kingdom) occurred. In 722 B.C., with the fall of Samaria its capital, before the Assyrians, the northern kingdom ceased to exist politically and became a vassal state. Around 637 B.C. Josiah carried on his reforms in Judah. In 586 B.C. Jerusalem fell before the siege of Nebuchadrezzar; Judah also became vassal, and a portion of the population were taken to Babylon and placed in exile. In 538 B.C. came the conquest of Babylonia and its dependencies by Cyrus the Persian, and the Jews were free to return to their land and their temple. In 332 B.C. the land was again conquered by Alexander the Macedonian, followed by a period of Greek-Egyptian control; and finally in the first century the land became part of the Roman Empire.

It would seem that the greatness of the thought of the Hebrews can be explained in terms of the circumstances of their career, primitive and historical—circumstances that caused them to make contacts, directly or indirectly, with almost every culture of the known world up to and during their time as a distinct social group. To begin with, they were of Semitic stock and hence shared in a measure the common cultural features of these widely diffused peoples who even at a very early date had a rich and substantial social heritage. Being among the youngest of the Semitic peoples they were the inheritors of at least twenty centuries of earlier Semitic civilizations. In the second place, the clans and tribes out of which they were eventually formed were rather highly mobile nomads and participated in both the mass migrations and the particular tribal movements of their people. Some thus had penetrated to almost every part of the west Asiatic and northeast African world and of course brought these various culture elements with them when they settled in the east Mediterranean area. Third, they eventually occupied

[1] Datings according to *Cambridge Ancient History*, Vol. III. Synchronistic Tables of the *Cambridge Ancient History* are used throughout.

Palestine, a small area which was the southwestern end of the Fertile Crescent, an area sought after and controlled for a time by every one of the successive empires of the Near East in ancient times. Furthermore, Palestine was the narrow strip between the easterly end of the Mediterranean and the Arabian desert—an isthmus or a "bridge of fertility," to use Barton's apt phrase—and thus the only land thoroughfare between Asia and Africa. The great highways that wound through it were traversed by the migrating peoples, the traders' caravans, the armies, and the diplomats and scholars of the world of the time. The cultures of the ancient world converged here, and each left its deposit.

In the fourth place, certain highly civilized neighbors had considerable influence upon them. The Israelites, as half-civilized nomad conquerors, were taught much by the conquered Canaanites who had a flourishing and substantial civilization at least a thousand years old at the time of their conquest. The Phoenician kinsmen also taught the Israelites architecture, some literature, and certain religious elements.[1] Others, as, for example, Amorites and Kenite shepherds, also left their impress.

Finally, the territory occupied by Israel or the people themselves or both people and territory in whole or in part was successively part of the empires of Babylonia, Assyria, the Persians, the Greeks, and Rome. Thus at one time or another Israel was brought into contact with all the great civilizations of antiquity, and all made their contribution to Israelitish life and thought.

One of the outstanding features of Israel's life was her willingness to appropriate freely from the abundance of culture materials at her disposal. Thus, owing to location and inclination, Israel's sons were the great culture middlemen on the ancient thoroughfare of nations.[2] J. M. Powis Smith states, "It is now generally recognized that not a single institution of Israel's life was exclusively Hebraic. Quantitatively speaking, that which united Israel to the neighboring peoples far outweighed that which differentiated her from them."[3]

In this connection it is interesting to note that one, at least, of the Hebrew stories of Creation is thought to be of Mesopota-

[1] *Cf.* C. F. KENT, *The Messages of Israel's Lawgivers*, p. 6, New York, 1902.
[2] *Cf.* COOK, *op. cit.*, p. 236.
[3] *The Prophet and His Problems*, p. 5, New York, 1914.

mian origin, probably going back to ancient Sumeria; both of the flood stories, and possibly the Fall story, too, have a similar derivation. Significant also is the close parallel between some of the stories attaching to Sargon I of Akkad and Moses;[1] the close connection between the ziggurat of Babylon and the Tower of Babel; and the relationship of the Hebrew Sabbath to the Sumerian *sabbatu*. The law of the Jews, especially on its secular side, has close affinities with the much older Code of Hammurabi.[2] The prophecies of the Egyptians, Ipuwer and Nefe'rohu, may possibly have influenced Hebrew prophecy particularly in its Messianic aspects. The Book of Job undoubtedly goes back to an older Babylonian or primitive original—probably the tale of Tabi-utul-Bēl set forth in the tablets entitled "I Will Praise the Word of Wisdom."[3] There is also some likelihood that the extensive lists of proverbs and other wisdom literature among the Egyptians influenced the similar literature among the Hebrews. Even more certain, however, is the influence of the Greek Stoics on the later Hebrew wisdom writers. Hebrew monotheism shows a direct connection with the god of the Kenite shepherds and remotely perhaps with the concepts centering around Bel of Babylonia, Ahura-Mazda of Persia, and even the Aton worship established by Ikhnaton of Egypt. Certainly Persia furnished the dualism which develops in late Hebrew times; also the angelology and demonology; the ideas of a world catastrophe; and a judgment day. Possibly the idea of immortality, which comes late, came from Greece.[4] These and similar acquisitions

[1] *Cf.* S. H. LANGDON, *Cambridge Ancient History*, Vol. I, p. 403; D. A. MACKENZIE, *Ancient Civilization*, p. 129, London, 1927.

[2] *Cf.* C. W. H. JOHNS, *The Relation between the Laws of Babylonia and the Laws of the Hebrew Peoples*, pp. 263–264, London, 1914. Regarding the general dependence of the Hebrews upon Babylonia, M. Jastrow states in *The Civilization of Babylonia and Assyria* (pp. 4–5), "We come across traces of the Euphratean civilization at almost every period of Hebrew history. We encounter it in the language of the Hebrews, in the codes that grew up among them, in their art and architecture, in their religious rites and earlier beliefs. The Old Testament is fairly saturated with Babylonian culture, and even when we reach the time and days of the New Testament we have not yet passed beyond the sphere of Babylonian influence."

[3] C. F. KENT and M. BURROWS, *Proverbs and Didactic Poems*, pp. 33–36, New York, 1927.

[4] For other parallels, including actual documentary material, consult G. A. BARTON, *Archaeology and the Bible*, 5th ed., rev., Philadelphia, 1927.

resulted in a composite culture, including elements old and new, native and foreign. As heirs and disciples of the peoples and nations that had contributed to more than thirty centuries of historical cultural evolution, Israel possessed a highly diversified culture and a very rich and extensive literature.

It must not be thought that theirs was a slavish borrowing, however, or their culture any mere collection or addition of culture survivals and transmitted elements. They exhibited great cleverness at adapting, reconstructing, and even transforming this multiplicity of diverse culture elements often literally thrust upon them by location and circumstance. Their borrowing was always only a matter of degree. To the elements that they borrowed they added original contributions of their own; they produced in them a new quality, they breathed into them vitality, a new social and ethical tone, and gave them the stamp of their distinctive genius. Dominated by the trends of the times, they wove the whole into a more or less consistent and unified thought and institutional fabric which, while by no means original, was unique in its breadth, depth, and sublimity. Many of the ideas, beliefs, and practices, indigenous elsewhere, flourished more luxuriantly and persistently among the Hebrews than they did in their place of origin. It is difficult to find another people in all history who had such superior opportunities for acquiring or who developed such facility in selecting and combining innumerable and diverse elements into a unique and scintillating whole.

It detracts nothing from the Jews to know that they did this. Such, we now see, is the nature of the acculturation process generally. Since groups have been coming in contact with each other the independently invented and entirely original elements in their culture have been diminishing relatively to the elements coming to them by diffusion. All people have been culture middlemen to a degree.

One other distinctive feature of Hebrew culture deserves special consideration. That was its intensity and durability. This was undoubtedly caused by the buffetings and adversities which they had suffered as a people. Continual warfare for centuries with their racial compatriots had caused them to seek distinction and unity in the uniqueness of content and interpretation which they gave their beliefs, customs, and institutions.

Vassalage also tended to throw them in upon themselves. But, above all, exile in a strange land, the fear of being overwhelmed by a foreign culture, and the later competition as more or less insignificant subject peoples with great dominating empires were the factors that made the Hebrews the "people of the book"—a book which became the core and essence of their being as a group.

II. The Nature of the Social Literature

The Old Testament and the Apocrypha include practically all of the writings of the ancient Hebrews that have been preserved. These are, undoubtedly, only a small part of a rich and varied literature, for much that was most valuable must have perished in the successive catastrophes that befell both Israel and Judah. Nevertheless, here is a library containing a large and complex literature extending over a period of a thousand years or more and records of the varied experiences, traditional and factual, of a political, social, ethical, and religious nature, during their entire career as a people down into Roman times. Here are their legend and story, their history, their legislation, civil, ritualistic, moral, and ceremonial, their prophecy and apocalypse, their proverbs and other wisdom literature, their lyric and dramatic poetry, their songs and hymnology, their philosophy and mysticism.

Chronologically the bulk of the Hebrew literature comes at a comparatively late date in their history as a people. Only fragments survive from earlier than the ninth and tenth centuries B.C., and those fragments consist largely of songs. There are no authentic writings of the time of Moses just before 1200 B.C.; and prior to that no reliable historical information exists—only traditions and legends. In fact, the earliest cycles of traditions about the patriarchs, the Exodus, Moses, and the early law were first collected and edited during the ninth and eighth centuries B.C., some four centuries after Moses. The first collection, made in Judah about 850 B.C., is known as the J or Jahvist editing. The next, the E or Elohist compilation, was made in the north in Ephraim about 750 B.C. About 650 these two were compiled into a single document JE, though the edition was not published until about 621. Between 600 and 570 B.C., in Babylonia, the D or Deuteronomic revision was going on. This was

combined with JE about 550. And finally after two more centuries at Jerusalem, all the previous ones were incorporated into the framework of the Priestly Code, the P editing, the most radical of all.

Between each of these successive revisions, and afterward, new generations of legalists, prophets, moral and religious leaders, historians, poets and wise men arose and made their contributions. This accounts for the inclusion of the prophets Amos, Hosea, Isaiah, and Micah, who were active between 750 and 690 B.C.—Jeremiah, from approximately 626 to 585 B.C.; Ezekiel, from 592 to 572 B.C.; Deutero-Isaiah, around 540; and various lesser prophetic characters in between and afterward. Job was written 450 B.C. or later; the Psalms were collected and edited 520 to 150 B.C.; the Book of Proverbs, undoubtedly, like the legislation, growing out of numerous earlier collections, was finally compiled by 200 B.C.; with some other wisdom writings and the apocalyptic literature coming later. Beginning with the third century B.C., certain additions were also made to the literary store which are not in the present Biblical canon but have been assigned to the Apocrypha.

Each group of revisers sought to add these new culture elements to the core of the old and at the same time to keep the whole both consistent and in conformity with their own special objectives. While the purpose of these redactors was laudable, it has added enormously to the confusion of the student of the institutions and thought of this people. In the process of expurgating, editing, and harmonizing, each new issue suffered a new confusion; a further destruction of historical sequences; a modification, even distortion, of statement; an addition of interpolated matter; and reinterpretation sometimes remote from the original facts of the matter. These collectors and editors were neither historians nor social scientists; they were mightily affected by the trends of the times, often using ancient worthies to convey contemporary messages. From the point of view of the sociologist the expurgated matter was probably more important than that substituted. Therefore, even though aware of all these modifications, and even though the elements attributable to the different editings can be quite definitely identified, the task of obtaining a very accurate picture of Hebrew life in evolution in any of its phases is a difficult one.

The Old Testament thought is by no means all of a social nature; it is highly diversified; much of it is religious or theocratic. Nor is the social thought concentrated anywhere but rather is woven to a greater or lesser extent through all the different types of writing. The Hebrew writings fall into five general groups:

1. The *history* of the people. This contains some social thought and information regarding the various social institutions but is mainly valuable as interpretative background material.

2. The *law*. The great mass of this is fundamental from our point of view because here are reflected all the institutions and all the thinking about social control.

3. *Prophecy*. Most of this is of very great value, since here is to be found the outstanding recorded social criticism and social idealism.

4. *Wisdom literature*, especially the proverbs. Most of this is exceedingly valuable, since it reflects the mores, the everyday philosophy of life, including the oft-emphasized values, admonitions, and expediencies.

5. The *psalms* and other songs and hymns. These are in many cases very beautiful and majestic but almost devoid of social thought.

We shall then devote ourselves to a more intensive study of the law, the prophecy, and the wisdom literature. It must not be thought that the men who contributed the bulk of the content of the Old Testament were consciously writing social thought. They were primarily men saturated and inspired by a moral purpose, and only as they pursued this moral purpose did they inevitably and unavoidably lay down much valuable social thinking.

III. The Law

The legal material of the Hebrews is found mainly in the first five books of the Old Testament, commonly known as the Pentateuch, though some of it runs over into Joshua, the sixth book. These six books, containing all the law, are known as the Hexateuch. The laws are interwoven with ancient songs, legendary and historical material, prophetic traditions, and glowing exhortations. The legal matter itself consists of decalogues; disconnected laws; later developed and somewhat systematized

codes; traditional precedents; cases; interpretations by prophets, priests and elders; and histories of the origin of institutions.

The law comes first in the Bible for several reasons. In the first place, there is the tendency to associate all laws with the name and age of Moses. Moses was undoubtedly a great leader and unifier, possibly a compiler and promulgator of nomad tribal law and certainly, as leader, an interpreter and probably a codifier of early law, an inspirer of social and religious ideals, and an establisher of precedents. But there are no grounds whatsoever for attributing the authorship of the entire Pentateuch to Moses or to any other one man or one age. The frequent examples of inconsistencies and variations in the restatement of given laws in different parts of the Pentateuch, the specific evidences of evolutionary stages in the development of the law, the variant types of material included, and the different well-authenticated editings substantiate such a conclusion. In the second place, it is likely that the canon of the law, since it was the law and hence indispensable in the continuance and survival of the people, was the first canon to be formed and looked upon as a part of the sacred literature. On the other hand, modern scientific research, basing its conclusions on historical facts mentioned in the writings themselves, points to the fact that the historical books Judges, Samuel, and Kings were undoubtedly written first.[1]

The Pentateuch is a composite drawn from many original sources.

1. There is the simple Semitic tribal law of the desert, consisting originally of traditions and customs orally transmitted. The desert life required no codes. Furthermore, there is reason for believing that before the desert tribes came into contact with the Canaanites and Phoenicians they had no developed literary art. The important commands and rules were remembered and transmitted in the form of pentads and decalogues, five- or ten-finger memorials, so widely used among preliterate or semiliterate peoples everywhere. The technique was simple and effective and consisted of associating a brief law or duty or practice with each finger of the two hands. Thus the nucleus of all Israelitish law appears to have been several simple decalogues, the one in Exodus 34:14–26 apparently being the oldest

[1] J. M. Powis Smith and E. J. Goodspeed (*The Modern Bible*, Chicago, 1933) place Amos first.

and most primitive, coming from the Rechabites of the Kenite tribe to the south of Judah;[1] and then the nobler one, possibly a later version, in Exodus 20:1–17, with a still later restatement in Deuteronomy 5:1–22. There were, of course, at this nomadic stage, rules governing other life contingencies. This early material as demonstrated by the content and the customs and institutions mentioned antedates both Moses and Yahvism.

2. The law of some of the earlier Semitic empires was in effect among the previously settled inhabitants of Palestine when the Hebrew tribes began their influx, and some of these tribes also undoubtedly brought elements with them acquired in the course of their wanderings. This was particularly true of the law of the Babylonian empire, specifically the Code of Hammurabi. We know that Hammurabi's empire had included all the territory along the eastern Mediterranean and that for a thousand years before Israel was formed as a nation Babylonian caravans and traders, dealing with Hittites, Phoenicians, Egyptians, and southern Arabians, and Babylonian embassies and armies traversed Palestine, leaving everywhere the influence of their great code. Parts of it at least were in effect in Canaan, and much was borrowed from the surrounding Canaanites. The Aramaean wave of Semites, which probably included some of the Hebrew tribes, brought with it much of the spirit and the usage of the code even if it did not bring the letter. Just to the northeast the code was in effect down into Assyrian times. And during the Assyrian supremacy its influence on Israel was overwhelming: first, when the Assyrians, the cultural heirs and the conquerors of Babylon, held Palestine for nearly two centuries as a vassal community; and, second, when the political, intellectual, and religious leaders of Israel were carried away as exiles into the new Babylonian empire. Modern Biblical scholars almost without exception admit the indirect if not the direct influence of the Code of Hammurabi upon the Pentateuch. The particular Hebrew legal document showing the greatest dependence is the Book of the Covenant (Exod. 20:23–23:19). The sentence forms in which the laws of both codes are cast are precisely similar, and more than half of the judgments of the Book of the Covenant are

[1] See J. MORGENSTERN, "The Oldest Document of the Hexateuch," *Hebrew Union College Annual*, pp. 1–138, Cincinnati, 1927; KENT, *Israel's Laws and Legal Precedents*, pp. 16–24, New York, 1907.

closely analogous to Hammurabi's laws, though with variations as to detail. Kent states, "Out of forty-five or fifty judgments at least thirty-five have points of contact with the laws of Hammurabi and fully half are in part parallel."[1] There are, of course, significant differences. The Babylonian law reflects a great commercial civilization with its emphasis upon property and the consequent civil and criminal legislation. The Book of the Covenant is appropriate to a simple, peasant society inspired by moral earnestness and with its justice tempered by pity.[2] Barton also alludes to the possibility of some legal materials' having been obtained from the Egyptians.[3]

3. The law developed during the early agricultural or Canaanite period when the Israelites were becoming members of settled communities and on through their period as an independent nation. During this period the Israelites were not only conquering and absorbing the settled Canaanites but also adopting their laws, institutions, and religious practices and ideas. The Canaanites, being an agricultural people, passed on to them much custom and law reflecting this mode of life, which was incorporated into their own law in modified form. Corresponding new civil and criminal law was made necessary. This new law showed especially the development of landed property, the practice of farming, and also a more advanced conception of social justice. The three strands of law thus far discussed are to be found ultimately in the J and E editings, Exodus 13; 14: 20–23; 34.

4. The great prophetic period of Israel, 840 to 586 B.C., added another important element, namely, the great moral and humane laws. Most of the prophets, all the pre-exilic at any rate, had done their work before the official law is known. The prophets represented the enlightened conscience of the Jews. They enunciated revolutionary principles, modified institutions, and changed the tone of thought and even the life of the people. Under prophetic influence the law began to reflect the principles—humane, political, social, ethical, and religious—that underlay all their teachings. The prophets advanced lofty ideals of justice

[1] KENT, *op. cit.*, p. 24; See also JOHNS, *op. cit.*

[2] See KENT, *op. cit.*, pp. 3–7, 24–26; COOK, *op. cit.*, Vol. III, p. 481; C. E. NOYES, *The Genius of Israel*, pp. 316–317, Boston, 1924.

[3] *A History of the Hebrew People*, p. 13.

and social righteousness, and love of God and man was their distinctive spirit.

The advancing humanness of the people under the influence of these great moral leaders resulted in the mollifying of the harsher laws and usages of earlier days. These modifications and additions emphasized the old ideals of right and justice; admonished to kindness, benevolence, and humanity; and decried idolatry and immorality. In the later part of this period—the time following Micah—after the reaction from the influence of the prophets, their successors, unable to preach publicly, betook themselves to writing and in cooperation with certain high-minded priests prepared the Deuteronomic (D) revision of the law which comprises the greater part of the book of Deuteronomy. The Deuteronomic Code marked the beginning of the reign of written law among the Jews.

5. Finally in the exilic and postexilic period (586–300 B.C.) appeared the Priestly (P) Code and the complete rediting of the law. Israel was now a subject nation without political significance. As a people they were threatened with dispersion, and their culture was threatened with dilution and disintegration. They suddenly became a profoundly literary people. The priests, the scribes, and the elders—the guardians of the culture as a whole and especially of the laws and institutions—now completed the last and most extensive editing and supplementing. They added particularly many ceremonial and ritualistic laws and usages designed to assist in worship and the maintenance of religious purity and group morale but also many civil and humane laws. The whole was very evidently intended to be a book for the people.[1] The chief Priestly editions were the Holiness Code, Leviticus 17–26; the Priestly Teachings, Leviticus 1–3; 5–7; 11–15; Numbers 5; 6; 15; 19:14–22; and the Priestly Code proper including the legal portions of Exodus, Leviticus, and Numbers not belonging to preceding codes and part of Joshua.

The whole process of bringing together the various law codes and of editing and harmonizing them was carried on almost entirely in Babylon and was practically in the complete form of our present Pentateuch by the time of Nehemiah and Ezra. It was presented to the people of Jerusalem in 444 B.C. and from

[1] *Cf.* KENT, *op. cit.*, p. 14.

that time on has been the final directing agent of Jewish life wherever it might be—the constitution of Judaism.

The Hebrew law, starting as orally transmitted tribal custom, eventually is written and then continually added to and reedited until it finally is canonized and henceforth more or less fixed. Throughout its history of development it shows the usual phenomena of the evolution of law. Originally much of it is borrowed from the older Semitic peoples, and other law coming in contact with it tends to affect it. Each editing reflects the contemporary political situation and the general state of the Israelites. As elsewhere, the lawmakers did not precede but followed the developing social conscience, enacting into formal precept or law that which had previously proved its worth in the collective experience.

But, like the rest of the Old Testament, owing to the repeated collecting, reediting, supplementing, and interpolating, it is inevitably in a most confused order. There is no evidence of any commission or legislative body's ever being entrusted with the task of formulating laws, and, unlike the case in Babylonia, there never was any attempt at systematic collecting and codifying of existing rules and customs. Tribal usages; established precedents; original decisions rendered by leaders or heads of families, by military chieftains, and by priests; and prophetic admonitions, in the form of civil and ceremonial, criminal and humane, secular and religious, ancient and late laws and legal precedents are all mingled together with little trace of systematic classifications. Strictly speaking, the law is a vast, confused accumulation of precedents, practices, rules, commands and laws, secular and religious, which are unorganized, repetitious, and even inconsistent.

The first essential in any scientific study of these laws is to group similar ones together and discern the chronological order among those so grouped. This has been well done by Charles Foster Kent[1] whose classifications will be used in part in that which follows. It must be parenthetically stated that much of Hebrew law is concerned with crimes against Jahweh, idolatry, sorcery and divination, obligations to Jahweh, ceremony and ritual, duties of Levites and priests, ceremonial cleanliness, and sacred duties and other requirements and prohibitions of a

[1] *Israel's Laws and Legal Precedents; The Messages of Israel's Lawgivers.*

religious nature. These are of only indirect interest to us in that they reflect religious institutions generally. We shall confine ourselves to the laws having social and sociological significance. As we examine these different types and classes of law we shall cut across different codes, collections, and editings, since we are interested in the cultural influence of the Hebrew law as a whole. That influence has not been exercised through specific increments but through the legal canon as a whole.

1. Family and Marriage Laws.—In Hebrew social organization, based so largely on the family, the authority of the parents had to be recognized if the integrity of society was to be preserved. Hence obedience, honor, reverence, gratitude, and loyalty are required and enforced by the most strenuous means in all the codes.[1] At the head of the family stands the father; then the mother, if she has borne sons; then the sons; with the daughters in an inferior position; and finally the slaves. Father and mother have to be honored and obeyed.

> He that striketh his father or his mother shall be put to death. He that curseth his father or his mother shall be put to death (Exod. 21:15, 17).

The stubborn, rebellious profligate and intemperate son, who will not obey his parents, shall be brought before the elders of the city, and the men of the city shall stone him to death (Deut. 21:18–21) so that by public example the community may be delivered from the danger of filial disobedience. On the other hand, he who gives his parents respect and loyal service will be insured long life, peace, and prosperity (Exod. 20:12; Deut. 5:16). The father also has complete authority over the unmarried daughter (Num. 30:3–5).

In the marriage relation the Israelites, like all Oriental peoples, regard the wife as the possession of her husband and his authority over her as very great.[2] If a wife is guilty of unchastity, she is to be stoned to death (Deut. 22:20–21); but, on the other hand, if the charges of unchastity are false, the husband is to be heavily fined, the fine going to the father of the bride. The legislation also provides for the semipublic proof of virginity, as well as trial by ordeal (Deut. 22:13–20; Num. 5:13–29). It is also

[1] Exod. 20:12; 21:15, 17; Deut. 5:16; 21:18–21; 27:16; Lev. 19:3*a*; 20:9.
[2] Exod. 21:7–11; Deut. 21:10–14; Num. 5:26–27; 30:68; 12–15.

fairly specific regarding relatives between whom marriage is illegitimate (Deut. 22:30; 27:20, 22, 23; Lev. 18:6–18, 24, 25). The mates forbidden a man are a stepmother, half sister, mother-in-law, granddaughter, mother, aunt, daughter, daughter-in-law, sister-in-law or two sisters, and yet the Old Testament lists apparently acceptable unions violating almost all of these.[1] If a female slave or captive is married, she is free henceforth. Intermarriage with aliens is forbidden (Exod. 34:15, 16; Deut. 7:1–4; Num. 25:6–13), with death as the penalty in the Priestly Code (Num. 25:6–13). Priests are forbidden to marry immoral women, and the high priest must have only a virgin as wife (Lev. 21:7, 13–15). A seduced virgin must be married and once married cannot be divorced (Exod. 22:16; Deut. 22:28).

If a man shall charge his newly wedded wife with unchastity and her innocence be established, the elders of that city shall take the man and punish him; and they shall fine him a hundred shekels of silver and give them to the young woman's father because the man has given an evil name to a virgin in Israel; and she shall be his wife; he may not divorce her as long as he lives (Deut. 22:13–19).

The family of a deceased man should be perpetuated by his brothers, and appropriate pressure is brought to bear on a brother who refuses (Deut. 25:5–10). A man may divorce his wife by writing her a bill of divorce and sending her from his house. She is then free to remarry, but her first husband may never again take her to wife (Deut. 24:1–4).

2. Hired Servants, Slaves, and Foreigners.—Hired servants shall be fairly treated and paid each day (Deut. 24:14, 15; Lev. 19:13, 25:6, 22:16); debtors shall be treated as hired servants and not as slaves (Lev. 25:44–46); slaves may be marked by piercing the ear (Exod. 21:5, 6; Deut. 15, 16, 17); slaves shall be released after six years, and injuries to slaves shall be compensated for (Exod. 21:2–4, 20–27, 32; Deut. 15:12–12, 18; Lev. 25:10); Israelitish slaves are to be redeemed from foreigners, to whom they were in debt, for example, at any time (Lev. 25:47–55); and fugitive slaves are to be given protection and not returned to their masters (Deut. 23:15, 16).

Thou shalt not oppress a hired servant who is poor and needy, whether he be one of thine own race or of the resident aliens who are

[1] *Cf.* KENT, *Israel's Laws and Legal Precedents*, note, p. 53.

in thy land within thy town. On the same day shalt thou pay him his wages before the sun goeth down; for he is poor and setteth his heart upon it, and let him not cry against thee to Jehovah, and thou be guilty of crime (Deut. 24:14, 15).

Slavery was an established institution among the Hebrews but not a harsh one. The position of a slave was no more degrading than is that of a family servant today. A slave might even become a member of the family by marriage. He was treated with justice and consideration; was assured of food, protection, and a home; and could share many of the household's privileges and pleasures. Slaves were made up of military captives, bankrupts, robbers who could not make restitution of goods stolen, and children, especially marriageable daughters, sold by parents to their own countrymen. Slaves apparently were rarely resold. In each successive revision of the law slaves received further protection and consideration. In many respects the Hebrew attitude toward slaves was similar to that of the Babylonians and Assyrians.

There is extensive legislation regarding aliens.[1] Resident aliens shall not be wronged or oppressed but given justice and protection (Exod. 22:21), and a curse shall be on those who violate this injunction. On the other hand, one shall not look on quietly while a resident alien treats harshly a Hebrew who has been enslaved by him (Lev. 25:47–53). Aliens shall have equal rights with Israelites (Lev. 19:33, 34; 24:22) and be subject to the same laws and the same sacrificial customs (Num. 15:29–30; 35:15; 15:14–16; 9:14).

Ye shall have one manner of law, as well for the stranger as for one of your own country (Lev. 24:22).

On the other hand, an Israelite may lend to a foreigner during the seventh year; he may lend to a foreigner at interest, and he may sell unclean food to the foreigner (Deut. 15:3*a*; 23:20*a*; 14:21*a*).

3. Property and Inheritance.—Rights of property are quite specific. Property of both friends and enemies is to be protected and restored (Exod. 23:4, 5; Deut. 22:1–4).

[1] Exod. 22:21; 23:9; Deut. 24:14, 17, 18; 27:19; Lev. 25:47, 48*a*, 53; 19:33, 34; 24:22; Num. 15:29, 30; 35:15; 15:14–16; 9:14.

If thou meet thine enemy's ox or ass going astray, thou shalt surely bring it back to him again. If thou see the ass of him who hateth thee lying prostrate under its burden, thou shalt in no case leave it in its plight; rather thou shalt, together with him, help it out (Exod. 23:4, 5).

For any damage or loss of property of others, resulting from one's carelessness, full restitution must be made (Exod. 21:33–34; 22:5–6). For an injury to a hired animal, and loss of money or personal property or of an animal held in trust, double restitution shall be made (Exod. 22:7–15).

Land shall not be sold in perpetuity, for it belongs to Jahweh; the price of land sold shall depend on the number of years remaining before the year of jubilee when all rights are abrogated and established on a new basis (Lev. 25:15–16, 23, 34). Land that one is forced to dispose of may be redeemed by kinsmen or by the seller himself, if able later, until the year of jubilee. This applies also to land and houses in villages. But in walled cities, except for property of Levites, redemption may take place within a year of sale. After that the property is the buyer's in perpetuity (Lev. 25:13, 24–32).

In the inheritance of property, the law of primogeniture prevails; that is, the eldest son, whether he be the son of a loved or a hated wife or of a wife taken first or later, shall inherit first and inherit a double portion (Deut. 21:15–17; 25: 5, 6). If a man have no son, his inheritance goes to his daughter or, in turn, to his own brother, his father's brother, or the nearest kinsman (Num. 27:1–11). Female heirs shall not marry outside their father's tribe, the purpose being to keep the property together (Num. 36:1–12).

4. Political Organization.—Hebrew political organization was never very complex. The Primitive and Priestly codes have almost nothing to say about the organization of the state, since there was no state at either time. The Deuteronomic Code alone deals with the subject, and here the evidence is not of the political and judicial institution's being a matter of legislative enactment but rather the result of the expansion and adaptation of earlier customs and usages to new needs and conditions. All these institutions have their base in the family and the tribe; the judge and king are only the tribal sheik extended in power and function; the elders throughout are men of great legislative

and judicial authority. The laws are tribal rules extended over a broader unit.

Certain qualifications for the enjoyment of full civil and religious rights are laid down (Deut. 23:1–8; Exod. 12:48, 49). Eunuchs are barred from the assembly and hence from citizenship, as are also bastards and their descendants to the tenth generation and Ammonites and Moabites. On the other hand, all circumcised resident aliens shall be admitted to full rights. Provision is made for both a military and religious census of males (Num. 1:1–3; 3:14, 15, 40; 4:1–3, 22, 23, 29, 30; Exod. 30:11–16). Rulers must be respected and not cursed (Exod. 22:28). Outstanding among the qualifications and duties of king were the necessity of avoiding the crimes of Solomon such as having a large cavalry, a harem, or great wealth and the requirement that he observe the written or Deuteronomic laws (Deut. 17:14–20). Judges must administer justice to all alike and take no bribes (Exod. 23:6–8).

> The judges shall judge the people with righteous judgment. Thou shalt not prevent justice; thou shalt not show partiality; neither shalt thou take a bribe, for a bribe blindeth the eyes of the wise and perverteth the words of the righteous. Justice and only justice shalt thou follow (Deut. 16:18–20).

The judge shall be influenced only by the principles of justice, and he shall be cursed if he falters; he shall witness corporal punishment fixed as a sentence; he shall be absolutely impartial (Deut. 1:16, 17; 27:25; 25:1–3; Lev. 19:15). Two witnesses are required to convict of a criminal offense (Deut. 19:16; 17:6; Num. 35:30); they shall take the initiative in the execution of a murderer (Deut. 5:20; 17:7); they are not to repeat tales among their neighbors or conceal testimony (Lev. 19:16; 5:1). Cities of refuge were established for the manslayer innocent of malicious intent to protect him against the law of vengeance (Exod. 21:12–14; Deut. 19:1–13; 4:4–43; Num. 35:9–32).

In order to insure familiarity with the law, stone monuments with the law upon them were to be set up (Deut. 27:1–8; Josh. 8:30–32); every seventh year at the great assemblage of all the people of the city the law was to be read to them (Deut. 31:9–13; Josh. 8:33–35); and the children were to study it constantly

(Deut. 6:6–9, 20–25). At home and on every possible occasion instruction in the law was to be given.

5. Military Laws.—The Hebrews never maintained a standing army but depended for their defense upon the militia which was called out only in time of war and disbanded at the end of the campaign. All able-bodied men over twenty years of age were expected to render military service (Num. 26:2) with the exception of men who had just completed a house or vineyard, betrothed men, newly married men (for the first year), and Levites (Deut. 20:1–7; 24:5; Num. 1:48–49). The camp was to be kept in a scrupulously sanitary condition, and rather minute stipulations were made in order to insure this (Deut. 23:9–14). All booty was to be equally distributed (I Sam. 30:21–25). When at war with the seven surrounding nations, the Hittites, Amorites, Canaanites, Perizites, Gergashites, Hivites, and Jebusites, the object should be utterly to exterminate these peoples and their cults (Deut. 20:10–18; 7:1–2, 16, 22, 26). Fruit trees in a captured district should not be destroyed (Deut. 20:19–20). Female captives could be married by conforming to certain ceremonial practices (Deut. 21:10–14). All booty was to be ceremonially purified, and certain portions were to be set aside for the priests (Num. 31:1–31).

6. Crimes against the State.—Bribery was prohibited, "for a bribe blindeth those who see and perverteth the cause of righteousness" (Exod. 23:8; Deut. 16:19). Public condemnation shall be visited upon him who takes a bribe to condemn an innocent person (Deut. 27:25). Justice shall not be perverted by spreading a false report, entering into a conspiracy with a wicked man, following the majority in doing wrong, bearing improper testimony, showing partiality, or condemning the innocent or vindicating the wicked (Exod. 23:1–3, 6, 7; Deut. 16:19, 20; Lev. 19:15).

> Thou shalt not prevent justice being done to thy poor in his cause. Keep aloof from every false matter. Do not condemn the innocent nor him who hath a just cause. Do not vindicate the wicked. Thou shalt take no bribe, for a bribe blindeth the cause of the righteous (Exod. 23:6–8).

Perjury is prohibited, and he who is guilty of it shall be punished in a manner corresponding with the nature of the false

testimony—"ye shall do to him as he had purposed to do to his fellow country man" (Deut. 5:22; 19:16–21; Lev. 19:12). One who deliberately defies the law shall suffer death as the penalty (Deut. 17:12, 13; Num. 15:30, 31).

7. Crimes against Morality and Decency.—Adultery with either a betrothed virgin or a married woman is prohibited, and death is the penalty (Exod. 20:14; Deut. 5:18; 22:22–24; Lev. 18:20; 20:10; Num. 5:12, 13, 15, 18, 21, 23, 24, 26, 27, 31). Intercourse with a betrothed female slave is illicit and subject to judicial inquiry, but neither participant shall be put to death, for the woman is a slave (Lev. 19:20–22). The man may make a guilt offering as atonement. The various kinds of forbidden incestuous sexual relationships correspond to the forms of unlawful marriage discussed above (Deut. 22:30; 27:20, 22, 23; Lev. 18:16–18; 20:11, 12, 14, 17, 20, 21). Sodomy is prohibited and punished by death (Lev. 18:22; 20:13). Sexual intercourse with animals on the part of either a man or a woman shall be punished with the death of both the human being and the beast (Exod. 22:19; Deut. 27:21; Lev. 18:23–25; 20:15, 16; 18:19; 20:18). Temple prostitutes are forbidden, and a priest's daughter who becomes a prostitute shall be burned (Deut. 23:17, 18; Lev. 19:29; 21:9). Indecent assault, interchange of the dress of the sexes, and unnatural mixtures are prohibited (Deut. 25:11, 12; 22:5; 22:9–11; Lev. 19:19). Death is the penalty for kidnaping (Exod. 21:16; Deut. 24:7); covetousness and lying are prohibited (Exod. 21:17; Deut. 5:21; Lev. 19:11).

8. Crimes against the Person.—Murder, of course, is prohibited, but penalty is according to intent. Intentional murder is always punishable by death. A man who assaults another with fatal results shall suffer the penalty of death. If the act be committed without premeditation and accidentally or in self-defense, he may flee to a city of refuge and secure justice and deliverance from the blood avenger. If the seeker of refuge killed his victim with malicious intent, the elders of the city shall deliver him to the blood avengers that he be killed. The Priestly Code provides six refuge cities, three on each side of the Jordan. They also insist that in every case of murder the murderer shall be put to death only on the testimony of two or more witnesses. On the other hand, no ransom can be taken for the life of a murderer; he must be put to death. If a master beat a slave so that he or she die, he

must be punished; but if the injured survive a day or two, the owner shall not be punished (Gen. 9:5, 6; Exod. 20:13; 21:12–14, 20, 21; Deut. 5:17; 19:11–13; Lev. 24:17, 21; Num. 35:14–34).

Assault upon parents is punishable by death (Exod. 20:12; 21:15, 17; Deut. 5:16; 21:18–21; 27:16; Lev. 19:3; 20:9). If a man injure another in a fight, he must pay all the expenses of the injured and make full restitution for his loss of time (Exod. 21:18). If a man while fighting injure a pregnant woman, and a miscarriage result, but she suffer no other injury, he shall pay the fine demanded by the woman's husband and confirmed by the judges.

> But if any harm follow, then thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, branding for branding, wound for wound, stripe for stripe (Exod. 21:22–25).

If a master inflict irreparable injury upon a slave, the slave shall receive his freedom as compensation (Exod. 21:26, 27). For every injury inflicted upon another the assailant shall be forced to suffer the exact type and proportion of harm done (Lev. 24:19).

If a goring ox gore a man or woman for the first time, it shall be killed, but its owner acquitted. If the owner knows that it is a goring ox, and it injures some one, the ox shall be killed, and the owner shall also be killed or be forced by the injured to pay a redemption fee. If an habitually goring ox gore a slave, the master shall be paid thirty shekels of silver (Exod. 21:28–35). Kidnaping, also a crime against person, is punished by death, as noted above.

Rape is punished by death (Deut. 22:25–27). If a man seduce a virgin, he must marry her and pay a dowry for her. (In the Deuteronomic Code the dowry is fixed at 50 shekels, and he can never divorce her.) If her father refuse to give her to him, he shall pay only customary dowry. One wronging the defenseless, the resident alien, the widow or orphan, the poor hired servant or molesting the blind and deaf is cursed (Exod. 22:21–24; Deut. 24:14; 27:18, 19; Lev. 19:14, 33). Slander is also forbidden (Exod. 23:1; Lev. 19:16).

9. Crimes against Property.—Theft in general is forbidden (Exod. 20:15; Lev. 19:11; Deut. 5:19). If a man steal an ox or a sheep and kill or sell it, he shall give as restitution five oxen for each one stolen and four sheep for each sheep. If he be caught with the goods, he must repay double. If he have nothing, he is

sold into slavery to pay for what he has stolen (Exod. 22:1–3). If a man kill a thief in the act during the night, he shall not be guilty of murder; but if he do this in the daytime, he must make restitution (Exod. 22:23). A man passing through his neighbor's vineyard or grain field may gather as much as he can eat on the spot, but he cannot carry any off (Deut. 23:24, 25). Reparation must be made for all things stolen or fraudulently obtained (Lev. 6:2–7). Any man who removes his neighbor's landmark, thus stealing his land, is to be publicly condemned (Deut. 19:14; 27:17). False weights and measures are outlawed, and honesty is demanded in all business relations (Deut. 25:13–16; Lev. 19:35–37).

Thou shalt not remove thy neighbor's landmark, which they of former generations have set . . . (Deut. 19:14).

Ye shall do no unrighteousness in judgment or with rule or with weight or with measure. Just balances, just weights, a just ephah, and a just hin shall ye have . . . (Lev. 19:35, 36).

10. The Treatment of the Unfortunate and Dependent.—These are the Hebrew laws of love and consideration for fellow men. They reflect most clearly the influence of the prophets, and are in marked contrast to some of the harsh and pitiless requirements mentioned in connection with other civilizations. Here the people are admonished to show consideration to the needy and dependent, to give generously to the poor, and to aid the helpless. These humanitarian laws represent the high-water mark of Hebrew thought and teaching. Kent points out[1] that the Hebrews recognized the unfortunate, the needy, and the dependent, as well as the vicious classes, and endeavored by special legislation to protect their rights and ameliorate their conditions. They were socialistic in some respects, in that they implied that those who had means were under certain obligations to those who had none. Many of their laws indicated definitely how these obligations were to be fulfilled. While in many cases no definite penalty is attached, public condemnation and the displeasure of Jahweh is expected.

In dealing with the unfortunate, their feelings should be considered. Do not go into the borrower's house and ask for his pledge. Let him come out and give it to you (Deut. 24:10, 11)

[1] *The Messages of Israel's Lawgivers*, p. 213.

Do not keep after sundown garments taken in pledge, for the borrower needs them as protection against the night (Deut. 24:12, 13). Millstones or other necessities are not to be taken as security for a loan, for to take them would deprive the family of the means of supplying its bread and thus of maintaining its life (Deut. 24:6). To guard against unjust cruelty in inflicting the bastinado, the blows are limited to forty and must be given in the presence of the judge (Deut. 25:2, 3). The innocent family shall not suffer for the criminal (Deut. 24:16). Safety measures are observed in buildings to guard against the possibility of accident (Deut. 22:8).

Dependent classes shall receive special treatment. The wages of a hired servant, whether he be Hebrew or alien, must not be withheld from him when they are due, for he needs them to satisfy his pressing needs (Deut. 24:14, 15; Lev. 19:13). Slaves shall be permitted to rest on the seventh day. A Hebrew slave shall work six years and be freed the seventh without having to pay a ransom. In fact, when released, the Hebrew slave shall not go empty-handed but shall be furnished liberally from "the flock, the threshing floor, and thy wine press." All servants shall be treated with consideration (Exod. 23:12; 21:2; Deut. 15:12–15; Lev. 25:39, 40, 43). The feelings of a captive wife must be regarded (Deut. 21:10–14). The defenseless aliens, widows, orphans, the blind and deaf shall not be wronged (Exod. 22:21–24; Deut. 24:17, 18; 27:18, 19; Lev. 19:14). The poor man shall be rendered justice; he shall not be refused a loan; and there is the obligation to support him (Exod. 23:6; Deut. 15:7–11; Lev. 25:35).

Various philanthropic provisions are made for the needy (Lev. 19:9, 10; 23:22).

When thou reapest thy harvest in thy field and hast forgot a sheaf in thy field, thou shalt not go again to bring it; it shall be for the resident alien, for the fatherless, and for the widow, that Jehovah thy God may bless thee in all the work of thy hands. When thou beatest thy olive-tree, thou shalt not go over the boughs again; it shall be for the resident aliens, for the fatherless, and for the widow. When thou gatherest the grapes of thy vineyard, thou shalt not glean it after thee; it shall be for the resident alien, for the fatherless, and the widow. Thou shalt remember that thou wast a slave in the land of Egypt; therefore I command thee to do this thing (Deut. 24:9–22).

When offerings are brought to the temple in Jerusalem they shall be shared not only with the members of one's own family but also with the dependent members of the community, the Levites at the shrines, the resident aliens, the orphans, and widows (Deut. 16:11–12; 26:11). To provide a definite means of support for the dependent classes the system of the tithe was provided. Every Hebrew who possesses property shall set aside one-tenth of all his products each year. Two out of three years he shall bring his tithe or the money equivalent to the sanctuary where he shall provide a sumptuous feast which he shall share with his family and the poor members of the community. In the third year the tithe shall be turned over to the public storehouse within each town; thence it shall be distributed among the propertyless Levites and the poor classes such as aliens, orphans, and widows (Deut. 14:22–29; 26:12, 13). While interest was generally required for loans, special legislation provided for its remission in certain cases. In Exodus if a loan be made to a poverty-stricken fellow Hebrew, no interest is to be exacted. In Deuteronomy this remission of interest is extended to any Hebrew, interest being asked only of foreigners (Exod. 22:25; Deut. 23:19, 20; Lev. 25:35–38). Every seventh year payment of loans and interest on the same shall cease if the debtor is a fellow Hebrew. Foreigners, however, shall continue to pay. One should be ready to lend generously to a needy fellow Hebrew even if the seventh year is near at hand (Exod. 23:10, 11; Deut. 15:1–11; Lev. 25:1–7, 21–22). After a Hebrew slave has served his master six years he shall be set free without paying anything for his redemption. If married when he became a slave, his wife shall also be liberated; but if he was subsequently given a wife by his master, she and her children shall remain slaves (Exod. 21:24; Deut. 15:12–15, 18). Leviticus provides that in the fiftieth year of Jubilee, all Hebrew slaves shall be freed, the land shall rest, and all property, with the exception of city houses, shall revert to the original owners or heirs (Lev. 25:8–16, 23–28, 40, 42). This law was never observed, however, after the Exile, remaining merely an ideal.

One's attitude toward others shall be one of kindliness and love. The aged are to be honored (Lev. 19:32). The resident alien shall be shown the same tender consideration as is shown to those of one's own family or race. In fact, seventy different

enactments safeguard the interests of unprotected aliens (Exod. 12:49; 22:21; 23:9, 12; Deut. 1:16; 10:18, 19; 14:29; 16:11, 14; 24:14, 17, 19–21; 26:11–13; 27:19; Lev. 19:10, 34; 24:22; Num. 9:14; 15:15, 16, 29, 30). It is necessary to do to your enemy as you would have him do to you: Return his stray ox or ass; give him help when he needs it (Exod. 23:4–5).

> Thou shalt not hate thy fellow countryman in thy heart; thou shalt warn thy neighbor and not incur sin on his account. Thou shalt not take vengeance nor bear a grudge against the members of thy race; but thou shalt love thy neighbor as thyself (Lev. 19:17, 18).

11. Laws of Anthropological Significance.—Among the great mass of legislation dealing with the obligations to Jahweh, with ceremonial requirements and sacrificial offerings, composing fully half of the law, are some requirements which are of interest to the ethnologist and anthropologist, though they have no direct significance for the sociologist. There is, for example, the legislation establishing the tribe of Levi as sacred officials (Exod. 32:25–29; Deut. 10:8) and the details as to their duties (Deut. 33:8, 10; 21:5; 18:5; 17:8–13; 31:25, 26; 24:8; 26:1–4; 20:2–4). Priests shall be free from physical blemish of any kind (Lev. 21:16–24); special clothing is designated (Exod. 28:40–43; 29:8, 9; Lev. 8:13); they shall be ceremonially clean (Lev. 21:1–9; 10:8, 9, 6, 7; Exod. 30:17–21).

Certain food taboos must be maintained for the people as a whole. Clean and unclean animals, fish, birds, and insects are noted (Deut. 14:3–20; Lev. 20:25, 26; 11:1–23, 26-30, 41–47); blood and fat are denied all Israelites (Deut. 12:23–25; Lev. 19:26; 17:10–14; 7: 23–25); flesh of animals torn by beasts or dying a natural death is unclean (Exod. 22:31; Deut. 14:21; Lev. 22:8; 7:24; 17:15, 16), as are also leavened bread at the passover and the fruit of young trees (Lev. 19:23–25).

Uncleanliness, requiring purification, attaches to loathsome diseases (Deut. 24:8; Lev. 22:4, 13, 14; 15:2, 35; Num. 5:1–3); to the menstruating woman; and to a woman for seven days after the birth of a male child and two weeks after the birth of a female child (Lev. 12:1–8); to one who has had contact with the dead (Deut. 21:22, 23, 1–5; Lev. 22:4, 6; Num. 19:11–21; 31:19); one who has touched the carcasses of unclean animals (Lev. 5:2; 11:8, 24–40); and to the spoils of war (Num. 31:20–24). The

methods of ceremonial purification are set forth at great length in each case.

The rite of circumcision is required of every male child at the age of eight days and of every resident alien who desires to enjoy the religious privileges of the Israelites (Gen. 17:2–14; 21:4; Lev. 12:3; Exod. 12:48). Originally it symbolized admission with full marital, tribal, and religious rights.

Special festivals are obligatory, notable among others being the feast of weeks or harvest (Exod. 34:22; 23:16; Deut. 16:9–11, 13–17).

Again and again throughout the codes the people are admonished in behalf of Jahweh to obey the commands set forth. If they faithfully obey the law, they will enjoy prosperity, a long life as a nation, and the realization of many promises (Deut. 5:1, 32, 33; 6:3, 17; 7:11, 12; 8:1, 11–14; 10:12, 13; 11:1, 8, 9, 32; 26:16, 17; 4:5, 6; 27:1–26; 30:15, 16; Lev. 18:4, 5, 26; 19:19, 37; 20:8, 22). Not only does Jahweh give Moses the Law, even as Shamash gave it to Hammurabi according to the legend, but just as the Babylonian law was accompanied with a long list of maledictions and curses for the violators, so also the Hebrew law is sprinkled with curses; but it has the additional feature that those who obey shall be rewarded.

Several generalizations and principles grow out of such a study of Hebrew law:

1. It is unmethodical and unclassified. In this respect it is similar to most Oriental literature regardless of type. The Oriental has nothing in common with western conceptions of organization, logic, and classification. There are also occasional inconsistencies reflecting the looseness of some of the editings. For example, Lev. 25:44–46 states that only foreigners may be taken as slaves. Elsewhere (Exod. 21:2; Deut. 15:12–15) it is clear that debtor Hebrews could be enslaved or at least indentured by other Hebrews.

2. It is clear, as has been mentioned above, that Hebrew law is the legislation of a relatively simple society. In this it shows marked contrast to the code of Hammurabi which reflects a complicated, urbanized commercial empire. Hebrew society was, on the whole, that of a rural or village people, with the relationships largely of a face-to-face nature; the economy that of the rural or village household; and the government one growing

out of the neighborhood, the clan, and simple kingship. Later, after the Exile, it takes on a theocratic coloring with the government largely in the hands of the priests.

3. The written legislation available to use is sketchy, fragmentary, and inadequate. It obviously was not in itself a comprehensive code. Especially is this true of the laws on property, the state, and the family. This is due partly to the simplicity of the life, just discussed, which made much constitutional legislation of a social, economic, and political nature unnecessary. It is also true that a great deal of custom and many old usages prevailed which were so common and so widespread that it was never necessary to write them down. One gathers that the unwritten legislation governing the practices of daily life outnumbered the written. Furthermore, it is possible that there was not much interest in some aspects of life, as, for example, property and property rights. The legislation, coming down from the nomadic period, freely interpreted by the judges, covered most of the cases arising. The Deuteronomic lawgivers were not concerned with giving completeness to the law but rather with maintaining the rights of the needy and oppressed. The authors of the priestly period devoted themselves almost entirely to the development of ritual.

4. One is also struck by the absence of distinct judicial organization. Political, judicial, and religious duties are often discharged by the same officials. Every prominent official, civil or religious, could act as judge; though usually, in ordinary cases, the decision was made by the tribal or local elders assembled at the city gates.

5. The religious background is much more pronounced than in the Code of Hammurabi. More than half the legislation deals with crimes against Jahweh and hosts of other matters, ceremonial and ritualistic. But the civil law was also deeply rooted in religion. The Hebrew's obligation to Jahweh included within its reference every act of life. In fact, the requirements of justice and righteousness alike were not laid down apparently with reference to the good of the body politic but were primarily a matter of obedience to Jahweh. In Israel's conception of the regulation of life, religious law was not distinguished from civil law; both proceeded from the will of Jahweh; both were intermingled. Incidentally, as the people's conception of Jahweh

changed, they shaped their law progressively to conform to their expanding interpretation of his moral nature.

6. Nevertheless, the old primitive desert law of blood revenge rules throughout. "Thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe" (Exod. 21:23–25). There are other harsh elements in the law. Notable is the frequency of the death penalty. Not only is the convicted murderer killed, but he is turned over to the relatives of his victim for killing. Not only was death the penalty for adultery, rape, sodomy, bestiality, kidnaping, and dishonoring or assaulting parents, but it usually took the form of public stoning where every man raised his hand against the culprit. The cities of refuge are a mollifying influence in the case of murder, however. Each succeeding revision of the law was careful also to correct the abuses incidental to the law of blood revenge. It sought to protect the innocent as well as punish the guilty.

Fundamental justice is insisted upon throughout the codes, however. At least two witnesses are required in a criminal action. If a witness testified falsely, then the same punishment was visited upon him that he had thought to bring upon the accused.

7. The personal rights are typical of a strictly patriarchal society. Complete male supremacy exists. Only the master of the household had independent legal standing. The wife was absolutely subordinate to her husband; in fact, she was his property. A daughter was the material possession of her father. Children could be sold as slaves by their father or hired out for money.

Slavery, a very ancient Semitic institution, was universal in Israel as it had been in Babylonia. Not only were captives enslaved, but many of the Israelites themselves became slaves of other Israelites. In either case, however, it was not so much an institution of oppression, as one for the protection of the alien, the poor or indebted, the weak and unfortunate. It was, in fact, the chief refuge of the poor. It was so common that little or no stigma was attached to it. Old Testament lawgivers seek only to ameliorate its harshness.

8. At the same time, however, Hebrew law established new standards of justice, love, and mercy in the ancient world.

Especially under the influence of the Deuteronomic writers, who reflected the prophetic teachers, the early fiercely vindictive exactions yielded to various compensations and other modifications. Once rude and barbarous, they were ennobled and softened. Justice was tempered with pity and a genuine humanitarian spirit. In the later legislation the Hebrew was to love the resident alien in his midst; he was also admonished: "love thy neighbor as thyself." This spirit of humaneness and love left its benign impress upon the laws of every civilized land. It was not temporal or racial but of perennial and universal application. The prophetic influence gave Hebrew law the emphasis that is now considered its chief characteristic.

IV. Prophecy

1. The Evolution of Prophecy.—Prophecy did not make its first appearance in Israel. It was common in the ancient world, being found in Babylonia, Egypt, and Assyria before it appeared among the Hebrews, in Syria, Phoenicia, and Philistia as a contemporaneous phenomenon and, after the Hebrews, in Greece and Rome. Particularly noteworthy is the fact that it was a common characteristic of the ancient Semitic people generally, and Israel, as we have seen, shared in the social, intellectual, and spiritual life of the Semitic world as a whole. A text from Ashurbanipal's library has preserved a prophecy of the fall of Babylon which dates back to perhaps the fifteenth century B.C. Prophecy played an important part in the political and religious life of both Babylonia and Assyria. The kings sought oracles and consulted seers, diviners, and soothsayers for guidance and light upon the outcome of their plans. These Babylonian and Assyrian prophets were of the priestly class and connected with the shrines. They resorted to sorcery, witchcraft, magic, and necromancy. They were wizards, foretellers, clairvoyants, and trance speakers.

The earlier Hebrew prophets had much in common with these other prophets of the Semites. They were, as the name "prophet" literally implies, "men bubbling over in ecstasy with words which they could not control."[1] Many of them depended upon nervous excitement and trance for their oracles. Because of their relations with the unseen world they were thought to be able to solve hard problems for men. Thus Saul's servant con-

[1] Barton, *A History of the Hebrew People*, p. 251.

sulted with Samuel in an effort to find the lost asses (I Sam. 9:1–10). Samuel, the prophet, reported that they had been found and announced, besides, strange happenings in store for Saul. When Saul and his servants departed from Samuel they met a "company of prophets coming down from the high place with a psaltery and a timbrel and a pipe and a harp before them," prophesying as they came along; "and the spirit of God came mightily upon Saul, and he prophesied among them" (I Sam. 10:5–10). The contagious nature of this early prophecy is specifically mentioned (I Sam. 19:20–24). This "company" or band must be interpreted as a form of guild of suggestible ecstatics, aroused by suggestion and high-strung emotion (in the form of divine afflatus) and dominated by highly contagious mob-mindedness which converted them into a state of uncontrollable frenzy. The texts dealing with these early times point to the prophets' working in bands or groups, in some cases amounting to as many as four hundred (I Sam. 19:20; II Kings 2:3, 5, 7, 15; 4:38–41; 6:1–7). They were, in fact, a guild like the priests, consecrated to the service of God. "Garbed in flowing mantles of skin or goat's hair with leathern girdles and marked upon the forehead in sign of their devotion, stepping to the wild music of psaltery, timbrel, pipe, and harp, the ecstatics "prophesied" in divinely impassioned frenzy."[1] They were much like the later Mohammedan dervishes, who, by means of music, certain rhythmical breathing, and other methods of self-incitement, produced a state of ecstatic trance almost at will. Musical instruments were a common aid in arousing the prophetic passion. Elisha needed the aid of a minstrel to have the "hand of Jahweh" come upon him (II Kings 3:6–20). Prophetic seizure was common. In the Old Testament the statement of this is "the spirit of God came upon him" (I Sam. 10:6; 11:6; 19:19–23; II Kings 3:15).

Sorcery also played its part. Late in Saul's life, for example, when beset by a host of troubles, he went to the sorceress or witch of Endor and asked her to raise up Samuel's ghost that he might question him (I Sam. 28:7–25). Here was a pure attempt to unveil the future by occult agencies.

Even at a relatively early time there was some opposition to the various kinds of magicians, sorcerers, charmers, wizards, and

[1] NOYES, *op. cit.*, p. 327.

necromancers. The early Book of the Covenant stated: "Thou shalt not suffer a sorceress to live" (Exod. 22:18). The later legislation definitely opposed such practice, and the Holiness Code went so far as to make stoning the punishment for sorcery and wizardry (Deut. 18:9–14; Lev. 18:3, 24; 20:6, 23, 27; 19:26). In the *Book of the Law* promulgated in the reign of Josiah it was ordained: "There shall none be found with thee that maketh his son or his daughter to pass through the fire, or who obtaineth oracles by lot, or a diviner, or one who observeth omens, or a sorcerer, or a charmer, or a diviner, or a wizard, or a necromancer." It must be said in all fairness that though the institutions were deeply rooted in the racial and cultural fabric, Hebrew prophecy at its best almost wholly repudiated ecstasy, trance, superstition, and fanaticism, and abandoned all efforts to superinduce such experiences.[1]

There was in the history of Israel a group of intermediate prophets of whom possibly Deborah and certainly Samuel, Elijah, Elisha, and Micajah are good examples. While some of these, notably Samuel, resorted to foreseeing occasionally, they were primarily devoted to extirpating sinfulness and idolatry and to uniting their people. They were successful in uprooting and annihilating the Tyrian Baal worship by means of the overthrow of the Omri dynasty, of which Ahab was the head; they gave the Jahweh worship a new supremacy. They were rugged and intense individuals, crude in thought but audacious, vigorous and effective in action. They were fairly practical and valiantly met some of the stern needs of their time. But they did not have the vital moral and social influence that their successors were to have. They seem to have had no consciousness of national moral guilt or social deterioration or international occurrences and the relation of these to national misfortune. Having condemned and extirpated idolatry and aided in the achievement of a degree of national unity, they apparently felt that they had no further mission to fulfill and gave themselves over to optimistic preachings of Jahweh's favor and goodness.

In the middle of the eighth century B.C. appeared the first of that galaxy that we know as the great prophets—a galaxy that continues in an unbroken line through upward of three centuries

[1] J. M. Powis Smith, *The Prophet and His Problems*, p. 47, New York, 1914.

before, during, and after the Babylonian exile of the Hebrews and includes as its greatest and most typical men Amos, Hosea, Isaiah, Micah, Jeremiah, Deutero-Isaiah, and Ezekiel. These great prophets were unique. Except for a few visions, experiences of an ecstatic order were conspicuously absent among them. Nor were they vague dreamers living, in imagination, in some far-distant future. They were analysts and critics of contemporary society, constructors of social programs and ideals, and spiritual teachers. They based their conclusions upon sober reason, careful analysis, calm reflection, the logic of experience, and a certain brooding insight. Their thinking was not mystical or abstract but practical and concrete. The note of conviction and authority which it carried grew out of their study of the economic, political, social, moral, and religious conditions of their time. They knew personally the evils and needs of their nation. Though their thought was addressed to given occasions, it was capable of universal extension. They epitomized the best social thinking and idealism of their times and were "the embodied active conscience of the nation."

The only earlier prophets on record in any way comparable to these great ones of the Hebrews were Ipuwer and Neferrohu, the prophets of Egypt.[1] Ipuwer particularly makes a pointed and comprehensive criticism of the social system, points to an impending debacle, and also depicts a perfect state in the future presided over by the perfect king. Here, as Breasted and others attest, is Messianism long before it appears in Palestine; and here also may be the culture germ which blossoms forth as the Messianic hope in the more fertile minds of the Hebrew prophets. It is probable that the prophets of Israel knew something of the activity of the prophets of Egypt. Ipuwer's prophecy, however, has elements in it not found in Hebrew prophecy. Conspicuously noticeable is the fact that he has little compassion or sympathy for the weak and oppressed and that what worries him particularly is that the established social order may be overthrown.

2. The Times of the Prophets.—To understand the prophetic thought one must understand the economic and political climates in which the different thinkers lived. During the two hundred years preceding Amos, Israel had had a variety of experiences.

[1] This prophecy was discussed at some length in Chap. II.

In the early part of this period it had suffered a civil war led by Jeroboam, a former official of Solomon's, on the one hand, who unseated the headstrong and heartless young autocrat, Rehoboam, Solomon's son; and Rehoboam, on the other, who having fled to Jerusalem, was embraced by the two southern tribes as king. This internal disorder resulted in the division of the kingdom into the northern part known as Israel and the southern, Judah. Henceforth, until Israel was destroyed they were to be political rivals though more or less united religiously. Some years later (about 926 B.C.) the land was invaded by Sheshak I of Egypt, and the treasure that Solomon had stored in the temple at Jerusalem was carried off, practically bankrupting both Rehoboam and Judah.

The next century was a time of intrigue and disaster, showing all too clearly the results of disunion. Mutual suspicions, rivalries, wars, both civil and foreign, sapped the material resources of both kingdoms. Religious conflict was commonplace, with the Jahweh worship fighting for supremacy among the various Oriental and Semitic cults under the leadership of such as Elijah and Elisha. In 842 B.C. arose the threat of Shalmaneser the Assyrian and the necessity of Jehu, wild king of Israel, buying him off. Hazael, the Aramaean ruler of Damascus, for thirty years following Shalmaneser's advance, ravaged the Jordan valley, both east and west, and forced Joash of Judah to strip the temple of all the treasures accumulated since Sheshak's raid as a bribe to refrain from entering Judah. Thus both kingdoms found themselves impoverished. Moreover, Hazael continued to harass Israel until the time of King Jehoash (800–785). Assyria was a continual threat on the north and drew into her dragnet of tribute in 797 Edom, Philistia, Damascus, Tyre, Sidon, Israel, and probably Judah. But as soon as the Assyrian armies had withdrawn, both Israel and Judah began to revive and again expanded and prospered. Jehoash, father of Jeroboam II, began to pay off old scores against Damascus, winning battles, recapturing several cities, and freeing Israel from the necessity of paying indemnity. Amaziah of Judah then became threatening on the south and was defeated and captured; Judah was looted and made a vassal of the quickly rallying Israel—a state that existed until Israel itself was destroyed by Assyria in 722 B.C.

Thus Israel was enjoying the brilliant reign of Jeroboam II (785–745), a period of peace, power, and prosperity, following one of depression and distress, when Amos, the first of the great prophets, appeared. Damascus had been defeated; the other neighboring peoples had been subjected; and Jeroboam II reigned over a kingdom extending from Hamath to the Dead Sea, the size and grandeur of which had not been surpassed since the days of King David. Israel was the strongest nation between the Nile and the Euphrates. Peace enabled the nobles and richer classes in Israel to develop the natural resources. Commerce on the main trade routes between Egypt and Babylonia, Phoenicia and Arabia, which unavoidably passed through the country, vastly increased the wealth. For a short while the Hebrews became a wealthy, urbanized, commercial people. The internal life was brilliant and stupendous. Everything breathed of luxury and riches; ivory palaces, houses of hewn stone, castles and forts, horses and chariots, power and pomp, the luxurious and idle rich all proclaiming the prosperity of the times. People felt that all was well.

In the year 760 B.C. at the great autumn festival at Bethel appeared Amos, a herdsman and sycamore dresser from Tekoa in south Judah, violently criticizing and denouncing the men and the times and predicting impending disaster. He was a man tremendously inspired but an uncompromising idealist, stern and with profound insight. He lived most of his life amidst the harsh scenery of the wild country among the Judean hills around the Dead Sea. The loneliness of his life as a shepherd and the ruggedness of his surroundings deepened much the native sternness of his soul. He had time to brood and ponder, to appraise events and contemplate consequences. At the same time, he traveled much, because of his occupation; saw much; and came in contact with many people. It was with this clarity of vision and keenness of insight that he had drawn his conclusions and arrived at his solution. Beneath the shining surface of things he saw the symptoms of rottenness and inevitable decay. The whole splendid structure of which the nation boasted was to Amos a tottering edifice, doomed to destruction.

During the twenty-five years or so following Amos the social and moral evils had become still more flagrant and accentuated. Prosperity had declined. The ethical Jahweh worship had been

perverted into a sensuous and sensual pagan nature worship. Between 750 and 735 B.C. we have the activity of the prophet Hosea, trying tenderly to woo his people back to Jahweh and the virtues that he desired. It is probable that he was a priest forced into the prophetic office by the degeneracy of his order.[1] In contrast to Amos, who was the stern moralist sitting in judgment upon his people, Hosea was deeply emotional and sympathetic, rich in his affections, with his heart torn by grief and full of pity. In him the religious element occupied the foreground. He made the religious corruption of his time, including idolatry, particularly prominent, laying less stress on the distinctively ethical side of his people's life. Like Gomer, who had turned out to be an unworthy, profligate, unfaithful wife, so Israel had given preference to another lord, Baal. The people showed no fidelity; therefore they had to be given over to perdition.

The disaster that Amos predicted and Hosea confirmed appeared both within and from without. Following the strong reign of Jeroboam of Israel, which ended 745 B.C., six kings appeared in rapid succession. By 722, two of them were assassinated by their successors, and another himself deposed and killed. It was a time of anarchy and dissolution. Kings were both murderers and usurpers. Diplomacy had become unashamed intrigue. In Judah the weak and degenerate king Ahaz permitted everything that his father Jotham had done in the way of restoration to go by the board. His kingdom was assailed by neighbors with disastrous results.

From 734 on appeared the Assyrian menace which Amos had predicted. During the next two years Tiglath-pileser took Damascus, the east Jordan territory, and all Galilee. Soon Shalmaneser IV, the new king of Assyria, invaded Israel; defeated its army; and in 725 laid siege to Samaria, its capital, which fell after three years into the hands of his son Sargon II, Shalmaneser having died in the meantime. The conqueror then in 722 deported to Mesopotamia and Media over 27,000 of its wealthy, aristocratic, and intellectual classes and any others who might make trouble. The partly depopulated land of Israel was then refilled with colonists from northern Syria and Babylonia. Thus

[1] See J. O. HERTZLER, *History of Utopian Thought*, pp. 14–15, New York, 1923.

the national spirit of Israel was completely broken. In fact, both those expatriated in Babylon and those who were left behind were quickly absorbed into the populations among whom they lived. The "lost ten tribes" merely lost their independent national and cultural identity. Henceforth Judah exclusively occupies our attention, for it is the carrier of Hebrew thought.

From 740 to 700 B.C. Isaiah was one of the outstanding characters of the southern kingdom. He stands out in marked contrast to his prophetic predecessors. Amos was a man of lowly station, a sheepherder and nature man, self-tutored and disciplined by experience. Hosea was a priest. But Isaiah was a noble and courtier, by some accounts even of royal birth. He was an inhabitant of the capital city, a scholar acquainted with the history and literature of the past, and also one who participated in the revival of culture and learning of the reign of Hezekiah (720–692). Unlike his predecessors, Isaiah did not hold himself aloof from the political life of his time but spent nearly half a century as the councilor, advisor, and critic of kings, playing a vital role in the politics of his day. He assumed the role of the practical statesman, watching the intrigues of the rulers, seeking to circumvent their secret plans, denouncing their wicked and faithless policies, and approaching them with precise directions as to the course that they should pursue in certain critical situations. His was a strong and commanding personality which enabled him to exercise great influence upon the political and religious issues of the day.

During the latter years of the activity of Isaiah Jerusalem was at the very center of world politics. Sennacherib was trying to hold on to the empire developed by his father Sargon II, but his rule in the east was being disputed by the new Chaldean king Merodach-baladan. While Sennacherib was thus engaged, Shabaka, an Ethiopian king of Egypt, had formed a league of peoples at the east end of the Mediterranean, in which Judah was included. Jerusalem was the rendezvous of all those participating in this intrigue because it was the one impregnable fortress in all this rebel region. In all this Hezekiah, king of Judah, in spite of good advice and counsel, was a dupe and tool of both Egypt and Merodach of Babylon. Sooner or later he would have to pay for his duplicity and folly. Sennacherib having disposed of Merodach fell upon the east Mediterranean country

like a thunderbolt. The league was broken up; kings fled or humbly submitted; cities were besieged; the Egyptian army was beaten; Jerusalem was threatened. Hezekiah to save Jerusalem had abjectly to submit, pay an enormous indemnity, and see his territory divided among Sennacherib's vassals. Isaiah had to view these ill-advised and rash procedures after having for more than thirty years advocated policies that would have prevented the humiliation and catastrophe that occurred.

Though a failure in diplomatic intrigue, Hezekiah did carry out fairly extensive internal reforms, largely due to the activities of Isaiah and Micah. The temple was cleansed; the heathen altars and other symbols were destroyed; and Jahweh was again enthroned as the national God. An endeavor was also made to put Israel's moral house in order; abuses were corrected, and social problems cleared up. Similarly an attempt was made to gather up the fragments of the national religious literature and preserve it. Hezekiah tried to profit by the teachings of the great reformers who had appeared just before and during his reign. He also carried on extensive schemes of fortifications, improved the water supply, and developed certain other military resources.

Of Micah we know little except that he lived from about 759 to 679 B.C., during the reigns of Jotham, Ahaz, and Hezekiah, kings of Judah. He was a younger contemporary of Isaiah and undoubtedly his colleague and friend. He was probably a village peasant of the region bordering on Philistine territory, along the pathway of invading armies. Unlike Isaiah, who took an active part in political affairs, he preferred the part of a distant but keen observer. In his predominant ethical tendency he was much like Amos; in his softer moods, he shows the sad, deeply religious nature of Hosea.

From Micah to Jeremiah there was a lapse of sixty years or more. Judah was passing through the long reign of King Manasseh (692–638 B.C.). Manasseh, unlike his father Hezekiah, saw the folly of coquetting with Egypt and faithfully paid his tribute to Ashurbanipal of Assyria, though all around him Assyrian dependencies were continually revolting. He even sent a contingent of troops and ships to Ashurbanipal when he undertook a campaign against Egypt in 688. Assyrian, and hence Babylonian, ideas were flowing freely into Judah. Manasseh, forgetting his father's efforts, opened the temple to Babylonian

religious practices which again spread like wildfire among the people. Other ancient Semitic religious ideas and practices were restored, including the dependence on magicians and mediums. These crude atavistic faiths were accompanied by a backsliding into licentiousness. The old grafters and idolaters, whom Isaiah and Micah had succeeded in driving to cover, again appeared and carried on their nefarious works.

At the beginning of Jeremiah's period of activity (626–585 B.C.) Ashurbanipal died, and under his successors the power of Assyria steadily waned. In Egypt, on the other hand, a powerful new dynasty had just been established. Also between 620 and 610 B.C. a horde of uncivilized Scythians from the plains of what is now southern Russia poured into Asia, one section coming down the east Mediterranean coast, finally being stopped by the Egyptian king at the border of Egypt; another section spreading into Media and bringing widespread desolation to the Assyrian empire. Neither section ever invaded the hill country of Judah, but as a threat they had a paralyzing effect.

In 606 B.C. Nineveh fell at the hands of the allied Medes and Chaldeans. At the same time the Egyptian hosts under Pharaoh-Necho were attempting to secure for themselves certain coveted portions of the heritage of Assyria, one part of which happened to be Syria. In 605, Nebuchadrezzar met the forces of Necho and decisively defeated them. This gave Syria and Palestine to the new Babylonian empire, in whose power they remained until the capture of Babylon in 538 B.C. The last forty years of the seventh century were a period of almost universal unsettlement, disruption, and distress of nations. Judah as a small buffer state naturally suffered fearfully as the result of these epochal world movements.

Internally there was alternate order and chaos. Amon, son of Mannaseh, was assassinated by people attached to the court. Josiah, his son, was placed on the throne as an eight-year-old boy. Coming early under the influence of the priestly group, at the age of sixteen he was ready to carry out their policy and at twenty-six was actually leading in reforms—a house cleaning both religious and moral, more thorough than ever Hezekiah's had been. Particularly significant, however, was the fact that under Josiah's leadership the law was written and made the first constitution of the Hebrews. A new emphasis upon the literal interpretation

and actual living out of the law followed. Idols were destroyed; love was established as the fundamental principle of religion and conduct. The people achieved a new concept on of duty. A period of twelve years of happiness and prosperity followed, the noblest period in Judah's history. Josiah was himself a strong, virtuous, patriotic, and high-minded ruler. But then came the campaign of Necho mentioned above, and Josiah's reign was cut short by his tragic death on the battlefield of Megiddo where his troops, Assyrian in allegiance, attempted to stay the eastward advance of Necho. His younger son, Jehoahaz, proclaimed king by the people, was three months later carried away as a captive. In his stead Jehoiakim, elder son of Josiah, ascended the throne as a vassal of Necho. With the subsequent change of hands, he became tributary to Nebuchadrezzar. In 597 B.C. the people revolted, and before the Babylonian army could reach them, Jehoiakim died and was succeeded by his son Jehoiachin. After a brief reign of three months he was forced to surrender to Nebuchadrezzar and, along with his princes, nobles, and many of the priests, was carried captive to Babylon. The passionate longing for independence again asserted itself under the new king Zedekiah and led to another revolt which resulted eventually in the capture and destruction of Jerusalem in 586 B.C. The entire population of the city was carried into exile. What was left in Judah in the way of personnel after the sifting of 597 and this last one, was, with a few exceptions, notably Jeremiah, the poorest of the land. In 581 many of the Hebrews left in Judah, afraid of the wrath of Nebuchadrezzar when his governor in Judah was assassinated, fled to Egypt. The Hebrews were then in three fragments: the largest but least competent portion still in Palestine, where they were cruelly pressed by the surrounding peoples; the next largest part in Egypt scattered from the border to Elephantine in upper Egypt; the third, the wealth and culture, brains and skill of the Jews, which had been transplanted by the rivers of Babylon.

Jeremiah's prophetic activity (626–586 B.C.) covered this period of chaos and destruction of his people. He was born about 650 B.C. at Anathoth, a small village near Jerusalem. He came of a priestly family, descended through Abiathar, the high priest of David, from Moses;[1] and the impression is that he did not live in

[1] C. H. CORNILL, *The Prophets of Israel*, p. 92, Chicago, 1895.

poor circumstances. He was carefully educated, proficient in Israelitish lore, and trained to regard and cherish the proudest and dearest recollections of the past. Jeremiah was tender and emotional. While Amos was filled with wrath at the backslidings and mistakes of his people, Jeremiah was oppressed by grief. He was more like Hosea—tender, sympathetic, preeminently devout. Unlike Isaiah, who was strong, self-reliant, equal to any occasion, brilliant in literary power and in majesty of conception, Jeremiah was rather weak by nature, timid, distrustful of his own powers. His outstanding characteristics were his depth of feeling, his insight into human nature, his power of sympathy, and his grasp of great spiritual truths.

The scene of Ezekiel's ministry was in Babylon. He was among those "good figs," to use Jeremiah's expression, who were carried off to Babylonian captivity by Nebuchadrezzar in 597 B.C. These and the exiles of 586, probably not more than 35,000 in all, formed an organized community, presided over by elders, on the banks of the canal Chebar. Here the Jews were a people without country or king. They became a group held together by cultural unity, especially religion. Keenly alive to the necessity of preserving their religion and their past, they turned to history writing and law collection and codification. This whole they set in a framework of moral interpretation. The synagogue, an institution expressive of their position in a strange and somewhat hostile land, developed. It was a combined community center, school, meeting place of the elders, and place where the spirit of religion and brotherhood was kept alive. Henceforth, wherever the Jew went, he took the synagogue.

The prophet of this exilic period is Ezekiel. He was the son of the priest of Buzi of the temple of Jerusalem and had doubtless received his youthful training in the temple, where he later served as priest. In temperament he was stern and severe, strong and relentless. As a man he was of a thoroughly practical nature with sharp perception of the needs of his age and a lofty moral earnestness. He was harsh and resolute in his condemnation of the sins of his nation, intense in his zeal for righteousness, and bold, almost dogmatic, in proclaiming his convictions. His was a great capacity for grand and impressive conceptions.

With the rise of Cyrus and the overthrow of the Median supremacy, the Jews were free to return to Jerusalem following

the edict of 538 B.C. A few, especially the Levites, did. The mass, now established and prosperous, remained in Babylon. In Jerusalem the temple was restored, and Jahweh worship reestablished. The next hundred years was one of trials and tribulations. The fortunes of Persia fluctuated. The restored Jews were subject to attacks from their neighbors. The old devotion to the temple had died down. Poverty was the fate of many, and persecution the common lot. In 445 B.C. Nehemiah, under the protection of Artaxerxes, came to the rescue. He reorganized the city, rebuilt its walls under great odds, established government, and carried out various moral reforms. Among this downtrodden yet purified Israel appears the nameless Second Isaiah, the greatest character of his age, and one of the greatest of all ages. Of his life we know nothing, since he did not attach his name to his writings, nor did he anywhere give us those intimate extracts of his personal life found among some of the other prophets. With him great prophecy ceases.

3. The Social Ideas of the Prophets.—The prophets made various pronouncements of great significance for the student of social thought. They launched ideas, viewpoints, and interpretations still current today. As profound students of society, they appraised the conditions of their time and the dangers that threatened, laid down principles of correction, and held up luminous ideals. The problems that the prophets had to face were essentially those connected with the breaking down of a social order—one called upon to endure the breaking up of the social, economic, and political systems of the time, and one in which a culture was in continual subjection to dilution and modification.

a. The Prophets as Social Critics.[1]—Without exception, the great prophets, being the competent students of society that they were, were able to perceive causal factors and processes at work which were harmful to any society and which would eventually lead to its dissolution. In this regard they played an unpopular role, for beyond what most looked upon as eminently fitting and good, they saw the inevitable antisocial effects.

Beneath the shining surface of things in this rich and self-satisfied period Amos saw the symptoms of rottenness and decay.

[1] I am dependent upon my earlier study, *The History of Utopian Thought*, pp. 7–50, for practically the entire content of this section.

Israel in his day had become urbanized. The free practice of agriculture had given way before the necessities of military organization as the result of the long-continued hostilities with Syria and other surrounding peoples. The insecurity of life in unwalled villages had fostered the growth of cities; the people were forced to embrace mercantile and civil pursuits, always fraught with social dangers. New avenues for trade and commerce were opened up. There was the superficial patriotism, the passion for quickly made money, dishonest trading, callous harshness, and the great gulf between rich and poor. In the material prosperity on which the people laid so much stress he saw the social evils which it had fostered. The prosperity was built on false foundations. It was the luxury of the few at the expense of the toil of the many. The wholesale exploitation of the poor was noticeable (Amos 4:1; 5:12). The merchants swindled by selling bad grain, giving short weight, and charging exorbitant prices (5:11; 8:4–7). The courts were corrupt and venal (2:6); justice was poisoned at its source by the love of money. Tenants were at the mercy of landlords. Shameless oppression was to be seen at every hand. Everywhere there were greed, robbery, violence, and injustice at the expense of the poor.

On the other hand, profligate extravagance and debauchery characterized the life of the fortunate classes. The rich idlers in their sumptuous palaces lying on couches of ivory with damask cushions gorged themselves with the choicest of the flocks; imbibed the costliest wines; and anointed themselves with precious oils (6:4–6). Unchastity was general. The voluptuous and iniquitous women, whom Amos speaks of as the kine of Bashan, were even more extravagant and avaricious than the men. Poverty, suffering, and exploitation, foolish pride, shameless luxury, and general corruption were what he saw as he examined his society.

The whole life of the body politic in Israel was bound up with its religion, and that also was perverted. The religious rites had become vicious. Revelry and tumultous carousings marked the festivals; drunkenness and indecency together with the most licentious debaucheries were common at the local shrines. For Amos the sacrifices carried on were contemptible—a multiplication of transgressions (4:4). Amos has Jahweh say:

I hate, I despise your feasts, and I will take no delight in your solemn assemblies. Yea, though ye offer me your burnt-offerings and meal-offerings, I will not accept them; neither will I regard the peace-offerings of your fat beasts. Take away from me the noise of thy songs; for I will not hear the melody of thy viols (5:21–23).

In Hosea's time the prosperity had diminished; hence the social evils took on different forms. Politically the nation was rapidly approaching bankruptcy. Kings were both murderers and usurpers; distrust was everywhere rife; current diplomacy was little more than intrigue (Hos. 8:4; 13:10 *ff.*; 7:11). Sensuality flourished; robbery, murder, and fornication were everywhere at hand (4:2; 6:9, 10; 7:1, 4; 9:10; 10:11–14). Especially to be denounced from his point of view was the detestable vileness and hypocrisy of the priests, with whom the false prophets were in league. The religious leaders were callously indifferent; they failed to lead and direct the people—there is even the imputation that they deliberately engaged in various extortionate dishonesties (4:6, 8, 9; 6:8). The worship also was corrupt, with its orgies and debaucheries borrowed from Tyre when Jezebel became queen of King Ahab.

Isaiah's conviction as to the social, moral, and political rottenness of his times is as strong as that of Amos and Hosea:

> Ah sinful nation, a people laden with iniquity,
> A seed of evildoers, children that deal corruptly (Isa. 1:4).

He denounced the rulers and upper classes as most to blame for the wretched spectacle of tyranny, hard-heartedness, and degrading wickedness prevalent in the land. The men of authority were selfish, heedless, and cruel. All the imitated classes were shot through with cupidity, insolence, and dissoluteness. Jahweh says to the elders and rulers:

> It is you who have eaten up the vineyard; the spoil of the poor is in your houses; what mean ye that ye crush my people and grind the faces of the poor? (3:14–15).

The women were haughty and given to ostentatious display; they were vain and extravagant (3:16–26). The priests and prophets gave themselves over to drunkenness and carousing, and consequently "they err in vision, they stumble in judgment" (28:7–10).

The common people with such examples before them had become infected with the callousness and corruption about them, had admitted gross accretions and admixtures to their religion, and "say to the seers; See not; and to the prophets, Prophesy not unto us right things, speak unto us smooth things, prophesy deceits" (30:10–11).[1]

Micah also sees various corrupt influences at work. The princes and judges are in league with the unscrupulous rich.

> Their hands are upon that which is evil to do it diligently; the prince asketh, and the judge is ready for a reward; and the great man, he uttereth the evil desire of his soul; thus they weave it together (Mic. 7:3).

In fine figurative language he puts it thus:

> Ye princes of the house of Israel . . . who hate the good and love the evil; who pluck off their skin from off them and their flesh from off their bones.
>
> Who also eat the flesh of my people and flay their skin from off them; and they break their bones and chop them in pieces, as for the pot, and as flesh within the caldron (3:1–3).
>
> The heads thereof judge for reward, and the priests thereof teach for hire, and the prophets thereof divine for money (3:11).

The exploiters unjustly take houses and fields and inheritances as their own, not hesitating to use violence (2:1–2; 6:12). The trades are deceitful with their wicked balances and scant measure (6:10–11). There is no reliable friendship or domestic honor.

> Trust ye not in a neighbor; put ye not confidence in a friend; keep the doors of thy mouth from her that lieth in thy bosom.
>
> For the son dishonoreth the father, the daughter riseth up against her mother, the daughter-in-law against her mother-in-law; a man's enemies are the men of his own house (7:5–6).

Micah is the critic who saw particularly the abuses to which the yeoman and peasant classes were subjected.

While the political conditions in Jeremiah's time were desperate, the social, moral, and religious affairs, as he interpreted them, were even more serious. There had been a progressive deterioration of the people since the terrific pronouncements of Amos a century and a half earlier. The people were more hardened to

[1] On Isaiah as critic, see S. R. DRIVER, *Isaiah: His Life and Times*, pp. 108, 109, New York, 1888.

their evils; they were worse than their fathers (Jer. 16:12) and transgressed not unconsciously but willfully. While Jeremiah did not dwell so long upon social evils as did Amos, he did mention some of the sins of which the people were guilty. Among these were vanity (2:5); hard-heartedness (5:28); covetousness (22:17); lies and swearing (9:3; 23:10; 29:23); deceit (5:27; 8:5; 9:5–6); adultery, lewdness, unashamed licentiousness (5:7; 8:12; 9:2; 13:27; 23:10; 29:23); prevalence of dishonesty and cheating (23:13); and murder (7:5–9; 22:17). There was widespread and insolent profligacy and impurity. Irreligion was sweeping the land (11:10, 22:9). The people were ridden with vicious false prophets (2:8; 5:13, 30–31; 14:14; 23:9–16, 25:27; 29:8). The priests were utterly corrupt; heathenish customs were everywhere (13:27; 19:4); even child sacrifice had been reintroduced (7:31; 19:5). The people were steeped in a lifeless ritualism, combined with an easygoing moderatism, the end of which was utter corruption. It was an age needing a jeremiad.

The charges that Ezekiel brought against his compatriots in exile were in many respects similar to those found among the preceding prophets, though in some cases more severe. The people, and especially the princes, had been guilty of oppression and immorality. Gross acts of injustice were committed upon the poor, the defenseless, and the godly patriots. The nobles shed blood "every one according to his power." Men sold testimony against the truly innocent which led to murder; they carried on sharp, greedy business practices; they exacted usury and were harsh and unjust to debtors. The strong oppressed the weak; orphans and widows were abused and cheated; filial duty had been wanting; horrible immoralities, lewdness, sexual abomination, and murder were flagrantly rife (9:9; 11:6, 22). Idolatry and other heathen vices profaned the worship (6:1–14; 8:1–18; 16:1–43). False prophets were lying to the people, misleading them by concealing the actual, frightful condition of their social structure (13:1–7).

Deutero-Isaiah's people, in their humiliation and depression of spirit, needed comfort and encouragement. Hence he was sparing with his criticism and rebuke. This does not mean, however, that he took no account of their transgressions and shortcomings. He reminded them repeatedly that their sufferings and misfortunes were the result of their own sins (42:24–25;

43:27; 50:1). They had dealt treacherously from birth (48:8) and had eyes that saw not and ears that heard not (42:18–20). Insincerity, obstinacy, and idolatry were among their faults (48:1–5).

The prophets were concerned about the health and soundness of the community and the welfare of the people as a whole. Since it was the acts of individuals that impaired this social life of the nation, they pointed out in detail those that were particularly involved in the social chaos about them.

Such abusive practices, individual and social, and such social conditions as they discerned produced inexorably certain results. Cause and effect were clear. Below, some of the effects will be discussed.

b. Advocates of Justice.—While all of these great prophets believed in justice and pleaded for it, several of them discussed it specifically. The sum of the message that Amos proclaimed with such elemental power was that a society founded upon social injustice could not endure. He admonishes men with tremendous, and oftentimes a terrible, earnestness to

> Let justice roll down as waters, And righteousness as a mighty stream (5:24).

Again he says:

> Hate the evil, and love the good, And establish justice in the gate (5:15).

Isaiah, equally desirious of justice among men, says:

> Cease to do evil; learn to do well; Seek justice, relieve the oppressed, Judge the fatherless, plead for the widow (1:16–17).
>
> Zion shall be redeemed with justice, And her converts with righteousness (1:27). Woe unto them that decree unrighteous decrees And to the writers that write perverseness; To turn aside the needy from justice And to rob the poor of my people of their right, That widows may be their spoil And that they may make the fatherless their prey (10:1–2). Jehovah is a God of justice (30:18).

Micah inveighs against those who forget or abhor justice (3:1, 9) and in the memorable passage trenchantly asks:

> What doth Jehovah require of thee, but to do justly and to love kindness and to walk humbly with thy God? (6:8).

Jeremiah asks whether in all Jerusalem a man can be found who does justice (5:1) and believes that the needy never get it (5:28). He has Jahweh utter:

> If ye thoroughly amend your ways and your doings; if ye thoroughly execute justice between a man and his neighbor;
> If ye oppress not the sojourner, the fatherless, and the widow and shed not innocent blood in this place, neither walk after other gods to your hurt:
> Then will I cause you to dwell in this place, in the land that I gave to your fathers, from of old ever for evermore (7:5–7).

Ezekiel gives an elaborate catalogue of the various lines of action constituting justice, many of them also reflected in the humane legislation of the Deuteronomic and Holiness codes (18:5–27). He also exhorts the princes to execute justice and again enumerates a series of specific requirements (45:9–12).

The literary prophets were intensely preoccupied with the struggle for justice. There is a steady and unwavering devotion to this fundamental theme throughout their times until in the postexilian Isaiah we have the assurance that the idyllic king "shall bring forth justice."

> He will bring forth justice in truth. He will not fail nor be discouraged, till he have set justice in the earth; and the isles shall wait for his law (Isa. 42:1–4).

In the rapidly changing world — fluid, unsettled, uncertain, doubtful—in which the prophets carried on their ministries, the backward classes were the ones suffering at the hands of the kings, nobles, and elders—the ruling and property-holding classes generally—for they withheld legal and economic justice; they denied the peasants and urban proletariat commonly accepted social rights. The unjust were chiefly rich persons, intent on acquiring, by means fair or foul, more land and more slaves. Those suffering injustice were the defenseless of whatever station, the widow and fatherless children, the impoverished without a helper, the sojourner lacking civil rights. The needy and oppressed and underprivileged thus needed champions, else they were in danger of being crowded into the lower, enslaved class. These underdogs were the objects of solicitude on the part of the

prophets. The "false" prophets were, on the whole, those who supported the wealthy and approved their acts.[1]

In the opinion of these social analysts, the literary prophets, the social evils and the injustice inevitably brought certain consequences. Most of them also outlined the nature of these consequences.

c. Predicters of Punishment and Doom.—The sum of the message that Amos proclaimed with such elemental power was that a society founded upon social injustice could not endure; and that its doom as a nation was inevitable and irrevocable. The nation was being broken down from within by its own tyrannical, indolent, and dissolute leaders; processes of decay and disruption were at work tending to bring about a disintegration of the society as a whole. It was also a nation soon to be broken down physically and politically by the deadly onslaught of the Assyrians. No other fate could be in store for a nation that crushed its poor, pandered to its lusts, and permitted the perversion of its most basic institutions.

An erring, unfaithful nation, which did naught but break faith and kill and steal and commit adultery, according to Hosea, must also be given over to perdition. "For they have sown the wind, and they shall reap the whirlwind" (Hos. 8:7). Isaiah also considered the judgment as unavoidable. The people as a whole were too utterly corrupt, apathetic, and spiritually blind. Having violated all their rules and enactments, temporal and spiritual, they could not survive but would be destroyed. A visible and physical, a mighty and irresistible judgment would fall upon the nation. The people would be punished by material suffering; privation, captivity, and death would be their lot.

The clear-sighted prophet Micah warned his people of a judgment even more severe than that which Isaiah announced. He had Jahweh threaten:

> I will make Samaria as a heap of the field and as places for planting vineyards; and I will pour down the stones thereof into the valley, and I will uncover the foundations thereof.
>
> And all her graven images shall be beaten to pieces, and all her hires shall be burned with fire, and all her idols will I lay desolate (1:6–7).

[1] On the *mishpat* (justice) ideas of the prophets, see L. WALLIS, *Sociological Study of the Bible*, pp. 141–202, Chicago, 1912.

Therefore shall Zion for your sake be plowed as a field, and Jerusalem shall become heaps, and the mountain of the house as the high places of a forest (3:12).

Jeremiah also felt that the people were doomed, that the disaster was not only inevitable but imminent. He, with his fellow prophets, felt that nothing short of the overthrow of the whole social structure would bring people to a realization of the true nature of the state of affairs (13:23; 17:1–3). Only after a long period of suffering in exile would they be cleansed from their errors and their corruption (13:24–27). Ezekiel, on the basis of the social situation as he saw it, also predicted the doom of his people (7:2–4; 30:7). Deutero-Isaiah's racial contemporaries were suffering national humiliation and depression of spirit. Hence he had no threat of invasion or destruction.

d. The Philosophy of Redemption.—Though the prophets recognized that the social and historical processes at work were unavoidably to result in the disintegration and finally the destruction of their people, each offered a formula for reconstruction or restoration, though, at best, they expected only a "remnant" to heed these instructions and admonitions. Thus the exhortations of Amos were social in their nature. The sins that he denounced were social sins—wrongs done to the neighbor, especially the helpless neighbor. Jahweh required not sacrifice but righteousness between man and man. Doing justice in society, bringing about fair play between man and man was the end. In the good society service and not ceremonial would be the test. The ideal for which he so passionately pleaded was a well-ordered society, animated by the spirit of justice and fair play. This new, perfect society was to come about by a complete change, both individually and nationally, in social relationships. This, in turn, depended upon a molding anew of the social ethics, the quickening of men's innate sense of right and justice, and a perception of the moral purpose of Jahweh in the universe.

Hosea's philosophy of redemption centered about the principles of love and faithfulness. Jahweh wanted pure love and faithfulness rather than sacrifices. As the people conformed themselves to this standard, so would they approach perfection (2:21–23; 5:15; 6:1–3, 6; 14:4). The central idea of Hosea's teaching expressed throughout his pages was that fatherly love was the foremost attribute of Jahweh and that it alone was the

great reconstructing force of which society could avail itself in order to work out its redemption. But it was not only the love of Jahweh for Israel of which he spoke, for in catching his spirit we feel that he also emphasized the love of man to man as a fundamental reconstructing agency in human society.

Isaiah's theory of social reconstruction presented a considerable variation from that of Amos and Hosea. It was a fruitful and positive program of salvation by faith and centered about his own expression, "If ye have not faith, verily ye shall not endure" (7:9). Only by relying utterly on Jahweh could the people hope to attain the perfect future life. "By repenting and remaining quiet ye would have been delivered; in quietness and pious trust ye would have found your strength" (30:15; 7:4; 8:12*ff.*; 28:16*ff.*). The material strength and political security of the nation rested on trust and faith rather than on force or intrigue. Isaiah, more emphatically than any other, insisted that mankind endures, progresses, and attains perfection not so much by means of material forces or the prevalent doctrine of political necessity as by the purely ethical and spiritual forces (6:3–8; 28:17; 2:10–12). When these essential forces are not in the ascendancy, the life of nations as well as of individuals is doomed to wastage and destruction; when they are, there will be advance, enlightenment, peace.

Micah's conception was summed up in his famous phrase: "To do justly and to love mercy and to walk humbly with thy God" (6:8). Justice, mercy, humility—here are the touchstones and essence of religion and social conduct.

Jeremiah was the first great exponent of individual accountability.

> Every one shall die for his own iniquity; Every man that eateth the sour grape, his teeth shall be set on edge (31:29–34).

He made the individual the motor and motivator of social betterment and placed upon him responsibility for his own activities. The family and the nation were no longer the unit in social and spiritual betterment.

Ezekiel made this idea of individual retribution the dominant feature of his work. If social perfection comes to pass, it will not take place by wholesale, but each individual must be dealt with separately. Moreover, the individual must himself con-

sciously desire this change. It is within the power of every individual to change his own character (18:21–32; 33:10–20). The good society will be as good as the individuals in it make themselves.[1]

Deutero-Isaiah's thought was not unlike that of his predecessors. The external restoration reposed entirely upon the internal redemption of the people (55:7; 56:1, 2). This installation of a world of righteousness was open to all mankind (49:6; 51:6, 8). When the Israelitish nation was crushed and scattered by the foreign invasions, and its people carried into exile or forced to flee to strange lands for protection, the prophets began to address themselves to the individuals and placed importance upon individual change of character and individual responsibility. As such it was a formula capable of universal application.

e. The Ideal Social State and Messianism.—Throughout their history the Jews have looked not to a past golden age but to the future, to "the end of days," as their favorite phrase puts it. From the days of the patriarchs; through the Egyptian slavery; through the time of Moses; through the illustrious days of David and Solomon; through the trying days of the decline and fall of their political nation; through the Exile; through the time of Persian, Greek, and Roman vassalage; down to the present the ideal of a perfect future has grown and developed in the consciousness of the people.

When David became king he became the type and ideal of a model king, a Messiah or "anointed one," that is, one chosen to be a divine instrument in inaugurating a perfect, blissful, and virtuous social state. David was the ideal hero who braved the enemy undaunted, who conquered nations, established peace, brought prosperity, and molded the solidarity of the nation. The division of the kingdom only intensified the desire for an ideal stable government based on pure morality and lofty ideals.

This concept was one of the major preoccupations of the prophets. They sought to prepare the people for residence in the ideal future state, conceived in ethical and social terms. With the development of prophecy this ideal state came to center more and more about the Messianic hope, the hope for the Messiah or coming deliverer through whose instrumentality the glories of

[1] For comment on this idea, see HERTZLER, *op. cit.*, pp. 38–39.

the future age were to be realized. To prepare themselves for residence in this perfect state, the people had to undergo an evolution, a change which was essentially moral and spiritual in its nature. The prophets demanded of the people not only proper human relations but also an extrahuman supramundane, theocratic relationship.

For the remnant, at least, the prophets considered this process of regeneration as natural and realizable, and they expected the nation to be eventually restored to this perfect and transfigured Messianic state. The later literary prophets broadened the conception of the Messiah and of the Messianic period so as to include not only Israel but all the nations of the earth.

At the end of the work of Amos after he had violently denounced the people and thundered their inevitable doom, there is briefly sketched a halcyon utopia to come. A large number of present-day critics agree that this may have been added at a later date by a reviser to add the necessary element of hope required at some time of particular social stress. At any rate, it is a reflection of Hebrew thought. In the overwhelming ruin which was at hand the sinful members of this nation, the bulk, were to perish, but the residue, comparable to the good grain which passed through the sieve and remained upon the threshing floor, were to be collected into a new perfect kingdom centering around the reestablishment of the shattered power of the Davidic house and characterized by its former integrity, splendor, and power. In that reestablished kingdom there was that abundance of physical blessings characteristic of a perfect environment (9:9–15). Such was the picture of the Israel worthy of being reinstated in its ancient home, a nation purged of transgressions, purified, idealized.

Hosea also has the idea of a perfected, united kingdom when "the children of Judah and the children of Israel will be gathered together and appoint themselves one head" (1:10–11), a head specified as "David their king" (3:5). Of the perfect state but scattered glimpses are obtained (1:10, 11; 2:14–23; 3:1–5; 14:1–8). He apparently used these utopian fragments as a lure to woo the people to obedience and right. His is a picture of a rehabilitated, purified people after a new betrothal or covenant with Jahweh. Right and justice, grace and pity, love and faith will be the blessings of this new time. The bow and the sword shall be broken,

and the battles shall be ended; the earth shall bring forth its wealth of products. It will be a righteous and peaceful people living in harmony with Jahweh and enjoying physical abundance (2:18–22).

With Isaiah, the Hebrew thought on utopias and Messianism reached its peak. The utopia ceased to be a national one and became universal. No finer conception of transfigured society has ever been conceived. In his first Messianic prophecy, presented early in his ministry (9:14–22), he discussed the ideal king. Barton thinks that he has in mind the Assyrian king Tiglath-Pileser as a model.[1] The king's name was to be called "Wonderful Counsellor, Mighty God, Everlasting Father, Prince of Peace" (9:6). He was to show military thoroughness and statesman-like ability. It is known that Tiglath-Pileser carefully planned his battles and skillfully executed them and then took great pains to secure the future peace of the territory by means of a well-organized government.

The really sublime anticipation came in Isaiah's later years. This imagined state is to be governed by a righteous king who shall so reform the nobles and princes that they shall be a true aristocracy, the protectors and helpers of the people (32:1). He is to be a descendant of Jesse, hence a Davidic king. He is to be endowed with all the gifts of the practical ruler, having strength and wisdom, the spirit of counsel and quick understanding, and a highly developed religious sense. He will be a righteous and faithful ruler, protecting and elevating the weak and crushing the wicked oppressors (11:1–5). Physical human sufferings and afflictions shall cease: "Then the eyes of the blind shall be opened, and the ears of the deaf shall be unstopped. Then shall the lame man leap, and the tongue of the dumb sing" (35:5–6). There will be a moral and intellectual improvement of the rank and file. Those who are now dull shall learn to use their eyes and ears. Men in general will learn to judge truly and call things by their right names. To work iniquity and practice hypocrisy will be unknown (32:3–6).

All nature shall be tranquil and bring forth in abundance. The wilderness and solitary places shall be tilled; "the desert shall rejoice and blossom as the rose (35:1). Even that which remains rough pasture will be made safe for flocks. "And the parched

[1] *A History of the Hebrew People*, pp. 264–265.

ground shall become a pool, and the thirsty land springs of water" (35:7).

The animal world will be regenerated.

> The wolf also shall dwell with the lamb, and the leopard shall lie down with the kid; and the calf and the young lion and the fatling together; and a little child shall lead them. And the cow and the bear shall feed; their young ones shall lie down together; and the lion shall eat straw like an ox. And the suckling child shall play on the hole of the asp, and the weaned child shall put his hand on the cockatrice's [or adder's] den. They shall not hurt or destroy in all my holy mountain (11:6–9).

It shall be a day of universal peace. Nations "shall beat their swords into ploughshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more" (2:4). It will be a wonderful time; all will be happiness and contentment. "The ransomed of the Lord shall return and come to Zion with songs and everlasting joy upon their heads; they shall obtain joy and gladness, and sorrow and sighing shall flee away" (35:10).

This idyllic state was the first true and adequate conception of a Messianic reign among the prophets. This conception and that of Micah were products of their age. The extinction threatened by the pressing encroachment of Assyria and the turmoil within caused men to turn anew to thoughts of the Messiah's glory—of a hope that in due time God would create a new and higher social and moral order in the world.

Micah's statement of the Messianic reign was briefer but in many respects similar to that of Isaiah. The king shall be of Davidic origin (5:2). The new world shall be a union of many nations. It shall be a state of universal peace, and in the exact words of Isaiah, "they shall beat their swords into ploughshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more." The lame, the outcast, the afflicted will be fairly treated. Jahweh shall have dominion over all (4:1–7).

The picture that Jeremiah drew is not the superlatively beautiful one of Isaiah. Yet it was sufficient to show that he believed in an ideal future social state which was to come to socialized and spiritualized people who should passionately desire it. It will be a marvelous restoration of the various remnants of Israel

brought together from the ends of the earth (23:8; 30:3, 8; 31:8; 33:15), and they shall be governed by a righteous branch of the house of David, who shall execute judgment and justice on the earth (23:5). They shall be ministered unto by a purified family of Levites (33:22); and they shall walk by the rivers of waters in a straight way, wherein they shall not stumble (31:9). Mourning will be turned into joy, and both young and old will rejoice and be merry (31:13). The temporal blessings will be profuse (31:12); goodness and prosperity shall be abundant; palaces shall be rebuilt, and communities restored (30:18–20); Jahweh of righteousness shall keep watch over His own, and the people from the least to the greatest shall all know Him (31:34). Thus as the result of divine interposition will a new social, moral, and religious order be established.

Ezekiel really has two more or less distinct treatments. In Chaps. XXXIV and XXXVII we have his conception of a future Messianic state which in its main outlines does not differ materially from that of the preceding prophets. It is a glorious restoration of both Israel and Judah (37:15–28) to their former land, which is again blessed with great productivity and abundance. The people will be cleansed of all their abominations and transgressions, and all will be blessed, secure, and happy (37:23). They shall be shepherded by a Davidic king (34:24; 37:24, 25).

In Chaps. XL to XLVIII is found the famous description of the Holy City. Here Ezekiel gives an elaborate plan of a repatriated Israel, which is not so much a political commonwealth as it is an ecclesiastical organization or state. The community of worshipers, their priests, and the physical and mechanical sides of their worship are vividly in the foreground and are presented with a great elaboration of architectural and administrative details. The temple is dealt with minutely as to size, position, surroundings, and its services. Methods and place of sacrifice are closely described. A vast number of prescriptions regarding the priesthood, its selection, duties, and maintenance are given. Ritualistic and ceremonial rules are dealt with in detail. Everything necessary to insure the formal holiness and prescribed purity of the people is provided for. Some of the old social convictions still exist (45:9–12; 46:18; 47:22–23), but for the most part holiness, in the sense of ceremonial correctness and attention to the minutiae of worship, is the main emphasis. The ideal state is

completely absorbed in the organized church. The ecclesiastic rather than the social prophet is the author.

Deutero-Isaiah's description of the new ideal commonwealth differs little from that of his predecessors, particularly Isaiah. However, nowhere does he speak of a future Messiah of the house of David who will rule; he is always concerned simply with Jahweh on the one hand and the selected peoples of the earth on the other. In this ideal nation violence and destruction will be no more, and assured peace and tranquillity will reign throughout the land (53:17). Rivers and fountains will break forth, the waste places will be like Eden, and the deserts like gardens (41:18, 19; 43:19; 51:3). Instead of the thorn shall come up the fir tree, and instead of the briar shall come the myrtle tree (55:13). The days of mourning shall be ended, for death will be no more. Happy man shall live forever (60:20). Labor shall have its just reward (65:23). The animal world shall be at peace. As in Isaiah, "The wolf and the lamb shall feed together, and the lion shall eat straw like the bullock; and dust shall be the serpents' meat. They shall not hurt nor destroy in all my holy mountain" (65:25). The inhabitants will all be righteous, possessing the land forever and thriving upon it. Heaven and earth will be made new again (65:17; 66:22). "All flesh shall worship before me, saith Jahweh" (66:23).

The prophets were not hopeless impractical mystics or visionaries but profound students of their times. They analyzed the world around them with its perplexing social, moral, political, religious, and international problems. They saw causes at work, processes in operation, and because of these noted threatening dangers. For these moral, social, and political situations they sought to offer solutions where possible. These solutions had reconstruction as their aim; in fact, they took definite form as constructive programs. Off in the dim distance they saw a perfect, regenerated society—one conceived in ethical, social, and religious terms—inhabited by a righteous and godly people.

Prophecy eventually gave way in Hebrew thought to the apocalyptists—writers and thinkers who, despairing of any such natural development and restoration as the prophets had foretold, looked for a deliverance through miracle or catastrophe. Apocalypse has had little influence. On the other hand, the prophetic program of social and individual redemption, the

Messianic ideas, and the prophetic Utopias are still cherished, guide the conduct of men and nations, and nourish the hopes of people everywhere.

V. The Wisdom Literature

1. Background and Nature.—Prophecy, law, and the wisdom literature are of the three great sources of social thought among the ancient Jews. The wisdom literature was a typical Near Eastern product, and the sages and wise men, its producers, were characteristic Oriental figures. The simple nomadic life of the desert and of Mesopotamia and Palestine created life situations that were sharp and clearly defined. Cause and effect were easy to note. The life itself was also conducive to meditation. In the early days, since writing was unknown, confined to a few, or very inconvenient for all, the valuable, utilitarian experience, gained by hard-won experience and observation, was transmitted by word of mouth. As among most peoples in a similar culture stage, it was treasured in the form of concise, compact, easily remembered proverbs and other epigrammatic maxims.[1]

Among some peoples the wisdom material emanated primarily from the people as a whole. It represented centuries of folk experience and discussion along a given line. It was a matter of group cogitation. At first expressed in a crude, unpolished manner, it presently was cast in some more quaint or striking form and finally was perpetuated among the people as proverb, parable, epigram, riddle, fable, or paradox. The wisdom literature of the Jews, even the aphorisms of the older collections, did not, however, have the stamp of a true popular wisdom; it was not apparently in "the mouth of the people." It was what it professed to be, namely, made up of the maxims of the sages, fashioned with conscious art for a didactic end.[2]

Of the three great types of teachers in Israel the prophets, priests, and sages, the last were in closest touch with the people. Originally around the campfire at night, then at the village well, and still later, in the urban period, at the open space by the city gate where the people met for converse, the sages gathered the people about them, answered their questions, and taught them

[1] See Appendix B on "The Social Wisdom of the Primitives with Special Reference to Their Proverbs."

[2] G. F. Moore, *The Literature of the Old Testament*, p. 231, New York, 1913.

out of the wealth of their own experience and from the inherited wisdom and observations of the preceding generations. They were particularly oral teachers, not writers. It was only in the mature and contemplative period of their activity that the wise men as a class committed their teachings to writing. They were the advisors and counselors, the father confessors, the sources of enlightenment, and the interpreters of life's problems. With their tried maxims they taught the ignorant and inexperienced, the foolish, but especially the adolescent young. From the age of about twelve, the sensible and well-nurtured Jewish boy began to sit at the feet of the sages.[1]

The wisdom was couched in the form of sententious maxims or aphorisms; proverbs; paradoxes; fables; riddles; brief gnomic essays; parables; didactic drama, such as the Song of Songs; the philosophical drama, of which Job is the sole illustration; and the philosophical homily, such as Ecclesiastes.[2] Most of these types, barring the exceptions noted, are to be found in the book of Proverbs. This book is very probably made up of several collections, coming from periods widely separated from one another.

The chief and probably the oldest section of the book is found in 10:1 to 22:16. It bears the superscription, "These are the proverbs of Solomon." That this section, the bulk of the book, should have been labeled Solomonic is explained by Solomon's fame for wisdom, which is the subject of numerous anecdotes in the historical books. Later writers may also have used the device to give antiquity and authority to their maxims. It is of course entirely possible that Solomon gave special consideration to sages at his court and sponsored collections and editings of the sayings of wise men. Being closely connected with Egypt he may have been ambitious to resemble certain earlier Egyptian monarchs who had encouraged the preparation of lists of proverbs and maxims. It is also quite probable that Solomon imported not only an Egyptian wife but also some of their many proverbs.[3]

[1] KENT and BURROWS, *op. cit.*, p. 10.

[2] KENT, *Wise Men of Ancient Israel and Their Proverbs*, p. 33, New York, 1899.

[3] Breasted has stated, on the basis of recent revelations, that the Wisdom of Amenemope (Amen-em-apt) "was translated into Hebrew in ancient times and, circulating in Palestine, was the source for a whole section of the Old Testament Book of Proverbs." *Dawn of Conscience*, p. xiv.

Actually this portion of Proverbs is a compilation of various collections all coming from a period before the Babylonian exile.[1] Some undoubtedly go back to the early nomadic period. Most of the sayings came from socially minded sages who had lived under the influence of the teachings of prophets like Amos, Hosea, Isaiah, and Jeremiah. The redactor of the Deuteronomic period welded together all the smaller collections which he deemed worthy of presentation. The repetitions show that his work was merely that of a compiler who appended collection to collection rather than that of an editor who carefully cast out duplicates and organized and systematized the whole.

A later compilation is found in 22:17 to 24:34. These proverbs contain also many repetitions found in the larger collection. Some of these show an unmistakable connection with the famous Egyptian wisdom book, "The Teachings of Amen-em-apt," which was used as a textbook in the Egyptian schools. As Adolph Erman pointed out,[2] nine of the Amen-em-apt proverbs are almost word for word identical with maxims found in this section of the Biblical book of Proverbs, and seven are found in the appendices of Proverbs, indicating that these later collections were probably made by a Jew living in Egypt during the Greek period, who drew freely from the famous wisdom of the Egyptians.[3]

Another compilation, that of Chaps. XXV to XXIX, is now attributed to the earlier part of the Greek or Ptolemaic period. To this period, roughly 320 to 200 B.C., belong also the long appendices in Chaps. XXX and XXXI and the elaborate prologue found in Chaps. I to IX. The background of the proverbs of this period is that of a large city. There are references to city gates and bustling streets and broad places, to urban temptations and vices. One infers also that the social life is far from provincial, that economically it is a time of commercial activity and prosperity. This, we know, was the general state of things during this Greek period. The compilation of the book of Proverbs can be well summarized in the words of Kent and Burrows:

> The book of Proverbs therefore represents the growth of five or six centuries. Possibly some of the maxims actually come from Solomon.

[1] KENT and BURROWS, *op. cit.*, pp. 15–16.

[2] *Akademie der Wissenschaft*, May, 1924.

[3] KENT and BURROWS, *op. cit.*, pp. 15–16; see also *Dinsmore*, "An Egyptian Contribution to the Book of Proverbs," *Journal of Religion*, May, 1925.

Many of the proverbs of this section were probably long current on the lips of people before they were collected and edited. It is doubtful whether any part of the book was committed to writing before the exile. There it took form in successive collections. Proverbs in its final form may be dated about 200 B.C. It represents not the work of one but probably a score at least, if not a hundred or more, different writers.[1]

These authors, coming not only from different ages but perhaps also from different lands, wrote from many and various points of view. Their names, for the most part, have been swallowed up in the common oblivion which shrouds the identity of many ancient writers to whom we are deeply indebted.

Unlike any of the other types of Jewish writing most of Proverbs is universalistic in its appeal. At all times the sages were primarily advisers on conduct to the people, but after the Babylonian exile, which cut athwart all of Israel's life and institutions, their teachings ceased entirely to be concerned with class, national, racial, and political interests and problems. Henceforth they were occupied with the individual, the common man of the street, the children who were to be the ancestors of future generations. It is significant that Israel is not once mentioned in the book of Proverbs, while man is spoken of thirty-three times.[2] In this respect the sages stood in contrast to the prophets, whose message usually was to the nation. The sages' messages were directed to all mankind. The wise men of the postexilian period did, however, take over the general social and religious teachings of the prophets and made them the guides in the development of individual character. In this period, in which the prophets disappeared and in which the priests ceased to be teachers and devoted themselves to the details of the ritual, the period beginning with the Persian epoch about 450 B.C. and extending until the Maccabean struggle, 169 to 165 B.C., the Jewish sages were the chief social, ethical, and spiritual guides of their people.

Like the law and many another product of the East, Proverbs and the other wisdom literature of the Jews are signally deficient in arrangement and consequently in logical connection. Teachings on a great, heterogeneous variety of incompatible and

[1] *Ibid.*, p. 16.

[2] C. F. KENT, *The Origin and Permanent Value of the Old Testament*, p. 65, New York, 1906; also *Wise Men of Ancient Israel and their Proverbs*, p. 26, New York, 1899.

unconnected subjects are jumbled together in the same chapter. Frequently a proverb is repeated in different sections of the book, now in precisely the same form, and again with some slight difference in detail. Reading the proverbs as they are found in the canonical text "is like wandering in a trackless forest of valuable trees." To the Oriental this is natural, but to the Occidental it is most confusing. Perhaps for this reason Western people do not find Proverbs fascinating reading. But any study whatsoever shows that here is a respository of crystallized human experience amounting to some three thousand proverbs which cannot be slighted. When systematized and classified these valuable elements stand out.

The purpose of the book of Proverbs is well put in the preamble written by one of the late compilers.

> That men may get wisdom and discipline,
> May understand words of discernment,
> May receive training in wise conduct
> In that which is right, just, and honorable;
> That shrewdness may be taught to the simple
> And knowledge and a purpose to youth,
> That the wise man may hear and grow wiser,
> And that the intelligent man may be guided
> In interpreting proverbs and parables,
> The words of the wise and their riddles.[1]

2. Social Thought of the Proverbs.—The great bulk of the proverbs are of significance to the historian of social thought, since they are behavior formulas and hence usually pertain to family or community relationships. The nature of man, his relations in the family, in society, his obligations to the state, his duties to himself and to others were ever the theme of the thought and discourse of the sages. Nothing that concerned man's social life was too foreign to receive their attention. Quietly ignoring the Messianic and much of the other idealism of the prophets, they concerned themselves with utilitarian, humanitarian, prudential social thinking and teaching. They affected the social life not externally but from within by shaping the attitudes and habits of individuals.

[1] *Prov.* 1:1–6. For a parallel and possibly contributory work to the Proverbs of the Hebrews see the *Teachings of Ahikar* in the Appendix.

It is not clear whether their primary objective was the establishment of a stable, peaceful, orderly social life or the production of a happy and prosperous individual. Certainly, however, there was the implication that if the rules of long social experience were observed by the individual a substantial society would follow.

The general theory upon which they operated was that goodness, that is, observance of the rules of living, produced health, wealth, prosperity, a good name, and length of days (3:1 *ff.*, 13–18) while evil, the violation or ignoring of these rules, in the form of immorality or unsocial actions, would result in physical, economic, and social calamity (1:31 *ff.*; 3:33 *ff.*). According to them it was also a matter of practical wisdom and experience for the individual to seek the happy results of good conduct and avoid the evil consequences of wrongdoing (13:15; 10:3, 16, 27–30; 11:31; 14:22; 29:14). If these principles were observed, individual and social well-being would result.

While this is not entirely true, and while the often striking exceptions produced a confusion that is the subject of certain psalms (especially 37, 49, 73) and notably the Book of Job, in the main it is sound social advice.

The fact also persists that there is no good or bad, no virtue or vice, that is not social. All conduct that is good and all that is bad is so in its social effects. A man cannot be virtuous or vicious by himself but only in relation to the members of the society in which he lives.[1]

While some proverbs are primarily devoted to the subject of man's relation to God, the great bulk of them deal with social situations and social relations. The scope of the observations of the sages along these lines was most extensive. Among those that they dealt with were the relations of old age and youth; man in his economic relations; the aims and importance of education; man in his domestic relations and obligations, both those of husband and wife and those of parents and children; the relations of the sexes in general; the causes of poverty and the treatment of the poor; man in his legal and political relations; the duties of man to man; the duties involving property and those growing out of class contacts; man's duty to himself with respect to sleeping,

[1] SOARES, *The Social Institutions* and *Ideals of the Bible*, 279, New York, 1915.

eating, temperance, restraint of temper, jealousy, and sensual passions; selection of associates; admonitions to prudence; and hosts of other lesser admonitions and duties of a social nature.

While all the proverbs dealing with the different aspects of social life cannot be treated here, the more important ones will be specifically discussed, and the others referred to.

a. The Nature of Man.[1]—Men are much the same the world over.

> As in water face answereth to face,
> So the heart of man to man (27:19).

Their judgment is fallible.

> There is a way which seemeth right unto a man,
> But the end thereof are the ways of death (14:12).

Their character is revealed by their acts:

> Even a child maketh himself known by his doings
> Whether his work be pure, and whether it be right (20:11).

They mutually influence each other:

> Iron sharpeneth iron;
> So a man sharpeneth the countenance of his friend.

They are tested by what men say about them:

> The fining pot is for silver, and the furnace for gold,
> And a man is tried by his praise (27:21).

b. The Importance of Education.—Folly is, in the main, due to an absence of education. The wise man is the good man.[2]

> The simple inherit folly:
> But the prudent are crowned with knowledge (14:18).

The characteristics of a fool are numerous.[3] He is inattentive, obtuse, unapt in expression, dissatisfied, victim of his folly, improvident, indiscreet, shameless, unreliable, thick-headed, disgusting, intolerable, and dangerous. The evils that result from

[1] Prov. 27:19, 2; 21:2; 14:12; 20:9, 27; 27:20; 14:10, 13; 13:12, 19; 15:30; 25:25; 15:13; 12:25; 15:15; 27:8; 18:14; 14:30; 17:22; 27:17; 20:11; 27:21; 20:6.

[2] 22:15; 14:18; 1:7.

[3] 17:24; 14:7; 24:7; 26:7, 9; 19:3; 15:21; 10:23; 14:1; 18:2; 12:23; 14:33; 12:16; 14:9, 24; 26:6; 24:9; 29:9; 27:22; 26:11; 27:3; 17:12.

folly are disgrace, enslavement, punishment, calamity, and death.[1]

> The man that wandereth out of the way of understanding
> Shall rest in the congregation of the dead (21:16).

The aim of education is to acquire understanding, knowledge, and wisdom.[2]

> Buy the truth, and sell it not;
> Yea, wisdom and instruction and understanding (23:23).

The chief instructors are the parents, chiefly the father and the wise men.[3] It is particularly important that the training begin with children.

> Train up a child in the way he should go,
> And even when he is old he will not depart from it (23:6).
> Correct thy son, and he shall give thee rest;
> Yea, he shall give delight unto thy soul (29:17).

Discipline is necessary, for correction must be heeded.[4]

> He that spareth his rod hateth his son:
> But he that loveth him chasteneth him diligently (13:24).
> He is in the way of life that heedeth instruction:
> But he that forsaketh reproof erreth (10:17).

The learner must assume a receptive attitude.[5] Education is valuable in many ways:[6] It is better than riches; it aids in the use of wise words; it secures favors; brings victory; is a source of wealth; and insures a long and peaceful life.

c. Domestic Relations.—The relations of parents and children are dealt with at great length.[7] One should at all times be respectful and obedient to one's parents.

[1] 3:35; 11:29; 10:13; 26:3; 10:3; 18:7; 21:16.
[2] 4:1, 7; 15:14; 14:6; 13:16; 10:14; 18:15; 17:16; 23:26.
[3] 3:11, 12; 4:1–5; 15:12; 18:4; 20:5.
[4] 29:15; 27:5; 13:24; 19:18; 23:13, 14; 12:1; 10:17; 15:10; 19:16; 29:1; 15:5; 28:4; 15:32; 17:10; 25:12.
[5] 12:15; 28:13; 18:1; 9:7–9; 19:27; 23:12; 19:20; 4:13.
[6] 1:8, 9; 24:13, 14; 16:22; 19:8; 16:16; 28:11; 13:2, 7; 16:23; 13:15; 21:22; 20:18; 24:5, 6; 21:26; 24:3, 4; 13:4; 4:10–12.
[7] 23:22; 19:26; 20:20; 28:24; 30:17; 13:1; 28:7; 15:20; 17:25, 21; 23:24; 10:1; 23:25; 27:11; 13:22; 17:6; 20:7; 18:19.

Harken unto thy father that begot thee,
And despise not thy mother when she is old (23:22).

Whoso curseth his father or his mother,
His lamp shall be put out in the blackest darkness (20:20).

A wise son beareth his father's correction;
But a scorner beareth not rebuke (13:1).

Good children are a joy to their parents.

A wise son maketh a glad father;
But a foolish man despiseth his mother (15:20).
A foolish son is a grief to his father
And bitterness to her that bare him (17:25).

The father of the righteous shall greatly rejoice;
And he that begetteth a wise child shall have joy of him (23:24).

Good parents are a source of great good to their children.

A good man leaveth an inheritance to his children's children;
And the wealth of the sinner is laid up for the righteous (13:22).

A just man that walketh in his integrity,
Blessed are his children after him (20:7).

Brotherly cooperation is an inestimable good.

Brother helped by brother is like a city firm and high,
And strong as a well-founded palace (18:19).

A wife is the source of her husband's welfare or woe.[1]

A continual dropping in a very rainy day
And a contentious woman are alike (27:15).

It is better to dwell in the corner of the housetop
Than with a contentious woman in a wide house (25:24).
It is better to dwell in a desert land
Than with a contentious and fretful woman (21:19).

A virtuous woman is a crown to her husband;
But she that doeth shamefully is as rottenness in his bones (12:4).

[1] 19:13; 27:15, 16; 21:9, 19; 12:4; 19:14; 18:22.

The ideal wife is priceless; she is faithful to her husband's interests; she provides well for her family; she is sagacious, industrious, and prudent, charitable, wise, and kind; she clothes her family well; she brings honor to her husband, is praised by her children and husband; and is worthy of honor.[1]

A virtuous woman who can find?
For her price is far above rubies.
The heart of her husband trusteth in her,
And he shall have no lack of gain.
She doeth him good and not evil
All the days of her life.
She seeketh wool and flax
And worketh willingly with her hands.
She is like the merchant-ships;
She bringeth her food from afar;
She riseth also while it is yet night,
And giveth meat to her household,
And their portion to her maidens.
She considereth a field and buyeth it;
With the fruit of her hands she planteth a vineyard.
She girdeth her loins with strength,
And maketh strong her arms.
She perceiveth that her merchandise is profitable:
Her lamp goeth not out by night.
She layeth her hands to the distaff,
And her hands hold the spindle.
She maketh linen garments and selleth them;
And delivereth girdles unto the merchant.
She spreadeth out her hand to the poor;
Yea, she reacheth forth her hands to the needy.
She is not afraid of the snow for her household;
For all her household are clothed in scarlet.
She maketh for herself carpets of tapestries;
Her clothing is fine linen and purple.
She looketh well to the ways of her household
And eateth not the bread of idleness.
Strength and dignity are her clothing;
And she laugheth at the time to come.
She openeth her mouth with wisdom;
And the law of kindness is on her tongue.
Her husband is known in the gates,
When he sitteth among the elders of the land.

[1] 31:10–31.

Her children rise up and call her blessed:
Her husband also, and he praiseth her, saying:
Many daughters have done virtuously,
But thou excellest them all.
Favor is deceitful, and beauty is vain:
But a woman that feareth the Lord, she shall be praised;
Give her of the fruit of her hands;
And let her works praise her in the gates (31:10–31).

A husband's greatest duty to his wife is fidelity.[1]

Let thy fountain be blessed,
And rejoice in the wife of thy youth.
Let her breasts satisfy thee at all times;
And be thou ravished always with her love.
For why shouldest thou, my son, be ravished with a strange woman
And embrace the bosom of a stranger? (5:18–20).

The relations of master and servant are also discussed.[2]

d. Social Relations.—Never overdo social calls.

Let thy foot be seldom in thy neighbor's house;
Lest he be weary of thee and hate thee (25:17).

Various canny observations are made regarding friendship.[3]

Thine own friend, and thy father's friend, forsake not;
And go not to thy brother's house in the day of thy calamity;
Better is a neighbor that is near than a brother far off (27:10).

Make no friendship with a man that is given to anger (22:24).

He that maketh many friends doeth it to his own destruction;
But there are loving friends who stick closer than a brother (18:24).

Ointment and perfume rejoice the heart;
So doth the sweetness of a man's friend that cometh of hearty counsel (27:9).

Rich and poor are recognized as classes; the oppression of the poor is condemned; and the obligations to the poor are outlined.[4]

The righteous taketh knowledge of the cause of the poor;
The wicked hath not understanding to know it (29:7).

[1] 5:15–20.
[2] 29:21, 19; 19:10; 30:10; 17:2.
[3] 27:10; 22:24, 25; 18:24; 17:17; 27:9, 6.
[4] 29:13; 28:3; 13:23; 29:7; 21:13; 28:27; 14:31; 22:9.

He that giveth unto the poor shall not lack;
But he that hideth his eyes shall have many a curse (28:27).

He that hath a bountiful eye shall be blessed;
For he giveth of his bread to the poor (22:9).

e. Economic Relations.—Economic sufficiency was recognized as a basic essential for life, and to secure it was one of the major obligations.

Be thou diligent to know the state of thy flocks.
And look well to thy herds:
For riches are not forever;
And doth the crown endure unto all generations? (27:23, 24).

Diligence and laziness are subjects of frequent discussion.[1] Labor provides rewards.

Whoso keepeth the fig tree shall eat the fruit thereof;
And he that waiteth on his master shall be honored (27:18).

Seest thou a man diligent in his business? He shall stand before kings;
He shall not stand before obscure men (22:29).

The hand of the diligent shall bear rule;
But the slothful shall be put under task work (21:24).

The lazy man is characterized.

As the door turneth upon its hinges,
So doth the sluggard upon his bed.
The sluggard burieth his hand in the dish;
It wearieth him to bring it again to his mouth.
The sluggard is wiser in his own conceit
Than even men who can answer discreetly (26:14–16).

The evils resulting from laziness are observable.

The slothful will not plow at the beginning of winter;
Therefore when he seeketh in harvest there shall be nothing (20:14).

Slothfulness casteth unto a deep sleep;
And the idle soul shall suffer hunger (19:15).

The way of the sluggard is as an hedge of thorns (15:19).

[1] 16:26; 27:18; 22:29; 12:27, 24; 22:13; 26:14–16; 20:4; 19:15; 15:19; 21:25; 18:9; 14:4; 10:5; 24:27; 20:14; 22:7.

While poverty was not necessarily a sin in itself, the sages realized clearly that it was ordinarily the result of intemperance, dissolute friendship, laziness, failure to follow wise advice, and kindred weaknessess of character.[1]

Be not among winebibbers;
Among gluttonous eaters of flesh:
For the drunkard and the glutton shall come to poverty:
And drowsiness shall clothe a man with rags (23:20, 21).

He that followeth after vain persons shall have poverty (22:16).

Poverty and shame shall be to him that refuseth correction (13:18).

Go to the ant, thou sluggard;
Consider her ways, and be wise;
Which having no chief,
Overseer, or ruler,
Provideth her meat in the summer,
And gathereth her food in the harvest.
How long wilt thou be down, O sluggard?
When wilt thou arise out of thy sleep?
Yet a little sleep, a little slumber,
A little folding of the hands to sleep;
So shall thy poverty come as a robber,
And thy want as an armed man (6:6–11).

The poor man has few advantages, but poverty is preferable to dishonesty.

Better is the poor that walketh in his integrity
Than he that is perverse in his lips and is a fool (19:1).

Wealth may be obtained in various ways, as, for example, by violence, by inheritance, as a gift of God by wise and right conduct, by labor and diligence.[2] This wealth may be justly acquired[3] but if unjustly achieved is a source of woe.[4]

The getting of treasures by a lying tongue
Is a vapor driven to and fro; they that seek them seek death (21:6).

[1] 23:20, 21; 28:19; 22:16; 13:18; 6:6–11; 24:30–34; 10:15; 14:20; 19:7; 18:23; 19:1, 22.

[2] 11:16; 19:14; 10:22; 14:24; 15:6; 22:4; 14:23; 13:11; 21:5; 12:11; 13:4; 10:4.

[3] 13:8; 18:11.

[4] 10:2; 21:6; 20:21; 28:20; 28:6.

But there are greater things than wealth.[1]

> A good name is rather to be chosen than great riches,
> And favor is better than silver and gold (22:1).
>
> There is gold, and abundance of rubies:
> But the lips of knowledge are a precious jewel (20:15).
>
> Riches profit not in the day of wrath;
> But righteousness delivereth from death (11:4).

Riches are difficult to retain.[2] The mean between wealth and poverty is the most desirable state.[3]

f. Legal and Political Relations.—Legal procedure is discussed,[4] as is also the use of the lot[5] and the obligations of an oath.[6] To go surety for anyone is dangerous;[7] since it brings personal loss and distress, it may result in a man's being put under the power of another and also destroy business standing. The duties of witnessess and judges are set forth in great detail.[8]

> A true witness delivereth souls:
> But he that uttereth lies causeth deceit (14:23).
>
> To accept the person of the wicked is not good,
> Nor to turn aside the righteous in judgment (18:5).

The character and rule of the king are set forth at length.[9] He should be honest, sober, full of insight and good judgment, and merciful. The political duties of the people are numerous also.[10]

> By forbearance a ruler is persuaded,
> And a soft tongue will break a bone (25:15).

[1] 22:1; 20:15; 11:4; 11:28; 16:8.
[2] 23:4, 5.
[3] 15:16; 16:19; 30:7–9.
[4] 18:17; 25:8–10.
[5] 18:18.
[6] 29:24.
[7] 20:20; 19:19, 25; 21:11.
[8] 24:28, 29; 25:18; 19:28; 12:17; 14:25; 19:5; 21:28; 17:23; 15:27; 18:5; 17:26; 28:21; 24:24–26.
[9] 21:1; 16:12; 17:7; 28:16, 2; 20:28; 25:2; 16:10; 20:8; 29:14; 31:4, 5, 8, 9; 25:3–5; 19:12; 20:2; 16:15, 14, 13; 14:35; 28:15; 29:2, 12, 4; 20:26; 25:13.
[10] 14:28:23:1–3; 25:6, 7, 15; 24:21–22; 17:11; 13:17; 18:16; 21:14; 17:8; 29:8; 11:10, 11, 14; 14:34.

A gift in secret averts anger,
And a present in the bosom strong wrath (21:14).

Where there is no wise guidance a people falls,
But in much counsel there is safety (11:14).

Righteousness exalts a nation,
But sin is the disgrace of peoples (14:34).

g. Man's Duties to Himself.—A man who is to live successfully and safely among his fellows and injure neither them nor himself must subject himself to various individual restraints. These controls and requirements are discussed at great length. An oft-mentioned duty is that of temperance—especially temperance in sleeping, eating, drinking, and the use of words.[1]

Love not sleep, lest thou come to poverty;
Open thine eyes, and thou shalt be satisfied with bread (20:13).

Hast thou found honey? eat so much as is sufficient for thee
Lest thou be filled therewith, and vomit it (25:16).

He that is a companion of gluttonous men shameth his father (28:7).

He that loveth pleasure shall be a poor man;
He that loveth wine and oil shall not be rich (21:17).

Wine is a mocker, strong drink a brawler;
And whosoever erreth thereby is not wise (20:1).

Look not thou upon the wine when it is red,
When it giveth its color in the cup,
When it goeth down smoothly;
At the last it biteth like a serpent,
And stingeth like an adder (23:31–32).

Death and life are in the power of the tongue;
And they that love it shall eat the fruit thereof (18:21).

Seest thou a man that is hasty in his words?
There is more hope of a fool than of him (29:20).

He that guardeth his mouth keepeth his life;
But he that openeth wide his lips shall have destruction (13:3).

[1] 20:13; 25:16; 27:7; 20:1; 23:29–35; 18:21; 14:3; 12:13; 20:25; 18:13; 29:20; 15:23; 17:27, 28; 13:3; 21:23; 10:19; 4:24.

Self-restraint in controlling the temper, in avoiding jealousy and in refraining from illicit sex intercourse is advocated.[1]

A fool uttereth all his anger,
But a wise man keepeth it back and stilleth it (29:11).

He that is slow to anger is better than the mighty,
And he that ruleth his spirit than he that taketh a city (16:32).

A tranquil heart is the life of the flesh,
But jealousy is the rottenness of the bones (14:30).

Particularly and repeatedly do the proverbs admonish the avoidance of prostitutes.

Whoso loveth wisdom rejoiceth his father;
But he that keepeth company with harlots wasteth his substance (29:3).

A whore is a deep ditch,
And a strange woman is a narrow pit.
Yea, she lieth in wait as a robber
And increaseth the treacherous among men (23:27–28).

Proverbs 5:1–14; 6:20–35; 7:1–27 are a complete and carefully worked-out account of the temptations exercised by harlots, the tactics they use, the restraints to be kept in mind, and the effects of contact with them.

In general, temptation should be avoided, and evil men shunned.[2]

A prudent man seeth the evil and bideth himself;
But the simple pass on and suffer for it (27:12).

A wicked man hardeneth his face;
But as for the upright, he ordereth his ways (21:29).

Let thine eyes look right on,
And let thine eyelids look straight before thee.
Make level the path of thy feet,
And let all thy ways be ordered aright.
Turn not to the right hand nor to the left;
Remove thy foot from evil (4:25–27).

[1] 25:28; 14:17; 29:11; 19:11; 14:29; 16:32; 29:3; 23:26–28; 22:14; 30:20; 5:1–14; 6:20–35; 7:1–27.

[2] 28:14; 27:12; 14:16; 21:29; 4:25–27; 24:1–2; 17:14; 1:10; 4:14–17; 23:6–8; 17:4; 25:26.

My son, if sinners entice thee,
Consent thou not (1:10).

An evildoer giveth heed to wicked lips;
And a liar giveth ear to a mischievous tongue (17:4).

Prudence and tact are highly desirable.[1]

As a ring of gold in a swine's snout
So is a fair woman which is without discretion (11:22).

The simple believeth every word,
But the prudent man looketh well to his going (14:15).

Answer not a fool according to his folly,
Lest thou also be like unto him (26:4).

A man is rewarded in life according to his deserts.[2]

He who seeks good seeks favors,
But he who seeks evil, it shall come to him (11:27).

Conceit, glory seeking, self-advertising, and false pride are inveighed against,[3] and purity and uprightness of purpose[4] are presented as desirable attributes.

It is not good to eat much honey;
So for men to search out their own glory is not glory (25:27).

Seest thou a man wise in his own conceit?
There is more hope of a fool than of him (26:12).

Pride goeth before destruction,
And a haughty spirit before a fall (16:18).

Let another man praise thee, and not thine own mouth;
A stranger, and not thine own lips (27:2).

The way of him that is laden with guilt is exceedingly crooked.
But as for the pure; his work is right.

The righteousness of the upright shall deliver them;
But they that deal treacherously shall be taken in their own mischief (11:6).

[1] 11:22; 14:8; 22:3; 14:15; 19:2; 26:10, 4.
[2] 21:10; 11:23, 27.
[3] 21:24; 25:27; 21:4; 26:12; 16:18; 18:12; 11:2; 13:10; 29:23; 12:9; 27:2.
[4] 22:5; 21:8; 22:11; 4:23; 11:56; 13:6; 12:3; 16:17.

h. Man's Duties to Others.—The proverbs dealing with man's duties to others fall into two groups, those dealing with evils to avoid[1] and those dealing with the virtues to cherish.[2] Among the evils to avoid are laziness, disdainfulness, greed, hatred, anger and strife, jealousy, revenge, contention, flattery, dissimulation, lying, gossiping, treachery, slander, evil intentions, oppression of the poor, and deeds of violence.

He that augmenteth his substance by usury and increase
Gathereth it for him that hath pity on the poor (28:8)

A wrathful man stirreth up contention,
But he that is slow to anger appeaseth strife (15:18).

Rejoice not when thine enemy falleth,
And let not thine heart be glad when he is overthrown (24:27).

He that vexeth himself with strife that does not belong to him
Is like one that taketh a passing dog by the ears (26:17).

A man that flattereth his neighbor
Spreadeth a net for his steps (29:5).

Whoso diggeth a pit shall fall therein,
And he that rolleth a stone, it shall return upon him (26:27).

A righteous man hateth lying;
But a wicked man causeth shame and bringeth reproach (13:5).

A froward man scattereth abroad strife,
And a whisperer separateth trusted friends (16:28).

He that deviseth to do evil,
Men shall call him a mischievous person (24:8).

[1] 10:26; 11:12; 28:8, 25; 10:12; 29:22; 15:18; 27:4; 24:17–18; 20:22; 17:13; 3:30; 30:32–33; 20:3; 26:17; 17:19; 22:10; 18:6; 26:21; 17:14; 27:14; 29:5; 26:28; 28:23; 26:23–27; 14:5; 13:5; 12:19; 25:14; 20:17, 26, 28; 11:13; 20:19; 26:18–18; 13:2; 18:8; 11:9; 25:23; 26:20; 16:28; 10:18; 3:29; 16:27, 30; 10:10; 6:12–15; 24:8; 15:26; 22:22–23, 28; 23:10–11; 12:6; 16:29; 29:1; 28:28; 3:31–32; 1:10, 19.

[2] 21:15, 3; 29:27; 10:32, 11, 20:20; 12:5; 15:28; 11:30; 12:12; 28:12; 27:10; 25:19; 17:17; 24:10–12; 17:9; 25:20; 23:9; 26:5, 1, 8; 25:11; 24:26; 15:4; 16:21; 12:18; 15:1; 16:25; 12:26; 3:27–28; 21:26; 19:6; 11:25–26; 14:21; 19:17; 17:5; 11:17; 31:6–7; 3:3–4; 10:12; 15:17; 24:29; 25:21–22.

Rob not the poor, for he is poor,
Neither crush the afflicted in the gate (22:22).

A man of violence enticeth his neighbor
And leadeth him in a way that is not good (16:29).

Among the social virtues to cherish are strict justice, uprightness, faithfulness in friendship, charity toward the faults of others, consideration for the feelings of others, tact in speaking, kindliness of speech, helpfulness, liberality, mercy, love, and kindness toward enemies.

When the righteous triumph, there is great glory;
But when the wicked rise, men hide themselves (28:12).

Confidence in an unfaithful man in time of trouble
Is like a broken tooth, and a foot out of joint (25:19).

He that covereth a transgression seeketh love,
But he that harpeth on a matter separateth trusted friends (17:9).

A word fitly spoken
Is like apples of gold in chased work of silver (25:11).

A soft answer turneth away wrath,
But a grievous word stirreth up anger (15:1).

Withhold not good from them to whom it is due,
When it is in the power of thine hand to do it (3:27).

If thine enemy be hungry, give him bread to eat;
And if he be thirsty, give him water to drink;
For thou shalt heap coals of fire upon his head,
And the Lord shall reward thee (25:21).

The writers of proverbs are all agreed that as a man sows so shall he reap; right social action brings its favorable rewards, and wrong conduct means loss or punishment.[1]

[1] 11:31; 12:14; 11:18; 22:8; 5:22–23; 18:20; 28:10; 11:3; 14:14; 14:32; 13:9; 10:28; 24:19–20; 28:1; 4:19, 18; 28:5; 14:22, 19; 18:3; 12:8; 10:7, 6; 21:7; 13:2; 10:9; 12:21; 26:2; 11:21; 28:18; 14:11; 29:16; 21:12; 13:21; 17:20; 15:6; 13:25; 12:20; 29:6; 10:25; 24:15–16; 10:30; 12:7; 2:21–22; 10:3, 24; 11:19; 10:16; 12:28; 10:31; 28:17; 10:2; 11:7; 15:24; 12:2; 19:29; 11:8; 21:18; 13:6; 14:14; 21:21.

He who sows iniquity will reap trouble,
And the crop he has worked for will fail (22:8).

Do they not err that devise evil?
But mercy and truth shall be to them that devise good (14:27).

The memory of the just is blessed;
But the name of the wicked shall rot (10:7).

There shall no mischief happen to the righteous,
But the wicked shall be filled with evil (12:21).

He that is steadfast in righteousness shall attain unto life,
And he that pursueth evil doeth it to his own death (11:19).

He that followeth after righteousness and mercy
Findeth life, righteousness, and honor (21:21).

The proverbs of the Jews outshine all other prudential literature. Any arrangement and classification of them, such as the one by Kent used above, shows the collection to be a veritable encyclopedia of prudential ethical, economic, and social teachings. As one reviews them they seem to be so familiar and so right. This is undoubtedly due to the fact that they are an integral part of our culture. We have been conditioned by them. When one considers at the same time their highly utilitarian nature one wonders whether they are not in large part responsible for the individualistic utilitarian philosophy of life so current among Western peoples with its emphasis on sanctions and rewards.

While the great bulk of the proverbs are social in content and implication, they reflect only the behavior and the social thought of an individual who is a member of a primary or face-to-face group. There is no reference to the good of society as a whole, no recognition of society as an intricate and organized whole, no attempt to define the relation between the individual and society, no effort to deal with the relationships of groups to each other. While the ultimate effect of life according to the proverbs would probably be a society of finer social relationships and an exalted conception of duties toward associates, the motive actually urged is not that of the welfare of men in general but the well-being of the actor.[1]

[1] *Cf.* J. A. BEWER, *The Literature of the Old Testament in Its Historical Development*, pp. 308–316, New York, 1926.

The other wisdom literature of the Jews either comes so late in their history as to be outside the scope of this study, or it consists of philosophical homilies largely devoid of thought that has to do primarily with social relationships. Chief among these other forms are the great lyric drama, the Book of Job, sometimes referred to as the Matterhorn of the Old Testament; that pessimistic symphony, the book of Ecclesiastes with its theme of "vanity of vanities, vanity of vanities! All is vanity!" and the two apocryphal books, the Wisdom of Solomon, and Ecclesiasticus, or The Wisdom of Jesus the Son of Sirach. The latter is partly a duplication and partly a continuation of the early book of Proverbs.

CHAPTER X

A SUMMARY OF THE CONTRIBUTIONS TO SOCIAL THOUGHT OF THE ANCIENT CIVILIZATIONS

After this somewhat detailed examination of the social thought of the ancient pre-Greek civilizations it is necessary to summarize the findings in a general way, especially with respect to its nature, content, common features, and its relation to later thought.

I. Social Thought a Recent Development in Man's Career

The oldest recorded social thinking that we now have is very young as compared with various other significant achievements of man, notably his mechanical control. That social thought of a documentary nature that can be chronologically labeled goes back only five or six thousand years. Thus when we recall that man's career must be put in terms of hundreds of thousands or perhaps millions of years, this fact makes his written thinking in appreciation of himself as a personality, of his contacts with other human beings, his life as a member of a group, and the thinking on the nature and function of the group that he is a part of a very recent event indeed in the whole story of his development. Breasted, with Egypt particularly in mind, states that this early thought shows "man victoriously emerging from an age-long *struggle with nature* and entering this new arena of social forces, to begin the baffling *struggle of mankind with himself*—a struggle which has hardly passed beyond its beginnings at the present day."[1] To use a modern psychological term, man in these ancient civilizations passed the *threshold of social consciousness* at least as far as written evidence was concerned. Nature had been the first great riddle to attack; now he began to devote himself to the second great riddle—himself and his life in society. The fact that the social ideas of these early cultures—these relatively simple social philosophies—were not distinctly sociological is not a valid criticism of them. The point of the matter is that it was

[1] *The Dawn of Conscience*, p. 11.

remarkable that man was so much aware of conduct or behavior and that when the social conditions arose that demanded the establishment of principles and the construction of working generalizations he was able to supply them. This awareness was an enormous advance in his intellectual career.[1] This social consciousness was itself part of and the result of a long social process, the latter stages of which, being within the range of our observation, thanks to the archaeologist and ancient historian, have been examined above to the extent that the documentary fragments permit. The social ideas expressed in these documents grew out of man's experience—an experience in which behavior values and social values presently began to equal and even transcend in importance things material. Quite naturally he was a stranger in a new country which he had not yet explored or surveyed to any appreciable extent. This ancient man had only certain snap conclusions and rule-of-thumb procedures to aid him. Perhaps he has not much more than that now. But this fact is clear: When history began, with its reliable records, then social thought also began.

II. The General Nature and Content of Ancient Social Thought

Ancient social thought was like much recent and even contemporary social thought. With a few exceptions it was not the result of intentional effort to develop thought along social lines. It was not, except in the case of lists of admonitions, commandments, and laws, looked upon as being part of a body of social knowledge; it was spontaneous and occasional. It was not highly differentiated, correlated, or synthesized. It dealt more or less haphazardly with a great variety of subjects. Much, in fact most of it, was part of the moral, religious, or political thinking and was only incidentally and perhaps accidentally definitely social in its implications and content. Social, political, ethical, and religious institutions formed more or less of a whole among most ancient civilizations, and social thinking was a more or less undifferentiated part of the philosophizing about this whole. Furthermore, ancient social thought was commonly of individualistic origin. It came not from cooperative groups organized to think on things social, except in the case of certain

[1] *Cf.* Breasted, *op. cit.*, p. xxiii.

priestly and small class groups, but from exceptional individuals given by temperament, life experience, or the requirements of office to such thinking.

In most of ancient social thought the individual was in the center of the picture. The social situation was viewed as it affected the individual rather than the group. There was much concern about the individual's adapting himself to his fellows, especially those of his class and primary group, and about behavior that was expedient and profitable to the individual either in a social or in a supernatural sense. But there was very little thought devoted to the analysis of groups or group relations, or thought along the lines of social theory. The sense of social responsibility did not usually penetrate beyond the immediate group, and rarely was the responsibility of group to group either expressed or implied. In fact, in the main, the individual's mutual social obligations were not expected to carry beyond the in-group or primary group. Social kindnesses, for example, usually were extended only to members of one's own race, city, class, caste, or faith, and the relations to others were subject to various qualifications, gradations, and differentiation of values and treatment. Universal contacts had not yet produced a conception of universal positive obligations. The thinking, in general, was not about or for society as a whole. And yet there were most illuminating and inconsistent exceptions to this generalization, as will be pointed out below.

The spirit of these early social thinkers in these custom- and precedent-bound societies, with a few exceptions, was not one of free and eager inquiry, not one of anticipation of new knowledge and new solutions, but one of conservatism and traditionalism. While several of them advocated knowledge and education, these were based upon the past; and while many of the men discussed were actually innovators and creators, by chance or circumstance, they did not seek to play these roles. In the main, the approved social knowledge and the satisfactory ways of meeting social situations were not achieved by finding or creating a way out, not by taking thought and discovering new truth, not by a process of reaching ahead but by a reacceptance of the ancient, revealed ways, by a duplication of the luminous past. Men sought to abide by the process of unchanging transmission rather than that of discovery. The past was

thought of not as a source of social experience and as a point of departure for purposes of thought and construction but as a sacred model. Men expected it to provide a mass of regulative details for all of the contingencies of life of which they were aware. Even when a new situation had to be met in a new way, they preferred to establish the fiction of the antiquity of the new way or idea. Hence in their writings there is much "retrospective elaboration of the wisdom of the ancients" and very little moving forward to a better era by means of knowledge of new needs and new agencies and unafraid creativeness. The ancients preferred to follow an age-old list of precepts or admonitions; a long-tried set of specific behavior formulas or commandments; a sacred legal code; a precious incantation; an established rite; an ancient tale, myth, or legend; or some other authoritative pronouncement of ancient sages and leaders. There was among them very little social scepticism or iconoclasm and almost no confidence in their own ingenuity. Changes, both those looked upon as unavoidable and those better-future social states so passionately desired, were conceived only in terms of supernatural agency.

In all this, in the main, they had no choice; they could not have a confident forelook. While they had a profound appreciation of history they had no perception of the historical development of man. They did not have in this stage of intellectual unfoldment the cultural materials or the analytical viewpoints and techniques essential to a coherent and comprehensive analysis of social phenomena or for a grasp of that all-important subject—the heart of the social sciences—the social processes. These aids and conditions did not exist, except in decidedly incipient form, until after Socrates and were not to be in effect to an adequate degree for even a competent preliminary analysis for several millenniums. Hence these thinkers had a retrospective, not a prospective, point of view.[1]

Most of this pre-Greek social thought is of a highly practical nature. It has to do with the individual successfully conducting his everyday life among his fellows. Implicit also, though never specifically expressed, is the idea that certain behavior is necessary among the members of a given group if that group is to

[1] For a parallel discussion, see HERTZLER, *Social Progress*, pp. 63–66, New York, 1928.

survive and flourish. Hence we have appearing again and again admonitions, precepts, and proverbs which are largely tritely stated rules of conduct; collections of commandments; and other specific statements of behavior formulas, both for special classes or professions and for the rank and file; voluminous and comprehensive legal codes; extensive elaborations of economic rules and principles; and long lists of proprieties. The purposes motivating the thinking were essentially utilitarian. These were the world's first great civilizations, at least from the viewpoint of the discoveries to date. The new and extensive social life demanded principles and institutions, and the social thinking sought to meet these demands. It was not until much later that the conditions of leisure, a margin of safety, and general cultural advance could exist which would allow such thought to be looked upon as part of a systematic and objective intellectual discipline.

The thought is often expressed, not in sober, detached, objective and comprehensive statements of fact and hypothesis, but with the liberal use of bold imagery, vivid figures of speech, physical analogies, or a sprinkling of mysticism. It is presented with great earnestness or even obsession. There are no half tones. Things social, to be of any interest, must be of deep personal interest, and passion—love or hate, fear or desire—easily dominates. Much of it is characterized by eloquence, imagination, and strong feeling, rather than by logical exactness.

Some of its emotion and unrestraint must be attributed to the fact that much of it grows out of times of stress and lamentation, times of revolution or civil unrest, the clash of races, nations, or classes; times when the foreigner must be repulsed, the tyrant or oppressor cast out, the sacred cult and customs maintained in their purity; and, simultaneously, times when a cataclysm was to usher in an unprecedented golden age of justice and righteousness and peace, presided over by a perfect king, a "shepherd of all the people," a savior or Messiah.

Finally, this early social thought is not scientific. Rather it is prescientific. Its conceivers were unsophisticated in a scientific sense; they were amateurs, not responsible, trained members of an investigational craft. Its abiding truthfulness depends not upon its subjection to the dialectical method with its penetrating use of the principles of logic, or upon the scientific method, but upon the selective influence of time and the haphazard tutelage of genera-

tions and centuries of human experience. Many people, over many generations, unknowingly were paring down and fashioning social concepts into social truths. Solutions that struck their fellows as pat—that "rang the bell," as Bacon put it—were corrected, clarified, condensed, and often collected generation after generation, surviving as the most pointed and representative statements of social observations. Except in a few exceptional cases, these statements were not arrived at in a systematic way; they usually were not disinterested; they were not particularly exact; they, of course, were not usually checked accurately—the method being lacking—nor were they looked upon, in most cases, as part of a definite body of knowledge. For that matter, when this thought level is arrived at, social thought becomes sociological thought. In spite of these defects, this ancient social thought did have a pronounced effect upon the social life and hence upon the culture of people. Through it were built up social behavior, institutions, social attitudes and concepts, and social philosophies which affected all future generations that had even the most remote culture contacts with them. Here are the depths and rootage of modern social and sociological thought.

Though this pre-Greek thought is ancient, immature, fragmentary, and nonscientific, it contains the germs of practically everything that is valid in social-science thinking. The ancients *have* stolen most of our good ideas. The ideas that they expressed have significance not only as examples and types of incipient social science but as the prevailing social philosophy of the world's earliest great civilizations. Among a considerable array of specific contributions, those following must be specifically mentioned. We have examined in the preceding chapters much material indicating the development of social consciousness; the recognition of the difficulties arising out of personal contacts in group life; a devotion to thought about man's relationship to man in groups; a discussion of human and social values and philosophies of life; much thought about social control, especially the regulative institutions, such as the state, family, and property; some treatment of certain aspects of social organization; some worry about bad social conditions and their effects; the development of massive legal codes governing almost every aspect of group life; much thought about the importance and nature of man's social duties and obligations, with special reference to

moral codes and social proprieties; some thought on the preparation for group life, especially education, its theory and technique, but including other means of inculcating institutional lore; the nature of human nature; occasional thought in the form of deft, though partial, social criticism and prophecy; and some treatment of social differentiation, especially the phenomena of class relations and social inequalities.

Like the social thought of any other cultural stage, this thought of the pre-Greek civilizations has its distinctive tone and characteristics, in so far as we can judge from these fragments and types available. In general, these ancient civilizations were in approximately similar stages of development, though the specific degrees in particular aspects of their cultures differed widely. This makes possible and justifies any comparison of their traits and any generalizations drawn.

Similarly, while there are many peculiarities of thought in each culture, at the same time, as has been repeatedly hinted, there are also various types or classes of thought or subjects of thinking, which are to be found in at least several of these cultures. While only one or two types are universal among them, many are common to three or more. These common varieties of thinking should be examined in a little more detail by way of general summary.

III. A Brief Summary of the Common Elements of Ancient Social Thought

1. The Proverbs, Admonitions, and Precepts.—The lists of proverbs, admonitions, and precepts offer one of the most exhaustive and characteristic sources of thought among these ancient civilizations. Not only did these specifically state the positive procedures, the cautions, the responsibilities, and many of the desirabilities of everyday life for the individual, but they reflected the social and ethical tone, the cultural richness, the ideals of social order, the conceptions of social values, and the general state of institutional efficiency of the respective communities. The lengthy lists of admonitions covering nearly three thousand years of Egyptian life, the proverbs and admonitions from Babylonia, the more than three thousand proverbs in the Hebrew literature, and the mass of semiproverbial and instructional material in the Confucian works from China con-

stitute a type of literature exceeded in volume by none other save possibly the extensive legal codes. Since they are concerned mainly in a realistic manner with the personal relations of individuals in primary groups, they are an inconsistent but very human mixture of honest, sincere, humane admonitions to order- and happiness-producing behavior and crafty, opportunistic hints on how to "get next," get on, and "get by."

In each of these lists there is much emphasis on man's duties to himself among others. All preach the avoidance of prostitutes and lewd women and relations with other men's wives. The reference to the prostitute as a "deep ditch" is to be found in both the Egyptian and Hebrew lists. Warning is given against gossip and idle, frivolous, foolish, slanderous or malicious talk and regarding the desirability of one's speech being wise and sensible. The hotheads and pugnaciously inclined are advised to keep away from places and out of situations that might tempt them to fight. Warning is given repeatedly against the intemperate use of liquors and the frequenting of beer places and eating halls. Bad company should be avoided, as should also self-seeking and self-advertising. On the other hand, men should be just, faithful, self-controlled, friendly, prudent, tactful, helpful, liberal, merciful, and loving, sometimes even to enemies. It is evident that the primary group life in these equable climates induced an out-of-door life with numerous face-to-face contacts which created many temptations to hostile or immoral behavior and required much emphasis upon peaceful association.

In nearly all of the lists men were admonished to avoid laziness, disdainfulness, greed, hatred, anger, jealousy, revenge, flattery, dissimulation, lying, treachery, the oppression or mistreatment of the poor and helpless, and deeds of violence and to cherish uprightness, modesty, humility, and moderation. Certain social values, such as those attached to wealth, health, property, a good name, and length of days, were made much of, and the connection between the enjoyment of these and the practice of the various duties and virtues was not only implied but often stated with disconcerting directness. All agreed also that as a man sows so shall he reap.

Of a selfishly prudential nature was the advice given on how to secure the friendship and good will of important people, how to act so as to flatter them and get them under obligation or, at

least, not to irritate them and how to maintain the respect and allegiance of the common people. Sometimes this advice involves an almost Machiavellian strategy.

In general, these lists constitute a veritable encyclopedia of prudential ethical, economic, social, and political teachings. But they always reflect behavior and social thought only for an individual who is a member of a primary or face-to-face group. There is no reference to the desirability or necessity of a good society as an intricate and organized whole. The objective in the great mass of the admonitions and proverbs is the well-being of the actor among his fellows. The more than occasional proverb or teaching that refers specifically to the well-being of associates indicates that a clear-cut social consciousness prevailed alongside of the opportunistic individualism. This, too, however, was largely confined to the primary group.

2. The Special Behavior Formulas.—Closely allied to the proverbs and precepts, though more formal and systematic in their nature, are the specific behavior formulas found in these early social literatures. Reference is made particularly to (*a*) the great moral triad of Zoroaster with its life pattern woven out of good thoughts, good words, and good deeds; (*b*) the Noble Eightfold Path of Gautama consisting of right views, right aims, right speech, right conduct, right livelihood, right effort, right mindfulness, and right contemplation; his ten commandments; the special instructions for monks known as "the Small, Middle, and Great Moralities"; and the six rules given to young men; (*c*) Confucius has his innumerable principles of behavior for the "superior man," his rules of propriety, and his five specific duties for the five typical relations; and finally we have (*d*) the various decalogues of the Hebrews.

These are formulas for successful and complete living in organized human groups which are simply stated and easily understood. They are all social in their implications and requirements. Moreover, they are for here and now. They are largely free from superhuman agency and rest largely on self-culture and self-control. The recognition of the importance of having the basically necessary conduct requirements standardized and clearly stated is clear, as is also the appreciation of the importance of the discipline of sound and wholesome rules in shaping the desired behavior sets of the people of the group or area. Most of

these formulas are merely authoritatively stated; a few are presented with copious supporting reasons. Some are for special classes or groups—monks, superior men, or a political or hereditary aristocracy—most are for the population or adherents as a whole.

The two famous portions of religious ritual, the so-called Negative Confessions of Egypt and the great incantation from Babylonia, were also really specific behavior formulas. They consisted of a long list of positive or negative duties, largely social in their nature, which the individual declared himself before the gods as having performed. As such they epitomize social essentials. According to the Negative Confessions the individual had to confess having abstained from such acts as the oppression of members of his family; contact with worthless companions; ill-treatment of servants; defrauding others of property; abusing servants; causing illness, hunger, and murder; committing fornication; falsifying weights; filching land; taking milk from children; stealing irrigation water; driving off cattle; stirring up strife; talking maliciously and too much; fouling water; and behaving with insolence. The Babylonian incantation also dealt with antisocial acts which had been avoided—most of them quite similar to those on the Egyptian lists. Among those specifically to be avoided were arousing opposition between near of kin and friends; freeing prisoners; insulting relatives; using unsuitable and foul language; using false weights and counterfeit money; setting up wrong landmarks; trespassing and intrusion; theft; assault; breaking up families; being insubordinate among superiors; acting deceitfully; and exceeding the bounds of right. These incantations were undoubtedly carefully memorized and frequently repeated until they were firmly impressed upon the minds of men. Practically all of these behavior formulas were in their very nature intended for continually reappearing behavior situations.

3. The Golden or Silver Rules and the Rule of Love.—The most widespread of all social-behavior formulas is the golden rule or the silver rule, as its negative expression is sometimes called. This is a general behavior rule which is operative in new and unique social situations as well as in the more commonplace and standard. This fact indicates the rather complete coverage of primary group relations which was achieved by

these cultures. It is found in slightly modified form among people widely separated in time and space. As has been noted, it is to be found among almost all of these ancient pre-Greek thinkers. Amen-em-apt states the principle quite clearly in ancient Egypt around 2200 B.C., as does a Babylonian wisdom fragment which may go back also to about this time or even earlier. In the *Upanishads* of Indian Brahmanism, going back to the period 800–600 B.C., is found this striking passage, not mentioned before:

> Let no man do to another that which would be repugnant to himself; this is the sum of righteousness; the rest is according to inclination. In refusing, in bestowing, in regard to pleasure and to pain, to what is agreeable and disagreeable, a man obtains the proper rule by regarding the case as like his own.[1]

Gautama clearly enunciates the law of love. The ancient Persian literature has both the negatively stated rule and the law of love. Both rules were widely known in ancient China. Lao-tse propounds his remarkable doctrine of recompensing injury with kindness and of overcoming evil with good, while Confucius gives the silver rule its most brilliant statement and most comprehensive analysis. Mencius discusses the power of love in dozens of passages. In Exodus we have the law of love, but the golden rule is not to be found anywhere in ancient Hebrew literature.[2] Later thinkers in the various cultures continue to present this great formula.[3]

The golden rule is one of those cultural fundamentals or universals which persist and which the changing human scene does not invalidate. It very obviously has grown out of the experience of diverse groups and, like many other precepts and maxims, is a product of generations and centuries of careful observation and analysis of the relations of the individual and the group. Its widespread advocacy points to inherent elements which have given it considerable success as a social rule, elements that rest not only upon certain uniformities of human nature but also upon certain ones of the individual-

[1] *Mahabharata*, XIII, 5571 *ff.*

[2] The later Talmudic literature, both Palestinian and Babylonian, states it negatively, however.

[3] See HERTZLER, "On Golden Rules," *International Journal of Ethics*, Vol. XLIV, pp. 418–436, July, 1934.

group relation. Its outstanding characteristic is that it leads to individual self-determination and direction and thus magnificently supplements the external controls, or it operates in those areas of social life not yet standardized in group opinion or law. With reasonably good sense the individual can, on the basis of the golden rule, act in a socially appropriate manner in a new or heretofore unexperienced social situation. Its compulsion comes from within the individual and rests upon his notions of prudence and expediency, his idealism, and his aspirations. The more such inner controls develop the less need there is for negative social pressures. Even in its negative statement it promotes justice and order rather than attempting by coercion to prevent or repress injustice and disorder. It is one of the world's great social rules. Consequently it is a matter of special note that it should have had such a wide development and general use among these ancient cultures.

4. The Legal Codes.[1]—Among these ancient civilizations the informal proverbs and precepts, the more organized behavior formulas, and the great golden or silver rules were in themselves inadequate to produce the necessary social order or to provide regulative agency in all the multifarious ramifications of their life. They needed a massive body of law and its impressive compulsive influence. While it is known that all of these ancient cultures had bodies of law, not all of them are now available for study. This is true of the civil codes of both ancient Egypt and Persia. From Babylonia, however, comes the famous Code of Hammurabi, which, now that other copies have been found in whole or in part, is known in practically its complete form. Revealing fragments of the ancient Hittite and Assyrian codes are available. Notable also are the laws in the Persian *Vendidad* and the five or six sizable bodies of ancient Hindu law. The Hebrew law exists in all of its confusing, repetitive completeness.

These ancient codes cover practically every relation and condition of life requiring regulation at the culture levels prevailing. Among the topics dealt with in one or more of these codes are the following: the relations of the sexes and age groups including marriage contracts and settlements, family relations, concubinage, divorce, widowhood, adoption, care of illegitimate children, and types of immorality, such as abortion, onanism, incest, adultery,

[1] See in this connection the first section of Chap. V.

rape, and sodomy; crimes and misdemeanors against property, involving theft, housebreaking, willful destruction, incendiarism, carelessness in the use of rented properties; crimes against the person, such as murder, assault and battery, kidnaping, brigandage; property ownership and usage, emphasizing the responsibilities of different types of land uses, tenures, the relations of owners and tenants, inheritance, restitution for damages; contractual relations of all kinds, especially the commercial; relations of social classes, including caste lines and compensations for injuries as determined by the class or caste of actor and victim respectively, and the rights, duties, and treatment of slaves and freemen; often legislation fixing fees, wages, prices, and rentals; political and military organization, including legislation on court procedure, witnesses, duties of officials, and feudal responsibilities; laws on industry, thrift, and the avoidance of waste; on borrowing, lending, and the payment of interest; legislation involving hygienic and sanitary requirements, both private and public; philanthropic laws involving the treatment of the unfortunate and dependent; and a considerable number of other categories of lesser importance from our point of view.

The penalties provided reflect the general cultural level. In the Code of Hammurabi they range from mere fines through mutilation to death. The death penalty is fixed for such offenses as giving false testimony, kidnaping, brigandage, allowing disorderly conduct in a wine shop, and incest within certain degrees of relationship. In one case, that of the wife who murders her husband, impalement is the penalty. The *lex talionis* prevails with variations for different cases and with gradations depending upon the class of offender and victim. In the Assyrian Code the punishments are exceedingly severe, the death penalty and mutilation both being more widely used than in Babylonia. In addition, there was the use of blows or lashes as well as service in the *corvée* as punishment. Two notable features, however, are the almost complete absence of the *lex talionis* and the principle of gradation of punishment according to the social stratum of the parties as in the Code of Hammurabi. In the Hittite Code the penalties are much the same except that in this case they vary with the political condition, especially the citizenship, of the parties, indicating the cosmopolitan nature of Hittite life; also, they show a remarkable humanitarianism in

several respects as compared with the two other codes. The Persian *Vendidad* mentions, in addition to the more common ones, such penalties as fines, exclusion from participation in certain festivals and rites, and the compulsion to kill a certain number of noxious creatures. More than any other code, however, it emphasizes flogging as the almost universal penalty, the number of stripes prescribed in many cases amounting to an unbelievable and physically unendurable number. In the Hindu Code the penalties range from compensation by means of some form of wealth, through public humiliation, outcasting, torture, and mutilation to death, though most of these can be obviated by performing certain of an elaborate list of penances. The Hebrew Code uses the death penalty freely, especially death by stoning, the efficiency of which depends upon the craving for vengeance and the blood lust of the populace. While the *lex talionis* was as widely resorted to as in Babylonia, cities of refuge existed as a mitigating aid. Nevertheless, the elders were permitted to deliver one who had killed his victim with malicious intent to the blood avengers for killing. Fines and curses were also used for minor offenses.

The Babylonian, Assyrian, and Hittite codes point to a strongly organized state, for state facilities are widely resorted to in detecting, trying, and punishing offenders. The Zoroastrian regulations are made effective within a cohesive, self-contained religious group, while the Hindu Code seems to rest upon the local caste-organized community, combining religious and civil functions, for enforcement. Among the Hebrews the avengers or sufferers are much more depended upon to carry out these functions, though both civil and religious enforcing agencies are mentioned. Each code, with the exception of the Persian, recognizes the same general population classes or strata, though in the Hindu Code these are crystallized into castes, and, with the exception of the Assyrian Code, the principle of gradation prevails. In general, the differences of procedure are one of degree in the culture level, the moral quality, or the religious preoccupation of the given code. It is evident that the Babylonians, Assyrians, and Hittites had the essential institutional equipment to use these codes effectively; in other words, they had a highly organized legal system, a judicial organization of some form, a corps of responsible enforcing officials, and a supporting citizen-

ship and a strong public opinion. The Hindu lists and the Hebrew Code indicate a simpler political organization for most of the career of the respective peoples. The first three codes are strictly civil in nature, while in the Zoroastrian, Hindu, and Hebrew codes the civil and religious are inextricably intermingled. In the case of the Hebrews this reflects their political subordination and impotence throughout most of their career as a culture group. Most of the codes, as noted previously, have attached to them the fiction of being God-given, as a means of lending them strength and authority. All are largely summaries of customs and edicts of various types of administrative officers; most of them are codifications and reflect much older codes; all show the contact with other cultures and are thus sometimes an inconsistent mixture of indigenous and borrowed elements; all reveal with considerable accuracy the general cultural level, including the moral qualities, the social philosophy, and the nature of the institutional organization of their respective peoples.

5. The Pessimistic Writings.—"Bad times" produce pessimists, critics, and prophets. In the ancient literatures we have striking examples of each of these. From the Egyptian Dark Ages, with their internal dissension, economic depression, class upheaval, and social degeneracy, the *Dialogue with His Soul of a Man Weary of Life* and the *Lamentations of the Priest of Heliopolis* are available. A similar fragment was produced by the Babylonian Koheleth. From China, during a time similar to that of dynasties VII to IX of Egypt, come the sayings of Lao-tse, most of which are decidedly pessimistic in their implications. If space had permitted, the philosophy of the preacher of Ecclesiastes and of Job, among the Hebrews, might have been examined.

These pessimists are struck by the appalling state of things and voice little hope of any kind. The "Misanthropist" is in despair as he is confronted by injustice, disease, and self-indulgence; he feels himself victimized by social forces and conditions beyond his control and is contemplating suicide. The "Priest" is filled with disgust and worry and thoroughly disillusioned regarding life in general. The Babylonian is distressed at the stupid valuations that men make. The high-class murderers and robbers and exploiters are honored because they have authority and prestige. Men worship riches and folly. The only release from such a wretched situation is death. Lao-tse, believ-

ing in simplicity, honesty, calmness and moderation, finds men making much of distinctions of rank and class; patronizing each other; forced to engage in charity and benevolence because of the many inequalities and injustices of the social system; worshiping false greatness and possessions, usually somewhat ill-gotten; priding themselves on their empty learning; and stupidly engaging in wars.

The final reactions to these melancholy states of affairs are different. The first Egyptian concludes that one should make the best of things and get the most happiness and contentment out of life that one can. The Babylonian feels that death is the only way out. The ancient Chinese worthy believes that man should try to escape by embracing tao—by living a life above the absurdities and follies of everyday mundane existence with its false values and hollow conformities, a life of nonaction, of community with the ultimate, of devotion to the great eternal fundamentals. In a sense, we have in these methods of escape a gauge of the respective cultures.

6. The Social Prophets and Their Utopian Hopes.—The social prophets, common phenomena in the ancient Near East, are quite similar to the pessimists with respect to the nature of their social criticism, with the exception that they are usually more accurate observers of the social scene. The prophets examined, both Egyptian and Hebrew, appeared in "bad times" as social critics, in several cases as most proficient social analysts, and universally as depicters of some sort of more perfect order to come. Ipuwer and Neferrohu, probably only a few generations apart in time, stood before their respective Pharaohs and fearlessly and remorselessly analyzed, with an admirable objectivity and realism, the social, political, economic, moral, and spiritual decay of their times, each, by implication at least, indicating that the rulers were, in a degree, responsible for the conditions. The Hebrew prophets were even more competent as analysts and critics, for they were able to perceive more comprehensively over a period of time the causal factors and the processes at work that were harmful to society. Urbanization, stronger military rivals, commercialism and materialism, accentuation of class inequalities, debauched leadership, moral breakdown, and corruption of the courts were among the factors that were prominently mentioned. One difference between the Egyptian and Hebrew prophets is

outstanding, however. The Egyptian prophets were aristocrats and were unable in their analyses and criticisms to divorce themselves from their class values and attitudes. What they deplore in the chaos and upheaval of their times is the fact that "the washerman refuseth to carry his load"; "strangers [foreigners] become Egyptians"; men, formerly poor, have possessions. The Hebrew prophets, on the other hand, either openly took a stand in favor of the well-being of the rank and file or assume a fine, impartial, judicial attitude. But all were worried about the general destiny of their people. At least four of the Hebrew prophets, in addition, predicted the impending, inevitable doom of their people, as the result of both internal disintegration and external onslaught. Though in varying degree, all of these prophets were students of social cause and effect, fairly accurate generalizers about social trends on the basis of historical, psychological, and sociological data. They were in a sense social scientists using historical data for sociological generalization.

The other distinctive contribution of these ancient prophets is their anticipation of ideal social states. Ipuwer foresees an ideally administered state of order and tranquillity, and Neferrohu one of peace and right. The Hebrews all looked for an ideal future state, conceived in ethical and social terms, presided over by a Davidic king, and occupied by the select "remnant."

All believed also in social reconstruction, though all also believed this possible not through any healing processes within society itself but only through the agency of a Messiah or coming deliverer. Among the Hebrews is the thought also that the mass of the population were not susceptible to therapeutic measures but only a select portion were capable. It must be recalled that while there is little evidence of prophecy among the ancient Persians, they did have the hope of a millennial period with a Messiah in the form not of a later perfect Pharaoh or one of the Davidic line but of a distant descendant of Zoroaster.

That these messianically established utopias were conceived in magnificently idealistic outlines need only be mentioned. One need recall only the superb description of Isaiah which is uttered as a classic down to this day.

7. The Philosophy of Social Change.—Closely akin to the utopianism of the ancients is their philosophy of social change, some of which, of course, is implied in their prophecy and mes-

sianism. In this respect there is an unusual diversity. Among the Egyptian fragments is found either a pessimistic attitude centering around a fatalistic automatism or the messianism just discussed. In Babylonia, in so far as any indicators whatsoever exist, a fatalistic notion prevailed, with a proverb occasionally carrying the thought that there is no change. On the other hand, we have a strikingly modern spirit of progress dominating the Zoroastrian literature, even including telic implications. Change is due largely to man's own agency, and the world must go forward. Ahura-Mazda definitely requires this. As such, it is a duty that cannot be shirked. Man must plan and strive; he must work and prosper.

In India, especially in the thought of Gautama, is the notion that all is in a state of perpetual flux. All individual existence and all external phenomena are subject to change—all is a becoming. Particularly significant is the conception of karma with its deed structures ever accumulating, until at last Nirvana—perpetual quietude—is achieved. For the given individual, however, this means that what he is now his deeds and efforts have made him and, similarly, that his future—indefinitely, in present or future reincarnations—will be determined by his conscious and unconscious behavior. In China is very definitely the thought that there is change and that this is on the whole a most regrettable occurrence, especially if it involves any considerable departure from the ancient ways. If there must be change, it should be along the lines of a greater conformity to the proprieties and admonitions of the grand men of old. The Hebrews were in the midst of perpetual change and had few temporal or political or economic certainties during their entire life as an organized people. Despairing, however, of such control of their changing world through their own efforts, they embraced the philosophy of messianism with its supernatural intervention. In each case the individual genius, but especially the unique cultural, social, and physical conditions of each people, was pointedly noticeable in the formation of their ideas of change.

8. Conceptions of Human Nature and Social Psychology.—Though only one (Mencius) of the numerous ancient thinkers discussed addresses himself directly and specifically to the subject of human nature, interpretations and principles resting on definite conceptions of it are used or implied in nearly all of them.

Among the Egyptians are found dozens of admonitions that rest upon a profound understanding of human nature. They involve, to mention some of the more frequently recurring, a knowledge of how to flatter and ingratiate oneself with different personality types, the secrets of successful leadership, the power of suggestion, the contagion of mobs, the conditioning influence of bad companions, and the most expedient way to deal with both superiors and inferiors. In general, their admonitions show a comprehensive grasp of the social psychological nature of the primary group and the association and conflict of personalities in it. In the Babylonian fragments we note, in addition to most of the above, generalizations regarding the reaction of personality types to different social situations and also the effect of the state of mind upon the reception of ideas. In the thought of Gautama there is discussion of temptation, of the conditions conducing to group harmony, and of the behavior characteristics of good and bad friends.

It remained for the two great Chinese thinkers Confucius and Mencius to give us the most comprehensive evidence on this point. Confucius throughout his writings, but particularly in the *Analects* and the *Great Learning*, deals with the similarities of human nature, the influence of life influences and experiences in developing the many differences and peculiarities of individuals, the diversity of original capacity, the susceptibility of the individual to various types of stimuli, the dominating power of that which we should call the social environment, the effect upon personality of repressions and denials, the nature and importance of habit, and the power of example among others. Mencius launches the thought that human nature is basically and essentially good, like the tendency of water to flow downhill, and that this goodness is distorted and perverted by untoward social conditions. He also treats specifically, with penetrating insight, the psychology of the father-son and ruler-subject relationships, the importance of having good native stuff to work with if a good person is to be produced, and the rigidity that habit produces in the individual, and he shows a keen knowledge of the power of suggestion. The Hebrew thinkers, especially the prophets and those represented in the proverbs, show a similar broad comprehension of the social-psychological aspects of human groups.

It may be said that all have some grasp of the psychological aspects of what we today term culture or the social heritage—its persistence, its transmission, and its dominating conditioning influence—as well as a substantial appreciation of the social-control features of group life—the importance and the specific function of customs, admonitions, rules, legal codes, education, and government. Here, again, the ancients show themselves to be surprisingly modern in their social erudition.

9. Knowledge and Education.—Each of these ancient cultures either states or assumes the importance of knowledge and education. The Egyptian precepts state repeatedly the utilitarian advantage of knowledge and are themselves an important part of the formal curriculum of the ruling classes. In Babylonia there is not only the implication that knowledge is important but also the assumption that literacy is sufficiently widespread so that the citizenry can come to the courtyard of the temple E-Sagila and read for themselves the great column inscribed with the Code of Hammurabi. Confucius presents investigation and thinking as the basis of good and correct living and in turn emphasizes the necessity of having adequate knowledge as a basis for thought ("learning without thought is labor cost; thought without learning is perilous"). He specifically advocates an involved and comprehensive course of instruction, which he believes will tend to have a leveling effect upon the whole population and reduce class distinctions. Moreover, it will develop the capacities and correct the defects of individuals. The instruction should, however, be graded according to the abilities of the pupils. Mencius looks upon education as a fundamental necessity in maintaining the requisite social controls. People must be taught the necessary social duties. Such teaching is a vastly better means of making men social than the compulsion and force of government. Quite consistently with his general social philosophy, but quite contrary to the beliefs of his compatriots, old Lao-tse points to the emptiness of learning. In his opinion it is a matter of folly more or less, for at best it only reproduces what other men, probably faulty in many respects and now dead, have said and done, perpetuates absurdities along with an occasional crumb of wisdom, and is often used as a basis for making invidious comparisons between people.

Among the Hebrews, especially in the proverbs, education is highly desirable and necessary. Without it man is a fool. Its aim is to enable men to acquire understanding, knowledge, and wisdom, and the chief educators are parents and the elders.

While there is only occasional allusion to formal educational procedure or specific agencies there is an unmistakable universal emphasis upon systematically passing on an extensive store of useful information as an aid in intelligent living among one's fellows: less dominant but quite perceptible is the thought that education has broader social values as a conditioning and control device. We know, of course, on the other hand, that well-developed educational institutions of one kind or another existed among these ancient peoples and were available at least for certain classes of the population.

10. Good Government and Administrative Excellence.—Much attention is devoted in these ancient fragments to the subject of government. In the Egyptian precepts this general subject, and its special phases the obligations of rulers and leaders and the administration of justice, is referred to again and again, both directly and indirectly. In addition, three major literary gems from Egypt deal with aspects or functions of government, namely, the *Idealism of Henku the Nomarch*, the *Tale of the Eloquent Peasant*, and the *Installation of the Vizier*. In these brilliant culture bits from the upper classes is found a noble and substantial political idealism which has at its core administrative excellence and impartial justice. In the prologue to his code, a customary part of an ancient legal document, Hammurabi sets forth some sixty notable acts performed by him. These must be looked upon as acts that conformed to the prevailing standard conceptions of a ruler's function. Here excellence as an administrator of the normal functions of government is assumed. Specific mention is made of the protection of the weaker classes, production of conditions of prosperity, the conducting of great public works, the restoration of populations to their cities and lands, the development of means of communication, and, above all, the fact that it was he "who made justice prevail and who ruled the race with right" and who "promoted the welfare of the people." There is also some mention of political principles in the precepts and proverbs. While the Assyrian and Hittite codes state few principles and no ideals, they do imply a high and apparently

efficient control of the major life situations and definitely rest upon fairly advanced conceptions of justice. In the old Persian literature the nature of good government is briefly set forth, emphasizing especially the importance of maintaining prosperity, establishing good law, aiding the lower classes, and insuring justice. The literature of India examined makes no mention of government.

The Chinese, being such an ancient people, even at the time of the literature examined, devote much attention to the subject under consideration. Lao-tse considers government a necessary evil and believes that that government is best that governs least. Laws should be as few and clear as possible. Above all, government should be carried on with simplicity and modesty, "as we cook small fish." War, usually an activity of government, is looked upon by him as one of the greatest of human absurdities. "In the sequence of great armies there are sure to be bad years." For Confucius, on the other hand, government is a subject of great importance, and he devotes more space and attention to it. Outstanding is his idea that if we have a well-governed, efficiently functioning state, most other social matters will take care of themselves. Government is, in fact, the general agent for producing all other good things social. Not only is government necessary, but it should reflect the will of the people. In the last analysis the quality of government depends upon the governing personnel, so Confucius pleads for strong and virtuous rulers and lays down nine rules of behavior for them. There is also in his admonitions on successful ruling much Machiavellian utilitarianism which to a modern Westerner would seem to be quite inconsistent with his array of virtues. He appreciates fully the close connection between successful government and economic conditions, especially the fact that good government means not only sufficiency but also equitable distribution of wealth. Mencius, in the main, merely repeats the ideas of his master on this subject, though his elaborations occasionally add a new thought, as, for example, when he calls attention to the fact that the ruler must stand in well with the small upper class and that no governor can expect to satisfy everyone.

Among the Hebrews there is little formal discussion of political matters. There is, however, the formidable body of law indicating a widespread attention to problems of internal order and

control over a period of many generations and centuries, the numerous statements of the prophets having distinct political implications, and the occasional proverbs dealing largely with the character and rule of the king.

In this connection attention must be directed to the emphasis placed upon social and political justice in practically every one of these ancient literatures. Their lists of proverbs and admonitions, their legal codes, prophecies, and political ceremonial are impregnated with the thoughts that justice should be available to everyone, that it should be administered according to law and in an absolutely impartial manner. The only exception is Lao-tse, who looks upon the necessity of advocating charity and justice as an evidence of social defect, for if the social system were properly operated, inferiorities, inequalities, and subordinations would never have appeared, and the humiliating condition of requiring charity or justice would not exist. Old Lao-tse more than twenty-three centuries ago may have pointed out that what we still consider to be social virtues are merely patchwork duties needed to cover often inexcusable social defects.

11. Marriage, the Family and Children.—A subject receiving at least a degree of consideration in the literary fragments of practically every one of these early civilizations is that of sex relations, marriage, the family, and children, all, of course, closely related to each other. Many of the statements are merely regulations establishing certain standard behavior; a few state principles and generalizations. There is little in the way of systematic exposition of the subject to be found, however; rather, the treatments are haphazard and spotty. In the Egyptian precepts we find a relatively scanty treatment, especially in view of the extensive coverage along many other possibly less important aspects of social life. Different precepts call attention to the desirability of being married and the importance of having a son; they give hints as to how to treat a wife and the obligations to one's mother, the proper relationship to a son, the wisdom of not interfering with a housewife in the pursuit of her duties; and, finally, a number are concerned with the avoidance of irregular sex relations, both with prostitutes and with married women.

Almost one-fourth of the great Babylonian Code of Hammurabi involves marriage and the family. Among the subjects

prominently treated are marriage contracts (marriage is definitely a matter of contract), divorce, concubinage, incest and other crimes within restricted sex relationships, inheritance among different members of the family, adoption, and the position of women. A considerable portion of the parts of the Assyrian Code now available also relates to women, though the concern seems to be mainly with pathological or abnormal considerations. There is also a block of laws in the Hittite Code dealing with marriage and the bride price and dowry, especially the two distinct kinds of marriage.

In Persia in the Zoroastrian literature the home is spoken of repeatedly as the most important place on earth, and naturally marriage and children are highly desirable. Reproduction is encouraged, and abortion and birth control are flatly condemned, as is also adultery. Hints are also given regarding the type of woman to marry—one who is virtuous, foresighted, sturdy, and a homemaker. No sufficient reference is made to this subject in the Indian literature examined to make it worthy of treatment.

In spite of the widespread attention to the family and marriage in the ancient Chinese classics as a whole, the discussions in Confucius and Mencius are surprisingly sketchy. It must, of course, be stated that the innumerable miscellaneous statements of propriety also contain an occasional reference along this line. Confucius repeats the ancient eugenic prohibition of marriage within certain degrees of consanguinity; emphasizes the desirability of happy relationships within the family and the necessity of mutual loyalty among its members, even when this necessitates the violation of some ethical precept; and above all insists upon the obedience to and honoring of parents. Mencius mainly repeats the ideas of Confucius but adds one important duty, namely, that the service of kin is the greatest and most basic of all services rendered by men.

In the Hebrew law, since their social organization was based so largely on the family, the authority of parents had to be recognized. Hence obedience, honor, reverence, and loyalty are required by the codes, and violation is severely punished. Wives and children are the possessions of the husband. Relationships within which marriage is illegitimate are specifically mentioned. Divorce is provided for, as is also family perpetuation in case of decease of either husband or wife. On the whole, the Hebrew

family legislation covers almost every necessary aspect of the subject. In the Proverbs the relations of parents and children are also dealt with at great length, respect and obedience being mandatory. The mutual good of parents and children to each other is frequently stated; the ideal wife is described, and the wife as the source of her husband's welfare or woe is dilated upon repeatedly. Mutual fidelity of husband and wife is basic.

There is little in the way of a statement of principle on the subject of marriage, the family, and children in the legal codes, the proverbs and precepts, or the lists of proprieties. The legal codes in their very nature are devoted to statements of requirement and prohibition and to administrative and punitive details; the proverbs and precepts are largely hints on expedient behavior; and the proprieties deal with formalized requirements. A more careful reading of these types of literature on this subject presents, however, a fairly clear picture of the general nature of their matrimonial and domestic institutions, the quality of the sex relationship, the status of women and children, and the social values governing these various relationships. In spite of the gaps, one concludes that the Hebrews had well-established institutional requirements which were based upon definite and generally accepted, though by no means similar, standards.

12. Economic Considerations.—While these literatures make reference to economic activities in every case, only certain of them give sufficient attention to economic life to leave any very clear impression either of the institutions or of the underlying economic philosophy. In the Egyptian precepts economic well-being, its social importance, its acquisition, and the desirability of having it for all alike are discussed. We have in one of Ptahhotep's precepts what might be easily interpreted as a statement of the principle of the stewardship of wealth. Here will be found also admonitions regarding the use of property and respect for property rights and boundaries. From Babylonia we have the massive array of economic-legal documents—contracts, bills of sale, leases, notes—and business and private letters which reflect clearly the extensive nature of their economic life, in addition to the great code with its numerous stipulations regarding property in general, land ownership and rental, taxation, damages for careless use of land and chattels, prices, wages, and fees. Part II of the Assyrian Code is concerned with property arrangements

as to use, sale, and inheritance; and the Hittite Code deals with such subjects as theft, inheritance, property destruction, and the fixing of wages, rentals, fees, and prices.

The practical aims of Zoroaster were bound up closely with economic matters. He believed in prosperity and recognized the fact that work and thrift were essential thereto. Hence his advocacy of the persistent production of crops; of increasing herds and flocks; of building up an estate; and his opposition to waste, fasting, and asceticism. His objection to suicide rested largely on economic grounds. But wealth should not be obtained through dishonesty or at the expense of the well-being of others. Lao-tse, the ancient Chinese worthy, on the other hand, looks upon all possessions as folly and upon economic activity as largely an unworthy waste of energy. Possessions cause worry and distract attention from essentials.

The Hebrew laws deal extensively with property and commercial arrangements. The proverbs recognize the basic importance of economic sufficiency; deplore laziness and praise diligence; often imply that poverty is the result of intemperance, laziness, and dissolute friendships; but also state that it is preferable to wealth dishonestly achieved and that there are many things greater and more valuable than wealth. In general, from the scanty material available, one would judge that economic theory, in the sense of a body of well-organized and consistent principles, was nonexistent in any of these ancient societies.

13. Social Classes and the In- and Out-groups.—The social thought, as has been repeatedly noted, is confined mainly to primary group situations. Lest this grouping be too narrowly conceived, as, for example, confined to family or kin group only, it might have been better to point out that it concerned relations within the community primarily and did not generally encompass society as a whole. And yet much of the thought concerned itself with the complex conditions arising from social classes and even the contacts with other nationality and racial groups. The admonitions, the prophecies, the lists of proprieties, and the legal codes, all accept or at least consider social gradations and distinguish between members of the in-group and the out-group. The thought ranges all the way from the advice to be kind to inferiors, through the graded compensations for injuries, to the laws in the codes of the Assyrians, Hittites, and Hebrews allowing

citizens to carry on certain practices with foreigners that were prohibited among the members of their own city or race, as, for example, the freedom to have sex relations with foreign women or to charge foreigners usurious interest rates with impunity or sell them unclean food. While there is no systematic thinking along the lines of relationships in secondary groups or with foreigners or members of other cultures, and while there is a noticeable absence of humanitarianism in the government of these relations, there are nevertheless a recognition of them and established policy regarding them, in at least three of these social literatures.

IV. The Social Thought of These Ancient Cultures as a Dynamic Cultural Factor

Any effort on the writer's part to justify this work as a piece of scholarship having value in the field of the social sciences brings him back to the opening paragraphs of this book. The direct observation of contemporary social phenomena and the examination of purely modern, recent, or even European-American social thought are not sufficient foundation for a substantial social science based on societal universals. Moreover, so much of the knowledge regarding present social phenomena is in such a state of flux or in such an undigested state, owing to the limited perspective regarding it, that it gives a very inadequate base even for generalization about the present. There must be a study of both the phenomena and the thought about them at different eras, among various cultural levels, in their time sequences and processes of formation and change. No limits of either time or region may be arbitrarily established for any such study. Professor A. W. Small in his last book well stated the common importance of such a broad historical approach in terms of its possible contributions.

> To be fully equipped as historian or political scientist or economist or sociologist or psychologist, one should know all the blind gropings toward understanding of human experience, all the gradual systematizings of theories about human experience, all the tools of analysis which have been devised for inquiry into human experience, all the tentative conclusions which have been reached about cause and effect in human experience, all the expired and surviving hypotheses in explanation of human experience, and all the methods of inquiry which at the present

time have stood the test of trial and are rated by scholars as fit for use in further investigation.[1]

It is hoped that with this study a large and very important block of social thought, heretofore barely discovered and quite unexplored, has been made available for social scientists in some detail and with a degree of system and organization. While it has been essentially a study in the history of social thought, it has also unavoidably been a social-scientific study based on historical materials; for social thought always involves thought *about* social phenomena, and the evolution of social thought is itself a social phenomenon. The same principles that govern most other phases of culture govern social thought also; it, too, has its universals, its continuities, and its unique elements, its causal and conditioning factors, and its processes and effects. This study has provided information regarding types of thinking and specifically has presented concrete generalizations about social relationships in the great pre-Greek civilizations of antiquity. Among these peoples there were no scientific statements or generalizations in the formal sense, but it must be remembered that until very recently the subject matter of all of the existing sciences consisted largely of informal generalizations checked by the daily observation and experience of those thinking along the given line through generations and centuries. Here, then, is substantial material, than which none better exists at present, for assistance in determining "comparable and generalizable similarities" in the field of the social sciences.

Several general conclusions grow out of this study. One is the amazing and unexpected social erudition of these ancients. The reader has undoubtedly frequently been struck by the fact that these students and thinkers expressed a large number of ideas and theories as working generalizations and established a great array of institutional devices that later ages have repeated or duplicated unknowingly. These ancients had a very fair equipment of social principles and structures for their type of social organization. What is more, they wrestled with problems that are perplexing modern social philosophers and social scientists, and they had the backgrounds and the capacity to cope with them with a high degree of success.

[1] A. W. SMALL, *Origins of Sociology*, pp. 7–8, Chicago, 1924.

A second conclusion, allied to the first and growing out of the comparisons possible—even inevitable—in such a study as this is concerned with the frequent parallels of thought and also the implied uniformities of institutional equipment and social routines which existed among these ancient cultures. These similarities prevailed in spite of marked differences of time, region, and race. They must be attributed to the common human and the common social.

Since human beings are similarly constituted with respect to organic wants and drives, and since they have a general psychological similarity, the human needs have been much the same. Similarly, human beings in the mass, regardless of race or station or era, are not highly diverse. Furthermore, since successful human groupings occur only when certain rather definite types of social relationship and cooperation exist, the basic essentials of social organization are likely to be fairly uniform among human groups everywhere and at all times.[1]

There is a homogeneity of all cultures and civilizations with reference to the basic social ideas and the principal constituent structural elements. The differences are those of development and degree, rather than of kind.

A third conclusion has to do with the efficiency and spreading of this ancient social thought. So significant were many of these ideas and conclusions, and so clearly did they demonstrate their usefulness and general applicability, that they spread not only to contacting cultures but were woven into the culture fabrics of their regions, which in time through the processes of diffusion contributed strands to other cultures remote in place and time. All of them had some qualities that made them highly contagious. The writer has no intention of making this a study of the data and proofs of cultural diffusion in or from any particular region or era, nor does he consider himself competent to determine the specific transmissions or borrowings of thought elements or to present the details of the diffusional process. He is also fully aware that many of the conclusions thus far arrived at are tentative and still in a state of hypothesis largely based on circumstantial evidence or very meager data. Such a possible study is both desirable and necessary, but it cannot yet be done competently and comprehensively except by specially trained scientists with certain specific resources at their disposal.

[1] HERTZLER, *Social Institutions*, p. 111, New York, 1929.

Studies have been carried far enough by the experts, however, to show that there was vast mutual influencing and much exchange of social thought. Egyptian social thinking, especially the admonitions, prophecy, and social idealisms lived on in Babylonia, especially among the Hebrews and in Greece; Babylonian thought in general, but the legend and law in particular, impregnated the whole Near East and the Mediterranean region; the Hittites and Assyrians influenced both Greeks and Israelites among others; Persian elements were widely diffused, greatly influencing the Hebrews and Christianity and, through the Parsis, also leaving their influence by another route; India influenced China and possibly the thought of Christianity; Chinese thought diffused through the whole Orient; and finally Hebrew thought, itself a mosaic of elements from every culture of the Near East during the preceding eras and undoubtedly some from the Far East, today is one of the two or three most prominent strands that constitute the thought backgrounds of Western civilization.[1] Greece, another main contributor to

[1] For suggestive ideas on the diffusion of thought elements among the cultures studied see J. H. BREASTED, *The Dawn of Conscience*, pp. 1–16, 336, 386, New York, 1934; A. B. MACE, "The Influence of Egypt on Hebrew Literature," *Annals of Archaeology and Anthropology*, Vol. IX, pp. 3–26, 1922; W. O. E. OESTERLEY, *Wisdom of Egypt and the Old Testament in the Light of the Newly Discovered Teaching of Amen-em-ope*, London, 1927; D. C. SIMPSON, "The Hebrew Book of Proverbs and the Teaching of Amenophis," *Journal of Egyptian Archaeology*, Vol. XII, pp. 232–239, 1926; F. L. GRIFFITH, "The Teaching of Amenophis the Son of Kanakht," *ibid.*, Vol. XII, pp. 191–231, 1926; L. KEINER, "The Wisdom of Amen-em-ope and the Proverbs of Solomon," *American Journal of Semitic Languages and Literatures*, Vol. XLIII, pp. 8–21, July, 1927; C. W. H. JOHNS, *The Relations between the Laws of Babylonia and the Laws of the Hebrew Peoples*, London, 1914; C. EDWARDS, *The Hammurabi Code*, pp. 107–111, London, 1921; H. S. LINFIELD, "The Relation of Jewish to Babylonian Law," *ibid.*, Vol. XXXVI, pp. 40–66, October, 1919; L. W. WARDLE, *Israel and Babylon*, London, 1925; C. F. KENT, *Israel's Laws and Legal Precedents*, pp. 24–26; New York, 1917; L. W. KING, *Legends of Babylon and Egypt*, London, 1918; M. JASTROW, *Hebrew and Babylonian Traditions*, New York, 1914; G. W. CARTER, *Zoroastrianism and Judaism*, New York, 1931; L. MILLS, *Our Own Religion in Ancient Persia*, Leipzig, 1913; R. E. HUME, *The World's Living Religion*, New York, 1925; E. J. THOMAS, *The Life of Buddha*, pp. 237–248, New York, 1927; P. CARUS, *Buddhism and Its Christian Critics*, pp. 161–184, Chicago, 1905; D. W. LEET, "Gautama, the Buddha—Jesus, the Christ," *Open Court*, Vol. XXXVI, pp. 481–489; W. M. F. PETRIE, *Egypt and Israel*, New York, 1911.

modern civilization, through its conquests and the contacts of its highly mobile scholars became the heir of much of this, especially the thought of ancient Babylonia, Persia, India, and Egypt, and in turn transmitted it to us. These ancient thinkers have influenced—we cannot know just to what extent—the social consciousness, the social idealism, and the social behavior of millions and perhaps hundreds of millions. Our cultural roots ever strike deeper in a more ancient past. This fact is overwhelmingly borne in upon us as we are able to delve more intimately into the life and thought of the ancient world before the Greeks.

APPENDIX

A. THE TEACHINGS OF AHIKAR

An ancient tale having widespread influence throughout the Orient is the Story of Ahikar. Versions of it occur in more or less complete form in Aramaic, Syriac, Arabic, Ethiopic, Armenian, Old Turkish, Greek, and Slavonic, thus magnificently illustrating the tendency of Oriental peoples to borrow from each other's literatures. Readers of the supplement to the *Arabian Nights* have long known it (though it is actually a tale of Semitic origin). It has also many close resemblances to the Proverbs of Ptah-hotep. Charles infers that it was an influencing factor in some of the Psalms, in Proverbs, Sirach, and Ecclesiastes, as well as in Daniel, the Book of Tobit, in which it is specifically mentioned and to which it is a companion story, and the *Testament of the Patriarchs* among the Hebrews; and there are evidences of it in the writing of Democritus, the Greek proverbial philosopher, and the Greek Aesop at the Court of Lykeros, king of Babylon.[1] Various of these show a resemblance to the tale, sometimes unmistakably close. There are also parallels in the New Testament and the Koran, and reference is made by Clement of Alexandria, by Strabo, and by Diogenes Laertius.[2] It was a widely known and much mentioned work in the six hundred years preceding the Christian era.

The original story turns up in an Aramaic papyrus discovered among the ruins of the library of the Jewish colony at Elephantine in Egypt by Dr. Rubensohn in the excavations of 1906–1908. This copy, it is thought, was written somewhere between 420 and 400 B.C. The work is referred by Professor Sachau to the last decade of the Neo-Babylonian kingdom, which followed the fall of Assyria in 603 B.C. He suggests as a working hypothesis that Ahikar was written between 550 and 450 B.C., probably about 500 B.C. This does not exclude the possibility that the hero of the tale, which is Old Babylonian in form, may belong to a much earlier time.[3] It is undoubtedly the oldest outstanding piece of literature in the Aramaic language.

According to the story, Ahikar, the hero, was grand vizier to Sennacherib, king of Assyria (705–681 B.C.). He was a sage, as well as a statesman, and

[1] R. H. CHARLES, *The Apocrypha and Pseudepigrapha of the Old Testament*, pp. 715–716, Oxford, 1913. For the complete treatment of Ahikar, see pp. 715–784.

[2] A. B. MACE, "The Influence of Egypt on Hebrew Literature," *Annals of Archaeology and Anthropology*, Vol. 9, pp. 3–26, 1922.

[3] F. C. CONYBEARE, J. R. HARRIS, and A. S. LEWIS, *The Story of Ahikar from the Aramaic, Syriac, Arabic, Armenian, Ethiopic, Old Turkish, Greek and Slavonic Versions*, 2d ed., p. xcii, 1913. By permission of the Cambridge University Press, London, and The Macmillan Company, New York.

famous among men for his wisdom in all that concerned judicious conduct and politics. The story is really an amalgam of two compositions, the *Trials, Tribulations, and Exploits of Ahikar* and the *Proverbs* or *Teachings*. In the story it is related that Ahikar was great in wisdom, high in honor, abundant in wealth and power, but poor by the curse of childlessness which left him without a son whom he might make the heir of his wealth and wisdom. This state existed in spite of the prayers to the gods and the successive marriages that he made with sixty wives. At last, however, his repeated appeals brought him the injunction from on high to take his sister's son Nadan (Nathan) and bring him up as his own son. The story-teller relates how the boy was educated and nurtured. In spite of being deluged with proverbial philosophy, the precepts scarcely penetrated his mind. He turned out badly, intrigued against his adopted father, and betrayed him to the king by forged documents of a treasonable character. Ahikar was, of course, condemned to death, and Nadan stepped into his place. On the way to execution, the swordsman was reminded of how he had saved him on a similar occasion. A criminal was substituted for Ahikar at the execution, and he was secreted in his own cellar. The king of Egypt intrigued against Sennacherib and made various demands which embarrassed the latter, since he was loath to know how to handle them without the aid of Ahikar's usual wisdom and finesse. He was told that Ahikar was alive. Ahikar was brought forth and triumphantly reinstated. Nadan was delivered to his uncle for vengeance; he was flogged, imprisoned, and his mind enriched by instructions and parables of a personal character and application.[1]

The other composition embodies the maxims and aphorisms attributed to Ahikar. In these is found the rich and fascinating social thought. Two versions will be drawn upon here: the Syriac, with 75 proverbs; and the Armenian, with 100. Only those will be quoted that have distinct value for the purposes of this study. Where the proverbs of the two lists are parallel in meaning the one most aptly expressed will be used. These proverbs, like all others examined, fall within certain general classifications.

The largest number deal with the importance of judicious conduct.

"Syriac B 6: My son, stand not in the house of those that are at strife: because from a word there comes a quarrel, and from a quarrel is stirred up vexation, and from vexedness springs murder.

"S. 30: My son, count not thyself to be wise, when others count thee not to be wise.

"S. 36: My son, the flock that makes many tracks becomes the portion of the wolves.

"S. 39: My son, suffer not thy neighbor to tread on thy foot, lest he tread on thy neck."

[1] Ahikar may have been a historical personage, whose tragic misfortunes and dramatic recovery furnished the material for later romances. "There is no radical impossibility that a wise vizier may have lived in the times of the Assyrian kingdom and have been betrayed by an unwise adopted son." CONYBEARE *et al.*, *op. cit.*, p. xcii.

Two are an application of our saying, "A bird in the hand is worth two in the bush."

"S. 49: My son, better is a friend that is at hand than a brother who is far away; and better is a good name than much beauty; because a good name standeth for aye, but beauty wanes and wastes away.

"S. 51: My son, better is a drumstick in thy hand than a wing in the pot of other people; and better is a sheep that is at hand than a keeper that is far off; and better is poverty that gathers than wealth that scatters; and better one sparrow in the hand than a thousand on the wing; and better is a woollen coat on thy back than five linen and silks on the backs of others."

A considerable number dealing with sensible and judicious behavior are also found in the Armenian version.

"A. 11: Son, if thou seest thy enemy fallen, do not make a scoff at him; for if he get up again, he requiteth thee evil.

"A. 27: Son, eat not bread that is not thine own, even though thou be very hungry.

"A. 28: Son, if a man be stronger than thyself, have no controversy with him, lest he slay thee.

"A. 31: Son, take not from others with a big weight and give back to them with a little weight, and say: I have made a profit. For God allows it not but will be wroth, and thou wilt die of starvation.

"A. 38: Son, keep thy tongue from evil speaking and thine eye from immodest glances, and thine hand from stealing; and it will be well for thee with God and man. For whether it be gold or little things that one steals, the punishment and the slaying is one and the same.

"A. 43: Son, the sheep that stray from the flock become the portion of the wolves.

"A. 50: Son, a good name is better than a face that excites longing. For beauty is destroyed, but a good name endureth forever.

"A. 53: Son, it is better to garner with poverty than to squander with riches.

"A. 56: Son, if thou hearest an evil word about anyone, hide it in thy heart seven fathoms deep; so that the evil die and good be fulfilled.

"A. 77: Son, forsake not thy friend, lest thou find not another sharer of thy counsel and friend.

"A. 79: Son, it is better if they steal thy goods than that they detect theft in thee.

"A. 82. Son, do thou not bring about a betrothal match, for they see the good to be from God and from luck; but the bad is traced to thee, and they call thee an intriguing person.

"A. 84: Son, go not too often to the house of a friend, lest he hate thee."

The last one states the universally found principle of the golden rule.

"A. 88: Son, that which seems evil unto thee do not to thy companion; and what is not thine own give not unto others."

Closely allied with these admonitions are those advising discretion in speech.

"S. 3: My son, do not tell all that thou hearest, and do not disclose all that thou seest.

"S. 4: My son, sweeten thy tongue, and make savory the opening of thy mouth; because the tail of the dog gives him bread, and his mouth gets him blows.

"S. 53: My son, let not a word go forth from thy mouth until thou hast taken counsel within thy heart; because it is better for a man to stumble in his heart than to stumble with his tongue.

"A. 74: Son, reveal not thy secret counsel to thy wife. For she is weak and small of soul, and she reveals it to the powerful, and thou art despoiled.

"A. 100: Son, be thou not false in speech; for if they find thee to be once false, then when thou speakest the truth, they will reckon thee false and will not believe thee."

It is always better to associate with and heed wise men, and avoid fools.

"S. 9: My son, it is better to remove stones with a wise man than to drink wine with a fool.

"S. 11: My son, with a wise man thou wilt not be depraved, and with a depraved man thou wilt not become wise.

"S. 12: My son, associate with the wise man, and thou wilt become wise like him; and associate not with a garrulous and talkative man, lest thou be numbered with him.

"S. 62: My son, if the waters should stand up without earth, and the sparrow fly without wings, and the raven become white as snow, and the bitter become sweet as honey, then may the fool become wise.

"S. 73: My son, let the wise man strike thee with many blows, and let not the fool salve thee with sweet salve.

"A. 64: Son, ask of a wise man words of advice, and thou shalt be made wise. But if thou ask a foolish man, in spite of many words, he is not wise."

Ahikar presents some remarkably apt observations regarding people of different social classes, social position, or state of wealth.

"S. 14: My son, the rich man eats a snake, and they say, "He ate it for medicine." And the poor man eats it, and they say, "For his hunger he ate it."

"S. 68: Son, a man who has many possessions and chattels, they call him wise and virtuous; but one who has few chattels, they call a fool and of no account, and no man honoreth him.

"A. 70: Son, if thou be poor among thy fellows, reveal it not, lest thou be despised by them, and they hearken not unto thy words."

Drunkenness and drinking produced situations to which Ahikar applies himself.

"A. 75: Son, if thou drinkest wine, keep thy tongue from babbling and it is well for thee, and thou art called wise.

"A. 93: Son, into the house of a drunkard enter not; and if thou enter, tarry not; for in thy habits thou remainest empty and idle.

"A. 94: Son, God hath ordained wine for the sake of gladness, but in the place of a brothel or in any other low and unsuitable place, it is better to drink muck than wine."

A considerable number of maxims are concerned with the family, parent and child relationships, the training of children, and devotion to posterity.

"S. 13: My son, while thou hast shoes on thy feet, tread down the thorns, and make a path for thy sons and for thy son's sons.

"S. 22: My son, withhold not thy son from stripes; for the beating of a boy is like manure to the garden and like rope to an ass [or any other beast] and like tether on the foot of an ass.

"S. 23: My son, subdue thy son while he is yet a boy, before he wax stronger than thee and rebel against thee, and thou be shamed in all his corrupt doings.

"A. 14: Son, spare not the rod to thy son. . . . For if thou strike him with a rod once or twice, he is rendered sensible quietly; he does not die. But if thou leave him to his own will, he becomes a thief; and they take him to the gallows and to death, and he becomes unto thee a reproach and breaking of heart.

"A. 18: Son, love the father who begat thee, and earn not the curses of thy father and mother, to the end that thou mayest rejoice in the prosperity of thy own sons.

"A. 20: Son, as a tree is enjoyable to see for its fruit and branches, and the mountains are wooded with cedars, in the same way are enjoyable to behold man and wife and son and brother and kinsman and friend, and all families.

"A. 21: Son, one who hath not wife or son or brother or kinsmen or friend is in the long years despised and is like unto a tree that is in the crossways and all who pass by it pluck off her leaves and break down her branches.

"A. 34: Son, rejoice thou not in the number of thy children, and in their deficiency be not distressed.

"A. 66: Son, test thy son in hunger and thirst; and if he is able to bear it. then give thy riches into his hands.

"A. 71: Son, love thy flesh and thy wife. For she is thyself and the companion of thy life, and even by extreme labor she nurtures thy son."

Like most ancient sages Ahikar feels compelled to lay down certain principles governing the relations with women.

"S. 6: My son, commit not adultery with the wife of thy neighbor, lest others should commit adultery with thy wife.

"S. 18: My son, go not after the beauty of a woman, and lust not after her in thy heart, because the beauty of a woman is her good sense, and her adornment is the word of her mouth.

"S. 72: My son, let not thine eyes look upon a woman that is beautiful; and be not inquisitive into beauty that does not belong to thee: because many have perished through the beauty of woman, and her love has been as a fire that burneth.

"A. 2: Son, raise not up thine eyes to look on a lovely woman, rouged and antimonied. Desire her not in thy heart. For if thou shouldest give her all thy riches, thou dost get nothing the more out of her but art condemned by God and by mankind. For she is like unto a sepulchre which is fair on the upper side and below is full of the rottenness and bones of the dead.

"A. 13: Son, go not near a senseless and backbiting woman, that thou be not despised by her, and thou art made a mock of, and she robs thee."

In general, treat all people fairly and without envy; it will be worthwhile for you.

"S. 17: My son, envy not the prosperity of thy enemy; and rejoice not at his adversity.

"S. 20: My son, if thine enemy meet thee with evil, meet thou him with wisdom.

"S. 33: My son, treat not thy slave better than his fellows; for thou knowest not which of them thou wilt have need of at the last."

In these teachings of Ahikar we have another set of eminently wise admonitions for daily behavior, replete with homely and wholesome utilitarian philosophy, superb in their social logic, and elevated in their moral tone.

B. THE SOCIAL WISDOM OF THE PRIMITIVE WITH SPECIAL REFERENCES TO THEIR PROVERBS[1]

I

The indispensable prerequisites to any social thought are association and language. It is due to association that men, even the most primitive, become aware of the various aspects of human nature, and it is out of association that their attitudes and ideas grow, however vague and fantastic they may be, regarding social relationships generally, the requirements of group conduct, social and psychosocial processes, social institutions, and human life in general. Without language there can be no communication of any kind; nor are men capable of developing concepts of any kind.

To pick up social thought at the precise moment when man developed the combination of simple association and rude speech is impossible at this stage of the study of social evolution. We may in time know quite a bit about man at this point in his development. On the basis of his skeletal remains we now know something about him as an anatomical specimen, and with the aid of his rude artifacts we can piece together some aspects of his culture, but we have almost no inkling of his thought. The most rudimentary social thought now available is that of recent and contemporary primitive peoples—peoples who, while relatively rude and simple, have a fairly substantial culture, including established ideas, standardized relationships, a flexible language, and a full equipment of institutions.

The thought of primitive peoples is largely prescientific and preliterate. Their ideas are not reached by deliberate reasoning or by careful and conscious investigation. They are direct and intuitive, the products of minds that are alogical, uncritical, and credulous on the whole and that depend on common experience, observation, and imagination for explanations.[2] Being preliterate, their thought of necessity, is orally transmitted. It is thus in the main a matter of folk memory and is cumulative and continuous.[3]

[1] This material is included in the appendix by the author, not because he considers it as having a place from the point of view of some particular evolutionary hypothesis, but simply as a means of comparing the social thought of simple, preliterate groups with that of the great pre-Greek civilizations. Previously reprinted in *Social Forces*, Vol. XI, No. 3, pp. 313–326, March, 1933.

[2] *Cf.* L. Levy-Brühl, *Primitive Mentality*, pp. 24–28, 433–447, New York, 1925; A. A. Goldenweiser, *Early Civilization*, pp. 410–412, New York, 1922; W. I. Thomas, *Sourcebook or Social Origins*, pp. 68–69, Chicago, 1909.

[3] *Cf.* W. Johnson, *Folk Memory*, pp. 18–20, Oxford, 1908.

Its outstanding forms are known collectively as folklore and consist of myths, sayings, legends, maxims, sagas, fables, apothegms, proverbs, rhymes, riddles, tales, songs, and ballads. These are spoken of as "little pellets of practical wisdom or folk experience."[1] Since these are orally conveyed, they are in time given form and expression which makes them readily transmissible. They tend to be concise, trenchant, pungent, and graphic in statement.

These different forms of folklore do not all reflect social thought, however. In fact, one of the outstanding characteristics of primitive thought is the relative scarcity of social thinking. This is partly due to the unrealistic, mystical manner of looking at things among primitives and partly to the fact that the social conditions themselves are not particularly conducive to social thought, nor do these conditions demand much thinking about them. Primitive groups are mainly small, simple, kinship aggregations. Human relationships are fairly simple, as is life in general. There is no great demand for thinking on social structure, social organization, social reconstruction, the interdependence of groups, or any other social situations involving major groups or extensive group contacts.

Individual conduct is the primary consideration of a social nature in the simple group. Therefore, thought forms of primitives, in so far as they have social significance, deal with homely, more or less close personal or restricted social relationships and activities. They are concerned with individual attitudes and conduct among fellows in simple and oft-recurring social situations. The expression of these simple observations is almost without exception from the individual angle.

II

The language forms most clearly and abundantly expressing the social thought of primitive peoples are the proverbs. They are ubiquitous and almost universal among all races and peoples. The native American races, according to Kroeber, are the only exceptions, and some of these, notably the Omahas and Winnebagos, have epigrammatic sentences very like proverbs.[2] Going back to the remotest antiquity, we discover them embedded in the culture of Babylonia and Egypt; long before Confucius the Chinese had them. Nonliterary savages almost everywhere have had their proverbs which they pass on from generation to generation.[3] In fact, primitive peoples often have a greater store of proverbial information than the more highly civilized peoples. Krappe states, " . . . the Maori of New Zealand

[1] W. G. Sumner and A. G. Keller, p. 754, *The Science of Society*, New Haven, 1927–1928.

[2] A. L. Kroeber, *Anthropology*, pp. 196–197, New York, 1923. I have also been informed by a graduate student, who has lived for years among the Cherokees of Oklahoma, that they have a rich store of proverbs which find abundant use in their daily speech.

[3] *Cf.* article by J. A. Kelso in *Hastings' Encyclopedia of Religion and Ethics*, Vol. X, p. 413; E. Weekley, "Proverbs Considered," *Atlantic Monthly*, Vol. CXLV, p. 504, April, 1930.

may help to make this clear. Their proverbial lore, all handed down orally, as goes without saying, is truly astounding and easily puts in the shade the sum total of ancient proverbs that have come down to us from the Mediterranean civilization."[1] Proverbs are a typical primitive product. Great stores of them, however, still survive among civilized peoples everywhere and are widely used by certain population elements.

Proverbs are typical, appropriate, highly popular, and well-cherished expressional forms among preliterate, illiterate, and partially literate peoples. Such peoples, devoid of writing or unaccustomed to any very extensive use of writing, and yet being desirous of preserving the knowledge obtained from life and observation, both for themselves and for posterity, found them satisfactory forms for storage and transmission. According to Krappe's definition, "A proverb represents, in its essential form, some homely truth expressed in a concise and terse manner so as to recommend itself to a more or less extended circle."[2]

Proverbs represent the stage of unconscious organization of social thought as compared with the dialectical method in vogue from the Greeks to modern times and the very recent scientific method involving deliberate and if possible controlled fact finding, exact observation, careful checking, and discreet generalization. Primitive or untutored men lived in a world of occurrences and experiences. Presently they observed or discovered what to them were certain facts or truths, pleasant and unpleasant, regarding these occurrences and experiences. They realized the importance of preserving the knowledge thus gained for use when similar circumstances should again arise, not only for their own use but also for posterity.[3] This best thought on some given point was passed on by word of mouth generation after generation, meanwhile going through a perpetual selective process. If the idea was sound, it was preserved, improved, condensed, and stated more tritely or dramatically, so that it readily sank into the memory and won a zest that no lengthy explanation or philosophy could give.[4] Thus they are the generalized experience of many generations of people, the specific statements of which, in quaint, compact, rhythmic, epigrammatic form, are the result of long correction, clarification, and polishing. "Truths and principles, thus pointedly and epigrammatically put, when forced upon the receptive intellect, would stick like barbed arrows long after the same . . . would have faded from memory."[5]

Proverbs, being drawn from the experiences and study of a people's life, are among the most accurate index of that people's life and thought. They may not be true or represent truth, but they indicate what the people hold to as their rules and ideals of life and conduct.[6] "They are the safest index to the

[1] A. H. KRAPPE, *The Science of Folklore*, p. 143, New York, 1930.

[2] *Op. cit.*, p. 143.

[3] *Cf.* C. F. KENT, *The Wise Men of Israel and Their Proverbs*, p. 47, New York, 1895; *Origin and Permanent Value of the Old Testament*, New York, 1919.

[4] SUMNER and KELLER, *op. cit.*, p. 2111.

[5] KENT, *The Wise Men of Israel and Their Proverbs*, p. 48.

[6] KELSO, *op. cit.*, pp. 412, 414.

inner life of a people. With their aid we can construct a mental image of the conditions of existence, the manners, characteristics, morals, and *Weltanschauung* of the community which used them. They present us with the surest data upon which to base our knowledge of Volkspsychologie."[1] They summarize, more or less, the everyday experience of a people—their thought in general, their intellectual status, their attitudes toward social situations and problems, their opinions and feelings, their group morality, their social ideas, their life goals, virtues, and values—and do this better and more accurately than their religious or ethical system.[2] Among primitives, proverbs form the foundation of their social philosophy. They are literally the voice of the multitude.

Proverbs are widely used as instructional aids. Having the endorsement of many different ages and generations they have peculiar authority as social control agents. In fact their principal aim is to influence people's wills and actions.[3] In ancient Egypt the *Instructions* of Kagemni and Ptah-hotep, the *Teachings* of Amen-em-apt, and the *Maxims* of Ani were orally taught the boys in the schools. The same use of proverbs was true of the Babylonians, the Chinese, and various other ancient and mediaeval people. Among primitives everywhere proverbs are the choice coins in the treasury of the people's knowledge which are carefully passed on to the new generation by parents and elders both through daily conversation and admonition and with the special emphasis of the initiation rites and secret societies.

Among primitives the most conservative attitude is maintained concerning their proverbs and other lore. In the repetition of proverbs or tales the smallest deviation from the original version will be noticed and corrected. This is probably due to the fact that the lore is felt to be vitally important, and since it is orally transmitted, they want no modification of it lest its significance and utility be lost. It goes without saying that proverbs not only reflect social life but also play an exceedingly important role in the everyday life of primitives. They are at the very center of primitive life and thought.[4]

There has long been a controversy as to whether proverbs originate with the people or come from wise men. Most of the evidence points to popular origin. While a given proverb may have been first coined by one individual, or while it may have been put in its final pithy, pungent form by some wise man, the idea expressed in it represents centuries of folk experience and discussion along a given line. Furthermore, their transmission and persistence lie with the rank and file and not the littérateurs. Strictly speaking, they spring from the masses and are a matter of group cogitation. They are the spontaneous product of human experience rather than the expression of

[1] A. COHEN, *Ancient Jewish Proverbs*, p. 13, London, 1913.

[2] *Cf.* SUMNER and KELLER, *op. cit.*, p. 2068; D. E. MARVIN, *Curiosities in Proverbs*, p. 4, New York, 1916; E. WESTERMARCK, "On the Study of Popular Sayings," *Nature*, Vol. CXLII, p. 702, 1928.

[3] E. WESTERMARCK, *Wit and Wisdom in Morocco*, p. 63, New York, 1931.

[4] *Cf.* WESTERMARCK, "On the Study of Popular Sayings," *Nature*, Vol. CXXII, p. 702, Nov. 8, 1928; see also his *Wit and Wisdom of Morocco*, pp. 54–63.

the meditations of any individual sage. Even if they must be attributed to individuals, the individuals were socially conditioned; their mind content came from their culture, and only the specific statement reflects individual genius.[1]

Proverbs expressing very similar ideas are found among ancients and moderns, primitives and civilized peoples. Some of these similarities are due to diffusion; for proverbs like other valuable and useful culture elements are widely borrowed.[2] But among a given people, only those foreign proverbs are adopted that are in some measure congenial to their mind and mode of life; otherwise, they would wither and die.[3] In the main, however, the similar proverbs among different peoples must be attributed to the fact that a certain phase of human existence, a certain set of social conditions or situations, or a certain characteristic of human beings is dealt with which is very much the same the world over and causes men to think, feel, or react more or less uniformly. The idea will be the same, but the peculiarities of the particular environment will give the proverb its local coloring; it will reflect the kind of life that the people live—their occupations and their way of thinking.[4]

The previously mentioned fact that proverbs flourish best among preliterate, illiterate, or partly literate peoples is also borne out by the fact that they are a language form rapidly passing from usage in contemporary civilized cultures. Tylor, half a century ago, while granting that we and other civilized peoples were still using thousands of proverbs, maintained that among us the period of actual growth seemed to be at an end. He stated, "We can collect and use the old proverbs, but making new ones has become a feeble, spiritless imitation, like our attempts to invent new myths or new nursery rhymes."[5] Albig quite recently has pointed out that current speech and literature provide but few quotations of or allusions to proverbs.[6] He found in several thousand pages of popular periodical material issued in July, 1930, only twenty-six proverbs, and of these seven were used to ridicule them mildly. Proverbs still flourish, though in simpler societies where primary group conditions prevail and in the primary relationships of our own modern life.

The increasing disuse of proverbs among the more civilized peoples is due to several factors. When a society becomes heterogeneous and complex, taking on the characteristics of a secondary group, the social situations are of such a nature that they cannot be expressed in the manner of a typical proverb; they are not simple, nor are they similar for all individuals. A high degree of unanimity in social judgments does not exist among the people owing to diverse cultural backgrounds. Furthermore, in a complex modern

[1] THOMAS, *op. cit.*, p. 162; KRAPPE, *op. cit.*, p. 146; KELSO, *op. cit.*, p. 412; WEEKLEY, *op. cit.*, p. 506.

[2] *Cf.* KROEBER, *op. cit.*, p. 196.

[3] WESTERMARCK, *loc. cit.*

[4] Z. C. BOYAJIAN, "Wit and Wisdom from the Near East," *Contemporary Review*, Vol. CXXII, p. 744, December, 1922.

[5] E. B. TYLOR, *Primitive Culture*, Vol. I, p. 90, London, 1902.

[6] W. ALBIG, "Proverbs and Social Control," *Sociology and Social Research*, Vol. XV, pp. 527–535, July-August, 1931.

society, ideas are not orally transmitted to any great extent but are spread by means of the modern mechanical means of communication, which do not require the congregation of people, nor do they elicit response and discussion. Furthermore, as Albig mentions,[1] proverbs do not appear under conditions of rapid social change, and modern societies are especially characterized by such processes. Proverbs, in their very nature, apply best in more or less static societies where the situations and conditions to which they refer remain fairly constant. Equally dogmatic but vastly more ephemeral language forms are used in changing societies.

Finally, we do not need proverbs any more. The rank and file of men are more highly educated than ever before. They are led to think more for themselves; thinking is more direct, more scientific, and realistic. We do not use nor do we often understand the roundabout, figurative way of stating a social fact or situation. In fact, today for us moderns there are distinct disadvantages in the extensive use of proverbs. They take away the necessity of individual generalization and explanation. They reduce the demand for accurate observation and analysis and correct expression. Those who use proverbs extensively have their thought both guided and confined by them.

Among the higher strata of civilization, proverbs, when used, reflect social customs and beliefs long past.[2] They are largely cultural survivals—holdovers from the days when life was simpler and more personal. When they are used today they apply only to the simple situations and problems.

III

The examination of proverbs that follows is strictly from the sociological point of view. We are not concerned with their anthropological or philological significance, nor are we interested in their literary structure or the place that they occupy in the formal study of folklore. We are devoting ourselves to them solely because they reflect the social life, social concepts, and social attitudes of primitive peoples.

In recent years anthropologists, folklorists and others interested in the forms of expression of primitives have collected and made available literally thousands of proverbs. By no means all of these have been available to the writer. Only a third to a half of approximately five thousand examined reflected social thought, and limitations of space have allowed the presentation of only a part of these. But those quoted, it is hoped, will convey to the reader the nature and spirit of primitive social thinking.

Classification of proverbs is difficult, as any one who has worked with them knows. Many may be classified under different heads. The arrangement below is an arbitrary one dictated by this particular sociologist's interpretation of the social content of the proverbs.

Observations of a social-psychological nature abound in primitive proverbs. A recognition of the nature of habits, the processes of their formation, and their persistence frequently appears. The Ashanti, a West African people, say, "A tree does not grow bent for thirty years that one should expect

[1] *Ibid.*, p. 534.

[2] KRAPPE, *op. cit.*, p. 149.

to straighten it in one."[1] Another runs, "When you follow behind your father you learn to walk like him." That old habits are not forgotten is expressed in the proverb found among certain Moroccan tribesmen, "The dancer dies and does not forget the shaking of his shoulders."[2] The low-caste Hindu humorously puts the same idea as follows: "The thief has left off stealing but not exchanging."[3] The Ba-Congo say, "Habit is a full-grown mountain, hard to get over or to pull down."[4] The parallel of our "you can't teach an old dog new tricks," is found in the Moroccan, "An old cat will not learn dancing," and an almost exact counterpart is the Yoruban, "An old dog cannot be taught."[5] Original tendencies more or less determine behavior also as certain of the Filipino tribes maintain: "Whichever side a tree leans there it falls,"[6] or "The zebra cannot do away with his stripes," as the Masai put it.[7]

The psychological and sociological implications of child training are thoroughly understood by the primitives. The plasticity of children is expressed by the Sechuana tribesman in the words, "Bend the twig while it is green."[8] The importance of the right kind of social environment for children is also put in the Sechuana proverb, "A young bird seldom crows except as it hears the old ones crow." To make instruction permanent, start in youth. This the Moroccan tribesmen express in two proverbs: "Instruction in youth is like engraving in stones"; "Instruction in old age is like engraving in dung." The Moroccans also maintain that improperly brought up children are due to the carelessness of parents. "The forest is burnt only by its own wood." The Ba-Congoese say, "Teach a child before it goes to the dance, not after it has come back." The Vai of West Africa maintain that the parent must assume responsibility for the way his children turn out when they say, "If a man raises a snake he must tie it."[9] A more lengthy Hawaiian proverb points out the increasing persistence of bad habits as the individual grows older: "Tender are the little sins when the child is creeping; transient in childhood; obstinate in youth, hard to change in

[1] The Ashanti proverbs here mentioned are taken from R. S. RATTRAY, *Ashanti Proverbs*, Oxford, 1916.

[2] For the Moroccan proverbs, see WESTERMARCK, *Wit and Wisdom of Morocco*, New York, 1931.

[3] J. CASSIDY, "A Chapter on Indian Proverbs," *Westminster Review*, Vol. CLXIV, pp. 445–449, October, 1905.

[4] For the Ba-Congo proverbs see C. C. CLARIDGE, *Wild Bush Tribes of Tropical Africa*, pp. 248–259, London, 1922.

[5] Yoruban proverbs from A. B. ELLIS, *The Yoruba-speaking Peoples of the Slave Coast of West Africa*, pp. 218–242, London, 1894.

[6] See collections of Filipino proverbs by JORGE BOCOBO in the *Independent* Vol. XCVIII, p. 496; also those in W. D. WALLIS, *An Introduction to Anthropology*, pp. 323–324.

[7] A. C. HOLLIS, *The Masai*, pp. 238–251, Oxford, 1905.

[8] See S. T. PLAATJE, *Sechuana Proverbs*, London, 1916.

[9] The Vai proverbs are from G. W. ELLIS, *Negro Culture in West Africa*, New York, pp. 147–183, 1914.

maturity; and fixed in old age."[1] The Ashanti have many wise observations regarding the care and training of children. "The child which is to turn out any good is not reared entirely on a beautiful mat." "When your child dances badly, tell him, saying 'Your dancing is not good; and do not say to him, [Little] soul just dance as you want to.' " "When a child does not hear the words of its father and mother, there is misfortune in that." "Out of nine mischievous tricks a child thinks to play on others, he suffers for five of them himself." "When a child says he wants to act as if he were already chief, let him do so; as to whether he will ever become one, that no one knows." "When the grown-up threatens to punish but does not carry out his threat, the children do not fear him." Referring also to child habits, a Moroccan proverb states, "If he steal a needle, he will steal a cow." The Ibo of the lower Niger region in thinking of the importance of parental discipline in preparing each new generation for life say, "A son cannot first have a son before his father."[2] The Ba-Congo have several other most apt proverbs dealing with the parent-child relationship. When giving a reason for obedience to parents they say, "O space between two beds, obey the beds, you also will one day be a bed," and in admonishing a child not to get "too big" for his family they remark, "A fawn never forgets his own feeding ground."

The significance of experience is variously expressed. The Ashanti, emphasizing the importance of profiting by the experience of others and utilizing the cultural heritage, say, "When one stands on another's shoulders, then he sees over the market." The Arabs say, "Consult a man of experience, for he gives you what has cost him much and for which you give nothing."[3] They have another one which reads, "Experience is the looking-glass of the intellect." The Masai of Africa say, "We begin by being foolish, and we become wise by experience," while the Ba-ila of northern Rhodesia admonish the young, "Get grown up, and then you will know the things of the earth,"[4] and the Yorubas say, "A man may be born to a fortune, but wisdom comes only with length of days."

Various social pressures and stimuli which bear upon the individual are recognized. Fad or fashion at least as they affect externals is alluded to in the Arabic, "Eat whatsoever thou likest, but dress as others do." Group opinion and its mode of influence are reflected in the Ashanti proverbs, "When it is the unanimous wish of a people that you dress your hair in a certain way, you are compelled to do so." "When the united people want to kill you, then the chief kills you." The influence of associates upon the individual behavior is put in the following words by the Arab tribesmen: "Smoke is no less an evidence of fire than that a man's character is that of

[1] L. S. GREEN and M. W. BECKWITH, "Hawaiian Stories and Wise Sayings," *Publications of Folklore Foundation*, No. 3, Vassar College.

[2] Taken from A. G. LEONARD, *The Lower Niger and Its Tribes*, London, 1906.

[3] For Arabian proverbs see *National Proverbs; Arabia*, London, 1913, or J. WORTABET, *Arabian Wisdom*, London, 1907.

[4] E. W. SMITH and A. M. DALE, *The Ila-speaking Peoples of Northern Rhodesia*, Vol. II, pp. 311*ff.*, London, 1920.

the characters of his associates"; while the Vai of West Africa say, "One bad goat will spoil the herd."

Tradition and custom survive and are handed down. Thus the Ashanti say, "Ancient things remain in the ears," and also, "When you go into some village, the songs which the children sing the old folks once sang and left behind to them." The Chaggas put the same thought in the words "The dead gazelle teaches the live gazelles."[1] The Maori of New Zealand commenting on the rightness of the ways inherited from the past say, "Great is the majority of the dead," or "It was not one alone who was awake in the dark ages."[2]

The idea of the "consciousness of kind" and "congregating with kind" has long been known and expressed in proverbial form. In Ecclesiastes it is stated, "All flesh consorteth according to kind, and a man will cleave to his like." Empedocles put it, "Like desires like." Since the days of Aristotle we have expressed it in the form of, "Birds of a feather flock together." Another English version goes "Every bird flies with its own species: pigeons with pigeons, hawks with hawks." The French say, *Pour épouser un singe il faut être guenon.* The Yoruban savage of the Guinea Coast pointedly states the same idea: "A fool of Ika and an idiot of Iluka meet together to make friends," while the Sechuana tribesmen say, "Vultures eat with their blood relations," or "Spotted leopards lick together."

The Sechuana are aware of the stimulus that comes from association: "Men surpass one another while they are working together," and the Yorubas say, "Working in competition quickens the hands." The use of what we call "defense mechanisms" is not unknown to the primitives. Thus the Ashanti declare "He who is guilty is the one who has much to say," reminding one of Shakespeare's "Methinks he doth protest too much." The Ashanti have another that expresses the same thought even more aptly: "When you do not know how to dance, then you say, 'The drum is not sounding sweetly.' " A group motive of much the same sort is expressed in the words, "When an army suffers defeat a horn is not blown in its honor," which recalls Mark Twain's remark that of all the paintings of French battle scenes that he beheld in the Louvre not a single one depicted a French defeat.

IV

Various observations are made in primitive proverbs regarding the desirable and the undesirable personal relations. The natives of Arabia have quite an array along this line: "Have patience with a friend rather than lose him forever"; "if you would keep your secret from your enemies keep it also from your friends"; "a friend is a second self and a third eye"; "he is a weak man who can make no friends, and still weaker is he who loses them"; "in social life be as friends, in business as strangers"; "the best friend is he who changeth not with the changes of time." Similarly the Moroccans say, "Your friend who is near is better than your brother who is far away";

[1] On the Chaggas, see C. C. F. DUNDAS, *Kilmanjaro and Its People*, pp. 341–346, London, 1924.

[2] P. RADIN, *Primitive Man as a Philosopher*, pp. 166–167, New York, 1927.

"little from the hand of a friend is much"; "the loss of goods is better than the loss of a friend"; "face your friend, and turn your side to your enemy." On the other hand, there is an old proverb current among the Japanese, "Lend money to a friend, and he is a friend no more."[1]

Other shrewd observations regarding friendship are found. The Yorubas say, "Peace is the father of friendship." The Ba-Congo in making some shrewd observations regarding holding a friend say, "If you love a hunter, love his dog," or appreciate what is dear to him. An equally shrewd one is, "A familiar call is made only between those who understand each other." They also say, "It [*i.e.*, friendship] never uses a peppercorn as an eye-drop." The Bagandas of Uganda cryptically note, "You have many friends as long as you are prosperous," and also, "I had numbers of friends before calamity befell me."[2]

The fact of social interdependence is appreciated by primitives. Thus, the Yorubas of Africa say, "He who injures another injures himself,"[3] while the Ashanti state, "One man's road does not go far without meeting another's." Other pointed observations regarding human beings as psychic entities in groups follow. In Arabia it is said, "He who lives in a house of glass should not throw stones at people"; "he who makes enemies shall have many a restless night"; and "envy is a disease which does more harm to the envious than to the envied." The Sechuanan says, "Those who are fond of flattery are cheated out of their property," and "In the dark people hold to one another's cloaks"; while the Bagandan observes, "He who has not suffered does not know how to pity"; and the Moroccan in indicating how one is to be liked by people says, "Sow wheat, don't sow thorns; all the people will like you and love you." The Ashanti, pointing out one of the effects of proximity, say, "The enemy of the chief is he who has grown up with him from childhood."

The peculiar quirks of human nature are well understood by primitives. After noting some of them one is led to exclaim, "Well, people are like that." A short list of such, not always flattering, follows:

Arabia—They wooed her and she resisted, they neglected her and she fell in love.

Arabia—When the dogs are sated they make presents to each other of what remains.

Yoruba—A man of the town knows nothing about farming, or the seasons for planting, but the yams he buys must always be large.

Nandi—The Sun said, "Whatever I do, the farmers curse me. If there is no rain, they say I burn their crops; if there is much rain, they complain that I do not shine."[4]

[1] W. E. Griffes, *Proverbs of Japan*, New York, 1930.

[2] On Baganda proverbs, see J. Roscoe, *The Baganda*, pp. 485–491, London, 1911.

[3] J. A. Farrer, *Primitive Manners and Customs*, Chap. II, New York, 1879.

[4] A. C. Hollis, *The Nandi*, pp. 124–132, Oxford, 1909.

Filipino—A wise man's joke is believed by a fool.
Ashanti—As long as a chief leaves you alone, you say, "He and I are good friends."
Ashanti—One does not speak out one's mind in the presence of the chief, but behind his back one does.
Hawaii—The puffed mouth is full of wind.
Sechuana—The lout considers all other people louts.
Sechuana—Lions growl while they are eating [meaning that there are some people who will never enjoy anything].
Sechuana—Ears usually witness a matter without invitation.
Ba-ila—The prodigal cow threw away her own tail.
Morocco—The camel does not see his own hump; he sees only the humps of his brother.
Ba-Congo—When the dog has eaten the eggs his looks show it.
Ba-Congo—Don't set pigs to weed a farm of manioc nor cats to fry eels.
Ibo—The land is never void of counsellors.
Yoruba—He who marries a beauty marries trouble.
Baganda—A beautiful woman is the sister of many [*i.e.*, many want to be near her and share her favors].
Yoruba—He who has done something in secret, and sees people talking together, thinks they are talking of his action.
Yoruba—The glutton having eaten his fill then calls his companions to come also.
Yoruba—A chicken having been delivered from death [from the hawk] by being shut up complained because it was not allowed to feed openly on the dust heap.

The sly social opinion voiced by us in the words, "When the cat's away the mice will play," has its primitive equivalents also. The Sechuana say, "The giant tortoise is asleep, and the little ones graze where they like." The Banyoros of Central Africa put it, "When the master is absent the frogs climb up the house";[1] and the Vai of West Africa say, "In the absence of the leopard the bush cat is king of the bush."

One finds interesting attitudes toward different types of people. Thus the Japanese comment, "When you find a truthful courtesan and a four-cornered egg, the new moon will appear a day before its time." Among the Arabs they say, "A harlot repented for one night. 'Is there no police officer,' she exclaimed, 'to take up harlots?' " The Hindus in referring to an artful and lascivious woman who pretends to modesty and timidity say, "She wanders all night in the forest and when morning comes is afraid of a crow." Our knowledge that some people are "all things to all men" is expressed by the Hindu in the words, "He tells the thief to steal and the honest man to keep watch." The Sechuanan in phrasing our "fools rush in where angels fear to tread," puts it, "We commoners rush in anywhere and plough over wide fields." The Omaha Indians in thinking of certain types say, "All persons dislike a borrower"; "no one mourns the thriftless"; and "The

[1] For Banyoro proverbs see A. L. KITCHING, *On the Backwaters of the Nile*, pp. 132–140, London, 1912.

path of the lazy leads to disgrace."[1] The Ba-Congo points out that, "He who pokes into the business of others is never without dirty feet"; "a doctor bald to the nape of his neck is not likely to cure anybody of baldness"; and "those who inherit fortunes are often more troublesome than those who make them." The Nandi observe, "The man who is always crying is not listened to"; and the Yorubas declare that "secrets should never be told to a tatler."

The noisy people may not necessarily be the wise ones. The Japanese say, "The silent may be worth listening to," and also, in referring to the loud talkers, "While their tongues wag their brains sleep." The Arabians have one, "One coin in the money-box makes more noise than when it is full," very similar to the inelegant but expressive midwestern proverb, "An empty wagon makes the most noise." Similarly the Mexicans say, "A howling cat is not a good hunter," while Arabians put it, "A crying cat catches nothing." Malicious speech and gossip are referred to by the Arabians in the proverbs, "The wound caused by the lancehead is curable, but that caused by the tongue cannot be cured," and "the tongue is the neck's enemy"; while the Japanese say, "The tongue, but three inches long, can kill a man six feet high." In speaking of the inability to withdraw words once spoken, the Ashanti say, "When you place your tongue in pawn, you cannot redeem it"; while the Samoans put the same thought thus: "Stones will rot, but words never rot."[2] In emphasizing caution in speech the Nandi say, "Do not say the first thing that comes into your head," reminding one of our admonition to "Think twice before you speak." The Ba-Congo also state, "It is better to shout after the war than before it." In calling attention particularly to the evil chatter of women the Sechuanans say, "Women's gossip breeds civil wars," and "a woman can set towns a-quarreling."

The idea that compensation or retribution follows certain social acts is oft expressed. The Filipinos say, "You laugh today; I laugh tomorrow"; the Sechuana native states that "a crime eateth its own child"; while the Basutos of South Africa will say, "The thief eats thunderbolts," meaning he will suffer vengeance from heaven, or, "The thief catches himself."[3] The Yorubas, voicing identically our idea of "curses come home to roost," say, "Ashes fly back in the face of him who throws them." The Moroccan desert tribes, in addition to the rather widespread proverbs, "He who digs a pit for his brother will fall into it," and "as you sow you will reap," also have the following:

"He who has done something will have it done to him.
"Every sheep hangs by its own leg.
"He who sows good will reap peace.
"He who sows evil will harvest repentance.
"He who sows thorns must walk on them barefoot."

[1] W. D. WALLIS, *An Introduction to Anthropology*, p. 323, New York, 1926.
[2] G. BROWN, "Proverbs of the Samoans," *Proceedings of the Australian Association for the Advancement of Science*, 1913.
[3] E. B. TYLOR, *op. cit.*, Vol. I, p. 88.

The Nandi, having observed that the innocent relations of the punished criminal also suffer, say, "If a dead tree falls, it carries with it a live one."

A great number of primitive proverbs and maxims are statements of simple social duties or obligations, and in them will frequently be found the expression of a typical social value. Interesting are the following:

Omaha Indian—Stolen food never satisfies hunger.
Filipino—Kindness is a great capital.
Arabia—To recompense good for good is a duty.
Arabia—The worst kind of recompense is to requite evil for good.
Morocco—What you desire for yourself you should desire for others.
Morocco—Beautify your tongue; you will obtain what you desire [good speech].
Yoruba—Who has patience has all things.
Filipino—He who despises counsel is on the way to misfortune.
Ashanti—When a king has good counsellors, then his reign is peaceful.
Filipino—Though my house is small, my heart is large [hospitality].
Morocco—If people are standing at the door of your house, don't shut your door for them [hospitality].
Morocco—None but a dog bites in his own house [disgrace of quarrelling with a guest].
Ibo—One who does what he says is not a coward.
Baganda—Gentleness and not force arrives at truth.
Yoruba—Strife never begets a gentle child.
Yoruba—He who forgives ends the quarrel.
Yoruba—Covetousness is the father of disease.
Yoruba—Not to aid one in distress is to kill him in your heart.
Ba-Congo—Everybody to his own calling and nobody to any other.
Ba-Congo—Kindness wins men not pride.
Ba-Congo—Pride goes only the length one can spit.
Ba-Congo—Kindness is like trees in a farm; they lean towards each other.
Ba-Congo—It is best to let an offense repeat itself at least three times; the first offense may be an accident, the second a mistake, but the third is likely to be intentional.
Ba-Congo—O man, what you do not like do not to your fellows.
Ba-Congo—Mutual love is often better than natural brotherhood.
Ba-Congo—One must never pay back an offender in his own coin.
Ba-Congo—Other people's property ought not to make you envious.
Ba-Congo—If you see a jackal in your neighbor's garden, drive it out; one may get into yours one day, and you would like the same done for you.
Ba-Congo—To take revenge is often to sacrifice oneself.
Ba-Congo—Don't trick others lest in tricking them you teach them the way to trick you.
Ba-Congo—A good deed never dies.
Ba-Congo—Help those who cannot help themselves.
Morocco—The niggard is niggardly with regard to himself, and the money of the generous will come back to him.
Arabia—Charity lies between two charities—one to yourself, the other to your needy fellow man.

Morocco—He is like a needle that clothes the people and is himself naked [one who gives excessively].
Japan—To hate a man is like grinding a sword to cut yourself.
Arabia—He who treats you as he treats himself does you no injustice.
Morocco—A man who is pure and gentle is to the people like gold in the pocket.
Arabia—Extremes are a mistake—a middle course is best.
Winnebago Indian—Never overdo anything.[1]

Certain personal qualities and habits are emphasized.

Filipino—A lazy dog does not get even bones [industry].
Filipino—Working early is better than working hard [foresight].
Filipino—If you want to fool, pretend to be a fool [shrewdness].
Arabia—There is no good in a man who is not ashamed of men.
Arabia—He who respects not himself can have no respect for others.
Yoruba—He that forgives gains the victory.
Yoruba—Anger benefits no one.
Yoruba—He who has patience has all things.[2]
Vai—A man can leave his house, but he cannot leave his way [his reputation sticks].
Yoruba—Wherever a man goes to dwell his character goes with him.
Yoruba—A dog that is known to be very swift is the one chosen to catch the hare.
Basuto—Perseverance always triumphs.
Basuto—A good name makes one sleep well.

V

The importance of the wisdom and power of the great man or leader is generally recognized. The Yorubas maintain that "ordinary people are as common as grass, but good people are dearer than the eye." The Moroccans have several proverbs on this point: "The herd of cattle should not be without a bull" [leader and ruler]; "the lord of the people is he who is most useful to all people"; and "the supposition of the wise man is better than the certainty of the ignorant." The Ibo of the lower Niger, in pointing out the necessity of having a leader, say, "A canoe without a steerer can easily go astray." The natives of the southeast Solomon Islands, in referring to the importance of a chief, exclaim, "When a chief declaims, the very ground is rent asunder."[3] The wisdom of being diplomatic with those in control is stated by the Yorubas in the words, "If a man powerful in authority should ill-treat you, smile at him."

The experience and steadiness of old men and the advisability of the young's being modest among them are occasionally dwelt upon. The Ba-Congo say, "Water drawn by old men quenches thirst" [old men are to be

[1] RADIN, *op. cit.*, p. 93.
[2] FARRER, *loc. cit.*
[3] W. G. IVENS, *Melanesians of the South-east Solomon Islands*, London, 1927.

relied upon]; and "a bridge-pole [over a river] held by an old man [whilst you cross over] never shakes or turns over." On the other hand, the Yorubas say, "The younger should not thrust themselves into the seat of the elders," and "the young cannot teach the elders traditions."

Marriage, family affairs, the desirability of children, mother love, and family rank are the subjects of numerous proverbs. The Yorubas, using our idea of "marry in haste and repent at leisure," say "Quick loving a woman means quick not loving a woman." The Omaha Indian girls are told, "A handsome face does not make a good husband." Regarding marriage the Moroccan tribesmen warn, "The ancients said, marriage takes a night; thinking of it, a year," or, "Don't take a wife who has money; she will treat you with arrogance and say to you, 'Fetch water [which is a woman's business]," or again, "Marriage without good faith is like a tea-pot without a tray." For the Arabic tribesmen marriage is a desirable state. They say, "The advantages of marriage are purity of life, children, pleasures of home, and the happiness of exertion for the comfort of wife and children." Childless marriages are an extreme misfortune for the Moroccan who voices the thought in, "A man without children is like a horse without a tether," or "A marriage without children does not last long for men." The Chaggas of the Kilmanjaro region, looking upon children as a blessing, in fact, as a form of immortality, repeat, "He who leaves a child lives eternally."[1]

The devotion to mothers is stated by the Ashanti particularly in two proverbs: "When your mother is poor, you do not leave her and go and make some one else your mother," and again, "Even if your mother is not a good woman, she is your mother nevertheless." The nature of mother love is universally known. Among the Ba-ila it is expressed in the words, "What is ugly to other people is fair in the sight of the child's mother"; among the Moroccans it is said that "Every beetle is a gazelle in the eyes of its mother"; and the Ba-Congo say, "Though a leopard gives birth to a palm-rat she does not eat it."

The relationship between a nation and its homes is expressed by the Ashanti in the words, "When a nation is about to come to ruin, the cause begins in the homes [of its people]." Family and rank get special consideration among many primitives. The Ashanti say, "When a man of noble family is mad, people say he is only the worse for wine." On the other hand, "Nobility should be borne as one eats fish [humbly] and not as one partakes of elephant flesh" [proudly and boastfully]. Finally "An ancient name cannot be cooked and eaten; after all, money is the thing."

Wealth, poverty, the relationship between rich and poor, and the effects of poverty and wealth are the subject of some proverbs. The Ibo say, "Wealth makes the soup taste nice," and also "Money is the source of right." Daily saving as a means of acquiring wealth is advised by the Vai in the proverb, "A little rain every day will make the rivers swell"; and the Yorubas say, "By labor comes wealth." Of the wealthless state the Ashanti say, "Poverty is stupidity," "Poverty is madness." Again they say of its universality, "Poverty is like honey, it is not peculiar to one place alone." The poor are of little consequence and are given little consideration. In

[1] On the Chaggas, see DUNDAS, *loc. cit.*

this connection the Ashanti say, "A poor man does not choose his sleeping place"; "the complaint a poor man brings is investigated briefly"; and "when a poor man makes a proverb, it does not spread abroad." The poor must do much bearing of their lot according to the Arabian tribesmen who say, "A poor man without patience is like a lamp without oil." The Moroccans say, "The speech of the owner of gold is exalted, and the speech of the poor man is rejected," or, "If a poor man speaks the truth, they drive him away and in addition spit on him." The Ibo also say, "A rich man is seldom condemned, for the mouth which eats another man's property is benumbed."

"The poor man and the rich man do not play together" is the way in which the Ashanti express the social cleavage between rich and poor. The effect of riches or wealth is generally conceded to be bad. The Filipinos say, "He who is raised in ease is usually destitute"; and in the opinion of the Arabians, "Riches are the fomenters of desire; the thirst after wealth is more vehement than after water"; and "covetousness is the punishment of the rich." The Chaggas noting that riches create envy say, "Your wealth is your destruction"; the desirability of a man with money is expressed by the Moroccans in the words, supposedly in the mouths of the women, "Oh, baldheaded man with money, give that head that I may kiss it." Veblen's idea of conspicuous display is foreshadowed in the Moroccan, "As much clothing you dress in so much are you worth." Many will be encouraged to know that among the Arabian tribesmen for untold generations "the remedy against bad times is to be patient with them" and that "in business the middle way is best."

Finally, things are not the same everywhere. The Arabians say, "The calamities of one nation turn to the benefit of another"; and the Ashanti hold that "a matter which in one place is a subject of mirth in another place is a cause of tears." Change is everywhere noticeable. The Ashanti say, "In one chief's reign skins are treated by having the hairs singed off; in that of another the skins are spread in the sun." The Maori put it, "A chief dies; another takes his place"; the Hawaiians, "Man is like a banana the day it bears first" [after the banana plant has borne fruit, it dies down, and another takes its place]; and the Masai, "Nobody can say he is settled anywhere forever; it is only the mountains which do not move from their places."

From this brief and partial survey it can be seen that while the proverbs of primitives are not sociological thought, strictly considered, and while they only rarely deal directly with social situations as such, they are rich in social wisdom and reflect competently and concisely the social traditions, attitudes, and philosophies of the people using and perpetuating them.

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