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Ph.D.

THE BEGINNINGS OF DIPLOMACY

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A sociological study of intertribal and international relations

by

RAGNAR NUMELIN

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To the Finnish Minister in Italy

Dr. HARRI HOLMA

Member of
the Finnish Academy of Science

with sentiments of friendship and esteem

Sacrum inter externas gentes legatorum ius.

TACITUS

... Die Zeiten der Vergangenheit,
Sind uns ein Buch mit sieben Siegeln;
Was Ihr den Geist der Zeiten heisst,
Das ist im Grund der Herren eigner Geist,
In dem die Zeiten sich bespiegeln.

GOETHE, *Faust*

Preface

In his recent book *Man and his work* Dr. Melville J. Herskovits says: '*Diplomacy* is the peaceful resolution of disputes between autonomous groups. That nonliterate peoples, in their dealings with each other, had and still have technique of settling differences is known. But no element in their cultures has been less studied, so that precise description of how various peoples went about accomplishing these ends can not be given'. The distinguished American scholar almost advertises for a field investigation concerning 'the channels and ways' by which savage peoples have carried on their affairs with their neighbours.

The present study, which is the result of investigations extending—along, indeed, with work of other kind—over ten years, is not a direct answer to the call of my friend Herskovits; it is not a field work, but a sociological essay based on ethnological field researches. If, however, it can throw some light on these important questions, my labours have not been in vain.

Most of the materials have been collected in the Reading Room of the British Museum and in 'La Bibliothèque du Musée de l'Homme' in Paris. I take this opportunity to thank the officials of these institutions for their unfailing courtesy.

I am indebted to many friends in Finland and *extra patriam* for stimulating discussions and for valuable advice on various points. I remember with deep gratitude the instruction and encouragement given me, in my academic years, by the late Professor Edward Westermarck.

I am under obligation to my friend Dr. Niilo Idman and to Miss Agnes Dawson for help rendered me in point of language, the book being written in what is to me an acquired tongue.

Lastly, it remains to offer my best thanks to my wife, who has read the proof sheets and assisted me in many ways during the course of my work.

Finnish Legation, Brussels, December 1949.

R. N.

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Introduction

> One of the great values to be derived from the study of different peoples is the attainment of a perspective, or horizon from which we begin to see our own culture from the outside.
>
> Clark Wissler, in *Man and Culture.*

It has been customary to date the history of diplomacy from the classical Antiquity, or, at the utmost, from the historical peoples of the Orient. And international law is seldom spoken of before the appearance of the great Dutch jurists with Hugo Grotius at their head.

It is true that certain early writers, such as Gentilis or Archbishop Germonius in his *De legatis,* trace the origins of diplomacy to God Himself who created the angels to be his legats, and even substantiate their arguments by copious examples drawn from ancient history, sacred, and profane. But if we do not want to lose our way in the history of religion we must content ourselves with the fact that the roots of diplomacy have hardly been traced farther back in time, or, sociologically speaking, to lower stages of civilization than to the ancient peoples around the Mediterranean. Yet I think it is by no means impossible to prove that diplomacy, if by this word we mean the maintenance of peaceable relations between tribes and nations, so far from having arisen during the so-called Classical Antiquity, or even among the peoples of the Orient, India, or China, can be traced back to primitive surroundings, and that its roots may just as well be sought among the stone age inhabitants of the Australian steppes, the island-dwellers of Oceania, the primitive peoples in Asia, the Negroes of Africa and the Indians of North and South America. As long as human communities have existed side by side without living in a permanent state of enmity—and sometimes even then—there have evolved certain rudimentary forms of diplomatic usage. It has been necessary for the leaders of primitive societies (kings, chiefs, councils of elders) to maintain some sort of mutual relations, first through occasional messengers, later through envoys and other suchlike representatives.

In the early stages of diplomacy there is, of course, no question of written rules, but of traditional customs, which however, are often suggestive of international law. There are, perhaps, authorities on jurisprudence who are unwilling to characterize these customs as laws. But then it must be remembered that most laws have been customs before becoming laws and that in competition with law custom frequently carries the dog and has often proved stronger than law and religion combined.

The rise of at least certain forms of international law is not conditioned by the existence of societies with written laws, but of societies which have entered into peaceful relations with each other, no matter whether these relations originate in magic and religious ideas, fear of external pressure, or commercial or political motives. The difference between earlier and later international law—we might almost say between unwritten and written law—seems to be this, that social custom is the source of the former, while the latter constitutes the results of fixed agreements.

I want to point out that when I here speak of lower and higher stages of civilization I am not thinking in terms of evolutionary anthropology or history. In connection with the rise of diplomacy these expressions simply mean to emphasize the sociological side of the question: that we should study also the social 'diplomatic' culture in the savage world and not, as has often been done, confine ourselves to conditions prevailing among 'historical' peoples. In this book, then, the cultural history of diplomacy is not treated in the same way as in works of political history: we are inquiring into the general human and social groundwork of diplomatic relations. I have wished to place the problem in an ethno-sociological connection and seek the beginnings of diplomacy even among peoples without a written history.

It has been said that the primitive peoples constitute a living museum where it is possible to study social organizations and human conceptions in a more original form than that which we meet in modern surroundings. We must, anyhow, be aware of the fact that behind the primitive peoples of our day—the term 'primitive' can also be used only in a relative or literal sense—there is a development of thousands, many thousands of years, which can hardly have passed by without leaving any traces. We do not know what laws governed mankind in an absolutely primitive condition. No records remain of that condition when human beings first emerged as such. The most backward societies of men now are at least societies of men with human needs, human feelings and human aspirations. Thus we ought not to take the primitive or preliterary peoples of our days for representatives of that which older anthropologists used to call 'the origin of culture' any more than we ought to believe in the primitive evolution, represented by older schools of ethnology. But even if mistakes have been made by ethnological evolutionists, even

if they have exaggerated Darwin's doctrines, these facts cannot make us entirely disregard the significance of the theory of evolution for the genetics of culture (or forms of culture). We find here, in any case, if not relics of, at least parallels to, or previous course of a earlier development. In the social customs of our times there are remnants from other cultures, times and old institutions which have lost nothing of their vital power. Other phenomena may be regarded as rudiments or survivals to use a very discussed term. The ideas on which they are based have disappeared, but the external forms live on. In order to reach the roots of these ideas we must study the *milieu* in which they have come into existence. Present-day savages are not the result of a simple or homogenous course of development; they have been influenced by different phases of foreign civilizations. It would also be a mistake to think that the primitive peoples represent a stage of culture passed through by all mankind. Yet it is an astonishing fact that we can observe, among savage peoples, the beginnings of a great many forms of development which actually belong to far higher stages of civilization. This is true especially of social forms comprising what we generally call diplomacy, *e.g.* intratribal and intertribal relations, international relations.

The difference between civilization and primitive culture is often no difference of quality. It consists of a wider and larger complex of social forms in modern culture as compared with the fewer forms among primitive peoples. In accordance with the above I have first of all tried to investigate diplomatic forms and relations among primitive peoples, such as still occur among savage peoples uninfluenced by foreigners. The diplomacy of historical peoples is used only as a comparative material, exept when the habits and customs of these peoples have retained distinct traits from earlier, primitive periods. At the end there is a survey of the development of 'historical diplomacy'.

It is clear that an ethno-sociological inquiry aiming at something like a general survey of the prehistory of diplomacy—the word prehistory of course not used in archaeological sense—cannot be restricted to those intertribal or international relations which prevail in a particular community, a particular state or a particular stage of civilization. On the contrary, it must comprise so many primitive peoples as possible. From the time of the active explorations, and especially from the last decades, we have good descriptions and reliable monographs of general social conditions among savage peoples, even if we must treat these materials with a necessary amount of criticism. Yet within the field of diplomacy, that is, the mutual relations between primitive communities, there is rather a scarcity of sources. The subject itself is extensive enough. It falls under sociology, ethnology, and, in certain cases, even under human geography, and what scanty information there is available must be worked up so as to throw light upon all these different aspects. Concerning one

single group of savage peoples there existes a short, now forty years old, monography of intertribal relations—G. C. Wheeler's little study *The Tribe, and intertribal Relations in Australia* (with a prefatory note by Edward Westermarck). Corresponding relations between other primitive nations have so far but incidentally engaged the attention of sociologists.

I am inclined to believe that the social problems connected with the intertribal and international relations will appear in a wider perspective if viewed in the light of human culture in general, that is, if we try to see the 'historical' diplomacy from the outside. Social anthropology, in opposition to history in a narrower sense of the word, is concerned with natural, uncomplicated forms of culture which are common to mankind regardless of time and space. These forms of culture are world-wide phenomena, and the somewhat naive distinctions we often make between primitive culture and the civilization of 'historical' peoples are quite arbitrary when the real import of the phenomena is concerned.

Anthropological research has shown a great partiality for the manifestations of primitive beliefs and conceptions; the social and especially political development of savage peoples as well as the economic conditions prevailing among them have been far less often a subject for consideration. For this reason I shall chiefly devote myself to the last-mentioned aspects of primitive life, even if matters of religion will also be touched upon. In primitive stages of civilization there are, as we know, innumerable points of contact between them all.

In the study of the mutual relations of primitive peoples I have, as a rule, made use of the method of comparative ethnology. In all sociology, and not least in ethno-sociology, there is still some uncertainty of method. Sociology cannot, like natural science, build upon absolutely unshakable laws, but it can nevertheless refer to certain social regularity and parallelism. In the beginning of the present century anthropologists were concerned either with formulating hypotheses as to the origins of institutions or with attempts to provide hypothetical reconstructions of the details of the history of culture and civilization. I have never been convinced of the preference of this or that school of ethnology to others, for instance of the superiority of the historical school of culture (*die Kulturkreislehre*) to the tendency of regarding all culture as a series of spontaneous or auchtotonous products. I think the two currents rather supplement each other, and sociological research can, by means of critical interpretations, be benefited by both. The historical way of thinking sometimes runs the risk of disregarding culture as a whole for the sake of its separate parts. The psychological-evolutionary tendency, on the other hand, has made the mistake of underestimating the historical points of view. It is, indeed, difficult to fix the historical points of view with reference to 'non-historical' peoples lacking a written tradition in the European sense. The historical viewpoints

cannot, however, be entirely eliminated. Spiritual communication between peoples and individuals is a phenomenon in space as well as in time. An idea of finality, however, cannot here assert itself in the same way as in archeology or history proper. In this respect *the Kulturkreis*-ethnology certainly goes too far. Owing to the fact that spiritual life is everywhere of a social character and thus offers parallels in many quarters, it motive, I think, comparative investigations; but we must compare really comparable things and not mix up traits which only resemble each other.

Only combining different points of view it is possible, according to my opinion, to get, on ethnological basis, a synthesis with reference as well to historical as present-day conditions, and with a perspective on the problem of continuity in social life. And if sociology on the whole wishes to get a perspective in historical and ethnological meaning it must be based on material relating to early culture.

In writing a book of this kind I have been fully aware that the choice of illustrative ethnological material is a matter of considerable importance. Older anthropologists such as Taylor, Frazer and also Westermarck, saw to it that every possible instance bearing on a given point was included. Often, however, the examples selected by them lack a certain cultural depth and context. I have found it to be more to the point to cite fewer cases but to present them more fully than the traditions of the comparative method as practised by the classics would allow. The present stage of anthropology precludes a complete elucidation of these questions. Being fully aware of the deficiencies of my book I still presume to lay it before the public as an unpretending analysis of the thing we call the beginnings of diplomacy.

Chapter I

Society, Government, Custom

Man is a social being: *unus homo, nullus homo.* There are always to be found some forms of social organization, no matter how far back we go into the history of culture. The altruistic sentiment, which man is supposed to have acquired during an early period of his biological history, has been proved to exist even among social animals. Different influences of environment have strengthened these tendencies to joint action and demeanour. It is difficult to see how some of the more distinctive attributes of man, such as speech, and perhaps religion, could have originated in the absence of social setting.

All sociologists agree, irrespective of the schools they represent, that we always, in all culture, find forms of social organization. Goldenweiser says paradoxically, but no doubt correctly, that society, in a sense, antidates the individual[1].

It is true that the attitude of a savage tribe towards aliens, and also towards neighbouring tribes, is often stamped with feelings of suspicion, or even hostility. The same holds good of the lower animals, probably owing to the countless dangers of forest, mountain and prairie. There are, however, in primitive stages certain complexes of interest which tend to keep men together and maintain a kind of cooperation. This mutual interest corresponds broadly to what Professor Giddings called the consciousness of kind[2]. It is not only that men need each other for purposes of defence, or, at higher stages of civilization, for cooperation in a more intellectual sense; there seems to be, in human nature, an inner perception of the fact that others strive for similar aims by similar means.

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[1] Goldenweiser, *Anthropology,* p. 15.

[2] Giddings, *Principles of Sociology,* ch. ii:iii; *cf.* Hobhouse, *Social Evolution and Political Theory,* p. 127. There has been explorers who deny any form of administration among the most primitive savages like there are ethnologists who deny the existence of any form of religion; *cf.* Lehmann, 'Die Herausbildung d. Führertums', in *Baessler Archiv* (1936), p. 63 sq.

The common reactions of a community in conflict with others naturally tend to strenghten the ties which keep it together. The primary forms of society have been a matter of controversy, that is to say, it has been an open question whether society is founded on the primitive family, the clan, or hord or tribe or in the cohabitation of the same territory. Owing to the thorough researches made, above all, by Edward Westermarck, there seems to be little doubt that marriage and family—in their different forms, be it notified—are universal social institutions with roots in the oldest humanity, even among the anthropoids, which also live in families. There are still savages living in families rather than in tribes, yet ethnology has no cognaizance of peoples lacking the family as social organization[3]. A Vedda community, for instance, consists of from one to five families, who share the right of hunting over a certain tract of land, of gathering honey upon it, fishing in the streams, and using the rocks as shelters[4].

The early society, if it is permitted to use this expression, probably included one or more families. The primitive societies are small, due to food-geographical circumstances. Even the most fertile regions in the tropics have a limited food supply, at least for primitive tribes who have not learned to lay up stores. Primitive societies have often the character of protective defensive alliances based on consanguinity and common religion and kept together by social custom. According to Westermarck the extension of the small family group may have taken place in two different ways, by adhesion and mutual growth, or else by cohesion. 'New elements, whether other family groups or simple individuals, may have united with it from without, or the children instead of separating from their parents, may have remained with them and increased the group by forming new families themselves', Westermarck says. In his opinion there can be little doubt that the latter was the normal mode of extension, which took place as soon as economic conditions became sufficiently favourable[5]. An expansion of the community can only take place if the geographical factors are favourable.

A few decades ago, it was believed that a general promiscuity, either exogamous or endogamous, was a distinctive feature of the 'earliest stage', the chaos from which social life has emerged. Since women were common to all men, the ascertainment of paternity was impossible, which circumstance, it was supposed, gave rise to the matriarchy prevailing among very savage peoples. This theory, however, has now been abandoned. Premarital sexual freedom is, indeed, not unknown in primitive or modern world; where unmarried men

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[3] Westermarck, *The History of Human Marriage,* i-iii.

[4] Seligmann, *The Veddas of Ceylon,* p. 68 pass.

[5] Westermarck, *The Origin and Development of the Moral Ideas,* ii. 196; Grosse, *Formen der Familie,* pp. 42 sq, 73 sqq; Hildebrand, *Recht und Sitte auf den verschiedenen wirtschaftlichen Kulturstufen,* p. 1 sqq.

live in separate houses—as in Oceania and Africa—it is not uncommon that the girls are allowed to spend the nights with them[6]. The child and its mother constituted a connecting link in the family. The matriarchal system need not necessarily be deduced from a stage of promiscuity; matriarchy may be older, but patriarchy is also from ancient times.

The social radius, provided there are sources of subsistence, gradually extends from the family to organized joint families, clans, tribes, nations.

The family is the primary unit made up of persons who are either married or related by blood, and at the same time, in normal cases, live together. The clan is essentially a body of kindred, having the same name. On the whole it coincides with the population of a certain territory, with the members of one or more villages. Also when the clan is formed by different groups, it is a sharply marked unity. The clan is already something of a 'political union'. Among North American Indians the clans or *gentes*—American anthropologists use the denomination 'clan' only when speaking of matriarchal communities, patriarchal one are *gentes* —need not always be ultimate social units. By expansian they sometimes come to have unexpected relations to tribal groups. In the Iroquian system for instance we find a close federation between the tribal groups which stops little short of a compact political state. Many clans have members in each village. Among the Iroquois the clan controls exogamy, owns perhaps field for cultivation, elects ceremonial officials and plays a definite part in the election of federal chiefs; the clan of the Tlingit and Haida elects chiefs[7].

The Tungus clan, to take an example from Asia, is a group of persons united by common descent from one or several ancestors, by recognition of blood relationship, a common appellation and the acceptance of a series of prohibitions, the principal of which is that of marriage between the members of the same clan[8].

Nearly identical with the clan is the society of families (Swed. *Ättsamhälle*), while the society of the neighbouring village indicate a certain social expansion based on the local cohabitation of several groups.

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[6] *Cf.* the premarital customs surviving in many parts of Europe: Wikman, *Die Einleitung der Ehe,* pass.

[7] *Cf.* German *Sippe,* Vierkandt, *Gesellschaftslehre,* ch. iv; Tönnies, *Einführung in Soziologie,* iv. 12, 13. Conc. casts in India: *Ananthakriskma,* ch. iii; Roy and Roy, *The Khāriās,* i. 122; clan-cystem in Africa: Lindblom, *The Akamba* (*Archiv d'Etudes Orientales* xvii), ch. vii, and *idem, The Akamba,* p. 121. Among some African natives a clan do not live in the same place, but are spread over the whole areas (Lindblom, *op. cit.* p. 105); Doke, *The Lambas,* p. 193; Fortes, *The Dynamics of Clanship among the Tallensi,* pass; Evans-Pritchard, *Afr. Political Systems,* ch. ii (village communities); conc. American Indians, see Lowie, *Social Life,* p. 186 sq (Crow); *idem, Introduction to Cultural Anthropology,* ch. xiv; Elander, *The Chief of the Indian Clan,* pp. 2 sqq, 80; *idem,* 'The Clan as a local Unit in Society', in *Festskrift tillegnad Edw. Westermarck,* p. 131; Goldenweiser, *op. cit.* pp. 305, 330 sqq (Iroquois, Tlingit, Haida); Speck, 'Family Hunting Territories', etc. in *Memoirs Geol. Surv.* xx. 120 (Algonquian tribes).

Lowie (*Primitive Society,* p. 111 sq) chose the term *sib* as a common term, making possible the differentiation of the two types into mother-*sibs* and father-*sibs.*

[8] Shirokogoroff, *The Social Organization of the Northern Tungus,* p. 120.

The tribe is generally a composition or aggregation of families or clans and local groups (sub-tribes) who occupy a definite tract or country, even if the frontiers, especially among wandering peoples, or hunting ground areas cannot always be determined[9]. The members of the tribe accept a common relationship or bond which distinguishes them from others; and they have a common speech, or at least a cognate dialect. The division and composition varies among different peoples. There is especially in Australia a system of division founded on the totem, which sometimes cuts across the tribe system. The tribe is moreover often, with some rare exceptions, divided into exogamous clans. Among the most primitive peoples in Australia each tribe consists of a number of local groups which represent the real political and economic units, and particularly tend to make one tribe dovetail, as it were, into its neighbours[10].

The fundamental units of North American Indians are bodies of consanguineal kindred, generally related on the female line. These *gentes* are thus organized units, tribes by tie of relationship and affinity, the main position in the tribe being fixed by kinship[11]. Consanguineal bonds also occur in the units of the South American aborigines[12], and generally the natives of South Africa are divided into tribes, each of which is composed of clans which, again, consist of a number of families[13].

Besides marriage, local proximity and common descent, also a common religion may unite different tribes into social union. But among savages a religious community generally coincides with a community of some other kind. And in savage societies religion is, as often as not, both an effect and a cause. Particularly among Australian and Oceanian peoples the bands of community have been highly strengthened by totemism[14]. Concerning North American Indians Fletcher and

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[9] Numelin, *The Wandering Spirit,* p. 163, *cf.* ch. v.

[10] Davidson, *The Chronological Aspects of certain Australian Institutions,* ch. v; Elkin, *The Australian Aborigines,* pp. 22, 32; Nadel, 'Social Symbiousis', in *Man* (1938), No. 85. *Cf.* Cole, 'Family, Clan, and Phratry in Central Sumatra', in *Essays pres. to Kroeber,* p. 191.

[11] Powell, 'Wyandot Government', in *Ann. Rep. Bur. Amer. Ethn.* i, 69; Dorsay, 'Omaha Sociology', *ibid.* iii. 215; Fletcher and La Flesche, 'The Omaha Tribe', *ibid.* xxvii. 27, 37 sq, 41 sq, 57 sqq; McGee, 'The Siouan Indians', *ibid.* xvii; Hodge, *Handbook American Indians,* ii. 815; Wissler, *Man and Culture,* p. 48 sqq; Reichard, *Social Life of the Navajo Indians,* chh. ii, iv; Goldschmidt, 'Social Organization in Native California and the Origin of Clans', in *American Anthropology,* l. 444.

[12] Latcham, 'Ethnology of the Araucanos', in *Journ. Anthr. Inst.* xxxix. 356 sqq; Molina, *Geographical, Natural, etc. History of Chili,* ii. 115 sqq; *cf.* also Karsten, *Indian Tribes of Gran Chaco,* ch. iii; Nordenskiöld, *Historical and Ethnol. Survey of the Cuna Indians,* p. 28 sqq.

[13] Steinmetz, *Rechtsverhältnisse von eingeborenen Völkern,* p. 82.

[14] *infra,* p. 74; Conc. esp. Oceania, see Thomson, *The Fijians,* p. 5.

la Flesche tell us that the tribal organization among Omaha Indians was based on certain fundamental religious ideas pertaining to the manner in which the visible universum came into being[15]. Besides a tribal division there is, especially in island worlds like Oceania, a divison into villages. In external politics not the village, but the district, was the active political unit, especially in case of war[16]. Sometimes, however, it is difficult to say whether we have to do with a large tribe with local divisions or whether the local groups are regarded as an independent tribe. Hence it follows that it may sometimes be difficult to know whether we have to deal with intertribal or intratribal relations.

Identically we find among peoples of a high culture, at their first appearance in the dawn of history social units similar to those prevailing in savage societies, as for instance, in China, in ancient Greece and Rome, among the Vedic peoples of India, the Hindous, Persians, Celts, ancient Teutons and some Slavonian peoples in our own days[17].

It is a characteristic feature of the tribal units in simpler societies that they seldom make war against each other, but rather cultivate peaceable relations. Among the ancient Teutons the family, as we know, played an important part as a social factor. 'To live in peace' with each other was, on the part of its members, an expression of social self-esteem. In primitive societies there exists a feeling of solidarity between the members of a tribe, which is sometimes of a more or less abstract character and, as we further on shall see, contains the germ of patriotism. But also of something else!

Even if savage morality is primarily an affair of a narrow circle, it still involves the beginnings of we shall not say international but intertribal relations; there may be a great deal of internal strife, but there is also a distinct tendency, at least between neighbouring tribes, to settle the disputes by compromise and mutual arrangement. Intertribal gatherings are—as we shall see later on—held for ceremonial purposes in which the fundamental unity of purpose of two or more tribes seems to be made manifest, namely the search for life through initiation, burial

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[15] Fletcher and La Flesche, 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxvii. 229, 402; *cf.* also pp. 198, 236, 243, 250, 306 sq; McClintock, *The Old North Trail,* etc. p. 646 (Blackfeet).

[16] Lips, in Boas, *General Anthropology,* p. 524.

[17] The Roman *propinqui* corresponded to the *anchisteis* of the Greeks, the *sapindas* of the Hindous. *Cf.* the Vedic *Janmanā* or *Grāma,* the Iranic *Vic,* the Greek *Genos* and the Roman *gens.* The Greek *Genos* was a subdivision of a *phratria,* the Roman *gens* of *curia.* (Maine, *Ancient Law,* p. 220 sq; Fustel de Coulange, *La cité antique,* p. 126; Mommsen, *History of Rome,* i. 45, 238; Caesar, *Bello gallico,* iv. 22 sq; Tacitus, *Germania,* 16; Tozzer, *Social Origins,* pass; Hemmer, *Studier rörande straffutmatningen i medeltida svensk rätt,* p. 1).

and totemistic rituals. At such gatherings, quarrels between groups of one or different tribes are openly settled, and festivals or public entertainment shared. But such meetings are also organized for the purposes of hunting and fishing and controlled, not by the tribe as such but for instance by the old men of various local groups.

It will be seen—and this is of particular importance for our inquiry—that marriages contracted outside one's own group, hunting and fishing expeditions, rites and feasts are means of bringing together not only tribal groups of the same region, but also neighbouring and even foreign tribes. Trade becomes a mighty promotor of intertribal and international interests. Under its influence similar laws and customs will be enforced in extensive areas. And later we shall see that just this kind of peaceful natural aid has a great social value. Thus the combination of local proximity and political unity, as well as the fellowship of common religion tend to engender friendly feelings between the members of each respective group and tribe. Hence, as Westermarck has shown, when the political unit grew larger, when the idea of kinship developed into that of racial affinity, and when the same religion became common of all citizens of the State, or extended beyond the limits of any particular country or nation, the altruistic sentiment underwent a corresponding expansion unless, of course, it was checked by some rival influence[18].

We must, of course, beware of too strongly generalizing our knowledge of primitive societies, the forms of which may be determined by geographical as well as social and other factors. 'The forms of societies are for the most part the product of accidental factors, and in this sense every society is a law unto itself, and as such it must be studied', says Ashley-Montagu, who also emphasizes that each society must be studied as a whole in itself, and not from the outside merely as a part of an assumed greater whole[19].

We have already hinted that the local groups of tribes, *e.g.* in Australia, have their leaders and chieftains. The great families and clans are often governed by the oldest men of the group, while tribal chieftains are seldom had in common[20].

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[18] *Cf.* Westermarck, *The Origin and Development of the Moral Ideas,* ii. 227.

[19] Ashley-Montagu, *Coming into being among the Australian Aborigines,* p. 3.

[20] Arunta for inst. is divided into a large number of smaller groups, each of which occupies a certain area of tribal territory. The local feeling is said to be very strong (Spencer and Gillen, *The Native Tribes C. Australia,* pp. 8, 14, 16, 31; *idem, The Northern Tribes,* p. 27). 'Every tribe has a complicated series of relationship terms according to which every individual stands in some definite relationship to every other individual, not only in his own tribe, but in any tribe into which he may pass, either as resident or as a visitor. The system is an intricate and comprehensive one, and show wonderful ability of certain kind' (Spencer and Gillen, *The Northern Tribes,* p. 30).

Among North American Indians, as already pointed out, the independence of the clans was less pronounced, whereas the tribal unity itself, as in many places of primitive Africa, was a matter of great importance. Among African savages the clan was differently constituted. And beside a division into different tribes we find, especially in island worlds, a division into villages. But in the main it holds true that tribal organization is based on consanguinity and territorial elements.

A combination of different tribes thus constitutes what we should call a people, a nation. Even the kingdoms of the East have arisen through an aggregation of different tribes and peoples with different languages.

Societies have come into existence by means of natural development, seldom by means of social agreements, such as Hobbes, Spinoza and other followers of the ancient natural law used to theorize about and Rousseau unfolded in his *Contrat social.*

Most primitive peoples of our days live in groups larger than families and often enter into relations with other groups, which relations contain at least a germ of political and international contact. It is, of course, a matter of question whether actual states can be said to exist in the primitive stages, even if the groups, as shown by Holsti, sometimes wield a kind of sovereign power[21].

For our inquiry about the intertribal and international relations, *e.g.* concerning the beginnings of diplomacy it is of importance to know the administration and government of primitive societies and states. We therefore make an excursion to this field.

May 'states' and 'forms of governments' on the whole be spoken of in connection with primitive cultures and peoples? It depends, of course, on the significance these definitions are given and—regarding the first mentioned—if the state is viewed from a juridical, sociological, ethical, economic or geographical point, or, which should be done, synthetically from all points at the same time,—and on what principal qualities we ascribe to this definition[22].

All sociologists, whether they, as Lester F. Ward, and Lilienfeld, belong to the school of Gumplowicz and Ratzenhofer or have adhered to the theory of Herbert Spencer and his followers, agree that the beginning of the political organization of man goes very far back. But questions of interpretation arise when the problem is more closely studied. A number of sociologists do not seem to make

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[21] Holsti, 'Sociological Theory of Sovereignty', in *Proceedings Inst. Intern. Relations* (Berkeley), vi, pass; Davy, *Eléments de Sociologie,* ch. i-v.

[22] Jellinek, *Allgemeine Staatslehre,* 3. Ed. p. 173 sq; Spencer, *Principles of Ethics,* ii. ch. xxiv; *idem, Descr. Sociology,* iv. 8 sqq; *idem, Principles of Sociology,* i. p. 427; Oppenheimer, *Der Staat,* pass; Giddings, *Principles of Sociology,* ch. ii:iv; Sabine, *A History of Political Theory,* pass.

proper distinction between 'states' and 'communities', not even in the case of social organization of primitive peoples. Others, again, avoid the definitions by characterizing society—like Steffen—as interhuman physical life. Thus Lenz and Steinmetz[23], speaking of the political life of savage units, ascribe to them the rank of state. Shakespear[24] applies the idea of state even to the more or less primitive communities in Northern India. Schmidt and Koppers[25] as well as Dr. Graebner go still farther in applying the term of 'state' even to social forms in the earliest culture of food-gatherers and hunters. Dr. Holsti, who has as we said, analyzed the problem of sovereignty in relation to political organization, considers also small primitive units, even if they are very simple in construction and function to be states. The sovereignty, regarded as the supreme duty of protecting political organization, implies, according to Dr. Holsti, the supreme responsibility for the survival of men in their political organization[26]. Dr. Holsti thus finds all the chief characteristics of a state in a rude political organization[27]. Dahn speaks of *Geschlechter Staten* and *Hordenstaten* among the early Germans even as far back as in their wanderings from Asia to Europe[28]. Vaccaro regards *the clan* to be the origin of the state, which is true to a great extent, but he makes the sociological fault of considering the clan (and the state) to be older than the family[29]. In early Greek thought no marked difference was made between the 'town-state' and the other states. According to Plato their origin is the same, and the most primitive State could consist of only four or five men[30].

On the other hand, there are sociologists, for instance Lowie[31] and Oppenheimer[32], who wish to avoid even the term political organization for early culture and use this term only when referring to class-states, resulting from conquest and subjugation. Schuman in his great work on *International Politics*[33] does not ascribe the idea of state to primitive peoples and in general no other forms of government than 'clash of clubs and spears', although he admits that international relations and wars doubtlessly antedated the emergence of civilized societies. But he ascribes

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[23] Lenz, *Skizzen aus Westafrika,* p. 273; Steinmetz, *Rechtsverh. eingeb. Volkern,* p. 367.
[24] Shakespear, *The Lushei Kuki Clans,* p. 43.
[25] Schmidt and Koppers, *Der Mensch alter Zeiten,* iii:i. 174.
[26] Holsti, *loc. cit.* vi. 119.
[27] *Idem, The Relation of War to the Origin of the State,* ch. ix. 273 sq.
[28] Dahn, *Bausteine,* i. 446, 530; *idem, Die Germanen,* p. 420 sq.
[29] Vaccaro, *Les bases sociologiques du Droit,* pp. 204 sq, 450.
[30] Platon, *Opera omnia,* ii. 30.
[31] Lowie, *Primitive Society,* p. 358 sqq.
[32] Oppenheimer, *op. cit.* p. 1.
[33] Schuman, *Intern. Politics,* p. 3.

to these peoples 'no focus of authority', 'no established claim to monopoly of coersive power', 'no concept of citizenship or alliances'.

Thus we have conceptions differing greatly from each other. Where is the true explanation to be found? It is difficult to discover a totally objective stipulation. The state and the organization of state imply, in my opinion, that there is an organized union of individuals within a limited territory who, either because of common descent, or common nationality or because of a common history, feel themselves to be united to each other through their customs, their laws and their institutions[34]. We could, according to my opinion, seek the root of the state in primitive social unions. Even wandering peoples have certain traces of state and government or at least of governmentlike institutions: to hold the community together, to secure the welfare of members and safeguarding its food, and—no less important—guaranteeing peace within and without its borders. And already among wandering peoples—even if this may sound paradoxical—we find a certain suggestion of the territorial principle in so far as the boundaries of the wandering areas are fixed.

The fact that savage peoples are not sedentary does not involve their constant moving from one place to another. The territories of many Australian wandering peoples vary from 4,000 to 10,000 square miles and there are from twenty to hundred members in the legal commune. The borders are so strictly determined that their violation may give cause of war. Among the Veddas, who are partly a wandering people, each clan has its own territory. Many of the partly resident Australian aborigines have territories of their own, and their division is recognized by all of them[35]. Among the Mafulu mountain people in New Guinea, the boundaries between the various communities are 'perfectly known', mutually respected, etc.[36]. According to von den Steinen the very low race of Central Brazil recognized rivers or other similar marks as frontiers between the various communities[37].

It seems to be more correct, however, to characterize primitive political organizations as societies and not as states. Herbert Spencer and the great number of his followers have based their theory of the origin of the state and the govern-

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[34] Another question is if Westermarck (*The Origin and Development of the Moral Ideas,* ii. 221) is right in stating 'that civilization only thrives in states'.

[35] Roth, *The Aborigines of Tasmania,* pp. 59, 76; Spencer and Gillen, *Across Australia,* i. 198, 232.

[36] Williamson, *The Mafulu Mountain People,* p. 83. Conc. other peoples on New Guinea, *cf.* Seligmann, *The Melanesians,* p. sq; Krieger, *Neu Guinea,* pp. 87, 195.

[37] v. d. Steinen, *Unter d. Naturvolkern Zentral-Brasiliens,* pp. 213, 330. While among foodgatherers and harvesters a transgression of the boundaries of the tribal territories meant certain death, this is not the case among the harvesters, where the elasticity of boundaries are greater (*cf.* Lips, in Boas, *General Anthropology,* p. 504).

ment on the assumption that primitive societies were formed mainly through wars and that the headship of the society, commonly beginning with the influence gained by warriors of greatest power and capacity, becomes established where activity in war gives opportunity for his superiority to generate subordination[38]. Spencer thinks that subject to the same danger and joining to meet their danger, the members of the horde become, in the course of their cooperation, more bound together[39]. Gumplowicz affirms that human groups have, since the earliest times, been formed through the everlasting 'natural process' of warfare, subjugation and conquest[40]. Steinmetz also believes that although the family was the earliest germ of society, the different societies were united through cooperation in war. Hence he concludes that without aggressiveness no group beyond the limits of the smallest family bounds would ever have developed[41]. Lamprecht assumes that the origin of all human organization lies in the protective power of warlike men[42]. Dr. Bolinder also has a certain tendency to lead the origin of the state-life down to the organization of defence[43]. But there are also other sociological points of view regarding the early society. In his work *The Origin and Development of the Moral Ideas* Westermarck, as already hinted, has exposed how the social organization of man and the spontaneous development of the state are intransically connected with man's altruistic sentiments. Westermarck has shown that the custom of primitive peoples is not merely the habit of a certain circle of men, but at the same time involves a moral rule, and that laws which are based on customs naturally express moral ideas prevalent at the time when they are established. The opinions of many are the opinions of all. In the savage society custom stands for law as a rule of conduct. A more recent ethnological research has, as we shall see, shown that although wars, in historical time, have been able to contribute to the development of state, they have not on primitive stages played the part which one has earlier been inclined to ascribe to them, and that the origin of primitive societies and governments far from always is related to war. On lower stages the common feeling is strengthened by magic and religious causes, by mutual help in peacetime work, in short, by peaceful cooperation. And even if primitive morality is usually something which concerns only a limited circle of men, there are regulated inter-

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[38] Spencer, *Principles of Sociology,* ii. 338, *cf.* i. 12, 545 sqq; *idem, Principles of Ethics,* ii. 202 sqq.

[39] *Idem, Principles of Sociology,* ii. 278.

[40] Gumplowicz, *Der Rassenkampf,* pp. 185, 193 sqq.

[41] Steinmetz, *Die Soziologie des Krieges,* p. 23.

[42] Lamprecht, *Deutsche Geschichte,* i. 91.

[43] Bolinder, *Naturfolkens kultur,* p. 18.

national or let us more cautiously say, intertribal connections between the primitive tribes as well as between groups of tribes[44].

There are scientists who have denied the occurrence of all forms of government among peoples in low cultural stages. Such assertions should however be received with the reserve due to all propositions containing broad negative generalizations, as well as to assertions of sociologists who have disclaimed the appearance of all forms of religion among certain peoples. It may now be taken as an established fact that even communities of the lowest primitive peoples in our days exhibit certain elements of administration. And one has to assume that savage peoples, already at a fairly low stage in their struggle for life, have preferred some kind of organization to a total lack of it. Regulations seem to be one of the very life-necessities of societies. The basic foundation of government has surely been the securing of food, of coordination, of peace and order. And as soon as there are any associations at all there must be some form of authority. The fundamental authority undoubtedly lies in the custom and in the public opinion, but the regulating power needs agencies for its expression. As we, according to the unequivocal testimony of ethnology, have to seek the beginnings of society in the human marriage, in its various forms, and in the family, we may assume that primitive political capacity, and the political insight, originally implied only an enlargement of the domestic horizon and the experiences of the leaders of family life. A single leader of a family obtained authority not because he was elected, but because he was stronger or more versed in the traditions of the society, in hunting and fishing or in the use of magic and religious rites. Therefore we apparently have to seek the most primitive forms of organization of community in the cooperation between families and groups of tribes, first in intratribal, and then in intertribal solidarity. Here we meet with unmistakable beginnings of many political functions and institutions which properly belong to a much more advanced stage of culture. Lowie has proved that the germs of all political development are latent but demonstrable in the ruder cultures and that a specific turn in communal experience, say contact with a weaker or stranger neighbour, may produce an efflorescence of novel institutions[45].

In speaking of primitive society a number of scientists operate rather loosely with terms such as *republics, democracies, monarchies.* Letourneaus, in a large number of books, classifies certain tribes as republics, others as monarchies. Dr. Landtman has collected a great number of dates from very different parts of the world, showing that 'democracy' is the leading form of government among

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[44] Numelin, *Den gröna grenen,* chh. iv, v.

[45] Lowie, *The Origin of the State,* pass; *cf.* Hertzler, *Social Institutions,* p. 78.

primitive peoples[46]. A German scientist, Prof. Mühlmann imagined during the late war to find a 'Führertum' among savages peoples[47]. Such comparisons seem to be constructed and hardly scientific. There is only a very superficial resemblance between the lack of government or the primitive tribal government and a modern democratic republic. Equally wrong is the comparison between the more or less despotically governed societies of primitive peoples and, for instance, modern dictatorial states. In a primitive society so many other points appear—as we shall see—often of a supernatural kind, that every comparison becomes very unreliable.

Especially in popular literature there has long prevailed the conception that savage peoples are governed by despotic and blood-thirsty savage leaders. But we shall see that this conception is very little in accordance with reality. The question is far from unimportant for a right understanding of the conditions of intertribal relations and the beginnings of diplomacy.

There are different types of government among primitive peoples, from embryonistic government and council-government up to one-man ruler under varying names such as chieftainship, headmanship, kingship, temporary and permanent, single or dual, hereditary or non-hereditary. In savage Africa alone a considerable range of government development may be found, varying from the more primitive tribes to the kingdoms of Uganda, Dahomy, Ashanti and Benin, from primitive tribes who recognize no chief and still are in the patriarchal state, up to well-defined tribal institutions.

It can, of course, be said that I in the following bring together instances from primitive peoples of relatively different stages of civilization. I am quite conscious thereof. But nothwitstanding that I shall take the instances after geographical regions, I do so to illustrate s o m e g r e a t c o m m o n l i n e s o f a d m i n i s t r a t i o n among savages, in spite of different culture. But when we in the following go to study the primitive government it will be wise to start from the point that this institution has very little to do with government in our modern meaning.

In the very primitive society the tribal authority generally is concentrated in a tribal council.

There is n o l e a d e r s h i p in the true meaning of the word among many primitive peoples. It is said of the ancient Tasmanians, for instance, that 'the aborigines were without any chiefs, or any form of regular government'[48]. The peaceful Veddas in Ceylon seem to have very rudimentary forms of government: they pos-

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[46] Landtman, *The Origin of the Inequality of Social Classes,* ch. vii.

[47] Mühlmann, *Krieg und Frieden,* p. 23 sq; *infra,* p. 53.

[48] Roth, *op. cit.* p. 70.

sess no social classes and have no chiefs or established government. In each group the most intelligent man rules the community by force of his character completed with the fact that he is a shaman. He wins a certain influence over his neighbours. To him in the first instance falls the task of dividing the honey of the rock-bees among the members of the clan[49]. And he seems to be able to exercise a conciliating influence in certain boundary disputes, and he is the spokesman in contact with strangers[50]. The government among many aborigines in India seems also to be very rudimentary. Among the peaceful Todas political leadership is entirely lacking[51]. The so-called lower Nagas have no chiefs, they appoint a spokesman who has 'the reputation of superior wisdom, or perhaps more frequently the influence of wealth'[52]. The Lushai are described as living in small consanguineous communities under a patriarch or headman[53]. The same may be said of the backward tribes in North-Eastern Asia and in the neighbouring arctic regions. When among the Chukchee trouble arose between two different family-groups, men from both sides would assemble and the old men of each side elected two speakers[54]. Among the Hyperborean, Ratzel states, there is no rule except a moral influence and authority of the oldest and wisest[55]. In East Greenland, according to Nansen, the oldest man functions as head of the house, when he is a good hunter or has been one and has sons who are good hunters[56]. And, taking an African example of what I should like to call an embryo-government, the Bushman may be mentioned. Here the whole manner of life forbids a compact governmental organization. Perhaps one of the inhabitants on account of his great renown is regarded as a 'captain', but this is merely nominal, because a real leadership does not appear. The only uniting force seems to be the sentiment of sex, parenthood, or relationship. The various hordes keep at a distance from one another simply for food-geographical reasons. They have no chiefs in their temporary villages[57].

Sir Henry Maine, proceeding from the classical peoples, considers that the primitive chieftainship has developed out of *patria potestas, i.e.* of the main family head[58]. This may be true in many cases also as regards the primitive peoples, but it

[49] Seligmann, *The Veddas,* pp. 62, 86.

[50] Sarasin, *Die Weddas auf Ceylon,* p. 486.

[51] Spencer, *op. cit.,* i. 522.

[52] Dalton, *Descr. Ethnology of Bengal,* p. 42.

[53] Shakespear, 'The Kuki Lushai Clans', in *Journ. Anthr. Inst.* xxxix. 372.

[54] Bogoras, *The Chukchee,* p. 662.

[55] Ratzel, *Volkerkunde,* ii. 770.

[56] Nansen, *Eskimo Life,* p. 186.

[57] Fritsch, *Die Eingeborenen Sudafrikas,* p. 44; *cf.* Dornan, 'The Tati Bushmen', in *Journ. Anthr. Inst.* xlvii. 53.

[58] Maine, *Ancient Law,* p. 138.

cannot be ethnologically generalized. The derivation may have been a long one. The chieftainship seems to go back not only to a single, but to several sources. It appears that before the real chieftainship the government lay in the hands of not one family head but many heads, or—this may in certain cases coincide—with the elders of the tribe. These elders keep counsel among themselves, but none of them has any executive power over the tribe or nation. It is the council as such, which represents the executive power and which forms the tribal government. The oldest man of the tribe generally represents the council, but this is not always the case. The fact that old men are as a rule well treated is due to their superior knowledge to the tribe's traditions and rites and that they consequently are more versed in magic and religion. The magic strength is among many primitive peoples believed to increase with age. According to a common primitive belief in South America, a man will appear after death as a revenger, for instance in the shape of an animal, and as such visit the survivors if he is not treated well during his lifetime[59]. But the primitive peoples respect even experience acquired during a long life. And a council composed of the oldest and wisest must play an important part.

From the most embryonistic government we then come to the t r i b a l g o v e r n m e n t, when the subject of authority is taken over by a council of the clan or by a tribal council generally represented by the eldest men of the tribe. In spite of any definite organization there exists a considerable control of custom among such primitive peoples.

The chieftainship, as also the authority of tribes, is but slightly developed among the inhabitants of Australia. Every tribe is generally divided into local groups composed of families, each of them ruled by the family head, and each clan is autonomous and manages its own affairs by means of a council. Tribal chieftains do not appear often, but every local group has its headman whose authority, in most cases, is very vague and depends largely on his personal qualities. He is assisted by a council of elders, which deals with internal and external affairs and the external relations and whose decision is the supreme authority, because the members are considered to possess a magical power. In savage Australia 'seniority runs through the whole of the aboriginal system'. It is maintained by the old men, who always retain some rite or ceremony which is not made known to the juniors[60].

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[59] Karsten, *Naturfolkens samhällsliv,* p. 130 sq.

[60] Frazer, *Totemism and Exogamy,* i. 283, 352 sqq; Dawson, *The Australian Aborigines,* p. 5 sqq; Curr, *The Australian Race,* i. 55 sqq; Howitt, *The Native Tribes of S.-E. Australia,* pp. 278, 295 sqq, 302; Eyre, *Journal Expeditions of Disc. Central Australia,* ii. 315; Gason,

When among the Wotjabaluk (residing at the Wimmera River and at Lake Albacutya in Australia) totem-meetings were summoned, their old men consulted together and decided what was to be done, announced theirs order to the people generally and were abeyed. At such a meeting the eldest of the headmen acted as its head. To the council places the younger men were permitted to come but not allowed to join in the discussion[61]. The Arunta local chiefs, called *Alatunia,* call together the elder men to settle all the civil and criminal matters; among some groups the *Alatunia* was at the same time the sole medicine-man; in other groups special men had charge of these duties[62]. Among the Adelaides and Encounter Bays natives there are no chiefs; some influence is exercised by the old men and especially by those among them possessing superior physical strength and courage, as also *'by those who practise charm'*[63]. Taplin says of the Narrienyeri that a man may be elected chief 'for his wisdom, moderation and good temper'[64]. The Dierys elected headman a man of persuasive eloquence, a skilful and a powerful medicine-man[65]. Concerning the tribes in Riverina Mr. Beveridge tells us that they have no elected chiefs or rules of any kind, whom they can appeal to or rely on in times of difficulty or calamity[66].

'Probably in no place on earth have aged men exercised greater authority in government than in Australia', Simmons says[67].

The government and administration of the aborigines in Oceania seems in many cases to be in the hands of a village assembly which meets at the village place[68]. Until they conquered other tribes, the government among the Maoris of New Zealand was arranged so that each tribe managed its own affairs[69]. In Melanesia

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in Woods, *Native Tribes S. Australia,* p. 262; Spencer and Gillen, *Northern Tribes Central Australia,* p. 20 sqq; Fison and Howitt, *Kamilaroi and Kurnai,* p. 211 sqq; Smyth, *The Aborigines of Victoria,* i. 126 sq; Parker, *The Euahlay Tribe,* p. 81.

[61] The old men take also charge of the sacred-house which is their most important duty; *cf.* Spencer and Gillen, *op. cit.* p. 28; *idem, Native Tribes Central Australia,* ii. 154.

[62] *Ibid.* i. 10, 12, 16.

[63] Wyatt, in Woods, *op. cit.* p. 168.

[64] Taplin, *ibid.* p. 32.

[65] Gason, *ibid.* p. 263; Beck, *Das Individuum bei den Australiern* (*Inst. f. Völkerbunde* i. 6), pass. *Cf.* among the Theddara, Ngarigo, Wogol, South Kamrilaroi, Wiradjuri, Wakelbura tribes, Howitt, *op. cit.* p. 302 sqq; concerning the Yerokla, Yin, Kurnai, *ibid.* pp. 308, 317; Lloyd Warner, *Black Civilization,* p. 103 (tribes in Arnhem Land); Porteus, *The Psychology of a Primitive People,* pp. 60, 151.

[66] Beveridge, *Aborigines of Victoria,* p. 13.

[67] Simmons, *The Rôle of the Aged,* p. 118.

[68] Lips, in Boas, *General Anthr.,* p. 524; Lowie, *op. cit.* p. 369 sqq.

[69] Tregear, in *Journ. Anthr. Inst.* xix. 99 sq, 106 sqq.

the government is represented by a group of old men, their power in many cases depending on the malignant power which old men are believed to possess, while still more definite is the part taken by, for instance, the secret societies[70]. In the Fiji the chief has but little power, and as regards Polynesia we find, for instance, that Williamson calls Samoa 'a family state' with graduated self-government. It is a domestic family household governed by one of its members, the village *Fono;* all these households are united into village districts by councils formed of these *Fonos*[72].

In cases where disputes or crime involved more than one village of the tribes on New Hebrides, the chiefs of all villages met in council and passed judgment. It seems not clear whether judgment was pronounced if there was a disagreement between the chiefs gathered together, nor what steps were taken if one of the chiefs was judged by his fellow-councillors[73]. In Trobriand Islands the elders kept watch to see that certain laws were not broken[74].

Among many peoples in New Guinea each tribe has its nominal chief, but is ruled by a council of old men[75]. In Kiwai the tribal authority is exercised by a number of men collectively, each of them being head of a certain group and forming together a sort of council[76]. Among the Orokaiva Papuans there is 'a recognized ascendency of the old men'[77]. Seligmann states that the Wagawaga and Tubetube in New Guinea have no actual tribal or clan chiefs; certain old rich men with knowledge of magic, were, however, recognized or important[78].

Similar conditions seem to prevail among savage peoples in the Indian archipelago, as *e.g.* among certain tribes in Celebes, where the elders assembled occasionally at meetings where questions concerning the common interests of several tribes were debated[79].

Among the Negritos, like those of Sakai, each village has a functionary invested with full power, but complete equality exists between the inhabitants[80].

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[70] Rivers, *Social Organization,* p. 166 sq.

[71] Thomson, *The Fijians,* p. 57 f.

[72] Williamson, *The Social and Political System of Central Polynesia,* ii. 18, 36, iii. 396 sqq; *cf.* i. 46, 316, 370, 426.

[73] Humphreys, *Southern New Hebrides,* p. 56.

[74] Malinowski, *The Sexual Life,* p. 115.

[75] Quatrefages, *Hommes Fossiles,* etc., pp. 190, 199.

[76] Landtman, *The Origin of the Inequality of Social Classes,* p. 310.

[77] Williams, *The Orokaiva Society,* p. 104.

[78] Seligmann, *The Melanesians,* p. 469.

[79] Zimmermann, *Die Inseln des Indischen u. Stillen Meeres,* ii. 322.

[80] Skeat and Blagden, *Pagan Races of the Malay Peninsula,* i. 499, 503 sqq.

The Kubu of Sumatra seem to have a very rudimentary system of government. The administration and jurisdiction is wielded by the elders, who settle disputes and adjudge punishments[81]. Among the Laméts in French Indo-China, near the Thailand-Burma frontier, the old men and chiefs of the families decide the affairs of the village. The most important man is the village-priest[82]. The Andamanese accord a certain preeminence to those who excel as hunters or fishermen, but they have no chiefs with appreciable power[83].

If we then turn to the interior parts of Asia, we hear that the Kalmuks combine related families, each living in its own tent, into a larger group with an elder at the head. These groups are formed into clans, clans into tribes—all the way up; the ruler is an elder. On account of the old patriarchal traditions an unlimited despotism may be exercised by a tribal chief[84].

Among the Yakut before the Russian regime all tribal questions, economic as well as juridical, were decided by a council of the elders[85].

The Chukchee too had no chiefs or authorities, but old men as heads. Also among the Yukaghirs the old man was the shaman, the 'strong man' and the first hunter with his group of inferior hunters, and the same was the case among the primitive Gilyak, where the old men of the clan decided questions of cult and clanship. Among the Soyots, reindeernomads of the upper Yenesei, every tribe has a head, chosen for a given term and removable by a united public opinion. He seems to be rather 'despotic', but the only luxury he had was to 'drink himself full every day'[86]. The heads of the Aleuts were old men, whalers and medicine-men, who had some influence[87].

The Veddas of Ceylon have very little developed administration. A tribal authority is lacking, each group has his own senior, often the most intelligent and oldest man with magic knowledge[88]. The so-called Lower Naga in India have no chiefs, they appoint a spokesman who has the reputation of superior wisdom, or perhaps more frequently, the influence of weather[89].

Among the tribes in Assam in India a council of elders administered the tribe,

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[81] Forbes, in *Journ. Anthr. Inst.* xiv. 126; *cf.* xiii. p. 21.

[82] Izikowitz, *Över dimmornas berg,* p. 112.

[83] Radcliffe-Brown, *The Andaman Islanders,* p. 44; *cf.* Man, *The Nicobar Islanders,* p. 48 sq.

[84] Czaplicka, *Aboriginal Siberia,* p. 64.

[85] Sumner, in *Journ. Anthr. Inst.* xxxi. 70.

[86] Czaplicka, *op. cit.* pp. 34, 37 sq; Simmons, *op. cit.* p. 117 (Chukchee and Kazak).

[87] Reclus, *Primitive Folk,* p. 114.

[88] Seligmann, *The Veddas,* pp. 62, 86.

[89] Dalton, *Descr. Ethnology Bengal,* p. 42.

which is organized in exogamous subdivisions[90]. In many tribal groups in Assam the headman is almost entirely without direct authority in secular matters, he is rather the religious head[91]. Among the Todas the clan has leaders and an informative council of the chief members, who settle matters arising within the clan[92].

We then turn to the African continent! With regard to South African law in general Whitfield remarks that the rule of the chiefs was by no means so irresponsible as it is generally believed to have been. Their will was to a large extent controlled by a council, so mighty and influential that no step of serious tribal importance was taken until the whole matter had been discussed by it at length. And the councillors were the direct representatives of the people's wishes and represented the opinion of the tribe, at least of certain tribal sections. The councillors were recognized as arbitrators in civil disputes[93].

The normal government among the Zulus—although there are in some tribes kings—is patriarchal, a tribe being only a large family of which the chief may be regarded as a father; *Baba,* my father, is in fact one of the titles by which he is addressed. His relationship to the people is therefore more intimate than that of a mere governor; for, while they obey his commands, they seek his advice and in some cases obtain more substantial help[94]. Where the Bushman tribes have chiefs, they are dependent of the consent of the *Amapakati,* the council of the eminents, in any decision in regard to questions of relationship between their own and other tribes; in questions of law regarding their own people the *Amapakati* is only an advisor[95].

Of the Baguta in South Africa in the beginning of the last century we hear, that 'a man made himself chief by exchanging cattle for girls and using their children as business assets'[96]. And concerning the Tswana in Betchuana land Schapera says that 'chiefs have from the time immorial, power to make laws (*go tthoma melas*), but the laws must be announced by the chief in public *Pitso, e.g.* council, at which all the men have the right to speak[97].

In East Africa the elders of the place, the head of every family rules the people, who belong to him in accordance with the old customs and usages of the country,

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[90] Godden, in *Journ. Anthr. Inst.* xxvi. p. 24; Hodson, *ibid.* xxxvi. 93.

[91] *Ibid.* xxxvi. 95, 98.

[92] Rivers, *The Todas,* p. 550 sqq.

[93] Whitfield, *South African Native Law,* p. 2.

[94] Shoeter, *The Kafirs of Natal,* p. 97 sq; Bryant, *The Zulu Family,* etc. (*Bantu Studies* i.), p. 47.

[95] Holub, *7 Jahre in Südafrika,* i. 497; Schultze, *Aus Namaland,* p. 321.

[96] Fritsch, *Die Eingeborenen Süd-Afrikas,* i. 483.

[97] Schapera, *Tribal Legislation* (*Monogr. Social Anthr.* ix.), p. 3; *idem,* in Fortes and Evans-Pritchard, *Political African System,* pp. 65, 68, 71 (Ngwato of Bechaunaland).

but they have no heads or leaders who could be honoured by the name of chief; some persons were respected for their wisdom or wealth, medicine-men gained a certain importance, smiths and hunters were dreaded on account of their peculiar supernatural powers[98]. Lindblom states that a patriarchal form of government has prevailed among the Akamba from early times. The elder man has authority, questions of more general interest are dealt with by a local assembly of elders, and there have never been any chiefs[99].

Among the Atheraca in East Africa each district has an elder who meets with the other elders on occasions to hear disputes and give judgement. These elders also perform priestly functions at sacrifices[100].

Week mentions, that among the Banyala, who lacked paramount chiefs, the word of the head of the family is law[101]. Among the Dinka every village governs itself by means of the village elders. The real power is in the hands of old men with the best knowledge of the tribal customs and traditions[102]. According to Merker the political development among the Masai is decided by a certain age-group of warriors, while Sir Harry Johnston characterizes the Masai states as 'little republics', ruled by an oligarchy of the wealthy and powerful elders[103].

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[98] Dundas, 'Social Organization and Laws of some Bantu Tribes in East Africa', in *Journ. Anthr. Inst.* xiv. 237 sqq, 248 sqq, 257 sqq; about 150 years ago a man of the Kilindi tribe in East Africa gained renown chiefly in exterminating a wild pigs, which devasted the field of the Washambala and was eventually invited to rule the tribe (*idem,* 'Native Laws of some Bantu Tribes', *ibid.* li. 148). Among the Bemba of the North-Eastern Rhodesia there are, according to Richards (in Fortes and Evans-Pritchard, *op. cit.* p. 108) a council *Bakabilo* with religious functions. But beside their priestly duties the *Bakabilo* acted as regents at the death or absence of the chief and any question of succession or other matter of tribal importance is placed before the *Bakabilo.* The same was the case among the Kede, a riverain state in Nigeria (Nadel, in Fortes and Evans-Pritchard, *op. cit.* p. 174 sqq).

[99] Lindblom, *The Akamba,* p. 149 sq; *idem, Afrikanska strövtåg,* p. 154 sqq.

According to Lindblom there has never been any chiefs although occasionally a rich 'person with a commanding personality has succeded in attaining to the leadership within an extensive territory' (*cf.* also, Kraft, *Reisen in Ost-Afrika,* ii. 264: 'At the same time the chief was a great medicin-man, and possibly provides an illustration of Frazer's theory that kings and chiefs have their origin from medicin-men, whose social influence sometimes advances them to the position of chiefs'; *cf.* Frazer, *The Golden Bought,* i:i. 332).

[100] McCall Teal, quot. by Frazer, *Native Races of Africa* (*Anthol. Anthr.* i), p. 25; *cf.* Dundas, in *Journ. Anthr. Inst.* xiv. 243. Simmons (*op. cit.* p. 115) gives many instances how in Africa old men were active council assemblies (among Vai, Shilluk, Hottentot, Ashanti, Dahomey). Conc. Bantu, see also Benkes, *Der Häuptling,* pass.

[101] Week, 'Anthropological Notes on the Banyala', in *Journ. Anthr. Inst.* xxxix. 129 sq.

[102] O'Sullivan and Hartland, 'Dinka Laws and Customs', *ibid.* xl. 177.

[103] Merker, *Die Masai,* p. 164; Johnston, *The Kilima Njaro-Expedition,* p. 418.

Among the Nilotic Kavirondo various village heads constitute a council. The whole tribe is under a chief, but he has very little power[104].

Although among the woodland peoples in Comeroon the chief has a certain power, there was also room for other organs[105]. The Congo pygmies have no settled government or hereditary chief. It is generally the hunting leader who is chief and law-giver for a time[106]. Hartland states that among the Dinka in Western Sudan each village governs itself by means of the village elders, and the chief is merely the leader in great raids[107]. The tribal council plays an important part among the Ashanti[108]. Concerning the North African peoples the Kabyles, for instance, seem to have a simple form of government. Every little village has its *Djemâa* or national assembly, to which every adult man belongs. And in the hand of this assembly lies the political power[109].

Also among certain Indian peoples, the tribal council seems to play an important part. The miniature communities of the Yaghan in Tierra del Fuego normally lacked coercive agencies. Chiefs were lacking, and it was only at the time of the festivals that order was preserved by special officials, the master of ceremonies and a sort of constable to guard the sacred lodge against the approach of the unitiated[110]. The Guarani have usually no leader in time of peace. In war-time they follow the ablest warrior[111]. Among the Pampas tribes 'the chief is authoritative only in time of peace'[112]. Leslie Spier tells us that among the Yuman Indians of the Gila River the functions of a chief seem to have been slight: his authority more admonitory than coercive, and he was dependent of his councillors[113]. The Omaha had a council of seven to manage their affairs. The Seven deliberated at length, a matter being passed round and round the circle until they reached a unanimous decision. This unanimity was regarded as having a supernatural power and authority. Old men explained that the members of the council had

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[104] Northcote, 'The Nilotic Kavirondo', in *Journ. Anthr. Inst.* xxxvii. 59 sq.

[105] Lips, in *op. cit.* p. 160; Spannaus, *Grundzüge aus der pol. Organization afr. Volker,* p. 151.

[106] Johnston, *The Uganda Protectorate,* ii. 539.

[107] Hartland, 'Introductory Note to Dinka Laws and Customs' by Capt. H. O'Sullivan, in *Journ. Anthr. Inst.* xl. 171.

[108] Rattray, *Ashanti Law,* p. 82.

[109] Burckhardt, *Notes on the Bedouins,* pp. 56 sqq, 161.

[110] Koppers, *Unter Feuerland-Indianern,* pp. 53, 233.

[111] Spix and v. Martius, *Travels in Brazil,* ii. 245.

[112] Gray, 'Law', in Hastings, *Encycl. Religion and Ethics,* vii. 816; *cf.* Nordenskiöld, *Indianliv,* p. 30; conc. Inca, *cf.* Karsten, *Inkariket,* p. 116 and chh. viii, ix; *idem, Naturfolkens samhällsliv,* p. 6.

[113] Spier, *Yuman Tribes,* p. 158.

been made chiefs of the Sacred Tribal Pipes, which were from the Great Spirit; hence when the chiefs had smoked and decided the matter, their decision was that of the Spirit. One of their important functions was to make—certainly in a somewhat hard manner—and maintain peace with other tribes[114].

Among many Indians, Curtis states, all questions of movement were decided by a council of elders, and it was said to be the daily habit of Chief Red Bear 'to call his old men and let them talk as much as they would. From their conversation he took the good things and made them his own'[115].

Dr. Birket-Smith tells me that among most of the Eskimo tribes the older members are legitimate leaders who willingly follow their advisors. The Alaska Eskimos, according to Nelson, have no recognized chiefs, except such as have gained certain influence through wisdom, wealth or shamanism[116].

Among the Aryan-speaking peoples, it has been stated, the earliest forms of government were based on the organization of the family[117]. The Iranians were organized on the patriarchal system, the head of the family being the chief[118].

Even where there is a tribal or council government it happens that one man in the tribe elevates himself and takes the lead. In more advanced societies it may happen that a man, even outside the council, can elevate himself especially if he has shown great insight in religion and magic. And especially where the religious ritual becomes too complicated for the ordinary man to learn its details, and where there have been medicine-men or priests, who have made the ritual their business to the exclusion of all others, these medicine-men or priests will take a dominating position in the society. The same was the case when societies outgrew the simplest stages, specialists appeared, who concentrated upon the regulation of social affairs alone. And in the struggle for life it seems sometimes necessary to concentrate power and responsibility in one person. This happens especially by time of peril when a private man or chief—if there is one—is given power which he has not wielded before. But, especially, in the beginning of the chieftainship, the chiefs are only delegates of power, not original holders, and the power can easily be taken away from them by the controlling council of elders.

As Simmons states, there has usually in primitive society been associated with rulers certain aged councilmen and advisors who have exercised considerable in-

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[114] Fletcher and La Flesche, 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethnol.* xxvii. 208 sqq.

[115] Curtis, *The North American Indians,* ic:ll.

[116] Nelson, 'The Eskimo about Bering Strait', *ibid.* xviii. 304; Rink, *Tales and Traditions of the Eskimo,* pp. 24, 26.

[117] Schrader, *Prehistoric Antiquities of the Aryan Peoples,* p. 393 sqq.

[118] Geiger, *Ostiranische Studien,* p. 432 sq.

fluence in government and over the office of chieftainship. The fact that the use of the term 'elder' has so commonly implied leader, headman, or councilman suggests the important role of the aged in government. Indeed, there have been societies in which age alone has qualified men for membership in government councils, but active participation has usually depended upon other personal qualifications than mere age. The office of councilman or advisor to a more energetic and active administrator has been an especially suitable role for individuals of broad practical experience and wisdom who had become physically incapacitated by age but were still mentally alert and keenly concerned with public affaires. It has provided opportunities for active participation which were sufficiently rewarding to attract the interests of aged persons in nearly all societies. When government has been administered by restricted councils and where considerable authority has been vested in the chief, aged men have tended to stay in office[119].

The chief is thus in the beginning often the oldest or anyhow an old man of the tribe, the guardian of the tradition and the code of custom, the preserver of peace within and without the borders, and the leader of the religious rituals. But other offices are soon combined with these: the leadership of hunting and fishing, pastoral migration, harvesting and trade, the last mentioned being specially important among many people. In districts where there is little rain, the capacity of 'making rain' plays an important part. He who possesses this power will soon obtain a great influence. It is generally a combination of many qualifications, not only magic ones, which accords a chieftainship. And this leadership, being often a key position, has therefore not unfrequently been occupied by aged persons[120].

Regarding the chieftainship in Central Polynesia, the home of the 'religious' chief, Williamson[121] enumerates the various tasks the ruler has to perform: religious, administrative, parliamentary, consulting, military, diplomatic, juridical and personal. The chief evidently unites in his person powers, which had before been diffused, and which later on, according to Williamson, became specified. But it can be regarded as a general rule that before the development of a permanent chieftainship the personal leadership of a tribe was of temporary nature.

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[119] Simmons, *op. cit.* p. 113 sq.

[120] So for Inst. among many Indians of North America, the Eskimos, among Australian, African and Oceanian savage peoples, *cf.* Simmons, *op. cit.* p. 106 sq with notes.

The aged, especially men, Simmons states (*op. cit.* pp. 105, 124, *cf.* also p. 113 sq) have frequently been associated with secret societies, and have thereby been able to increase their authority through the instrumentality of well-guarded secrets and elaborate, sometimes very severe, initiatory rites. Their positions represent well-established prerogatives, ripe experience, and special knowledge, which all could compensate for physical handicaps.

[121] Williamson, *op. cit.* iii. 99.

An ethnological analysis will show that the chieftainship in the primitive world denotes something very different from its ordinary bearing. In many parts of the world the chieftainship is unaccompanied by the exertion of real authority or political functions, such as we associate with the government of 'historical' peoples or with government of our days. As an example in general we may take Dr. Rivers' description of the chieftainship of the Eddistone Islanders in the Salomons. At the first sight the chieftainship seems to correspond with our conception of a chieftain, but a closer study shows a great difference. There are two persons called *Bangara,* occupying a prominent position, which is transmitted to their children. And the question is whether these chiefs had anything to do with government in the sense in which we associate with the term. They hold no courts, nor did they have any special position in connection with the administration of justice. Theirs was the principal voice in deciding when a head-hunting expedition should be organized, but they were no leaders of the expedition when it set out. It was only in connection with the more ceremonial or religious aspects of warfare that the chief was important and his main function seems to have been in the arrangement of feasts, which formed an important feature. Dr. Rivers says that he had heard of 'a bad chief', which did not mean that the chief was known for injustice or cruelty, but because he gave but few feasts. And Dr. Rivers states that similar conditions appear in many places in Melanesia and Polynesia and also in primitive societies in other parts of the world[122]. But it seems to me safer, however, not to generalize too much on account of local variations.

In some of the Pacific Islands 'the chief' is generally an old man, 'the oldest man of the oldest family'[123]. Among many tribes of New Guinea the authority of the chiefs seems to be dependent of the degree of physical strength and the spirit of initiative. But on the other hand among the New Guineans at Milne Bay and among the Tubetube there are even clan chiefs or heads of clans in some definitive sense. There were not even war chiefs, but merely leaders of individual warfaring parties. Among the Wagawaga again, there is no chieftain excepting certain men who are in charge of the distribution of food. Among Koita each clan has its headman called *Iduhu rohi,* who enjoys little real authority. The *Iduhu rohi* is responsible for sharing out the food for the feasts. He takes an important part in deciding when they shall be held. But in other matters old men have much more to say[124]. According to Skeat and Blagden, among the Semang tribe of the Malay peninsula the office of chief medicine-man appears to be combined with that of the

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[122] Rivers, *Social Organization,* p. 161.

[123] Finsch, *Ethn. Erfahrungen aus der Südsee,* iii. 304.

[124] Seligmann, *The Melanesians,* p. 342 sqq, 453 sqq.

chief. The head-man of the Nagas is simply the *primus inter pares,* and that only for a time[126].

According to ancient tradition the Ainu people, in Japan, never had a monarchy. The elders of the race divided the government among the inhabitants of the separate villages, thus making each village community a small semi-independent 'state'. And it seems to have worked well. The elders of each village assembled and chose a chief and two sub-chiefs to manage the general affairs of the people, the women also being in attendance when such were being chosen. The chiefs, together with the people, made the laws and sat in judgment upon the law breakers. It was the duty of the principal chiefs to lead the people in hunting, fishing, and to take a prominent part in the national bear festival[127].

Primitive Africa has often in scientific literature been characterized as the world of absolute rulers. If we take into consideration the extension of migration of peoples on the African continent, it is clear that the wars of conquest must have greatly influenced the formation of society and government. But anyhow a closer study of them does not give a picture of an absolute monarchy or chieftainship. On the contrary we find an African leadership with institutions forming a council of the tribes' elders, clubs of the aged. The political development in primitive Africa has certainly grown in many places, as will be seen further on, into a hereditary 'monarchy' or chieftainship or even into a superior chieftainship, but the power of the leaders is almost everywhere controlled by other authorities. And also here the influence of the chief seems to depend on his personality and generosity, which means that it depends ultimately upon the public opinion of the tribe.

Some African examples will verify this statement. The Betchuans have a chief aided by a 'council of the principal men'[128]. The Zulu had kings, Mr. Gluckman states, they were also in charge of, and responsible for all magic, but the king was supposed to follow the advices of his council. If he did not, it is said that the council could take one of his cattle. The Zulus believed that the welfare of the country depended on the kings, having wise and strong councillors ready to criticize the king. He should not put himself in a position where he would be contradicted[129]. The chiefs of the Hottentots rule only in collaboration with the elders of the tribe[130]. Although, according to Thompson, the chief of the Hottentots is usually a person

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[126] Skeat and Blagden, *op. cit.* ii. 196 sq.

[126] Hutton, *The Sema Nagas,* p. 385 sqq.

[127] Batchelor, *Ainu Life and Lore,* p. 34 sqq; *cf.* also idem, 'Notes on the Ainu', in *Transactions Asiatic Society of Japan,* xxii. 206 sqq; McRitchie, 'The Aïnos', in *Intern. Archiv f. Ethn.* Suppl. to iv. 1 sqq.

[128] Holub, *op. cit.* i. 497.

[129] Gluckman, in Fortes and Evans-Pritchard, *African Political Systems,* pp. 25, 31.

[130] Viene, in Steinmetz, *Rechtsverhältnisse von eingeborenen Volkern,* p. 301; Dundas, 'The Wawanga and other Tribes of the Elgon District', in *Journ. Anthr. Inst.* xliii. 483 sq.

of great power[131]. The Damas, a hunting people, are ruled by the oldest of the tribe[132]. Among the Hovas on Madagaskar the king's power seems mainly to depend on the mysticism which surrounds him and not on any position of monopoly[133]. And although the power of the chief of the Owambo is great, he is controlled by the nobility and by 'the most eminent of the tribe'[134].

Concerning other East African peoples it may be stated that the power is not particularly great. Every clan has its councillors whose advice cannot be ignored. If the chief is a man of great power of will the councillors' part will be but small, on the other hand again, they will have not only great influence but will represent the authority of the whole tribe. Among the Wassandani and Wanege in East Africa the magicians and rain-makers are the only chiefs[135]. And we hear that among the Lambas in Northern Rhodesia the chief does not depend upon himself to decide in every case brought before him, nor in every emergency. He has certain councillors, four or five, who are called *Impembo*[136].

Among many peoples of the Northern Congo as among the Pangwe the king has a 'council of elders' at his side[137], and the chiefs of most of the peoples in Belgian Congo share the power with a tribal council[138]. The Swahili and Wasambara kings have a controlling council of four or five men[139]. The Wagogo chiefs share the power with the elders of the tribe[140], and the Wanyamwesi king's power is said to be more of a formal nature[141]. Among some of the Hamitic people the king's mother and the nobility act as councillors to the king[142]. The king's councillors among Nilotian people is a political factor. Among the Kawirondo, for instance, the various village councils form the highest resort[143].

Parallel with a chieftain system with age classes the West African peoples have a council of elders. Hartland states, that the villages of the Dinkas in the West Sudan govern themselves by a village elder. The chief acts principally as a hunting leader[144]. The head chief or king of the Kpelle is the owner of the whole land and its produce, but he can only exercise rights over the land by consent of his fellow tribesmen and for the good of the community[145].

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[131] Thomson, *Travels in South Africa,* ii. 30.

[132] Vedder, *Die Bergsdama S.-W. Afrikas,* p. 171.

[133] Lacombe, *Voyage à Madagascar,* p. 237.

[134] Rautanen, in Steinmetz, *op. cit.* p. 336; Ober, in Fortes and Evans-Pritchard, *op. cit.* p. 132 (Ankole in Uganda).

[135] Baumann, *Durch Masailand,* p. 193.

[136] Doke, *The Lambas,* p. 57.

[137] Tessmann, *Die Pangwe,* i. 43, ii. 219.

[138] Burrows, 'Natives of the Upper Welle District', in *Journ. Anthr. Inst.* xxviii. 98, 427.

[139] Baumann, *Usambara,* p. 155 sq.

[140] Beverley, in Steinmetz, *op. cit.* p. 212 sq.

[141] Decle, *Three Years in Savage Africa,* p. 342.

[142] Baskerville, in Steinmetz, *op. cit.* p. 194; Roscoe, *The Baganda,* p. 238.

[143] Hofmayr, *Die Shilluk,* p. 151; Czekanowski, 'Forschungen im Nil-Kongo-Zwischengebietes', in *Petermanns Mittheilungen,* lviii. 22 sq; Nortcote, 'The Nilotic Kavirondo', in *Journ. Anthr. Inst.* xxxviii. 59 sqq.

[144] Hartland, *ibid.* x. 171; *cf.* also Ringwald, 'Häuptlingswesen . . ., auf der Goldküste', in *Archiv f. Anthropologie,* N.F. xxxvii. 1 sqq.

[145] Westermann, *Die Kpelle,* p. 74.

Regarding again North African peoples we find among the Bedouins that every tribe has its tribe-sheiks, but they have no actual authority over the individual of their tribe. A scientist states, that among the Arabian peoples the licence of individual free will is absolutely uncontrolled[146].

It has seemed to me justifiable to chose so many examples from the African continent to prove that not even here the 'monarchic' power may be considered absolute. As a rule a certain compromise varying in different parts may here be considered, and as far I can see, on account of economic and geographical reasons. Among many African peoples the position of the head of the society or state depends also on the monopoly of trade. As we have seen one can state, as do Fortes and Evans-Pritchard, that 'the government of African state consists in a balance between power and authority on the one side and obligation and responsability on the other. Every one who holds political office has responsabilities for the public weal corresponding to his rights and privileges. The distribution of political authority provides a machinery by which the various agents of government can be held to their responsibility'. According to Fortes and Evans-Pritchard the political system of African peoples fall in to two main categories. One group have centralized authority and administration and judicial institutions (Zulu, Ngwato, Bemba, Banyankole —but also here a council of elders) the other group: societies which lack centralized authority, administrative machinery and constituted judicial institutions (Tallensi, Nuer)[147].

Among many South American Indians a personal ability seems to be decisive when electing a chief, though in any event he is a counsellor rather than a ruler. He controls, in great measures, agricultural operations, organizes hunting and fishing expeditions, determines on places of settlement, and, at least sometimes, he *settles* disputes that may arise[148]. Among the Ona, the Fuegian tribes, where a chieftainship existed, an informal authority over the people of a given district might be exercised by its ablest member, but such leadership became apparent only in times of stress[149]. The headman of the Indians of British Guiana is generally the most successfull hunter, without having any formal authority, yet because he organizes fishing and hunting parties, he obtains a certain amount of deference from the other men of the tribe. He sets the days for festivals and dances, calls the

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[146] Burckhardt, *op. cit.*, pp. 56 sqq, 161; Robertson Smith, *Kinship, etc., in Early Arabia,* p. 55.

[147] Fortes and Evans-Pritchard, *op. cit.* pp. 5, 12.

[148] Gray, in Hastings, *Encycl. Ethics and Religion,* vii. 816.

[149] Lothrop, *The Indians of Tierra del Fuego* (*Contr. Mus. Amer. Ind. Heye Found.* x), p. 84.

councils together, settles tribal disputes and exercises influence in certain questions in time of war[150].

According to von Martius the Botocudu chief exercises little power[151]. Among the Shingu Indians there were in all the large villages several chiefs, only one of them, however, representing community[152]. The authority of the council of the Toba Indians is so great that they may remove a chief, says Karsten[153]. Among the Ijca in North Columbia the chief does not settle any important matter without taking counsel of other worthy men of the village, especially the medicine-men. The decisions are preceded by nocturnal feasts, *Seyan-nayan,* at the chief's quarter[154].

Ethnological datas report that the chieftainship was not particularly developed even among the North American Indians. Among the Indians at Gila River the functions of a chief seem to have been slight: his authority was more admonitory than coercive and he was dependent of his councillors[155]. The persons with greater physical or mental agility were able to exert considerable influence over their group but they were dependent upon public opinion. In some cases, as will be seen below, the chieftainship became hereditary. Dr. Rivers thinks that despite many superficial differences the positions of the chiefs in North America do not appear to have been very different from those of Melanesia[156].

In some instances age and wealth conferred prestige, but the people were generally free to manage their own affairs. Among the northernmost Algonquians political authority is not held by the chief, but by the elders[157], but among the Wishram Indians (Columbia Rivers basin) several men were simultaneously chiefs[158]. Instead of being egoistic tyrants, as some sociologists like to make out, they were, on the contrary, benefactors to the people. It has been said of the chiefs of the Iroquois that they preserved their people from destruction through the hostile attitude of the whites. Their nation was their god, its honour, preservation and liberty their religion[159]. At the head of the Siouan Indians stood elders and priests, the leadership was determined primarily by ability and wisdom in council.

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[150] Im Thurn, *Among the Indians of Guiana,* p. 211 sq; Schomburgk, *Br. Guiana,* ii. 321.
[151] v. Martius, *Beitrage z. Ethn., etc. Amerikas,* i. 325.
[152] v. d. Steinen, *op. cit.,* pp. 330, 500.
[153] Karsten, *Indian Tribes Gran Chaco* (*Soc. Sc. Fenn.,* CHL, iv:1), p. 46.
[154] Bolinder, *Ijca-indianernas kultur,* p. 179.
[155] Spier, *Yuman Tribes,* p. 158.
[156] Rivers, *op. cit.* pp. 151 sqq, 165.
[157] Lips, in Boas, *op. cit.* p. 500.
[158] Spier and Sapir, *Wishram Ethn.* (*Univ. Wash. Publ.* 1930), p. 211 sq.
[159] Mc Kenney Hall, *The Indian Tribes of N. America,* i. 9.

The Siouan chiefs' duty was to study the welfare of their people, by whom they were regarded as a father and whom they adressed as their children[160]. The chief might also be the highest controller of barter with neighbouring tribes[161]. The Paiute Shosneans of Utah and Nevada had a headman for the rabbit hunt, but apart from that occasion his authority was nil[162].

Dr. Landtman has on the basis of a rich material shown, that also where there exists no class inequality among the lowest races a natural dissimilarity makes itself felt between different men as regards their social influence, *but* that this distinction depends on personal qualifications and circumstances, and does not entitle a man to any social precedence[163]. The non-existence of ranks among primitive peoples again is quite in harmony with the conditions under which they live, there are, especially among wandering peoples little or no use for servants or workmen.

It can thus be regarded as a general rule that before the development of a permanent chieftainship the personal leadership of at tribe was of a temporary nature. Some prominent member could, for a shorter or a longer time, exercise a dominating influence over the tribesman on account of personal qualities, age and wisdom, power in supernatural matters, eloquence, physical dexterity, skill in hunting and fishing and wealth,—even in primitive stages the last mentioned seems to have played a certain part. What the chiefs receive in the way of gifts, fines, and confiscation, forms the foundation of their wealth; in somewhat higher stages of development revenues of trade are added.

Already among rather primitive peoples it may be stated that the chieftainship, even if it is as a rule temporary and changing, may be passed down t h e l i n e o f d e s c e n t. But the succession is generally checked up on the criterion of demonstrated ability, for if the person in question is regarded as incompetent he is passed by generally to the benefit of the male line and only exceptionally to the female line. There is no primogenitor.

The rank of primitive chieftainship has in some cases at least a tendency to become hereditary if the successor proves to be an able man. And when once this is started—in paternal and maternal line of descent—the process can go further along with the gradual growth in framework of social organization. Magic and

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[160] Dorsey, 'Siouan Sociology', in *Ann. Rep. Bur. Amer. Ethn.* xv. 224.

[161] Coxe Stevenson, *ibid.* xi. 17.

[162] Lowie, 'Notes on Shoshonean Ethnography', in *Anthr. Papers, Amer. Mus. Nat. History,* xxi. 284.

[163] Landtman, *The Origin of the Inequality,* etc. p. 8 sqq; *cf.* Винников (Vinnikov), in *Советская этнография* (1934), iv. 3; Hocart, 'King and councillors', in *Man* (1938), No. 175, p. 154 sqq.

religious views play here an important part. The people imagine that the deceased's spirit enters his successor[164].

Even in wild Oceania, where, as we have seen, the chieftainship in general is slightly developed, there are hereditary chiefs in the male line rather than elective chiefs, but the main function of its holder is as custodian of the store of sacred objects belonging to the group[165]. In some parts of Polynesia hereditary chieftainship occurs—so that also children may succeed their fathers[166].

In British New Guinea, where the politico-social unit is a small community, there are sometimes hereditary chiefs possessing real authority, 'which differs greatly both in quantity and extent from the comparatively slight influence possessed by old or important men throughout the greater part of the area under consideration'[167].

In the Malayan Archipelago certain forms of hereditary chieftainship occur. According to Messrs Sarasin, the Toala in Celebes have a chief called *Balisao*, whose office is hereditary. A woman can also become chief, although in this case her husband has charge of her duties, which consist in settling small disputes and controlling the strictly monogamous matrimonial conditions and matters of property. In other places there are chiefs and sub-chiefs for each settlement, which have certain hereditary claims on tradition. Among the Mentawei Islanders, for instance, the choice is wholly free and so the office can go over to any man, no matter to whom, even if the oldest man's son comes into attention first of all in the election[168].

In some parts of the African continent there are hereditary chieftainships. Among the Wasania in East Africa, for instance, the chieftainship is hereditary but the political power is divided between the elders of the tribe[169].

Hereditary chieftainship was not, as already mentioned, uncommon among the North American Indians. But we learn that among the Pawnee, though the chieftainship was hereditary, 'authority could be gained only by acknowledged personal accomplishment'. There were four chiefs of different grades, 'but often some warrior who held no office, and bore no title, might wield more power and

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[164] Thomson, *Fiji*, p. 56 sq; Turner, *Nineteen Years in Polynesia*, pp. 280, 284 (Oceania); *cf.* Muntzinger, *Ostafrikanische Studien*, p. 232 (prim. Africa).

[165] Dawson, *op. cit.* p. 6.

[166] Codrington, 'Religious Beliefs and Practices in Melanesia' in *Journ. Anthr. Inst.* x. 290.

[167] Seligmann, *ibid.* xxxix. 268 sq.

[168] Ratzel, *Völkerkunde*, i. 340.

[169] Barret, 'Notes on the Customs and Beliefs of the Wa-Giriama', in *Journ. Anthr. Inst.* xli. 35; conc. the Zulus, *cf.* Fritsch, *op. cit.* p. 92; Ellis, *Ewe-sp. Peoples*, etc. pp. 163, 177.

influence than any of these'[170]. Chiefs of two ranks are found among other American Indians: the Sachems, succeeded by descent through nephews and the common chiefs, the former office also hereditary, in the clan (gens), the latter a reward of personal merit and nonhereditary. The Sachems were peace-time chiefs and could not go to war, the others were usually the superior class in ability[171].

The Omaha previously had a hereditary chief—according to some legends he was 'the wisest, the most thoughtful, generous and kind man'. These chiefs were not actually political leaders, but simply persons to whom belonged the hereditary right to be helpers, or 'priests' in the ceremonies that were in charge of the gens. A council of seven was appointed to take charge of all matters pertaining to the tribe; two of these seven chiefs were of the highest rank[172]. Also among the Ojibway Indians the office of civil chieftainship was hereditary, but not always conferred to the eldest son. The principal men met in council and then selected the most suitable person out of the family. The eldest son had preeminence if he held the necessary qualifications[173]. A certain hereditability seems to have existed also among the religious fraternities[174]. Also in the early Maya nation there seems to have been hereditability: they had secular kings and high priests[175].

Where hereditary chieftainship or kingship is found in primitive stages it can often be traced back to magic or religious causes: to the conception of divine descent of the chiefs and kings and their power derived therefrom; the chief's blood is considered to carry superhuman qualities, the chief is spiritually endowed, he is to be looked upon as a centre of the universe from which lines of force radiate to all quarters of the heaven. He will then be, not only chief or king, he will be the abode of some spirit and must be treated in accordance herewith, because he may be the image of the sun or some other ancestral god[176]. This royal god sanctions peace with other peoples. Great care must be therefore taken by him and of his life. Sir James Frazer devotes many chapters to the king, illustrating not only the honours accorded him by reason of his fetish quality but also the taboos and regulations under which he must exist on account of his exalted position[177].

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[170] Grinnell, *Pawnee Hero Stories,* etc. p. 250.

[171] Morgan, *Ancient Society,* p. 71 sq.

[172] Fletcher and La Flesche, *loc. cit.* pp. 74, 195 sqq, 208, 212, 594.

[173] Jones, *Ojibway Indians,* p. 107 sq.

[174] *Cf.* Holsti, *op. cit.* p. 179.

[175] Bancroft, *The Native Races Pac. States,* etc. ii. 647 sq; Clavigero, *History of Mexico,* i. 106 sq, 131, 138; conc. South Amer. Ind., *cf.* Dobrizhoffer, *The Abipones,* etc. ii. 102.

[176] *Cf.* Lippert, *Kulturgeschichte,* ii. 384 sqq, 492.

[177] Frazer, *The Golden Bough,* i. 109; *cf. infra* p. 194.

The chieftainship among the North American Indians is often traced back to a divine origin, the most notable example being the Natchez chief, who has descended from the sun, although occasionally, as among the Nutka, the chief is at the same time a medicine-man, or, as among the Calusa, he was believed to possess supernatural power. The Aztec sovereign was also regarded as the earthly representative of gods[178]. According to the primitive belief the chieftainship among many North Asiatic peoples seems to have had religious qualities, as for instance among the Mongolians where the coronation took place on the tomb of the predecessor[179].

Women rulers (*Gynaeocrasy*) appear also already in the primitive world. The matriarchy has been overrated in sociology; at its strongest it is not so much woman-power as the abscence of man-rule. A woman may be 'queen' at home especially in time of peace and under an industrial regime.

A women has seldom attained chieftainship except by inheriting it. But where there are women-regents,—does it not stress to some degree the pacific tendencies in primitive societies? Women rarely take part in warfare. Mr. Holub thinks that women are preferred to men (this prevails among some Zambesi tribes) because they are less cruel and the succession may go to either sex[180].

In Polynesia the line of succession may pass to the female line[181]. Women chiefs are reported from New Guinea[182] and from the Malayan Archipelago[183]. When women can be chiefs in the last mentioned district her husband usually has charge of her duties, such as settling small disputes[184]. Female regents seem to be general in many parts of Africa. Livingstone mentions several cases of South African female rulers[185]. In Congo there were female regents[186]. In the Lunda country with its special gynaeocratic tendencies as well as among the Bavenda and Wahorohoro the king and the queen mother rule in collaboration with their councillors[187]. The Langos have a 'state council' working together with the king and the queen mother[188]. The same seems to be the case among all tribes in Central African provinces with gynocratic tendencies.

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[178] Gray, *loc. cit.* p. 814.

[179] Shchukin, *Shamanism among the Tribes Arct. Asia* (Engl. ed.), p. 37.

[180] Holub, *op. cit.* ii. 186.

[181] Williamson, *op. cit.* iii. 395; conc. Austr., *cf.* Ratzel, *op. cit.* ii. 67; Waitz, *Anthr. d. Naturvölker,* v. 107.

[182] Ratzel, *op. cit.* ii. 186, 191.

[183] Finsch, *op. cit.* ii. 298.

[184] Sarasin, *Reisen in Celebes,* ii. 276; Block, *Borneo,* p. 21 (Dyaks).

[185] Livingstone, *Missionary Travels in S. Africa,* pp. 104, 239, 295, 298, 316, 514.

[186] Bastian, *Afrikanische Reisen,* pp. 173, 181.

[187] Delhaise, 'Chez les Wabemba', in *Bulletin Soc. Belge Géographie,* xxxii. 178.

[188] Pechuël-Loesche, *Volkskunde von Loango,* pp. 160 sq, 187.

Two old women were the most influential people in a district of Borneo. They held the power in their hands for a long time[189]. Also the Indians had female chiefs[190].

Among many peoples women take part in the council. But that this female regency often is not of great importance, may be seen, for instance, from the fact that every large community and every political unit in Samoa possesses a *Taupon,* a maid, as representative with special rights and duties. She always belongs to the highest family-group of the district and remains under strict oversight. Her reputation is blameless and must be so as long as she remains in 'office and dignity'[191].

There are also some proof of cases of what the sociologists calls 'monarchic' government-forms among primitive peoples.

Accounts of 'despotic' government occur in various parts of the primitive world. In New Caledonia and on the Loyalty Islands, and in Samoa 'monarchic' tendencies are mentioned[192]. The same is the case among some South African peoples[193], the Zulus[194], for instance, and among tribes in Ugunda[195]. The Ba-Yaka of the Congo Free State are said to been ruled by hereditary chiefs whose power was absolute[196]; yet it should be noted that he also was the principal magician. Conditions were similar among the Ba-Yanzi[197]. The despotism of the West African rulers, and at the same time the political cohesion of the tribes, seems to be weakened in proportion as individuals get rich by trade. Any man becomes independent who can acquire a gun and powder[198].

The 'despotic' power in primitive Africa, *i.e.* the power of the chief seems on the whole to be limited, partly by the council of the chief, partly by the magicians. The chief shares often his judical power with the aged and distinguished men by intelligente and eloquence. Merker says about the Masai chief that 'Despotismus und Grausamkeit is ihm fremd. Er ist weniger ein regierender als vielmehr ein Nationalheiliger oder ein Patriarch'[199]. The prevailing form of government among the natives of Sierra Leone (West Africa) is a kind of mixed monarchy, elective,

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[189] Wilken, *Vergelijkende Volkenkunde van Nederlandsch-Indie,* i. 382 sq.

[190] Hodge, *Handbook American Indians,* ii. 123, 849.

[191] Reinecke, 'Zur Kennzeichnung der Verh. auf den Samoa-Inseln', in *Globus,* lxxvi. 5.

[192] Ella, 'O le tala', in *Journ. Polynesian Society,* v. 113.

[193] Fritsch, *op. cit.,* pp. 93, 97.

[194] Macdonald, 'Manners, Customs, Superstitions, and Religions of South African Tribes', in *Journ. Anthr. Inst.* xx. 113.

[195] Johnston, *The Uganda Protectorate,* ii. 684.

[196] Torday, Joyce, in *Journ. Anthr. Inst.* xxxvii. 139, 141.

[197] *Ibid.* 140.

[198] Ellis, *op. cit.* p. 162; Waitz, *op. cit.* ii. 147.

[199] Merker, *op. cit.* p. 260.

and extremely limited both in external and internal power; and relatively resembles the authority of the mayor of a corporation town in England; for the word *Mungo,* king, only signifies headman, and he is always addressed by the title of *Fafee,* or father. Every district, in the same nation, has a separate king, ruler, or chief[200].

The government of most of the Ibo tribes in Nigeria may be termed monarchical, though it is often so merely by name. At Onitsha, Oko, Illah, and Anam, kings and chiefs are mere puppets in the hands of the people[201]. Among the Wanyamwezi next to the king come the chiefs or viceroys of the various districts, nominated by the people and chosen by the king on his election; then the vassal chiefs, hereditary in certain places of Unyamwezi proper, but nominated by the king in countries that have been conquered and annexed[202]. The Pangwe in Northern Congo are characterized as monarchically ruled like the savage peoples in Belgian Congo, but we learn that the king was supported by a council of elders or tribal council[203].

The way Mc Call Theal characterizes some African peoples between the Sabi and the Zambezi rivers may probably also concern many other African peoples: while the government of all the tribes was thus in theory despotic, the power of the chiefs in those which were not under military rule was usually more or less restrained. In each clan there was a body of councillors—commonly hereditary—whose advices could not always be disregarded. A great deal depended on the personal character of the chief. If he was a man of resolute will, the councillors were powerless; if he was weak, they possessed not only influence, but often real authority[204].

'Despotic' traits are reported in some Indian tribes in America, such as the Creek Indians and the former Aztecs. The case is the same among some Asiatic peoples. The Karakirghiz and Kalmuks as an exception among the Asiatic nomads, had a despotic chief who controls the property and is an unlimited judge. And generally 'the economic need of the herders holds, with its centrifugal tendency, the preponderance over the centripetal tendency of their warlike disposition'[205].

If we more closely examine these reports, we shall find that a part of the most important functions among these great chiefs seems to have been that of the head

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[200] Matthews, *A Voyage to the River Sierra Leone,* p. 74.

[201] Mockler-Ferryman, *Up to the Niger,* p. 41, *cf.* p. 4.

[202] Decle, *Three Years in Savage Africa,* p. 342.

[203] Tessmann, *op. cit.* i. 43, ii. 219; Burrows, 'Native of the Upper Welle District', etc., in *Journ. Anthr. Inst.* xxviii. 98, 427.

[204] Mc Call Theal, quot. by Frazer, *The Natives Races,* i. 23.

[205] Mc Kenney Hall, *op. cit.* iii. 41, *cf.* i. 14 sq, ii. 68; Bancroft, *op. cit.* ii. 143, 187, ii. 295; Grosse, *Formen der Familie,* p. 103 sq.

fetishman, and to act as rainmaker—this was the case among the Aztecs for instance. Ratzel remarks about a tribe in Sumatra, which is characterized as 'monarchically ruled', that it was only in name 'monarchical'; the ruler was chosen by a council and acted only as president of it[206].

Besides or in combination with magic-religious functions the absolute chief has to promote the general welfare of his communities as a father and helper[207]. And the primitive ruler who reigns alone may be detronized if he causes famine or other disasters in the country[208].

In studying the remarks on 'despotic' forms of primitive government we come to the conclusion that most of them belong to Africa. But also in this case an older sociology has used terms such as *unlimited monarchy, despotism* etc. too strictly. The real 'despotic' cases are relatively rare. The ruling power is subjected to control. The final power rests generally in the people, *i.e.* in the customs and the public opinion. Also 'the monarchy' is an adjustment of society to its life conditions, and the particular privileges accorded to the monarch depend finally upon social persistance and welfare.

Further on, in other connection, speaking about peacemakers and warcomissaries, we will have occasion to examine a special form of chieftainship: *the dual leadership* in early societies.

We have thus found that primitive forms of government occur in many varieties. As we have considered it more correct not to speak of states but of societies in the case of savage peoples, it also seems more correct not to attach names of government which belong to later times and civilized peoples. The primitive forms of government have their special character coloured by the primitive social surroundings, where magic and religion are interwoven in the society.

As we have seen the tribal authority among lower races is generally exercised by a tribal council or by a group of old or influential men, selected by the people or by a sacred society, or among peoples of higher cultural development—by the nobles. Such clan or tribal councils, which often possess such a considerable power that they almost rule the whole society, may in all their primitiveness contain rudimentary beginnings or parallels of more developed institutions among peoples

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[206] Ratzel, *op. cit.* ii. 444.

[207] *Cf.* Roscoe, *The Baganda,* p. 19; Merker, *op. cit.* p. 18; Casalis, *The Basutos,* p. 214; Thomson, *Fiji,* p. 357; Seeman, *Viti,* p. 232; Williams and Calvert, *Fiji and Fijians,* i. 42; Krieger, *op. cit.* p. 194.

[208] Holsti, *op. cit.* p. 249 sq.

of higher cultural stages. Besides its administrative function the governing council acts as a tribal court of justice. It is also noteworthy that already among quite undeveloped peoples, in conjunction with the administrative council we can trace the beginnings of a popular tribal or national assembly. Further, as we shall see, *the council is often the organ to maintain intertribal relations.*

We have found that in many Australian tribes the council system of government has been very pronounced and we have met with similar conditions among many tribes in Oceania, on New Guinea and in the Indian Archipelago. In Polynesia a tendency towards a firmer power of the chiefs which has by some researchers been termed 'despotic' has been noticed, but it must, however, be stated that it is controlled by a council of elders or by similar institutions.

Among the backwards peoples in South and North East and South Eastern Asia and in the arctic regions the forms of government show a rather embryotic character or else there are forms of government with tribal councils. Among the Eskimos the council of the eldest is very influential. But among the masses of African peoples, especially among the Negroes, there has been a trend towards a form of government where the highest power is in the hands of one person, a chief headman or king, who is elected for a certain period. In primitive Africa we also find chieftainships of several kinds[209]. In some societies the functions of the chief seem to be almost exclusively religious: he is often medicine-man or a rain-maker. In other parts of Africa the secular powers of the chief have become great and his position as wielder of authority is far more pronounced than those connected with religion. But it is noteworthy that, where the chief administers justice, he is usually assisted by a council which in some parts of Africa plays a great part. In some cases again the power of the chief is unlimited but it may be questioned whether this high degree of authority is not of recent growth, possibly even the result, direct of indirect, of European influence.

Regarding the American continent, again, both South and North America, the authority seems to have been in the hands of chiefs and elders or an assembly elected by the peoples. It is said that the chiefs of the Iroquois were elected by

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[209] It is the personality of the chief which decides his authority particularly among hunting tribes. Not even among agricultural nomads the chieftainship has a despotic character, nothing of this what Freud tries to interpret, a tyrant, against whom the sons made revolt and murdered him (conc. of the Oedipus compl.); *cf.* Freud, 'Über einige Übereinstimmungen im Seelenglauben', etc. in *Imago,* ii. As Thurnwald ('Hauptling', in *Ebert's Reallexikon,* p. 139 sq) says: 'diese Legende beruht auf einer Hypothese Darwins, die dieser noch alten unsicheren Berichten vom Leben der Gorilla-Horden konstruierte. In der Tat entspricht aber das Leben der Gorilla-Horden nicht den 'Wünschen' Freuds' (*cf.* also Jenks, in *Amer. Anthr.* xiii. 56).

women or by a council of which women were important members and that the Iroquois payed special attention to the old men, everything being ordered by their advice[210], and in other tribes of North American election is said to have been the process by which chiefs attained their office.

The Aztec clan was administrated by a council of old man and when the new king was crowned he gave the 'government of the provinces to the oldest and bravest officer of the army'[211].

Among more developed peoples we meet more and more frequent instances of the authoritative power being held by one single person.

Thus the headmanship is not very highly developed in primitive stages of civilization. The form of government may generally be considered as gerontocratic. In many parts, institutions called kingships or chieftainships are unaccompanied by the exertion of real authority or of political functions such as we associate with government in our country, at any rate as far as the administration of justice is concerned. And where there is a chief he seems to be dependent on his personality: his ability, competence in hunting, fishing, trade, hospitality shown, good relations to other tribes and above all knowledge and skill in magic and religion.

We have also seen that hereditary chief- and kingship is not very common in lower stages of development. Where heredity power occurs personal qualities seem to play an important part. Among many peoples, where regentship is hereditary the heir presumptive, if he lacks the necessary qualities, may be surpassed by a man whom the society considers more suitable. Among some peoples women may act as chiefs and heredity may then descend along either or female line.

The power of chiefs and kings among many peoples is based on magic or religious conception. This holds true especially where 'monarchical' principles occurs: the chief's power is considered to be of divine character and the predecessor's soul takes its abode in the successor. The German sociologist Mühlmann is far from right when he in his book *Krieg und Frieden,* written under the influence of the nazi-regime during the last war, postulates a '*Führertum*' among primitive peoples[212].

It is often mentioned cases where tribal councils, council of elders, may continue to work side by side with a highly developed institutions of chiefs and

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[210] Stites, *Economics of the Iroquois,* p. 105; Simmons, *op. cit.* 119.

[211] Bancroft, *History of Mexico,* p. 112; *cf.* Priestly, *The Mexican Nation,* p. 25.

[212] Mühlmann, *Krieg und Frieden,* p. 23 sq: 'Es gibt keine noch so 'primitive' Organisationsformen bei den niederstehenden Naturvolkern, welche nicht wenigstens schon Ansätze einer Führung zeigt'. When the author in this connection quotes Landtman (*The Kiwai Papuans,* pp. 167 sqq, 246 f) it should be remarked, that the presentation of Dr. Landtman does not give support to the politically coloured theory of Mühlmann.

kings, even independently. The king or chief will then be only a symbol, or the religious leader who has to observe the position of celestial events, the controller of irrigation, the man who regulates his people's destiny and the relationships between his own and other tribes. In primitive societies we find the first vague roots of many political functions which belong to much higher states of development.

Thoroughly to understand the beginning of intertribal and international relations it is important to know the administration of primitive societies. It has mostly been seen—more through the history of culture in general—that a tribal system, not to use the word parliamentary—easier gives occasion to contact and intercourse between tribes and peoples than a system with a despotic one-man-ruler.

There are sociologists who think with Radcliffe-Brown that *law* can only be associated with politically organized societies[213] and therefore does not exist in the simplest societies. But if such a method were generally applied, should we not have to deny also the existence of religion and other fields of thought?

By l a w I understand a set of rules, imposed by and valid in a society for the conduct of social, religious and political relations. And is it not so: *ubi societas ibi lex*. We are not to study primitive law on the basis of modern legislation or seek analogies between the laws of civilized and uncivilized peoples.

Certain students of jurisprudence are disinclined to regard functions as the essential char of law, but even in savage societies there exist definite legal norms and legal 'status', so that law by no means has a purely 'functional existence'.

Among savage peoples there occur, no doubt, some beginnings of right, even if they cannot be called established institutions of law. The oldest law seems to be a law without definite forms of judical administration, without legal procedure and without judicial decision. All primitive laws are unwritten. Their validity is, like that of the verdicts of the British judges, dependent on 'acceptance and recognition'. The legislator and the judge are identical. Where there is no code legislation presupposes and is ultimately founded on an unwritten law, expressed in judicial decisions given upon the traditional cases from time to time. Was not this the procedure also of the ancient Roman jurisprudence?

Law is thus a legal custom, a law of habit before becoming a fixed law. It finds expression in the proverbs of the people which are first isolated and applicable to

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[213] Radcliffe-Brown, 'Primitive Law', in *Encycl. Social Science,* ix. 202 (*cf. idem,* in *Man* (1937), No. 201 and in *Oceania,* i. 34).

individual cases, then more and more generalized. In primitive conditions law can often not be regarded apart from ramifications of the whole culture, being intimately interwoven with other correlative component factors of human civilization, particularly with economy but also with magic and religion. To use a modern terminology I should say, that there exist functional interrelations between economic, religious and legal institutions.

In lower stages of civilization, as hinted before, it is the social custom which regulates the mutual relations between local groups as well as different tribes. Westermarck has shown on the basis of a rich ethnological material that the custom is not only the habit of a certain circle of men, but at the same time involves moral rules for the society. Habitualness and obligation are in close connection with each other. Whatever be the foundation for a practice and however trivial it may be appear, the unreflecting mind has a tendency to disapprove of any deviation from it for the simple reason that such deviation is unusual. On the other hand, Westermarck points out, it should be remembered that not every public habit is a custom involving an obligation. Especially in lower stages of civilization when man is led by feeling more than by reflection, the opinion of the many is the opinion of all, and the customs of a society are recognized as rules of duty by all its members. Also the chiefs of the society are bound by it[214].

'The customs of a people are precepts in themselves', said already Cicero[215]. It was a maxim of the Roman lawyers that laws may be abrogated by desuetude or contrary usage. And especially in savage societies 'custom is king'. There is a number of laws, taboos, and obligations which weigh heavily on every citizen, demand self-sacrifice, and are obeyed for moral, sentimental or 'matter-of-fact-reasons'. Sir Henry Johnston remarks that 'the life of an African (native) is rigidly ruled by custom. He is more slave to custom than the average European'[216].

In India, especially in the South, custom has always been greatly superior to written law[217]. Westermarck has shown that custom, especially in primitive society, has proved stronger than law and religion combined, and that the laws themselves,

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[214] Westermarck, *The Origin and Development of the Moral Ideas,* i. ch. vii; *cf.* Adam, 'Recht im Werden', in *Custom is King* (*Essays to R. R. Marett*), p. 217, and also Steinmetz, *Rechtsverhaltnisse,* pp. 86 sq (Sansanding), pp. 195, 198 (Waganda in Uganda), 214 (Wagogo), 339 sq (Ondonga), 229 (prim. people in Abessynia). Conc. customs from philosophical-sociological point of view, *cf.* Segerstedt, 'Custom and Codes', 1-2, in *Theoria,* viii. 3 sqq, 126 sqq.

[215] Cicero, *De officis,* i. 41.

[216] Johnston, *British Central Africa,* p. 452.

[217] Westermarck, *op. cit.* i. 163 sq.

in fact, command obedience more as customs than as laws. Many laws were customs before they became laws. The moral ideas of a people are often less extensively represented in its laws than in its customs[218].

Also among wandering peoples legal concepts and norms express themselves with amazing clarity. Dr. Rivers remarks that among peoples like the Melanesians 'there is a group-sentiment which makes unnecessary a definite social machinery for the exertion of authority, in just the same manner as it makes possible the harmonious working of communal ownership, and ensures the peaceful character of a communal system of sexual relations'[219]. Even if Dr. Rivers generalizes a bit heavily, and even if 'the binding mechanism' may be supported by the authority of such institutions as the secret societies or the council of elders, it is evident that custom, in primitive society, is of immense importance as an unwritten and intuitive method of regulating the social organization. Lowie says that 'generally speaking the unwritten laws of customary usage are obeyed far more willingly than written codes, or rather they are obeyed spontaneously'[220].

That the beginning of all law and all pretensions should lie in power or in fear of the application of that power is a thesis which, as far as I can see, is anything but proved.

Among primitive peoples we can observe four different forms or categories of juridical relations, (1) those prevailing within the same tribe or political unit, (2) between neighbouring tribes, (3) the relations to foreign tribes belonging to the same group of language, and (4) the relations to ethnologically foreign tribes and peoples. The first of these categories, is, in this connection, of less interest than those forms of justice in which it is possible to trace a germ of international development. It may, however, be mentioned that even in savage societies occur vestiges of civil law, family law, and criminal law. Civil laws are in general, little developed. Nearly everything belongs to the tribe: the ground as well as weapons, domestic animals and religious objects. The cognizance of personal property in our sense is generally lacking. At least among wandering peoples almost all things are property of the group. Not even the women among food-gatherers or hunting peoples have an exclusive right to the plants gathered by

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[218] *Ibid.* i. 163 sqq.

[219] Rivers, *Social Organization,* p. 169.

[220] Lowie, *Primitive Society,* p. 387; *cf.* Hartland, *Primitive Law,* pp. 138, 214; Malinowski, *Crime and Custom,* pp. 10, 13, 15 sq; *idem, The Family among Australian Aborigines,* p. 10 sq; Karsten, *Filosofisk etik,* i. 39; Post, *Grundlagen d. Rechts,* p. 18.

them, nor have the men any such right to animals they have killed. But every individual knows the norms which bind the legislation[221]. The conception of personal property advances but slowly, yet there are exceptions even in primitive world. Professor Karsten informs me that certain South American Indians have a civil law of sorts. Among North American Indians the ownership of land was mostly collective, sometimes in the hands of local groups. Only the usufruct was sometimes allowed to a group of families or to a single family. 'The cultivation of land', Rivers says, 'does not in itself create ownership'[222]. And the land could be sold no more than water or wooded ground. In Australia, at times, two groups could possess a common harvesting ground[223], but the proprietary rights of local groups are very clearly decided, not to speak of the territorial rights of different tribes. The same holds true, in the beginning, of the products of commerce. An individual right of trading exists very seldom in savage societies. Commerce is attended to as a business of the whole tribe[224].

Criminal law is of early origin. In the beginning it is the social custom that plays the part of a corrector, and the punishment has the character of blood revenge, outlawry, expulsion from the group etc. At first no distinction is made between civil law and criminal law; different crimes are treated alike.

In savage societies, especially in the lower stages, information about procedure is often very defective. We sometimes hear of a man being found guilty, but there is no indication of any trial having preceded the verdict. Often an Australian group holds definite consultation on the question whether a man should be killed, but on what grounds the decision is taken we do not know[225]. From punishment for wrong done, the chief or the community may intervene to settle disputes. Here we can see a rudiment of civil justice. Another matter is that the chief has no definite power,

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[221] *Cf.* Lips, in Boas, *General Anthropology,* p. 593. In the primitive world no such thing as an individual in modern legal sense exists. A legal community in which the prerogatives of the individual are given up can arise through the collective alliances of individuals. Wundt (*Volkerpsychologie,* ix. 460) suggests just the opposite course of the development of law, from individualism to collectivism.

[222] Rivers, *op. cit.* p. 108.

[223] Perron d'Arc, *Aventures d'un voyage en Australie,* p. 27; Spencer and Gillen, *Across Australia,* p. 469; Wheeler, *The Tribe, and intertribal Relations in Australia,* p. 62; Kaberry, 'Law and Political Organization in the Abelam Tribe, New Guinea', in *Oceania,* xii. 79 sqq, 209 sqq, 331 sqq.

[224] Conc. weapons, ornaments, such properties are often burdened with so many rights to third parties that we can probably speak only of right similar to proprietor, a sort of representative rights.

[225] Hobhouse, Wheeler and Ginsberg, *The Material Culture and Social Institutions of Simpler Peoples,* p. 61.

his authority being dependent of his character and circumstances. Therefore he can not be regarded as a civil judge with power to execute his decisions and therefore we can not speak of civil justice in the full sense, rather of arbitration.

Among the Hupa of California there was, according to Goddard, a regular system of arbitration which was wholly voluntary, and if it failed, what we hear of the maintenance of order is that the elder men would adjust disputes, the alternative being a duel, in the presence of witnesses, terminated by a slight wound[226].

Malinowski points out, that civil law, the positive law governing all the phases of tribal life, consists then of a body of binding obligations, regarded as a right by one party and acknowledged as a duty by the other, kept in force by a specific mechanism of reciprocity and publicity inherent in the structure of their society. These rules of civil law are elastic and possess a certain latitude. Law is the specific result of the configurations of obligations, which makes it impossible for the native to shirk his responsibility without suffering for it in the future[227].

Even in primitive stages we find a certain outline of what might be called marriage laws, which we shall touch upon in connection with primitive diplomacy. Savage tribes often strive for matrimonial alliances in as many directions as possible in order to have friends when dangers are threatening. There are also functionaries resembling councellors and magistrates who represent the law and are summoned together by the chiefs or kings.

The beginnings of diplomacy are closely connected with the first appearance of international law. By *ius inter gentes* we understand the compass of all those judicial rules and norms which determine the mutual relations of different societies and states[228]. We find its first vestiges where two or more tribal groups have entered into contact with each other. And I think it is not impossible to show that savages are by no means destitute of what might be called the beginnings of inter-

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[226] Goddard, *Life and Culture of the Hupa* (*Univ. California, Explorations,* i). 59; Deniker, 'Les Ghiliaks', in *Revue d'Ethnographie,* ii. 309. In early civilization we also find a rudiment of 'a maritime law', which was made necessary by the spread of trade, even if the first 'written' laws probably were the Rhodesian Sea Law, dating from the sixth and eighth century. Among the negroes of Africa, according to Lowie (*Primitive Society,* p. 411) the jurisprudence attains its highest development among primitive peoples. (*Cf.* also Meed, *Law and Authority in a Nigerian Tribe,* pass.).

[227] Malinowski, *op. cit.* p. 58.

[228] Calvo (*Le droit international,* i. 139 sq) gives 13 definitions of intern. law; Pradier-Fodéré (*Cours de droit dipl.* i-ii, and *Traité de droit intern. public européen et américain,* i-viii) gives 23 definitions!

national law. The birth of international law has often been differently dated. According to some authorities it has arisen out of Natural Law. Most scholars, however, consider it a creation of the historical peoples. The term 'international law' seems to have been first used by Bentham, and it has almost entirely replaced the older term 'law of nations'. The source or agencies by which the rules of international law are formulated are either usage, giving rise to custom, or positive agreements or treaties. Borchard says: 'the international law is a binding body of rules applied by and to states in their international intercourse, the rules rest partly on the assent of the states and partly on generally approved practice, assent to which is either presumed or in respect of a particular state declining adherence immaterial'[229].

Some few authors, Triepel for instance, deny the existence of international law altogether. They may as well be passed over[230]. Finch is unwilling to credit the antiquity and the early Middle Ages with any knowledge of international law which, he maintains, originated first when a number of separate and independent states had successfully established themselves in the proinquity of one another[231]. According to Hallam and Wheaton the law of nations was first taught in Germany and grew out of the public law of the empire, 'which was composed of no less than three hundred and fifty five different sovereign states'. They therefore date the birth of international law from the treaties of Westphalia in 1648[232]. Also Putnam is of opinion that international law did not come into existence before the 16th and 17th century[233]. Kent, likewise, thinks that not even the civilized states among the Ancients had any idea of judicial obligations between different nations[234]. Guizot speaks to same purport[235].

Liszt, being of opinion that no international law could develop in classical antiquity so long as all strangers were treated as barbarians, states its origin from the Christian states of Europe[236]. Dr. ter Meulen in his great treatise *Der Gedanke*

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[229] Bentham, in *Encycl. Social Sciences,* vii. 167. *Cf.* also Fauchille, *Traité de droit international public,* I:i.

[230] Triepel, *Volkerrecht und Landesrecht,* p. 27 sqq.

[231] Finch, *The Source of Modern International Law* (*Monogr. Ser. Carnegie Endown. Intern. Peace.* i), p. 3.

[232] Hallam, *View of the State of Europe during Middle Age,* i. 576; Wheaton, *History of Law of Nations,* pp. 10, 72.

[233] Putnam, *Early Treaties* (*Oxford Studies,* vii), pass.

[234] Kent, *Commentary on international laws,* p. 11; see also Tonnies, *Einfuhrung in die Soziologie,* pass; Achelis, *Moderne Völkerkunde,* p. 35 sq; Hugan, *A Study of International Government,* p. 46 sq; Muller-Jochmus, *Geschichte des Volkerrechts im Altertum,* pass.

[235] Guizot, *L'Église et la société chrétienne en 1861,* xiv. 101.

[236] Liszt, *Das Volkerrecht,* p. 19 sqq; *idem,* in *Encycl. der Rechtswissenschaften,* p. 1350.

der Internationalen Organisation also lets the ideas appertaining to international law begin with the mediaeval system of thought and the genesis of the modern states[237]. Similar views are vindicated by Butler, Maccoby, Lawrence, Nys, who only apply the international law to civilized states[238]. Gihl seeks the sources of international law, in so far as the contents of the legal precepts are concerned, in 'les coutumes internationales', restricting them, however, chiefly to the *precepts* of international law. A justice whose precepts come into existence without legislators differs, according to Gihl, essentially from what is, in modern states, considered the normal origin of legal precepts and has the appearance of something 'inexplicable'. Gihls admits, however, that international law has learned much from the primitive system and from the way in which legal precepts arise in savage societies[239].

Chilperic Edwards, on the other hand, in *The World's Earliest Law* traces the precepts of international law back to Hammurabi and Moses[240]. Borchard finds the origins in the intercourse of the Jews, the Greeks and the Romans with other peoples[241]. R. Ward dates them from Greece, Potter from Rome[242].

There is also a great deal of evidence that the Greeks and Romans knew much more than the mere rudiments of international law; that the statesmen of the classic antiquity were not insensible to the moral obligations which must be observed in the intercourse between peoples, and that peace, instead of war, was the normal state of affairs, even if the attitude assumed towards foreign tribes and states was usually dictated by distrust.

Kleen, it is remarkable, begins his account of international law with the peoples of the Orient, admitting even that 'the timid and hardly noticeable precepts of primitive peoples, unwritten and often unconscious, did not lack certain qualities of international law'[243]. And Westlake, who defines international law as the law of the society of states or nations, also finds that 'custom and reason are two sources of this law'. He adds, however, that 'custom must not be confounded with mere

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[237] ter Meulen, *Der Gedanke der Internationalen Organisation,* i. Intr.

[238] See for inst. Lawrence, *Principles of International Law,* pass; Nys, 'Les commencements de la diplomatie, etc.', in *Revue de droit international,* xv and xvi; *idem, Les origines du droit international,* pass.

[239] Gihl, *Internationell lagstiftning,* pp. 21, 24.

[240] Edwards, *The World's Earliest Law,* pass.

[241] Borchard, 'International Law', in *Encycl. Social Sciences,* viii. 168.

[242] Ward, *An enquiry into the foundation and history of the law of nations,* pass; Potter, *Introduction to the Study of International Organization,* ch. v; *cf.* Pierantoni, *Trattato di diritto internazionale,* i. 153 sqq.

[243] Kleen, *Kodif. framställning i mellanfolklig ratt,* i. 11.

frequency or even habit of conduct ... custom is that line of conduct which the society has consented to regard as obligatory'. In any state or other society in which customary law is admitted custom as a part of law means the conduct which is enforced as well as the strict or loose nature of the society allows, not always very well, even in the case of national law in the ruder stages of national existence, and which is followed as well from the fear of such enforcement as from the persuasion that the received rule requires such conduct to be followed. Thus Westlake finds the basis of international law in the human need of cooperation and organization, 'which has stimulated the growth of customs and led to the formation of rules and agreements for the maintenance of durable community interests and peaceful intercourse even in the time of war'[244].

It is interesting to note that scholars like Westlake and Kleen acknowledge the social custom as an important factor at the appearance of international law, while others only operate with more or less rationalized norms arising from prevailing political conditions. But if this method of dating international law were applied to other, similar phenomena, the consequence would be that we had no 'culture in beginning' at all. Then we might as well date the origins of religion from the historical stages without considering the role played by primitive religion.

I think that the beginnings of international law must be recognized wherever there is contiguity or intercourse between two or more independent tribes or peoples. In lower stages of civilization it is, of course, intertribal custom rather than international law which comes into question. But just as international law during the Hellenic period was, properly speaking, an intermunicipal law which all the same had an international import since the urban states of Greece were autonomous subjects, the intertribal right of primitive peoples contains a great many inter-

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[244] Westlake, *International Law*, i. 14, 22.

Also Hershey (*The Essentials of International Public Law*, p. 22) quoting Westlake, admits the custom and finds the ground for international law in societies based on a human need for cooperation and organization. It may also be said that at the international congress for comparative law, at the Hague 1932, the following resolution was accepted: 'That the next Congress put on its agenda for study and reports ... written and customary laws of the peoples of Africa, Asia, and Oceania in order to bring the study of exotic law into the field of consideration in comparative law, and give opportunity for the ethnology of law and archaeology of law to be greated mutual aid ... that there be assigned a special section to consider legal history, legal ethnology, and folklore in future meetings of the Congress'. This probably got no further than to futile wishes. *Cf.* Lips, in Boas, *op. cit.* p. 488. It can also be mentioned that at the 3:rd international ethnological and anthropological congress at Brussels the sociological section expressed a wish (signed by dr. R. Numelin and dr. P. W. van Milaan) that the ethnological right ('la juridique ethnologique') should be studied systematically in connection with the organs of the UNESCO.

national symptoms. The fact that the Greeks and Romans did not possess any complete system of international law does not exclude the existence of certain rules of international conduct. The primitive peoples do not, very likely, always follow any definite rules in their intertribal intercourse—neither did the peoples of the classical antiquity. But would it not be injustice to primitive culture to deny the existence of international law *in toto* simply because a complete system is lacking?[245]

As we shall see later on in connection with the institution of messengers, envoys and peacemakers, there really exist in the savage world strict formalities which govern the relations between tribe and tribe. Messengers are regularly employed, and there is a definite way of accrediting envoys, whose persons are sacred. There are rules for bartering, for the celebration of religious rites, for conferences between chiefs of different tribes and meetings for settling intertribal differences, and even for carrying on war and making peace. There are rules for hospitality. And when a stranger once has been accepted as a guest—and perhaps been purged of his taboo—there arise between him and his host the rights and duties of mutual loyalty and protection. I think professor Hartland is right in saying, that while the conventions of international relations are very seldom provided with formal sanction, they are habitually observed in primitive world and their breach is liable to be seriously resented. 'For these reasons', Hartland states, 'we cannot regard the test of sanction as satisfactory, we are driven back upon that of recognition. When a rule is generally recognized, it may be said to be imposed and enforced by society, whether or not a definite external sanction be annexed to it'[246].

All social organization implies a system of norms, which extend over the whole social life and regulate more or less strictly all social relations, of profan as well as religious character. Malinowski, indeed, is of opinion that primitive laws are not observed spontaneously or enforced by wholesale motives like fear of punishment, or general submission to all tradition, but by very complex psychological and social inducements. This statement of Malinowski is in conformity with his view that it is not 'group-sentiment', 'collective responsability', etc., which decide the law. Malinowski does not join issue with Rivers, Hartland, and Durkheim who make this unselfish, impersonal, unlimited group-loyalty the cornerstone of all social order in primitive society. According to Malinowski, the savage

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[245] *Cf.* also Possoz, *Éléments de droit coutumier nègre,* pass; and *idem,* in *Zaïre,* Apr. No. 1948.

[246] Hartland, 'Law', in Hastings *Encycl. Religion and Ethics,* vii. 811; Gray, 'Law', *ibid.* vii. 814.

is neither an extreme 'collectivist' nor an intransigent 'individualist'; he is, like man in general, a mixture of both[247].

I cannot quite agree with Sumner and Keller that the beginning of all rights or claims must have lain in force, or in fear of its application[248]. Those primitive relations known to us do not, at any rate, indicate that they are chiefly decided by fear; they simply express the innate desire of human beings to enter into contact with each other, whether from social curiosity or for religious or commercial reasons. It is a different matter that the norms of primitive legislation not are expressed in statutes, but present negative rules of behavior rather than positive commandments. Yet the laws of primitive peoples extend to many subjects that in the progress of civilization have dropped out of legislation. Custom gives them sanction and makes them 'sacrosanct'. They rest on a traditional basis, they constitute the *ethos* of the society. 'The customs of a tribe', says Hartland, 'are as much a body of laws as the Code Napoleon'[249]. And wherever groups have established with one another conditions of permanent intercourse, institutions have sprung up which contained at least the outlines of international law and international government.

Custom and law thus seem to be identical in savage societies. Only in higher culture law differs clearly from custom, but for a long time some sections, for instance the *ius gentium* have the character of custom. Law becomes the normative element of custom. Custom is fixed into law when its violation is denounced as the violation of a general principle of right. People must be able to generalize it, like they generalize moral ideas. This will happen as soon as there is an organized authority to condemn its infringement. The custom becomes law, and even if it is not written down it obtains a definite normative character which first finds expression in proverbs and other similar *formulae*. Primitive societies, as already pointed out, by no means lack a social authority, although it is of comparatively restricted importance until a higher stage of culture is attained.

If societies had lived separate without contact with each other, the ideas of a regulation of their respective rights could, at the utmost, have been imagined, in as much as every society's consciousness of itself must imply the conception of other units of the same kind. Before societies and states realize that they are organs in a larger unit they only know that they are societies and states by themselves. Every rule is, therefore, formed in order to satisfy their own needs.

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[247] Malinowski, *Crime and Custom*, p. 15.

[248] Summer, Keller, Davie, *The Science of Society*, i. 586.

[249] Hartland, *loc. cit.* vii. 813.

An intercourse based on the law of nations arises from more limited spheres of society: family, clans, and tribes. Without injury to the interests of state or nation, international law makes its way by a self-determined *consensus gentium*. The indigenous moral law constitutes the background of the international.

Moral laws and norms begin to regulate the relations between tribes and tribal groups at an early period. The most primitive rules bear upon private individuals in their capacity as strangers and guests; soon, however, they are extended to conditions of greater intertribal and international importance, such as religion, trade, diplomacy, until definite precepts are applied to the commencements and terminating of hostilities and the conclusion of peace and other friendly agreements.

Chapter II

War Contacts

Before we go to inquire more closely into the character and extent of the peaceful relations of primitive peoples, it seems motivated to set out clearly how such connections were at all possible. Even if science does not now directly embrace the old theories of all being at war with each other, do not the theories of savagery and universal warfare in the primitive world correspond with reality? If so, to what extent can they be criticized? Has the tendency of the theory of progress to be applied to the savage heathen been due to the desire to find a gradual development towards better and nobler aims? These questions are of great significance in correctly judging the intertribal and international relations in primitive societies.

The existence of war among savage people cannot be explained away. 'Le barbarie est eternelle'! The good savage as a general name for primitive man is, of course, a literary creation. There have been and still are a great many warlike primitive peoples. The presentation of the Redskins' savagery and cruelty may, in certain respects, be coloured by romance. In others, there are facts confirmed by ethnologists to show that a great many Indians, only half-a-century ago, were of warlike character and that there were among them special 'military societies'[1]. Nor can it be denied that nomadic and riding peoples developed warlike tendencies. But just as these warlike tendencies, as we shall see later on are not found among all Indian tribes or all nomadic peoples, more modern research has been able to prove that far from all primitive tribes have been at enmity with each other. War cannot be considered a permanent condition among nations and was often only common between small groups and seldom lasted very long. Certainly these peoples were not always on a peaceful footing with each other, if one accepts the

[1] *Cf.* Wissler, 'Societies and Cer. Associations ... of the Teuton Dacota', in *Amer. Museum Nat. Hist. Anthr. Papers,* xi. 488 sq, 506 (Dakota); Skinner, 'Political Organisations of the Plain-Cree', *ibid.* xi:vi (Plain Ojibway, Plain-Cree); *ibid.* p. 688 (Iowa).

expression as it is used in the civilized world. But, on the other hand, if the evidence of ethnologists is objectively interpreted, it will appears that unwarlike relations between the different tribes and peoples all over the world have been very remarkable indeed.

The savages are not 'savage' towards the members of their own group, not always even towards the neighbouring tribes or those more distant. It is clear that within the family, the group, tribal peace is necessary for cooperation in the struggle for existence. But soon, at even the lower stages of civilization, intergroup, intertribal relations are common and often quite peaceable. Gradually the peaceful groups begin to be greater and to have a more extensive effect.

That sociological research, on the whole, has paid but little attention to the intertribal relations between primitive peoples and thus, perhaps, judged these relations one-sidedly or, at any rate, undervalued their importance, is probably due to a traditional overestimation of primitive war: it has been assumed almost as an axiom that violent behaviour is absolutely inherent in man.

What, then, do we mean by war? Let us first hear some authorities! According to General Clausewitz war is 'not merely a political instrument, a continuation of political commerce, a carrying out of the same by other means'[2]. From the point of international law Oppenheim regards the war as 'the contention between two or more states through their armed force for the purpose of overpowering each other and imposing such conditions of peace as the victor pleases'[3]. Dr. Rudolf Holsti is of opinion that war is 'a state of hostility between human groups in which use is made of physical force, and not infrequently of superstitious means as well with or without killing, capture, plunder, or conquest'[4]. Herbert Spencer sees war from a sociological point of view. War is, according to him, 'a state in which life is occupied in conflict with other beings, brute or human-energies spent in destruction instead of energies in production'[5].

For my own part I should like to define war as an act of violence for the purpose of compelling one party to carry out the will of the other: *certatio per vim.*

There have been and still are investigators among ethnologists and sociologists who consider that the more primitive a community is, the more severe the conflicts between the different groups, the fewer the restrictive influences.

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[2] Clausewitz, *On war,* i. 23; § 15.

[3] Oppenheim, *International Law,* ii. 56, 73.

[4] Holsti, *The Relation of War to the Origin of the State,* pp. 12, 14.

[5] Spencer, *Principles of Sociology,* i. 675; *cf.* also Letourneau, *La guerre,* p. 528; Lagorgette, *Le rôle de la guerre,* pass.; Ratzenhofer, *Sociologie,* pp. 107, 138 sqq; Cooley, Angell, Lowell, *Introductory Sociology,* p. 281 f.

An earlier social philosophy was—it seems to be—especially inclined, as hinted above, on grounds often only slightly examined, to overestimate the bellicose tendencies among the primtive peoples. Yet it must be noted that Montesquieu[6] cautiously expressed the opinion that peace was the first law of nature, while for Hobbes war was a logical premise for the setting up of a sovereign power, and the original state of mankind one of war[7]. Grotius assumed that practically the whole world is at war and that very little is done with the aid of peaceful international relations[8]. Ratzenhofer is somewhat more careful: 'In the beginning there was no great collisions, the struggle for life was carried on only with the climate and the wild beasts'[9]. But Gumplowicz[10], like Novikov[11] and Vaccaro[12], to mention only a few, have paid a rather one-sided attention to warlike actions among primitive peoples, while the question of peaceful relations has been neglected.

Herbert Spencer has the same tendency; he admits the peaceful origin of primitive political organization, but he thinks that in the lives of savages and barbarians the chief event was war[13]. But does he not arrive at this opinion from a false conception of the nature of primitive warfare? Has he not, just as those other writers, deliberately selected features from later savage and 'barbarous' life as the starting-point of his political theories?[14] Spencer has a clear conception of the nature of primitive warfare, but his method is one-sided; most of his ethnological material is taken from Ratzel's *Völkerkunde*. And even if Ratzel's wide ethnological reading has done him great service in judging savage life and customs, he has been

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[6] Montesquieu, *L'esprit des lois,* i. 4-6.

[7] Hobbes, *Leviathan,* p. 63 sqq.

[8] Grotius, *De iure belli et pacis,* etc. pass.

[9] Ratzenhofer, *op. cit.* pass.

[10] Gumplowicz, *Der Rassenkampf; idem, Das sociologische Staatsideal,* pass. Without explaining why so many peaceful peoples have been able to survive Gumplowicz in the latter book (p. 126) writes: 'Die Völkerkunde bietet uns unzahlige Beispiele solcher friedlichen Völker; sie bleiben auf der Stufe der Affen; sie kennen keinen Krieg, keine Führung, keine Befehl, keinen Zusammenstoss mit Fremden, sie beuten nicht aus und werden nicht ausgebeutet ... sie sind die vollkommendsten Affen'.

[11] Novikov, *War,* pp. 102, 113 sq; *idem, Les luttes,* pass.; *cf.* also *idem, Wesen und Zweck der Politik,* p. 9.

[12] Vaccaro (*La lotta,* p. 236) admits, that 'aux premiers âges de l'humanité, lorsque les hommes, encore sans armes, avaient à lutter contre une foule d'obstacles naturels et d'espèces ennemies, il est probable qu'ils vivaient, jusqu'à un certain point, en paix', but he concludes: 'la guerre ... est l'état naturel et ordinaire des premiers groups humaines', and in other places (*op. cit.* p. 222) he says: 'les guerres sont continuelles'; *cf.* also *idem, Les bases sociologiques du Droit et de l'Etat,* p. 278.

[13] Spencer, *op. cit.* i. 384.

[14] *Cf. idem, Principles of Ethics,* ii. 184 sqq.

to a great extent influenced by the views of Gumplowicz. Like Oppenheimer[15] Spencer quotes with few exceptions only those instances which suit his particular point of view.

Steinmetz, the author of *Die Philosophie des Kriges,* although in his *Rechtsverhältnisse von eingeboren Völkern* he emphazies the view that savage man, who has always been omnivorous, was probably after the very earliest steps, aggressive and blood-thirsty and waged war in the cruellest way and with an immense loss of life, since otherwise he would for ever have remained a mere brute. Without war there would be no state, Steinmetz argues[16].

Sir Henry Maine in his *International Law* writes about 'the universal belligerency of primitive mankind ...; it was not peace which was natural and primitive and old but rather war'[17].

Modern sociologists like Müller-Lyer find in war the first and oldest forms of intercourse between different social groups. The original form of trade—to which we shall refer in detail in chapters IX and X—in the same way consisted of piracy, from which barter developed[18]. Dr. Wines thinks the primitive state of mankind must have been one of war, both individual and tribal, for, in the abscence of law, force was the only way of settling disputes[19], Dr. Schuman, basing himself on Davie and Sumner, supposes that the states owes its origin to war, at least that this is true of most states. In any case he regards the historical state in all probability a product of war and conquest[20]. Christian L. Lange, in his great work *Histoire de l'internationalisme*[21] thinks that 'la guerre a été un phénomène constant dans la vie historique de l'humanité', but he adds that 'beaucoup ont tiré de ce fait la conclusion que la guerre est une fonction inévitable de

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[15] *Cf.* Oppenheimer, *Der Staat,* pp. 44, 51; Ratzel (*Volkerkunde,* i. 216 and *idem, Politische Geographie,* p. 65) sees in the war 'ein Merkmal der niederen Kulturstufen'.

[16] Steinmetz, *op. cit.* ch. ii, esp. pp. 19, 21, 192; *idem, Der Krieg,* pass. Steinmetz and van der Bij have discussed in detail whether people at a low stage of culture should be termed aggressive or not. The former says yes, the latter denies it. (Steinmetz, *Soziologie des Krieges,* p. 20 sq; *idem, De vredelievendheit der laagste volksstammen,* iii. 352-415, 353; van der Bij, *Onstaan, Eerste ontwikkeling van den oorlog,* pass.). W. E. Williams (*Papuans of the Trans-Fly,* p. 287) postulates killing as one of the central ideas of primitive warfare, but forgets that killing can often be done by magic means, formulas, etc. (*cf.* also Bell, 'Warfare among the Tanaga' in *Oceania* V, 253, 271); Giddings, *Principles of sociology,* p. 117; Westermarck, *The Origin and Development of Moral Ideas,* ii. 195; Alridge, *The Primitive Mind* etc., ch. xii.

[17] *Cf.* also the criticism of Havelock Ellis, *The Philosophy of Conflict,* p. 52.

[18] Müller-Lyer, *Phasen der Kultur,* p. 264.

[19] Wines, *Punishment and Reformation* ch. ii.

[20] Schuman, *International Politics,* p. 3 sq.

[21] Lange, *op. cit.* p. 1.

l'existence humaine; certains ont renchéri sur cette thèse, en soutenant que la guerre est une fonction nécessaire et même un bienfaisant, d'aucun la proclament une institution divine'[22]. For a time this conception of war was supported by the social Darwinism. Lange thinks anyhow that 'il faut toutefois, se poser la question de savoir si les instincts et les préférences sont des phénomènes primaires et vraiment indéracinables, ou si, plûtot ils ne sont pas d'ordre secondaires, *i.e.* qu'ils sont été utiles pour la conservation de l'espèce humaine[23]. Finally one must ask whether the deductions made by sociologists and ethnologists from what has often been rather limited material have not been premature, even perhaps incorrect, made as they sometimes seem on speculative rather then on actual bases. As regards Lange, his views do not prevent him from considering man 'avoir été un être pacifique vivant en hordes'[24].

The Swedish sociologist, Prof. Steffen, also thinks that the state was born out of violence or war[25]. The American sociologists, Sumner, Keller and Davie consider they can state that 'warlikeness is a much more common trait than non-warlikeness[26]. Thouless, who cannot be termed an uncritical researcher, is of opinion that the data of ethnology do not give sufficient reason for denying the existence of pugnacity. 'To establish this conclusion', says Thouless, 'it would be necessary to prove that quarrelling was absolutely lacking among primitive peoples', a fact which is certainly not proved. As to the pugnacious instinct, there is, according to Thouless, an innate foundation on which this behaviour is built. The ready acquirement of a habit is good evidence for the existence of an instinct. Although, like all other developed modes of behaviour, it is instinctive in its basis, it has been acquired in the course of the development of civilization, and it may be discarded even though its instinctive foundations remain[27].

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[22] *Cf.* also Lagorgette (*Rôle de la guerre,* pp. 53, 437 sqq), who denies that primitive man knew labour, he knew no society, had no moral code, had a ferocity and aggressiveness, a lust for violence, which led him to commit the most useless cruelties, etc.

[23] Lange, *op. cit.* p. 2.

[24] *Ibid.* p. 2. Letourneau (*La guerre,* p. 212) regards the yellow race as the least warlike.

[25] Steffen, *Varldsåldrarna,* iii, pass.

[26] Sumner, Keller and Davie, *The Study of Society,* iv. 129. *Cf.* Lowie, *An Introduction to Cultural Anthropology,* ch. xii; Fox Pitt-Rivers, *The Evolution of Culture,* p. 57 (reprinted in Thomas, *Source Book for Social Origins,* p. 373, sqq).

[27] Thouless, *Social Psychology,* pp. 140 sq, 147 sqq. Sorokin in his examination of the sociology of war in *Contemp. Sociological Theories* criticises severely the theories mentioned here of Vaccaro, Steinmetz, Novikov, Sumner, not to mention a crowd of incompetent writers. Among 'war sociologists', Vierkandt (*Gesellschaftslehre,* p. 588) and Moore may also be mentioned. The latter thinks (*Savage Survivals,* p. 107) that 'the prevailing relations of one tribe to another is that of war'.

Certain authors use statements concerning primitive warfare without properly classifying them, so that actual war carried on by comparatively advanced savages in order to procure slaves, victims for sacrifice, or cattle, or to make conquests, or to exterminate the enemy, etc. is identified with small open combats fought between savages of the lowest type. And many authors pay no attention to the great part played by superstitious customs in primitive warfare.

It is peculiar and at the same time unfortunate, that in spite of the considerable advantage and testimony in the reliable monographs of the last two or three decades, there are still some investigators so strongly bound by the tradition of 'war philosophy' that one must ask if they have sufficiently tested the basis of primitive war. One fact is that war, as already indicated at the beginning of this chapter, naturally occurred and still occurs—at times even quite extensively—among primitive peoples. But it is quite another question whether this kind of war had and has the scope that many investigators like to attribute to it. This is especially true of some American researchers—in themselves quite prominent—like Sumner, Keller, Davie, the last-named having devoted the greater part of his *The war among primitive peoples to* prove that warlike tendencies are specially distinctive at primitive stages.

From the earliest times, Davie thinks, up to the present, man has always fought and always carried weapons, both natural and artificial, with which to decide his conflicts. Davie finds that traditions, mythology, ethnology and archeology testify to this. Therefore he concludes that 'war is universal. It has affected every part of the earth's surface where men have come into contact or collision'; and he thinks 'the relations of tribes to one another to be that of isolation, suspicion, hostility'[28]. The author must, of course, agree that ethnology also knows non-warlike peoples—although he is careful not to state that such a testimony is frequent —, but he assumes that places where war is unknown are quite exceptional[29]. Yet to explain in some way the fact that certain some savage peoples have no weapons, he finds that this is probably a case of cultural degeneration,—as for example among the Aurahuacos in Colombia[30]. In dealing with the character of primitive war, to which we shall come later, it seems to me that Davie also has drawn one-sided conclusions. According to him war between primitive peoples is generally severe and sanguinary and not mild and bloodless. Davie regards wandering peoples as specially bellicose[31]. It may be to some extent correct that, as I said above, really nomadic peoples are more often engaged in war than agriculturalists,

[28] Davie, *op. cit.* pp. 1, 9, 16.

[29] *Ibid.* p. 53.

[30] *Cf.* also Lowie, *Culture and Ethnology,* p. 61 sqq.

[31] Davie, *op. cit.* p. 63.

but in my study of wandering peoples I have not found that their moving in search of water and fresh grazing necessarily leads to 'incessant conflicts with other tribes', as Davie states[32]. As far as this is the case it only applies to really nomadic peoples who are at the same time bent on conquest. But even here it does not seems to me to be quite correct *in general.*

Davie likes to quote Herbert Spencer[33] that 'in the lives of savages and barbarians the chief events are wars'. He mentions many primitive peoples who are stated by different authorities to be warlike, and in this way he comes to the conclusion that they are much more numerous than the peaceful groups, and that the latter are among the most isolated and hence have few or no rivals. 'When war is unknown or unimportant ... this is quite exceptional'[34].

I do not wish to find fault with Davie's 'statistical' method or more closely to critize his sources. The most important question is—as far as I can see—not whether there are more warlike than peaceful peoples. Can an estimation of the character of primitive peoples be based on such a 'statistical' investigation alone? It does not say much of the character of the war, its duration, or whther there were great warlike undertakings embracing whole tribes and peoples and continuing for several years, or whether it is only a question of short, local conflicts. Nor does such an investigation say anything as to the peaceful relations between tribes and nations. It seems to me subjective to state, as Davie does, that 'in general the more primitive and undeveloped the group, the greater is the hostility and the fewer the restraining influence'[35]. Perhaps the contrary comes just as near the truth. The primitive peoples had certainly not always a European way of keeping the peace, or maintaining the dignity of the law. But a peaceable discipline is to be found among the simplest peoples. Peace within the primitive group, as between different groups and tribes, is due to a social instinct. Savages, as we have seen, do not behave as savages within their own tribe or clan not always to neighbouring tribes. Experiment and natural selection, as well as intergroup marriages play a great role, and in these relations the social instinct is generally decisive. Gradually the peaceful disposition of the group extends to the whole tribe and often includes a larger community.

The very existence of unwarlike tribes and nations—not only the peoples on the periphery—is it not in itself a striking testimony to the exaggeration of authors who lay stress upon the warlike character of primitive condi-

[32] Numelin, *The Wandering Spirit,* esp. chh. vi and vii (also viii).
[33] Davie, *op. cit.* p. 2; *cf.* Spencer, *Principles of Sociology,* i. 384.
[34] Davie, *op. cit.* p. 53 f.
[35] *Ibid.* p. 196.

tions, these peaceable dispositions being the result of regulated and even amicable intertribal relations or of the beneficial influence of magical and religious notions, or of some other conditions? If war was so incessant among all savages, and the destruction of the unwarlike units as it is assumed by Davie and other sociologists, there would scarcely be so many peaceful primitive peoples as were found by the explorers in the 19th century or even in our days.

In order to show that conclusions differing from here-mentioned can be drawn, I shall, after testing the sources used by me and their reliability, search to give some proofs of the rather frequent existence of peaceful, primitive peoples.

Among the ancient Tasmanians, as among the natives of Australia, war seems not to have played any remarkable part.

Conflicts among the Tasmanians always ended without great loss of life[36]. The natives of Australia, according to acknowledged and reliable witnesses, are so far from being warlike that they must be regarded as a race who know very little about war. For instance, Sir James G. Frazer does not recognize the Australians as being among the warlike races of mankind[37]. Howitt, an expert on the primitive Australians, says that 'in most cases the tribal quarrel is settled by means of a duel, ordered by the group'[38]. Mr. Curr thinks that the quarrels of the Australians afford one of the most characteristic pictures of petty strifes which hardly deserve the name of war, 'battles properly speaking do not occur'[39]. According to Mrs. Langloh Parker, the chief weapon of the Australian is a sharp tongue[40]. Mr. N. W. Thomas thinks, that among the Australians there was scarcely anything corresponding to a state of war where armed parties went into battle intending to kill as many of their adversaries as possible; the combats ended, as a rule, in reconciliation[41]. Gerald C. Wheeler stated that attacks made on each other by the Australian aborigines are not made by the whole tribe, but only by particular groups when offended. In almost every camp members of other tribes are to be found as visitors[42]. Prof. Portheus, of the University of Hawaii, thinks that the tribes of Australia do not attack people in other places. He adds: 'As far as the greater part of Australia is concerned, the inhabitant were the reverse of warlike, not because of any deficiency in physical courage, but because war for the purpose of material conquest was entirely foreign to their psychology. This psychology is essentially that of the desert dweller who must lay wide stretches of country under tribute to win his very substinence, and whose social fabric reflects this bitter and unending struggle against Nature rather than against his fellow-man. It is my belief, that the aborigine, from his earliest arrival in this continent, found himself pitted against the desert, learned to face the demands that

[36] Quatrefages, *Hommes Fossiles et Sauvages,* pp. 84, 338.

[37] Frazer, *Totemism and Exogamy,* i. 284; Fortune, 'The rules of relationship behavior in one variety of prim. warfare', in *Man.* xlvii (Aug. 1947).

[38] Howitt, *The Native Tribes of South-East Australia,* pp. 307, 340, 494 sqq.

[39] Curr, *The Australian Race,* i. 78, 84.

[40] Parker, *The Euahlayi Tribe,* i. 133.

[41] Thomas, *Natives of Australia,* p. 154.

[42] Wheeler, *The Tribe, and Intertribal Relations,* p. 40.

desert conditions laid upon him, adapted himself and his ways to sparsity and loneliness and carried forward this knowledge and these ways of reaction into life in the more fertile parts'[43].

Lloyd Warner, an acknowledged specialist on the Northern Australians, states of the tribes in Arnhem land that warfare is in direct opposition to all their magic and religious ceremonies. It tends to destroy the larger group solidarity and ultimately to reduce the people who are at peace with each other to a clan unit, since only here is their absolute assurance that fighting cannot take place[44]. Among the Murngin in Arnhem land all the people live in friendly clans; if there are quarrels they are suppressed, or expressed in a peace-making *Makarata* ceremony which allows those involved to remain at peace[45].

Among the Arunta in Central Australia, according to Spencer and Gillen, intertribal fights are rare. There is no such thing as constant intertribal hostility; the savages are said to have a marvellous capacity for exaggerating the reports of such fights as really do take place. It is interesting to note that the fighting is not usually 'a very serious matter, at all events within the tribe', while with regard to intertribal combats the authors say that such actions 'except on very small scale, do not take place'[46]. Fighting among the Northern tribes of Central Australia generally consists only of a series of single combats, and a few wounds are often the only result. As a rule fights in Central Australia are accompanied by much noise and little bloodshed[47].

We have similar statements from other parts of the continent. The natives of Victoria, for instance, are reported to be by no means treacherous or bloodthirsty[48]. When fighting occurs it is generally limited to single combats between warriors of each side; the first wound ends the combat, Dawson tells us[49]. Howitt makes similar statements concerning the Kurnai[50].

In earlier times especially the custom of war seems to have been very little known in Oceania. There is plenty of evidence of the peaceful character of the islanders. If there was a conflict it often happened that not more than one man was killed[51]. In the earliest times peace reigned over a great part of Melanesia and Polynesia.

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[43] Portheus, *Psychology of a Primitive People,* p. 235.

[44] Lloyd Warner, *A Black Civilization,* p. 156.

[45] *Ibid. op. cit.* 139. Ritual sanctions help to prevent open strife which is a possibility whenever the clans come together. Mr. Lloyd Warner states (*ibid.* p. 139) that the belief that the totem will be offended if clashes occur usually helps to keep the peace.

[46] Spencer and Gillen, *Across Australia,* i. 119, 199.

[47] Spencer and Gillen, *The Northern Tribes of Central Australia,* pp. 32, 489 sqq, 571 sq; *cf.* Wallace, *Australasia,* i. 140.

[48] Smyth, *The Aborigines of Victoria,* i. 231.

[49] Dawson, *Australian Aborigines,* p. 77 (abor. West Victoria).

[50] Howitt, *op. cit.* p. 439.

[51] Whitmee, 'Ethnology of Polynesia', in *Journ. Anthr. Inst.* vii. 269 sq; Thomson, 'The Natives of Savage Island, or Niue', *ibid.* xxi. 124 sq; *cf.* Firth, *We, the Tikopia,* p. 415 (Maorians); Codrington, *The Melanesians,* p. 304 (Melanesians in general). Dumont d'Urville (*Voyage au Pole Sud,* v. (ii). 547, 554 sqq), does not reckon the Tonga islanders and the Samoans among the more warlike tribes.

The ancient Maoris seem to have been peaceful, and the difficult, constant question of land claims was the only cause of all the disputes that arose between them and strangers[52]. Treagear states that the Maoris of Chatham Islands were very unwarlike; their disputes were mostly conducted with a browling tongue[53].

The natives of Samoa, Tonga[54] and Fiji[55] seem, as already stated, to have been very peaceful. Manu'a, the earliest known settlement on Samoa, was an abode of peace and was neutral in intertribal wars[56]. If conflicts did arise on Samoa, they were preceded by all kinds of ceremonies[57].

War on a destructive scale was unknown and impossible in Fiji, in spite of the martial character of the people; for their weapons were not deadly and they were split up into petty families, each bent upon defence rather than conquest[58]. Turner states that in the Ellis Islands war was rare[59]. Eastern Polynesia also seems to have been peaceful in former times and the chiefs and their followers assembled from all directions at Raiatea in Tahiti for certain peace ceremonies. This delightful state of affairs came to an end through quarrels among the priests in charge of the ceremonies and disputes of all kinds ensued[60]. Captain Porter, as early as a hundred years ago, reported that he never saw or heard the islanders fighting or quarrelling. They had no punishments because there were no criminals. Almost complete harmony prevailed among them[61]. On Society Islands too it seems that warlike feuds played no great part; a breach of the peace called forth moral indignation among the people[62]. The Núkuóro never needed to fight an enemy: they knew nothing of war[63]. There is similar information from Melanesia and Micronesia. In Malekula in the New Hebrides it is said that war is very unusual[64]. In the Solomon Islands the natives are never in open conflict[65]. Warlike tendencies in the Caroline Islands in Micronesia are, according to Hahl, due to invasions by stranger[66].

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[52] Gill, *Myths and Songs from the South Pacific,* p. 288; Mair, 'The early History of the Maoris', in *Transactions New Zealand Inst.,* xxxii. 159; Angas, *Savage Life,* i. p. 338.

[53] Tregear, *The Maori Race,* p. 575.

[54] Krámer, *Samoa-Inseln,* i. 394; Turner, *Samoa,* pp. 192, 268, 278, 282; Mariner, *An Account ... of the Tonga Islands,* p. 67.

[55] Deane, *Fijian Society,* p. 229.

[56] Ella, 'O le tala le taema', in *Journ. Polynesian Soc.* v. 115.

[57] Mariner, *op. cit.* p. 234.

[58] Thomson, *The Fijians,* p. 85 sq; *cf.* Deane, *op. cit.* p. 229; Williamson, *Religion and Social Organization in Central Polynesia,* p. 264 sq.

[59] Turner, *op. cit.* p. 282.

[60] P. Smith, 'The Tongua-Maori', in *Transactions and Proceedings New Zealand Inst.* xxxii. 140.

[61] *Cf.* Holmsen, *Polynesisk passad,* p. 206.

[62] Williamson, *op. cit.* pp. 264, 266.

[63] Kubary, *Núkuóro od. Monteverde-Inseln,* p. 20; Moerenhout, *Voyages aux îles du Grand Ocean,* i. 480.

[64] Deacon, *The Malekula,* p. 44.

[65] Elton, 'Notes on the Natives of the Solomon Islands', in *Journ. Anthr. Inst.* xvii. 96.

[66] Hahl, 'Mittheilungen über Sitten, etc. auf Ponape', in *Ethnologisches Notizblatt,* ii. 2; conc. Melanesia, see Wedgwood, 'Some Aspects of Warfare in Melanesia', in *Oceania,* i. 9.

A non-warlike character seems to be a distinctive feature of the primitive peoples in New Guinea and of the islands in the Malay Archipelago. Most of the reports from explorers and ethnologists seem to show that war plays no great role there and that there are no tribal feuds.

Even if some of the natives, like those of the Dutch Protectorate in New Guinea, are characterized as warlike, some others seem to have no conflicts that end disastrously.

'Every village,' says Hagen, speaking of the Papuans, 'every community, knows its own strictly limited rights and duties. No one goes beyond his range, ambition and exaggerated zeal are quite absent'[67]. Dr. Krieger knows of a place where there are no weapons of attack, and of several others where the people live in peace and contentment untroubled by annoying neighbours and with no care about the future[68]. According to Krieger the inhabitants of Humboldt Bay enjoy a peaceful existence. Firearms were not found among them until the Second World War[69].

Not even among the Mafulu, the mountain people of New Guinea, who are said to be cannibals, does war seem to play any role[70]. Here it must be remembered that cannibalism has often a magico-religious basis.

As regards the wandering Punans it is said that of all tribes they are perhaps the most mild and gentle; they are not head-hunters in the real meaning and care no more for a collection of human heads than for those of any other animal, and therefore never go on raids[71]. The most primitive tribes in Java are also described as peaceable and polite[72]. Ethnology knows numerous tribes in the Malay Peninsula who have little or no war. Of the Sakais, Semang, Sungey-Ujong and others there it is stated that they never make war on each other or go in for any sort of intertribal fighting, they are said to be 'the most peaceable race, kind and simple-hearted'[73]. The Sungey-Ujong in the Malay Strait, 'possess no idea of warfare or racial strife, and freely admit their preference for a life of seclusion and peace'[74].

In the island of Alor (an East Indian Island) warfare, Du Bois states, when it was in vogue, was rarely on a large scall or of a very bloody nature. It was characterized more by treachery than by boldness[75]. Among the natives of the Philippine Islands war was not widely spread[76].

The Malays have always been regarded as rather peaceful. Ratzel, who as mentioned

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[67] Hagen, *Unter den Papua's,* p. 250.

[68] Krieger, *Neu-Guinea,* pp. 205, *cf.* 323. M. Meed (*Growing up in New Guinea,* p. 236): 'Among the Manus in New Guinea people seem to have abolished war'.

[69] Krieger, *ibid.* pp. 413, 416; *cf.* also Seligmann, *The Melanesians,* p. 308.

[70] Williamson, *The Ways of the South Sea Savages,* p. 223.

[71] Furness, *Home-life of Borneo Head-hunters,* p. 175.

[72] Raffles, *History of Java,* i. 366.

[73] Skeat and Blagden, *Pagan Races of Malay Peninsula,* esp. chh. v, vi, *cf.* p. 257.

[74] Knocher, 'The Aborigines of Sungei Ujong', in *Journ. Anth. Inst.* xxxvii. 293.

[75] Du Bois, *The People of Alor,* p. 127.

[76] Kroeber, 'Peoples of the Philippines', in *American Museum Nat. Hist.* viii. 164.

[77] Ratzel, *Volkerkunde,* i. 364.

[78] Sarasin, *Reisen in Celebes,* ii. 140 f, 277.

before, generally embraced a sociological war philosophy on the basis of the ethnological data known to him, stated that none of them (the Malayans) are warlike[77]. The natives of the Celebes are said to be very peaceable[78]. More than a hundred years ago, Marsden states of the natives of Sumatra, that even if war was not unknown, their operations are rather in a way of ambushing and surprising parties than open combats[79]. The Kubus in Sumatra are also said to be peacefully inclined[80]. In Paggi, or Pageh Island near Sumatra, the people 'live on peaceable and friendly terms with each other, quarrels are rare and murder almost unknown'[81]. The head-hunters in Borneo, in spite of their name, are described as being 'in themselves amicable and peaceably disposed'. The object of the so-called head-hunters' custom seems as often to be magical as warlike[82].

Magellan, according to Stefan Zweig[83], says the natives on the Malabar Peninsula were peaceable, living in a golden age, without care: 'Questi popoli vivano con justicia, peso e misura; amano la pace, l'otio é la quiete'. Magellan also states, writing of the natives of the Ladrones Islands, that these children of nature were so inexperienced in the art of killing that when they suddenly felt the Spaniards' arrows in their bodies they could not understand how these sharp, feathered things could do harm.

We have a somewhat similar picture of the love of peace when we consider the primitive peoples in Ceylon and in India.

The Veddas of Ceylon are one of the most peaceful peoples on earth. War does not exist among them. They live so peacefully together that one seldom hears even of quarrels among them. 'Murder, robbery, infanticide and cruelty are completely foreign to the Veddas'[84].

The Toda in the Neilgherry hills in South India 'have literally no man-killing weapons at all'[85]. They are described as peaceable, mild and friendly. Dr. Rivers, who knows these peoples well, knew of no case of assault by one Toda on another with the exception of incidents accompanying the transfer of wives; Dr. Rivers heard of no disputes between members of different clans or villages and they used no weapons, but they only retained in their ceremonies weapons such as the club and bow and arrow which were formerly used[86]. Among the Lakhers in India the 'wars' seem to be reduced to smaller conflicts, the prime motor of which was the game and its repartition[87]. As mainly peaceable are also mentioned the Garo tribes in Bengal[88]. The Bodo and Dhimal[89] are likewise characterized as peaceful agri-

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[79] Marsden, *History of Sumatra,* p. 349.

[80] Forbes, 'On the Kubus of Sumatra', in *Journ. Anthr. Inst.,* xiv. 122.

[81] Frazer, *Totemism and Exogamy,* ii. 214.

[82] Furness, *Borneo Head-hunters,* p. 175, *cf.* p. 58 sqq. Helbig, (*Urwaldwildnis Borneo,* p. 9) speaks of 'die ehrlichen, aufrechten und ritterlichen Dajaken'.

[83] Zweig, *Maghellan* (ed. 1937) p. 285.

[84] Seligmann, *The Veddas,* pp. 34, 62; Sarasin, *Ergebnisse naturwissenschaftlicher Forschungen auf Ceylon,* iii, 488, *cf.* pp. 469, 539.

[85] Marett, 'Ethics', in Hastings, *Enc. of Religion and Ethics,* v. 434.

[86] Rivers, *The Todas,* pp. 555, 586.

[87] Parry, *The Lakhers,* p. 205.

[88] Dalton, *Ethnology of Bengal,* p. 62.

[89] Hodgson, 'The 'Genna' amongst the Tribes of Assam' in *Journ. Anthr. Inst.* N. S. xviii. 714, 744.

culturists, and the Mishmis as occupied in barter[90]. The Dravidian people in India were not warlike in the same way as the Aryans, says Haddon, who adds that they were agriculturalists and 'lacked that element of mobility so characteristic of the great warrior peoples of history'[91]. Among the Mandai in Iraq war is prohibited. The people says: 'We may not fight, because it is forbidden to us to kill'[92].

The African continent has the reputation of being remarkably warlike in character, especially the so-called monarchies. Undobtedly war has not been an unknown factor there. But, as stated in our analysis of government among primitive peoples in the first chapter of this book, the idea of an unlimited ruling power among the African peoples can be very much diminished in importance. In the same way we shall find that a large number of people are to be found in Africa who are said by reliable authorities to be highly peaceful, not to say non-warlike. 'War among African tribes is generally not very bloody and the loss is relatively slight', Mr. Paulitschke writes[93]. Let us illustrate this by some examples:

There is much to indicate that the Touaregs when they entered North Africa came to friendly agreement with the original inhabitants regarding the occupation of the northern mountains. Among the Bedouins, although it is true that fights sometimes occur, war between two tribes is scarcely even of long duration, and comparatively few combatants are killed. The Bedouin mode of fighting consists principally of single combat[94]. Mr. Partridge tells us that the Cross River negroes avoid bloodshed and that treaties are confirmed with solemn oaths[95]. Tribes of the Sudan are described as in general non-warlike. The Shilluk do not start warlike operations in great haste, says an authority like Prof. Westermann[96]. This holds good also of many Ehwe-speaking peoples[97]. We have a statement about the Baja of Central Sudan—certainly it is by Tessmann who cannot be considered in every respect a reliable researcher, but in any case it deserves to be given here, though with a certain reservation—that their feuds have mostly a local character, based upon boundary quarrels and the stealing of women, or the insulting of chiefs, etc.[98]. According to Muntzinger the inhabitants of East Africa are peaceful[99]. Some authorities have said that the Masai are

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[90] Dalton, *op. cit.* pp. 13, 15.

[91] Haddon, *The Wanderings of Peoples,* p. 30 sq.

[92] Drower, *The Mandaeans of Iraq and Iran,* p. 267, *cf.* pp. 15, 265, 318.

[93] Paulitschke, *Ethnographie Nordost-Afrikas,* i. 254.

[94] Burchardt, *The Bedouins,* pp. 76, 81, 167, 174 sq.

[95] Partridge, *Cross River Natives,* p. 190 sq.

[96] Westermann, *The Shilluk People,* p. 151 sq.

[97] Westermann, *op. cit.* ii. 360 (Krepy). The same author says (*Die heutigen Naturvölker,* p. 16): 'Die Kriege afrikanischer Stämme kosteten in der Regel wenig Menschenleben, zu einem wirklichen Schaden wurden auch sie erst, als sie oft von Weissen hervorgerufen oder dort gefördert dem Menschenfang dienten'.

[98] Tessmann, *Die Baja,* ii. 161.

[99] Muntzinger, *Ostafr. Studien,* p. 532.

warlike but among them are the Wambugwe and the Wanyaturu, who scarcely know war, as an authority like Baumann points out[100].

Similar statements apply to many Bantu tribes. The Karamojo 'are industrious agriculturists and a peaceful people with a love of commerce', Sir Harry Johnston writes[101]. The Nilotic Kavirondo, Roscoe tells us, 'are not fond of war and fortunately their wars are never a very serious matter'[102]. The Basogo also are described by the same authority as a peaceable people, who never have any prolonged wars of a serious nature[103]. Among the Bageshu, also a Bantu tribe in Uganda, there is war only on rare occasions. They prefer to retreat to the safety of the mountains rather than make a stand. The tactics of the Bageshu in war are very simple, Roscoe states: when one or two have been killed and several wounded, the battle ends[104]. The Banyoro, also a Bantu tribe in Uganda, investigated by Roscoe, have not for years been an aggressive people; they have in reality no conception of other than defensive war[105]. Similarly Roscoe says that the Bahima (Encole) is a pacific Bantu tribe who seldom make war upon other tribes; their chief object being to live quietly with their cattle at peace with all men[106]. The same is true of the Banyancole, of which Roscoe, states: not a warlike people[107], and also of the Ba-Mbala and Ba-Yaka[108], studied by Torday and Joyce.

During the whole period of his residence in the Bechuana country, Livingstone never saw unarmed men strike each other. Their disputes were usually conducted with great volubility and noisy swearing but generally terminated by both parties bursting into laughter[109]. Among the Lunda in the interior part of Angola war plays such a small role that the younger generation know very little of war[110]. A large number of the South African peoples are also said to be especially peaceful agricultural peoples[111]. Among the Damas very peaceful quarrels are settled by the elders, Vedder says[112].

Of the former Hierro people on the Canary Islands, we hear that they knew nothing of war and had no weapons[113].

The American double-continent presents, with regard to peaceful as well as warlike peoples, a picture different from the one prevailing, *e.g.* in Australia and

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[100] Baumann, *Durch Massailand und seine Nachbargebiete,* p. 188.

[101] Johnston, *The Uganda Protectorate,* ii. 841.

[102] Roscoe, *The Northern Bantu,* p. 288.

[103] *Ibid.* p. 242.

[104] *Ibid.* p. 190; *idem,* 'The Bageshu' in *Journ. Anthr. Inst.* xxxix. 68, 190 sq.

[105] *Ibid. The Northern Bantu,* p. 81, *cf.* pp. 14, 51, 203.

[106] *Ibid.* 'The Bahima', in *Journ. Anthr. Inst.* xxxvii. 108; *cf. ibid.* xxxix. 190.

[107] *Ibid. The Banyancole,* p. 154 sqq.

[108] Torday and Joyce, 'Ethnography of the Ba-Mbala', in *Journ. Anthr. Inst.* xxxv. 409; the same authors, *ibid.* xxxvi. 49.

[109] Livingstone, *Travels and Researches in S. Africa,* ii. 503.

[110] Baumann (*Lunda,* p. 147): 'weiss über Kriegstaktik und dergleichen nichts mehr zu sagen'.

[111] Holub, 'The Central South African Tribes', in *Journ. Anthr. Inst.* x. 14 sqq.

[112] Vedder, *Die Bergdama,* p. 149.

[113] *Cf. American Anthropologist* (1900), ii. 479, 489.

Oceania. This picture obtains a more martial trait especially through the Indians of North America. Yet even here peaceful relations are not unknown, as may be seen by the following examples.

Among the tribes of Tierra del Fuego 'human life was normally sacred' as stated by various authorities. Even if the custom of bloodrevenge was emphatically prevalent in their relations, the Fuegians were reported to be very peaceful. Mr. Cooper says that among the Onas intertribal feuds has occured, but 'warfare, properly called, can not be said to exist'[114]. Proff. Martin Gusinde and Wilhelm Koppers has given me the same information. Prof. Karsten observes how the warlike character of some Chaco tribes often has been exaggareted and generalized to all Chaco tribes. 'The Choroti is by nature as peaceful people', Karsten says, 'and in the small quarrels they have at certain time fought out for instance with the Mataco'. Karsten has not seen the Tobas on the war path[115].

The Kashihá in the North-western Chaco are described by Baldus as peaceable agriculturalists who keep to the defensive in fighting[116]. Nordenskiöld, writing of the Indians of the South American mainland, states that it is a great mistake to believe that they are always on the warpath. War is not the normal condition among the Indian tribes, it is but peace, even if one can speak of an armed peace just as between civilized states[117]. Sir Clements Markham lists thirty different tribes in the valley of the Amazon who can be regarded as peaceful[118]. Prof. Krickeberg, before the war an authoritative name, states of the natives beside the Amazon River, that war only occurs among organized tribes, for example, among the Manao, Ivaro, Miranya and the Mundurukú, who are leagued together, while among the primitive natives there were generally only isolated attacks, that they very seldom went to war, and if they did it was generally because of boundary violation, blood revenge, etc. Barbarous war customs like head-hunting, cannibalism, are restricted to the East Caraibs[119]. The Aurohuacos of Colombia are said to have no weapons of offence or defence; quarrels and disputes are settled peacefully[120], and Pater de la Rosa reports that certain other aborigines of Colombia are by nature very peaceable, not using any arms, defensive or offensive[121].

The Arawak 'can be friendly; they regularly went hunting together'[122].

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[114] Coper, 'Analythical, etc., Bibliography of the Tribes of Tierra del Fuego', in *Bur. Amer. Ethn. Bull.* ixxx. 174; *cf.* Bridges, 'Moeurs et Coutumes des Fuégiens', in *Bulletin Société d'Anthropologie,* iii:vii. 205 sq; Gallardo, *Los Onas,* p. 312; Hyades and Deniker, *Mission scientifique,* vii. 374.

[115] Karsten, *Indian Tribes of Gran Chaco,* pp. 102, 603 sqq.

[116] Baldus, *Indianer Studien,* p. 74.

[117] Nordenskiöld, *De sydamerikanska indianernas kulturhistoria,* p. 123.

[118] Markham, 'A list of Tribes in the Valley of the Amazon, etc.', in *Journ. Anthr. Inst.* xxiv. 241; *cf. ibid.* xl. 73 sqq.

[119] Krickeberg, *Amerika,* in Bernatzik, *Die grosse Volkerkunde,* iii. 140, 162.

[120] Nicholas, 'The Aborigines of the Province of Santa Marta, Colombia', in *American Anthropologist,* n. s., iii, 612.

[121] de la Rosa, *'Floresta de la Santa Iglesia Catedral de la Ciudad de Santa Marta, ibid.* iii. 612.

[122] Radin, *Indians in South America,* p. 46 sqq.

As indicated above, the North American Indians have, at least in earlier literature, been considered as specially bloodthirsty and warlike. Here, of course, I am not thinking of novels, but historical works. This was true not least of the Sioux, the Pawnee, in certain cases the Iroquois, who were often described as powerful warriors.

There is no doubt that war has played a very important part among some North American Indian tribes. This is at least the impression one gets from older works such as those of Amadas and Barlowe (Hakluyt), who as early as towards the end of the 16th century came into contact with the inhabitants of North Carolina, of Th. de Brys'*India Occidentalis*—also from the 16th century—, of S. de Champlains, of Th. C. Sagard and researches made in the 17th century. We have similar testimony from the 18th century by A. L. de Lahontan, P. F. X. de Charlevoix, J. Fr. Lafitau and others. The reliability of most of these works need not be questioned, even if a modern ethnologist is a little doubtful about using them very much in support of their own conclusions. This fact is due to the following circumstance: Even if the writers in question have, in many respects, correctly reported on the warlike mentality, the organization for war etc., they have overestimated the value of these factors by not paying attention to the form of the peaceable inter-tribal relations which existed in spite of war. It seems, of course, that much of the ethnological literature in North America has, on the other hand, overestimated the peaceable factor, probably as a counterweight to the rather onesided emphasis on war as the only form of contact between tribes and peoples by earlier investigators. But some 'moderating' factors regarding the Indian wars may be mentioned here.

The Siouans had according to Mason no standing army and no 'General' who held office for life or for a given term. There was no militia. They had no wars of long duration, in fact, wars between one Indian tribe and another seldom occurred, but there were occasional battles for food and transport[123]. The Hopi—by some authors translated to peace-indians as their name indicate—are said to be 'preeminently a people of peace'[124]. Dorsay states the same concerning the Omaha Indians. A natural consequence of the character of their conflicts was that it was not compulsory for the warriors of the community to join the war party[125]. The Pawnee Indians had peaceable relations with their neigbours, herewith 'stating, that this people wished to be at peace and had made up their minds to come and live with their friends in the south'[126]. Among the Haidah Indians warlike conflicts seemed

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[123] Mason, *Origin of Inventions,* p. 397.

[124] *Cf.* Sumner and Keller, *The Study of Society,* iv. 120; Fewkes, 'Minor Hopi Festivals', in *American Anthropologist,* iv. 482.

[125] Dorsay, 'Omaha Sociology', in *Ann. Rep. Bur. Amer. Ethn.,* iii. 312; Fletcher and La Flesche, 'The Omaha Tribe', *ibid.* xxvii. p. 408.

[126] Mooney, 'Calendar History of the Kiowa Indians', *ibid.* xvii. 334.

to have been rare[127]. Concerning the Chinools in British Columbia we hear that they were always a commercial rather than a warlike people. They tried to settle their differences amicably; if, however, battles ensued, they were of short duration and accompanied by little bloodshed[128]. Among the inland tribes of Indians in British Colombia resort to arms for the settlement of their intertribal disputes seems to have been very rare. Of course they were all brave warriors, when fighting became necessary for defence or vengeance on a foreign foe. But, and this is characteristic, departure on a foreign warlike expedition was always preceded by ceremonies, preparations including council-meetings of the wise, great and old, the smoking of the pipe, harangues by the chiefs, dances and a general review or display of festivals and other manoeuvres. The battles are said not to have been attended with much loss of life. The children of many tribes were sent by mutual arangement into the enemy ranks during the heat of the battle to pick up the fallen arrows and to carry them back to their owners to be used again. After the fight or before it, when either party lacked confidence in the result, peace was made by smoking the pipe with the most solemn protestations of goodwill and promises which neither party had the slightest intention of fulfilling[129].

The earliest known civilizations of Central America, for instance that of the Maya's, show signs of being comparatively peaceful. Among the Nicaraguans the wars were of short duration, more of the character of raids, and the same holds good of Yucatan[130].

The peoples of Cicuye and Cibola made a very peaceful impression on those Europeans who went on an expedition to Colorado in the 16th century[131]. The post-Columbian Indians seem to have been more warlike than their predecessors.

If we now turn to the peoples in Ultima Thule we find, as is rather natural, a thoroughly peaceable character, due the severe geographical conditions.

Among the Eskimos in general tribe does not fight against tribe, but a few selected champions decide the issue[132]. Boas states that among the Central Eskimos no real fights between settlements have ever taken place, but contests have always been confined to single families[133]. Dr. Nansen says that war is, in general, unknown among the Greenlanders, it is for them a thing so incomprehensible and repulsive that their language has no word for it. Cooperation in the struggle for existence is absolutely imperative in their case, and he adds that their first social

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[127] Bancroft, *Native Races of the Pacific States,* i. 164.

[128] Bancroft, *op. cit.* i. 235 sq, 238.

[129] *Ibid.* i. 235 sq, 269, 379.

[130] *Ibid.* ii. 740, 746.

[131] Winship, 'The Colorado Expedition, 1540', in *Ann. Rep. Bur. Amer. Ethn.,* v. 203. xiv. i., 491.

[132] Ratzel, *History of Mankind,* ii. 107; Hodge, *Handbook of American Indians,* Pt. ii. 145.

[133] Boas, 'The Central Eskimos', in *Ann. Rep. Bur. Amer. Ethn.,* vi. 186, 465.

law is to help their neighbours; good humour, peaceableness and evenness of temper are the most prominent features among them[134].

The Aleuts only fight with words. They do not understand what war is[135].

As regards the ancient Finns, Dr. Ailio supposes that in remote times they were comparatively peaceful, and Prof. Appelgrén-Kivalo believes that they gradually spread over the country by peaceful occupation and not for the purpose of conquest[136]. I have never heard the Laps or the Skolt-Laps speak otherwise than kindly of their fellowmen. It is also quite natural that in the wide and thinly-peopled country of Northern Siberia the natives occupied with the care of their herds and the occasional diversions of hunting and fishing lived a life which was externally one of peace[137].

Many primitive Chinese tribes have never been at war[138].

And now a few words about the so-called civilized peoples of the Far East in ancient times.

The ancient Egyptians are said to have become warlike in consequence of the invasion, about 1780 B. C., by the Hyksos, who dominated the country for some time, but were ultimately driven out. During this time the Egyptians became acquainted with aggressive war for the first time. But in the earliest phases of Egyptian history the King had no regular army[139]. In ancient Babylonia there are not many signs of warfare. The Assyrians were warlike and thus differed entirely from the Sumerians and Egyptians[140]. The teaching of the Kôran seems to assume that true believers will live at peace, although they must conquer the unbelievers[141].

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[134] Nansen, (*Eskimo Life,* pp. 101 sq, 116, 158, 180) quotes an Eskimo letter of 1756, written with European war conditions in mind. The native cannot understand how it is that men of the same faith are hunting each other like seals and stealing from people they never see or know. Fighting about land seems to him sheer greed. He apostrophizes his own country: 'How well it is that you are covered with ice and snow. How well it is that in your rocks there is gold and silver for which the Christians are so greedy, but it is covered with so much snow that they cannot get at it. Their unfruitfulness makes us happy and saves us from molestation'. The writer was surprised that the Europeans had not learnt better manners among the Eskimo and proposed to send Medicine-men as missionaries to them.

[135] Reclus, *Prim. Folk,* pp. 86, 108.

[136] Ailio, 'Elämastä Suomessa n. 4000 v. sitten', in *Kansainval. Seuran Kalenteri* (1911), p. 152; Appelgrén-Kivalo, 'Katsaus Suomen muinaisuuteen', in *Oma Maa,* v. 149.

[137] *Cf.* Hartland, 'Law', in Hastings, *op cit.* vii. 810.

[138] Stübel and Meriggi, *Die Li-Stamme,* p. 84 (the tribes on the island of Hainan in South China); *cf.* also *ibid.* pp. 93, 118, 153, 167, 221, 289; Hobhouse, *Morals in Evolution,* i. 262 sq.

[139] Breadsted, *History of Egypt,* pp. 19, 82, 193, 391.

[140] Barton, *Sketch of Semitic Origins,* p. 221.

Christianity tried, in the beginning, to introduce into Europe a higher regard for human life than had prevailed in pagan societies. But here very soon there was a change from the peaceful tenets of the first Church to the essentially military Christianity of the Crusades. During the Middle Ages and in the beginning of modern times the Church encouraged the warlike spirit by the establishment of chivalry and by sanctioning war as a divine institution. Yet from the same period we must remember the God's peace in the churches, the *Treuga Dei,* which in the 11th century was introduced by France into other countries as *Pax Dei,* or as *Pax Dominica,* and from the North: Birger Jarl's *Laws of peace.*

I am fully conscious that to obtain a reliable picture of the attitude of primitive peoples to peaceableness or warlikeness it is not enough to give examples of savages who have been described as peaceable or warlike by ethnological or sociological researchers. Bellicosity or peaceableness vary among primitive peoples just as they do at the so-called higher stages of culture. Geographical and economic conditions must, at all times, have had their effect. Where people have had large areas for their activities and the economic-geographical conditions were relatively favourable, friction with other tribes and peoples have less easily arisen. On the other hand it has also been noted that where the area is wide and the horizon open the inhabitants are inclined to spread themselves still further, especially if supplies are short. Definite schemes cannot be devised in this matter, any more than in connection with an object of research so rich and individual as mankind. When, however, an investigator mentions several nations as specially warlike, it is necessary to find out more about the warlike characteristics attributed to them, and to inquire into the character of war at primitive stages of culture in order to get a picture of the extent to which conditions have allowed the maintainance of other than warlike contacts between tribes and peoples.

It seems to me there is good reason to examine more carefully some cases of people who are described as specially warlike.

We will begin with some examples from Oceania.

In the Trobriand Archipelago to the south-east of New Guinea, although various districts into which the archipelago was divided were frequently in war, Malinowski, who must be regarded as an authority on this area, states that war however was carried out with 'a considerable amount of fairness and loyalty, there being strict rules of conduct which were scrupulously observed'[142]. Codrington also

[141] Kôran, ix. ch. 49. Conc. peoples who do not know war, *cf.* also Ruth Benedict, *Pattern of Culture,* p. 31 sq.

[142] Malinowski, 'War, etc. among the Natives of the Trobriand Islands', in *Man,* xxx. 10, 12. The ancient Tasmanians were known as relatively peaceable, according to Ling

states of the Melanesian wars that the fighting often had the character of open duels[143]. As we shall see later on, the conflicts in Melanesia and Polynesia were often concluded by binding agreements. Williamson remarks concerning the Society Islands that where the question of peace or war was usually considered by the King, priests and principal chiefs, the war had no long duration[144]. Speaking on the Marquesas Islanders, Dr. Tortain remarks: 'les guerres étaient en général peu meurtrières, car il y avait rarement de véritable batailles. Elles consistaient en un état d'hostilité se traduisant par des embuscades, des surprises d'une case, l'enlèvement d'un isolé, d'une pirogue qui s'ecartait[145]. In New Caledonia the battle ceases very soon, because it 'devient complète pour la troisième ou quatrième victime qu'un parti est obligé d'enlever et de défendre dans la fuit'[146]. With reference to the Hawaiians, Ellis states that once the chief was killed his people immediately ran away[147].

The population in Hagen-Bergen in the former German part of New Guinea is described as rather warlike, but they always concluded their conflicts with a real treaty of peace and feasts of reconciliation[148]. Similar customs are reported from the Mafulu mountain people in New Guinea[149]. Among the natives of Formosa no hostilities took place before a definite warning had been given[150]. The head-hunters of Borneo also sent their adversaries similar warnings[151].

It is said of some of the wild tribes in Assam in India that they 'have as many wars as there are hairs on a Naga's head'. But if one reads more attentively the description given by W. Carlson Smith, one finds that the so-called wars are of very short duration and neither important nor extensive[152]. The Hindus are said to have been always chivalrous in war; prisoners were not at the absolute disposal of the conqueror; there was respect for women. War here was tempered by the general tendency of Indian thought which placed the priestly caste above

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Roth (*The Aborigines of Tasmania*, p. 73) and they never began their conflicts without ceremonies. The Maories throw a light spear at the enemy as a challenge to war (Cowan, *The Maoris*, pp. 282, 323).

[143] Codrington, *The Melanesians*, p. 305 (Florida Islands).

[144] Williamson, *Social and Political Systems in Central Polynesia*, iii. 132.

[145] Tortain, inform. from Musée d'Ethnologie, Paris.

[146] Rochas, *La Nouvelle Calédonie*, p. 40.

[147] Ellis, *Narrative of a Tour through Hawaii*, p. 115.

[148] Vicedom, 'Ein neuentdecktes Volk in Neuguinea, in *Archiv f. Anthropologie*, xxiv. 43; *cf.* Hagen, *Unter den Papuas*, p. 251; v. Pfeil, *Studien ... aus der Südsee*, p. 125; Cowley-Webster, *Through New Guinea*, p. 214.

[149] Williamson, *The Mafulu Mountain People*, p. 70.

[150] Hulsius, *Eine Beschreibung der Zweyen Insulen Formosa*, p. 36.

[151] Ratzel, *Völkerkunde*, i. 411.

[152] W. C. Smith, *The Ao Naga Tribe of Assam*, p. 67 sqq.

that of the warriors[153]. Among the Rengma-Naga a man threatened in battle by another can save his life by calling out: *Far*; he is then taken prisoner[154].

As regards the warlike peoples of Africa we find that among many of them war was declared in due form. Baumann writes, on the one hand of the Masai's fighting which often extended over huge areas, and on the other hand of neighbouring tribes who seldom went to war with each other[155]. But Mr. Joseph Thomson states that the Masai, even though they consider themselves a true warrior race by divine grace, and the true owners of the cattle of the neighbouring tribes, never go to war, and that there are Masai tribes who scarcely know war[156]. Prof. Baumann also states of the Wafiumi, 'a warlike tribe', that even when victorious they do not penetrate the interior of the enemy country. Male prisoners of war are not killed, but held to ransom[157]. Many Negro tribes use the white flag of peace from the royal stave[158]. War among the Wanyamwesi in Africa is preceded by war councils and other similar ceremonies[159]. Similarly among the tribes in South Nigeria, where war is most often for defence against stronger tribes, the same customs prevail. Warning is given of the intention to start fighting at the boundary at a given day fixed by both parties[160]. Concerning the Basutos Casalis states, that 'he (the Basuto) was not wanting in personal courage, but on almost all occasions when he had taken arms to resist the invader, he drew upon himself the blame of his subjects by the extreme facility with which he gave up the results of a definitive success as soon as the enemy sued for peace'[161].

War among the Loango is described as rather harmless. Before a battle the leaders first take the auspices (*Nenoich*) with all kinds of ceremonies[162]. According

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[153] Hobhouse, *op. cit.* i. 261; *cf. The Laws of Manu,* vii. Sec. 90-93.

[154] Kauffmann, 'Kriegsgebrauche der Naga', in *Mitt.-Blatt Deutsche Ges. f. Volkerkunde,* ix. 40, p. 18 sq. Even he who waves 'mit einem Buchel Blatter' and hides behind the leaves, can escape (*ibid.* 18 f).

[155] Baumann, *Durch Massailand,* pp. 164, 179.

[156] Thomson, *Through Masailand,* pp. 255, 261. Letourneau (*La guerre*) pp. 92, 268 sqq, 359) states that the Masai allow no surprise or sudden attacks in clan wars. 'The rapacious Masai', Hinde says, (*The Last of the Masai,* p. 65) 'send due notice before starting on cattle raids'.

[157] Baumann, *op. cit.* p. 179.

[158] Waitz, *Anthropologie der Naturvolker,* ii. 164, writes: 'Die Friedensflagge der koniglichen Stab mit silbernen Knopfe, die Mutze der Gesandten von schwarzen Affenfell oder der Elephantenschwanz des koniglichen Boten und Ausrufers wird geachtet'.

[159] Bosch, 'Les Banyamwezi', in *Anthropos Bibl.,* iii.2, 164. The same is true of the Ovambo (Hahn, *The Ovambo,* p. 21 sq); the Warega (Delhaise, *Les Warega,* p. 351 sqq).

[160] Talbot, *Life in Southern Nigeria,* p. 518.

[161] Casalis, *My Life in Basutoland,* p. 224.

to Roscoe, the Bahima have no organization in battle and the loss of life is never great[163]. The war tactics of the Bageshu are, according to the same author, also very simple: when one or two have been killed and several wounded they stop fighting[164]. The Fans are said to be one of the most warlike nations of West Africa; but according to Lenz, their warfare consists merely in one family letting another know that for such and such a reason there will be hostility from that day onward between the two parties. It is then only a matter of each side trying to capture and kill single members of the other side who may happen to be in the forest, far from their homes, while hunting or for any other purpose. 'It is seldom that two large bodies of Negroes are ranged against one another to fight, and, if this happens, fighting comes to an end as soon as one or more persons have been put out of the fighting'. The beaten side then flees as quickly as possible into its forest and fortified places, there to await an opportunity for revenge[165]. The Kaffirs avoided starving out an enemy[166]. It is a question whether, on the basis of these statements, Ankermann generalizes to much when he says that war among the East African tribes begins without warning[167]. On the other hand it is noticeable that Ankermann, who does not underestimate the part played by war among native peoples in Africa, states that among those of East Africa it mostly consists in ridiculing each other, and that when some of the fighters have fallen the struggle is terminated[168], a statement which perhaps also nevertheless generalizes too much.

As we have already stated, there is much to indicate that when the Touaregs first appeared in North Africa, they made a friendly agreement with the original inhabitants regarding the occupation of the northern mountains, whence they eventually overran the whole plateau. The Kabyle declare war and no one may begin without warning; every death is regarded as an assassination demanding otherwise[169].

As we have hinted before, it is probable that the pictures of the Indian war,

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[162] Driberg, *The Lango,* p. 106 sqq. Peschuel-Loèsche (*Volkskunde von Loango,* p. 200) writes: 'In den Schlachten geht es sehr laut, aber ganz gemütlich zu'; *cf.* also Waitz, *op. cit.* iii. 398.

[163] Roscoe, 'The Bahima', in *Journ. Anthr. Inst.* xxxvii. 108.

[164] *Idem,* 'Notes on the Bageshu', *ibid.* xxxix. 190.

[165] Lenz, *Skizzen aus Westafrika,* p. 91. Conc. West African slave-raids, *cf.* Herskovits, *The Myths of the Negro Past,* p. 108.

[166] Waitz, *op. cit.* ii. 398.

[167] Ankermann, *Ostafrika,* p. 43.

[168] *Ibid.* p. 43.

[169] Letourneau, *op. cit.* pp. 152 sqq, 268 sqq; *cf.* supra, p. 77.

even if they may in the main still keep their colourfulness, need some retouching. Some of the South American Indians are described as rather peaceful. To take an example from there: though the Equador Indians usually carried out their plan of attack in the greatest secrecy, the victim was sometimes threatened beforehand, Karsten states[170]. The Caribs declared war by hurling arrows or javelins into the enemy country, or sticking them into ground at the boundary[171].

Of the Tobas Prof. Karsten writes: 'When an attack is planned against an enemy, the old men of each tribe (*Eakáchi*) together with the chiefs (*Alyánek*) assemble every night in a special place outside the village to deliberate. Much algaroba beer is drunk on this occasion in order that the deliberations may lead to happy results. In the shade of a big algaroba tree the old men invoke the good spirit (*Peyák nóin*) so that he may give the warriors victory and protect them in the coming fight. The younger Toba men perform the dance *Nomi* for several days'[172].

Success in war, it is true, was to the Indian of North America the acme of glory, and to learn its art the object of his training, but among some tribes it happened that honours won in defensive war ranked higher than those gained in aggressive ventures. Among some tribes the captive could save his own life, and there was a particular village or clan that had the right to shelter fugitives, for example the chief's tent afforded *asylum*. In many cases survivors were finally adopted by their captors[173].

In Virginia in former days, the chiefs (*Weroances*), women and children were spared in war, or at the most made prisoners[174]. The Hurons never killed women and children[175]. In an intertribal disput among the Wishram (Colombia River basin) it was the duty of the chiefs to meet in council or with the enemy chiefs to investigate the case. If the matter was not settled at this conference they declared war[176]. Among the Cheyenne Indians war was preceded by important magic ceremonies[177].

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[170] Karsten, 'Bloodrevenge, war, .. among the Jibaro Indians', in *Bur. Amer. Ethn. Bull.*, lxxix. 17.

[171] v. Martius, *Beiträge zur Ethnographie Amerikas*, i. 97.

[172] Karsten, *Indian Tribes Gran Chaco*, p. 104.

[173] *Cf.* Fletcher, in Hodge, *Handbook of American Indians*, ii. 944 sq.

[174] Stachey, *Hist. of Travels into Virginia Britannia* (1849), quoted by Waitz, *op. cit.* iii. 154.

[175] Sagard, *Grand Voyage du pays des Hurons* (1632), also quoted by Waitz, *op. cit.* iii. 154.

[176] Spier and Sapir, *Wishram Ethnography*, p. 213.

[177] Grinnell, *The Cheyenne Indians*, ii. 12 sqq, 37 sqq, 197 sqq.

Bancroft says of the fighting of the Apashes that it had 'more the character of assassination and murder than warfare'[178]. The military ambition of the Blackfeet was satisfied when one adversary had been killed, and great festivities were arranged on account of a single scalp[179].

Although the Iroquois were renowned as being warlike they had very definite rules, for example, in regard to the taking and sharing out of prisoners at the peace settlement, in that each family (with a totem of their own) who had lost a member in the war, had the right to one prisoner. If there were no prisoners they got a scalp. The death of a prisoner of war, says Friederici, was regarded as a sacrifice among the Israelites and the Polynesians[180].

Protracted warfare, or fighting for several days in succession, had not been the Omahas' custom, Dorsay states[181]. To indicate the disintegrating tendencies of Omaha warfare, Fletscher and La Flesche observe: that the old Omaha men have earnestly sought to impress upon the writers that peace and order within the tribe were of prime importance; without these it was declared that neither the people nor the tribe as an organization could exist. War was secondary: its true function was protection, to guard the people from outside enemies. This 'peace and order' was based upon common descent, religion and the form of peaceful, mutual aid which all warriors could give. The war parties were usually small and it often happened that when a single adversary was killed the warriors returned home[182].

The Nootka, before engaging in war, spend some weeks in preparation, consisting mainly in abstinence from women, bathing, scrubbing the skin till it bleeds, and finally painting the whole body jet-black. But, says Mr. Bancroft, in spite of these great preparations 'the battle was seldom long continued'[183]! Among the Indians of California the leaders on both sides generally act like captains in a game, not actively taking part in the fighting, and, as soon as they consider that too many have fallen, stopping the struggle. Mr. Fortune, who gives these facts,

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[178] Bancroft, *op. cit.* i. 496.

[179] McClintock, *Old North Trail, or Life, etc. of the Blackfeet Indians,* p. 420.

[180] Friederici, 'Über die Behandlung der Kriegsgefangenen durch die Indianer Amerikas', in *Festschrift Eduard Seler,* p. 86 and notes. *Cf.* Morgan, *League of the Iroquois,* p. 339. Those was also the custom among the Kalusa, Taensas, Caddos, Pawnee, Chibchas (*ibid.* p. 89).

[181] Dorsay, *loc. cit.* iii. 327.

[182] Fletcher and La Flesche, 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethn.,* xxxvii. 402, *cf.* 200 sq.

[183] Bancroft, *op. cit.* i. 189. Hill (*Navaho Warfare,* p. 6 ff) says that the Indians must have dreams about revenge before they take such action.

says that in many cases the fights between the primitive Californians were more like sport: a kind of fencing[184]. The Indians of the interior of British Columbia 'cannot be called a warlike race. Resort to arms for the settlement of their inter-tribal disputes seems to have been very rare'. Yet all are brave warriors when fighting becomes necessary for vengeance or against a foreign foe. Departure on a war expedition was always preceded by ceremonious preparations, councils of the wise, great and old, smoking the pipe, harangues by the chiefs, dances and a general review or display of equestrian feats and manoeuvres. And after the fight, or before it if either party lacks confidence in the result, peace is made by smoking the pipe with the most solemn promises and protestations of goodwill'[185]. Some tribes in New Mexico (the Ceris and Chicoratos) who are said by some people to be 'living in a state of constant war' always have long conferences and ceremonies before war really starts[186]. And of the Chichimecs in New Mexico we read that 'warfare was the normal state', but at the same time we learn that not only did negotiations precede war, but that defensive alliances were made, and messengers and envoys were sent out to discuss peace possibilities and give notice of war[187].

Many earlier wars, for instance those of the Aztecs, were fought as a way of getting captives for religious sacrifice. When the Spaniards fought to kill, they broke the rules according to Aztec standards. The latter fell back in dismay and Cortez walked into the capital, a victor[188].

The people of Cicuye and Cibola, as hinted, impressed the Colorado expedition in the 16th century as being peaceful: 'the people all came out peacefully'[189]. Many things indicate, states Mr. Macleod, that the inter-group struggles of the hunters

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[184] Fortune, 'Arapesh Warfare', in *American Anthropologist,* ili. 31. *Cf.* Muhlmann, *Krieg und Frieden,* p. 120. Ruth Benedict (*Patterns of Culture,* p. 30) tried to talk about warfare to the Missions Indians of California, but it was impossible. Their lack of understanding of the thing was amazing. They had not the basis of the idea in their own culture.

[185] Bancroft, *op. cit.* i. 268. These declarations needed not to be taken too seriously, for one also reads of promises, which neither side had the slightest intention of fulfilling: yet just the fact that they were made shows at least the theoretical will to seek peaceful contact. See also, for the Indians of British Colombia, Franchère, *Narrative of a Voyage to the North-West Coast of America,* p. 251; Chinook, Cox, *Adventures on the Columbian River,* i. 322.

[186] Bancroft, *op. cit.* i. 579.

[187] *Ibid.* i. 636.

[188] R. Benedict, *op. cit.* p. 30; Bancroft, *op. cit.* i. 581 (*cf.* ii. 420); Clavigero, *History of Mexico,* i. 370.

[189] Winship, 'The Colorado Expedition 1540-42', in *Ann. Rep. Bur. Amer. Ethn.,* xiv:i. 491.

and agriculturists of the Stone Age in North America were, to some extent, more or less pacific struggles for markets[190].

We talk of the cruelties of the Indians' wars, says Friederici, who knows his subject well, 'but they have never discovered such cruel weapons or fighting as the Europeans did even in their religious wars'[191].

If we now wish to take some examples from the primitive peoples of Northern Asia we can say that in spite of their sanguine temperament and great activity, the Tungus live for the most part in harmony and peace among themselves. Injury and strife often result in a knightly duel, which is fought out after due challenge according to all known rules[192].

Without setting forth any evolutionary points of view, one can here state for the sake of comparison that the Law of Manu included detailed regulations for war[193]. In the earliest epoch of the Mohammedans, it was the rule not to kill or illtreat the women and children of the enemy[194]. As regards the peoples of prehistoric times, the wars of ancient Greece were certainly severe but there were modifications, and the regulations of the Amphictyonic League went to considerable lengths[195].

It must also be borne in mind that very often primitive war is conducted in the same manner as hunting expeditions. Seligman calls attention to this resemblance; war and hunting are both commenced with the same ceremonies, and the forms of purification following them are the same. This holds good, according to Seligman, of the Melanesians in New Guinea, but we find the same thing among other savage peoples[196].

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[190] MacLeod, 'Trade Restrictions in Early Society', in *American Anthropologist,* xxix. 277.

[191] Friederici, *Indianer und Anglo-Amerikaner,* p. 13; *cf.* also Hale, *The Iroquois book of rites,* p. 97.

[192] Hiekisch, *Die Tungusen,* p. 68.

[193] Bühler, *The Law of Manu (Sacred Books of the East),* vii. 90 sqq. *Cf.* also, Bonerjea, 'Peace and war in Hindu culture', in *Primitive Man,* iii. 33 sqq.

[194] v. Kremer, *Kulturgeschichte des Orients unter den Chalifen,* ii. 103.

[195] *Cf.* Plato, *Republica,* p. 479; Strabon, x. 12. Besides this, war among the Greeks and Romans was closely related to the worship of the gods (*cf.* Gardner, 'War', etc. in Hastings, *op. cit.* xii. 694 sqq). The ancient Celts probably had, like the Greeks and Romans, a goddess of war; she has been identified by the Greeks with Athene and by the Romans with Minerva. The same is probably true of the Gauls (*cf. Livius,* v. 39, 1).

[196] Seligmann, *The Melanesians of British New Guinea,* pp. 293, 296 sq, 333. *Cf.* also Steward, 'Notes on the Northern Cachar', in *Journ. Asiatic Soc. Bengal,* xxiv. 632 (Kukis in Bengal); Moffat, quoted by Letourneau, *op. cit.* 35 (Bushmen); Letourneau, *op. cit.* 58 (Kafirs); Lichtenstein, *Travels in Southern Africa,* i. 269 (Hottentots); Grubb, *The Indians of Paraguayan Chaco,* p. 87 (Natives of Paraguayan Chaco); v. d. Steinen, *Unter d. Naturvölkern Zentral-Brasiliens,* p. 214 (Natives in Central Brazil); Gatschet, *Migration*

Two factors may be cited as responsible for this. The same weapons are often used in both cases: with the same axe, spear or arrow which he uses to strike down an animal, the savage rushes upon or treacherously kills his enemy. Another factor may be the belief that there is no essential difference between animals and man himself[197]. It is a question whether primitive man does not obliterate the dividing line between man and beast, not momentarily and in a rage, but permanently and in cold blood: he regards all animals as on a footing of equality with man. 'He believes', thinks Westermarck, 'that they are endowed with feelings and intelligence like men, that they are united into families and tribes like men, that they have various languages like human tribes, that they possess souls which survive physical death as the human soul does'[198]. This may be the origin of the savage's respect for animals and his belief that he who kills an animal will be persecuted by its spirit or those of similar animals.

We must not forget that primitive war is wholly distinct from that of the so-called civilized peoples, which is rather characterized by economic-political causes. In the former, as we have seen, magico-religious factors often play the chief part. Even although is aims at a bloody solution, the dispute is often settled before blood is shed; in any case the psychological and not the physical factors are the decisive ones.

Primitive war has often the character more of an attempt to terrify the enemy than of fighting: or else duels were fought. Except among the North American Indians, primitive war rarely has the character of mass conflicts. Especially among the Australians[199], and the natives of India[200], war seems to be of short duration. They have neither a Seven Years' War nor a Thirty Years' War. This is even reported of some Indian tribes: 'the war was of short duration' it is said[201].

Primitive war seems further to be of what may be termed a judicial character. In his description of the Australians' war, Mr. G. C. Wheeler points out that they carry on warfare proper mainly for reasons of revenge, while not aiming directly at plunder and conquest[202]. Among the islanders of the New Hebrides in

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Legend of the Creek Indians, i. 158 (Creek Indians); McGee, 'The Seri Indians', in *Ann. Rep. Bur. Amer. Ethn.,* xvii. 273 (Seri); Morgan, *op. cit.* p. 354 (Iroquois); Coxe Stevenson, 'The Sia', in *Ann. Rep. Bur. Amer. Ethn.,* xi. 16, 19 (Sia Indians).

[197] *Cf.* Westermarck, *The Origin and Development of the Moral Ideas,* i. 249 sqq, 264, 308, ii. ch. xliv; Frazer, *The Golden Bough,* ii. 396.

[198] Westermarck, *op. cit.* i. 258, *cf.* 252.

[199] Wheeler, *The Tribe, and intertribal Relations,* p. 40.

[200] Shakespear, *The Lushei Kuki Clans,* p. 56; Hodson, *The Naga Tribes,* p. 113 f.

[201] Bancroft, *op. cit.* i. 236 (Chinooks); *ibid.* i. 379 (Californian Indians, Blackfeet, Omaha); Fletcher and La Flesche, *loc. cit.* xxvii. 79 (Ponca, Padusa, Osage).

[202] Wheeler, *op. cit.* p. 148 sq.

the old days fighting was generally the result of disputes over women or land, and the troubles were intertribal.

When one tribe in the New Hebrides decided to go to war with another, a branch of the banyan tree was sent to friendly tribes as a sign of the impending hostilities and to ask for help in the fighting. It was sent as secretly as possible to friends and allies by both tribes about to fight, each hoping to be ready for the conflict before the other, so as to be the aggressor. Of course, it happened often enough that only one tribe sent out the signal for war, those about to be attacked knowing nothing of the matter. The branch of banyan was broken into small pieces by the messenger as he went along, and a piece was left at each village of the friendly tribes visited. On receiving the banyan piece a conference was held by the chiefs in which all the male members seem to have taken part, but it is not clear whether the final decision for or against war rested with the chiefs or with the entire male suffrage of the tribe. A tribe has been known to refuse to go to the assistance of its neighbours. Sometimes a man in one tribe about to go to the assistance of its ally had a friend in the tribe about to be attacked and, through him, a warning was sent so that the latter was prepared and fully armed when the attack began. Again, if a man had a friend in one of the groups to be attacked, it was his prerogative to refuse to fight a long side with his own tribe. The exact meaning of this 'friend' is not known, and any attempt to establish a connection between this person and a clan relative in another tribe is futile. This right to remain neutral did not apply to the members of the tribe beginning hostilities, but only to those friendly tribes who agreed to come to its aid. In the one case all males over puberty were bound to fight, and refusal to do so was regarded as treason and punished by death, while in the other, if a man chose not to join in the expedition, he had a perfect right to do so, and no question as to his bravery was involved[203].

The only form of combat that occurs among the Toala in the Celebes is the driving away of thieves[204]. Among the Melanesians in the south-east of New Guinea the chief cause of war is revenge[205].

The attacks of the Ba-lla in Northern Rhodesia consisted largely of 'ambuscades and surprises, and their defence in precipitate flight'[206]. Mr. Wagner has analyzed the causes of war among the Bantu of Kavirondo and says that 'two immediate aims in attacking other tribal groups were to capture cattle and to inflict loss of life upon the group attacked violence ... as the owners will try to defend their cattle so that violence naturally results'[207]. Among the Tallensi of the Northern Territories of the Gold Coast 'a general war consisted of a series of local skirmishes without any organized methods of collective attack or defence or any military leadership, and lasted only two or

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[203] Humphreys, *The Southern New Hebrides*, p. 56 sq.

[204] Sarasin, *Reisen in Celebes*, ii. 277; Letourneau, *La Guerre*, p. 32.

[205] Seligmann, *The Melanesians*, p. 453.

[206] Smith and Dale, *The Ila-speaking Peoples*, ii. 170.

[207] Wagner, in Fortes and Evans-Pritchard, *African Political Systems*, pp. 223, 226.

three days'. It ceased as abruptly as it usually began, and soon the clans which had initiated hostilities made peace! War occurred when a member of one clan committed a grave offence (*e.g.* murder) against a member of another from which his own was divided by social barriers more powerful than any ties that united them[208].

Besides these characteristics it seems that w a r w a s l e s s u s u a l i n e a r l i e r t i m e s t h a n l a t e r. According to many witnesses the population of the Pacific Ocean was more numerous in early years; in the nineteenth century war became more usual. The natives procured firearms and the fate of the whole race was soon sealed. For instance, we hear that the Fijians' early wars were quite insignificant. According to Thomson 'there is ground for believing that the wars before 1780 were little more than skirmishes. But as soon as firearms were introduced in 1808 the wars became far more distructive'[209]. The missionaries Williams and Calvert says that 'old men speak of the atrocities of recent times as altogether new and far surpassing the deeds of cruelty which they witnessed fifty years ago'[210]. Mariner states of the Tonga Islands that when Captain Cook was there the customs of war were little known to the natives[211]. Speaking of the South Sea Islanders in general, Ellis maintains that wars and other destructive customs more or less connected with them have certainly increased lately and thus caused a rapid decline in the population[212]. Various authors also inform us that head-hunting is a fashion of comparatively modern growth: although it existed before, it was only in the last century that it became a predominant feature in the life of the Dyaks[213].

The Masai in Africa were formerly described as 'a relatively peaceful race'[214]. Among many African peoples, like the Galla, 'the military spirit' seems to have grown *pari passu* with the spread of Islam; another contributory cause of belligerency was the raiding for the purposes of stealing cattle[215].

Of the Indians in North America the Blackfeet are described as rather peaceably disposed and as only later acquiring 'the character of ferocity'[216]. Similarly the warlikeness of the Omaha is considered to have increased with the

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[208] Fortes, *The Dynamics of Clanship among the Tallensi*, pass.

[209] Thomson, *The Fijians*, pp. 60, 86.

[210] Williams and Calvert, *Fiji and the Fijians*, p. 119.

[211] Mariner, *op. cit.* i. 72 sqq.

[212] Ellis, *Polynesian Researches*, ii. 32.

[213] Low, *Sarawak*, pp. 118, 214, 303.

[214] Merker, *Die Masai*, pp. 272, 276, *cf.* p. 217.

[215] Ratzel, *Völkerkunde*, ii. 322, 491, 502 sqq, 512, 518; *cf.* also p. 100.

[216] Dunn, *History of Oregon Territory*, p. 319.

coming of the whites[217]. The character of the Indians has greatly changed since Columbus and has become more warlike and predatory. Earlier they were said to live together in comparative peace and to have settled their disputes by treaties. Not many of these Indians, according to Powell and Dellenbough, had special organization for the purpose of war and they add that many of them seemed to live in comparative peace[218].

After thorough investigation Holsti concludes that the early Germans were less warlike than their descendants, not to speak of those of later date, and that among the early Scandinavians the warlike spirit was of comparatively late growth. 'The development of their social institutions and their industry, as well as the way in which they cleared new land, indicate that their warlike inclinations had gained ground only gradually'[219].

It should be noticed that the primitive peoples had special theatres of war, as did the earlier peoples of Europe, before war became total. Here the place chosen had the character of an arena specially arranged and often between the inhabited areas of the disputants, on the boundary. The early Germanic peoples often indicated the place and time suggested. Sometimes the opposite was done and neutral zones were arranged while the rest of the country was looked upon as dangerous[220].

The feuds of primitive peoples are coloured by the commonest form of conflict in primitive culture, namely, Blood Revenge, which we are right to consider more fully when we realise how universal it is. However, the duty of it is rarely vested in the whole social unit (the clan, the tribe, the nation) to which the offended persons belong: hence it does not give rise to great war expeditions. Blood revenge is more a family institution, but on the other hand no institutional relationship is a close as that of blood. If a member of a family group is injured or offended, especially if he is killed by a member of another family group, not only is the murderer responsible but also the whole group. The law or custom of blood revenge demands satisfaction for every death, this applying in the first place to the nearest relative of the murdered person, who can, however, count upon

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[217] Fletcher and La Flesche, 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethn.*, xxvii. 122.

[218] Powell, 'Indian Lingusitic Families', *ibid.* vii. 39; *cf.* Dellenbough, *The North-Americans of Yesterday*, p. 366.

[219] Holsti, *The relation of war to the origin of the state*, p. 98 sqq; see also Rasmussen, 'Kriegførende Parter og Ikke-Indblanding', in *Berlingske Tidende*, 21. and 22. ii. 1939.

[220] Holsti, *op. cit.* ch. iii.

[221] Smyth, *op. cit.* i. 129, ii. 229 (abor. of Victoria); Curr, *Australian Race*, i. 100 (Australians in gen.).

the latter's other friends. The act which caused the death is at the same time an injury inflicted upon the survivors. The taking of life for life—the law of blood vengeance—may in itself, in a way, serve as compensation.

This law has various aspects. For instance, in Australia if two or more fight and one of them is accidentally killed, he who caused death must also suffer death. But should the offender have an elder brother, then he must die instead of him, or if he has no elder brother, his father must be his substitute. But if he has no male relative to suffer for him then he himself must die. He is not allowed to defend himself.

The solidarity of the group—I am still speaking of the Australians—is revealed by the fact that 'a law prevails, among some tribes at least, which makes it compulsory for the nearest male relative to take the life of one of the tribe to which the slayer belongs'. Even if a man dies a natural death they believe he has been killed by an unseen hand, in which case they resort to divination, to ascertain the tribe from which the slayer came. The avenger is inspired not so much by personal ill-feeling as by the desire to perform a supposed duty, and in that way to maintain his good name among his own people[221]. In West Africa, each family is held responsible by the community for the misdeeds of its members. However unworthy a man may be, 'his "people" are to stand by him, and even claim as right his acts, however unjust'[222].

And we hear that in East Africa 'blood revenge was restricted to the slaying of one person, but it naturally led to further reprisals, and to feuds or open warfare'[223]. To take an example from the Indians, we know that the Jibaro in South America is wholly penetrated by the idea of retaliation, his desire for revenge is an expression of his sense of justice. 'To avenge the blood of a murdered father, brother or son', Karsten states, 'is therefore looked upon as one of the most sacred duties of a Jibaro Indian'[224].

Among the Arabs the duty of blood revenge is predominant among other obligations[225]. The idea of blood revenge appears in the Old Testament[226]. Among the Greeks it was only in the post-Homeric age that it prevailed[227]. In Rome it seems to have been repressed very early[228].

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[222] Nassau, *Fetischism in West Africa,* pp. 4, 19.

[223] Dundas, 'Native laws of some Bantu Tribes', in *Journ. Anthr. Inst.,* li. 236 sqq, xlv.x. 263 sqq. Conc. the Bedouins, see Oppenheim, *Die Beduinen,* p. 28.

[224] Karsten, 'Blood revenge, war ... among the Jibaro Indians, in *Bur. Amer. Ethn. Bull.,* lxxix. 10 sqq.

[225] Wellhausen, *Skizzen und Vorarbeiten,* iii. 193.

[226] *2 Sam.* iii, iv.

[227] Leist, *Graeco-italische Rechtsgeschichte,* p. 50 sq, esp. p. 375.

[228] Mommsen, *History of Rome,* i. 190.

According to the ancient Scandinavian law, when a legal offence had been committed, the injured one could certainly seek his rights from the assembled community, but he could also, alone and on his own responsibility, exact what he considered to be his due. Yet quite early the old northern law tried to limit blood revenge. According to it the murderer had the right to appear before the *Ting* to negotiate with his accuser, and if the first discussions led to no result, he was often allowed to start fresh negotiations, for which the Church was a place of refuge[229].

Quite recently blood revenge was flourishing as a kind of vendetta in Corsica, if it is not doing so to-day[230].

Far from being an expression of the supremacy of brute strength, a sign of constant war against all and everyone, blood revenge indicates a reaction of the self-esteem of more or less sovereign kinship organizations, that is, an expression of a feeling for law and morals, aiming at re-establishing balance among the wronged. Where there was no ruling authority, the individual family and the great family, the tribal group, could influence the matter by a threat of blood revenge; for the very fear of retaliation could have a restraining effect on the passions. It is even possible to see, in the 'clear, inescapable message'—the expression is Gustaf F. Steffen's—of blood revenge, in which the social conscience or the community was collected, a starting point for the law of punishment[231].

As Westermarck states, the duty of blood revenge is in the first place regarded as a duty to the dead, not merely because he has been deprived of his highest good —his life, but because his spirit is believed to find no rest until the injury has been avenged. From one point of view this is a form of human sacrifice[232].

Just because blood feuds made existence so difficult in many ways, the tribes here and there made collective efforts to avoid them, creating artificial relationships by marriage, because there can be no feud between blood relatives. Yet why should the debarring influences of war be restricted to blood revenge?

Besides blood revenge—which as we have seen not infrequently has a magico-religious character—the commonest causes of war seem to be the general feeling of revenge, originating in wounded vanity and jealousy—the offending of a tribe's

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[229] Westermarck, *op. cit.* i. ch. xx.

[230] Gregorovius, *Wandering in Corsica,* i. 176 sqq. According to Westermarck (*op. cit.* i. 479) it existed anyhow in 1908, also in Albania and Montenegro.

[231] Steffen, *Världsåldrarna,* ii. 185.

[232] Westermarck, *op. cit.* i. 481; *idem,* 'The Blood Feud among some Berbers of Morocco', in *Essays to C. G. Seligman,* p. 36 sqq; Tylor, in *Contemp. Review,* xxi. 714.

honour, *e.g.* by being contemptuous of its totem—or the desire for power—the equalizing of losses between tribes[233].

A special form of war for the sake of revenge is that caused by disputes arising from the relations between the sexes: it may be the misconduct of women. 'Intrigues with the wives of men of other tribes is one of the commonest causes of quarrels among the Indians', says Mr. Mayn[234]. But the same thing can be confirmed among many other primitive peoples[235].

Among many savage peoples it is regarded as particularly important to protect women of both sides. They give birth to new generations, who in time will fight or set up friendly relations with each other. Mr. Wheeler states that among the Australian aborigines women and children are not as a rule killed[236]. In Oceania the Fijians show a certain leniency towards women[237]. Ellis, speaking of the Samoans, remarks that only cowards would kill women[238]. The wives of killed enemies were often spared in the Andaman Islands, and the children adopted[239]. The Masai in Africa never attack or kill women[240]. As to the Indians, there are instances to show that women and children were spared, prisoners well

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[233] Lloyd Warner (*A Black Civilisation,* p. 154) says that among the Murngin in Arnhem Land the causes of conflict lay in the killing of clans-men by members of other clans, the interclan rivalry for women, and certainly also blood revenge.

[234] Mayn, *Four Years in British Colombia,* p. 276; *cf.* also Bancroft, *op. cit.* i. 235, 343, 380; Dorsay, *loc. cit.* iii. 312. Friederici (*op. cit.* p. 60 and notes) give as causes of war among the Indians in North America—besides blood revenge—the extension of hunting grounds, the murder of a messenger, or trading agent, the offending of the pipe of peace, the Calumet. See also *Torquemada Monarquia Indiana,* ii. 537; Krickeberg, *loc. cit.,* in Bernatzik, *Die grosse Volkerkunde,* iii. 112.

[235] See Best, 'Notes on the art of war ... by the Maori', in *Journ. Polyn. Soc.,* xii. 13 (Maories); Spencer and Gillen, *Native Tribes of Central Australia,* p. 556 sqq (Australians); Krieger, *op. cit.* pp. 119, 320 sqq, 406, 416 (abor. New Guinea); Sarasin, *Reisen in Celebes,* i. 267 (Toala); Torday and Joyce, in *Journ. Anthr. Inst.,* xxxvi. 49 (Ba-Yaka, Afr.). Conc. war and matrimonial relations, *cf.* Holsti, *op. cit.* p. 85 sqq; McDougall, *Social Psychology,* p. 282; Frazer, *Totemism and Exogamy,* iv. 105 sqq; Westermarck, *op. cit.* ii. 364 sq, 435; Delafosse, 'Coutumes observées par les femmes en temps de guerre chez les Agni de la Côte d'Ivoire', in *Revue d'ethnologie et de sociologie* (1913), p. 266.

[236] Wheeler, *op. cit.* p. 154.

[237] Seeman, *Viti,* p. 180; Steward, *A visit to the South Seas,* i. 289, 317.

[238] Ellis, *Polynesian Researches,* i. 318.

[239] Man, 'On the Andaman Islands', in *Journ. Anthr. Inst.,* xii. 108 sq.

[240] Hinde, *The Last of the Masai,* pp. 6, 64.

[241] Morgan, *op. cit.* p. 344.

[242] Dorsay, 'Omaha Sociology', in *Ann. Rep. Bur. Amer. Ethn.,* iii. 332.

[243] Powell, 'Wyandot Government', *ibid.* i. 68.

treated and adopted or exchanged. The Iroquois[241], Omaha, Powka[242]. Wyandot[243] spared the women. The sparing of enemies applies especially to those who have taken refuge in such places as are recognized asylums[244].

The effect of social bond upon war is found in the custom under which any member of a group nearly related by blood or marriage to persons of another group might, not only during peace, but also in time of war pass with impunity from territories of the one to those of the other and be regarded as a friend of both. Such persons were, especially in Oceania, employed to carry proposals of peace. It is also found in the fact that in acts of violence and death in war persons and families allied by marriage were spared[245].

Women related to opposite parties in Samoa may pass in time of war from one camp to another without let or hindrance, and 'as is proverbially the case with the sex all the world over, they divulge the secrets of both parties'[246].

Concerning the Maori, Mr. Best observes that a person called *Taharua* related to both hostile parties was often spared though living with the enemy and probably caught in arms against the tribe that spared him[247]. Dr. Rivers, referring to the aborigines of the Torres Strait, says that if two men were fighting, certain relatives of either had the power to stop them. Each of them had a *Wadwam* (mother's brother or sister's child), a man who could make him desist from fighting by a mere word or simply by holding up his hand[248]. In Murray Island there was a similar custom[249]. Among the Eskimo in Alaska relatives were neutral when their communities were in conflict[250].

In some cases a neutral practice extended to cultivators of the soil[251], and, as we shall see later, it is not unusual among primitive peoples, particularly large tribes, that war is preceded by something akin to a declaration of war and concluded by a regular treaty of peace and festivals, which later imply some kind of ratification of the peace. Certainly instances are not lacking in which the former enemy was invited to a feast in the other's camp only to be treacherously attacked there[252]. But in general it appears that primitive war was preceded by negotiations

[244] *infra,* p. 230 sq.

[245] Steward, *op. cit.* ii. 350; Vincedon-Dumoulin, *Les îles marquises,* p. 258.

[246] Rowe, *Samoa,* p. 66.

[247] Best, *loc. cit.* xi. 220.

[248] Rivers, in *Rep. Cambridge Ethn. Exp. Torres Strait,* v. 144.

[249] *Ibid.* vi. 100.

[250] Nelson, 'The Eskimo about Bering Strait', in *Ann. Rep. Bur. Amer. Ethn.,* xviii. 329

[251] *Cf.* Hobhouse, *Morals in Evolution,* p. 243; Russel, *Theories of intern. relations,* p. 11

[252] Knocke, 'Blutrache auf der Oster-Insel', in *Zschr. f. vergl. Rechtswissenschaft,* i. 288 Mills, *The Rengma Nagas,* p. 156.

and that the opposite camp was warned of the other's intentions: in any case this seems to have been the custom among many African, Indonesian, Oceanic and Australian Peoples[253]. Spier and Sapir state concerning the Indians in the Columbia River Bassin that 'in an intertribal dispute, it was the duty of the chiefs to meet in council to investigate the case or to meet with foreign chiefs. Should the matter not be settled at this conference, they argued no longer but declared war'[254].

In ancient Rome no war was approved unless it was solemnly announced and proclaimed beforehand. The effect of these war declarations is obviously to give the enemy a chance and is a sort of chivalrous action[255].

It is, on the contrary, modern warfare which is started without discussion. Some examples:

The Russo-Japanese War 1904-05 started with a surprise attack on the Russian fleet by the Japanese on the night of 9th February, 1904. The Hague Convention of 1907 can be regarded as a consequence of this after the second Peace Conference at the Hague. A remarkable case in modern history was a declaration of war, or rather a proclamation of war, by the Government of Paraguay which on the 10th May, 1933 issued a statement that the country was at war with Bolivia. At that time hostilities had been going on for two years. In the League of Nations' Agreement the members undertook certain engagements not to go to war, and in the Briand-Kellog Pact (27th Aug. 1928) the parties concerned condemned as wrong the recourse to war for the settling of international conflicts. The so-called Finnish Winter War began, as is well known, without a Russian declaration of war.

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[253] Hahn, *The Ovambo,* p. 21 sq (Ovambo); Delhaise, *Les Warega,* p. 351 (Warega); Driberg, *op. cit.* p. 106 sqq (Lango); Sarasin, *op. cit.* ii. 140 sq (Toala, Celebes); Thurnwald, *Forschungen auf den Salomon-Inseln,* etc. i. 237 (Solomon Islanders); Muller-Wismar, *Yap,* i. 193 (Isl. Yap); Malinowski, 'War', in *Man* (1920), p. 10 (Melanesians); Mariner, *op. cit.* i. 234 (Tonga Islanders); Williamson, *Essays in Polynesian Ethnology,* p. 23 (Polynesian); Ling Roth, *The Aborigines of Tasmania,* p. 75 (anc. Tasmania).

[254] Spier and Sapir, *Wishram Ethnography,* p. 213.

[255] Fox (*The Threshold of the Pacific,* p. 305 sq) says that in San Cristobal there are two types of war: *Surumac* and *Heremac,* the first indicating the secret morning attack, without a declaration of war, in which neither women nor children were spared, and the latter a fight between traditional opponents. For a milder treatment of prisoners of war, see G. Rasmussen, *loc. cit.* (*Berlingske Tidende* 21-22. iv. 1939); *idem,* 'Kamp, Krig og Fangenskab', in *Nationaltidende,* 23-24. xi. 1938 and 9-11. i. 1939.

From Rome *cf.* the *Fetiales* which after vain attempts at reconciliation between the parties (*clarigato*) considered that the grounds for war were justified (*certa causa*) (*bellum iustum legitimumque*) and as a declaration of the same (*indicato belli*) shot over the frontier an iron lance dipped in blood and with a wooden point (Livius i. 32). Even as late as in the Middle Ages a declaration of war was considered necessary. *Niebelungenlied,* representing the views of the 12th century, advises a 'public announcement', otherwise an attack was treachery. Conc. the causes of modern wars, *cf.* Bernard, *War and its causes,* pass.

Closely connected with consanguinity is common worship. War among savages is sometimes prevented by this factor.

Among the North Australians it is believed that while a totemic emblem is in camp all fighting should cease, and any infraction of the tribal law is considered a direct insult to it and therefore to the clan[256]. In Nukuhiva (Marquesas) priests are always immune[257]. The same thing is to be seen among the Indians of North America. Among the Haidah Indians the duties of members of the same totem were very extensive—although otherwise they might be enemies[258].

Common worship has also led to the custom of forbidding war during religious festivals and of granting safe-conduct to pilgrims. Speaking of the aborigines of North-west Central Queensland, Mr. Ling Roth observes: 'under no circumstances whatsoever is fighting allowed in camp at night, and the whole tribe will see that no infringement of this rule ever takes place; if people want to fight they must go outside and, when necessary, kindle fires to see by'[259]. The Tahitians would not molest an enemy who came to offer sacrifice to the national god[260].

Mr. Curtis says that if an enemy made an attack on a party of moving Crow and killed some of them, the chief regarded it as a sign that he had, for the time being, lost his power with the Spirit. Then he cried out to the old men: 'My people, choose someone to take my place for a time, for my day is bad'[261].

The Law of Manu also enjoins the sparing of non-combatant refugees. Even when the combatants are equally armed the wounded enemies shall be taken car of by the conquerors[262]. Unfortunately we do not know how much this was observed in practice. According to Prutz[263], the Mohammedan law of war expresses 'eine Geist der militärischen Zucht und Ritterlichkeit', which deviates from that of the

[256] Lloyd Warner, *op. cit.* p. 157.

[257] Krusenstern, *Voyage round the world,* i .172; Langsdorff, *Bemerkungen auf einer Reise um die Welt,* i. 179.

[258] Fletcher and La Flesche, *loc. cit.* xxvii. 56 (Omaha); Bancroft, *op. cit.* i. 132 (*cf.* p. 109) (Kutchin); *cf.* Frazer, *Totemism and Exogamy,* iii. 356.

[259] Ling Roth (*Ethn. Studies among the N-W. Central Queensland Aborigines,* p. 14) adds: 'after a fight the victor must show the elders that he had a grievance or he must submit to the same mutilations by the vanquished as the latter received'; *cf.* Spencer, *Principles of Sociology,* iii. 99.

[260] Ellis, *Polynesian Researches,* i. 114.

[261] Curtis, *The North American Indians,* iv. 9.

[262] Schmitthenner, *Krieg und Kriegführung,* p. 376.

[263] Prutz, *Kulturgeschichte der Kreuzzüge,* pp. 34, 41 sq, 68. According to Muhlmann (*Krieg und Frieden,* p. 131), war between the Mohammedans and the Crusaders was

Crusades. Treachery against the enemy, the dying and non-combatants, the destruction of fruit trees, the burning of crops were all forbidden.

In criticiing primitive war we must ask this question: what possibilities has a stranger investigator of judging it? Usually he only sees the end of it. He has heard the reports of the savages, often based on their own fertile imagination, and is exposed to the difficulties of a strange language. Regarding the natives of Australia, Spencer and Gillen point out that mistaken ideas about other tribes may be due to the fact that a community, living isolated from others, may imagine a distant tribe to be cruel and bloodthirsty because they have never been in contact with them, while the truth may be that the tribe in question lives on the most friendly footing with its neighbours[264].

Many customs connected with warlike exploits have been misunderstood by the enquirer because in primitive war external ceremonies are usual. Prof. Karsten has shown that certain customs connected with scalping which may have only a ceremonial significance have been misunderstood or misinterpreted in popular literature. Scalping has, according to Karsten, never been a *general* custom of the Indians, but was restricted to those of eastern North America. Many North American Indians have never taken scalps, and even among those tribes who had that custom it seems that it was not very important before the Europeans arrived. If an Indian tribe succeeded in five or ten years in killing a few enemies or in taking their scalps, it was considered a great feat. As later as the nineteenth century in the eastern mountain tracts large parties of Indian warriors have returned home satisfied and triumphant with one scalp[265].

As has been pointed out one can not overestimate the role that magic and religious motives play in primitive warfare. It cannot be too strongly emphasized that such practices as head-hunting and human sacrifice in the wider sense, not to speak of many of the grosser forms of cruelty among

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carried out originally 'in überaus ritterlichen, man möchte sagen, in übertrieben chevalereschen Formen'.

[264] Spencer and Gillen, *Northern Tribes of Central Australia,* p. 31 sq.

[265] Karsten, 'Naturtillstånd och kultur', in *Nya Argus,* xiii. 65; as regard scalping, see also Friederici, 'Scalping in America', in *Rep. Smithsonian Inst.* (1906), p. 423; *idem, Scalpieren und ahnlichen Kriegsbrauche in Amerika,* pass; Rydén, 'Skalpierung bei den Tobaindianer', in *Etnologiska Studier,* i. 26. 'Dass muss betont werden', says Mr. Herbert Baldus (*Indianer Studier im nordostlichen Chaco,* p. 127), 'dass die Berichte der alten Missionare und Eroberer in dieser Hinsicht masslos ubertrieben sind, teils, um Reklame für ihre eigenen Untersuchungen zu machen, teils um ihre Ruchlosigkeiten für Wohltaten zu erklären. Die Friedfertigkeit der Indianer war der Hauptgrund ihrer schnellen Ausrottung'. Cons. the religious significance of war-trophies, *cf.* Reinach, 'Les thophées et les origines religieuses de la guerre', in *Revue d'etnographie et de sociologie* (1913), p. 211 sqq.

savage peoples, are in most cases the result of the adoption of magical and religious ideas, possibly from a higher culture. 'Organized warfare, brutality and most kinds of violent behaviour are due to the circumstances of civilization and are not found among really primitive peoples, unless they are exasperated by those who enjoy such elements of "culture" '[266]. Even cannibalism must often be regarded more as a magico-religious action than one of physical brutality[267].

Medicine and superstition are conspicuous for inst. in Zulu warfare. Before an expedition sets forth, the King takes medicine into which is put some personal article belonging to the enemy. The belief in the efficacy of this action is so strong that if a chief is obliged to retreat, the floor of his hut is scraped. The doctor who prepared *Tshaka* to go against *Pagatwayo* made cuts in various parts of his body and placed 'medicine' in them. When on a campaign the army is accompanied by doctors who carry bundles of 'medicine' with which to prepare the warriors before they encounter the enemy[268]. Before going to war each warrior among the Kafirs is treated by the doctor with a purgative and an emetic prepared from various plants and roots and administered 'um den Korper des Kriegers zu reinigen und für kommende Gefechte zu stahlen'[269]. Before going out to fight, the warriors of the Wachagga of Kilimanjaro drink a magic medicine which often consists of shavings of the horn and hide of the rhinocerous mixed with beer to impart to them the strength and force of this animal[270].

The Tobas in South America, according to Prof. Karsten, when an attack is planned, assemble their old men (*Eakachi*) and their chiefs (*Alyanek*) every night to deliberate the matter in a special place outside the village. Much algaroba beer is drunk on this occasion in order 'that the deliberations may lead to a happy result'. In the shade of a big algaroba tree the old men invoke 'the good spirit' (*Peyak noin*), so that he may 'give the Warriors victory and protect them in the coming fight'. The younger Toba men perform the dance *Nomi* for several days[271].

The war dances among many primitive peoples aim in general, at getting the support of the gods in the coming struggle and working up the dancers to such a frenzy that they will rush into battle and show no mercy[272].

Among the Polynesians great sacrifices are offered before war is begun so that the gods shall be appeased and work upon *Nuu*—the army. *Oro* was the chief war-god. When war was to begin, Mr. Ellis tells us, a human sacrifice was offered to *Oro*. The image of

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[266] Elliot-Smith, *In the Beginning,* p. 73.

[267] Lowie, *An Introduction to Cultural Anthropology,* ch. xii, esp. p. 219 sq.

[628] Kranz, *Natur- und Kulturleben der Zulus,* p. 99 sqq.

[269] *Ibid.* 96 sq; Shooter, *The Kafirs of Natal,* p. 342 sqq.

[270] Merker, 'Rechtverhältnisse ... der Wadschagga', in *Petermanns Mittheilungen,* cxxxviii. 38.

[271] Karsten, *Indian Tribes of Gran Chaco,* p. 104. Conc. war dances, see also Hambly, *Tribal Dancing and Social Development,* p. 80 sqq.

[272] Havemeyer, *The Drama of Savage Peoples,* p. 157 sq; conc. war dances and war instructions among the Jibaros, see Karsten, *Head-Hunters of the Western Amazonas,* p. 283 sq, where these customs give a rich picture.

the god was brought out and, when the victim was sacrified, a red feather was taken from his person and given to the party, who bore it to their companions, considering it as the symbol af *Oro*'s presence and sanction during their subsequent preparations[273].

Poisoned arrows and weapons are used by primitive peoples also much less than is imagined. Among some they are quite unknown or forbidden. For instance, the Australians have no vegetable poisons[274]. The arrow and spear are not poisoned anywhere in New Guinea[275]. The Batwa in South Africa, according to what Count Eric von Rosen tells me, use poisoned arrows only in catching fish. The Touaregs never poison their arrows and stop fighting after several men have been killed or wounded[276]. The Code of Manu forbade the King to strike with poisoned weapons[277].

In Homer, Odysseus is represented as trying to get poison for his arrows from a man in Ephyre, who would not give it, 'since, of course, he reverenced the ever-living gods'[278].

I have treated these details of primitive warfare rather extensively because they seem to be of great importance for an understanding of intertribal and international relations at the lower stages of civilization.

Conflicts and wars, peace and cultural growth have varied among peoples, even if in so stating it is not necessary to adopt the theory of Mühlmann of a regular rhythm in the process[279] or Dr. Davie's theories[280]. In many places we find just a striving to maintain good neighbourliness and intertribal relations even with more distant groups. And where war does occur, does it not indicate a certain social disposition? If men were wholly unsocial, group cooperation and individual sacrifies for the community could never have arisen. There is a social factor in the thought of creating a league, a union.

As we have seen, the primitive peoples of our day are not extremely warlike, in every case the peripheric peoples are definitely peaceful in character. Added to this, ethnology, as I have shown, knows of a large number of tribes who either are ignorant of war or else war among them is very rare.

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[273] Ellis, *op. cit.* i. 276, 323.

[274] Ratzel, *Volkerkunde,* ii. 55, 80.

[275] Finsch, *Samoafahrten,* p. 78; Codrington, *The Melanesians,* p. 307.

[276] Letourneau, *La guerre,* pp. 81, 261 sq. Conc. South American Indians, see Santesson, 'Pfeil- und Fischgift aus Kolumbien und Ekuador', in *Etnologiska Studier,* ii. 88 sqq (*cf. ibid.* ii. 5); Santesson and Wassen, 'Some Observations on South American Arrow-poissons and Narcotics', *ibid.* iii. 330; Karsten, 'Arrow-poisons and Narcotics in Western Amazonas', *ibid.* ii. (Wassén, *ibid.* i.).

[277] Buehler, *Manu,* vii. 90.

[278] Tylor (*Anthropology,* p. 221 sq) mentions this case, which is the only one poisoned arrows in Homeros, as an instance of the amelioration of war methods. (*Cf. Odyssey,* i. 260-263); Sophocles, *Aias,* 1120 sqq.

[279] Mühlmann, *op. cit.* p. 187 sqq.

[280] *Cf.* Davie, *The Evolution of War,* pass.; Moore, *Savage Survivals,* pp. 71, 107.

Warfare as such, *i.e.*, organized warfare, is no doubt not customary among primitive peoples. When war occurs it is abviously more of the nature of robbery and plundering raids. The simplest communities do not organize war, and war for expansion is relatively rare in the primitive world. I have tried to show that warlike complications on lower planes of culture often originate in a dispute over hunting or fishing grounds, over question of women, and not so much in a struggle for political power as is the case on higher planes of civilization.

Further, we have found that peaceable relations dominate among the primitive, wandering peoples, the food-gatherers, the fishing and hunting tribes. The rather peaceful character of such peoples is usually confirmed by their traditions and legends which often forms a rich ethnological treasure-house. Instead of spending their days in fighting they live peaceful lifes when undisturbed. They seldom use violence in their personal relations and they do not fight as communities. Savages do not usually live at odds with their neighbours.

Later ethnological and sociological research appears to have reached the conclusion that war on the lower planes of culture did not play the dominant role one has been inclined to ascribe to it. Rather was it confined to certain small, tribal groups and was far from being a permanent institution. It also appears that even though some peoples, such as the North American Indians and certain natives of Africa, have warlike qualities, others need to have theirs roused by scorn, by the appeals of kinsmen, by exhortation, by the fear of punishment, by promises of reward, and by superstitious beliefs, or by other considerations such as duties, and finally by careful preparations and special rites and customs in connection with the opening and carrying on of hostilities. Moreover, primitive man, relying on superstition, has often avenged injuries in a non-warlike way.

As regards the 'ancestors' of the primitive peoples now living, it may reasonably be asked with Frank M. Russel[281], à propos the war theories which have been so vigorously challenged in recent years: how can it be known with such certainty and precision what man was like several thousand years ago, since no actual evidence is available? On the other hand, the theories of the warlike character of prehistoric man have in certain respects been indirectly disproved. His nearest animal relatives, the anthropoid apes, are not combative by nature. The study of the artifacts of the Palaeolithic Age fails to reveal any definite signs of human warfare, and a critical analysis of the occupations of that period shows that the minds of the people were intent on their food supply and on art which was, itself, probably connected with the means of subsistence.

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[281] Russel, *Theories Intern. Relation,* p. 6; Nasmyth, *Social Progress and the Darwinian Theory,* p. 147; Perry, *Children of the Sun,* p. 154; *idem, Growth of Civilization,* p. 195.

The prehistoric food-gatherers of Europe, the men of the Stone Age, do not seem to have been very much concerned with combats. Outbreaks of violence occurred, but not often enough to cause people to make special fighting weapons. The warlike tendencies begin in the Bronze Age. The earliest pre-dynastic Egyptians were evidently very peaceful. The first settlements at Susa and Anau have yielded evidence that their inhabitants were peaceful. In historical times in the ancient East mankind underwent a gradual education in the art of war. Among the Egyptians war began later.

Archaic civilization seems to have spread into countries inhabited by relatively peaceful food-gatherers, which accords with their apparently 'industrious' nature. As Perry says, 'Men engaged in mining for gold would be more interested in that than in war'. Moreover, such settlements would be so sparsely populated that a pretext for war could hardly exist[282]. The early Toltecs were not warlike[283]. Brinton ascribed peaceful qualities to the Maya, 'an ancient race of mild manners'[284]. According to Davis the Conquistadores found the Pueblo Indians 'numerous and powerful, living a peaceful and happy life in their villages'[285]. The Najabos have 'ever been known as a pastoral and peaceful race of men'[286].

To sum up: judging from the instances quoted we may lay down the rule that savages at a low stage of civilization rarely regard war as a means of looting, still less do they aim at permanent conquest. They wage war to settle their disputes, to take revenge for wrongs, real or imagined, inflicted on them.

Even in the many cases when war has united different groups of people, the union has often been loose and superficial. At Ratzel says, it is the multiplication of the cell into a cellmass, instead of its growth into an organism[287]. Gumplowicz also admits that 'the conquest of men does not bring about any lasting consolidation until all peaceful ties of international union have called forth a strong social consolidation'[288]. And does not the very fact that primitive man has always been and still is exposed to all kinds of danger and that primitive societies have not only survived but have developed into states prove that to early man society has given enough protection to allow survival and progress?

If primitive war had really been so universal and general as some writers and investigators like to assume, if war had ravaged to such an extent, it seems almost

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[282] Perry, *Children of the Sun,* p. 161.

[283] Clavigero, *op. cit.* i. 86, 88.

[284] Brinton, *American Hero-Myths,* pp. 35, 145.

[285] Davis, *El-Gringo, or New Mexico and her People,* p. 132.

[286] *Ibid.* p. 411.

[287] Ratzel, *Volkerkunde,* i. 130.

[288] Gumplowicz, *Die sociologische Staatsidée,* p. 416.

a miracle that so large a number of peaceful people could be found at the time of the European discoveries. This circumstance ought to give a reason for consideration to those researchers who have laid the chief stress upon the warlike character of primitive man and transferred to them the developing tendencies of later history. I ask myself if not some of the American anthropologists have used the literature some what onesidely. They see no reason to refer for inst. to Dr. Holsti's detailed investigations of war among primitive men. It is easy to criticize the conclusions Holsti draws about the relation of war to the rise of the state, but his documentation of war at the primitive stages of culture cannot be wholly ignored. Can it have escaped the notice of Davie and his colleagues that Havelock Ellis in *The Philosophy of Conflict* characterizes Holsti's inquiries as 'doubtless the most important summary of facts and conclusions we possess on this long-debated question', or that prof. Karsten—to mention only two Finnish sociologists—who has a solid knowledge of the Indians of South America states that most primitive peoples do not go to war[289].

There are undoubtedly many, as Perry says, who while agreeing that violent relations between communities may have been uncommon in the early stages of civilization, would insist that violence may always have characterized personal relations. But with the same writer[290] we can state that 'it is dangerous to dogmatize about such a matter as this'. Reasons can be adduced for the contention that violent behaviour must formerly have been practically non-existent in human society, that is, the relations between the individual and society must have been predominantly peaceful. The development of mankind towards greater bellicosity has most certainly followed many paths.

But although war played a prominent part among many ancient peoples, and although the warriors of the Old Testament exhibit relentless ferocity, yet among the 'historical' inhabitants of the East and of the classical Mediterranean, the ancient Teutons even those of ancient Scandinavia, there arose an ideal of peace, partly under the influence of religion, but still more markedly in the ethics of the School of Confucius, whose most distinguished disciple, Mencius, is unsparing in his denunciation of militarism[291].

In all parts of the world the story is the same—that of increasing violence. As Russel state, the wars of civilized societies are from this point of view reversions

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[289] Holsti, *op. cit.* p. 77 sqq; *idem,* in *Festskrift tillegnad Edw. Westermarck,* p. 137. Havelock Ellis, *The Philosophy of Conflict,* p. 51; Karsten, 'Naturtillstånd', etc. in *Nya Argus,* xiii. 65. Landtman (*The Inequality of Social Classes*) seems to share the onesided conception of primitive war.

[290] Perry, *Growth of Civilization,* p. 192.

[291] Hobhouse, *Social Development,* p. 294.

to a primordial animal-human type of behaviour. They allow the desired relaxation from the restraints of civilization. Whenever the restraints of civilization are removed, fighting breaks out with the slightest stimulus[292].

War in the sense of organized violent behaviour between communities grew up in consequence of certain social institutions, particularly with the class system. To a certain extent Christianity introduced into Europe a higher regard for human life than that prevailing in pagan societies, even though a gradual change took place from the peaceful tenets of the primitive Church to the essentially military crusade, before the Church in the Middle Ages and the beginning of modern times encouraged the warlike spirit by sanctioning war as a divine institution.

The picture of war as the prevailing condition of intertribal relations thus do not seems quite consistent with the facts. In so many cases these relations appear to be peaceful. It thus seems to me that in sociology and history too much attention is paid to war as an occupation of savages; in too many instances we find efforts to reach and maintain peaceful contacts. The simplest communities have no war and there is even a certain kind of chivalry among savages. Instances of a declaration of war, through messengers or in some other 'diplomatic manner' prior to attack, of the use of intermediaries, recognized customs of truce and peace-making are to be found among many of them; often some days must elapse between a quarrel and open warfare. Genuine religious war is absent or very rare among the uncivilized, everywhere there is a tendency towards peace and relations. And whether it is the result of regulated, and at least partially amicable, intertribal relations, or of the beneficial influence of magic or religious power, the fact remains that the very existence of such unwarlike tribes and nations is a striking contradiction to the one-sided image of many writers who lay exaggerated stress upon the warlike character of primitive conditions.

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[292] Russel, *op. cit.* p. 5; *cf.* 96 sqq.

Chapter III

Stranger and Guest

The first intertribal rules, as we have seen, bear upon private individuals in their capacity of strangers and guests. Primitive men living mostly in small groups, it is natural that social feeling in the beginning is chiefly concerned with the narrower circles of such groups: the family, the clan, the group-tribe, the tribe.

Many peoples and tribes call themselves by appellations signifying nothing less than *man,* as distinguished from the rest of mankind, whom they regard as a lower kind of species. This may also be due to the fact that savage peoples, whose speech has no room for abstractions, are unable to connect the idea of man with any given locality: we are men, others are savages or mysterious beings or something else, this may be how primitive man often reasons. The tribal name *Narriniery* in Australia is said to mean 'belonging to man'[1]. The Malayan *Orang* means man, as does the name of *Hos,* a branch of the Kols in Bengal, which name is used as distinct from animals or 'brutal persons'[2]. The egocentricism of North American Indians is manifested in the tribal names, most of which, as applied by the tribes to themselves mean 'people' or 'real people', and, as applied to outsiders mean 'eart-eathers' or something similarly derogatory[3]. The Kabyls regard all who live beyond their frontier as enemies[4]. The Bakete and Baluba in Africa refused all friendly advances made by neighbouring tribes[5]. Schweinfurth observes rather too sweepingly that in Africa there is a total lack of wholesome intercourse between races[6]. We know that even to the ancient Greeks and Romans all strangers

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[1] Taplin, in Woods, *Native Tribes South Australia,* p. 1.

[2] Dalton, *Descriptive Ethnology of Bengal,* p. 178.

[3] Hodge, *Handbook American Indians* (*Bur. Amer. Ethn. Bull.* xxx), i. 147, 246, 270, 520, 739, 805, ii. 104, 211, 214, 326, 712, 723, 921, 1007.

[4] Hanoteau and Letourneux, *La Kabylie,* ii. 141.

[5] Wissmann, Wolff, *Im Innern Afrikas,* pp. 208, 277.

[6] Schweinfurth, *Im Herzen v. Afrika,* i. 200.

appeared long as barbarians. The Latin *Hostis* originally used to denote a foreigner: *Hostis enim apud majores nostros in dicebatur quem nunc peregrinum dicimus*[7]. Judaism set all outsiders down as heathens and idolaters, enemies of Jahweh, the one God. As late as at the end of the Middle Ages the position of a stranger was, in many countries, far from enviable. Even if he was allowed his freedom and his property, his surviving family was deprived of this property at his death. Strangers were forbidden to inherit as well as to transmit property. For a long time it was the custom in Europe to confiscate their effects at their death[8].

Various peoples have the reputation of attaching but little importance to human life, nor can it be denied that strangers are sometimes treated accordingly. They are regarded as enemies. The killing of an alien is not looked upon as murder, but regarded as a meritorious act, whereby the number of the enemies is cut down[9]. The stranger has no rights and is a creature to be feared and detested. Such ideas, however, are more characteristic of those parts of the population which live far from other tribes; in frontier districts they are less marked[10]. In the opinion of many tribes it is a disgrace, not to say a crime, to marry a member of a race different or inferior to one's own; and often every form of sexual intercourse with strangers is forbidden. Among the Wachagga, a woman marrying a stranger would incur the penalty of death[11], and the Khonds in India prohibited their women to marry even such strangers as had been adopted into the tribe[12].

In the primitive world a stranger has no right to settle among foreign tribes

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[7] Socrates, *Rep.* v. 470; Platon, *Leges,* v. 729, ix. 879, xii. 949 sqq; Aristoteles, *Rep.* ii. 375, *Pol.* iv. 7; Cicero, *De off.* i. 12.

[8] *Cf.* Westermarck, *The Origin and Development of the Moral Ideas,* ii. 49; Birket-Smith, *Kulturens Veje,* ii. 11.

[9] For special instances of the indifference of savages to human life: Curr, *Australian Race,* i. 64, 85; Gason, in Woods *op. cit.* pp. 265, 258 (Austr. natives); Williams and Calvert, *Fiji,* p. 115; Codrington, *The Melanesians,* p. 345; Seligmann, *Melanesians Br. New Guinea,* p. 569; Thomson, *Savage Island,* pp. 94, 104; v. Pfeil, *Studien aus der Sudsee,* pp. 47, 76; *Rep. Cambridge Anthr. Exp.* v. 277 sq; Sorge, in Steinmetz, *Rechtsverhältnisse,* p. 414 (Oceanians and Melanesians); Junghuhn, *Die Battalander auf Sumatra,* p. 109 (Bataks on Sumatra); Scott Robertson, *The Káfirs of the Hindu-Kusch,* p. 194; Dalton, *Descr Ethnology Bengal* (Savage peoples in India); Schweinfurth, *Heart of Africa,* i. 286 (Bongo); Wilson and Felkin, *Uganda,* ii. 310 (Gowane); Tuckey, *Exp. to Explore River Zaire* p. 383 (Congo natives); Coxe, *Russian Discoveries betw. Asia and America,* p. 257 (Aleuts of Unalaska); Krasheninnikoff, *Hist. Kamchatka,* p. 204 (Kamchatka natives). *Cf.* Strabon vii:iii, 6 sq (Scythians on the Euxinr).

[10] Westermarck, *op. cit.* i. 328 sqq; *idem, Ethical Relativity,* p. 199.

[11] Kohler, 'Das Banturecht', in *Zschr. f. vergl. Rechtswissenschaft,* xv. 61.

[12] Macpherson, *Memorials Service in India,* p. 69; *cf.* also Tellier, in Steinmetz, *op. cit* etc. p. 143 (Kita).

without the permission of the chief or the king of the tribe[13]. A stranger cannot be admitted, even as a silent witness, to take part in religious rites, since he may be endowed with powers of an evil significance[14].

Certain savage peoples are in the habit of leaving strangers, who have died in their country, unburied[15]. In ancient Greece strangers were long without legal rights, as they were in the Germanic world. In Greece and Rome, and still in mediæval Europe a foreigner was incapable of possessing land[16]. And when strangers were made prisoners, they were seldom treated well.

Yet the same tribes and peoples who grant no rights to the stranger usually treat their own tribesmen quite differently. Westermarck has shown that in primitive societies custom prohibits homicide within as certain radius, and that savage peoples carefully distinguish between an act of homicide committed within their own community and one whose victim is a stranger[17]. In many cases custom disapproves of the former, whereas the latter is not only permissible but may even be regarded as praiseworthy[18]. Scott-Robertson says, speaking of the Hindous, that the mere killing of an individual is a small matter, provided that he does not belong to the tribe, or to some tribe with which peaceful relations are maintained, for in the latter case the affair might result in war[19]. Among some North American Indians it was permissible to scalp members of hostile tribes, but criminal to apply the custom to tribesmen[20].

In connection with these facts it may be pointed out that mendacity towards strangers is not always considered reprehensible. A people or a tribe may scrupulously adhere to a promise given among themselves, whereas it is not obligatory to keep one's word to a stranger. And whilst intratribal theft is forbidden among many primitive peoples, extratribal theft is often permissible and robbery committed on a stranger may be actually praiseworthy[21].

A similar distinction is made with regard to other bodily injuries. Westermarck has shown that the right to bodily integrity is influenced by religious as

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[13] Ellis, *The Ewe-speaking tribes,* p. 227.

[14] Hartland, *Primitive Law,* p. 118; *cf.* Morgan, *Ancient Society,* p. 341.

[15] Westermarck, *op. cit.* ii. 525, and notes.

[16] Thucidid, I, 5; Goldschmidt, *Handb. des Handelsrechts,* 3, p. 120 sqq; Plinius, *Nat. Hist.* xxxiv. 23-24.

[17] Westermarck, *op. cit.* i. 331.

[18] Curr, *Australian Race,* i. 64 (Australians); Codrington, *The Melanesians,* p. 345 (Melanesians); Williams and Calvert, *op. cit.* p. 97 (Fijians); Dalton, *op. cit.* p. 40 (Nagas of Assam); Gibbs, in *Contr. N. American Ethnology,* i. 192 (N. American Indians).

[19] Scott-Robertson, *op. cit.* p. 194.

[20] Domenech, quoted by Westermarck, *op. cit.* ii. 525.

[21] Westermarck, *op. cit.* ii. 20 sqq, 58, 87 sq, 90.

well as national feelings. 'While little regard is paid to the liberty of strangers, custom everywhere, as a rule, forbids the enslaving of tribesmen'. Intratribal slavery, the author adds, is a question not only of economic but of moral concern, while extratribal slavery originally depends upon success in war[22].

Many cannibals restricts themselves to eating strangers, slain enemies, or captives taken in war, whereas others eat their own people in preference to strangers, or are exclusively endo-anthropophagous[23].

Yet primitive tribes do not always submit strangers to a treatment different from that accorded to their own people; even in very early stages of civilization we find peoples to whom homicide or murder is hardly known, and in any case abhorrent. There are tribes who do not permit marriage, or even temporary relations to strangers, but we also find primitive peoples willing to admit into their membership the man who is allowed to marry one of their women, or who 'makes brothers' with one of their men. Not infrequently a man married to a woman of a foreign tribe is allowed to pass between the two territories unmolested, even in time of war. And sometimes the fraternity is maintained although the 'brothers' belong to groups hostile between themselves; for they are, at the same time, members of a larger unity, to which the enemy also belongs. In certain countries the women of groups making war upon each other may pass in safety from frontier to frontier, as may priests, medicinemen, 'holy' men and other persons engaged in religious rites. Occasionally this protection is conferred in the form of a taboo[24].

It is clear that within the group, the tribe, peace is necessary for cooperation in carrying on the struggle for existence, but quite soon intergroup relations begin. I cannot agree with Davie when he says that 'in general the more primitive and undeveloped the group, the greater is the hostility and the fewer are the restraining influences'[25].

Little by little the circle widens so as to comprise also men engaged in social observances: traders, messengers, envoys. Members of tribes with the same totem are generally well treated even if they should be strangers in other respects, the totem representing a kind of brotherhood, irrespective of all distances. In parts

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[22] *Ibid.* ii. 520, 674 sq.

[23] *Ibid.* ii. 554.

[24] Angas, *Savage Life,* ii. 115.

[25] Davie, *The Evolution of War,* p. 196. The role of inhibition in primitive societies has as Webster has shown (*Taboo,* p. 378) always been extensive and the 'thou-shalt-note' the most imperative taboo. While the conception of taboo has been widely held, only among comparatively small groups has it developed into an allprevoiding system of negative regulations. *Cf.* Frazer, 'Taboo', in *Encycl. Brit.* (ix. Ed. 1888, xxiii. 15 sq, reprinted in *Garnered Sheaves*).

of New Guinea and in the western islands of Torres Strait, a stranger from a hostile tribe can safely visit villages where the clan of his *Nurumara*-totem has a strong position, and visitors from other tribes are fed and lodged by members of the *Nurumara* to which they severally belong[26]. Among the islanders of the D'Entrecasteaux Archipelago of Papua, south-east of New Guinea, a friendly distinction is made between the public and the private foe, the *hostis* and the *inimicus*. Within the district, often too within a number of districts, especially those which adjoin one another, quarrels were settled by the system of compensation or placation, and normal relations were of the most peaceful and friendly character. But the public enemy had no social rights[27]. A stranger among the Australian tribes can be furnished with temporary wives by various tribes with whom he sojourns on his travels, his right to these women being recognized as a matter of course[28].

Among certain nations strangers are distinguished to the degree of being sacrificed to the gods. This distinction, for such it seems to be from a religious point of view, is however, mostly conferred on prisoners or slaves. The latter are usually aliens, the protective god being dissatisfied with the sacrifice of his own people[29]. Chiefs of tribes or group-tribes may grant special privileges to strangers who have no relatives or protectors within the tribe in question. The judicial authority of the Basuto chief also includes power to ensure justice for foreigners and to individuals who, having no relations, are deprived of their natural defenders and avengers[30].

Commercial interests, as we shall see later on, have been strong enough to create peaceful relations between societies, states and nations. Livingstone tells us that the usual way of approaching an unknown people is to call out in a cheerful tone: '*Malonda,* things for sale, or do you want to sell anything'[31]. Especially when a tribe became a nation, the ties of kinship lost much of their compelling and restraining power, even if the old feeling against strangers persisted a long time. This feeling is, again, strengthened by the rise of nationalism.

Yet even primitive experience shows that society and its interests will profit more by protecting strangers than by killing them; for it may be advantageous to

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[26] Haddon, *The Head-Hunters,* pp. 103, 135; *idem,* in *Report Cambr. Anthr. Exp. to Torres Strait,* v. 161, 189.

[27] Jennes and Ballantyne, *The Northern D'Entrecasteaux,* s. 82 sq.

[28] Fison, Howitt, *Kamilaroi and Kurnai,* p. 53 sq; Brough Smyth, *The Aborigines of Victoria,* i. 191; Frazer, *Totemism and Exogamy,* i. 63.

[29] Ellis, *The Tshi-speaking Peoples,* p. 170; *cf.* Westermarck, *op. cit.* i. 476.

[30] Casalis, *The Basutos,* p. 226.

[31] Livingstone, *Narrative of an Exp. to the Zambesi,* p. 434.

enter into relations with foreign tribes, to exchange goods and to make protective alliances. Magic and religious motives amalgamate with practical experiences.

The treatment of a stranger thus varies greatly in savage societies. Sometimes the stranger certainly has but little protection to look forward to on settling among a foreign tribe. His position, however, becomes very different when he appears as a guest. Primitive hospitality may, indeed, be subjected to various restrictions, and the guest may be required to give proof of his peaceful intentions, before he is granted a friendly reception. But this done, he is treated with every mark of honour and is sure to find food and shelter as long as he chooses to remain with his host. Occasionally it is the custom to extend this kind of courtesy even to an enemy. Sexual privileges are also included in primitive hospitality. Among many tribes it is quite customary for a man to place his wife, or one of his wives, at the stranger's disposal for the time he remains his guest. According to Malinowski, this obligation was more strictly observed in olden times, when fear and distrust of strangers caused the guests to be fewer and more carefully selected. Speaking of the North-West-Melanesians Malinowski says: 'I am told that it was then considered the duty of a girl from the village to act as the stranger's partner for the night. Hospitality, curiosity and the charm of novelty would make this duty perhaps not very arduous'[32].

At least on certain occasions it, as mentioned, seems necessary for the guests ceremonally to purge themselves of the taboo attached to them as strangers. This is done in a variety of ways. A Somali host for inst. simply establishes a sort of temporary kinship with the guest by spitting in his right hand and rubbing the saliva on the guest's forehead. Once received into the community the guest is formally regarded as a child of the tribe[33]. Among many Australian tribes the clan which has introduced a stranger is responsable for his conduct[34]. In the Fiji Islands a specially appointed herald shall first examine the friendly disposition of the guest[35]. Among other islanders a benevolent reception may be procured by means of an introduction. In the Andamanes, for instance, a stranger is not allowed to enter a district unless accompained by a native. The escort may even consist of females. But he will be welcomed if introduced by a mutual friend[36]. Among the Naga in

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[32] Malinowski, *The sexual life of savages,* p. 219; conc. the strangers marital priviliges with the wife of her husband, see Spencer and Gillen, *Native Tribes C. Australia,* p. 101 sq, *idem, Northern Tribes,* p. 140; Howitt, *Native Tribes S.E. Australia,* pp. 224, 258; Wheeler, *The Tribe,* p. 106 (Australians); Westermarck, *op. cit.* i. 162, 217, 228 sq (gen. ref.).

[33] Westermarck, *Ritual and Belief in Morocco,* i. 537 sqq; Paulitschke, *Ethnographie Nordost-Afrikas,* i. 246. When the guest departs he receives a valuable gift (esp. among the Oromo), *ibid.* i. 246.

[34] Fison and Howitt, *Kamilaroi and Kurnai,* pp. 192, 222.

[35] Hocart, 'Fijian Herolds', in *Journ. Anthr. Inst.* xliii. 109 sq.

[36] Man, *Abor. Inhabitants Andaman Islands,* pp. 26, 46, 80.

Northern India women are usually hired to act as escorts. An individual thus protected is said to be *taboo* and his person is, to a certain degree, held inviolable[37].

Sometimes the host gives his staff to the guest to be used as passport; this custom occurs in East Africa[38]. The gifts exchanged between chiefs and kings passed for tokens accrediting the persons who carried them [39].

In Greenland, esp. Westgreenland, when guests arrive in a strange place, they should keep at some distance from the beach, until invited to step ashore. It is impolite to enter unbidden in the house of a stranger, nor is the guest permitted to begin eating, and in the evening he must retire after the host and hostess. The Polar Eskimos never invite anybody, for fear lest the invitation should be declined. A visiting guest frequently brings small presents to his host[40].

The *σύμβολον* of the Greeks, and the *Chirs aelyhoths* of the ancient Celts were similarly used[41].

In connection with the messengers and envoys we shall have an opportunity of speaking more fully of the introduction of the visitors.

According to Westermarck who has made a very thorough study of the sociology of the strangership, h o s p i t a l i t y a s a n i n s t i t u t i o n occurs among most primitive peoples not depraved by so-called higher civilization. It is regarded as a duty of the first order and has always been closely associated with religion[42]. The fact that the stranger, who under other circumstances is treated as an inferior being or a foe, enjoys extraordinary privileges as a guest, is not solely due to his helpless condition. He is regarded as a bearer of news and tidings, and in this capacity he is a welcome guest in every place where communications are slow and infrequent. Yet in early stages of civilization this comes in: the stranger is supposed to bring on blessings more powerful than those enjoyed at home. At the same time he is regarded not only as a potential benefactor but as a potential source of evil. He may carry with him disease or ill-luck. He is commonly believed

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[37] Hodson, *Nāga Tribes,* p. 115; conc. the Chuchkee in Sibiria, see Czaplicka, *Aboriginal Siberia,* p. 65.

[38] Muntzinger, *Ostafrikanische Studien,* p. 384.

[39] Grierson, in Hastings, *Enc. Ethics and Religion,* xi. 890, note 11.

[40] Dalager, *Grønlandske Relationer,* p. 41; Birket-Smith, 'Ethnography of the Egedesminde District', etc. in *Meddelelser om Grønland,* ixvi. 393.

[41] v. Ihering, 'Die Gastfreundschaft im Altertum', in *Deutsche Rundschau,* ii. 387 sqq. The consulship in the Middle Ages supplied the stranger's need of a protector (*cf.* Monceau, *Les Proxénies grecques,* p. 106 sqq, quoted by Hamilton-Grierson, in Hastings, *op. cit.* xi. 893) and was offshoot of the institution of hospitality (*cf.* Schrader, *Handelsgeschichte,* p. 2). Some laws stipulated hospitality: *Lex Burgundia* for inst. (Grimm, *Deutsche Rechtsalterthümer,* p. 399; *Havamal,* p. 40). See also *supra,* p. 231, the right of asylum.

[42] Westermarck, *op. cit.* i. ch. xxiv; *idem, Wit and Wisdom in Morocco,* ch. xii; Grierson, in Hastings, *op. cit.* ix. 883; v. Ihering, *loc. cit.* ii. 382.

to be versed in magic and, as a worshipper of unknown gods, to be able to exercise a supernatural influence. According to early ideas he is himself something of a supernatural being, his blessings are particularly effective, and great benefits may be expected from his love[43].

Sometimes the guest may stay with the foreign tribe as long as he likes; generally, however, he is supposed to make an end to his sojourn within a fixed time. On departing he receives gifts and is often escorted to the frontier. But among many peoples there is a limit for the hospitality.

'No traveller among Arabic-speaking peoples', Westermarcks says, 'can fail to notice the contrast between the lavish welcome and the plain leave-taking'. The profane greetings mean that the stranger will be treated as a friend and not as an enemy; and it is particularly desirable to secure his goodwill in the beginning, since the first glance of an evil eye is always held to be the most dangerous. Westermarck thinks that the extreme regard shown to a guest, and the preference given to him in every matter, must, in a large measure, be due to fear of his anger, as well as to hope of his blessings. Even the peculiar custom which requires a host to lend his wife to a guest becomes more intelligible when we consider the supposed danger of the stranger's evil eye or his curses as and the benefits which may be supposed to result from his love[44].

Prof. Westermarck having collected and illustrated an extensive material concerning the universal prevalence of hospitality and the varying character thereof, I shall only add a few instances which are of particular interest while throwing light upon the connection of hospitality with intertribal and diplomatic relations.

In Australia a foreign tribe is often invited to another tribe by members of a third tribe known to both, who, to a great extent, are responsible for the persons introduced. The visitors are welcomed with various ceremonies[45]. Among the Pacific islanders an exchange of names constitutes the strongest pledge of friendship,

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[43] Frazer, *The Golden Bough,* i. 298 sqq; Westermarck, *op. cit.* i. 584 sqq; Marett ('Is Tabu a negative Magic', in *Anthr. Essays to Tylor,* p. 233) adopt the view that the stranger is inherent taboo. *Cf.* also Spencer and Gillen, *Northern Tribes C. Australia,* p. 31 sq; Curr, *Australian Race,* i. 50; Fison and Howitt, *op. cit.* p. 259 (Australians); v. d. Steinen, *Unter den Naturvolkern,* p. 232 sq (Brazilians); Dodge, *Our Wild Indians,* p. 119 (North American Indians).

[44] Westermarck, *op. cit.* i. 592 sqq. *Cf.* also the *ius primae noctis* accorded to priests in primitive societies. As an eloquent instance of the obligation of hospitality we may certainly mention that observed in the Mohammedan world, the belief in the *'ar* and the compulsory sanctity this conception implies, *cf.* Westermarck, *'"L-'ar",* or the Transference of Conditional Curses in Morocco', in *Anthr. Essays to E. B. Tylor,* pass.

[45] Brough-Smyth, *op. cit.* i. 134 sq; Fison and Howitt, *op. cit.* p. 222.

each of the parties being bound to support and protect the other, and to permit him to share in the most intimate rights[46].

The Khârias in Northern India, west of the Golf of Bengal, have special songs, expressing the tribal fellow feelings and the hospitality of the tribes for strangers[47]. Vámbéry tells us that in some cases the Kara-Khirghiz have preferred being harassed with war by the Chinese to surrendering to them such Chinese fugitives as have sought and received their hospitality[48]. Among the Kabyle in Northern Africa hospitality to strangers is a 'sacred' duty. Burckhardt says that among the Aenezes 'a violation of hospitality by the betrayal of a guest has not occured within the memory of man'[49]. Among the Kands, Macpherson states, 'a guest is to be considered before a child'[50]. *Moeng, xoroxa dijô di a bonalî,* cry the Tswana, a Bantu tribe, when they see strangers arrive, meaning that the comers at once to be provided with food. At tribal festivals there is always a number of uninvited guests, but some pots of beer and some platefuls of meat are invariably set aside for them[51]. Among the Lambas in Northern Rhodesia 'where hospitality is almost proverbial', the traveller can go from one end of the country to the other with no provision for the journey. He will have shelter and food provided gratis wherever he needs to spend the night[52].

Among South and North American Indians hospitality was prevalent and connected with 'diplomatic' etiquette. A Creek Indian, for instance, would not only receive into his house a traveller or sojourner of whatever nation or colour, but would treat him as a brother or as his own child, divide with him the last grain of corn or 'piece of flesh, and offer him the most valuable things in his possession'[53]. Hospitality, beneficence, and kindliness were virtues inculcated in all

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[46] Waitz, *Anthropologie der Naturvolker,* vi. 130 sqq, 622; Williamson, *Essays in Polynesian Ethnology,* p. 165; Ellis, *Polynesian Researches,* iii. 124. This custom is also found in the Antilles (*ibid.* iii. 388), in the Islands of Torres Strait (*ibid.* v. 622), among Australian tribes (Angas, *op. cit.* i. 59), among the Mohawk Indians (Colden, *History Five Indian Nations,* i. 11). Conc. the interesting hospitality in the Nissan Islands in the Bismarck Archipelago, see Sorge in Steinmetz, *Rechtsverhallnisse,* p. 416, and among the Pygmies on New Guinea, Rawling, *The Land of the New Guinea Pygmies,* p. 117.

[47] Roy and Roy, *The Khāriās,* ii. 501.

[48] Vámbéry, *Das Turkenvolk,* p. 268 (Turkomans).

[49] Hanoteau and Letourneux, *La Kabylie,* ii. 61 sq; Burckhardt, *Bedouins and Wahábys,* pp. 100, 192.

[50] Macpherson, *Memorials of Service in India,* p. 65.

[51] Schapera, *Bantu-speaking Tribes,* p. 167.

[52] Doke, *The Lambas,* p. 126; see also Smith and Dale, *The Ila-speaking Peoples,* i. 295, 308, 364 sq, ii. 312.

[53] Bartram, 'Creek and Cherokee Indians', in *Transactions Amer. Ethn. Society,* iii., pt. i. 42; conc. South American Indians, see Max Schmidt, *Indianerstudien,* p. 432 f; Koch-

the tribesmen of the Plain, and required of chiefs or warriors of high honour[54]. Dorsay says that 'when strangers came to visit the Omahas, or when the latter visited another tribe, presents were given both parties, generally consisting of horses. But there was no commerce as we understood that term'[55].

The wild Karens will receive a guest 'with grace and dignity and entertain him with a lavish hospitality that would become a duke'[56].

Even among hunting peoples, as primitive as are the Damas in South West Africa, travellers can count upon special privileges. The chief of the camp will inquire for the object of the strangers' journey and for their wishes. This courtesy is extended even to the Namas and San-Bush tribes, with whom the Damas are not on friendly terms but whom they treat well for reasons of precaution. The strangers are shown to special huts, victuals and women are placed at their disposal, and they are allowed to stay as long as they want to attend the chases of the tribe[57].

The obligations of hospitality were conspicuous among the Oriental and classic nations. The Old Testament enjoins upon the believers the duty of receiving strangers kindly[58], as do the sacred books of the Veda religion[59]. Mohammedanism likewise regards hospitality as a religious duty[60].

The ancient Greeks and Romans had similar ideas about the *ius hospitii*[61].

Grunberg, *Vom Roroima z. Orinoco*, iii. 115, 538; *idem*, *Zwei Jahre unter d. Indianern*, p. 132.

[54] Reichard, in Boas, *General Anthropology*, p. 463.

[55] Dorsey, *Omaha Sociology*, iii. 368.

[56] Smeton, *Loyal Karens*, p. 144 sq.

[57] Vedder, *Die Bergdama*, p. 146. Conc. other African peoples, see for inst. Delhaise, *Les Warega;* Roscoe, *The Baganda*, p. 16; Oertzen, in Steinmetz, *op. cit.* p. 45. In some cases a stranger can receive proprietory rights, which may originate in superstitious fear (*cf.* Westermarck, *Moral Ideas*, ii. 59, 732).

[58] *Psalms*, cxivi. 9; *Timothy*, 32; *Titus*, 1:8; 1. *Peter*, 4:9; 3. *John*, 5:8. In the *Talmud* hospitality is the most important part of divine worship as being equivalent to the duty of honouring father and mother and even more meritorious than frequenting the synagogue (Hershon, *Treasures of the Talmud*, p. 145).

[59] *Laws of Manu*, iii. 72; *Institutes of Vishnu*, lxvii.

[60] *Korân*, iv. 40 sqq; Jacob, *Altarabisches Beduinenleben*, p. 85 sqq; Margoliouth, *Mohammed*, p. 187.

[61] Hesiodos, *Opera et dies*, 331 sq (333 sq); Platon, *Leges*, v. 729 sq. *Ius hospitii* whilst forming nonpart of civil law, belonged to *fas*. The stranger, who enjoyed no legal protection, was, as a guest, protected by custom and religion (*cf.* Servius, *In Vergilii Aeneidos*, iii. 55: '*Fas omne, et connationis et iuris hospitii*'. The *dii hospitalis* and Jupiter were on guard over him (*ibid.* i. 736); Livius, *Historiae Romanae*, xxxix. 51; Tacitus, *Annales*, xv, 52.

Caesar[62] and Tacitus[63] testify that the Teutons considered it impious to injure a guest or to exclude any human being from the shelter of their roof. The laws of hospitality were highly honoured also by the Gauls[64] and Celts[65].

Prof. Westermarck rightly calls attention to the fair and friendly way in which the first European visitors were treated by aborigines in various parts of the world. When Cook and his men arrived in New Caledonia, the natives would guide and accompany them on their excursions. Equally well received was Forster in the Society Islands, De Clerque on the North coast of New Guinea and Eyre in several parts of the Australian continent. Yet in spite of this, Westermarck adds, 'natives races have often received anything but favourable impressions from their earliest interviews with Europeans, and both in Australia and elsewhere prolonged intercourse with white people has, in many instances, induced them to change their friendly behavior into unkindness or hostility[66].

In close connection with the customs of hospitality are the visits paid by whole parties to other groups: meetings between different social units in order to discuss politics, and to conclude alliances or to perform religious or other ceremonies. Such meetings exercised and important cultural influence and affected, so to say, external politics by giving rise to many new legal institutions within the field of primitive inter-tribal and international law.

Friendly relations are common even among hunting peoples, whose tribal solidarity finds expression in attempts to avoid war. A tribe celebrating a harvest-feast sends out invitations from three weeks to three months in advance. The feast usually taking place at the time of fruit-gathering, the neighbours are invited to share the superabundance. In certain parts of Queensland these meetings are not held oftener than every third year, but then they may be attended by twenty tribes speaking different languages[67]. The Cross River natives arrange meetings mainly in order to discuss intertribal policy[68]. Generally speaking the Australian tribes maintain constant and, for the most part, friendly relations to one another, while each tribe yet exists as an independent unit. Certain precautionary measures, however, are taken in connection with the visits. If, for instance, some members

[62] Caesar, *De bello gallico*, iv. 5, vi. 23.

[63] Tacitus, *Germania*, 21.

[64] Lawrence Gerig, in Hastings, *op. cit.* v. 458.

[65] Lewis, *Ancient Laws of Walis*, p. 281.

[66] Westermarck, *op. cit.* i. 572.

[67] Dawson, *Australian Aborigines*, p. 2; Ridley, 'Australian Languages and Traditions', in *Journ. Anthr. Inst.*, ii. 271; Lips, in Boas, *General Anthropology*, p. 504; Mathew, *Two Repr. Tribes in Queensland*, p. 94.

[68] Partridge, *Cross River Natives*, p. 190 sq.

of an Arunta encampment go to visit their friends within another tribe they warn them of their arrival by lighting a visible fire at fitting distance, whereupon the chief sends a few elderly men to inquire for the object of the visit. Its friendly character being established, the chief invites the visitors to the camp where they are hospitably entertained for many days. Sometimes a certain bartering is done on such occasions until the chief gives the word for departure[69]. When food is scarce at home the Samoans go to visit their friends[70]. Such visits are also reported from the Andaman Islands; they are usually connected with an interchange of gifts, the host taking the initiative[71].

Speaking of the Kiwai Papuans in British New Guinea Dr. Landtman points out that they are very fond of visiting each other, and much intercommunication takes place between villages which are on friendly terms, particularly between such groups of villages as have totem in common. 'Originating from gifts exchanges between visitors and hosts', Landtman says, 'such journeys in many cases assume the character of regular trading enterprises'. A small party of visitors from another tribe coming to a village are never thought to mean fight, and this is invariably the case even with a large number of strangers who bring women or children with them[72]. The Sumatrians send each other emblematic presents to denote the state of their affections. Not only flowers of various kind have their appropriate meaning, but also cayenne-pepper, betel-leaf, salt and other articles are understood by adepts to denote love, jealousy, resentment, hatred and other strong feelings[73].

Turning to Africa we see that *e.g.* the Bantu-tribes, even those belonging to different groups of language, are on terms of friendly intercourse. Traders and magicians go from one tribe to another[74]. Most West African tribes are, according to Tessmann, of a distinctly amicable disposition. Among the Pangwe reciprocal visits are common and probably determined by commercial interests; members of tribes separated by great distances often pass days, weeks and even months with each other[75]. Mr. Spiet mentions similar connections between different Ehwe-tribes, *e.g.* Tawi-Ehwe and Ho. If the former have been out hunting or slaughtered an animal, they send a whole specimen to the Ho, and in the spring, when the fields are cultivated, the Tavi-Ehwe work even for other tribes. When a Tavi-

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[69] Strehlow, *Die Aranda u. Loritja-Stamme in Zentral Australien* (*Veroff. Volker-Mus. Fr. am. M.*), iv. 5 sqq.

[70] Wilkes, *Narrative U. S. Expl. Exp.*, ii. 148.

[71] Man, 'Abor. Inhabitants of the Andaman Islands', in *Journ. Anthr. Inst.*, xii. 392.

[72] Landtman, *The Kiwai Papuans of Br. New Guinea*, pp. 179, 205.

[73] Marsden, *History of Sumatra*, p. 283.

[74] Schapera, *Bantu-speaking Tribes*, p. 191.

[75] Tessmann, *Die Pangwe*, ii. 209.

Ehwe king dies, the neighbouring tribes must send representatives to attend the inauguration of his successor, and *vice versa*[76].

Among the Fuegian tribes men of different families frequently enter into a bond of friendship which is marked by exchange of gifts[77]. Pöpping tells us that there among the Pehuenches in Chili exists alliances of friendship which colour all phases of life. The members visit one another frequently[78].

Prof. Karsten states that within the different sub-tribes in Chaco there is constant intercourse between the families, and similarly there is frequent communication between those sub-tribes which live on a friendly footing with one another. 'The Choroti likewise have intercourse with certain foreign tribes, especially with the Asluslay on the lower Pilcomayo and the Tapiete and the Avas on the northern course of the river. The friendly intercourse and trade between certain Chaco tribes, who live at great distances from one another, is of considerable ethnological interest', says Karsten[79].

In spite of all we have heard about the North American Indians, it appears that even they often maintained peaceful relations to their neighbours. Mr. Catlin, writing in the middle of the nineteenth century, tells us that every man, woman or child in an Indian community was free to enter any one's lodge, even the chief's, and eat when they were hungry. Nor were more extensive group-visits of infrequent occurence. Common feasts gave the partakers opportunity of discussing news and for bringing forward suggestions bearing on the welfare of the tribe[80]. The same custom is found to prevail among the Eskimos; the migration of the whole community of Copper Eskimos is said to be a remarkable and interesting sight. Visits to friends are sometimes paid even in winter, although the Eskimos are generally not inclined to undertake journeys in that season. To greater tribe-festivals there will be sent delegations from other tribes[81].

From ancient Greece we hear of excursions to the Gulf of Naples, Asia Minor and Egypt, which seem to have been pleasure trips of some sort[82]. The Romans,

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[76] Spiet, *Die Ewe-Stamme,* p. 816 sqq.

[77] Bridges, 'Moeurs et Coutumes des Fuégiens', in *Bulletin d. l. Soc. d'Anthropologie de Paris* (1884), ser. iii. vol. viii, 182. Among the Yaghans, Yuracarès, Chiquitos and the tribes or King George's Sound they announce 'their presence by sound of trumpet' (D'Orbigny, *Voyages dans l'Amérique méridionale,* iv. 154; Hyades and Deniker, *Mission du Cap Horn,* p. 373).

[78] Popping, *Reise in Chile,* i. 384.

[79] Karsten, *Indian Tribes of the Gran Chaco,* p. 98.

[80] Catlin, *Letters and Notes,* i. 122. *Cf.* also, Grinnel, *The Cheyenne Indians,* i. 312.

[81] Whittaker, *Arctic Eskimo,* p. 118 (at the beginning of winter they move from the land on the sea ice to begin the seal hunt).

we know, preferably made for Bologna and Paris. The Mohammedans are driven to Mecca mostly from religious impulse. The crusades may not had an exclusively religious background. Religious travelling was probably often inspired by a *Wanderlust,* cleverly directed by the Church[83].

I have treated the subject of primitive hospitality and intertribal visits in detail; because it seems to me that an analysis of these questions will help us to understand the background which 'diplomatic' intercourse has in savage societies, just as an analysis of primitive warfare explaines the role which war plays, or does not play, in lower stages of civilization. The contact between strangers and foreign tribes also gives rise to personal relations—first, perhaps, under the auspices of hospitality, yet this 'individual' protection little by little coalesces with the interests of the tribe or the nation.

It must be pointed out that even among primitive peoples we find tendencies to what might be called a p a t r i o t i s m i n e m b r y o, in this case a personal love of the social and geographical body of which they are members. The patriotic sentiment presupposes, indeed, a power of abstraction, which the lower savages generally do not possess. But it seems to be far from unknown among primitive peoples of a higher type, if I am permitted to use this expression without reference to any evolutionary theories, and many of those elements out of which patriotism has grown are quite distinguished in their mental outfit. Savages have a great regard for their native customs and institutions. This sentiment may, of course, only strengthen the feeling that one's own tribe, one's own ground is the best, but it may also strenghten the intertribal solidarity.

'The Maori loves his country and the right of his ancestors', Angas says, 'he will fight for his childrens' land'[84]. Radcliffe-Brown reports that the Kanoira in Australia is so habituated to a traditional territory that it cannot conceive of occupying any other, and that the colonists had difficulty in inducing natives to herd sheep on any but their own ground[85].

Many primitive peoples are said to be 'patriotic' and believe themselves to be the result of a special creation by a partial Deity, and as we have seen, the name by which different tribes distinguish themselves indicates their belief that their race is a favoured one. Westermarck has shown that there exist similar feelings

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[82] Platon, *Laws,* 950.

[83] *Cf.* Olrik, 'Riddarvasen och korstågskultur', in *Varldskulturen,* iv. 51; Numelin, in Numelin and Brotherus, *Liberté créatrice,* p. 408 sqq.

[84] Angas, *op. cit.* i. 338; *cf.* Shortland, *Traditions and Superstitions of the New Zealanders,* p. 224.

[85] Radcliffe-Brown, 'Three Tribes in Western Australia', in *Journ. Anthr. Inst.* xliii. 146.

among natives of higher culture[86]. In Greece and Rome there arose philosophers who opposed narrowness and prejudice. With the fall of the Roman Empire patriotism died out in Europe. It was a feeling hardly compatible with migratory life or with the feudal system. In the Middle Ages one's country was identical with the place where one lived. There existed kingdoms, but not nations. And differences were largely obscured by the preponderance of the Universal Church. With the rise of a higher culture patriotism returned, and soon there appeared another feeling with a tinge of cosmopolitism.

As we have seen, the social feeling or instinct is, in the beginning, directed at individuals belonging to the same family, group, clan, or tribe. Outside the landmarks of these units there lurks a hostile, or at any rate, a foreign country and tribe.

With the attainment of group consciousness and solidarity, and a settled abode, the sentiment of patriotism arose. It is, as Westermarck has shown[87], made up of a deep attachment for the individual's own group, a love of his native place, and the mores of his group which he associates with his place. Russel thinks[88], there is reason to suppose that the sentiment is likely to be purer and more spontaneous in such a group than it normally is in a modern state. In the latter, the individual citizens have various economic interests, some of which even lie far beyond the borders of the state, they profess different religions; furthermore, as a result of relatively easy communication and travel, awareness and appreciation of other peoples is possible. In primitive society the individual is merged in the group with rights and duties only as member of his own group and with no interest beyond it. The relatively small size and homogenous character of these

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[86] For ref. to prim. patriotic feelings, see Westermarck, *op. cit.* ii. 167, 173, 181. I cannot thus agree with Sumner (*Folkways,* p. 15) who thinks that patriotism is a sentiment which only belongs to modern state. It is a sentiment of fellowship and cooperation in all the hopes of the tribes, a sentiment for the tribes' land. Conc. social contact in ancient world, see Gough, *The Social Contact,* p. 7 sqq.

[87] Westermarck, *op. cit.* ii. 167 sq.

[88] Russel, *Theories Intern. Relations,* p. 11. Boas makes a difference between the moral of what he calls the *in-group* and the *out-group*. As he phrased it, all human societies from the food-gathering peoples to modern nations have one kind of ethics for the in-group and another for the out-group. There is no evolution in this from a lower to a higher ethics, there is only a progressive enlargement of the in-group so that ethics appropriate to this group are applied to larger and larger numbers of the people (*cf.* Boas, 'Some Traits of Primitive Culture', in *American Folk-Lore,* xvii. 243 sqq). I think that Westermarck has analyzed the altrusitic sentiment clearer (in *The Origin and Development of the Moral Ideas,* ii. ch. xxxiv) without being forced to recommend 'careful synchronic study' in any culture to define the in-group and out-group (*cf.* also Numelin, *Faltforskare och Kammarlärde,* p. 163 sq).

communities made for greater intimacy and cohesion, their social isolation from another helped to deepen the attachement of the members of each group, but also to deepen the respect for the feelings and sentiments of other groups and tribes.

The fact that the 'first contact' between human beings is based on consanguinity implies that 'political boundaries' open where kinship ceases. But little by little, however, the boundaries widen and there arises an artificial kinship by means of adoption, rites, trade or other forms. At the same time the friendly social feeling which originally was but of a local character widens so as to comprise groups existing outside one's own tribe. Enemies are, perhaps, turned into friends. And strangers may count upon an honourable treatment, especially if they appear as guests.

The customs of hospitality, then, originally rest on the hosts' dread of the maledictions and hope of the blessings of the strangers, as well as on their desire for news from the other world. The contact being established the guest becomes either dangerous or propitious, and at the same time there arises the necessity of treating him hospitably. According as the changes of intercourse by land and by water increase—geographical conditions permitting,—the altruistic feeling widens and the man learns gradually to understand that he has duties towards humanity at large.

Chapter IV

The primitive 'Diplomats'

Messengers, Heralds and Envoys

As I mentioned in the beginning of this book, it has been customary to date the history of diplomacy from the classical Antiquity or, at the utmost, from the historical peoples of the Orient; and international law is seldom spoken of before the appearance of the great Dutch jurists, with Hugo Grotius at their head. Yet diplomacy, if by this word we mean the maintenance of official relations between tribes and peoples, may probably be traced back to primitive beginnings. As long as societies have existed side by side without living in a permanent state of enmity, and sometimes even then, there have been evolved certain rudimentary forms of diplomatic usage, first through occasional messengers, later through envoys and similar representatives.

Man is a social being, led from the very beginning by his community instincts. It is true that the attitude of savages towards strangers and foreign tribes is characterized by suspicion, not to say hostility, but as we in the foregoing chapters have seen, even among the most primitive peoples there appear certain complexes of mutual interest which are a condition of contact.

Moral laws and norms regulate, in savage societies, the intercourse between different tribes and groups of tribes. The most primitive of such norms concern the good treatment of guests and strangers whose curses might be dangerous and whose blessings might be useful, not to mention their importance as newsbringers. Before long the regulations are extended to more important intertribal relations of a political, religious or commercial kind. Particular attention is paid to questions concerning war and peace. Modern ethnology has, as we have seen, shown that war, in primitive stages of civilization, does not play a part so prominent as that which older historians have been inclined to ascribe to it. A golden age, such as Rousseau dreamt of, has, of course, never existed, but primitive wars are usually of short

duration and restricted to minor groups; and there is a great number of primitive peoples, to whom war is practically unknown.

Thus it may be said that intertribal and international politics are as old as the societies and communities themselves. We shall see that many of the institutions, practices and notions connected with present-day international relations and commonly thought to have originated in an early period of modern Western civilization, were familiar to the ancients and, what is more remarkable, are to be found, in an embryonic or rudimentary form, among primitive peoples.

First we shall try to elucidate a few ideas.

In current language 'diplomacy' is used to denote many different things: it is synonymous with 'foreign politics', negotiations, the technique of negotiation, etc.[1].

The term *diplomacy,* in French *diplomatie,* which I, as said, would like to define as the maintaining of external relations, or the art and manner of conducting international affairs, is not derived from the verb διπλοῦν (diploun), but from the noun *diploma,* a Greek word adopted in Latin. The meaning of the verb is 'to double', and that of the noun 'a double document', later a document of official character. Now under the Roman Empire all passports and official certificates were written on *double* sheets which were folded and joined together in a certain way. Such a folded passport was called *diploma,* a term subsequently applied to duplicates of letters from princes, recommendations, introductions (acts), the originals of which were retained by the giver; in other words, a *diploma* was understood to be a document which conferred certain privileges upon the bearer and the name refers to the folding of the document.

The words 'diplomat' and 'diplomacy' are, of course, derived from *diploma,* but do not belong to the vocabulary of the ancients. In Latin there is only *diploma*[2]. The term 'envoy', French 'envoyé' came into common use towards the end of the 17:th century as a translation of the Latin *legatus* or *missus*: one who is employed on a mission, 'Embassy', again, is of Spanish origin. In Caesar we find a word of probably Celtic origin *ambactus,* 'servant', whence the expression *ambactiata* or *ambacteata* (*cf. ambaxiata*), from which the French *ambassade* was

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[1] *Cf.* Satow, *Diplomatic Practice,* i. 2; Nicolson, *Diplomacy,* p. 15; Girard, in *La grande Encycl.,* xiv (art. 'Diplomatie'): 'la science des rapports et des intérêts resp. des États et des souverains entre eux'; *Larousse du XX,* ii. (art 'Diplomatie'): 'science des diplômes et traités qui règlent les relations internationales'; *Das grosse Brockhaus,* iv. (art. 'Diplomatie'): 'Die Kunst der Verhandlung bei Staatsgeschäften bes. im Verkehr mit anderen Staaten, sei es auf dem Gebiet der Politik, des Rechtes, der wirtschaftsl. oder geistigen Kultur'. *Cf.* also Rivier, *Principes du droits des gens,* ii. 432.

[2] *Cf.* for instance, Cicero, *Ad Atticum,* x. 17. 4.

coined. The first recorded use of the English word 'diplomacy' which is based on *diplômes,* 'written acts of sovereigns', is in 1796.

As I have said, most authorities who deal with the history of diplomacy date its 'origins' back to historical peoples. Cornelius Blaga, although he calls his book *L'Evolution de la diplomatie,* dates the origin of diplomacy from the activities of the Papal chair in the 3rd century: 'le premier pas fut fait en Italie par la diplomatie pontificale et par les villes-républiques italiennes, notamment par Venise', says Blaga[3]. Delisle finds that there are traces of diplomatic practice recorded on Assyrian tablets, and in Chinese and Indian as in Greek and Roman history. But there is—Delisle says—no direct connection between the modern system and the practices of the mediaeval Roman church in sending legates or dealing in the Curia with representatives of local interests, ecclesiastical or political'[4]. According to Mr. Mowatt diplomacy begins in 1451, at the close of the Hundred Years' war between England and France[5]; and Hill in his *History of Diplomacy* dates the diplomatic era from the beginning of the seventeenth century[6]. But Phillipson finds that among peoples of the most distant antiquity there were practices, more or less systematic, relating to the interchange of embassies[7]. Harold Nicolson in his *Diplomacy* traces the origins of diplomacy to the classic peoples, but without prejudice, however, he thinks that 'even in pre-history there must have come moments when one group of savages wished to negotiate with another group if only for the purpose of indicating that they had had enough of the day's battle and would like a pause in which to collect their wounded and to bury their dead. From the very first, even to our Crômagnon or Neanderthal ancestors, it must have become apparent that such negotiations would be severely hampered if the emissary from one side were killed and eaten by the other side before he had had time to deliver his message'. Hence there must have been, Nicolson thinks, even in the very oldest times, a custom of granting for such negotiations certain exceptional privileges, which were denied ordinary warriors. Beyond this assumption Nicolson, however, refrains from drawing any conclusion[8].

Let us study the peaceful relations between primitive tribes in order to see how far we are justified in speaking of an early diplomacy. It appears, as hinted above, that as soon as human beings begin to form larger groups than single

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[3] Blaga, *op. cit.* p. 16.

[4] Delisle, in Burns, *Encycl. Social Sciences,* v. 147.

[5] Mowatt, *History of European Diplomacy,* i:i. 10.

[6] Hill, *op. cit.* i. pass; *cf.* Mendelssohn-Bartholdy, *Diplomatie* (*Pol. Wissensch,* i.), pass; Bittner, *Lehre v. d. volkerrechtl. Vertragsurkunden,* pass.

[7] Phillipson, *International Law,* i. 302.

[8] Nicolson, *op. cit.* Intr.

families, that is, local tribes, clans, hordes or nations, there ensue, not only exogamous marriages, but also certain more extensive relations between these groups. We may assume that the earliest connections are of temporary character, but little by little they become more regulated and at last give rise to intertribal and international relations which, indeed, are regulated by unwritten laws and customs but contain given 'diplomatic' norms. It is, to speak with Montesquieu 'la voix de la nature qui réclame ses droits'[9], *i.e.* these relations are the autcome of spontaneous feeling on the part of the groups concerned of self-insuffiency and of a consequent desire to promote intercourse. Here as in so many other instances magic and religion invest with their forms and support with their sanctions the institutions which those needs have created: it may be useful, even highly beneficial, to cultivate connections outside the interests of one's group, while it may be dangerous to offend foreign groups protected by foreign spirits.

The most primitive form of diplomatic communication was probably the custom of sending occasional messengers to transmit more important messages from one tribe or local group to another. Almost parallel with this custom we find that the leader of a group, the chief or the king, has special heralds who announce his will to the people but are also employed in the same way as the messengers[10]. But even in very low stages of civilization special envoys are sent from one chief to another for the purpose of discussing questions of intertribal interest, such as war and peace, hunting and fishing, commerce, coronations, marriages, feastrites, etc.

Thus we make a distinction between messengers and heralds—the latter may also be employed as messengers and spies—and special negotiators or envoys. The word 'ambassador' is often met with in ethnological literature concerning especially the intertribal relations of North American Indians; but as we have now to do with peoples without a written history, I think it is more correct to restrict our terminology to 'negotiators' or 'envoys'.

It may be assumed that messengers and envoys are, to begin with, sent only to friendly neighbours, but little by little this intercourse is extended also to less amicable tribes and remoter peoples. There is, at first, something very local

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[9] Montesquieu, *Lettres persanes,* xcvi.

[10] The heralds for instance among the Ashanti in West Africa, where their name is *Fekuo,* seem to be very closely connected with and attached to the court (Rattray, *Ashanti Law,* pp. 91 sq, 102 sqq, 122). Among the Glidyi Ehwe at the Gold Coast in Africa the king is always accompanied by an *Atikpluto,* holding a staff in his hand. He seems to be at the same time the chief of the body-guard of the king, the *Otsiamé,* and also an envoy (*cf.* Westermann, *Die Glidyi Ewe* (*Mitt. Seminars Orient Sprache,* Beih. z. xxxviii, p. 217; Spiet, *Die Ewe-Stamme,* p. 60).

and temporary about the messengers and envoys. The primitive diplomats return as soon as they have performed their mission. It is only among the Indians of North America and the 'historical' peoples that we find permanent envoys, *residentes*. Properly concluded treaties also imply a somewhat higher cultural level, yet even primitive peoples are known to have been in the habit of making intertribal agreements, less a result of juridical negotiations than of spontaneous needs.

Here are some instances of messengers and envoys of savage societies: From all parts of Australia, where the flatness of the country facilitates wanderings and expansion, we have information about the employment of primitive diplomats—messengers, envoys and heralds—between groups, both those which are part of the same tribe and those which lie in different tribes[11]. The Arunta (Aranda) in Central Australia, consisting of some six local groups or hordes, were a tribe or nation numbering about two thousand individuals at the time they were studied by Sir Baldwin Spencer and Mr. F. J. Gillen. With this nation, as we shall see, the institution of messengers and envoys is highly developed[12]. The same is true also of other Australian tribes. In Southern Australia, according to the recognized form of government, the heads or chiefs, with the consent of the tribe, make alliances, determine on war, peace, and friendship, and send envoys—on very important occasions 'ambassadresses'—to treat with the neighbouring tribes. Such envoys are received with the utmost courtesy and never molested in any way while on their mission[13]. On the Lower Murray each tribe has one or two *Guala watto*, *i.e.* messengers, whose persons are sacred even to enemies. They also act as barter agents and therefore speak several dialects[14]. Of most of the tribes in Victoria we hear the same thing. In Diery and Wotjobaluk tribes, for instance, messages are sent from the old man of the tribe by chosen messengers[15]. According to Mr. Lloyd Warner the tribes in Arnhem Land, the Murngin, Yiritja, Kangaroo, have primitive messengers and envoys. The messengers of the Yiritja, a local group of the Murngin, act as guardians and instructors of the initiates[16].

In Oceania we meet the same institution. Thus in Fiji intercourse between group and group, whether in peace or in war, was conducted through the medium

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[11] Wheeler, *The Tribe, and Intertribal Relations in Australia*, ch. vii.

[12] Spencer and Gillen, *The Northern Tribes of Central Australia*, p. 139; *cf.* Ashley-Montagu, *Among Australian Aborigines*, p. 15.

[13] Gason, quoted in *Journ. Anthr. Inst.* xxiv. 173.

[14] Smyth, *The Aborigines of Victoria*, i. 181.

[15] Howitt, *Native Tribes of S. W. Australia*, pp. 83, 689; Curr, *Recollections of Squatting in Victoria*, p. 281 (Bangerang tribe).

[16] Lloyd Warner, *A Black Civilization*, p. 292.

of messengers and heralds, who were at all times considered inviolable[17]. The institution of messenger was common in Samoa and the neighbouring islands[18]. Dr. Walter Kaudern has told me that messengers are employed by the natives of Celebes.

Messengers are mentioned by students of savage peoples in Asia, and in certain parts of primitive Africa the institution of envoy has reached a relatively high degree of development. Diplomatic relations are known between neighbouring chiefs among the Bantu of South Africa by means of recognized messengers[19]. Among the Ba-Ronga, a Bantu tribe, the king has special counsellors. The messengers, called *Tinyumi,* usually live in a *lao, i.e.* bachelors' house, near the residence, to be ready to answer any call. They partake in the games and feasts of their royal comrade, but have no official authority. The heralds again, called *Mbongi wa ku pfusha,* sound the reveille. They must be men of great eloquence and knowledge[20]. Messengers and envoys are also mentioned from the tribes of Southern Rhodesia[21], from the Ehwe speaking tribes of the Gold Coast[22], and from the Wanyamwesi, Wabende, and Wasaro, the last-named call them *Msimba*[23]. Mr. Roscoe tells us that the kings of the Bakitara (Banyoro) in Uganda have royal messengers[24]. The chiefs of certain African peoples have also staffservants, who sometimes act as envoys of the heads[25].

In South American ethnology there is not much room for the messenger system. Professor Karsten, according to information given me, did not take any particular note of primitive diplomatic functions among the aborigines of South America, notwithstanding the fact that their shrewdness in concealing their thoughts, especially when dealing with foreign tribes, shows a certain aptitude for diplomacy. In Northern Columbia the heads of the Ijca Indians seem to keep messengers (*Semaneros*) of their own[26].

On the other hand, among the Indians of North America the institution of the messenger as well as that of the envoy was highly developed; similarly among the ancient Mexicans. Other varieties of those institutions are noticeable in ancient

[17] Phillipson, *op. cit.* i. 303.

[18] Woodford, *Naturalist among Head-Hunters,* p. 131.

[19] Schapera, *Bantu-speaking tribes,* p. 192.

[20] Junod, *Life of an African tribe,* pp. 394, 421, 423 sq.

[21] Doke, *The Lambas,* p. 75 *sq.*

[22] Westermann, *op. cit.* p. 216.

[23] Ankermann, *Ostafrika* (Schultz-Ewerth, Adam, *Das Eingeborenrecht*), p. 35; *cf.* Stuhlmann, *Mit Emin Pascha ins Herz v. Afrika,* p. 24.

[24] Roscoe, *The Bakitara,* pp. 61, 298, 303.

[25] Westermann, *Afrikaner erzählen,* p. 46.

[26] Bolinder, *Ijca-indianernas kultur,* p. 179. The *Semaneros* could also act as policemen.

China, India, Egypt and other Mediterranean countries. The states of ancient China used to exchange embassies with accompanying ceremonies and formalities which show that the importance of these occasions was appreciated. The envoys were treated with the utmost courtesy and the order of precedence was strictly established[27]. The ancient Hindus followed a similar system and employed, besides the ordinary heralds, a kind of special official in order to maintain relations with hostile tribes. The *Mânava Dharmásatrâs* (the institutes of Manu), which probably came into existence some time between 1200 and 2000 B. C., contained a code of diplomatic regulations[28]. The ancient Egyptians no doubt possessed something of the same kind[29].

The great importance attached to the messengers and especially to the envoys is seen by the fact that the primitive 'diplomats' are personally inviolable—of which more later on—and that the messengers are selected with great discrimination out of those members of the tribe or local group who enjoy general esteem and often belong to the most outstanding persons in the tribe. This fact is usually overlooked in ethnological and sociological literature. Prof. Landtman, for instance, does not include the messengers and envoys among those practitioners—medicine-men, magicians, priests and smiths—whose professions enjoy an exceptional position in savage societies[30].

For the delivery of messages—especially more important ones—primitive peoples employ respectable, elderly men. Even the headmen of the tribe, the nearest relatives of the chief, priests and other confidential officers often act as messengers. The messengers and envoys must, besides, be men fluent in speech, well acquainted with the neighbouring dialects, and experienced travellers[31]. Moreover, the messenger, whose journeys are usually of a trying kind, may also be a younger man, but he must be strong and active and othervise fit for the purpose. And a primitive diplomat should preferably be related to the tribe to whom he is sent[32].

In most Australian tribes there are certain persons who are, so to say, free

[27] Phillipson, *op. cit.* i. 303.

[28] *Ibid.* i. 303.

[29] Haelscher, *Die iure gentium,* p. 30.

[30] Landtman, *Origin of the Inequality of Social Classes,* p. 84 sqq.

[31] Fraser, *Aborigines of New South Wales,* p. 41.

[32] *Cf.* Mathew, 'Message-Sticks', in *Amer. Anthr.* (1897), p. 289. In the Wiradjuri tribe there is a headman for each totem, who is the oldest man of the name. Important messages, such as those relating to the Burbung ceremonies, are sent by the headman. The messenger must be of the same totem as the sender, and the message is sent to the oldest man of the same totem in the other locality (Howitt, *op. cit.* p. 687).

of one or more adjacent tribes. Since these tribes, the Arunta for instance, have interesting and rather complicated marriage laws, marriages are sometimes arranged for what may be called 'state reasons', that is, in order that there may be means of sending ceremonial communications by some one who can enter and travel through a perhaps unfriendly country with safety to himself and with security for the delivery of his message. When young boys are chosen to act as messengers, *Vorrmerh,* as they are called by the Euahlayi tribe of North-Western New South Wales in Australia, they are held in high honour[33].

Among all the tribes of New South Wales, some fifty years ago, there was in each clan an officially appointed herald, well known in all adjoining tribes and able to move safely among them, even when they were in enmity. In the tribes of South West Victoria there were messengers attached to each tribe who were selected because of their intelligence and their knowledge of other dialects. They were employed to carry information, regarding the time and place of great meetings, *corroborrees,* marriages, burials and impending battles[34]. In the Chepara tribe messages were sent on tribal matters by a headman, or, if of great importance, by the principal headman. When such a message was sent, it was by a messenger called *Buira,* who was the sister's son, or sister's daughter's son (*Kanil*), or some similar near relative of the sender[35].

In the tribes about Maryborough (Queensland), when it is decided to hold a *Dora* (initiation ceremony), the old man on whose initiative it is to take place, calls for a party to carry the message. This party consists of 6-10 under the guidance of one or two old men who know the country to which they are going. They travel secretly, not being protected by their office, and only announce their arrival at a camp when so near that a signal made by striking two boomerangs together can be heard. This signal is immediately understood and the old men go out and receive them.

The Wakelbura choose for preference a messenger who has a number of friends in the tribe to which he is sent; sometimes two messengers are sent. Messengers are sent by the Buntamurra to call other tribes to fight or for other purposes, and message-sticks are used for the purpose[36].

In the Iceland sagas—as has been pointed out to me by Dr. Sigfús Blöndal in Copenhagen—scalds and poets sometimes play the part of special envoys. This custom is found also among the antipodes of the Icelanders, that is, certain

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[33] Parker, *The Euahlayi Tribe,* p. 64.
[34] Howitt, *op. cit.* p. 688.
[35] *Ibid.* p. 690.
[36] *Ibid.* p. 690 sq.

Australian aborigines, at whose feasts and rites the poets sing out their messages to the foreign tribes[37].

In the Fiji Islands the institution of envoys and heralds was formerly highly developed and showed many interesting traits. The Eastern Fijians, *i.e.* the Fijians East of the Tomaniivi and Muanivatu range in Viti Levu, call the heralds *Mata ki Vanua,* the 'eyes of the land'[38]. Their functions were chiefly connected with feasts and the presentation of gifts (*Igou*); it was their duty to utter the compliments or apologies always accompanying a gift. At kava-making they keep an eye on the beverage and fix the amount of water and of straining. The heralds were sent on errands, especially connected with the distribution of food. Especially in Western Fiji, although information is vague, the *Mata ki* (with the addition of the place to which they are accredited, thus *e.g. Mata ki Mbau*: the envoy to Mbau) belonged to the nobility. Mr. Williams speaks of a 'diplomatic corps', the official title of each individual of which contains the name of the place to which he is messenger, adding that these officials represented their chief[39]. Such expressions as a 'diplomatic corps' and 'official' are, of course, regarding the primitive social administration in Polynesia, misleading. There is no formal office, the duties devolving on the clan and not on the individual, so that the real envoys is the whole clan. The custom in question seems to be falling into disuse but is still met with here and there.

Turning to other continents we find that the Wanyamwesi in Africa choose their most respected members to act as envoys[40], while in the Bakongo this function in entrusted to the medicine-men[41]. The king of the Glidyi Ehwe on the Gold Coast has at his disposal salaried officials, *Atikloe* (plur: *Atikploto*), whom he sends on missions to the chiefs of foreign tribes. These primitive diplomats, who carry a staff as a sign of their dignity, must be sound in mind and body and competent to deliver their message. It is of little consequence if they are in debt, the king being perfectly willing to let them off if they are a otherwise fit for their mission. Their persons are, of course, inviolable in both war and peace[42].

Among the Ngwato of Bechuanaland and Protectorate the chief's councellors

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[37] Curr, *Australian Race,* iii. 167.

[38] The world *Mata,* has however, according to Hocart ('Fijian Heralds and Envoys', in *Journ. Anthr. Inst.* xliii. 109) lost its figurative sense and has come to mean a messenger and an envoy, or lately a gazette.

[39] *Cf.* Hocart, *loc. cit.* p. 115.

[40] Ankermann, *op. cit.* p. 48.

[41] Weeks, *Primitive Bakango,* p. 194.

[42] Westermann, *op. cit.* p. 216. Conc. the heralds among the Nunyoro (Uganda), *cf.* Roscoe, *The Soul of Central Africa,* pp. 114 sq, 208.

also act as his staffs messengers on important occasions. For minor tasks, as carrying ordinary messages, the chief uses any tribesman at hand, and he also has a few official policeman of his own, who see that his decrees are enforced and act as messengers of his court on most routine occasions[43].

The chief of the Bemba tribe in North Eastern Rhodesia have in each district a messenger to keep in touch with the surrounding villages: in short, the possibility of keeping the tribal machinery running[44].

Prof. Schapera has observed messengers of the chiefs among the Tswana, a Bantu tribe[45].

According to Mr. Nadel, among the Nuba, the Hill tribe in Kordofan, we find a interesting machinery for intertribal negotiations, embodied in the office of an 'ambassador', whose person was inviolable and who could be sent to the enemy to negotiate the ransom for captives made in raids and affrays. The Moro-community emissary was known as *Kapredho,* 'messenger'. On his official errands he carried a spear to which a piece of cotton cloth was tied, so as to make him known to the enemy. Each Moro hill had its own 'messengers'. At one time there were five emissaries in Umm Dorein, each 'accredited' to a different enemy group: Mesakin Qusar, Mesakin Towal, Tira Lomon, Talodi-Arabs, and the Arab groups to the west of Moro. These emissaries had to speak the language of the tribes with which it was their business to treat; thus they were often ex-slaves, captives from these other tribes, who had been adopted into a Moro family and clan. They had to be courageous men, too, who were not afraid of walking unprotected into the enemy camp. Their office was not hereditary and their appointment strictly *ad hominem.* Moreover, they were merely subordinate agents. When a Moro tribe of whose members had been captured by the enemy desired to make use of the services of the *Kapredho,* it addressed itself first to the 'big man' of the community and handed him the ransom; he would then send the tribal 'ambassador' on his mission[46].

Between the warlike communities among the Nuba, the chiefs of the Path (*Buri eran*) travelled to and fro on their usual errands. They were either *Kujurs* or of a *Kujurs'* family, or simply men known for their courage and honesty:—The envoys between Nyima communities were, it seems, always *Kujurs,* and the sacredness of their office, their spirit-sponsored

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[43] Schapera, in Fortes and Evans-Pritchard, *African Political System,* p. 72 sq.

[44] Richards, *ibid.* p. 105, *cf.* p. 107; *idem, Land, Labour and Diet in Northern Rhodesia,* ch. xiii It seems to me that these messengers also have a administrative, military, judicial and advisory mission.

[45] Schapera, *The Political Annals of a Tswana Tribe* (*Comm. School of African Studies,* No 18), p. 89 sq.

[46] Nadel, *The Nuba,* p. 259.

mission, already guaranted their inviolability. With intertribal emissaries, this inviolability was especially safeguarded by a sacrifice and blood ritual which established blood brothership (*Tussol*) between the different chiefs of the Path and their families and descendants. Thus the office became hereditary. The families of the emissaries, elect from the two enemy groups would meet somewhere in no-man's-land and exchange the sacrificial animals (pigs). Old men from each group would kill the animals, catch the blood in a gourd, mix it with a little ochre, and smear the blood on their knees and foreheads. Afterwards the two groups would take the exchanged animals, to eat them on their way home, some distance from their settlements. From now on they must offer each other hospitality and protect each other's lives. Should this blood pact be broken, the whole families would die.

One hill community need not have envoys to every enemy group, but only to a few, reaching others indirectly, in this fashion: Salara maintained a *Buri eran* with Tendiya, and Tendiya with Karko; thus Salara would treat with Karko through Tendiya. Certain Nyima communities, which were linked by many clan and kinship ties, maintained no emissaries, but treated with one another through the men of a common clan; they were as inviolable as *Kujurs* or consecrated chiefs of the Path. Such a relationship existed between Salara and Kurmetti. It was once more utilized for indirect negotiations with third groups; for Kurmetti and Salara maintained chiefs of the Path with different communities, and Salara could reach Dilling or Mendel through Kurmetti, or Kurmetti Ghulfan and Wali through Salara[47].

There were also among the Nuba other emissaries, entrusted to intermediaries and tribal envoys of the chief-of-the-path kind. In Mesakin community they were called *Bareda,* in Korongo *Egwar* or *Abahir.*

Unlike the chiefs-of-the-Path, these men were not office-holders, appointed *ad hoc* on a ritual or other qualification (*e.g.* familiarity with an enemy tribe and its language). They were powerful, wealthy men, the leaders of their community, and they fulfilled the tasks of their office through the sway which they hold over their fellow tribesmen. They were envoys and—in a loose sense—chiefs in one.

The visits to the enemy group for the negotiation of ransom were no more important than the protection which the *Egwar* afforded to visitors to his hill from the enemy group. For many of these visitors came for the purpose of trade: Talodi women selling pots; Arabs, anxious to barter iron, spears, and axe-heads for grain and simsim; Moro, bartering tobacco for goats. The traders would go straight to the house of the *Egwar,* knowing that there they would find a sanctuary. The institution of the *Egwar* thus created another 'enclave of peace', of economic significance. It appears entrusted with the far-sighted policy of fostering trade for the benefit, but against the short-sighted impulses of the community, which were to kill and rob the strangers. The need of great, concrete power is thus explained[48].

The North American Indians held their diplomats in high esteem. In the Nahua in Central America, the envoys ranked next to the princes and were classed among the nobles and grandees[49].

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[47] Nadel, *op. cit.* p. 453 sqq.

[48] *Ibid.* p. 309 sqq.

It is an extremely remarkable fact that several primitive peoples have, to a large extent, employed women both as messengers and envoys; thus we see nothing new in the custom of appointing female diplomats, adopted in our own times by the U.S.A., Mexico, the Sovjets and some other states.

This statement may, indeed, seem to be inconsistent with the notion that women in savage societies occupies the position of a slave. Yet a closer inquiry into the actual circumstances shows that the status of women has not, after all, been so inferior as has been formerly supposed. Her position has been misunderstood on account of the strict division of labour prevailing in primitive societies, where everything is connected with the *ménage*; even primitive agriculture falls to the lot of the women, while the men devote themselves to the business of hunting and defence[50].

The reason why diplomatic functions are entrusted to women may be found in that mysterious sanctity with which the savage mind is always prone to invest them and which is supposed to operate as a protective agency. Female messengers, in the event of tribal disagreement, are especially resorted to in Australia[51]. According to Mr. Howitt the custom of employing female diplomats is based on the notion that women are more likely to use all their influence in order to get what they want; even sexual intercourse with the male negotiators is encouraged. If successful in their mission there will be a time of licence between the women and the men of the tribe to which they accredited[52].

Sumner and Keller state that women have to assist the men in war, women have been the transport-agency in war, as they so often were in peaceful times. They often have peculiar rights and duties in connection with war, and enjoy special treatment at the hands of the combatants. To be especially noted is their not uncommon inviolability in war and their consequent availability for missions, trade, and peacemaking[53].

Among the natives of Eastern Australia, says Mitchell, the men are often shy in relations with members of foreign tribes, whereas the women know nothing of

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[49] Bancroft, *Native Races Pac. States North America,* ii. 607.

[50] Westermarck, *The Origin and Development of the Moral Ideas,* i. 26; Bunzel, in Boas, *General Anthropology,* p. 369 sqq. Prof. Karsten, according to personal information to me, thinks that the fact that field-labour, to some extent, devolves upon the women is due magical reasons: the spirits believed to animate the plants are female by nature.

[51] Spencer and Gillen, *Native Tribes Central Australia,* pp. 97 sq, 196.

[52] Howitt, *op. cit.* pp. 602, 678.

[53] Sumner, Keller (Davie), *The Science of Society,* i. 381; *cf.* Mason, *Woman's share in primitive society,* p. 38 sq (New Caledonians); Ellis, *The Eŵe-speaking Peoples,* p. 182 (West Africa); Bastian, *Die Deutsche Exp. an der Loango-Küste,* i. 203 (Loango).

such restraints[54]. Wheeler states that in some of the tribes of Central Australia the male messengers are accompanied by women whom the men of the group are free to visit regardless of class restrictions provided that they accept the invitations conveyed by the messengers or agree to their requests. 'This seems to be a token of the importance in which the messenger's office and visit are held'[55].

It is also to be noted that the female diplomats need not always travel alone. Very often they are attended by at least one male individual. When an Australian mission has been successful, women of the foreign tribe accompany the mission back, to testify its approval by their tribe. Agreements so made are probably observed as faithfully as are many treaties more formally concluded by civilized peoples, Howitt thinks[56].

The messengers of the Diery are usually old men, but if the mission is particularly dangerous or treachery is to be feared, they send women and, preferably, such as are closely related to the other party. It is believed that women are less likely to be treacherously done away with[57].

The *Engwura* or fire ceremony among the Arunta lasted four months and meant extensive preparation for the food supplies of the country. 'It may be considered strange', Mr. Porteus says, 'that the practice of surplus food collecting in preparation for tribal entertainment has not inculcated the lessons of thrift and providence in the aborigines'. But it must be remembered that overshadowing the family relationship is the tribal, and that therefore the entertainment of visitors or relatives is rarely a family but usually a tribal affair. Messengers, carrying a message stick, are sent out to invite the guests of the tribe or horde[58].

The tribal guest is, of course, not the same thing as the family guest. No family pride is involved in the question and no unexpected demands on private hospitality are made. Hence the women of individual families have no special reason to make provision in order to have an extra supply of food always at hand. The family's relations are the tribe's or the horde's relations, and the tribe as a whole must make adequate preparation for guests.

The hospitality seems particularly important where group relationship transcends that of the family and where strangers seldom come except as messengers[59].

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[54] Mitchell, *Three Exp. into the Interior of E. Australia,* ii. 76.

[55] Wheeler, *op. cit.* p. 110.

[56] Howitt, *op. cit.* p. 682. According to Mr. N. W. Thomas (*Natives of Australia,* p. 31) some of the ceremonial messengers of Australia are women, but usually they are men.

[57] Howitt, *op. cit.* p. 681 sq; *idem,* 'The Diery, etc.' in *Journ. Anthr. Inst.* xx. 59 sq, 72 sq; Eylmann, *Die Eingebor. d. Kolonie Sudaustraliens,* p. 178; Gason, in Woods, *Native Tribes South Australia,* p. 271.

[58] Porteus, *Psychology of a Prim. People,* p. 287 sq.

[59] *Ibid.* 287.

The Maori chief chose for his envoy a lady of the highest rank, accustomed to conduct difficult affairs. Such female diplomats could, with perfect safety, visit distant tribes, when a less known and honoured envoy would never have been allowed to return[60]. Even in war time the women of New Zealand were permitted freely to move from camp to camp[61]. In New Caledonia, a chief who wishes to secure peace sends a woman and a man who have friends in the enemy's tribe to deliver his message. They are safe, while other persons would be killed and eaten[62]. In several other islands in the Pacific, *e.g.* on Tahiti[63], on Fiji[64], and in the Malayan Archipelago[65] women have played the part of diplomatic agents. The same holds true of primitive peoples in India, for instance the Naga tribes of Manipur[66] and the Angemi and Kuchu Nagas[67].

Also among African peoples we find the same custom. In the Baris in western Africa women are allowed to visit their relatives in distant villages, and it is a strictly observed rule never to molest them in any way. Thus they are often able to act as envoys and peacemakers between contending tribes[68]. The Bakitara in Uganda also employ women as messengers on particularly important occasions[69]. Livingstone found many women present in an assembly summoned by the chief to receive him[70].

The North American Indians often let their women perform diplomatic tasks of a more delicate kind, nor is the custom unknown among Eskimos[71].

We shall now proceed to inquire into the purposes served by the employment of messengers and envoys. They are manifold. There are not only negotiations about war and peace, although these questions are of particular importance. The primitive messengers summon people to tribal or intertribal meetings, to discuss hunting and fishing expeditions, magical and religious feasts, totem ceremonies, etc.; even distant tribes are often represented

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[60] Johnstone, *Maoria,* pp. 126 sq, 140 sq.

[61] Turner, *Nineteen Years in Polynesia,* p. 90.

[62] Lambert, Pierre de la Motte, in *Miss. Cath.* xii. 1, quot. by Grierson, in Hastings *Encycl. Religion and Ethics,* xi. 894; Ellis, *Polynes. Researches,* i. 318, ii. 512.

[63] Ellis, *op. cit.* i. 318, ii. 512.

[64] Williams and Calvert, *Fiji,* i. 54.

[65] Bastian, *Indonesien,* iii. 31.

[66] Hodson, *Nāga Tribes,* p. 114.

[67] Dalton, *Descr. Ethnology Bengal,* p. 44.

[68] Mounteney-Jepson, *Emin Pascha and the Rebellion of Equator,* p. 140.

[69] Roscoe, *The Bakitara,* p. 148.

[70] Ratzel, *Völkerkunde,* i. 368. So-called 'queens' are common in West Africa; *ibid.* i. 598.

[71] Gilder, *Schwatka's Search,* p. 80, with portraits of 'ambassadress' among the Netshillik.

at such meetings. The chiefs, kings and the elders' councils also send emissaries to each other to notify the deaths of more important members, especially those of heads and chiefs, and forthcoming elections. Many tribal leaders employ messengers for matrimonial purposes, for instance, when the son of a chief is to be married to a woman belonging to another tribe.

Exogamous tribes generally live in peace with each other. Totemism, which, as a rule, involves exogamy, or marriage outside the group, is an aid in binding groups together. Intertribal relations on matrimonial grounds have often promoted the maintenance of peace between primitive societies.

Among the native tribes of Australia the peaceful influence of *connubium,* an agreement by which groups take their wives from one another, is distinctly to be remarked. The marriages are sometimes, as already stated, arranged for 'state purposes', and the negotiations for such marriages, carried out by messengers or envoys, often last several months. 'Much diplomacy is used', Howitt says, 'as one tribe desires to sift out the real reasons which induce the other tribe to desire the marriage'[72].

Treager mentions, concerning the Maoris, that because of intermarriage men in the Maori wars could safely visit the enemy[73]. The king of the Bakitara (Banyoro, Uganda) in Africa likewise employed diplomatic emissaries for marriage purposes[74]. Also in North America, among the Indians, marriage messengers were usual, especially if a man of rank wished to marry his son to the daughter of an important man in another tribe. The Nahuas sent out whole 'embassies' for these purposes[75]. The same custom is found among the ancient nations of Salvador, Nicaragua, Yucatan, Guatemala, etc.[76].

In many parts of the primitive world messengers, or even envoys, are sent to inform foreign kings or leaders of the death of a chief and the election of a successor. This was customary especially among the natives of Oceania and the Malayan Archipelago[77]. In the Society Islands, for instance, the child-king had a herald who was dispatched with his young sovereign's flag in his hand to announce his election and proclaim his name in every district of the island[78]. Pater Munro

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[72] Howitt, *op. cit.* p. 165 sqq, 178, 682 sqq. *Cf.* Ramsay-Smith, *Myths & Legends,* p. 122; Strehlow, *Die Aranda,* etc. iv:i. 62 (Arunta); *ibid.* p. 81 (Loritja).

[73] Tregear, 'The Maori', in *Journ. Anthr. Inst.,* xix. 344.

[74] Roscoe, *op. cit.* pp. 61, 208, 276 sqq. The mission of the envoy was also of a religious nature. When the desired rain had not come the king might send a messenger again to one of the rainmakers (*Ibid.* 31). *Cf. infra* p. 144.

[75] Boas, 'Ethnology of Kwakiutl', in *Ann. Rep. Bur. Ethn.* xxxvi:i. 997, 1051.

[76] Bancroft, *Native Races,* ii. 254; *ibid.* i. 729 sq. ii. 666 sq.

[77] Mathew, *loc. cit.* 290; Ling Roth, *Natives of Sarawak,* i. 144, 159, 206 sqq.

[78] Williamson, *Social System Centr. Polynesia,* iii. 193.

gives in *Sudan Notes* a statement concerning the coronation of a Shilluk king in Fashoda 1918: 'there is no real recognition of Rex as legitimate until after the actual installation and in consequence it is a period of grave insecurity'. For this reason messengers are sent to other villages to make sure or check that everything is in order[79]. Other African peoples too, like Wanyamwesi and Wagogo, employ special emissaries to notify the election of the king. The Wagogo send heralds to every village in the district to announce, 'que le chef est mort, et que la proclamation de son successeur aura lieu à telle date'[80]. These announcements are bound up with great ceremonies[81]. Among the Bantu messengers are sent to communicate all important events, such as the opening of an initiating school, the death of a king, etc.[82].

It seems that many African native-messengers in Rhodesia constantly go from one court to another to inquire after family matters; the chiefs themselves take office first in one *Icalo* (council) and then another. The messenger does not take any important step without consulting his 'brothers', the big territorial heads[83].

To mention a few instances from the American continents: it was the custom in Cueba, Comagre and other parts of Central America that after the election of a chief of government—usually the eldest son of the old chief—'ambassadors' were dispatched to inform all neighbouring caicques of the new accession, desiring their good will and friendship for the future[84]. The Kwakiutl also send messengers to summon up people to the 'Feast of Currants' and the Scalpfeast[85].

We also hear of Embassies sent by Arabian tribes to Madikarib, who was installed as the ruler of Yemen and the vassal of the Persian king (Himyarite dynasty). The Arab tribe sent deputations to congratulate him on the auspicious occasion and among these is named Abd al Mottalib, the grandfather of Mahomet. 'But the history is accompanied by so many extravagant anticipations of the Profet as to involve it altogether in suspicion', says Muir[86].

Messengers are, as a rule, most often employed in connection with tribal and intertribal meetings as well as magic and religious feasts, which, *e.g.* among the natives of Australia, are attended by people from distances

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[79] Munro, in *Sudan Notes and Records,* i. 542.

[80] Bösch, 'Les Banyamwesi', in *Anthropos Bibl.* iii:2, 497.

[81] Schaegelen, 'La tribu des Wagogo', in *Anthropos,* xxxiii. 208.

[82] Schapera, *Bantu-speaking Tribes,* p. 192.

[83] Richards, in Fortes and Evans-Pritchard, *op. cit.* p. 111.

[84] Bancroft, *op. cit.* i. 770.

[85] Boas, *loc. cit.* 751, 753.

[86] Muir, *Life of Mahomet,* i. clxiv.

of hundreds of miles[87]. Such meetings being of special significance for the development of international relations, it seems appropriate first to say something about the rites themselves.

In their most primitive stage these mysteries are of 'sacred' character; they simply constitute a part of the religion of the tribe. The commonest rites among savage peoples are probably the initiatory or puberty rites conducted by the old men of the tribe, the object of which is to introduce the young men into the approaching mysteries of manhood, but also, to a large extent, to teach them their social and moral duties and to school them in the traditions of the tribe; for on such training depends the continued existence of the community. The initiatory rites, which are met with in nearly all parts of the world, are always, at least in the beginning, intratribal, and must be safe from the eyes of the noninitiates. The magic-religious ceremonies soon merge into social rites and thus become a link in the development of social and political institutions[88]. Landtman regards the preparation of the young men and women for adult life as a whole, the most important component of which is marriage; but marriage he considers essentially distinct from initiation of the young and rather a natural fulfilment of some of the notions underlying the puberty and initiatory rites. It seems to me that marriage is but one of the many forms in which social life manifests itself[89].

The Australian *corroborree-feasts* were formerly a most important means of strengthening the peaceful relations between different tribes. Many of the ceremonies take place according to a strict, established 'protocol', so, for instance, the water-totem feasts. The West-Victorians hold great summer-meetings by common agreement with friendly tribes; the partakers are summoned by messengers. The chiefs discuss important matters and settle disputes before the assembled tribes.

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[87] Dawson, *Australian Aborigines,* i. 14. The Australians also have recourse to messengers when the chief is in need of advice (*ibid.* i. 14).

[88] In most parts of Africa the puberty institution is of a social rather than a religious character. It certainly varies among different tribes, but as a rule it is connected with social institutions. Gradually the rites obtain a greater radius of action, *cf.* Livingstone, *Missionary Travels,* p. 166, and also Buhler-Oppenheim, 'Die Initiation', in *Anthropos,* xxxvii-xl. 907, and *idem,* in *Ciba Zeitschrift* no 10, p. 3690 sqq. In the Australian initiation ceremonies there are, according to Malinowski ('The Economic Aspect of the Intichiuma Ceremonies', in *Festskrift tillegn. Edv. Westermarck,* p. 81 sqq), economic aspects.

[89] Landtman, *op. cit.* p. 29. *cf.* Numelin, *Fältforskare och Kammarlarde,* p. 186. Webster (*Primitive Secret Societies,* 1932, p. 81) thinks, that 'in spite of the divergencies in development, it is still possible to make out the main lines along which the evolution of the prim. puberty ceremonies has proceeded. They appear to be due fundamentally to the changes brought about when once the principle of initation of membership is introduced. The grades or degrees in secret societies appear to have originated in 'the system of age classifications''.

As many as twenty tribes are sometimes represented at the meetings[90]. In Arnhem Land the Yiritja messengers are sent to invite other clans to assist at the totem rites; such missions may last for months. The messengers have to undergo all sorts of ceremonies before their departure. Among the Kangaroo messengers also visit other groups to invite them to religious meetings[91].

In Australia also hostile tribes meet in peace during the performance of certain initiation rites[92]. The same custom seems to prevail at Viti Levu in the Fiji Islands, where the participation in the *Nanga* rites is free to all tribes, regardless of their mutual relations[93]. In Marquesas, too, hostile tribes may come on similar occasions to share the amusements of their enemies under the protection of a special tabu, which may last several days[94].

It is a remarkable fact that the initiatory rites have a special connection with aspirations for peace and intertribal maintenance of peaceful relations; thus friendly tribes invite each other to their initiatory feasts, and even less friendly disposed communities are sometimes allowed to send representatives; all hostilities are simply suspended for the time being. The intertribal character and weight of ceremonies appears from the fact that persons travelling to or from such feasts pass unmolested through the territory of hostile tribes.

There are instances of peaceful relations being maintained between primitive tribes by means of festivals specially arranged for the invocation of peace. On these occasions messengers and envoys often appear masked. All fighting is, of course, placed under a ban for the time of the festival; and this ban may sometimes have great and lasting consequences[95].

Such magic and religious ceremonies will also give a special emphasis to the institution of messengers and envoys.

The *Mindarie*-feasts of the Diery in Australia are celebrated usually in order

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[90] Dawson, *op. cit.* p. 72; *cf.* Spencer and Gillen, *The Arunta,* i. 164.

[91] Lloyd Warner, *op. cit.* p. 299 sq.

[92] Angas, *Savage Life,* ii. 211.

[93] Thomson, *The Fijians,* p. 143.

[94] Vincedon-Dumoulin and Degraz, *Isles Marquises,* p. 265.

[95] For general references, see for inst. Karsten, *Naturfolknes samhallsliv,* p. 97; Lévy-Bruhl, *L'âme primitive,* pp. 263 sq, 435; Frazer, *Totemism and Exogamy,* ii. 399, resemblances to totemistic clans, *ibid.* iii. 261, 333 sqq, 470 sqq, 540 sqq; Webster, *op. cit.,* ch. ii, iv. For spec. ref. Davidson, *Chronological Aspects of certain Austr. Inst.,* ch. iii, iv; Porteus, *op. cit.* pp. 175, 256, 275 sq; B. Spencer, *Scientific Correspondence,* p. 102 sqq; Strehlow, *op. cit.* iii:i. 10 sqq, iv. 44 sqq (all these: Australians); Codrington, *Melanesians,* pp. 54, 69, 74 n, 86, 91 sq (Melanesians); Clifford, 'Nigerian Chiefdom', in *Journ. Anthr. Inst.* lxvi. 421 sq (Igala, Niger); Stayt, *The Bavenda,* p. 101 sqq (Ba-Venda); Willoughby, 'Initiation Ceremonies', in *Journ. Anthr. Inst.* xxxix. 228 sqq (Betchuana).

to invoke peace and take place twice a year; female messengers are sent to invite the neighbouring tribes and the preparations for the ceremony take about six weeks. Each day witnesses new arrivals of men, women and children, and as soon as the first come into sight, the *Mindarie*-song is intoned to show the strangers that they are hailed as friends. At full moon begins the feast, of which Gason has given us a detailed description. Its purpose is, besides the strengthening of peace, to make presents and settle amicably any disputes that may have arisen since the last *Mindarie*. The event is of great importance and talked of for many days after wards[96].

The Arunta have the custom of sending special messengers called *Inwurra* to inform the neighbouring groups that the *Chantchwa,* the headman of the water totem, intends to call the members of the totem together[97]. In South Queensland, when the elders' council decided to hold a *Bunyanut-feast,* two messengers were sent round to invite all friendly tribes to attend[98]. Mr. Fraser states that public messages exchanged by Australian natives are almost always of a peaceful character. 'For although the business' says Mr. Fraser, 'of each of these tribes is regulated independently by its own council of elders, yet there are occasions of general interest in which they all combine for their mutual benefit. There are, for instance, the *Bora*-ceremonies, when the young men are formally admitted into the community and taught all the tribal lore and their personal obligations as members of the tribe'. To these joyful assemblies, Mr. Fraser adds, people hasten from every quarter. Another such occasion is the *Mindi*-meeting, or general fair, to which blacks from distant places bring their commodities for barter[99].

Howitt remarks how these ceremonies bring together a number of tribes. Thus the *Kuringal* or *Yuin* ceremony in South Australia is attended by peoples from Manero, Shoalhaven, and Braidwood, and they therefore form what may be called a 'community', which in this sense includes a number of tribes. All taking part in the same ceremony form an intermarrying community, 'larger than one tribe: a nation'[100].

The Euahalay messengers are employed in the same way; each messenger carries a spear with a *Waywak* (belt of manhood) on the top, which secures him a free passage even through hostile territory. When a messenger arrives at a strange camp he is not asked his business but left to choose his own time. Usually he

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[96] Gason, in Woods, *op. cit.* p. 271.

[97] *Ibid.* 272 sq; Howitt, *op. cit.* pp. 347, 681; Strehlow, *op. cit.* iv:i. 17, 46; Spencer and Gillen, *The Arunta,* i. 163; *cf.*

[98] Petri, in Howitt, *op. cit.* p. 323.

[99] Fraser, *op. cit.* p. 41; Parker, *op. cit.* p. 63; Strehlow, *op. cit.* iv:i. 17, 46.

[100] Howitt, *op. cit.* p. 512.

squats at some distance from the camp and food is brought out to him[101]. When the natives of the Murray District desire other tribes to be present at their initiatory ceremonies, young men are sent off with messages of invitation, carrying with them as their credentials long narrow nets. These nets are left with the tribe they are sent to, and brought back again as soon as the invitation is accepted[102]. Peoples who gather to celebrate the great totemic ceremonies, such as the *Gunabibi, Djungguan* or *Narra* rites come from clan territories sometimes hundred of miles apart. The leader for the *Gunabibi* ceremony, for instance, frequently come up to the interior from the headwaters of the Roper Rivers in the south of the Gogder. Members from all the tribes in the Northern Arnhem Land district attend, according to Lloyd Warner, yearly. A ceremony assumes greater importance the larger the number of people present, the greater the distance they have come. A man always brags about how far he travelled, how many clans he visited on his voyage[103].

The custom of summoning people to religious feasts by special messengers seems to have been quite common among the natives of Oceania. In the Solomon Islands, for instance, messengers and heralds are sent by the chiefs to all neighbouring villages and districts[104], and when the great *Pilou-Pilou* feast, at which an elaborate 'protocol' is observed, takes place in New Caledonia, the messengers are chosen with a view to their oratory powers[105]. Similar ceremonies are known to be performed by the Mafulu, the mountain people of British New Guinea, where messengers are sent to deliver invitations to the Mafulu's big feast. These messengers, two or three in number, set off about a month in advance. The same procedure holds for invitations to funeral feasts[106].

Nor was the messenger system for the summoning of people to religious rites unknown to the North American Indians. The Kwakiutl had messengers to summon people to their currant and seal festivals, which were exceedingly solemn occasions. With the Crow Indians the messengers, *Acipê rira'u,* possibly 'pro-

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[101] Parker, *op. cit.* p. 63.

[102] Eyre, *Journ. Expedition Central Australia,* ii. 220; *cf.* Fison and Howitt, *Kamilaroi and Kurnai,* p. 192.

[103] Lloyd Warner, *op. cit.* p. 156; *cf.* also Simmons, *The Rôle of the Aged in Primitive Society,* p. 124 sqq.

[104] Ivens, *Melanesians,* p. 160 sq.

[105] Leenhardt, *Notes d'Ethn. Néo-Caledonnienne* (*Univ. Paris, Trav et Mém. de L'Inst. d'Ethn.*) vii. 143 sq, 146 sq, 150, 183 sq, 161 sq; conc. Melanesians, see Codrington, *op. cit.* pp. 70, 80, 84, 86, 88, 92, 97 sq, 233; Frazer, *op. cit.* i. 36 sqq, ii. 29, 34 qq, iv. 200 qq, 277 sqq, 313.

[106] Williamson, *The Mafulu,* pp. 225, 250, 331.

claimers', played an important part and belonged to the chief's household. Riding through their territory they proclaimed all matters of public interest, called the old men to meetings and warned the people of impending battles. Sometimes a messenger was expressly understood to be the chief's mouthpiece[107]. Even Eskimos, for instance those living around the Bering Straits, have messengers to announce the celebration of festivals and invite other communities to attend[108].

It was customary with the rulers of Mexico and Tezcuco to send messengers to distant provinces with a demand that they should receive one or more of their gods and worship them in their temples. If the messenger was killed or the proposed god rejected, a war ensued[109].

A peculiar kind of *religious messenger* is employed by the Kenyas of Borneo. Among them there is a kind of ghost, *Bali Flaki,* acting as religious messenger. 'They were considered as a help and guide, but not exactly as one of the great spirits, such as some other tribes hold them to be: the *Bali Flaki* rather were more considered as a message or intermediary between man and super Being'[110]. On the African continent we also find messengers of a religious character. In the Bakitara, in Uganda, as mentioned above, if rain had failed to appear and the king became uneasy about his people, he employed a messenger to travel to the 'rain-maker'[111].

The same messenger or envoy who acts as summoner for religious feasts and rites may also look after business interests: call people together when the time for making kippers approaches, when the mallet come in, or the Bunya fruit is ripe[112].

In ancient semitic civilization we find religious messengers both real and symbolic. The Hebrew word *MAL'AK* means a messenger. It was used of messengers both public and private, Divine and Satanic[113]. The Hebrew envoys were not permanent officials but chosen from among the court attendants on special occasions[114]. To treat them ill was to offer a grave

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[107] Boas, 'Ethnology Kwakiutl', in *Ann. Rep. Bur. Ethn.* xxxv:i. 77, 753; Lowie, *Crow Indians,* pp. 6, 93 sqq, 116, 205, 210, 225 sq, 261 sqq, 308, 311, 318, 322.

[108] Nelson, 'Eskimo about Bering Strait', in *Ann. Rep. Bur. Ethn.,* xviii. 286.

[109] Bancroft, *op. cit.* ii. 420.

[110] Hose, *Native Man,* p. 221.

[111] Roscoe, *The Bakitara,* p. 31.

[112] Howitt, 'Organisation Austr. Tribes', in *Trans. Soc. Victoria,* i. 112 (Turribul tribe, North Pine River, Queensland); Thomas (*Natives of Australia,* p. 106) says of the combined task of the Australian messengers: 'to call together tribes for war or initiation ceremonies, to arrange marriages, to initiate peace negotiations, to call tribal councils, and generally to disseminate information', *cf.* Butt-Thompson, *West African Secret Societies,* p. 183.

[113] In *Luc.* 7:24 and 2 *Cor.* 12:7 occurs *αγγελος* for temporal envoys. *Cf. Luc.* 1:11, *Math.* 18:10, 25:41 conc. supernatural envoys. *Cf.* also *Math.* 11:10; *Mal.* 3:1; *Marc.* 1:2. The Hebr. words are sometimes also translated 'ambassador' in the *Old Test.* (2. *Kings* 5:10, *Proverbs* 13:17, 25:13), hence identical with herald or messengers from court, (*cf.* also *Isaiah* 18:2, 57:9, metaphorically an 'ambassador' of Jehovah, *Jer.* 49:14).

[114] 2. *Kings* 19:9.

insult to king and people[115]. During the Maccabaean period, when embassies were frequently sent by the rulers, the ordinary Greek word for 'ambassador' πρεσβευτής is used in the Septuaginta. In the New Testament it does not occur, although there are other words of the same stem πρεσβεία (mission) and πρεσβευτής. Later, it seems, the messengers were employed as heralds of war[116]. No distinct mention, Walker says, is made in the annals of Hebrew warfare, of the herald in his function of summoning conflicting parties to conference, or of demanding the submission of beleaguered places[117].

A distinction between the messengers and real diplomatic agents naturally presupposes an acquaintance with statecraft hardly possible in Israel before the monarchy, and even in David's time emissaries from one court to another were liable to be abused, although the punishment inflicted upon the offenders may suggest that 'ambassadorial' rights were beginning to be recognized.

Besides messengers, heralds and envoys we find even in early civilization couriers and interpreters, who frequently act as a kind of intelligencers, not to says spies.

This institution is common especially in the negro kingdoms of Africa, where the administrative power of the ruler ceases as soon as he is unable personally to intervene. His couriers therefore occupy an important position, 'for through them the sovereign chief is as if omnipresent, and new occurrences come to his knowledge with surprising rapidity'[118]. In the African kingdom Dahomey the so-called intelligencers are men of much consequence, whose business it is to 'se renseigner sur les fétiches protecteures, sur les plans de guerre des pays ennemis'. When an *Agbadjigbeto,* a high dignitary, is sent to a neighbouring tribe on a special mission of espionage, use is often made of a person born in those parts and thus able to act with freedom and assurance. Sometimes intelligencers are sent to hostile countries disguised as itinerant merchants. If it is difficult to investigate the country in question, or the natives are disinclined to report on its conditions, the *Agbadjigbeto* must undertake repeated journeys in order to complete his information. The intelligencer may stay in the country for several months and regularly receive other emissaries sent by the king, 'qu'il présentait à ses frères comme des associés venant l'approvisionner en marchandises'. On his return, the chief intelligencer must give the king and his ministers a detailed account of his sojourn and present the maps he is supposed to have drawn. If warfare against the other country is contemplated, the maps will be examined by specialists[119].

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[115] *2. Samuel,* 10:1-6, *Judith,* 1:11, 3:1.

[116] *Luc.* 14:32.

[117] Walker, in *A Dictionary of the Bible,* ii. 348.

[118] Bücher, in Thomas, *Source Book Social Origins,* p. 126.

[119] Hazoumé, *Le pact de sang au Dahomey* (*Univ. de Paris, Trav. et Mém. de L'Inst. d'Ethn.,* viii) ch. iii, pp. 20, 22, 25.

A complete courier system was established throughout the empire of the Aztecs. The couriers were employed to carry messages in peace and war, and to supply the king's table with fresh provisions. Montezuma had fresh fish brought to his palace daily from the gulf coast. The couriers were exceedingly swift runners, being trained from childhood and encouraged by rewards. At the distance of every six miles stations were built in the form of small towers whence one or more couriers were at all times ready to set off with dispatches. The messages, usually expressed in printing, being thus constantly delivered by one courier to another, were conveyed to the capital in an incredibly short time. When they were of an important character, the courier wore some badge or was dressed in a manner indicative of the task entrusted to him. For instance, if the news related to a defeat in battle, he travelled with dishevelled hair, preserving a strict silence until the message was delivered to the person to whom it was directed. If, on the other hand, he brought news of victory, his hair was neatly tied with coloured strings, his body was wrapped in white cotton cloth, and he would joyously sing the praise of the victor[120].

In the Old Norse sagas mention is often made of special intelligencers who are sent, with definite instructions, to different parts of the country. Nor was the messenger system unknown in ancient Norway and Denmark[121]. In many cases the functions of messenger and courier coalesce, but generally speaking the couriers are more occasional travellers in the king's service than the messengers and envoys.

We see, then, that the messengers and envoys of primitive peoples are employed for various purposes. They call members of different tribes together to discuss matters of mutual interest, they make important communications, and they announce the celebration of secular as well as religious feasts.

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[120] Bancroft, *op. cit.* ii. 413. 'Los Correos, ó Mensageros, que se despachaban de las Guerras, tambien pasaban seguros, por todas partes' (Clavigero, *Stori Ant. del Messico,* ii. 118 sq). 'Respetaban à los Embaxadores de sus mortales enemigos, como à Dioses, terniendo por mejor violar qualquier rito de su Religion, que pecar contra la fee dada à los Embaxadores' (Torquemada, *Monarc. Ind.* ii. 536 sq, quoted by Bancroft, *op. cit.* ii. 414). Conc. other American natives, see Dellenbough, *North Americans Yesterday,* p. 364; conc. interpreters betw. Indians and whites, see Hodges, *Handbook American Indians,* i. 23.

[121] *Olav Tryggveson Hist.* chh. iii, iv, ix; *cf. The Saga of Olav Saint,* ch. cxxiii.

Chapter V

Envoys and their Credentials

Lettres de créance

It is a distinctive feature of the primitive messengers, envoys, couriers, and even heralds, that they, just like the diplomats of civilized nations, enjoy a number of special privileges. They are almost always personally inviolable, and their inviolability is according to many ethnological students, of 'sacred' or 'sacrosanct' character. I think, however, we ought to be cautions in attributing abstract ideas to the savage mind which is more or less incapable of grasping abstractions apart from individual cases. Consequently, we ought not to speak of sacredness if we do not mean something more than mere inviolability.

Interesting is it see, that it may arrive, that if a primitive emissary cannot be quite sure of his life in his own tribe he can anyhow go quite safe in the tribe of the enemy, to which he has an errand[1].

A breach of the principle of the inviolability of the messengers and envoys seems to be severely punished and may lead to retaliation even if the respective tribes are at enmity with each other. Primitive diplomats must be permitted to pass safely through hostile territory and are, for this purpose, furnished with recognized emblems of truce or armistice, of which I shall say more later on.

Mr. John Fraser, speaking of the aborigines in South Australia, states that though death was in general the punishment for any transgression of the boundary of another tribe, there were preferred persons, messengers, who bore certain distinguishing marks and were permitted to enter foreign territory at the order of a neighbouring clan for the purpose of buying, exchanging or conferring with others of their kind. In other cases an invasion of foreign territory without permission might mean death[2].

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[1] *Cf.* Trowbridge, *Meearmeear Traditions,* p. 29.

[2] Fraser, *The Aborigines of New South Wales,* pp. 37, 41.

The messengers of the New South Wales tribes are also inviolable when moving among hostile tribes. They are known by a red net round their foreheads. On arriving at the camps of such tribes they raise a peculiar cry which brings all the inmates around them. Only after a long silence do they deliver their message and then begin to await the reply, perhaps for several days[3].

Most other Australian tribes also regard the messengers, heralds and envoys as 'sacred'. The Arunta hold them in particularly high esteem and always let them pass with safety[4]. Before the performance of greater rites and ceremonies, such as the *Engwura*-totem ceremony, the headmen of the local group of the Arunta usually meet for consultation. Once it has been decided to summon all the groups to Alice Spring, a specially accredited messenger is sent off. As a token of his *bona fide* he is to carry a *Churinga,* or a sacred staff (*Churinga* is the native word for 'secret' or 'sacred'). This staff, as well as the messenger himself, is called *Ilchinkinja* (of *ilcha,* hand, and *inkinja,* to lift up), so that the real meaning may be rendered by the term 'beckoning-hand'. Such a messenger can travel from group to group with perfect safety[5].

In each tribe of South-West Victoria, Mr. Dawson says, there are messengers selected for their intelligence and knowledge of several dialects. Their persons are 'sacred' while on duty, and they distinguish themselves from spies or enemies by travelling in pairs, and being painted according to the nature of their message[6]. However unpleasant their tidings, the messengers' persons are held inviolable and they are always patiently listened to and hospitably treated. If the message requires an answer, the answer is given and the bearer is conducted safely to the boundaries of the district he has invaded. The messenger must, however, carry a token with which he passes safely through the lands of foreign tribes. The token consists of a piece of wood with hieroglyphic inscriptions which, being 'read' and interpreted, inform all persons of the nature of his mission[7].

Among the aborigines of Cooper's Creek elderly men travelled among the tribes, carrying news to neighbouring tribes. Their persons were inviolable[8]. The

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[3] *Ibid.* pp. 41, 67.

[4] Spencer and Gillen, *Native Tribes C. Australia,* p. 141; *idem, Northern Tribes,* p. 332; Gregory, in *Stanfords Comp. of Geography,* i. 218.

[5] Spencer (*Wanderings in Wild Australia,* i. 312 sq) states that the *Churinga,* which the messenger carries, is powerful to work evil magic against him if he neglects the call.

[6] Dawson, *Australian Aborigines,* p. 74.

[7] Smyth, *Aborigins of Victoria,* i. 133, 135, ii. 292; Curr, *Recollections of Squatting in Victoria,* p. 133; *idem, Australian Race,* i. 98; Langloh Parker, *The Euahlayi Tribe,* p. 63; Howitt, *Native Tribes of S.-E. Australia,* p. 687.

[8] Fison and Howitt, *Kamilaroi and Kurnai,* p. 193.

messengers of the Lachlan River tribes were regarded as 'sacred', and the case was the same with the tribe-messenger in the country of Lower Murray, even in time of war[9]. The Geawegal and neighbouring tribes, while employing public heralds, had other officials to perform less important commissions. The latter, whose persons were not perfectly 'sacred' and inviolable, were not made to pass through dangerous territory[10]. The Wireteri tribe believed that the custom of employing messengers had been taught them by *Biamai,* their good spirit[11].

Among the Wiradjuri of North-West Wales in Australia, messengers are regarded as 'sacred' and they may safely travel anywhere, so long as they possess the proper sign and emblem of their office[12].

In Oceania we find that the envoys of the Maoris are in enjoyment of the same exterritorial rights[13]. So are primitive diplomats in many others of the South Sea Islands: New Britain, Tonga, Samoa, The Marquesas Isles[14].

In Tonga the priests act as emissaries of peace and are, in this capacity, inviolable and 'sacred' personages[15]. Among the Fijians we find practices of a like nature. Intercourse between group and group, whether in peace or in war, is, as we have mentioned, conducted through the agency of heralds, whose persons are inviolable at all times[16].

A man sent to his mother's kinsmen in Fiji is safe among them and he is sure in virtue of the sister's son's irressistible right (*Vasu*) to obtain what he asks for. This usefulness of the sister's son may in turn have reacted upon his right and helped it to the extreme pitch to which it has attained in Fiji. A subject tribe especially would have to cultivate a person who could at any time be required to shield them[17].

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[9] Smyth, *op. cit.* i. 181; Beveridge, *Aborigines of Victoria and Riverina,* i. 165.

[10] Fison and Howitt, *op. cit.* p. 283 sq.

[11] Wheeler, *The tribe, and intertribal Relations in Australia,* p. 114, quoting a reference from *The Science of Man,* iii. 99 sq.

[12] *Ibid.* p. 114.

[13] Polack, *Manners and Customs of the New Zealanders,* ii. 20.

[14] Lowie, *Primitive Society,* p. 362 sq; G. Brown, *Melanesians and Polynesians,* p. 278; Cook and King, *Voyage Discovery Pac. Ocean,* ii. 64, 66, 69; Vicedom-Domoulin and Degraz, *Iles Marquises ou Nukahiva,* p. 256.

[15] Mariner, *Account Natives Tonga Islands,* i. 234; *cf.* Williams, and Calvert, *Fiji and Fijians,* i. 54.

[16] The tribus of Nuku-hiva, one of the Marquesas Islands, had little intercourse because of mutual hostility. It was possible, however, for a man who had established friendly relations with someone in another tribe to venture with impunity into its country, as his person was there taboo (Melville, *Typee,* p. 204).

[17] Hocart, 'Fijian Herolds', in *Journ. Anthr. Inst.* xliii. 118; Ellis, *Polynesian Researches,* i. 318, ii. 592.

In Samoa and many other islands the 'sacredness' of messengers and heralds seems to be partly ascribable to fear of supernatural powers. A messenger never gives way or shows respect to other people[18]. The principle of the inviolability, *i.e.* 'sacredness' of the primitive diplomats also prevails in New Guinea[19]. And in Luzon, among the Bontoc Igorot, where the life even of a messenger of war is secure from violation, a near relative of the challenged group is, if possible, chosen for the office[20].

Personal inviolability is, further, enjoyed by the envoys of many tribes in India: the Naga in Manipur[21], the Angemi and the Kuchu Nagas[22].

Similar traditions are met with in Africa. The missionary Priebusch states that the Wabena envoys were everywhere freely regaled and given escort from district to district until they reached the chief with whom they had business[23]. According to Vedder, the chief's messengers who are sent on errands to another chief, are, under penalty, not to be injured[24]. To impersonate a king's messenger among the Zulus was punishable by death[25]. Among the Basutos[26], the Bushmen[27] and the Ehwe speaking tribes of the Gold Coast[28] it is an unheard of crime to violate an envoy bearing 'the stick of office'.

Messengers, heralds and envoys were always 'sacred' in the great western states of Southern Nigeria[29]. In Uganda even commercial agents could count on the special protection of kings and chiefs when travelling on important errands[30]. Among the Nuba the diplomatic emissaries, as we have seen, always are inviolable[31].

In South America the privileges granted to primitive diplomats seem to be less marked. von Martius even states that foreign messengers are sometimes subjected to ill-treatment by the Brazilian aborigines. This, however, may be an exception confirming the positive rule, inasmuch as the same writer mentions that

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[18] G. Brown, *op. cit.* pp. 28, 278.
[19] Waitz, *Anthropologie d. Naturvolker,* i. 164.
[20] Jenks, 'The Bontoc Igorot', in *Ethnol. Survey Philippine Islands Publ.* i. 177.
[21] Hodson, *The Nāga,* p. 114.
[22] Dalton, *op. cit.* p. 44.
[23] Ankermann, *op. cit.* p. 48 sq.
[24] Vedder, *The Herero,* p. 189.
[25] Gluckman, in Fortes and Evans-Pritchard, *op. cit.* p. 28.
[26] Casalis, *The Basutos,* p. 224.
[27] Lichtenstein, *Travels in S. Africa,* i. 278.
[28] Ellis, *The Ewe-speaking Peoples,* p. 178.
[29] Talbot, *Peoples of S. Nigeria,* iii. 825.
[30] Burton, *Lake Regions C. Afrika,* i. 253; Wilson and Felkin, *Uganda,* i. 58.
[31] Nadel, *op. cit.* pp. 259, 309 sq, 453 sqq.

among the Brazilian tribes the property of the *pajés,* envoys, is spared in time of war[32].

As to the conditions prevailing among the Indians of North America, authorities differ about the practice of investing primitive diplomats with 'exterritorial rights', even if the Indians, like the ancient Mexicans, generally regarded an envoy as inviolable and sometimes as 'sacred'. Whoever outraged a diplomat was sure to pay the penalty of death. But the North American Indians demanded of their diplomats far more than many other primitive peoples.

The envoys or 'ambassadors' of the Nahuas, for instance, were men of much consequence and noble lineage. They were chosen on account of their courteous manners as well as their practical ability. Their persons were inviolable and they were received with every mark of honour and respect, perfumed with incense, presented with flowers, and well lodged and entertained. Any insult or indignity offered them was a sufficient cause of war. It is a remarkable fact that the Nahuas, who never accepted a ransom for a prisoner of war, always held the person of a diplomatic officer 'sacred'. Whoever maltreated an envoy or courier belonging to the king, was condemned to death; but the envoys and couriers were, on their part, forbidden to leave the high road, under pain of losing the privileges. And an envoy who failed to discharge his duties in accordance with the orders and instructions given him, or returned without an answer, suffered death by decapitation[33].

The Arabs generally also respected a person travelling on a diplomatic mission. It is said that Mahomet once spared the lives of certain persons on the ground of their being 'ambassadors' and therefore privileged[34].

The ancient Orientals, as well as the classical Mediterranean peoples, Teutons, Gauls and Irish obeyed the same principles, even if the inviolability of messengers was not always respected, as *e.g.* with the Greeks[35]. The ancient Irish employed heralds, *Techtaire* or *Eachlach,* and envoys especially in time of war. They were always regarded as 'sacred'. On their missions they were treated with the utmost

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[32] v. Martius, *Von dem Rechtzust. Brasiliens,* pp. 30, 47.

[33] Bancroft, *op. cit.* ii. 412, 419, 426 (note p. 95 a). Conc. Haidah: *ibid.* ii. 64, Nootka: i. 189, Kansas, Osage and Kickapoo: Hunter, *Manners and Customs Indian Tribes,* p. 326; Omaha: Dorsay, 'Omaha Sociology', in *Ann. Rep. Bur. Amer. Ethn.* iii. 368; Bonca: Fletcher and La Flesche, 'Omaha Tribe', *ibid.* xxvii. 87. For general references, see also Hale, *Ethnography,* etc. (*USA Expl. Exp.* vi.), p. 72; Gibbs in *USA Geogr. and Geol. Surv.* i. 190; de Herrera, *Gen. Hist. America,* ii. 248, iii. 317.

[34] Muir, *Life of Mahomet,* iv. 247.

[35] Plutarch, *Camillus,* 17. Diodoros (xxxiii. 5; Didot-edition, 1878, p. 523) mentions the abhorrence in which the murder of the messengers from Marathon was held. *Cf.* also Caesar, *De bello gallico,* iii. 9; iv. 7.11; Livius, xliii. 5.

espect even by their bitterest enemies. They had a special dress by which they ere at once recognized, and commonly carried in one hand a white wand or and-staff, and in the other a sword, symbolical of the alternative to be accepted —peace or war[36].

It is, however, not only messengers and envoys who enjoy the exterritoral rights we are discussing. They are, as already hinted, accorded also to commercial agents. In some districts of Australia small parties of natives, who have set off to procedure red earth for colouring purposes, are permitted to pass unharmed through the territories of foreign tribes[37]. In the Fiji Islands intertribal trade was carried an by special heralds who were inviolable even in time of war. These heralds also acted as a kind of commercial messengers when the chief was in need of wares from other districts[38]. The Mondingoes in Senegambia have four different trades or professions ranking in the following order: orators, minstrels, shoemakers, and blacksmiths. The members of these professions can travel through the country unmolested even in time of war, and strangers of African blood are safe under their protection. A like inviolability and protective power are possessed by the Purrah men of the Timanee country[39]. In Oromó wars merchants and priests are not molested[40]. The same holds true of Loango, where the merchants are always inviolable[41].

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[36] Joyce, *Social History Anc. Ireland,* i. 135. In the *Book of Leinster* (25:69, quoted by Joyce, *op. cit.* i. 135) mention is made of some historical occasions on which Irish envoys were employed: Cummuscach, son of King Aed Mac Ainmirech, was slain, A. D. 598, by Branduff, king of Leinster, who sent envoys north to announce the news to his father. The envoys when asked for their message refused to tell until they had been given a guarantee of safety. King Aed gave them his drinking horn as pledge: whereupon they said 'we have killed thy son and slain his people'. Aed answered 'we had heard these tidings already: yet ye (being envoys) shall depart unhurt: but nevertheless we will go after you (to avenge by open war in Leinster the death of the prince)'. (O'Grady, *Silva Gadelia,* ii:xxvii, *The Boromean Tribute,* p. 411, quoted by Joyce, i. 135). Concerning a proposition to send Fergus MacRoy as an envoy from Queen Maive to the hostile Ulster Army, see Joyce, i. 135.

[37] Jessop, *Flindersland and Sturtland,* ii. 211. This is anyhow not general for Australian commercial agents. There are traders, whose persons do not seem always to have been respected (*cf.* Thomas, *Natives of Australia,* p. 31).

[38] Ratzel, *Volkerkunde,* ii. 283.

[39] Laing, quot. by Hamilton-Grierson, in *Encycl. Religion and Ethics,* xi. 894.

[40] Paulitschke, *Ethnographie Nordost-Afrikas,* p. 256.

[41] Thurnwald, *Economics prim. Communities,* p. 150. *Cf.* Post (*Grundriss ethnol. Jurisprudenz,* i. 456): 'oft existiert ein besonderer Grosswürdenträger für den Verkehr mit Fremden und für den Handel'. Conc. other 'sacred' persons and taboos affecting chiefs and kings,

Even in primitive societies there exists a relatively complicated etiquette. The receptions of messengers and envoys, as well as the coronations and burials of kings and chiefs, are regulated by a given ceremonial or protocol, which often originates in magic and religious ideas.

It may be established as a general fact that primitive tribes, in their mutual intercourse, display a courtesy and formality of the same character as the diplomatic usages of civilized nations[42]. 'Il n'y a pas de gens plus cérémonieux que les sauvages', says Jules Cambon, former ambassador of France. 'Quand deux Touaregs se rencontrent dans le Sahara, du plus loin qu'ils s'aperçoivent, ils s'arrêtent, descendent de leur monture, s'asseoient sur le sable, se saluent et font avec leur lance et leur bouclier en peau de gazelle des gestes qui ont quelque chose de rituel. Ils n'osent s'approcher l'un de l'autre qu'après s'être ainsi reconnus'[43].

The Central Australian tribes, according to Dr. Eyre, treat each other with extreme politeness, the most endearing epithets are passed between persons who have never met before[44]. The etiquette of the Maoris is equally strict[45].

Certain peoples and tribes prescribe a special language to be used between chiefs. Thus, for instance, the Samoa islanders have a special dialect for court service and out of politeness always adress strangers in royal speech. The chiefs had, moreover, a language of their own which was used when they were accosted by inferior chiefs or generally by people of lower rank[46]. The chief of the Fijians demands much homage of his people in point of action and language[47].

Where the chief or king wields an extensive power court etiquette is relatively complicated. So, for instance, in many parts of Africa. Among the Lunda in the interior of Angola the *Mwata* (plur. *Miata*) acted as a master of ceremonies receiving visitors and introducing them to the king, and they also played a part

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magicians, priests and secret society-officials, see Webster, *Taboo,* p. 261; conc. 'sacred' things, *ibid.* p. 280 sq.

[42] *Cf.* Hartland, *Primitive Law,* p. 21.

[43] Cambon, 'Le Protocol', in *Archives Diplomatiques et Consulaires,* xi. 498.

[44] Eyre, *Journals Exp. Discovery Central Australia,* ii. 214.

[45] Taylor, *The Ika a Maui,* p. 390.

[46] Williamson, *Social and Political Systems in C. Polynesia,* i. 345 sq. *Cf.* Stair, *Old Samoa,* pass.

[47] Williams and Calvert, *Fiji,* pp. 37 sqq, 149. Conc. etiquette of Melanesians, *cf.* Rivers, *Hist. Melanesian Society,* i. 305; conc. peoples in the Malayan arch., Marsden, *Hist. Sumatra,* p. 402; Wallace, *Malay Archipelago,* i. 219 sq; Hogbin, 'Native Councils and Native Courts', in *Oceania,* xiv. 4, 257 sqq (Solomon isl.). Also primitive emissaries seem, in certain cases, to have expressed themselves in a kind of cryptic speech, understood only by the receiver of the message; *cf.* the Gong language, which is used for transmitting messages in Malekula (New Hebrides), Deacon, *Malekula,* p. 136. Conc. primitive secret languages, *cf.* Aufinger, 'Die Geheimsprachen, etc.', in *Anthropos,* xxxvii-xl. 629 (Mandang Island, New Guinea).

at the more important burials and initiatory rites[48]. Among the Glidyi Ehwe in Togo the installation of the king is connected with great ceremonies[49]. No one is allowed to visit the king or queen of Uganda in arms, and in conversation with the king the word must always be transmitted by one or more of his officers[50]. In East Africa strangers must sit under a tree outside the encampment till a deputation of elders, having formally ascertained their purpose, escort them to the king[51]. Most Bantu peoples also have an extensive court ceremonial[52]. Prof. Schapera has recently given a good illustration of this question regarding the Tswana tribe[53].

Etiquette was very strict among the Indians in North America. Among the Iroquois, for instance, speeches were exchanged between the visitors and their receivers and belts of wampun with which the council had been called, were returned[54]. In Peru, to look the king in the face was a capital crime; all eyes must be lowered. And in Mexico, all who met with the royal cortège looked down[55]. Also among Asiatic peoples, especially in the far East at the dawn of history[56], detailed court ceremonials were observed *e.g.* at the courts of the King of Persia[57].

If primitive etiquette is pretty strict and complicated in general, it is most decidedly so when the reception of foreign messengers and envoys is concerned.

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[48] Baumann, *Lunda,* p. 141 sq.

[49] Westermann, *Glidyi Éwe,* p. 200, 208. In West Africa, the person of the king is 'sacred', and if he drinks in public, every one must turn his head so as not to see him, while some of the court women hold up a cloth before him as a screen. He never eats in public, and the people pretend to believe that he neither eats nor sleeps. It is criminal to say the contrary (Ellis, *Éwe-speaking peoples,* p. 162 sq); Ringwald, 'Häuptlingswesen, etc. auf der Goldküste', in *Archiv f. Anthropologie,* N. F. xxviii. 1.

[50] Speke, *Journ. Disc. Source of Nile,* pp. 294, 316.

[51] Burton, *Lake Regions Central Africa,* ii. 55.

[52] Junod, *Moeurs et Coutumes des Bantous,* i. 394 *sqq.* Conc. other afr. peoples, *cf.* Kriege, *Social System of the Zulus,* p. 255 sq (Zulu); Roscoe, in *Journ. Anthr. Inst.* xxxviii. 97 sq (Cow tribe of Encole); Weeks, *Among prim. Bakongo,* p. 39; *idem,* in *Journ. Anthr. Inst.* xl. 392 (Bakongo and Congo tribes); Baskerville, in Steinmetz, *Rechtsverh. eingebor. Volkern,* p. 169 sq (Baganda); Lang, *ibid.* p. 247 (Washambala); Torday and Joyce, in *Journ. Anthr. Inst.* xxxvi. 14 (Ba-Yaka).

[53] Schapera, *Political Annuals of a Tswana Tribe* (*Comm. School of African Studies,* No 18), p. 89 sq.

[54] Bancroft, *op. cit.* ii. 178, 180 sq.

[55] Morgan, *Leagues of Iroquois,* p. 117.

[56] Batchelor, *The Ainu,* ch. xii.

[57] Kaemfer, *Am Hofe des Pers. Grosskonigs* (*Quellen u. Forschungen, Geogr. u. Volkerkunde,* vii), ch. vi.

An extensive ceremonial for the reception of messengers is used by the Ashanti and the Naba at High Volta[58] in occidental Africa and the Moghonaga[59] in eastern Africa, to mention only a few examples. When a messenger is summoned to the presence of the Dahoman king, he is told: 'The Spirit requires you'. And when the king has spoken, all exclaim: 'The Spirit speaks truth' (The king is called the Spirit as having power over life and death.)[60].

Among the Wabena and Wasove tribes, where the gifts brought by a messenger to a foreign chief serve as a proof of his legitimacy—the gifts consist of elephant tusks and female slaves—the messenger, having crossed the frontier, has to announce himself to the nearest sub-chief. In the night the tusks are taken across and hidden, preferably in a lake or river. Then the sub-chiefs secretly inform the chief of the arrival and the business of the messenger, who is allowed to travel only at night so as not to be let anyone see the presents. He is hospitably treated and furnished with a safe-conduct for his return-journey. Often he is asked to take corresponding presents to his own chief[61].

Concerning the Baganda in Uganda we hear that chiefs insisted strictly on the proper delivery of their messages. As there was no writing, this was very important. If a messenger made a mistake in delivering his message, or wilfully changed the wording of it, he was liable to lose an ear. The king was remorseless in punishing a tardy or careless messenger. If the king felt inclined to pardon the culprit after inflicting this punishment, he sent him to the medicine-man to have the bone set but in some instances the king sent the man to be killed after his leg had been broken[62].

The ceremonies attendant on the reception of North American Indian envoys were particularly solemn[63]. The king of the ancient Californians had a regular body-guard of messengers uniformly dressed in coats and skins. His coming was announced by two heralds or 'ambassadors', one of whom softly prompted the other while the proclamation was made[64].

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[58] Rattray, *Ashanti Law and Constitution,* p. 91 sqq.

[59] Delobson, *L'Empire du Mogho-Naga* (*Inst. de droit, Comp. Etudes,* xi. 1933), p. 107; Petit, *La monarchie annamite* (*Etudes de sociologie,* v. 1931), pp. 13 *sqq,* 23 *sqq,* 90.

[60] Burton, *op. cit.* i. 262.

[61] Ankermann, *op. cit.* p. 48 sq. Some African peoples, as for Inst. the Bunyoro in Central Africa have, according to Roscoe (*Soul of Central Africa,* p. 145) special heralds to keep watch over their cattle. They were 'sacrosanct' and looked upon as closely connected with the king.

[62] Roscoe, *The Baganda,* p. 12; *cf.* MacDonald, 'East Central African Customs', in *Journ. Anthr. Inst.* xxii. 119: 'A mistake (in etiquette) toward the chief is severely punished, and in Uganda the offender may be slain on the spot'.

[63] Bancroft, *op. cit.* ii. 607.

[64] *Ibid.* i. 172.

The custom of receiving foreign diplomats with complicated ceremonies was practised also by the Arabic peoples. The traditions pass on into early historical times. It is said that when Justinian II sent negotiators to the Seldshuks, these negotiators had to submit to purification in order that all noxious influences be removed. The magicians of the tribe danced around them in a state of violent excitement, incense was burnt, drums were beaten and every means was used to avert the danger. Messengers to the khans of Tartary were compelled to pass through fire before they were admitted; even the gifts they brought had to be purified in the same way[65].

The reception of primitive missions, however temporary they may be, is often accompanied by the bestowal of gifts and presents. How far this custom is to be regarded as a primitive parallel to or a beginning of the ribbons and decorations of later times I leave to others to determine. But it is interesting to see that even in savage societies the refusal of such gifts, usually bestowed by chiefs on messengers or envoys, constitutes a grave offence against the foreign giver. On the other hand, a primitive diplomat is not always entitled to accept such gifts, least of all from the chiefs of hostile tribes, except by permission of his own chief. Bancroft states that among the Nahua Indians it was a general rule that in all 'embassies' an interchange of presents was made and that a refusal of such gifts was a serious affront especially if the respective tribes were on friendly terms. If, however, they were enemies, the 'ambassador' could not receive a present without express orders from his master[66]. Here, at least, we have primitive parallels to later regulations as to the right of accepting foreign decorations.

Titles are seldom used by savage peoples, yet there are exceptions. The Bubi, a West African tribe, have according to Tessmann (whose datas, however, must be taken with reserve!) a detailed system of titles. The titles are conferred by the chief and accompanied by various decorations, both civil and military[67].

The very presentation of the message and the messenger's reception among the foreign tribe or group is a great ceremony in savage societies. Only after the delivery of the message stick to those concerned is the messenger, so to speak, duly accredited to the leader, chief, or king of the foreign tribe.

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[65] Acc. to information given me by prof. Gummerus, Helsingfors.

[66] Bancroft, *op. cit.* ii. 42.

[67] Tessmann, *Die Baja,* ii. 186.

In spite of the fact that the messengers and envoys are, as a rule, furnished with safe-conduct, they are very seldom admitted directly to the presence of the foreign chief. In most cases it is demanded that he shall be especially introduced by a member of the tribe visited. Once this ceremony is completed, the messenger or envoy will be invited into the camp and treated as a distinguished guest; it may even be that he will have temporary wives at his disposal while staying in the camp. When he returns home after a stay often lasting several weeks, he is, as we have seen, given escort to the frontier and loaded with presents. But if his mission turns out unsuccessful he must be prepared for a hasty departure and take with him a sharp and threatening message.

Mr. Mathews, speaking of the natives of Australia, emphasizes the important character of the ceremony attendant upon the reception of messengers and envoys in a foreign camp. The messenger delivers his message-stick to the party concerned, giving the name of the sender and explaining the meaning of the message[68].

Speaking of the aborigines of Victoria, Mr. Smyth states that when a tribe is encamped, it is not permitted to any other tribe to approach the camp without warning. The foreign messenger does not at once break in upon their privacy. He sits down at a considerable distance from the camp, usually beyond sight of it, and makes a very small fire of bark and twigs for the purpose of indicating his presence by the smoke. After the lapse of a quarter of an hour, one of the aged blacks approaches him, carrying in his hand a fire-stick, or a piece of thick bark ignited at one end. The messenger then presents his token to the old man, who scans it and gives him instructions accordingly. Some hours later, if the messenger has announced the arrival of visitors, the members of the tribe gather around him, and, if they are friendly, there is a *corroborree* at night. If the message contains a declaration of war the messenger enters into a debate with the old men of the tribe which sometimes lasts far into the night. The messenger is conducted safely to the boundary of the district he has invaded[69]. Mr. Fraser points out that a messenger may approach the camp even of an enemy. He makes his presence known by raising a peculiar cry. This brings around him all who are within hearing. He sits down and, according to primitive etiquette, remains silent for a long time, and the tribesmen do not speak a word to him, till, at last, he loosens his tongue and then his eloquence flows like a rapid torrent. He is listened to

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[68] Mathews, 'Message-Sticks used by the Aborigines of Australia', in *Amer. Anthr.* (1897), p. 289; *cf.* Howitt, *op. cit.* p. 682.

[69] Smyth, *op. cit.* i. 135, ii. 292.

with the greatest attention. The chiefs retire to consult and the messenger has sometimes to wait the whole night or several days for their reply[70].

In South-Eastern Australia, Mr. Howitt states, when a man of consequence arrives at the camp of a friendly tribe, the inmates receive him with their weapons raised, as if in defiance. Upon this the visitor rushes towards them, making a pretence of striking, while they pretend to ward off his feint with their shields. Immediately afterwards they embrce him and lead him into the camp, and the women bring him food. The way of announcing the arrival of either a male or a female messenger is to tell it to the *Pinnaru,* who keeps the secret until all the inmates of the camp are assembled in order to go to rest, and then divulges it. If the message is of general interest, there follows an animated discussion which goes on for an hour and is resumed at daybreak. It may be a couple of days before the matter is finally decided. The messengers carefully note the arguments used by the elders of the tribe, and, on their return, repeat them as accurately as possible[71]. The Maryborough messengers, when approaching a foreign camp, give a signal by striking two boomerangs together, upon which signal any feud is suspended for the time being[72]. In South-West Victoria the messengers sit down outside the camp and keep a short silence before one of them intones the message[73]. A messenger sent from one Diery-group to another is received with but little ceremony; yet if he comes with good intent he is hospitably entertained by one of his own totem. The arrival of messengers is, however, never allowed to pass quite unnoticed[74].

Lloyd Warner tells us that when the Kangaroo messengers in Arnhem Land visit other groups to invite them to totem ceremonies, they carry two Kangaroo tails as emblems. When the messengers approach a camp they cut out a large club-like stick and beat it against a hollow tree; then the people realize that messengers have arrived to invite them to attend their rites. A man from the camp goes out to meet the messengers, who say: 'We have two Kangaroo tails here, one *Dua,* one *Yiritja.* We have all the food ready, you must come'. While the messengers are on their errand, the men in the camp clear a triangular (snake-dance) dancing-ground. When the visitors—men, women and children—approach the camp

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[70] Fraser, *op. cit.* p. 41.

[71] Howitt, *op. cit.* p. 685; *cf.* also Gason and Siebert, in Howitt, *op. cit.* p. 682 sq. Conc. the *Boor-rah-cer,* the messengers by the Kamilaroi, see Ridley, *Kámilaróí,* p. 152.

[72] Aldridge, in Howitt, *op. cit.* p. 691. As Mr. Wheeler states (*op. cit.* p. 115) this account seems to refer only to intertribal relations.

[73] Siebert, in Howitt, *op. cit.* p. 684 *sq.*

[74] Dawson (*op. cit.* p. 74 *sq*) says that in case of one such messenger mentioned, who had been a noted warrior, he was chosen to see fair play in intertribal judicial battles.

of their hosts, they paint themselves with red ochre and sing the *Kait-ba kait-ba* refrain till they arrive in the main camp[75].

We find similar customs in Oceania. It may be mentioned that a Maori, journeying in a strange region of his land, was in a state of taboo. Upon his return he was not allowed to go home before the taboo had been removed by a priest[76].

In Fiji a messenger sent by the king carries rods or reeds of various lengths. For each message he delivers, he lays down the reed corresponding to it, until all of them are in a row before him. Only then may the negotiations begin[77]. Among the primitive peoples of Africa, too, similar institutions are found. The Gold Coast tribes, for instance, employ messengers who carry as their credentials canes or swords belonging to the chief. There the succession passes, not to the son of the chief, but to his brother, or, failing a brother, to a nephew[78].

Among the North American Indians, sometimes, if the message was of hostile character, the envoy was instructed to deliver it directly to the foreign chief, otherwise to the tribe or group to which he was sent. In the former case the envoy entered into the chief's presence with every token of reverence and, having seated himself in the centre of the audience-hall, waited till permission was given him to speak. The signal made, he delivered his message in a low voice, the audience preserving a decorous silence and listening attentively. As a rule, Bancroft says, an interchange of presents took place[79].

It may be appropriate here to make an inquiry into the special badges by which the primitive diplomats are outwardly distinguished. In case of extensive travels, perhaps through hostile territory, such emblems are clearly necessary. We shall, besides, give some attention to the 'documents' presented by envoys and messengers to the chiefs they have business with.

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[75] Lloyd Warner, *op. cit.* p. 314. Mr. Warner gives (*op. cit.* p. 315, *cf.* pp. 318, 327, 362) the following interpretation of the song of the messengers: 'When the messenger hit the tree—the tree is beaten by the messengers, is hollow, as was the tree which the old women cut down'.

[76] Best, 'Maori Religion and Mythology', in *Dominion Museum Bulletin,* No 10, p. 238, quoted by Webster, *Taboo,* p. 234. The same seems to have been the case among the Kenyas of Dutch Borneo (*cf.* Webster, *op. cit.* p. 234).

[77] Fison, *Land Tenure in Fiji,* p. 3 sqq.

[78] Fraser, *op. cit.* p. 42.

[79] Bancroft, *op. cit.* ii. 421. The American Indians used to have special 'documents' on more important occasions. A fetish device was sometimes used as a passport. It was also used to conciliate foreign and hostile tribes and at the conclusion of peace (*cf.* Hewitt, in *Handbook American Indians,* i. 129 *sqq*).

It is, first of all, remarkable how well savages are able to make themselves understood, not only by means of speeches, but also by gestures. The diplomatic language need not necessarily consist of spoken or written words! The use of gestures, accompanying, supplementing or replacing speech, seems to be almost inherent in the human race. Even writing has its origin in gesticulation.

By an elaborate system of conventional signs primitive peoples can carry on a simple conversation at a great distance, no doubt a conveniant habit, when it is uncertain whether an approaching party has hostile or friendly intentions. A method of signalling by means of ingeniously produced columns of smoke is generally practised among Australian tribes[80]. From the shape of the column it is known whether an approaching group is friendly or hostile, whether hunting is good, etc. while other signals convey an invitation to a *corroborree* or initiation[81]. The natives of the North-Western coast send up smoke-puffs by damping the fire with a blanket or a sheet of bark. This is apparently done in order that the signals may be distinguished from the smoke fires lit by the natives when hunting. Mr. Porteus, who gives this information, adds that there is nothing mysterious in these signals, nor could he discover any varieties in their technique that could be made the basis of a code[82].

The gesture language often seems to be more important even than a message-stick. Mr. Howitt has recorded a vocabulary of it from Central Australia, Dr. Roth from the South of the Gulf and Mr. N. W. Thomas and others from Otati near Cape Grenville. So far as one can judge by these examples, a previous acquaintance with gestures is necessary for its understanding. The importance of this language may be imagined when it is remembered that in some tribes the widow is condemned to months of absolute silence, during which she can communicate by gestures alone. Not less important is it as a means of communication with other tribes[83].

In older times, when two groups of Kamilaroi were, say, twenty miles apart, and one of them was anxious to know if the other was on friendly terms with the white men, they would select a hollow tree. They then kindled a fire within it so that the smoke issued from the arms of pipes. The number of pipes would he fixed beforehand: for instance, smoke issuing from two pipes might mean peace, and three war. Any superfluous holes in the tree would be plugged up[84].

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[80] Sollas, *Ancient Hunters,* p. 333 sq.

[81] *Cf.* Lips, in Boas, *General Anthropology,* p. 504 sq; Klaatsch, *Människan o. kulturens tillkomst* (Sw. Ed. 1923), p. 138.

[82] Porteus, *Psychology of a Primitive People,* p. 151 and note, *cf.* plate xl.

[83] Thomas, *Natives of Australia,* p. 31.

[84] Howitt, *op. cit.* p. 71.

The Yin also used the same kind of smoke signals. In order to let friends who might be following know which way you had gone, a stick or spear would be stuck in the ground near to the camp fire, indicating the direction—or if you were not returning, a stick would be stuck in the ashes of the fire, and those following would know by the amount of heat how long you had been gone. When one branch of the Bigambul tribe is approaching the territory of another, a hollow tree is set on fire, so that the smoke is seen at a distance. The Kaiabara used smoke signals to call the tribe together. When leaving camp, they indicated to others where they had gone to by placing a stick in the ground pointing in that direction. When the Narrang-ga messengers approach a place where they know others have encamped, they make a smoke, but there is nothing more in this than the mere announcement of their approach.

The Willuri and Hilleri tribes between Eucla and Port Lincoln make signals by smoke and marks in the sand, to show friends in which direction they have gone.

When Howitt first studied a group of Cooper's Creeks blacks, he was amazed to see them make gestures, at a safe distance, to signify their peaceable disposition, to inquire about the destination of their neighbours, etc. Afterwards, when he became better acquainted with the signs, he understood that they formed part of a complete system of hand signs, by which a person might be interrogated, informed, welcomed, or warned[85].

That the gesture language is influenced by geographical conditions is evident from the fact that in the coastal regions and the forest-clad mountain ranges it could hardly be used at all, except in very rare cases[86].

Gesture language, according to Howitt, has long been known to the North American Indians, and there are some interesting conjectures as to the reasons for its existence. Burton refers to the poverty of the spoken language, which necessitated the use of supplementary signs. It is even said that certain tribes could not communicate freely unless daylight permitted them to resort to gestures. Howitt, on the other hand, is not inclined to attribute the gesture speech of Australian natives to any poverty of their language, which is well able to provide them with all terms necessary for their mental and material needs—as, 'indeeed, is clear to any one who has heard one of their orators address a large assembly with persuasive eloquency and mould public opinion according to his will'. The gesture language of some Australian tribes has a very extensive code of signs, which almost amounts to a medium of general communications. Among others such language is not so highly developed. The use of gestures seems to be more common in Central and

[85] *Ibid.* 720 sqq.

[86] Howitt, (*op. cit.* p. 724 *sq*) mentions an event occuring in 1853 when seventeen Wirangu tribes were driven by a water famine from their country to the western side of Lake Torrens; having come across they made for Elder's Range in hopes of finding water. Here they fell in with the Arkaba blacks, who entertained them hospitably for about a forthnight till the coming of rain induced the visitors to return home. The tribes did not understand a word of each other's language and it was merely by gestures that they managed to communicate.

North-East Australia and in the South-East quarter of the continent[87]. The reason for this may perhaps be found in the vast extent of open areas: plains, sandhills and barren tracts in the interior of the continent.

In Africa some of the natives practise a system of language by means of drums. They are able to drum out their communications across immense areas, just as the Chinese poets of old hurried through the country with their news. In Kamerun this drum-system has attained a degree of perfection actually resembling a modern telegraph. With the help of the far-sounding drum the natives convey news, give important information, ask for advice, etc.[88]. Frobenius says that from Nogoto in Central Africa to Shanja Atlas the natives have recourse to a kind of whistling, whereby they can 'telegraph' whole sentences to each other[89]. I remarked the highly developed native road 'telegraph' by means of drums in Belgian Congo, especially in the hill tracts[90].

There must, however, be more individual badges for the messengers and envoys. The messengers are invested with various kinds of body-painting, head-dress, and other conventional signs to apprise a neighbouring tribe of deaths, the holding of a feast, hunting enterprises, danger threatening, or to summon them together for some purpose. The badges vary according to the character of the messages.

Among some Australian tribes a messenger sent to report the death of a relative or a person with whom the other tribe is acquainted, had his face painted with pipe-clay[91]. In certain North-West Queensland districts a somewhat rare amulet of emu-feathers used to be carried by the messengers sent to ask for help from another tribe[92]. Among the Arunta, the messengers sent on missions carry a girdle of human hair, a bunch of black cockatoo tailfeathers, and are also decorated with a small bunch of owl-feathers. These objects are the property of the headman, and

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[87] Howitt, *op. cit.* p. 724.

[88] Klaatsch, *op. cit.* p. 140. The drums usually consist of a piece of hollow wood, although they vary in size and thickness, especially as to the walls. At the top there are two cracks 20-40 cm. in length, whose canals thicken towards the middle. On the right side off these the drum is belaboured with a swipple.

[89] Frobenius, quoted by Klaatsch, *op. cit.* p. 139. Conc. primitive drum- and signal-system, see Hermann, *Schallsignalsprachen* (*Nachr. d. Akademie d. Wissensch. in Gottingen,* phil. Hist. Kl. 1943), p. 127 (Melanesia and Africa); Meyer, 'Das Parakwesen', in *Annali Laterani,* vii. 95 (North Coast of New Guinea); Heinitz, 'Probleme der Afr. Trommelsprache', in *Beitrage z. Kolonialforschung,* iv. 69 sqq (Africa); Witte, 'Zur Trommelsprache bei der Ewe-Leuten', in *Anthropos,* v. 5 (Ehwe, Gold Coast Afr.); Krause, 'Der Trommelbaum', in *Mitt. d. Deutsche Geselleschaft f. Volkerkunde,* xi. 20 sqq (natives in Centr. Brazil).

[90] *Cf.* also Norse beacons.

[91] Mathews, *loc. cit.* p. 290.

[92] Roth, *Ethn. Studies N.-W. C. Queensland Aborigines,* p. 163.

a refusal to comply with the request of a messenger thus accredited is considered a grave discourtesy, and the person committing such an offence is called *Irquantha,* that is a churl[93]. The Australian messengers often carry their p a p e r y a b b e r, a cleft stick, or token of some kind, very often a 'sacred' stick or bull-roar[94]. A messenger of the Pinya group of the Diery tribe wears a kind of net on his head and a white band round it in which is stuck a feather[95].

The Ngarigo tribe in South Australia have very different signs for different messages: If the message is related to a *corroborree* or another religious feast, the messenger carries a man's *kilt* (*Buran*), a headband (*Ngurumila*) and a nose-peg (*Elangantu*). When an expiatory fight is concerned, he carries a shield for spear-fighting (*Birkumba*), but if his business is to propose a military expedition, he carries a jag-spear (*Jerumbuddi*). In connection with initiatory ceremonies the token is a bull-roarer (*Mudjii*) and also a spear, a boomerang, and a shield. A messenger announcing the death of a high person, has his face painted with white streaks from each eye down to the lower jaw. The messengers sent to summon people to attend *corroborrees,* on which occasions they have often to cover distances of hundreds of miles, are painted with red ochre, and wear a head-dress of feathers[96].

The messengers of the Oceanian tribes also use different badges for different errands[97]. Among the Kiwai Papuans of New Guinea messengers sometimes carry certain objects which have a traditional meaning and will therefore be understood without any verbal communication. In most cases such objects are said to imply a summons to take part in some warlike enterprises or an invitation to dance or feasts. The Mawata people in British New Guinea generally send a knife or a small shell for sharpening purposes to the village whose inmates they want either to join some military expedition or to kill certain members of another tribe. To convey the same message the Kiwai people send an empty coconut. Invitation to dance or feast is sent by a piece of midrib or a sago leaf with inserted feathers, etc.[98].

The jungle Singhalese tribes on Ceylon correspond with each other by means of a piece of creeper with one, two, or three knots tied in it. This is sent off in a fragment of cloth and is meant to call the recipient to the sender, the urgency of

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[93] Spencer and Gillen, *The Arunta,* i. 163.

[94] *Idem, Wanderings Wild Australia,* ii. 546 (*cf.* i. 313).

[95] Howitt, *op. cit.* pp. 80, 679, 687.

[96] Howitt, *op. cit.* pp. 679, 687. A messenger among the South-East Australians who is sent to announce a death is smeared all over with pipe-clay. *Ibid.* p. 681.

[97] Conc. the insignia of the Oceanian messengers, *cf.* Cook and King, *Voyage of Discovery to Pacific Ocean,* ii. 64, 66, 69.

[98] Landtman, *The Kiwai Papuans,* p. 451.

the latter's need being indicated by the number of knots. Certain conventional signs scratched on leaves or flat pieces of wood were at times sent by Singhalese chiefs to the Veddas as an intimation that they required them to bring venison and honey, etc.[99].

The Yoruba in West Africa send to each other messages in the form of tangible objects, expressing feelings and wishes, good and bad, the meaning of which cannot be misunderstood. In Africa also courier-staves with or without engraved signs are customary[100]. The aborigines of South America used ingeniously knotted cords or leather strips (*Quippers*), and among North Americans signs of fetish and the well-known *wampun* informed neighbouring tribes of feasts, deaths, threatening dangers, etc.[101].

The wearing of badges and emblems represents, however, but a general form of intertribal communication. There is a quite special way of delivering more important messages which is well worth inquiring into.

Even in relatively early stages 'diplomatic' communication is effected by means of a so-called message stick, an extremely old and widely spread instument. To judge from the specimens I have had opportunity of studying in ethnological museums, it consists of a piece of wood, usually 4-8 inches in length and ½-1 inch in width and of varying thickness; the notches, curves and lines it is covered with are said to represent symbolic signs which the receiver is supposed to understand.

The use of the message stick is particularly common among the primitive Australians, whose system of symbolic signs seems to be highly developed[102].

Message sticks are met with in many parts of Oceania[103], and in the Malayan Archipelago the custom was formerly very popular[104]. The Veddas of Ceylon who, of course, are totally unacquainted with letters, and whose way of communicating by means of creepers we have already mentioned[105], also send to each other

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[99] Seligmann, *The Veddas,* pp. 119, 121.

[100] Bücher, in Thomas, *Source Book Social Origins,* p. 126; *cf.* conc. other marks, Tremearn, 'Notes on some Nigerian Tribal Marks', in *Journ. Anthr. Inst.* xli. 162 sqq.

[101] Bücher, *loc. cit.* p. 126; Mallery, 'Picture-Writing of American Indians', in *Ann. Rep. Bur. Amer. Ethn.* x. 372.

[102] Mathews, *loc. cit.* p. 60. Conc. Australian message sticks of Malaya, *cf.* J. Mathew, *Eaglehawk and Crow* (1899), pp. 61, 101, 122, 125. *Cf.* also narrative of an Australian native from Braidwood, reprinted in *American Anthr.* (1897), x.; Virchow, in *Zschr. f. Ethn.* xiv. 33 sq; *British Museum Handbook,* p. 115.

[103] Porteus, *op. cit.* p. 287.

[104] Thomas, *op. cit.* p. 126.

[105] *Supra,* p. 163.

rudimentary message sticks of varying shape[106]. Nor is the message stick unknown to the native tribes of Africa; the Bushmen use a specimen closely resembling that of Western Australians[107], and among North American Indians it was widely spread[108].

Mr. Bloxam has studied West African message sticks. He reproduces eight specimens of symbolic letters used by the tribe of Jebu in West Africa. No 1 is a message from a native prince of Jebu Ode, consisting of six cowries in the same direction, no 2 and 3 are from a native general of the Jebu forces to a native abroad, no 4 is from His Majesty Awnjale, the king of Jebu to his nephew abroad, no 5 represents a message of peace and good news from the Jebu king to the king of Lagos (1851). First we find eight cowries arranged in pairs and signifying the peoples in the four corners of the world; it will be observed that while three of the pairs are arranged with their faces upwards, the fourth and uppermost, *i.e.* the pair in the most important position, are facing one another, thus signifying that the correspondents, or the peoples of Jebu and Lagos are animated by friendly feelings towards each other, etc.[109].

It may be pointed out that parallels to the primitive message stick are met with in many Germanic and Slav countries. The message stick, like the tally, was common in the North long before the Middle Ages; in the *Frithiof's Saga* it has received a literary perpetuation. And although the message stick has long ago vanished as an official instrument, there are traces of it left even in modern legislation[110]. One of the oldest European message sticks in existence is probably the prehistoric *Schartessle* or *Kehrtessle* found in Möringen at the Bielersee in Switzerland and preserved in the *Landesmuseum in Zurich*. It is a round staff, 21 cm. long and resembling those used in Western Australia. We must, however, beware of grouping the primitive and the European message sticks together except as parallel phenomena.

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[106] Seligmann, *op. cit.* 119; Sarasin, *Ergebnisse naturwiss. Forschungen auf Ceylon,* iii. 457; Le Mesurier, 'The Veddás of Ceylon', in *Journ. Asiatic Soc., Ceylon Branch,* ix. 347.

[107] Mallery, *loc. cit.* x. 256, 369. The Lambas say (according to Doke, *The Lambas,* pp. 76, 233) 'chiwasa-munko walimulowele': the carver of the porridge-stick bewitched him. A charge of witchcraft poisoning can go farther back than to the one who cooked the food; it may implicate the one who made the utensils. *Cf.* also Weule, 'Botenstäbe bei den Buschmannern', in *Jahrbuch stadt. Museums Volkerkunde,* vi. 42.

[108] Mallery, *loc. cit.* x. 371.

[109] Bloxam, 'West African Symbolic Messages', in *Journ. Anthr. Inst.* xvi. 295.

There has also been expressed the opinion, that the message stick serve as a passport, for instance in Australia. 'Dans le sud-est australien', Marg. Lobsiger-Dellenbach says ('Passeports', in *Bulletin mensuel des musées de Genève,* iv:6), 'il consiste en fémur ou tibia d'émou ou de kangourou; ailleurs c'est un morceau de bois gravé ou pyrogravé, quelquefois peint. Ce baton (du bois) est à la fois passeport et message car, arrivé au but, il devient un message que le destinataire peut lire'.

[110] Hernberg, 'Budkavlen som rättsurkund', in *Defensor Legis,* ii. 262 sqq; *cf.* also Nordström, *Bidrag till svenska samh. författningens historia,* i. 38 sqq, ii. 516, 522 sqq, 721 sq; Montelius, Hildebrand, and others, *Sveriges historia,* v. 103; Tegnér, *Fritiofs Saga,* verse 22.

The symbolic signs may, as Karl Weule states, possibly have something in common with respect to culture, something belonging to the *Elementargedanken* and *Völkergedanken* in the sense of Bastian, although such speculations always remain rather vague[111].

We see, thus, that the message stick is an exceedingly popular way of communication in early civilization. But it is an altogether different matter whether the signs and incisions carved in the message sticks represent, as has sometimes been alleged, actual letters. The real character of the message stick and the conventional value of the marks on it have been an object of much misunderstanding. It has been asserted that they can be read and understood by the persons to whom they are sent without any explanations on the part of the bearer, and that even others are able to read them as easily as modern people read their letters. Mr. R. H. Mathews is of the opinion that the signs on the Australian message sticks are a childish imitation of the old bomboo-writing of the Malayans[112]. Bastian has given an interpretation of an Australian message stick, according to which one tribe *A* sends to another tribe *B* a 'written communication', explaining the way to a place where a tribe *C* is to be attacked[113].

The subjects is of importance in so far as a right idea of the method by which the markings are supposed to convey information affords us a means of judging the mental development of those who use them. For my own part I find it difficult to believe that the signs on a message stick should be regarded as primitive writing which is understood by the sender and the receiver; nor can I, except possibly for very exceptional cases, regard it as primitive picture-writing.

So far as our evidence goes the notches and marks made by one native cannot be read by another unaided. The message stick therefore, accompanied by verbal messages, seems to be used as a means of fixing matter in the messenger's memory.

With the support of the Australian studies of Dr. Eylmann[114] I should be inclined to think that the signs are, in most cases, only a way of notifying that the messenger has important information to give. They are, accordingly, used as

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[111] Weule, *loc. cit.* vi. 42; *cf.* also *idem*, 'Vom Kerbstock zum Alfabeth', in *Kosmos*, pass.; Rütimeyer, *Ur-Ethnographie der Schweiz* (*Schr. Schw. Ges. f. Volkskunde*), xvi. 25, 30; Gross, *Les Protohelvètes*, p. 101. Conc. the Germanic world, *cf.* Schröder, *Lehrbuch d. deutschen Rechtsgeschichte*, pp. 40, 45 sq; Sartori, *Sitte und Brauch* (*Handb. f. Volkskunde*), ii. 182 and note; Schulenburg, 'Über eine Art zu wirken in der Lausitz', in *Zschr. f. Ethn.* xiv. 37 sq; *cf.* also for gen. ref. Treichel, 'Die Klucke', etc. *ibid.* xiv. 11 sqq; André, 'Über den Schulzenstab', *ibid.* xiv. 313 sq, *idem*, *Ethnographische Parallelen und Vergleiche*, ii. 184.

[112] Mathews, *loc. cit.* p. 125 sq.

[113] Bastian, 'Über australische Botenstabe', in *Zschr. f. Ethn.* xiv. 370.

[114] Eylmann, *Die Eingeborenen der Kolonie Sudaustraliens*, p. 422 sq; *cf.* tabl. xxxvii. 6, 7.

a kind of cipher, in addition to which they serve as a *memoria technica* for the messenger and help him to state his errand with the utmost or maximum accuracy. In many parts of Australia the message stick has a definite meaning only with regard to certain notches which have attained a traditional significance. Sometimes the branch of a tree is cut off and notched in the presence of the messenger who receives his instructions on this very occasion[115]. Sometimes, again, the marks cut in the message stick seem to have reference to the *corroborrees* and the number of guests invited. Such was the interpretation of a message stick or *bon* which Mr. Porteus received in Wyndham from the hands of a young Australian native[116]. Mr. Ramsay-Smith reproduces a message stick, the marks of which are said to mean: 'where can I see your chief'[117]. Weule mentions an Australian message stick indicating the number of men and women invited to a *corroborree*[118].

The fact that the signs and notches on most message sticks appear to us rather homogenous is of little consequence, since savages see such things with other and perhaps sharper eyes than we. A messenger of the West African Yoruba must, before starting on more important errands, repeat, *i.e.* learn off by heart, the message he is to deliver. In cases of particular moment the message is learnt by one or two more persons, who accompany the ordinary messenger[119], a custom—with two couriers—which reappears in the courier-traffic of our own times.

The message stick appears to serve also as a passport. Dr. Mjöberg tells us, that the natives of Queensland while travelling through the territories of other tribes, carry a 'passport' consisting of a piece of wood with various figures carved in it. They are very careful never to lose this object[120]. The Vedda-fugitives used to be furnished with passports of the same kind when they removed from one tribe to another, and the treatment they received depended on the recommendation which the talisman conveyed[121].

I think, however, that in many cases we have to regard the primitive message stick as something more than a letter of recommendation or a help to the messenger's memory, namely a predecessor of or parallel to the credentials (*lettres de crèance*) whereby an envoy is accredited to the head of a foreign society or state. The message stick becomes, consequently, an equivalent to the *diploma* of later times.

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[115] Howitt, *op. cit.* p. 691; Boas, *Gen. Anthr.* p. 272.
[116] Porteus, *op. cit.* p. 282; Mallery, *loc. cit.* x. 278, 372.
[117] Ramsay-Smith, *Myths & Legends Austr. Aborigines,* p. 144.
[118] Weule, 'Vom Kertbstock', in *Kosmos,* p. 64.
[119] Howitt, *op. cit.* p. 691; Mallery, *loc. cit.* x. 372.
[120] Mjöberg, *Bland stenåldersmänniskor,* etc. p. 396.
[121] Seligmann, *op. cit.* p. 119.

The very handing over of the credentials is, as already said, a ceremony of great importance among savage peoples. The messenger or envoy is, as we have seen, introduced by a specially designated person, as he is seldom admitted directly to the presence of the chief. Only after the credentials have been delivered and duly scrutinized will he be received in the camp, but then he becomes the object of the greatest courtesy. Thus the message stick, when it does not constitute the credentials themselves, becomes a symbol of the act of accrediting an envoy. In many Australian tribes it seems to me that the message stick actually appears to denote the character of the mission. And, concerning the messengers of, for instance, the African Hereros, who are sent on errands to neighbouring chiefs, Vedder states that 'their credential consists of a carved stick marked with notches'[122]. In themselves these notches are meaningless, except as a sign of recognition and a proof that the messenger carrying the chief's stick has been delegated by him. The credentials in modern diplomacy, which are addressed by one sovereign to another and bear upon the confirmation of an envoy's authority, as well as the letters of recall, probably have their equivalents in primitive culture.

Alongside with the growing significance of the message stick—it develops from a message from one family or tribe to another into a form of communication between chiefs and kings—we notice an increase in the importance of those who bring the message. The messenger, who formerly functioned as an ordinary intertribal postman, becomes the confidential officer of chiefs, kings, or of the council of the elders in the tribe, enjoys special privileges and is personally inviolable even within hostile territories.

The most important functions in primitive 'diplomacy' thus refer to declarations of war and conclusions of peace. The messenger engaged in these things, especially in the latter, is there and then transformed into an envoy. The peace ceremonies are both important and extensive, inasmuch as it is their object to impress the significance of peace upon the people.

As will be more developed in following chapters I think that the mere existence of emissaries, peace emissaries and emissaries of war seems to prove that savages do not, in their relations or conflicts with other tribes and peoples, act precipitately, and that wars are not begun without preceding negotiations within the tribe. We shall also in the following see that in the primitive world there occurs other forms of diplomatic negotiations, which reappear in higher civilization: treaties and friendly alliances of a defensive or commercial character, agreements to respect the right of asylum by means of sacred times and places, etc.

Broadly speaking, I think that international thought, or anyhow intertribal

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[122] Vedder, *The Herero*, p. 189.

thought is as old as the existence of separate independent political communities, whether primitive tribes or ancient city states and empires. Whether the causes of intertribal relations originate in utilitarian considerations or in magic and religious ideas, it seems certain that even savages have need of maintaining peaceful intercourse with each other, a need usually stronger than those retarding tendencies which work for isolation and a hostile attitude towards foreign tribes and peoples.

The reasons for the 'diplomatic' treatment of messengers and envoys is possibly to be sought in the same idea which determines the attitude of savages towards hospitality and the treatment of strangers on special occasions: messengers and heralds are believed to be in possession, not only of a protecting taboo, but perhaps also of a supernatural power which it would be fatal to violate.

The sanctity of the privileges of the primitive envoy is also to be attributed to the characteristics of his mission. But the office and the privileges attached to it originate in the elementary needs of savage societies. Here, as in so many other instances, religion and magic invest with their form and support, as well as with their sanctions the institutions which those needs have created.

As we have seen the primitive peoples choose their emissaries with great discrimination from among the leading men and women of the tribe; the latter are often employed in particularly important commissions. It is also to be remarked that the primitive diplomats, as a rule, enjoy personal immunity and are even believed to be invested with something like sanctity. They pass freely through hostile territories. Their reception, as well as the delivery of their messages, take place according to a given ceremonial. And I have proposed the hypothesis that the message stick possibly represents an equivalent to the credentials of civilized peoples.

When we study the usages of primitive diplomacy we cannot help noticing a number of forms which, *mutatis mutandis,* bear an unmistakable likeness to corresponding institutions in the civilized world. From this fact we must not, however, draw too far-reaching conclusions. Different, but sometimes even allied customs have, under different conditions, sprung up among different nations. Of the life of prehistoric man we know next to nothing. But between the diplomatic institutions of primitive and civilized peoples there is often no other difference than that conditioned by a higher grade of culture. The principle of granting exterritorial rights to diplomats, for instance, has not been moulded exclusively by the European law of nations. And many other juridical customs of our times, which are generally believed to have originated in ancient or Western European civilization, may, although in a primitive, not to say rudimentary form be traced back to savage societies.

Chapter VI

Peace Negociators and War Emissaries

While one of the objects of the internal management of primitive societies seems to be to maintain order and encourage mutual assistence, so necessary already for the search of food, the goal of their 'foreign policy' is to ensure the peace from external danger. Therefore, as hinted in the foregoing chapter, some of the most important functions of savage messengers and envoys refer to the declaration of war and the conclusion of peace. The messenger engaged in either of these missions is raised to the rank of an envoy.

Savage tribes seem to take the greatest pains to impress the terms of treaties as vividly as possible on the memory of the contracting parties by striking and intelligible ceremonies.

The peace emissaries are nearly always personally inviolable. In ethnological literature they are usually called sacrosanct. In any case: the violation of a peace emissary may mean war between two parties. A peace emissary can be coldly treated, but not insultingly. And, as we shall see later on, the peace ceremonies are both important and extensive, and subject to an elaborate ritual.

Particularly among the aborigines of Australia it seems to be customary that neighbouring tribes, which do not belong to the same nation, should terminate their occasional fighting with an official peacemaking. The custom is even more imperative when the tribes are members of the same unity. The former combatants meet and lay down their weapons at a common feast[1]. When a fight breaks out among the Arunta, and one of the parties wish to make it up, they send a man and his wife as messengers to the other camp. In order to try the adversaries' readiness to make peace the messenger has to put his wife at their disposal. If the offer is accepted and the men accordingly enter into intercourse with the messenger's wife—this act is called *Noa* (conjux) or *Ankalla* ('cousinship')—a favour-

[1] Farrer, *Military Manners and Customs*, p. 162.

able issue of the political situation may be expected; if it is rejected, the fighting is to continue[2]. The Kamilaroi in South-East Australia settle their disputes about hunting grounds and trepasses thereon by parleys of by resorts to arms[3].

We have seen before that savages often employ women alone as messengers or envoys, and it is remarkable how important a part they play especially as emissaries of peace. In most cases the party concerned is a women of high position, *e.g.* the first consort of the tribal chief (*Grossfrau,* as she is called by German sociologists), who is also entrusted with the custody of the sacred fire, and the treasures of the camp. Such a woman is sent by the peace-desiring party to sound the changes of conciliation, that is, to enter into negotiations with the enemy, sometimes alone, but sometimes supported by her sons. She is, of course, inviolable when travelling to and from her destination. If her mission has been a success and the terms of peace proposed by her have been accepted, she returns with this message to her clan or tribe, whereupon her husband or some other male negotiators set off for the opposite camp, where the actual parleys are then taken up and peace is concluded with the usual ceremonies. Not unfrequently, however, it happens that the female emissary fails in her first mission and is compelled to undertake repeated journeys between the camps before a basis for further negotiations is agreed upon[4].

Mr. Best, a connaisseur of the Maori, says that peacemaking is by no means a modern institution in New Zealand. It originates in the mist-laden epoch when the Sons of Heaven combated with the Sons of the Earth. The Maories distinguished between two different degrees of peace: the first, which could be broken, was confirmed by marriage between persons of rank, the second was made for ever[5]. Generally a herald, the Nestor of the tribe, was sent off as peace envoy carrying a flag of truce, which consisted of the green bough of a tree; and if terms were mutually agreed upon, the peace would be ratified at a friendly feast, but also neutral parties, who passed unmolested through both camps, made known the general feeling for peace among the people. The peace emissaries were, as a rule, old men, and the qualifications for the appointment were eloquence and relationship with both parties[6].

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[2] Wheeler, *The tribe, and intertribal Relations,* pp. 71, 146, 175 pass.

[3] Strehlow, *Die Aranda und Loritja-Stämme,* iv:ii. 9.

[4] *Cf.* Thurnwald, in Ebert's *Reallexicon,* iv:i. 30; Holsti, *The Relation of War to the Origin of the State,* p. 65 sqq.

[5] Best, 'Notes of the Art of War ... by the Maori', in *Journ. Polynesian Society,* xii. 197, *cf.* p. 201.

[6] Gisborne, *The Colony of New Zealand,* p. 34; Thomson, *The Story of New Zealand,* i. 139.

In Fiji the peacemaking often had a religious character and was under the control of the priests. But sometimes a women of rank, dressed in the highest Fijian style and with whaleteeth in her hand, could be sent to the hostile chief to negotiate peace. Or there could be a special envoy who offered him a whaletooth, or some other *Soro* in the name of the people[7]. The Tahitians often employed women as peacemakers and peace envoys[8].

When peace is made in the Solomon Islands, a friend from a village which is at peace with both the combatants, is usually sent, *e.g.* one who has relations by marriage in each, and there is a preliminary payment of money called *dororo mae,* 'waking across the war', whereupon all fighting ceases. Then a day and place are fixed, when the two parties meet, fully decorated and armed for war and engage in sham fighting[9]. In Tonga priests acted as peacemakers and were, in this capacity, inviolable[10]. The same holds true of the conditions in Samoa[11].

In the Sandwich Islands, too, woman plays a great role as peace envoy[12]. In Hawaii, according to Ellis, 'an ambassador was sent to the enemy with proposals, and if they were accepted the chiefs and priests of the belligerents parties met and the conditions of peace were agreed to'. Also it arrived, when conflicts had rested some time and one party wished for peace, that an envoy with a young plantain tree, and a green branch of the *Ti* plant, was sent with proposals for peace. If they were accepted, the preliminaries were arranged, and the chief and priests of both parties met to adjust the particulars. When the conditions of peace were agreed to, they all repaired to the temple. There a pig was slain, its blood caught in a vessel, and afterwards poured on the ground, probably to signify that thus it should be done to those who broke the treaty. A wreath of *Maori,* a sweet-scented plant, was then woven by leading chiefs of both parties, and deposited in the temple. Also here, as among the Maories on New Zealand, peace was ratified, feasting, dancing, and public games followed. The warriors returned to their lands, and the king's heralds were sent round his district to announce *ua pau ka kaua,* ended is the war[13].

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[7] Williams and Calvert, *Fiji and the Fijians,* i. 54; Williamson, *The Social and Political Systems of Central Polynesia,* ii. 176.

[8] Ellis, *Polynesian Researches,* i. 318, ii. 512.

[9] Fox, *Threshold of Pacific,* p. 311.

[10] Mariner, *Account of the Natives of Tonga Islands,* i. 234; Waldegrave, in *Journ. Roy. Geogr. Soc.* iii. 185, quoted by Williamson, *op. cit.* i. 164.

[11] Williamson, *op. cit.* ii. 176; Brown, *Melanesians and Polynesians,* p. 267 sq.

[12] Williamson, *op. cit.* ii. 195.

[13] Ellis, *op. cit.* i. 318; *ibid, Narrative of a Tour through Hawaii,* p. 132; Williamson, *op. cit.* ii. 176, iii. 195 sq.

Similar customs have been observed in many other parts of Oceania. In the Admiralty Islands and partly in the Central Islands the diplomatic negotiations were led by women; a military defeat could entail a degradation of the rank and dignity of formerly estimated villages[14].

The custom of employing peace envoys obtains among many other primitive peoples, *e.g.* among the Melanesians in New Guinea, the islands of Torres Strait and on the Sunda Islands. In the Western Islands of Torres Strait there were persons called *Paudagarka,* or 'men of peace', who were exempt from warfare and its consequences[15]. The Bucawak in Melanesia are in habit of sending a guest to negotiate peace and pry out the feeling in the enemy's camp. Such a messenger steals at night into the hostile village carrying expiatory gifts, settles in the house of some friend and ascertains whether peace can be concluded and which valuables the adversary will be pleased to accept. If all goes well a return-visit is paid and a common feast is celebrated in confirmation of the peace[16].

The employment of peace emissaries is, as already said, customary in many parts of New Guinea[17]. Formal peace treaties are known to have been concluded by the Mafulu Mountain people[18], among the Kiwai Papuans[19] and the Pygmies[20].

Speaking of the art of warfare among the aborigines of Celebes towards the end of the 17th century Padt-Brugge writes that influential persons in neutral villages used to bring about peace. Long speeches were made and the peace was confirmed by oaths[21]. Peace envoys are not unknown to the natives of Borneo[22] nor on Luzon[23].

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[14] Muller-Wismar, *Yap,* quoted by Thurnwald, in Ebert's *op. cit.* iv:i. 128; Gill, *Hist. Sketches Savage Life in Polynesia,* p. 224. Conc. peacemaking in New Britain, *cf.* Brown *op. cit.* p. 225 sq; in New Pomerania, Parkinson, *30 Jahre in der Sudsee,* p. 206; Lehner, 'Sitten und Recht des Melanesierstammes', in *Archiv f. Anthr.* xxiii. 283 sq (Melanesians on Bucawak).

[15] *Report Cambridge Anthr. Exp. to Torres Strait,* v. 302.

[16] Neuhauss, *Deutsch-Neuguinea,* i. 120, 310, 366 (natives in anc. German New Guinea).

[17] Krieger, *Neu-Guinea,* pp. 324, 418; Schmeltz, 'Beiträge zur Ethnographie v. Neu-Guinea', in *Intern. Archiv f. Ethn.* xvii. 214 (peopl. in the environments of Meranke river).

[18] Williamson, *The Mafulu Mountain People,* p. 183.

[19] Landtman, *The Kiwai Papuans,* pp. 149, 153, 159.

[20] Rawling, *Land of the New Guinea Pygmies,* p. 174.

[21] Sarasin, *Reisen in Celebes,* i. 43.

[22] *Cf.* Furness, *Home-Life of Borneo,* p. 112 sq. Hose (in *Natural Man,* pp. 130 sqq, 148 sqq) describe a peace conf. between the Baram, Tinjars and the Madang (Hill country tribes of Borneo). Conc. the Kenyas of Borneo, *cf.* Hose and McDougall, *Pagan Tribes of Borneo,* ii. 288 sq, 292 sqq.

[23] Jenks, 'The Bontoc Igorot', in *Ethnol. Survey Philippine Islands Publ.* (1905), i. 117.

Among the savage tribes of Northern India the peace negotiators represent an institution as important as the peace festivals themselves. When two Kukies tribes get to fighting and victory appears uncertain, they make a signal to suspend the combat and send out 'ambassadors', to arrange the peace. Then follows a grand festival at which the sun and the moon are called to witness the sincerity of the agreement[24]. In Bengal belligerent Garos are reconciled through the mediation of a third party, on which occasion they promise, by biting their swords, not to break the peace in the future. In token of the restoration of friendly relations the representatives of each tribe also have to put food into each other's mounth and thus definitely 'to seal the compact'[25].

The Lakhers, or the Mărās, in the southern corner of the Lushai Hill district and the extreme north of the Arakan Hill Tracts in India likewise resort to a mediator when they desire to sue for peace. This *Leuchapa,* envoy, is a man from a neutral village, preferably the chief or one of the leading nobles. The village employing a *Leuchapa* always pays him a sum of money as soon as he has done his errand. The *Leuchapa* having settled the terms of peace and the amount to be paid by the defeated village to the victorious one, some elders from the former accompany him to the victorious village and pay off a part of the fine. A *Mithun* or a pig is then killed and its blood smeared on the foreheads of representatives of the two villages, who take a solemn oath of peace, each saying, 'if we start hostitilities afresh, may blood flow from our foreheads in the same way, as the blood of the animal sacrificed has flowed to-day'[26].

The Li-tribe on the island of Hainan in Southern China employed neutral tribes to negotiate with the victors about the war indemnities and the terms of peace. There were usually three different meetings, during the course of which each tribe assembled to discuss their internal affairs[27].

From many parts of Africa we have reports of persons acting as peace negotiators or peace envoys between belligerent tribes. The Kaffirs[28] and the Basutos[29] confirm the cessation of hostilities with actual peacemaking. A Kaffir messenger of peace makes himself known by laying his *Hassagai,* or spear on the ground at

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[24] Lewin, *Hill Tracts of Chittagon,* p. 111.

[25] Dalton, *Descr. Ethnology of Bengal,* p. 62; *cf.* also Harkness, *Description Abor. Race Neilgherry Hills,* p. 106.

[26] Parry, *The Lakheers,* p. 218 sq.

[27] Stübel and Meriggi, *Die Li-stämme,* p. 851.

[28] Lichtenstein, *Travels in Southern Africa,* p. 270; Barrow, *Account of Travels in Southern Africa,* i. 175.

[29] Casalis, *Life in Basuto Land,* p. 224.

a distance of two hundred paces from those to whom he is sent and by advancing thence with outstretched arms. The peace negotiators of the Masai[30] and the Wanyamwesi[31] suspend hostilities by means of treaties. A German missionary Herr Priebusch, tells us that in the Wabena tribes peace is effected as follows: One of the contending chiefs sends a delegation to inform the other that he is desirous of peace. If the other party is favourably disposed, he also sends a delegation to assure his former adversary of his friendship[32]. The delegation travel secretly at night. The peace delegation of the Dsagga consists of an old man and a young woman carrying precious gifts. Such a delegation, says Gutmann, can hardly be dismissed or scorned, and whoever lays violent hands upon its members pays the penalty of death.[33].

Mr. C. H. L. Hahn reports concerning the Ovambo that in spite of there being conflicts between various subtribes (the Ukuanuama, Ombadja, Ombalantu and Ongadjera), which conflicts generally had their origin in disputes over territory, water-rights, interference with visiting subjects, cattle raids and so forth, the chiefs, finding themselves unable to support their actions by force, send peacemessengers. The customary peace proposals are made in following manner: After consultation with his councillors the chief appoints an aged member of the tribe as peace messenger. The person selected for the purpose is of so advanced an age as to preclude him from taking part in any feud or fight. An ox with black or red flanks and a white line along the centre of the back is next picked out of the herds. Accompained by a young lady and a young girl the messenger procedeeds with the ox to the kraal of the rival chief for whom it is intended as a peace offering. On arriving at the kraal the latter first inspects the ox before accepting it. The coloration of the animal represents a wood or forest with the path of peace. The age of the messenger is an indication of his chief's weakness, namely, that he has no young man to fight. The young girl had before the departure of the peace mission been adorned with ornaments only worn by the rich, known as *Oshipako sheshimano*. Among them were included several of the much treasured shells known as *Omba*. These ornaments are a personal offering to the chief who removes them from the girl's person with his own hands. The boy is merely to assist the old man in driving the ox and in further evidence of the want of eligible fighters. The fact that the peace messenger and his assistants return emptyhanded is proof that the

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[30] Merker, *Die Masai*, p. 101.

[31] Speke, *Discovery Source of Nile*, p. 100.

[32] Ankermann, *Ostafrika*, p. 47. Conc. the Wasramo, *cf.* Stuhlmann, *Mit Emin Pascha ins Herz v. Africa*, p. 24.

[33] Gutmann, *Recht der Dschagga*, p. 56; Nigmann, *Die Wahehe*, p. 106.

road between the two countries is clear and that the two tribes are again on friendly terms[34].

The natives of the great western states of Benin and Oyo whose wars were carried on by regular armies in a more or less civilized way, often employed medicin-men as peacemakers. But before these commenced the negotiations, the people usually sent as their representation either a woman of the enemy's tribe who had married into their own, the son born in such a wedlock, or a neutral. The envoys, when representing their own people, were generally adorned with young split palm-leaves, with bells in their hands, or with their face chalked. And usually if men, they went along blowing 'peace tunes' on an ivory, or cow's horn. It was customary for all the principal men of each party to meet on the boundary and there sacrifice goats or cattle to the Earth or to the most powerful jujus, and take an oath to live in peace with each other[35]. Also the Bantu tribes usually request neighbouring chiefs to act as neutral mediators. After the overtures made by these the defeated party sends messengers to the victors to negotiate peace and make the concessions required[36]. Among the Hottentots, whose peace ceremonies have a ritual character and are often initiated by female persons enjoying immunity, it also seems to be customary that the leader of a neutral tribe first tries to bring about a reconciliation between two belligerent parties. Even food-gatherers and hunting peoples of so primitive a kind as the Damas in South Africa have been observed to employ peace emissaries. The peace-desiring party sends the foremost wife and the son of their chief to enter into negotiations with the enemy leader, and only after such preliminaries can the actual emissaries be applied to. But not unfrequently the female messenger has to make several journeys before the emissaries will be received[37].

Peace emissaries are probably not altogether unknown to the Indians of South America, where certain tribes can act as 'peace-guarantors'. There are, however, not many illustrations of this custom in ethnological literature. In North America, on the other hand, the 'peace ambassadors' were men of much consequence. Equipped with Indian peace-pipes[38] they conducted important negotiations which were often accompanied by great ceremonies. Adair tells us that a peacemaker of the

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[34] Hahn, *The Ovambo,* p. 19.

[35] Talbot, *Peoples in South Nigeria,* iii. 820; *idem, Life in Southern Nigeria,* pp. 241, 267; conc. the Ehwe, see Spiet, *Die Ewe-Stämme,* pp. 60, 67.

[36] Schapera, *Bantu speaking tribes,* p. 192; *idem, The Khoisan peoples,* p. 352.

[37] Vedder, *Die Bergdama,* p. 174, *cf.* p. 82; Davie, *Evolution of War,* p. 234.

[38] Among the Osage tribe, there was a 'peacemakers's office', a special House of Peace; respect and reverence was manifested by the people for the office (La Flesche, *loc. cit* xxxvi. 276, *cf.* p. 117, note 2, and *idem,* 'The Osaka Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xliii. 1).

Chickasaw, besides carrying a swan's wings, was provided with pipes and tobacco[39]. Also the Plain Ojibways, and the Navahos, Osages and Nootkas, had peace envoys[40]. It seems that the peacemaker, as a rule, was safe to his person. Smoking a pipe together with hostile chiefs he could solemnize a treaty. The peacemaker, who in ethnological literature is called 'peace officer' is said to have been able to stop intertribal quarrels even without the pipe for instance by thrusting his lance in the ground between the participants[41].

Dr. Birket-Smith and Mrs. De Laguna[42] quote a statement of Colonel Abercrombie, who says that at Alaganik (Copper River delta) there was some one, not the chief, who acted as a peacemaker, that is between fighting groups. This peacemaker, or 'policeman', dashed into a house and came out with a painted paddle, which he set up between the disputants. They stopped quarrelling at once. There was nothing about the appearance of this person to distinguish him. Apparently a stick of some kind was the recognized symbol of authority, and Mr. Abercrombie's interpreter, a white man who had married an Eyak woman, used to grab a stick when trying to enforce discipline among the natives in Abercombie's party. Mr. Abercrombie presumes that there was some supernatural as well as civic virtue in the decorated paddle. The Taral Indians also told Mr. Abercrombie that they had a peacemaker. He used to wander all over the Copper River valley, collecting tribute of some kind from the natives[43].

The peace negotiations of the Delaware Indians seem to have been initiated and conducted by the chiefs themselves[44]. Expert trappers and hunters, among many American Indians, seem to have enjoyed a special authority dependent upon their personal qualities, for which reason they often played the role of mediators and peacemakers in the community; this authority, however, was not unconditional.

The institution in question is also found among many peoples of North Asia, for instance the Chukchee[45].

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[39] Adair, *History American Indians,* pp. 269 sq, 316.

[40] Bancroft, *Native Races of the Pacific States,* i. 189; Skinner, 'Political Organization . . of the Plains-Ojibway', in *Anthr. Papers Amer. Mus. Nat. History,* xi:vi. 489 (Plain-Ojibway); Hill, *Navaho Warfare,* p. 19 (Navaho); La Flesche, 'The Osage Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxxvi. 276 (Osage); Bancroft, *op. cit.* i. 189 (Nootka); Mooney, 'Myths of the Cherokee', in *Ann. Rep. Bur. Amer. Ethn.* ixi:i. 109, 365, 485 sqq, 491 sqq (Iroquois, Cherokee); Swanton, *ibid.* xlii. 239 (Chickasaw); Dellenbough, *The North Americans,* p. 418 (Omaha).

[41] *Infra,* p. 221.

[42] Birket-Smith and De Laguana, *The Eyak Indians,* p. 129.

[43] *Ibid.* 129 sq.

[44] Loskiel, quoted by Schurtz, *Altersklassen u. Männerbünde,* p. 322 sq.

[45] Bogoras, *The Chukchee* (*Publ. Jesup North Pacific Exp.* vii), p. 537.

Of the existence of peace emissaries in the classical antiquity we have the testimony by Herodotos[46]. Thucydides points out, in regard to the negotiations of the Athenians with Melos in 416 B.C., that ultimate demands can have a discouraging effect by the very fact that they inspire no hopes[47].

We now pass on to the war emissaries, whose role seems to consist, partly in conveying the declaration of war—the so-called war-note—to the enemy, and, partly, in warning neighbouring, friendly tribes and potential allies of the impending danger, in summoning people to arms, etc.

In ethnological literature we find less information about war emissaries than about messengers, envoys of peace. A diplomatic mission proposing to negotiate and conclude peace, seems, even in lower stages of culture, accorded more importance than the delivery of declaration of war.

Does not the very existence of war emissaries tend to show that primitive peoples, when they fall into conflict with their neighbours, do not act precipately; that their wars do not generally begin without further notice, but are preceded by consultations within the tribe. It appears that the emissaries often try to arrive at peaceful settlement of the difficulties, and only when they fail in their endeavours they deliver the declaration of war. In opposition to Prof. Sidney Harland's statement that among primitive peoples 'no formal declaration of war is necessary'[48], it may be pointed out that, according to many instances recorded by ethnological fieldworkers, primitive war is not, generally, a spontaneous act but a result of more or less 'diplomatic' negotiations. Certainly there are many exceptions.

Even if war never was a matter of much consequence among the natives of Australia—and by all appearances it is still less so to day—it is true that certain tribes employed special messengers to summon their men together when circumstances looked threatening. These messengers wore token of their own, and the battles were preceded by all sorts of ceremonies, ritual stimuli and other orgies. Mr. John Fraser describes how some tribes in New South Wales, when one of the subtribes had so increased in number that their hunting-grounds could no longer support them, sent their public messengers to adjoining subtribes, asking for a part of the latters' land. This was refused, as being against tribal law because the land in question was not large enough to admit of the proposal. The former subtribe then sent to say they would come and take what they wanted. The latter answered that in that case they would appeal for justice and help to the neighbouring tribes.

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[46] Herodotos, vii. 133.

[47] Thucydides, v. 84 sq.

[48] Hartland, *Primitive Law*, p. 125.

Thereupon both sides prepared for war, met, and usually, much talking and angry speech-making followed. And when the time came, the dispute was settled by a single combat. This seems to be, Mr. Fraser adds, in primitive Australia, the usual cause and issue of a tribal quarrel[49].

In Oceania, where the wars were seldom violent or destructive, it was also esteemed necessary that a tribe preparing to attack another sent messengers to warn their opponents. This was, at all events, the case in Micronesia, in Banabe, Hogolen and in Pelew Islands[50]. The New Caledonians had special heralds for announcing war[51]. In the West Caroline Islands, too, we find firmly fixed formalities connected with the prosecution of war. If the islanders have been injured by their easterly neighbours, or think they have been, they communicate with their adversaries through a properly accredited messenger to the effect that in five days from that time (they always choose the five-day interval) such and such a number of warriors, in such a such place, armed and fitted ... will join negotiations concerning the explanations due and the satisfaction demanded. Landing, conference, and negotiations all take place. When the affair is settled in a friendly way, it ends with a feast and both parties hold themselves to be satisfied. Only if they cannot come to agreement, they have recourse to weapons. Yet the fights are neither violent nor of long duration, lasting but few hours daily. On the third day the conflict must be settled[52].

On the Marquesas Island the kings hold a council of war. If the king of either island wanted to make war on the neighbouring island, he assembled the chiefs of the bay and the valley, explained to them his reason for doing so, and made suitable arrangements with them. Then a messenger, a *Hel,* was sent to acquaint the people with the resolutions of the council[53]. Nor could war in the Hervey Islands in Central Polynesia be commenced without previous sacrifice, and it was the chief who had to offer up the 'victim to Rongo'. Blood could not be spilt without the consent of the chief. His cooperation was likewise required for the examination of the war by beating the drum of peace, for this ceremony had to be preceded by human sacrifice to Rongo[54]. Prof. Malinowski told me that in the Trobriand Islands war is almost always preceded by special preliminaries.

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[49] Fraser, *Aboriginal Australia,* p. 37.

[50] Hale, *Ethnography and Philology,* p. 72; conc. Fijians, *cf.* Ratzel, *Volkerkunde,* ii. 283.

[51] Lydekker and Webster, 'Melanesia and New Guinea', in Johnston, Lydekker, *Living races of mankind,* i. 40.

[52] Kubary, 'Die Palau-Inseln der Sudsee', in *Journ. des Museums Godefferoy,* p. t. vi. 8 sq.

[53] Williamson, *op. cit.* ii. 491; Jardin, 'Notice sur l'archipel de Mendana, etc.', in *Mémoires Société Impériale Academique Cherbourg* (1856), p. 182 sq.

[54] Gill, *Hist. Sketches Savage Life in Polynesia,* pp. 18 sq, 288, 298.

Mr. G. Brown tells us that war in Samoa often began by quarrels between neighbouring districts generally and extended over the principal parts of the group. On the declaration of war messengers were sent to all the villages, not only to the villages within the district immediately concerned but to allied. They were adorned with long yellow streamers and carried spears similarly decorated, this being a sufficient intimation, and in a short time the dancers assembled in the chief village[55]. Yet before the actual fighting begins the chiefs will meet in conference to try to find a peaceful solution[56]. In the Fiji Islands the institution of war-declarants and heralds used to be highly perfected. These envoys, as conveyers of war messages, were inviolable. A formal message of war should always be interchanged and the other side kept fully informed of the preliminary negotiations so as to be able to make their own preparations[57]. In Society Islands, again, when war was determined, the king's heralds were sent round the island, or the dependent districts, and all were required to arm, and repair to the appointed rendez-vous, and a subsequent reference to the leading to war by the chief of each district of his own tenantry shows that the summons was sent by the head chief or king of the whole area to the chiefs of the districts, each of whom would collect his own people[58].

In Timor, when one tribe has made a raid on the field or herds of a tribe in a neighbouring kingdom, a messenger is sent with the 'intelligence' to its rajah. If the rulers of the two kingdoms are united by the ordinary ties of friendship, the affair is settled, after long parleys and discussions. If goodwill does not exist between the two, no satisfaction will be obtained, and preparations for war will be made. Even then efforts are made to avoid a conflict, and when the armies meet, a last discussion is held by representatives of the respective armies. If no agreement is come to, the fight begins[59]. Among many aborigines on New Guinea war notices are given before commencing hostilities, generally by a war messenger[60].

Before the Sumatran Battas decide to take up arms, they negotiate for days together, making fiery speeches, while neighbouring chiefs try to effect an accomodation[61]. The natives of Malaccas are known to employ special war messengers. If a community which has determined on war formally challenges the

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[55] Brown, *op. cit.* p. 164; Ella, in *Australian Association for Adv. Science,* iv. 633, quot. by Williamson, *op. cit.* ii. 330.

[56] Williamson, *op. cit.* ii. 331.

[57] Ratzel, *Volkerkunde,* ii. 283; Williams and Calvert, *Fiji,* i. 44; Thomson, *The Fijians,* p. 89.

[58] Ellis, *Polynesian Researches,* i. 279; Williamson, *op. cit.* ii. 342 sq.

[59] Forbes, 'On some Tribes of the Island of Timor', in *Journ. Anthr. Inst.* xiii. 407.

[60] Krieger, *Neu-Guinea,* p. 200.

[61] Ratzel, *Volkerkunde,* i. 447.

enemy and if the challenge is accepted, preparations are made to defend the village. Peace is often made by the efforts of neighbouring districts[62]. Concerning the Bontoc-Igorots in the Philippine Islands we hear that if they intend to break the peace with another tribe (*e.g.* the Sakasaha) the matter must first be discussed at a ceremonial meeting, called *Men-pa-kel,* where the old men freely speak their mind. When everything is settled a messenger departs for Sakasakan, bearing a battle ax or spear, the customary token of war with all Bontoc peoples. The life of a war messenger is secure, but, if, possible, he is closely related to the challenged people. And there is no record that such a messenger ever was killed while on his mission. The messenger presents himself to some old man of the tribe and notifies that he is the bringer of a challenge of the war. If the challenge is accepted, as it usually is, an ax or spear is given the messenger, and he hastens home to exclaime to his people of the outbreak of war. Only after this the hostilities may begin[63].

The peaceful Tenae in Bengal give a formal declaration of war before proceeding to hostilities[64]. In the wars of the Nagas the time and place of battle is fixed in advance[65].

Turning to the African continent we note that *e.g.* Bushmen, before attacking and enemy, held a council of war whereat each warrior was at full liberty to give his opinion as to how operations migh be carried out[66]. Special war messengers were employed also by the Lambas in Northern Rhodesia[67]. And concerning the Bavenda we are told that when war was decided upon, the war-note was beaten on the drums and messengers were sent to all the different kraals, crying out to the people to put on their war-dress and take up their arms[68].

Among the tribes of Nyassaland, if a chief mediates to make war upon another, he usually sends a messenger stating his cause of complaint and offering him a bullet, or, where guns are used, a spear, and a hoe. If the chief thus addressed returns the bullet and sends back the hoe, it means that he accepts war; if he keeps the hoe and sends back the bullet it means that he wishes peace and yields to the other's demand[69].

Even the Indians of South America are known to employ messengers and other

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[62] Riedel, *De sluik- en kroesharige rassen,* pp. 104, 233, 425.
[63] Jenks, *loc. cit.* p. 176 sq.
[64] Dalton, *Decr. Ethnology,* p 35.
[65] Hodson, *The Nāga tribes,* p. 113 sq.
[66] Dornan, *Pygmies & Bushmen in Kalahari,* p. 86.
[67] Doke, *The Lambas,* p. 72.
[68] Stayt, *The Bavenda,* p. 71 sq.
[69] Johnstone, *British Central Africa,* p. 469.

emissaries to notify their martial intentions before breaking out into open hostility. Stirling, who, unlike Karsten, overestimates the warlike tendencies of the Jibaro Indians, admits that the combats are preceded by great ceremonies, the etiquette demanding, among other things, that the receipt of a declaration of war from a foreign messenger must be acknowledged through another messenger[70].

Certain North American Indians also were in the habit of sending messengers to warn friends and allies of threatening dangers and to summon people to take part in armed conflicts. At the same time these messengers seem to have endeavoured to reach a peaceful solution of the contentions. On the other hand, we often read of insidious attacks and raids without warning.

Concerning the Chippewa, for instance, Densmore states that the tribe who wishes war sent messengers with tobacco to ask the warriors to join the expedition. The messengers were sent to each village and requested the warriors to assemble; they explained the purpose of the expedition, and holding the bowl of the pipe, offered the stem to one warrior after another. All who were willing to join the expedition signified their willingness by smoking the pipe. Then the warriors assembled and camped near the lodge of the leader, who gave a feast, explaining more fully the proposed expedition[71]. Among the Chinooks efforts were always made to settle their differences amicably before declaring war[72]. Fletcher and La Flesche state, that among the Omaha 'war was secondary, its true function was protective, to guard the people from outside'. The wars were generally decided by a council and war messengers were used[73]. Concerning the old natives of Honduras we hear, that 'wars were continually waged', but preceded by councils, and 'ambassadors' were sent to challenge the enemy to a pitched battle, and, if their call were not responded to, the country was ravaged[74].

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[70] Stirling ('Historical and Ethnographical Material of Jivaro Indians', in *Smiths. Inst. Bull.* cvii. 51 sqq): 'war is declared with a ceremony in which the lance is officially disinterred and carried into the jivaria. Immediately following this ceremony, an emissary is sent to notify the enemy. Following the conclusion of the ceremony, which may last for 24 hours, the attacking party leaves on its mission. Occasionally the enemy after being notified, immediately launches a counter attack. However, the ethics of Jivaro warfare require that they too must send an emissary in advance in such a case. As a rule, while the ceremony is being launched, a messenger is sent out to notify all of the allies and friends. Each messenger, upon arrival, delivers a warlike talk, attempting to incite the occupants of the household to a desire to accompany the expedition. The emissary, who is sent out to notify the enemy that the lance ceremony has taken place, is always one of the most able warriors'.

[71] Densmore, 'Chippewa Customs', in *Ann. Rep. Bur. Amer. Ethn. Bull.* lxxxvi. 132 sq, 178.

[72] Bancroft, *op. cit.* i. 326.

[73] Fletcher and La Flesche, 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxvii. 211.

[74] Bancroft, *op. cit.* i. 723.

The Nahua tribe, Bancroft tells us, considered a breach of international etiquette to proceed to war without giving due notice to the enemy, and even the law prescribed that the aggressor had to dispatch three 'embassies' before opening the hostilities. The number of the ambassadors varied according to the rank of the prince upon whom war was to be made; the higher his rank, the fewer the envoys. If he was a great king only one 'ambassador' was sent, but one preferably of royal blood or else of general renown[75]. Clavigero in his *History of Mexico* states that in case of war the ancient Mexicans first of all sent advice to the enemy, so that they might prepare for defence, nothing being more mean and unworthy of a brave people than to attack the unguarded. Also here three embassies were sent. The first of the three was usually sent to the foreign ruler by whom Mexico had been offended to demand of him, on pain of reprisals, an acceptable indemnification within a given time. The second went to the nobles of the realm to prevail upon them to persuade the king to consent to the proposal; the third was to acquaint the people itself with the impending danger. And very often, we are told, the arguments of the 'ambassadors' were so strong and conclusive that a peaceful settlement was attained[76]. It was regarded unfair to attack an enemy without sending the enemy notice of their intentions. Bancroft also point out that the rulers of Mexico always endeavoured to justify their conduct before they went to war, and never opened hostilities without warning[77].

But even in the absence of special war emissaries it is often considered necessary to deliver a formal declaration of war before the military operations are commence.

As we shortly hinted in the first chapter in this book, speaking on primitive government, certain primitive peoples have special peace chiefs and war chiefs, and it is noticeable that the functions of the latter are, as a rule, but of a temporary character, while the former represents the continuos management of the interests of the tribe, the communities, the state. The question being closely connected with the intertribal relations, we shall here make a somewhat lengthly digression.

As I have pointed out[78], the primitive leadership generally seems to be temporary and changeable. The general form of government may be termed gerontocratic.

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[75] Bancroft, *op. cit.* ii. 420.

[76] Clavigero, *History of Mexico,* i. 370; Bandellier, 'The Art of War ... of the Ancient Mexicans', in *Rep. Peabody Museum Amer. Archaeology and Ethnology,* ii. 129.

[77] Bancroft, *op. cit.* ii. 420.

[78] *Supra,* p. 89.

In many cases the rank of chieftain is due to the qualifications of the person in question: slyness, courage, competence in trade, tested hospitality, good relationship with other tribes, and not least, knowledge of supernatural things. Where hereditary leadership is concerned—though this does not appear among a great number of peoples—it is noticed that personal qualities play an important part. In many cases the king or chieftain seems to be a symbol or acts as principal medicine-man, rain-maker, general observer of occurrences or high-priest and leader of religious rites[79].

The fact may be stressed that when primitive peoples have t w o l e a d e r s the former represents the real power and continuity of the tribe. The office of the latter seems to be temporary. The peace chiefs are in certain cases looked upon as sacrosanct, which is rarely the case with war chiefs. The latter may act, in exceptional cases, as leaders of the tribes or of tribal groups. Such representation is otherwise incumbent exclusively on the peace chief.

The North American Indians had generally a peace chief and a war chief. The villages or peace chiefs directed the civil concerns of the government. Their office was hereditary, if not they were elected from particular families. Women were sometimes, but not often, eligible. But the declation of war terminated their peace duties and the war chief began his functions[80].

The institution of dual chieftainship was thus noticed specially among the North American Indians. The peace chief could be principal medicine-man and high-priest at the same time, but the religious offices could also be given to other people of leading and authoritative position in the tribe. The honour of peace chief was occassionally hereditary. In certain cases women could hold the rank of chieftain[81]. The war chief was temporarily elected. We often hear that the authority of the war leader was vague though usually recognized when the compaign was in progress[82].

Fletcher and La Flesche state that among the Omaha Indians the 'peace and order' of the community was based on the rule of a peace chieftain and not on that of the ablest war leader. The peace chief had also a religious function[83].

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[79] Thurnwald ('Häuptling', in Ebert, *Reallexikon d. Vorgeschichte,* p. 140) points out, that a 'Oberhauptling', who is *primus inter pares* gets a special position. 'Dadurch wird ein ausgedehntes Friedensgebiet geschaffen'. Vierkandt ('Das genossenschaftliche Gemeinwesen der Naturvolker', in *Festschrift Eduard Seler,* p. 599) generalizes to much saying, that the chiefs always 'hat die Leitung im Krieg'.

[80] McKenney and Hall, *History of the Indian Tribes of North America,* iii. 17.

[81] Radin, 'The Winnebago Tribe', in *Ann. Rep. Bur. Amer. Ethnol.* xxxvii. 15, 233 sqq; *cf.* Thurnwald, *loc. cit.* v. 140, 149.

[82] Havemeyer, *Ethnography,* p. 344 sq.

Powers informs us of the Pomo Indians, that their peace chief was a kind of *censor morum*. His office could not be transferred to the war leader[84]. A kind of dual leadership occurred among the Dacota Indians; hunting and ceremonies being in the hands of one leader, war operations in the hands of another. The former leader's position could be hereditary[85].

The Cherokee had a hereditary peace chief which in most cases was identical with the tribe's high-priest who had the right of adding to his dignity the sacred character of medicine-man. The war leader, on the contrary, was elected[86]. Conditions were similar among the Seminole who had a hereditary chieftainship with the medicine-man as chief[87]. The institution of dual chieftainship occurred also among the Ojibways[88], the Menominies[89], the Shoshones[90], the Uties[91], the Occineccians (Oakinackens)[92], the Salishans (Flatheads)[93] the Mohawkes, Iroquois[94], Iowa, Kansas and Ponka[95], Fox[96] and Comanches[97], Apaches[98]. Regarding the Iroquois it may be observed that they did not have a special war chief but

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[83] Fletcher and La Flesche, 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxvii. 51, 402, *cf.* p. 200 sq; Dorsay, 'Siouan Sociology', *ibid.* xv. 356, *cf.* 363. Conc. the war leaders among the Siouan, *cf.* McGee, 'The Siouan Indians', *ibid.* xv. 188.

[84] Powers, *Tribes of California* (*U.S. Geograph. and Geol. Survey,* etc., *Contributions to North American Ethnol.* iii), p. 157.

[85] Next to him were four *Akticia,* 'heroes' who had been chosen by the council of the tribe on account of special qualities. They served as leaders of ordinary hunts. Others, elected by the warriors, led the war operations. The great ceremonial buffalo hunts were conducted by ten judges elected by the tribal council (*Wanyátcó*) which was elected for one year at a time. The tribe was divided into two parts for ordinary hunts. Thurnwald, who quotes this (from Lowie, in *Anthr. Papers Amer. Museum Nat. Hist.* xi:xii) adds: 'Diese Verschiedenheit in der Fuhrung bot wohl den Anlass dazu, dass, wo ein altes Halbierungssystem in der Heiratsordnung vorhanden war, im Anschluss daran eine Verdoppelung der Häuptlinge oder Fürsten stattfand' (*cf.* Thurnwald, *Die Menschliche Gesellschaft,* iv. 52).

[86] Mooney, 'Myths of the Cherokee', in *Ann. Rep. Bur. Amer. Ethn.* xvix:1, 126.

[87] Mac Cauley, 'The Seminole Indians', *ibid.* v. 500.

[88] McKenny and Hall, *op. cit.* ii. 177.

[89] Hoffman, 'The Menomini Indians', in *Ann. Rep. Bur. Amer. Ethn.* xiv. 42 sq.

[90] Dorsey, 'The Study of Siouan Cults', *ibid.* xi. 375.

[91] Bancroft, *Native Races of the Pacific States,* i. 473.

[92] Mooney, *The Siouan Tribes of the East,* p. 54.

[93] Cox, *Adventures on the Columbia River,* p. 241.

[94] Morgan, *Leagues of the Ho-dé-no-sau-nee, or Iroquois,* pp. 62, 72.

[95] Skinner, 'Societies of the Iowa, Kansa, and Ponka', in *Anthr. Papers American Museum Natural History,* ix:ix, pass.

[96] Jones, 'Ethnography of the Fox', in *Smithsonian Inst. Bull.* cxxv. 83.

[97] Adamson, Hoebel, in *Mem. American Anthr. Ass.* liv. 18.

[98] Lockwood, *The Apache Indians* c. vii.

elected one for special occasions, a proceeding which is closely related to the fact that all military operations were left entirely to private enterprise, confirmed by a system of voluntary service. The Sachems-councils tried to repress and restrain rather than to encourage the martial order of the people[99].

Among the Yuchi Indians two different social groups occurred, viz. one peace and one war group. But the peace chief who had to manage the governmental affairs so that peace could be preserved was the highest chief. He had to fix the day for beginning the harvest and to conduct all the festivities of the tribe since he acted also as high-priest[100]. Among the Nootka[101] and Haida[102] Indians war-expeditions were headed by temporarily elected captains. Other Indians such as Foxes, Panies, etc. had permanent peace chiefs but little is heard of war chiefs[103]. The Indians of Nicaragua had special war chiefs, elected by the warriors[104].

Dr. Rudolf Elander, who has studied thoroughly the chieftain institution among the North American Indians[105], has reached the conclusion that war chiefs, temporarily elected by the tribe, always worked during war time only and that their period of office could not be extended after peace had been concluded. They had, for instance, special peace clans which abstained even from slaughtering animals. They were obliged to live only on vegetables if they were not able to excange their vegetables with another clan and obtain fat and meat from it.

Dual chieftainship may also be the cause of a division in the clan and tribe organization, and according to Prof. Thurnwald, occurs in motherright societies[106] or where a division of power is found in connection with a competence division into economical-ritual and war-prophane competence, following, on a specialization within certain families[107], nor does the basis of division lie in the election of special

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[99] Morgan, *op. cit.* pp. 72, 339.

[100] Speck, *Ethnology of the Yuchi Indians* (*Univ. Penns. Anthr. Publ.* i). 1.

[101] Bancroft, *op. cit.* i. 193.

[102] *Ibid.* i. 150, *cf.* Goldenweiser, *Anthropology,* p. 311.

[103] McKenny and Hall, *op. cit.* p. 133.

[104] Squier, 'Archaeology and Ethnology of Nicaragua', in *Transactions American Ethnological Society,* iii:i. 126 sq.

[105] Elander, *The Chief of the Indian Clan of North America,* pass.; *idem,* 'The Clan as a local Unit in Society', in *Festskrift tillegnad Edvard Westermarck,* p. 131 sqq; Spier and Sapir, *Wishram Ethnography* (*Univ. Wash. Publ. in Anthr.*), p. 211 sqq; Karsten, *Naturfolkens samhallsliv,* p. 134 sqq.

[106] Thurnwald, *op. cit.* iv. 137, *cf.* p. 147 sqq: 'die Halbierung des Klans oder des Stammes, wie sie in mutterrechtlichen Gebieten häufig ist'.

[107] *Ibid.* p. 147: 'eine Teilung der Gewalten im Anschluss an die Spezialisierung gewisser Familien auf bestimmte Kenntnisse und Tatigkeiten'.

peace and war chiefs. With regard to the first mentioned, Thurnwald, on the basis of information supplied by Prof. Lowie, points out that some North American Indian tribes were divided into two groups. Such a division has occurred in Iroquois, Dakota and among certain North-West American tribes and among the Pueblo-Indians[108]. A chieftainship of this kind occurred also among the Tillamooks on the west coast of North America, in Oregon, and probably also among the Aleans. If there was a question of going to war both chiefs had to be of that opinion, otherwise no fighting could take place. Together the chiefs could also recall their warriors. However, neither of the chiefs led the war operations, and both were respected even by the enemy, but one of the chiefs seems to have been the actual leader[109].

The Osage Indian tribe was also divided and each tribal half (*gens*) had its chief (*gahige*), whose office seems to have been, to a high degree, that of peace-maker. The chief's house was holy because he represented both the earth and the sun. On that account the house was fitted with two entrances: one facing the rising, the other the setting sun. There was a fire constantly burning in the house symbolizing eternal life. If a murderer chanced to enter the house, both doors closed[110].

Among some South American Indians the institution of dual chieftainship is to be found. The peace chief was the leading medicin-man[111]. The Toba Indians have a special war leader, but the permanent peace leader manages the civil administration[112].

On the African continent dual chieftainships also occur. The peace chief is the highest leader of religious ceremonies. Among the Bantu people, through the whole of East Africa from Zambesi to Zanzibar, from South Africa to Congo, the original meaning of chief is identical with that of medicine-man[113].

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[108] Lowie, quot. by Thurnwald, *op. cit.* iv. 148.

[109] Boas, 'Notes on the Tillamook', in *Univ. California Publ. Amer. Archaeol. and Ethnol.*, (1923), p. 4. Conc. Micronesia, *cf.* Muller-Wismar, *Yap,* quoted by Thurnwald, *op. cit.* iv. 148 (the Yap Island).

[110] La Flesche, 'The Osage Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxxvi. 167. Conc. the Californian Indians, *cf.* Gifford, *Dichotomous social organization in South Central California* (*Univ. of California Publications in Americ. Arch. and Ethn.* xi), p. 294 *sq*; Goddard, *Life and culture of the Hupa* (*ibid.* i.), p. 58.

[111] v. d. Steinen, *Unter den Naturvolkern Zentral-Brasiliens,* p. 315.

[112] Karsten, *Indian Tribes of Gran Chaco,* p. 46, *cf.* p. 104.

[113] Johnston, *The Uganda Protectorate,* ii. 750, *cf.* Ratzel, *Volkerkunde,* ii. 166; Steinmetz, *Rechtsverhaltnisse von eingeb. Volkern,* pp. 42, 117, 167; Post, *Afrikanische Jurisprudenz,* p. 277; Paulitschke, *Ethnographie Nordost-Afrikas,* ii. 241, 256. Conc. the Atheraka in East Africa, see Tremearne, 'Notes in the Kagaro', etc. in *Journ. Anthr. Inst.* xlii. 109, 117.

In time of war and danger the foremost among the African Ovambo elect a war leader and general. But next to him in position comes the 'fire-preserver' (*omunene u oshikuni*), as he is called. He carries a burning torch, and if the fire dies down it is considered to be a bad omen. The fighting army will suddenly be obliged to retreat and return home[114]. Among the Masai and the Wakuai in East Equatorial Africa, where the government generally has a trait of patriarchy, a leader or war chief, *orlkibroni,* is chosen in wartime. He acts at the same time as *orleibon, i.e.* high-priest or magician. In peace time it is his duty to watch that the fields have sufficient rain; in wartime he must know how to keep the enemy at bay by magic charms. The war leader is chosen among the most able in the tribe, but he may be discharged and is even subject to the risk of loosing his head, if he is defeated in battle three times in succession[115]. In the Eggarah country on the River Niger the chieftainship was hereditary on the female line as well, but temporary leaders were entrusted with the command of war expeditions[116]. In Ondonga, according to the Finnish missionary Mr. Rautanen, the chief appointed special war leaders to conduct the operations[117]. Among the Basutos special men were entrusted with the command of the fighting forces[118]. Prof. Lindblom tells me that in time of war experienced warriors were selected as leaders among the Akamba in East Africa, but their authority was only temporary, and in times of peace they occupied no public position in the tribe. On account of their great reputation they often represented the tribe in transactions with the Arabian merchant and other trading caravans which came up to Ukamba from the coast.

Among certain African peoples again, for instance in Dahomy, the war leader has a greater power than among other peoples. The association of the conquering war leader and the later tribe leader can here, according to Elander, be traced to the fact that the despotic ruler is considered to be the real owner of all land[119]. But if in this African autocracy may be seen an instance of the fact

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[114] Schinz, *Deutsch-Sud-West Afrika,* p. 320.

[115] Thomson, *Through Masai Land,* p. 260; Merker, *Die Masai,* pp. 18 sq, 274; v. Decken, *Reisen in Ost-Afrika,* ii. 32.

[116] Allen and Thomson, *Narrative of an Expedition sent to River Niger in 1841,* i. 352.

[117] Rautanen, in Steinmetz, *op. cit.* p. 336.

[118] Casalis, *The Basutos,* pp. 214, 222.

[119] Elander, *op. cit.* p. 87; *cf.* Ellis, *The Tshi-speaking Peoples of the Gold Coast,* p. 277 (Ashanti kingdom); *idem, The Ewe-speaking Peoples of the Slave Coast,* p. 262 (Ehwe); Wilson and Felkin, *Uganda,* i. 193 (peoples in Uganda); Stuhlmann, *Mit Emin Pascha ins Herz v. Afrika,* p. 75 (Wanyamwesi). Among the aborigines of the Canarian Islands one has observed a dual chieftainship, *cf.* Torriani, *Die kanarischen Inseln und ihre Urbewohner,* p. 77.

that the war leader will really be the conquering leader and future ruler, this must be considered an exceptional case and the social importance hereof cannot be generalized; because autocracy is a rare phenomenon among primitive peoples.

The institution of dual chieftainship is further found among the natives in Alaska[120], among the wild peoples on the islands in Torres Straits[121] and in British New Guinea and among the Maories[122]. Specially in Melanesia, native chiefs were in general peace chiefs, invested with duties of a civil and sacrosanct character, while war operations were conducted by experts chosen on account of their skill, whereupon they were entrusted with chieftainship honours[123]. Among all these peoples the peace chief is the most prominent person and is responsible for the continuous care of tribal matters.

Hence it appears that it is not by any means unique that special war leaders occur in primitive stages of culture. But the fact is remarkable that even if they receive the honour of chieftainship, they are rarely invested with the continuous care of the tribes and the government of the nation. In exceptional cases the actual tribal chief seems to act as war chief. Among the Indians this seldom happens but it is mentioned among the Dakota[124], Ponka[125] and Kansas[126].

In the primitive world the chief is thus rarely entrusted with both civil and military duties. Authors who maintain that bravery is the sole quality which enables a savage to become the chief of the tribe, do not pay proper attention to the fact that primitive wars, as hinted before, are not always fought with arms and physical strength alone, but with magic and unseen means. But though civil leaders and priests are thus able to conduct wars—by the aid of magic—it is seldom the case, *i.e.* they are not seen to be occupied with war operations. And,

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[120] Dall, *Alaska and its Resources,* p. 202.

[121] *Reports Cambridge Anthr. Exp. to Torres Straits,* v. 172, *cf.* 169.

[122] Seligmann, *The Melanesians of British New Guinea,* p. 216 sq; Tregear, 'The Maoris of New Zealand', in *Journ. Roy. Anthr. Inst.* xix. 99; Ellis, *Polynesian Researches,* iv. 346, 431; Hahl, *Ueber die Rechtsanschauungen der Eingeborenen,* etc. quoted by Graebner, 'Die sozialen Systeme in der Südsee', in *Zeitschrift für Socialwissenschaft,* xi.

[123] When disturbances arose between different villages in Samoa the combined chiefs and heads meet to conferences. Official intercourse between the village districts was always conducted by means of specially appointed messengers, and a similar system was adopted as regards official intercourse between one district and another (Williamson, *Social and Political Systems in Central Polynesia,* ii. 382, 387, iii. 46; Turner, *Samoa,* pp. 178, 180 sq).

[124] Dorsey, 'Siouan Sociology', in *Ann. Rep. Bur. Amer. Ethn.* xv. 221.

[125] *Ibid.* 222.

[126] *Ibid.* 232.

as Holsti says[127], in exceptional cases, when priest-chiefs do act as war leaders, this has been due more to the general patrimonial character of their duties than to the independent importance of their warlike functions. Thus they have been war leaders by virtue of their duties and not vice versa: their position has not arisen from warfare. There has been no objection in occasional cases at primitive stages to certain great warriors becoming leaders of the tribe. But even among peoples who by some authors are considered as fighting peoples, like certain North American Indians, and Maories, Fijians, Masais and certain other African peoples, only temporarily elected leaders were entrusted with the command of the fighting forces, while the permanent chiefs—who could be hereditary—or persons stronger than their fellows, were in charge of civil and religious matters as representatives of the ordinary life of the community.

It seems thus that peace emissaries in general have a more important mission than that which is attributed to the declarers of war, but in the same manner it is shown that among most peoples who have special peace and war leaders, the former seem to represent the continuous leadership of the tribe's or the nation's destiny. The latter seem to hold a temporary office[128].

'From the standpoint of origin it appears', says Mr. W. I. Thomas, speaking especially of the Australians, 'that warfare, pillage, and the conquest of territory are not so important in the development of leadership and government, as might be excepted'[129].

The fact that the peace chief generally represents the continuity of the tribe proves also as such that peace-time conditions in savage societies have played a greater part than historians and sociologists have supposed. A position of power acquired in war is generally too slight to continue. The real chieftainship seems to have arisen under the influence of permanent conditions. But whatever may be the capacity of a war chief, the real authority exercised by the chief and his supporters is enforced by means of witchcraft. There does not seem to be sufficient reason to assume that war could constitute so universal a phenomenon that protection against human foes should be the main form of help which primitive communities require of their leaders or that conditions of war could lead to a permanent chieftainship. As the war leader is often the nearest relative seeking revenge for a kinsman's death this cannot lead to a permanent chieftainship. For

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[127] Holsti, *The Relation of War to the Origin of the State,* chh. vii. and viii. 'In fact', Holsti says (*op. cit.* p. 213 sq), 'we scarcely meet with any savage warfare in which superstitious customs do not play a considerable part'. *Cf.* also, *idem,* 'Some Superstitious Customs in Primitive Warfare', in *Festskrift tillegnad Edv. Westermarck,* p. 56 sqq.

[128] Numelin, 'Dual Leadership', in *Acta Acad. Aboensis,* xiv:12, p. 3 sqq.

[129] Thomas, *Primitive Behavior,* p. 421.

instance, among the Karaya Indians in South America, skill in conducting mercantile transactions is a more important qualification for chieftainship than ability in war, and even adopted prisoners of war may become chiefs if their business capacity is sufficient[130]. When a certain shool of American anthropologists—Sumner, Keller, Davie[131]—supported by other anthropologists outside North America[132] maintain that 'war is perhaps the greatest chiefmaker', their statement finds, as I can see, little support in ethnological literature. Nor can I agree with the view of these scholars when they say that when there are two leaders 'there is usually nothing to keep the two offices separate'. In most cases a special distinction seems to be made between the two offices. In many cases, such as in East Africa, the war chief was merely a warrior himself and as such subordinated under every elder at home[133].

In the cases mentioned we have been concerned with chiefs who have both held what might be termed worldly offices, even if the real tribal chief has, in many cases, carried out religious duties as well.

But besides two chiefs with worldly offices, two chiefs occur in many places in the primitive world where only one of them conducts religious ceremonies. As mentioned in connection with the natives of the Eddystone Islands, the chieftainship seems to be a religious rather than a political institution among many peoples. Especially in Melanesia and Polynesia the sacred character of the king is, according to Rivers[134], so pronounced 'that it seems to be impossible for him to exert such of his functions as would bring him into contact with the 'common people' so that another kind of chief who has to conduct war operations has to be chosen'. Among Australian aborigines the medicin-man is the most influental man in his tribe, though possibly the best hunter and warrior may compete with him in this respect[135].

A dual chieftainship similar to that of Polynesia occurs in some parts of New Guinea. Among the Mekeo people every clan has two chiefs, the high chief and

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[130] Gray, 'Law', in Hastings, *Encyclop. of Religion and Ethics,* vii. 816.

[131] Sumner, Keller, Davie, *The Science of Society,* iv. 474, *cf.* 477: 'War exeits a powerful influence over the establishment and development of the chieftainship as it does in general ver the integration of government'.

[132] *Cf.* for inst. Landtman, *The Origin of the Inequality of Social Classes,* p. 320.

[133] Dundas, 'The Organisation and Laws of some Bantu Tribes in East Africa', in *Journ. Anthr. Inst.* xlv. 237 sqq, 248 sqq, 257 sqq.

[134] Rivers, *op. cit.* p. 162.

[135] Steinmetz, *Ethn. Studien zur ersten Entw. d. Strafe,* p. 40; *cf.* Seligmann, *op. cit.* 453 Melanesians).

the war chief, while among the Roro peoples, the chief was associated with another one whose business it was to see that the orders of the high chief were obeyed. In these cases the orders of the high chief were mainly of a sacred kind. He could impose taboos and in case of war was able to bring about peace. And the ordering of feasts formed, as in the Eddystone Islands, an important part of his functions. The two kinds of chiefs among the Roro peoples were called chiefs of the right and left respectively, from the position which they occupied in the common club house during ceremonials. Dr. Rivers thinks that there is little doubt that an institution of a similar kind occurs in Japan. When a king becomes so sacred that none of his subjects may look at him, the exertion of any kind of social function becomes difficult—and it is probable that the seclusion, which for several centuries was the fate of the Mikado of Japan, was the direct result of his having acquired a character so sacred that the functions of government essential to the welfare of such a state as Japan had to be carried out by members of another and more worldly family[136].

The fact that the high-priest, who is identical with the religious chief, is considered the most prominent of the tribe, is connected with the importance that a large number of peoples—who do not have dual leadership—attach to the chief's sacred functions. When a special group of magicians who are governors of rain, sun and wind, are separated and receive special duties on which the safety and well-being of society are dependent, these men raise themselves, little by little, to power and wealth until the most prominent among them appear as holy chiefs and kings. When magic is gradually replaced by religion, the magician may cede his place to the priest who refrains from directly influencing nature's process and tries indirectly to reach the same goal for the benefit of man by appealing to the gods. Among many Australian and Oceanic peoples and peoples in the Sunda Archipelago and India, the tribal or tribal group leader has long been both leading medicine-man and priest at the same time. And among many African peoples the duties of chiefs and kings are considered to be magic and religious. Among many of the Bantu tribes in East Africa the chief is called *ba-fumo* (*ma-fumo*) which is said to mean medicine-man[137].

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[136] Rivers, *op. cit.* p. 163.

[137] *Cf.* for inst. Polack, *Manners and Customs of the New Zealanders,* i. 147; Best, 'Notes on the Art of War ... by the Maories', in *Journ. Polynesian Society,* xii. 40 (Maoris); Mariner, *An Account of the Natives of the Tonga,* i. 132, ii. 2 sq, 81, 144 (Tonga Islands); Turner, *Samoa,* pp. 18, 268; *cf. idem, Nineteen Years in Polynesia,* pp. 241, 342 (Samoa); Thomson, *The Fijians,* p. 61 (Fiji); Ellis, *Polynesian Researches,* i. 64, 79 (Polynesia in gen.); Sarasin, *Reisen in Celebes,* i. 227, 335, ii. 130 (Celebes); Furness, *The Home-Life of Borneo Head-Hunters,* p. 45 (Borneo); Shakespear, *The Lushei Kuki Clans,* pass; *cf.*

Evans-Pritchard tells us that among the Nuer in Africa there are a war-specialist and a totemic specialist. There are also magicians of various kinds[138].

Sir James G. Frazer has pointed out that the combination of the title of king with certain sacred duties was quite common in Greece and Italy in the olden time. In Rome and also in other parts of Latium there was a priest who was called king of sacrifices or king of the holy rites. In republican Athens the second in order of the yearly elected government officials was called king and his wife queen. Both had sacred duties. Many other Grecian states had titular kings, whose duties, according to Frazer, seem to have been of a sacred kind. The combination of religious offices and kingly power was well known in Antiquity in the capitals of Asia Minor. The heathen Teutonic kings seem to have held the office and power of high-priest. The Emperor of China conducted official sacrifices—the details of which were prescribed in the book of ritual. In the dim traditions of ancient Mexico we catch a glimpse of combination of worldly and sacred power[139]. An analogous institution to that of the Spartans in Greece Prof. Martin P:n Nilsson has stated in the ancient history of the Swedes and in the time of the great German invasion[140]. Among the ancient Finns the political organization was based upon kinship; the head of the community which was charged with the general management of affairs, was at the same time endowed with priestly functions, although elected leaders probably headed war expeditions[141].

Among many primitive peoples the chief represents the highest magic and religious power, while in turn his authority rests upon the idea of the supernatural qualities of the leader of the tribe, or of the people. It should be noted here that where an absolute and hereditary chieftainship or monarchy occurs it may often be traced back to the people's idea of the leader's right and origin: the predecessor's soul takes abode in his successor.

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idem, in *Journ. Anthr. Inst.* xxxix (prim. peoples in India); Johnston, *op. cit.* ii. 750; Ratzel, *op. cit.* ii. 166; Steinmetz, *Rechtsverhältnisse,* pp. 42, 116, 167; Paulitschke, *op. cit.* pp. 241, 256 (peoples in Africa). Conc. the African rain-makers (among the Lotuko), see Seligmann, 'The social organization of the Lotuko', in *Sudan Notes and Records,* viii. no ii. 2, 26 sq: 'The Lotuko rain-maker did not abstain from taking an active part in warfare. He was said to have certain assistant executive officers, called *Abalok,* to pass his orders, two being elected by each drumhouse'.

[138] Evans-Pritchard, *The Nuer,* p. 117.

[139] Frazer, *The Golden Bough,* i. 109.

[140] Nilsson, 'Die primitiven Grundlagen des spartanischen Lebens', in *Klio,* xii. 337 *sq*; *idem,* 'Hellas och de helleniska rikena', in Tunberg, Bring, *Världshistoria,* ii. 171.

[141] Yrjö-Koskinen, *Suomen kansan historia,* p. 17 sqq.

The priestly character of the chiefs and kings has been thoroughly explained by Frazer[142]. He is disposed to see the first leaders in the medicine-men and the priests, who represent the greatest intelligence in the tribe. In many cases Frazer's interpretation seems to be correct, but if generalized, it becomes as onesided as Webster's[143] wish to make the first leaders identical with the highest members of the secret societies. One cannot generalize the fact that chieftainships have risen out of the group of magicians, as there is a natural limit between magicians and chiefs. They belong to different social classes, and the fact is that more than magic-religious ability is demanded of the chiefs. The great importance attached to magicians and priests can, on the other hand, easily lead to a dual chieftainship: a sacred and a worldly chieftainship. The dual organization plays a great part in primitive religion.

Dr. Rivers has made it clear that the dual organization played a part of fundamental importance also in the formation of systems of relationship and in the institution of marriage between relatives. He has shown that many phenomena of social organization can only be explained on the basis of the earlier existence of a grouping into what Rivers calls *moieties,* between which intermarriage was the rule. He has shown that the dual organization is of fundamental importance for the social organization of Melanesia[144].

A division of the leadership has sometimes occurred among the historical peoples. We do not, however, know of any legal dual leadership in the ancient Oriental states. It occurred sometimes in the states of Antiquity but in those cases it was caused by political conditions[145].

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[142] Frazer, *Early History of Kingship,* pp. 36, 82, 84.

[143] Webster, *Primitive Secret Societies,* p. 108 sqq.

[144] Rivers, *Social Organization,* p. 51 sqq; conc. the Californian Indians, see Gifford, *Clans and moieties in Southern California* (*Univ. of California Publ. in Amer. Arch. and Ethn.* 1918), p. 1 sqq.

Conc. dual system and motherright, *cf.* v. Ehrenfels, 'The Dual System and Motherright in India', in *Anthropos,* xxxvi-vi. 660; *idem, Motherright in India,* pass.

Conc. Australian moieties among the Murngin in Arnhem Land, *cf.* Lloyd Warner, *Black Civilization,* pp. 5, 35, 117, 146 sq; gen. conc. Australians, Haekel, 'Gewinnung einer Zeitfolge', in *Mitteil. d. Anthr. Ges. Wien,* lxvii. 58; Mathew, *The Origin of Austr. Phratries,* quot. by Thurnwald, *Die menschl. Gesellschaft,* iii. 152. Conc. Central Polynesian Amphyctions, Muhlmann, *Kriege und Frieden,* p. 81.

Cf. also Numelin, 'Peacechiefs and Warchiefs', in *iv. Congr. des sciences ethnol. et anthr.* 1948 (in print.). For gen. references to dual leadership, *cf.* also Chapple and Coon, *Principles of Anthropology,* p. 344 sq.

Conc. the Spartanian two kings, *cf.* Mühlmann, *op. cit.* p. 81. The Germans at the time of Tacitus also had peacechiefs and warchiefs, the rex and the princeps (Tacitus, *Germania,* chh. vii. xl.).

There is a great difference between the dual institutions of primitive and those of historical peoples. The dual leadership among the civilized peoples has not legally implied a separation of warfare from peaceful undertakings. If one of the two co-regents has acted principally as commander-in-chief in war, while the other has stayed at home to govern the country, this has not been caused by any principle but because of a difference in age or personal character and competence. But there is, however, a certain resemblance to primitive conditions as regards the influence of religious conceptions on the division of the leadership. Just as the dual system in the primitive society has its magic and religious background, it may also be noticed how in the Europe of the Middle Ages religious currents lead to the fact that the highest political and administrative right of decision over the church is taken away from the monarch and consigned to the pope. The Holy Father being the judge of all questions of creed, he also must be the head of those serving the church. This manner of considering things was an ideal background for the Investiture Struggles in the 11th century and during the following time. If we do not take into consideration the usurpation of the pope of the rights of the worldly power in ecclesiastical questions, and his claims to political power as well, then the monarch's province of government was undivided, that is if he was not obliged to cede parts of it to his vassals and in later times to the national institutions. The dual co-regentship which sometimes occurred, did not encroach upon the monarchical unity of government.

The most marked expression of the dual institution, however, is noticed in the dual leadership at primitive stages. The dual chieftainship is a special characteristic of the primitive peoples, and we must not draw parallels with the development of civilized peoples. Certain small comparisons may thus be pointed out between the institutions of primitive peoples and those of civilized peoples, but we must be careful not to press these parallels as far as trying to follow any historical line of development, according to the traditions of the Tylor-school of evolutionists. The dual institution of the primitive peoples may be older than those of the oldest historical peoples. We often forget that the primitive peoples have developed during centuries and milleniums, and this long history has not

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[145] Prof. Gummerus ('Dualt ledarskap hos kulturfolken', in *Statsvetenskaplig Tidskrift,* xi. p. 233 sqq) has pointed out such cases specially in regard to the peoples of the Orient and of the Antiquity. Conc. the ancient priestly kingship, see Engnell, *Studies in Divine Kingship in the Ancient Near East,* pass.; *cf.* also Widengren, 'Det sakrala kungadomet bland öst- och västsemiter', in *Religion och Bibel, Nathan Söderblom-Sällskapets Årsbok,* ii. p. 49 sqq. Conc. the dual religious institutions in anc. Greece: Forsberg, *Une forme élémentaire d'organisation cérémoniale, Contribution à l'étude de la morphologie du culte,* parts ii. and iii.

passed them by without leaving some traces. But these dual institutions may have arisen at a later date independent of each other and in different parts. The essential difference between the dual institutions among the primitive and the cultivated peoples lies in the fact that the first-mentioned have a magic and religious background which gives colour to the whole primitive social milieu. Among the latter the dual leadership is a result of a historical-political development.

The peace emissaries, as we have seen, have generally a more important mission than that belonging to the declaration of war. It can be stated, that among primitive peoples who have different leaders of peaceful work and warlike enterprices, the former seem to represent the continual leadership of the tribe and the destiny of the people. A power won in war is as a rule too transient to be of longer duration while the real leadership is a result of permanently working forces.

Chapter VII

The Green Branch

As we have seen in the foregoing chapters peacemaking among primitive peoples is a matter of elaborate ritual and has a certain technique. Some of the most important functions of the primitive messengers, heralds, envoys, 'ambassadors', who are nearly always unmolested, not to say 'sacrosanct persons'—are associated with declarations of war and the making of peace. In the very existence of war emissaries, I pointed out, an expression may be seen of the fact that these people when conflict with other tribes arises do not wish to proceed in a rush. Often indeed war is preceded by long negotiations. Many peoples consider it dishonourable to attack another without warning. But especially to a 'diplomatic' mission, whose aim it is to negotiate or make peace, greater importance is ascribed than to the delivery of a declaration of war. This is in full agreement with the fact that it seems the foremost aim of the 'foreign policy' of primitive peoples to create security against danger from outside and to maintain as far as possible friendly relations with other tribes and peoples.

Among many primitive peoples every regulation of relations between different political associations coincides with a treaty of peace (*cf.* Latin *pax*).

As we have earlier hinted, fighting among many primitive tribes and peoples is nearly always preceded by ceremonial consultations just as it is succeeded by a regular peace treaty. This happens, of course, as for instance among Australian tribes, in communities that have otherwise a quite loose structure[1]. Besides, it can

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[1] *Cf.* Howitt, 'On the Organization of Australian Tribes', in *Transactions Roy. Soc. Victoria,* i. 105; Thomas, *The Native Races of Australia,* p. 148; conc. Melanesians, *cf.* Seligmann, *The Melanesians,* p. 544; Leenhardt, *Notes d'Ethnologie Néo-Caledonienne,* p. 45; African peoples: Casalis, *The Basutos,* p. 224 (Basutos), Torday and Joyce, 'Ethnography of the Ba-Mbala', in *Journ. Anthr. Inst.* xxv. p. 409; *ibid.* xxxvi. (Ba-Mbala and Ba-Yaka); Ellis, *History of Madagascar,* ii, 252, 366; Pinkerton, *Gen. Collection of Voyages and Travels,* xvi. 775 (Nations of Madagascar).

be noted, that some of the North American Indians, such as the Creek, had special peace clans and that certain American towns were approved for peace ceremonies and known as 'white towns' whilst others, 'red towns', were reserved for war ceremonies[2].

However, it is not always necessary in primitive societies to depend on peace envoys or other similar messengers for peacemaking. As primitive diplomacy is most often based on magic or religious exhibitions, peace can be made quite simply by ritual ceremonies, which usually have just a magico-religious significance. But even where the peace emissaries first have discussed the peace terms, it will be 'ratified'—especially after long conflicts—by ceremonies, which confirm the importance and significance of the peace treaty.

The agreement of peace and the confirmation of solemn peace treaties appear almost all over the primitive world. Forms and symbols may vary, but the thoughts that lie behind are about the same in different parts of the world. And peace ceremonies appear not only when warlike conflicts come to a close. They are arranged also in times of complete peace for the purpose of preventing war.

To the commonest peace ceremonies belong sacrificatory festivals, feasts, drinking-bouts, agreements on marriage and blood-brotherhood, taking of oaths, dances of peace and other more symbolic rites. We shall now with the help of ethnology investigate some of these ceremonies.

Sir James Frazer has collected and expounded a number of cases of covenants by sacrifice and the taking of an oath between the divided halves of the victim, giving as the text of his exposition the covenants made by Jahwe with Abraham. It appears from his inquiries that, as among the ancient Hebrews, so still among many living peoples at a lower stage of culture this is a very solemn form of covenant, and therefore specially suitable for a treaty of peace[3].

The Hebrew form for making a covenant, which, as Frazer says, is literally 'to cut a covenant, was to cut a calf in twain and pass between the pieces'[4]. The inference is confirmed by analogies in the Greek language and ritual; the Greek

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[2] Swanton, 'Religious Beliefs, etc. of the Creek Indians', in *Ann. Rep. Bur. Amer. Ethn.* xlii. 441, 549; Hodge, *Handbook American Indians,* i. 364. Speaking of the treaties between the Kiowa and the Comanches in Mexico, Mr. Mooney ('Calendar History of the Kiowa Indians', in *Ann. Rep. Bur. Amer. Ethn.* xvii. 154) says: 'the peace made between the two tribes has never been broken, in which fact there may be a sermon for those who regard the Indians as faithless, when we consider how few European alliances have endured as long'.

[3] *Cf.* Frazer, *Folk-Lore in the Old Testament,* i. 392 sqq.

[4] *Ibid.* i. 392; *cf. Genesis,* xv. 9-21, *Jeremiah,* xxxiv. 18.

used similar phrases and practised similar rites[5], and similar expressions are found in Latin[6].

Similar ceremonies at taking an oath and 'cut an covenant' for making a peace were observed also by barbarous peoples in antiquity: among Molossians, Scythians, as Frazer observes[7].

Among the Kavirondo in British East Africa, in making peace after a war, the vanquished side takes a dog and cuts it in halves. The representatives of each side then hold respectively the forequarters and the hindquarters of the divided dog, and swear peace and friendship over the half dog which they hold in their hand[8]. A similar ceremony is used to seel a covenant of peace among the Nandi[9], a tribe of the same region, and among the Masai and Karamojo[10], and the Wachaga of East Africa[11].

Somewhat different, though conforming to the same general type are ceremonies observed at peacemaking among South African tribes. In the Barolong tribe, when the chief wished to make a covenent of peace with another chief who had fled to him for protection, he took the paunch of a large ox, and bored a hole through it, and the two chiefs cramled through the hole, the one after the other, in order to intimate by this ceremony that their tribes would thenceforth be one[12]. Similar customs are reported from the Gallas in East Africa[13], and among the Bechuanas[14].

Equivalent ceremonies are observed among tribes in India, in Insulinde an in Oceania. Among the Chins of Assam and Birma, when two tribes take and oath of friendship similar imprecations and sacrifices are found[15]. Similar were the customs among the Karens of Burma[16]. In former time, when the Karens desired to make peace with their enemies, the representatives of the two sides met and proceeded as follows: Filings made from a sword, a spear, a musket

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[5] *Cf.* for inst. Homeros, *Iliad,* ii. 124, iii. 292 sq; *Odysseus,* xxiv. 483; Herodotos, vii. 132.

[6] Demosthenes, *Or.* xxiii. p. 642; Pausanias, ii. 20. 9, v. 24. 9.

[7] Frazer, *op. cit.* i. 394.

[8] Johnston, *The Uganda Protectorate,* ii. 752 sq.

[9] Hollis, *The Nandi,* p. 84; Johnston, *op. cit.* ii. 884.

[10] Macdonald, 'Notes on the Ethnology of Tribes met with during progress of the Juba Exp.', in *Journ. Anthr. Inst.* xxix. 233.

[11] Raum, 'Blut- und Speichelbunde bei den Wadschagga', in *Archiv f. Religionswissenschaft,* x. 285.

[12] Moffat, *Missionary Labours and Scenes in South Africa,* p. 278.

[13] Paulitschke, *Ethnographie Nordost-Afrikas,* p. 52.

[14] Mackenzie, *Ten Years North of Orange River,* p. 393.

[15] Carey and Tuck, *The Chin Hills,* i. 195.

[16] Mason, 'On Dwellings, Works of Arts, etc. of the Karens', in *Journ. Asiatic Society of Belgal.* N.S. xxxvii. 160 sq.

barrel, and a stobe were mixed in a cup of water with the blood of a dog, a hog, and a fowl, which were killed for the purpose. This mixture of blood, water, and filings was called 'peace-making water'. Next the skull of the slaughtered dog was chopped in two, and the representative of one side took the lower jaw of the animal and hung it by a string round his neck, while the representative of of other side hung the dog's skull. There the representatives solemnly promised that their people would thenceforth live at peace with each other, and they confirmed the promise by drinking the 'peace-making water', and professed an oath[17].

Among the Battas of Sumatra when chiefs are assembled to make peace or enter into a solemn covenant a pig or a cow is brought forth, and the chiefs stand round it, each with his spear in his hand. Then the gong is beaten, and the oldest or most respected chief cutes the animal's throat with his knife. Each chief thereupon puts his morsel on a spit, and holding it up says: 'if ever I break my oath, may I be slain like this beast that lies bleeding before me'[18]. Mr. Ellis[19] tells us that among the natives of Hawaii the peacemakers, after a conflict, went to a temple, a pig was killed and the blood poured on the ground, to signify, it is said, that thus it should be done to those who broke the treaty.

Sir James Frazer[20] analyzes the meaning of these sacrifices at making a covenant or swearing an oath, examining the retributive and the sacramental or purificatory theory. According to the first the killing and cutting up of the victim is symbolic of the retribution which will overtake the man who breaks the covenant or violates the oath. The slaughter of the animal symbolizes the slaughter of the perjurer, but sometimes the ghost of the slain animal is thought to haunt the perjurer. According to Frazer the rite of the covenant of Abraham is composed of two distinct but correlated elements: first, the cutting of the victim in two, and, second the passing of the covenanters between the pieces. Of the two elements the first is to be explained by the retributive, and the second by the sacramental theory; the two theories are complementary to each other.

We shall now examine a more 'pure' sacrificatory side of peace-making.

In its crudest form the sacrifice is seen for instance among the Pomo and Boumali, on the middle course of the Sauga River in French Congo, where a big,

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[17] *Ibid.* xxxvii. 160 sqq. *Cf.* also, Hodson, *The Naga Tribes,* p. 36; Shakespear, *The Lushei Kuki Clans,* p. 56.

[18] Junghuhn, *Die Battalander,* ii. 142 sq. Conc. Borneo, see Nieuwenhuis, *Quer durch Borneo,* i. 162. Similar sacrifices are found among the Malagasy of Madagascar (Ellis, *History of Madagascar,* i. 368 sq).

[19] Ellis, *Hawaii,* p. 131.

[20] Frazer, *op. cit.* p. 399 sqq.

fat slave is sacrificed[21], but instead of a slave, an animal, perhaps a dog, which is cut in two, can substitute the human sacrifice. Representatives of both sides then take hold of the divided halves of the dog and swear peace and friendship over it.

Concluding the peace with sacrifice seems to be common among many peoples, not least the Melanesians[22].

Among the Malekula in the New Hebrides, when two parties are weary of constant fighting against each other, peace can be established by means of ceremonies. Here it is necessary to distinguish between what is intended as a permanent peace, implying the ending of all hostilities between those who were formerly enemies, and a temporary peace which, though it puts an end for the time being to the fighting, does not wipe out the hatred of the opponents for each other. For the making of a temporary peace or respite from fighting one or more pigs are given by each side to the elder brother of the man or men in the enemy's camp whom they have killed[23].

Concerning the native tribes in Borneo, Mr. Hose states that the domestic pig plays a part in almost all religious ceremonies, and before it is slaughtered explanations are always offered to it, and it is assured that it is a trusted messenger. But the most important function of the pig seems to be the giving of information as to the future course of events by means of the markings on its liver. On particularly important occasions, such as the making of war or peace, when guidance as to the future is needed, a pig is caught by the young men of the house, and is brought and laid, with its feet lashed together, before the chief in the great gallery of the house. The more important the ceremony, the larger and the more numerous are the pigs selected as victims[24].

Among the Kanowits on Borneo, after an intertribal conflict, a pig was placed between the representatives of the two tribes, who, after calling down the vengeance of the spirit on those who broke the treaty, plunged their spears into

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[21] Hartland, *Primitive Law,* p. 131 sq.

[22] Seligmann, *The Melanesians,* p. 544.

[23] M. Brown, *Melanesians and Polynesians,* p. 253 sqq; Speiser, *Ethnol. Mat. aus den Neuen Hebriden,* p. 34. Deacon (*The Malekula,* pp. 223, 226 sq) thinks that a comparison with rites of other islands in New Hebrides makes it probable that the giving of the pigs is not an individual matter, but is done on behalf of the two groups concerned. This is further borne out, according to the author, by the fact that in olden days peace was often ratified by one party handing over a woman as compensation to the other party. Generally the woman was given by that side which was the more desirous of peace or which had been responsible for the injury which was the original cause of trouble. She was taken to wife by a man in the opposing camp, the usual bride-wealth being handed over to her people to legalize the marriage.

[24] Hose, *Natural Man,* p. 224.

the animal, and then exchanged weapons. During their conflicts, they each bit the blode of other's and so completed the affair[25]. We hear of natives of Sumatra who slaughter a caribou when they make an alliance. At the conclusion of peace there is a common meal, with exchange of betel[26].

Turning to the African continent, we are told that for instance the aborigines in the Uganda protectorate, when desiring to make peace with another tribe, with whom they have been in conflict or at war, a sheep is killed and the representatives of each side exchange pieces of the flesh. The representatives of each side then take out pieces of the flesh and exchange them. An old man belonging to the side which has been worsted, and which is suing for peace, must then go to the chief village of the conqueror and proceed to sweep up the cattle-kraal. This is accepted as a kind of submission[27]. When two clans among the Bageshu wish to make peace, the chiefs come together to a place and sit down, a dog is brought and one takes hold of its head and the other of its hind legs, whilst a third man severs it in two with a large knife. The dog is thrown away and the clans are free to intermingle without any fear. Among the Bageshu each village has its elder who tries petty cases in his own village, whilst more serious cases between village and village go to the chief of the clan. When cases are taken to the chief, the accuser gives a goat or a cow as a fee before the chief agrees to summon the accused. If they are not satisfied with the chief's decision, they appeal to the fire test. Then each takes a fowl to the medicine-man who hears the case; he then heats an iron hoe and applies it to the leg of first one and then the other, the one who is burned is the guilty person. Should they both be burned, they are both considered equally guilty[28].

Among the Ba-Mbala and the Ba-Yaka peace is concluded by means of a sacrifice[29]. And among the Oromo, to mention one more African example, both parties choose a goat and hang round it neck a bird's nest. Then the decorated animal is sent to the other party who also sends his animal. Part of the meat is buried and another part is given to the poor. After that the shield is laid on the ground while an oath is taken[30]. Also among the Masai the sacrifice played a great role. Each tribe brings a cow with a calf and a woman with a baby. The two calves are exchanged, and the enemy's child for that of the Masai woman and the Masai

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[25] St. John, *Life in the Forest of the Far East,* i. 45.

[26] Wilken, *Verspreide Geschriften,* i. 446.

[27] Johnston, *The Uganda Protectorate,* ii. 794; Talbot, *Life in Southern Nigeria,* i. 310.

[28] Roscoe, 'Notes on the Bageshu', in *Journ. Anthr. Inst.* xxxix. 193.

[29] Torday and Joyce, 'Notes on the Ethnography of the Ba-Mbala', *ibid.* xxxv. 409; *idem,* 'Notes on the Ethnography of the Ba-Yaka', *ibid.* xxxvi. 49.

[30] Paulitschke, *Ethnographie Nordost-Afrikas,* i. 259.

baby is suckled at the breast of the woman belonging to the enemy[31]. Greavenbroeck describes a peacemaking ceremony observed among the Hottentots: when peace was desired, the author writes, two sides came together at their boundary, and after they had agreed upon terms, an ox was slaughtered with spears, and the corpse left a prey to wild animals, they then expressed the wish that whoever broke the compact should came to all possible harm, the fate implied being that he might perish pierced through just like the ox and become the prey of vultures and hyenas[32].

There are also ceremonial conclusions of peace after war among food-gatherers and hunting people, *e.g.* the Damas in South-West Africa. The wife and son of the chief are the most important inviolable negotiators and it is they who begin the discussions. If the enemy is ready to stop fighting, these two return and then the chief with his attendants go off to the camp of the others. Here the goat is killed, after which there is a common feast. If the negotiations do not succeed the first time the woman delegate must repeat her visit[33].

Such sacrificial feasts, as we shall see later on, were combined with all kinds of celebrations which were intended to confirm the peace which had been concluded.

Peace can be ratified only by means of feasts and drinking bouts. Some examples: among the natives of Australia the rule seems to be that even the smallest conflict must be finished by concluding peace. The resumption of friendly relations is generally confirmed by tribal feasts, the *corroborrees*. Howitt mentions special regularly repeated ceremonies which just have the aim of giving disagreeing tribes an opportunity to come together. The renewal of friendly relations between tribes is always marked by a *corroborree*. When tribes '*corroborree*' it is a gage of peace, and peace is, as far as I know, ratified in no other way. And Curr states that a quarrel between two associated tribes is usually brought to an end by a *corroborree*. It seems to be a special ceremony for the purpose of allowing all the tribes in a district to meet and settle any disputes that may have arisen since the last ceremony[34].

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[31] Hollis, *The Masai,* p. 321 sqq.

[32] Graevenbroeck, in *Het Zuid-Afrikaansche Tijdschrift* (1886), p. 369, quoted by Schapera, *The Khoisan Peoples of South Africa,* p. 352.

[33] Vedder, *Die Bergdama S.-W. Afrikas,* p. 82 sq.

[34] Howitt, 'The Diery and other kindred Tribes of Central Australia', in *Journ. Anthr. Inst.* xx. 84; *cf.* Wheeler, *The tribe, and intertribal relations in Australia,* pp. 71, 146 sq; Curr, *Recollections of Squatting in Victoria,* p. 345.

Regarding the Polynesians, as we know from Ellis's descriptions, their most important ceremonies were the so-called *Upoofaataa* which were connected with the ratification of peace. There were also festivals held in honour of a new government and aimed at giving them good fortune and safety[35]. The customs among many Melanesians appeared to be similar. Among the Mafulu in New Guinea also peace is concluded by means of feasts, in which the portion of pork shall be equally large for both parties[36]. And among the inhabitants of New Pomerania peace was concluded by a feast at which betle-nut was especially eaten and long speeches were made by the chiefs[37].

We are told that among the Andaman Islanders peace discussions were begun by women and continued to the accompaniment of feasting and pantomime dances[38]. The climax was a feast on that area where the last battle had been fought:

> When two groups of the Andamanians have agreed to make peace and bring their quarrel to an end, arrangements are made for this ceremony, through the women of the two parties. A day is fixed, and all collect at the place in the country of the group that made the last attack. In the village of this group the dancing-ground is prepared, and across it is erected what is called *koro-čop*. Posts are put up in a line, and to the tops of these is attached a length of strong cane, and from the cane are suspended bundles of shredded palm-life (*koro*). The women of the camp keep a look-out for the approach of the visitors. When they are known to be near, the women sit down on one side of the dancing-ground, and the men take up positions in front of the decorated cane. Each man stands with his back against the *koro-čop*, with his arms stretched out sideways along the top of it. None of them has any weapons.
>
> The visitors, who are, if we may so put it, the forgiving party, while the home party are those who have committed the last act of hostility, advance into the camp dancing, the step being that of the ordinary dance.
>
> After they have been dancing thus for at little time, the leader of the dancers approaches the man at one end of the *koro* and, taking him by the shoulders from the front, leaps vigorously up and down to the time of the dance, thus giving the man he holds a good shaking. The leader then passes on to the next man in the row while another of the dancers goes through the same performance with the first man. This is continued until each of the dancers has 'shaken' each of the standing men. The dancers then pass under the *koro* and shake their enemies in the same manner from the back ... When the women have been through their dance the two parties of men sit down. The two groups remain camped together for a few days, spending the time in hunting and dancing. Presents are ex-

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[35] Ellis, *Polynesian Researches,* i. 276, 279 sqq, iii. 2281.

[36] Williamson, *The Mafulu Mountain People,* p. 183. Peace could also be concluded here by the exchange of gifts.

[37] Parkinson, *Dreissig Jahre in der Südsee,* pp. 182, 206; *idem, Im Bismarck-Archipel,* p. 206.

[38] Radcliffe-Brown, *The Andaman Islanders,* pp. 134, 238.

changed at the ordinary meetings of different groups. The men of the two groups exchange bows with another[39].

Among the combative Garo tribes in Bengal peace is ratified very carefully. During the different ceremonies each party must put food and pour beer into the other's mouth as a sign that friendly relations have begun[40]. Among the wild tribes of the Naga Mountains those chiefs who have had a feud with each other meet at a table set against a wall, but at eight feet away from it. Then they approach each other with bows and bamboo mugs filled with wine which they then exchange[41].

The African Oromo after sacrificing a goat sometimes also eat a sacrificial meal[42]. Investigators have found that in spite of the great animosity and friction between the different Bageshu clans, once a year, for some five weeks, there is amity and perfect goodwill, no strife, and it is then possible to exchange visits without fear. This season comes after harvest when there is abundance of beer. At these feasts no one is allowed to carry a weapon and they are generally held in connection with the initiation feasts so that the young men and women can join in for the first time[43]. Among the Ba-Yaka, another Bantu tribe, alliances are often contracted between chiefs and peace made in the following way: the chiefs meet and eat a cake made of flour into which have been put some of their nail-parings; a fowl is then killed, wrapped in leaves and buried[44]. According to Frazer, the paring of nails may serve the same purpose as the clippings of hair which may also be regarded as a guarantee of the good behaviour of those persons from whom they have been taken. He thinks that it is on this principle that the leaders of the two parties meet and eat a cake which contains some of their nail parings as a pledge that they will keep the treaty. They believe that he who breaks such a solemn contract will die[45]. Each of the contracting parties has in fact given hostages to fortune in the shape of the nail parings which are lodged in the other's intestines.

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[39] *Ibid.* p. 134 sq.

[40] Dalton, *Descr. Ethnology of Bengal,* p. 62. Conc. the Kukis, see Stewart, 'Notes on the Northern Cachar', in *Journ. Asiatic Society of Bengal,* xxiv; and conc. tribes in the Neilgherry Hills, Harkness, *Abor. Race Neilgherry Hills,* p. 106; conc. the Genna, Hodson, 'The Genna among the tribes of Assam', in *Journ. Anthr. Inst.* xxvi. 109.

[41] Woodthorpe, 'Notes of the wild tribes inhabiting the so-called Naga Hills', in *Journ. Anthr. Inst.* xi. 211.

[42] Paulitschke, *op. cit.* p. 259.

[43] Roscoe, *Twenty-five years in East Africa,* p. 241.

[44] Torday and Joyce, *loc. cit.* xxxvi. 49.

[45] Frazer, *The Golden Bough,* iii. 274.

Among the Barea and Kunama in East Africa the feast of the first fruits is a feast of peace[46]. Have we here a primitive parellel to the Peace Weeks of modern times?

The Indians, especially in North-West America, are reported to have feasts when peace is concluded and they are accompanied by all kinds of ceremonious rules, for example, that all the hosts are obliged to eat with the left hand[47].

But it should be stated that forms of a more or less brutal character are found connected with the making of peace, *e.g.* in Oceania, otherwise so peaceful, according to the greater or less ferocity of tribal manners. Here it can be said, however, that the end justifies the means. Sometimes each party pays for all the lives it has taken. On the island of Bougainville (the Solomon Archipelago), each life is valued at one hundred *Fethoms,* shell money, these being a kind of mussel-shell, and in making peace, payment is formally made for each life taken, with additional compensation for the plunder taken[48].

As we have already seen, sacrificial and other feasts are accompanied by all kinds of ceremonies, the exchange of speeches and spells. But peace can also be ratified by a drinking-bouts. Again, among such primitive and wild people as the Congo cannibals peacemaking is combined with great ceremonies, including the circulating through the kraal of a special peace stick carefully scraped with salt. Each one who takes it must call out: 'If ever I break this covenant, may I be cursed by having my nose rot off!' Sugar-cane fermented liquors are drunk, and then the priests begin important ritualistic ceremonies[49].

Peace through blood-brotherhood. Blood-brotherhood is, in the primitive world, regarded as one of the chief factors in preventing feuds. The group united by ties of blood is limited in size by nature, but it can be extended artificially by substituting a fictitious bond for the real mixing of blood. The blood of each party is either rubbed into the wounds of the other, or the two drink one another's blood. Bloodrelationship and intermarriage

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[46] Muntzinger, *Ostafrikanische Studien,* p. 473. Conc. Abyssinian tribes, *ibid.* pp. 83, 304 sqq; Djagga, Wapone: Gutmann, *Recht d. Dchagga,* p. 5; Tessmann (*Die Indianer Nordost-Perus,* p. 150) mentions a fantastic meal made of vegetables in the shape of a hut with a Kögel roof.

[47] Niblac, 'The Coast Indians of S. Alasca and N. Br. Columbia', in *U. S. Nat. Museum* (1888), p. 343.

[48] Parkinson, *Dreissig Jahre,* p. 206. Conc. the shell-money; Hartland, *op. cit.* p. 130; Thurnwald, in *Zschr. f. vergl. Rechtswissenschaft,* xxiii. 325.

[49] Weeks, *Among Congo Cannibals,* p. 73. Conc. the wines and dest. drinks of prim. peoples, see Numelin, 'Vilt vin', in *Finsk Tidskrift,* cxxxiii. 127 sqq. The Ehwe tribes on the Gold Coast have special peace wines (Spiet, *Die Ewe Stamme,* p. 896).

operate in many places to prevent hostilities or to provide reconciliation. In Polynesia, for instance, Williamson states, 'any member of a group nearly related by blood or marriage to persons of another, might, not only during peace, but also in wartime, pass with impunity from the territories of the one to those of the other, and be regarded as friend in both'. Such persons, Williamson adds, were employed to bear proposals for peace[50]. The Samoans regarded fighting between bloodrelatives with horror[51]. An instance is cited in the Solomon Islands of a man who had relations in all the islands and so, even in time of war, could go back and forth without fear[52]. From such situations there may, in the course of time, have developed the ties of *connubium,* which were peacepacts of a during kind, linking the groups together and bringing them into permanent political relations.

Blood can be mixed with food or wine and ultimately it becomes merely symbolic. An artificial bond is created by a blood sacrifice and then often becomes also a cult bond. The duties of the blood-brothers are peace and protection, enemies become friends, and the peace group is gradually enlarged. So deeply ingrained in many places are the mores of blood-brotherblood, that close human relationship means blood-relationship.

The exchange of blood between those who are establishing friendship is a relatively common ceremony. Drinking or mixing blood establishes peace relations between individuals, tribes and peoples. Adoption into a peace group is sometimes attended by this ceremony or by one of its survival forms. Symbols that appear in connection with marriage may well be interpreted in the same sense, and the *cult-bond* is intimately connected with a blood ceremony.

In primitive Australia blood-drinking is associated with special meetings of reconciliation by which intertribal differences are settled. The Australians, as we have seen, not very warlike, are described as prone to blood-letting, which they perform by cutting the flesh with a stone, or, if procurable, a glass-flake. Nearly every adult native has a series of little lumps marking the course of the veins on the forearms which indicate the place were he has cut himself for the purpose of drawing blood. Those who take part in the ceremony are thereby bound together in friendship and obliged to assist one another. At the same time it renders treachery impossible. Blood-drinking is associated with special meetings of reconciliation which sometimes take place between two groups who have been on bad terms with one another without it actually coming to a fight. If the

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[50] Williamson, *Social and Political Systems of Central Polynesia,* ii. 332 sq, 338.

[51] *Ibid.* ii. 332.

[52] Fox and Drew, 'Belief and tales of San Christoval (Sol. Isl.)', in *Journ. Anthr. Inst.* xlv. 210.

offending group be willing, which they are almost sure to be, then the meeting is held, and at the beginning each party drinks the blood of its own members, and a more or less sham fight takes place with boomerangs, no one being hurt[53].

Drinking of blood is a common peace-ceremony among the Papuans of New Guinea[54]. It also occurs among the islanders in Torres Strait and in Indonesia. Forbes states that the sanctity of blood bonds often prevents conflicts and war in Timor[55]. The Kenyas of Borneo terminate a feud with blood-brotherhood, and the Battas on Sumatra, at the sacrificial feasts held in honour of the peace, drink to each other in blood[56].

Also among African aborigines blood-letting plays a great part. Small incisions are made in the clasped hands, in the pit of the stomach, and on the right cheek and forehead. A small quantity of blood is taken from these points in each party with a blade of grass. The blood from the one person is put into one pot of bear, and that of the second into another, each drinks the other's blood, and they are supposed to become perpetual friends or relatives. In all the African cases which I have tried to analyze on the basis of ethnological material, it seems to me that the blood-drinking signifies friendship and enjoins peace. And this seems to hold good also among peoples whose ceremonies have a more symbolic character, and where the blood of a sacrificed animal is drunk[57].

Among the Ba-Mbala it frequently happens that the chiefs from neighbouring districts enter into a pact against bloodshed by making a small incision in the chest and putting the blood into a similar wound on the other. The bond is respected as holy and any breach of it is regarded as *casus belli*[58]. The same is true, with somewhat different ritual, among the Ba-Yaka[59]. Among the Banyala also blood-brotherblood was a great ceremony. The intended effect of the rite was to stop all feuds and cause the contracting parties to act together in

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[53] Spencer and Gillen, *Native Tribes of Central Australia,* pp. 461, 642; *Northern Tribes Central Australia,* p. 596 sqq.

[54] Hagen, *Unter den Papua's,* p. 262.

[55] Forbes, 'On some of the tribes of the island of Timor', in *Journ. Anthr. Inst.* xiii. 423 sq.

[56] Snouck-Hurgronje, *De Atjèhers,* i. 84 sqq; St. John, *op. cit.* i. 45; conc. primitive tribes of Borneo, see Hose and McDougall, *Pagan tribes of Borneo,* ii. 288, 295; Roth, *The Natives of Sarawak,* ii. 205 sq; Hose, *Natural Man,* 130, 148 sq, 224; Brooke, *Ten years in Sarawak,* i. 364.

[57] Merker, 'Rechtsverh. und Sitten d. Wadschagga', in *Petermanns Mitteilungen,* Erg. Heft 138, p. 24; Paulitschke, *op. cit.* ii. 143; Lippert, *Kulturgeschichte der Menschheit,* ii. 334; Routledge, *With a prehist. people,* p. 176; Livingstone, *Missionary Travels,* p. 526; Stuhlmann, *Mit Emin Pascha ins Herz v. Afrika,* pp. 24, 162.

[58] Torday and Joyce, *loc. cit.* xxxvi. 20.

[59] *Ibid.* xxxvi. 50.

all matters. It kept peace within the tribe and when two tribes joined in the bond all their people were brought in under the agreement. The covenant received the strong sanction of religion[60].

Among the Baya, a Negro tribe in French Equatorial Africa, according to Tessmann—whose information I always quote with a certain reservation—, when there has been war, and one side has been victorious, the two sides make peace by exchanging their blood at a ceremony called *a no' a do' no,* which should mean: drinking wrought iron[61]. M. Poupon describes the ceremony as follows: 'Le grand cérémonial de l'échange de sang consiste à coucher à terre du tambour de tam-tam. A chaque bout du tambour se place chaque partie qui va se lier avec tout son village groupé derrière lui. Un vieillard se met entre eux. Il se tient à peu près au milieu du tambour. Une eau à médicament, contenue dans un plat, est placée sur ce tambour. On asperge de cette eau successivement chaque partie, puis on lui fait une incision au poignet. Le sang sort, on essuie ce sang avec de noix de kola et chaque pactisant en mange, puis prononce les paroles sacramentelles: que tous ceux qui sont derrière moi meurent si je forfais à la fidélité que je dois'[62].

The natives of East Africa generally conclude peace by entering into blood-relationship. Before these rites begin, the party who wishes peace sends to the enemy a bullet or arrow, a hatchet or a staple. According as the war or peace symbols are accepted, the enemy's disposition and motives are judged. After this both parties meet for peaceful negotiations half way from their respective villages. An ox is killed and blood-brotherhood entered upon[63]. Among the Masai the peace negotiators are trustworthy, old, experienced men who meet at neutral places. Also here the actual peace treaties are characterized by entering into blood relationship, which results in all sorts of obligations concerning mutual hospitality etc.[64]. The maintenance of blood relationship concerns not only the same tribe; it has its obligatory actions also between the tribes[65].

Blood-brotherhood was not, as I have mentioned, unknown among the Indians in North America.

According to information given me by Prof. Westermarck, blood-brotherhood had the character of covenants among the Arabs. The Hebrews had a similar ritual[66]. The early Greeks often sealed truce in this way. Herodotos tells us

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[60] Weeks, 'Anthrop. notes on the Banyala', *ibid.* xxxix. 432, 444, 447.

[61] Tessmann, *Die Baja,* ii. 167 sq.

[62] Poupon, 'Etude éthnographique des Baya', in *L'Anthropologie,* xxvi. 132 sq.

[63] Merker (*loc. cit.* p. 24) describe in detail these ceremonies.

[64] *Idem, Die Masai,* p. 100.

[65] *Cf.* conc. other African tribes, Weeks, *loc. cit.* xxxxix. (11), 432, 447.

[66] *Exodus,* 14.

that when the Scythians concluded a covenant they poured wine into an earthenware pitcher in which they mixed their blood with the blood of the other contracting party, while uttering curses. After that both parties drank some of the wine, in to which there were dipped arrows and javelins. The Greek word for treaty *σπονδαί* means pouring or drink-offering[67].

In ancient Rome the most binding wedding ceremony, *Conferratio,* consisted of the offering in sacrifice of a cake of *Far,* 'spelt', a traditional species of corn, and *Molsa salsa,* salted sifted flour, of which even the bride and bridegroom ate with Pontifex Maximus, Flamen Dialis and ten citizens as witnesses.

Prof. Axel Boëthius has directed my attention to a place in Dionysios from Halikarnassos[68], according to which the Romans of old called just the holy legal marriages *Farracei* or *Farracii,* on the basis of bread-fellowship (also *Farreati, Confarreatio, Confarreati,* all from *Far*). This *far* was for a long time the usual food of the Romans. Fellowship at this first, most sacred meal of husband and wife and the resolution to share good and evil in all respects derived its name from this eating of *far* together. That led to an indissoluble bondage. Nothing could break such a marriage.

Livius describes how a covenant was concluded between Rome and Albalonga —according to Livius history did not at that time know of 'any older covenant'; the Egyptian and Sumerian have, however, proved to be much older. Livius mentions, that all covenants were then made in a similar way[69].

Blood-ceremonies occur elsewhere in the world, and in the civilized world not alone in survival form. Still in these days, at least it happened before the last World War, here and there in Germany—in Thüringen and in the Hartz Mountains—according to what I have learnt from German ethnologists, the engaged pair, especially on the wedding morning, must eat out of the same dish, and the inevitable bridal cake, that always must be cut by the young man. In England there is a survival of the same custom.

By eating of the same food the two persons in a way give one another a pledge for his way of acting, the one guarantees the other that he will not bring any disaster upon him, because he, being physically united with him by the common food eaten, will himself be injured by the same action. To take it strictly logically, this sympathetic bond lasts only so long as both parties keep the food in the stomach. Therefore the covenant which is made by eating together, is considered less binding and lasting than that which is concluded by both parties transfusing blood into each other's veins, a union which is considered to bind them together for life.

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[67] Herodotos, iv. 70 (Goldhagen ed. vi. 60) *δπονδαί* (nom. plur.) = a holy agreement, because drink sacrifices took place when treaties were made. Prof. Axel Boëthius, Gothenburg, points out to me, that the verb for the holy act is *spendesthai tini σπένδεσθαί,* that is: to pour drinks to each other, *i.e.,* enter into a covenant; *cf.* also Liddell, *A Greek-English Lexicon.*

[68] *Op. cit.* ii:25:2.

[69] Livius, 1:24.

Up to the beginning of this century, in Northern Sweden the so-called *Brudkopsdricka* (a wedding wine) belonged to the wedding ceremonial. In some Balkan countries it is held that the betrothed couple must drink three times out of the same glass. In the Rumanian part of Transylvania I have ascertained that the custom still exists.

It is not improbable that the pledging of friendship or the drinking of health in wine is a survival of the ancient ceremonial of pledging in blood. Related to it was the earlier custom among the Polish nobles and Tatar-Murzas to dip their weapons in the blood of an animal.

Thus the basis for the blood ceremonies is the thought that those who undergo the rites necessary for blood-brotherhood really belong to the same blood group. Acceptance into a peace group, a cult group, takes place just by some such ceremony or a similar survival custom. The chief duty of blood brothers and blood friends is common defence against the enemy, the securing of peace first within the limits of the relationship, and finally in social units of larger and larger size.

Peace is also concluded among some peoples by means of marriage. Among the peoples of Oceania, where the making of peace plays a great role and where, especially among the Maories, the messenger of peace has for a very long time had important tasks, marriage also occurs when hostilities are finished. Mr. Best, a specialist on the Maories, states that peace and peace-making is by no means a modern institution with the Maories. It originated according to New Zeeland legands, in the misty epoch when the sons of Heaven and Earth strove with each other. Makereti, some time a chieftainess of the Maorian Arawak tribe, tells us that when peace was made between two tribes after conflicts, and the defeated chief gives his daughter to the victorious chief in marriage, either for himself or one of his children, there was always a great ceremonial; a gathering where speeches were made by leading chiefs on both sides, each speech ending with a *Waiata* (chant), generally a song of peace. Dances were held. The serving of cooked food (*te whiu kdi*) was always an interesting ceremony[70].

Mr. J. H. Holmes, speaking of the natives of the Papuan Gulf in New Guinea, describes temporary peace negotiations, which were not regarded as a tentative effort to establish a permanent peace between them. It was merely an essential preliminary to intertribal sexual intercourse which was considered necessary to maintain the physical stamina of the tribes. Their jealousies, hates and feuds were secondary to their well-being in fighting units of their respective tribes[71].

[70] Makereti, *Old time Maori,* p. 332; Best, 'Notes on the art of war', in *Journal Polynesian Society,* viii. 197 sq.

[71] Holmes, 'Initiation ceremonies', etc. in *Journ. Anthr. Inst.* xxxii. 291.

Among African peoples also feuds are ended by the marrying of children of the kings who have been at enmity. Such 'peace marriages' are mentioned *e.g.* among the Wabende, where the conquered chief gives his daughter as a wife to the victor[72].

Marriage seems often to help to pave the way for intertribal relations. Ethnology gives many examples in which the women of the tribes, who have married relatives in other tribes, exercise an influence for peace. Naturally they cannot preserve peace for ever, but they can often loosen a tension between the tribes. Further, ethnology gives examples of how exogamy has a modifying effect on war, while among endogamous tribes the opposite circumstances are apparent[73].

Conclusion of peace is also preceded by a proper truce. We learn from the African peoples, *e.g.* Loango, that before peace is concluded among them there must be first a regular truce. This is especially important if at the same time there are market days or an important trade meeting, the arrival of messengers, or if other emissaries happen to pass the battle grounds[74].

Peace can be arranged by neutral persons. Among the Australians in Arnhem Land for instance we hear of neutral persons acting as peacemakers in tribal conflicts. Another thing is if we with Mühlmann can design this institution as 'das Urbild neutraler Intervention'[75]. Similar customs of neutral interventions we see among the Samoans[76], the natives of Malekula[77] and other parts in Oceania.

A very usual way of making friendship is by the medium of women. As women are most often regarded as neutral, it is as we have seen natural that they are employed as negotiators of peace between relatives, but also between the camps of those who are strangers to each other. Ethnology also reports places in which the women have thrown themselves between the fighting men in order to get peace.

Among the natives of the Admiralty Islands, as on the island Yap peace is negotiated by the women[78]. And the same seems to be true, according to Landtman, of conditions among the Papuans[79].

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[72] Speke, *Journal of the Discovery of the Source of Nile,* p. 100.

[73] *Cf.* för inst. Karsten, *Head-Hunters,* p. 291.

[74] Pechuël-Loesche, *Volkskunde von Loango,* p. 200.

[75] Lloyd Warner, *Black Civilization,* p. 156; Muhlmann, *Krieg und Frieden,* p. 127.

[76] Schultz-Ewerth, *Samoa,* p. 681.

[77] Deacon, *The Malekula,* p. 213.

[78] Müller-Wismar, *Yap,* p. 193.

[79] Landtman (*The Kiwai Papuans of Br. New Guinea,* pp. 148 sq, 155, 165 sq) describes the manner in which this peace intervention occurs: A couple of men with their

The primitive peoples in the Insulinde have corresponding customs. A hundred years ago this kind of thing occurred among the native tribes of Celebes: when conflicts broke out, influential members of the tribe, often the women, used to negotiate peace, when speeches were made and peace confirmed with oaths[80].

Among the Afars and Somalis in North Africa the council of the Elders must decide together on an ordinary conclusion of peace. The discussions may be quite lively and excited. Sometimes they make use of neutral tribes as negotiators. Prisoners are returned if any have been taken. The whole thing can last a year before everything is properly settled, especially before a blood debt is liquidated[81]. The natives in Nigeria, when they want to stop fighting, send some women who have relations by marriage in the other tribe with the offer of peace. They are considered as inviolate, even sacrosanct. If they succeed in their mission, as they most often do, both parties swear an oath of peace[82].

In the same manner the Masai, wishing for peace, send arbitrators together with women and an unweaned child, to meet the representatives of their enemies. The women then exchange the children for a moment, and let them suck. The peacemakers themselves eat a piece of the heart of a slaughtered animal, and finally they pray that he who breaks the peace may be punished by heaven[83].

Similar forms of peacemaking we see also among native tribes in South America. Among the Ona, Gusinde tells me that peace overtures were initiated by a third party and usually were not without success, as both sides could be persuaded that they had gained the advantage. Meetings were held at a definite place.

In association with sacrificial and other feasts, drinking bouts, swearing of oaths and the exchange of gifts, it should be noticed that dancing plays an important part in primitive peace-making. In these dances there is often a magico-religious factor. In Australia an injured offended Murngin

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women go to the hostile village, and the women are sent a few steps in front. It is a recognized rule in the district that the presence of women in such a case means peace. Such a proposition to cease hostilities is generally accepted, at all events temporarily, and the visitors are well received. The men break each other's beheading knives in token of peace, and sometimes exchange their armguards. In the night the men of the village have connection with the women of their guests, and that is the real object of the visit. The custom is called *era adago* (paying the women out of the fire). After a few days the visit is returned under exactly the same circumstances and the visitors give up their women to the men in the other village.

[80] Sarasin, *Reisen in Celebes,* i. 43.

[81] Paulitschke, *op. cit.* p. 259.

[82] Tremearne, 'Notes on the Kogoro', in *Journ. Anth. Inst.* xlii. 185.

[83] Merker, *Die Masai,* p. 101. There is said of the Boran, Sakuju, Gubbra, Ajuran and Gurreh that these five tribes 'are bound together by treaties of friendship'. (Aylmer, 'The Country between the Juba River and Lake Rudolf', in *Geographical Journal,* xxxviii. 295).

group invites the enemy to meet them. Both companies appear in ceremonial attire and stand at a safe distance from each other: then the hosts dance over to their guests and informally walk back. The opposite side responds in the same way. After this and many other ceremonies the old men of both groups walk about as mediators, and the other side against answering their revilers. This signifies atonement for the injury, removes fear of further trouble and is followed by a joint dance to express the harmonious relationship of the former combatants[84].

The dance of peace performed by the priests in the presence of the chief is for many Polynesians the most important ceremony connected with the *Upoofata,* 'the ratification of peace'. It was commemorative of the establishment of a new government, and designed to secure the perpetuity and happiness of the community. A grand dance called *Heiva* was an important part of this ceremony, performed in the presence of the king and called the dance of peace[85].

As a rule the dance of peace occurs also among the Melanesians to indicate that peace has been concluded[86].

In Malekula on the New Hebrides the great peace-ceremonies terminate with dancing, performed by the former combatants, the peace dance: *Nahalang* (*repah Nahalang* = dancing the peace dance). Overtures are first made by two men who are friends, but belong to the opposing parties. Through them a day is fixed when the *Nahalang* shall be danced, and a small pig is presented to their opponents by those who have suffered most damage in the conflict. On the day appointed a number of unarmed men prepare themselves for dancing. Over his right shoulder each man slings a club and carries in his hand the bow which he had in the war and with which he slew his adversary. Over the right shoulder he also carries a plant, called *Nahalang,* after which the dance is named. When the dance is over, a *Naari tamat,* which is the emblem of peace, is planted on what was the fighting ground and with a broken bow beside it. A little distance away a *Nalav Lapas* tree it set up, the emblem of the women's secret society, the *Lapas*. These trees are placed as a visible token of peace. According to Deacon, who gives this information, the party who most eagerly sought peace, generally gives a woman as a gift to the victorious party[87].

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[84] Howitt, 'The Diery', in *Journ. Anthr. Inst.* xx. 84; Lowie (*Introduction to Cultural Anthropology,* i. 229), lays great weight on these ceremonies even if (*op. cit.* i. 276, 279 sq, ii. 288) he states that war is frequent among the South Sea Islanders but usually preceded by discussions and ceremonies.

[85] Ellis, *op. cit.* i. 276, 279 sqq, 319 sq; iii. 228.

[86] Parkinson, *op. cit.* pp. 182, 206; Rivers, *History of Melanesian Society,* i. 75.

[87] Deacon, *op. cit.* pp. 227, 233.

But it seems that the latter, according to Speiser, were obliged to make certain compensations[88].

Among the Andaman Islanders, where the women generally lead the peace discussions, the conclusion is accompanied by ritual, pantomime dances, intended to arouse anguish and fear in those who had attacked. The place for the dance is decorated with green palm leaves and the men must be without weapons.

Radcliffe-Brown gives a detailed and interesting description of these ceremonies. He says: The meaning is easily discovered. The symbolism of the dance is indeed at once obvious to a witness, though perhaps not quite so obvious from the description given. The dancers are divided in two parties. The actions of the one party throughout are expressions of their aggressive feelings towards the other. This is clear enough in the shouting, the threatening gestures, and the way in which each member of the 'attacking' party gives a good shaking to each member of the other party. On the other side what is expressed may be described as complete passivity: the performers stand quite still throughout the whole dance, taking care to show neither fear nor resentment at the treatment to which they have to submit. Thus those of the one side give collective expression to their collective anger, which is thereby appeased. The others, by passively submitting to this, humbling themselves before the just wrath of their enemies, are forgiven and forgotten; the enemity is at an end[89].

It seems to be usual among primitive people to demonstrate peace visibly, at least for a certain period, by planting trees, setting up spears and other similar measures.

On the Herwey Islands the token of the cessation of war was the breaking of a number of spears against a large chestnut tree. The almost everlasting coral tree was planted in the valley to signify the hope that the peace might last as long as the tree, and after the drum of peace had been solemnly beaten round the island, it was unlawful for any man to carry weapon, or to cut any ironwood, which he might turn into an implement of destruction[90]. On the Sandwich Islands a spear was placed point downwards if

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[88] Speiser, *op. cit.* p. 341. A somewhat similar custom seems to have existed in ancient Iceland. Thurnwald (in Ebert's *Reallexicon,* xi. 57), who noticed it, considers that it indicated that the primitive peoples have not the archaic idea of conquerors and conquered like the ancients of the Orient (*cf.* also Heusler, *Strafrecht der Islander Sagas,* p. 3).

[89] Radcliffe-Brown, *The Andaman Islanders,* pp. 134, 238.

[90] Farrer, *Military Manners and Customs,* p. 162. According to Bell ('Warfare among the Tonga', in *Oceania,* v. 256 sq) they use bullets and spears more symbolically than practically.

peace was desired; in the opposite case, if war threatened, the spear pointed upwards[91].

Among the natives of New Guinea we find many interesting similar forms of peace-making. Spears and shields placed on the path, or against a house or in a position overlooking the village or part of it, mean that the fighters must not disturb the peace or its occupants, and that all others had better leave. When a party is met armed with spears, the sharp ends down, it means peace and friendship, if pointed outwards it means fight[92]. The natives by the rivers of the South Coast of Dutch New Guinea make peace by men from each side of the river approaching cautiously in their canoes. Shouting '*kaja-kaja, tuba-tuba*' they raise their arms as a sign that they are not armed then they brandish their cane poles and fence with arms and legs. Then the chiefs of the camp give a sign and invite their opponents to come over[93]. The Kiwai-speaking Papuans, according to Dr. Landtman, draw a distinction between two kinds of hostilities, that between different clans in the same village or between related village communities, and that between tribes who regard each other as hereditary enemies or habitually raid each other. If one or two tribes, he continues, desire to make peace, the wish is made known by blocking the way to the enemy's village with a branch put across the path. For this purpose some parting of the roads is chosen which the enemy are sure to pass. If the enemy agrees to the proposition, they place another branch over the first one, but if they want to go on fighting they turn the branch so that it points in the direction of their antagonists, and place on it a bundle of small tally-sticks, which indicate the number of people they intend to kill before they are willing to make peace[94].

The Kabyls in Africa set stones upright when concluding peace, each of which represents the agreement or signature of a tribe[95]. And as an example from the West Coast of Africa we learn that before the actual peace negotiations begin among the Kpelle, the party who desires peace places white hens outside the palisade of the other. On this the messenger must kneel down calling out: '*Mä*', 'Forgive us'! If the chief of the other side agrees, he says: 'I give my hand as a pledge; go into the town!' The peace messengers are invited to the camp or the village where the actual discussions are begun. All the prisoners of war are

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[91] *Ibid.* 162, 183.

[92] Chalmers, *Pioneering in New Guinea,* p. 129.

[93] Schmeltz, 'Beiträge zur Ethnographie von Neu-Guinea', in *Intern. Archiv* f. *Ethn.* xvi. 210, viii. 163, xvii. 214.

[94] Landtman, *op. cit.* pp. 148 sq, 155, 165 sq.

[95] Hanoteau and Letourneaux, *La Kabylie,* ii. 190, 238, 294.

called out and those who have lost the fight can redeem the prisoners; those who are not redeemed, become the property of the conquering chief. 'If,' says Westermann, 'the one party did not send white hens to the other and so ask forgiveness, the war would never stop'[96]. Among the Wan-ngoni in East Africa a spear is set up with a broken point as a sign of friendly feelings[97]. Among the northern Bantu in Uganda the party desiring peace plant young plantain trees in the sight of their enemies, and this betokens a wish for an armistice and the opening of peace negotiations[98].

When the Nyamwezi send an axe and two bullets to their opponents it signifies peace and war, and a choice must be made. But this is not a declaration of war, it is an ultimatum. Similarly the Laewamba stick a broken spear in the pathway, and on this the offended tribe fastens a leaf with mud (this means tears of sorrow) and bitter roots (a demand for revenge). If the opposite party is prepared for reconciliation he places sacred spears, and valuable articles in the pathway, stewn with leaves. If the other breaks the spear it means war, otherwise they make corresponding presents and discussions can begin[99].

Of the South American Indians, M. Stirling, mentions a curious peace ceremony, which is said to exist among the Jibaro Indians (I have not seen it confirmed by Karsten). When both sides in a feud become weary of the fighting the affair is officially terminated by means of a peace ceremony during which a lance is buried. The actual burying of the lance is done by a Indian, who goes into the forest at night and buries it in a spot known only to himself. The lance is supposed to contain the animosity of the fighters. Unfortunately it usually happens that part of the ill-feeling is not buried, so that it is generally not long before some event causes the feud to break out anew[100].

The Caribe declared war by hurling arrows or javelins into the enemy's country, or sticking them into the ground at the boundary. If the spear thus planted was later removed, there was nothing further to fear. v. Martius, who tells of this ceremony, adds, 'here is repeated the ancient usage of the charred

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[96] Westermann, *Die Kpelle,* p. 138.

[97] Fülleborn, *Das deutsche Njassa- und Ruwuma-Gebiet,* p. 45.

[98] Roscoe, *The Northern Bantu,* p. 243. Among the Wabende in East Africa (Ankermann, *Ostafrika,* p. 47) when peace is concluded both the chiefs exchange swords after the points have been broken off.

[99] Ankermann, *op. cit.* p. 5.

[100] Stirling, 'Historical and Ethnographical Material of the Jivaro Indians', in *Bur. Amer. Ethn. Bull.* xcvii. 117. Conc. other Indians, see Schoolcraft, *Hist. and Statistical Information resp. the History, etc. of the Indian Tribes of United States,* iii. 306 sq; Mallery, 'Pictographs of North American Indians', in *Ann. Rep. Bur. Amer. Bull.* iv. 160 sq.

and bloody spear which the Romans used to cast into enemy territory as a declaration of war'[101].

Certain Eskimo tribes, who, as we have seen, very seldom quarrel, terminate such disputes by a blood ceremony. The form they take in West Greenland is describes by Holmes: the contestants stand facing each other. Suddenly one of them starts to sing a satirical song directed against his opponent. While he does so, the other stands quietly and apparently indifferent. The singer may accompany his song by contemptuous gestures towards his opponent, he may even spit in his face or butt him with his forehead so that he falls over backwards. All this is endured by the other with the utmost calm, or at the worst, with derisive laughter, so as to show the spectators how indifferent he really is. When the opponent is ready to butt him he shuts his eyes and sticks his head forward in order to meet the blow. In this way they may proceed the whole night long, without otherwise moving from the spot. The one who finally has laughed on his opponent is regarded as having won the contest. The spectators as a group decide the issue. After this the two contestants behave like good old friends[102].

Sham fights are also arranged at peace festivals. The Kenyas of Borneo, for instance, when two tribes, between whom there is a blood-feud not formally settled, meet together to make peace, it is the custom for the injured party, that is the tribe which has last suffered a loss of heads, to make an attack on the other party but using only the butt ends of their spears and the blunt edges of their swords. This achieves two useful ends: it lets off superabundant high spirits, and it 'saves the face' of the injured party, so when this formality has been duly observed everybody seems to feel that matters are going on well; and the great peace-making conference is announced to be held the following morning[103]. A quite strange custom is found among the Sadong Dyaks. Between formerly hostile tribes one of them laid waste the district and destroyed or carried away the property of the other, who made no attempt to check them. When the first had finished it was the turn of the second, to retaliate. An unlooker was informed that this was merely an old-established custom for each tribe to do so *once* to each other, after peace had been concluded[104].

Among the warlike Garos tribes in Bengal peace is concluded and ratified

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[101] v. Martius, *Beitrage zur Ethnographie und Sprachenkunde Amerika's zumal Brasiliens,* i. 97; *cf.* Livy, *Hist.* l. 32; Vergil, *Aeneid,* ix. 52 f.

[102] Holmes, *The trend of the race,* quoted by Goldenweiser, *Anthropology,* p. 96 sqq.

[103] Hose and McDougall, *Pagan Tribes of Borneo,* ii. 288, 295; Ling Roth, *Natives of Sarawak,* ii. 205 sq.

[104] Brooke, *Sarawak,* i. 368. *Cf.* conc. the religious peacemaking among natives in Borneo, Hose, *Natural Man,* pp. 130 sq, 148 sq, 224.

very carefully. The tribes who have quarrelled must be brought together by a third party on neutral ground and if peace is effected the parties swear to observe it by biting their swords and, as a sign that friendly relations are restored, representatives of the two clans must put food and beer into each other's mouths; this seals the compact[105]. In Assam, among the tribes belonging to the Tibeto-Burman groups of aborigines, when two hostile villages are about to swear an oath of perpetual peace, they place a cat—among them a sacred animal—in a basket and the headmen of the fighting tribes hack the cat to pieces: 'Both take care to make the first cut at the same moment, for the efficacy of the oath depends on the guilt for the killing of the cat being equally divided until one or other breaks the oath when the whole guilt attaches itself to the offender'[106]. The Kukies, when ceasing hostilities swear to maintain peace in the following words: 'May I be cut with the *Dhao* (a weapon) in war and in the field, may rice and salt be lacking for me, my crops wither, and I die of hunger; may fire burn up all my wordly possessions and the tiger devour me, if I am not faithful!'[107].

Peace can also be ratified by the exchange of gifts. On the Gazell peninsula in New Britain if one of the combatants wishes for peace, they offer through a neutral person presents of mussel money to the other. If the gift is accepted it indicates that the offer of peace is also accepted. But if several important people have fallen in battle it is more difficult to bring about peaceful relations[108]. Among the Mafulu, the mountain people of New Guinea, gifts may be exchanged when both sides are tired of the fighting[109]. And the Samoans also used to distribute gifts when hostilities ceased[110]. Again, the head-hunters of Borneo make peace with solemn ceremonial. An exchange of gifts must accompany the declaration of peace:—beads, clay vessels, brass gong-gongs; and all are distributed according to a certain ritual[111].

It is said of the Bontoc-Igorot on Luzon that quarrels are often settled peaceably by the exchange of presents[112].

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[105] Dalton, *Descr. Ethnology of Bengal,* p. 62 sq.

[106] Hodson, *op. cit.* p. 90. The same is true of the natives in the Neilgherry Hills; *cf.* Harkness, *Description of a Singular Aboriginal Race,* p. 106.

[107] Steward, 'Notes on the Northern Cacher', in *Journal Asiatic Society Bengal,* xxiv. 641.

[108] Parkinson, *Dreissig Jahre in der Sudsee,* etc., p. 125 sqq.

[109] Williamson, *op. cit.* p. 183.

[110] Taylor, *The Ika a Maui,* p. 559.

[111] Hose and McDougall, *op. cit.* ii. 288, 295; Roth, *op. cit.* ii. 205 sq.

[112] Jenks ('The Bontoc-Igorot', in *Ethnol. Survey of Philippine Islands,* i. 176) mentions that peace is sealed by some exchange as of a battle-ax for a blanket, the people sued having the better part of the trade.

Again, if some Indian examples are desired, we hear that the Acoma Indians in making peace touched their horses, took their sweat and rubbed themselves with it. But to make the most secure peace they put their hands across each other, and they keep this peace 'inviolably'[113].

Peace can also be made by compensation and the payment of reparations. In the Solomon Islands war is ended by one party sending a certain amount of the local money and the same amount being sent in return. If, for example, the conquerors' losses are less, they must, among many peoples, equalize the number of men by sending the difference to the other party, and these men are accepted into the tribe[114]. This was the case in the New Hebrides[115]. Among the natives of North Sumatra it is said that the love of peace is so strong that even if a conflict has already broken out, the chiefs try to offer whatever compensation is possible to prevent war[116]. Among the Tonga[117] and the islanders of Samoa[118], where there are elaborate ceremonies intended to prevent war, those who have been guilty in previous feuds are punished by having to pay heavy reparations or carry fuel: small stones, bamboo canes and pigs. This is said to mean: 'Here we are, your pigs to be burnt, if you so wish, and here are the tools to carry out the whole (bamboo canes serve here as knives)'.

On the Admiralty Islands, as on Yap Island in the Carolines, where the women negotiate peace, some 'rugg-money' is paid and brought to the battle-field itself. Losses in the fight can involve the humiliation of whole villages. 'Even when the number killed on either side is the same', Seligmann says of the Melanesian in New Guinea, 'each side paid strictly for those it had killed'[119].

Among tribes in Borneo formerly at enemity, first the one side would destroy and lay waste a part of the other's district. After this the same ceremony was repeated by the opposite side, without either party interfering with the other, and only then could peace be made[120].

Among the Indians of Guiana peace is concluded as soon as certain preliminary measures have been taken by the exchange of as many blows of a cudgel

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[113] White, 'The Acoma', in *Ann. Rep. Bur. Amer. Ethn.* xl. 47; conc. the Menomini Indians, *ibid.* xiv:i. 218.

[114] Fox and Drew, *loc. cit.* xlv. 213.

[115] Speiser, *op. cit.* p. 341.

[116] Snouck-Hurgronje, *The Atjèhers,* i. 81 sqq.

[117] Waldgrave, quot. by Williamson, *op. cit.* i. 164.

[118] Mariner, *Account of the Natives of the Tonga Islands,* i. 234; Turner, *Samoa,* p. 189.

[119] Müller-Wismar, *op. cit.* p. 193; Seligmann, *op. cit.* p. 544 sq.

[120] Brooke, *Ten years in Sarawak,* i. 364; Hose, *op. cit.* pp. 130, 148 sq, 244.

as are demanded for satisfaction[121]. Goddard tells us that among Indians on the west coast of North America peace is usually made by giving sufficient property to balance the estimated value of those killed on either side[122].

Special peace symbols are found also in the primitve world. The pipe of peace was indeed a well-known instrument for the ratification of peace among the North American Indians. But smoking, like smoke and fire ceremonies or symbolical similar measures, is also found among other peoples.

On the Society Islands war and peace are preceded by elaborate ceremonies; a strip of native cloth, sometimes red on one side and white on the other—red and white were both 'sacred' colours—were joined together by both parties in token of their union[123]. Many similar ceremonies preceded peace rites among some tribes on Sumatra[124]. The Ibans of Borneo, on similar occasions, sometimes make large wooden images of the hornvill, a sacred bird, and hang upon it the greater part of tobacco. These are taken down during the ceremony and smoked by all the men present[125]. Among certain castes in Central India the conclusion of hostilities between the Kalâr, or Kalwar, now an occupational caste but perhaps originally an offshoot from Bania, or other Vaishya tribes, and the Bhils, a non-Aryan, probably Kolarian tribe, was marked, by the solemn administration of opium by priests to all present[126].

In Africa[127], too, is to be found the institution with smoking which was later highly developed among the North American Indians.

The ceremonies of peace and reconciliation were formerly, as we have indicated, necessary to end a war among many North American Indians. 'Smoking and dance of the Calumet sealed a North American peace', Letourneau says, adding: 'a god guarded military pacts and punished infractions'[128]. The ceremony thus usually consisted in the smoking together of the pipe of peace, after which both belligerents resumed friendly relations. The pipe is called the *calumet,* or the 'sacred' pipe, and its stem is ornamented with war eagles' quills. According to

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[121] Roth, 'An introductory study of the arts, crafts, and customs of the Guiana Indians', in *Bur. Amer. Ethn. Bull.* xxxviii, 777.

[122] Goddard, 'Indians of the Northwest coast', in *Amer. Museum Nat. History* (1924), p. 110.

[123] Ellis, *Polynesian Researches,* i. 276; Williamson, *Social and Political Systems,* ii. 343, *cf.* ii. 348.

[124] Snouck-Hurgronje, *op. cit.* i. 81; St. John, *op. cit.* i. 45; Furness, *op. cit.* pp. 98, 112.

[125] Hose and McDougall, *op. cit.* ii. 88.

[126] Russel, *The Tribes and Castes of Central Provinces of India,* iii. 318.

[127] Merker, *op. cit.* p. 100; Hollis, *op. cit.* p. 321.

[128] Letourneau, *La guerre,* p. 106 sq.

the description we have it was originally a longstemmed pipe with a bowl of limestone (the *calumet*), often decorated with feathers and plaits of horsehair.

The pipe was thus considered 'sacred' and kept by a trusted member of the tribe, who introduced peace negotiations by blowing out smoke rings to the four quarters of the compass, after which the pipe went round the camp. Originally willow-bark was smoked, mixed with pulverized Buffalo dung, but later ordinary tobacco was used. Behind these ceremonies lay clearly the thought that in this way all illwill and all calamities were blown away with the smoke[129].

The pipe was the invariable accompaniment of all important councils and treaties especially among the Eastern Indian tribes and it was the sign of the ratification of peace. Each village had its calumet, 'a pipe of peace', and whoever travelled with it passed safely among the enemy.

The Calumet, Hewitt states, was employed 'by ambassadors and travellers as passport; it was used in ceremonies designed to conciliate foreign and hostile nations and to conclude lasting peace, to ratify the alliances of friendly tribes; to attest contracts and treaties which could not be violated without incurring the wrath of the gods'[130].

The Plain-Cree had the 'Peace-Making-Pipe', as it was called by them. When negotiations with the enemy had been opened by sending tobacco, the pipe-keeper and his assistants held a feast, at which the pipe and its stem were present, carefully wrapped up. After the feast they set out, carrying the precious calumet. When they encamped they first held a ceremony in which they raised their arms all the four quarters and prayed for the blessing of *Kitchi Manitu* upon their undertaking. They also each touched the pipe four times. When they approached the enemy they did so from the rear, where they were met by 'the ambassadors' of that tribe to whom the pipe was offered. The pipe was lighted, and the following song was sung: *Kezika mikoaski mitan,* etc. After this the enemy, and then the Cree, each took the pipe in regular right to left rotation, and each puffed four times. Certain songs were sung, and the pipe-stem dance was performed, after which all cried: *Hau, hau,* and the matter was then settled, and the pipe really smoked[131].

The Osage Indians have a very detailed peace ceremony, which La Flesche

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[129] Wissler, *Indians of North America,* ch. v.; conc. the 'sacred' pipe-songs, *cf.* Mooney, 'The ghost-dance', etc. in *Ann. Rep. Bur. Amer. Ethn.* xiv:ii. 1062; conc. the ancient Seven-tribe-pipe of peace of the Cherokee, carved with stone, Mooney, *ibid.* xix:i. 503; pipes of Salishan tribes of the Plateaus, Teit, 'The Salishan Tribes of the Western Plateaus', *ibid.* xlv. 165.

[130] Hewitt, 'Iroquoian Cosmology', *ibid.* xliii:i. 192, 194.

[131] Skinner, 'Political Organizations, Cults and Ceremonies of the Plains-Cree', in *Anthr. Papers Amer. Museum Nat. Hist.* xi:vi. 700.

has recently described. It was called *Wa'wa-thon*. Its vital principle was the promotion of peace and friendly relations, not only between the various *gentes* within the tribe, but it had a wider purpose, in that it aimed to bring about similar relations between the Osages and other tribes. The Osage, Omaha, Ponca, Kaw, Oto, and Pawnee tribes, all of whom practise this rite, never lose sight of its ceremonial forms as used by them. 'The Osage people have a profound reverence for the *Wa'-wa-thon* rite, which has for its object peace, happiness and the rearing of their 'little ones' in safety. The belief that the man who formulated the rite had received supernatural aid gave rise to this profound reverence, for it is said: 'When the men of ancient times took upon themselves that task they sought divine aid through the rite *non-zhi-zho*'[132].

Especially among the Omaha the pipe-smoking took place with great and important ceremonies: After the members of the council had taken their place the keeper of the sacred pipes laid them before the two principal chiefs and the smoking itself had its ritual. 'Plentiful food and peace', said the Omaha sage, 'are necessary to the prosperity of the tribe'[133]. The old Omaha men, who were the authority for the interpretation of tribal rites and customs, wished to state that peace and order within the tribe were of importance, war was secondary, its true function being protective, to guard the people from outside enemies. When the Omaha wished to make peace, which was termed 'making the land good', two or more chiefs and some young men took one of the 'sacred' pipes and went unarmed towards the late foe, also to their village or camps. The bearer of a peace pipe was generally respected by the enemy also, just as the bearer of a parliamentary flag. They preferred to wander in daylight when their approach could be seen. They were met by some villagers, who conducted them to a lodging, where food was given them. After the meal they were asked to tell the object of their visit. The leader of the mission then said that they had come because they thought that they should fight no longer, but instead eat and smoke together. The principal man of the village then replied: 'It is good. If you are telling the truth, when you come again, we will give a horse to each one of you'. And a orgie of smoke began[134].

The use of peace-pipes was also general among the Siouan Indians[135]. Among the Shoshones the pipe, the bowl of which was usually of red stone,

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[132] La Flesche, 'War Ceremonies and Peace Ceremony of the Osage Indians', in *Bur. Amer. Ethn. Bull.* ci. 62 sq, 161, 253 sqq.

[133] Fletcher and La Flesche, 'The Omaha tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxvii. 211.

[134] *Ibid.* xxvii. 211.

[135] McGee, 'The Siouan Indians', *ibid.* xv. 169. Conc. the Winnebago, see Radin, 'The Winnebago tribe', *ibid.* xxxvii. 209 sq.

painted or carved with various figures and adorned with feathers, was solemly passed from mouth to mouth, each smoker blowing the smoke in certain directions and muttering vows at the same time[136].

Among the wild tribes of the Upper Missouri we see the combined ceremony of smoking and exchanging presents of horses and other property, sometimes women. The advantages and disadvantages were well calculated by both sides before overtures for peace were made. It was a question of loss or gain and took years to accomplish[137]. The Pawnee Indians shared with other tribes living within the Mississippi River the observance of a religious and intertribal ceremony having for its purpose the establishment of peaceful relations between them and other groups of peoples. Fragments of objects belonging to this ceremony have been found in the caves of Kentucky, and in ancient burial sites, bearing witness to its antiquity and to its observance over a wide area and among tribes belonging to different linguistic stocks[138]. Monsieur J. Marquette, the French explorer, witnessed the ceremony among an Algonquian tribe, and, when about to descend the Mississippi in 1672, he was given one of the peculiarly decorated pipes belonging to this rite by a friendly tribe, and the reverent respect shown to this sacred object enabled him to journey in safety down the unknown river[139].

Some kind of smoke-meeting is also reported from the Californian Indians (*e.g.* the Maida), where a man was urged to fill his pipe. He was then allowed to draw from it once and afterwards pass it to his nearest neighbour. This ceremony was considered a necessary preparation for having a good talk together[140].

Also among the Comanches in New Mexico peace ceremonies took place at a council of warriors, when the pipe was passed round and smoked by each, previous to which an interchange of presents was customary[141].

Among some Indian tribes the smoking was accompanied by special dances. The *Calumet- or Pipe of Peace Dance* was performed, after smoking, through its

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[136] Bancroft, *Native Races of the Pacific States,* i. 233 sq.

[137] Denig and Hewitt, 'Indian Tribes of Upper Missouri', *ibid.* xlvi. 404.

[138] Fletcher, 'Pawnee', in Hastings, *Encycl. Religion and Ethics,* ix. 699.

[139] *Idem,* 'The Hako: a Pawnee Ceremony', in *Ann. Rep. Bur. Amer. Ethn.* xxii. pt. ii. During the latter part of last century Mrs. Fletcher was fortunate enough to secure a complete description of these rites, called Hako. She also states that these rites were intertribal at least for four tribes. The ritual, warning songs were said to have a highly ethical and intellectual content, and to belong to a most highly developed primitive culture (Fletcher, *ibid.* xxii. pt. ii.).

[140] Faye, 'Notes on the Southern Maida', *ibid.* (1920), p. 44, quot. by Thurnwald, in Ebert's *Reallexicon,* iv. 198.

[141] Bancroft, *op. cit.* i. 500.

sacred stem, by dancers holding the Calumet in the left hand, and the *Sheshequoi,* or rattle, in the other[142].

Besides peace rites and ceremonies many primitive peoples have special, symbolic signs of peace, which in some places are considered 'sacrosanct'. Messengers, or the possessors of such tokens can reckon upon personal immunity among enemy tribes even while war is going on.

The green branch seems to be one of the most usual peace symbols, at least among the natives of Australia, Oceania, and Malay, but it is also found in other parts of the primitive world. Besides the green branch, fillets and wreaths of green leaves are used, and some peoples have special plants[143]. In East Australia a green branch is explicitly an emblem of peace.

The New Zealanders used a green branch. The person who sent it then 'went and gathered another green branch, and with this in hand, he approached the dead body (which was lying on the sand) ... walking sideways, with much ceremony, and then throwing it towards him. When this was done, he returned to his companions, who had sat down upon the sand, to observe the issue of the negotiations: they immediately gathered round him, and continued about an hour'. After a time the dead body was removed[144].

The Tahitians wave a wreath of green boughs furnished by each side and exchange two young dogs; they have also made a band of cloth, offered the wreath and the band to the gods with imprecations on the side which should first violate so solemn a treaty of peace[145].

The Samoans, at the conclusion of peace, plant in a sheltered valley the most imperishable coral-tree they come across. This ceremony symbolizes the hope that peace may flourish as long as the tree keeps growing[146].

Mr. Ellis tells us of other Polynesians, that when a side, after a conflict,

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[142] Conc. the Calumet-Pipe-dances among the Iowa, Omaha, Pawnee, Osage, Plain-Cree, see Skinner, 'Societies of the Iowa, Kansa, and Ponca Indians', in *Anthr. Papers Amer. Museum Nat. Hist.* xi:ix. 706 sqq; among the Kansa, *ibid.* 759 sq; among the Cheyenne, Mooney, 'The Ghost-Dance Religion and the Sioux Outbreak', in *Ann. Rep. Bur. Amer. Ethn.* xiv:ii. 783; Llewellyn, Adamson Hoebel, *The Cheyenne Way,* pp. 91 sq, 105, 336.

[143] Mitchell, *Three Expeditions into the Interior of E. Australia,* i. 184, 194; D'Orbigny, quot. by Grierson, *Silent Trade,* p. 17 (Australians); Rivers, *History of Melanesian Society,* i. 75 (Maori); Ivens, *op. cit.* pp. 161, 288 (Melanesians; they have also Areca nut emblems as peace signs, *ibid.* 288); Ellis, *Polynesian Researches,* i. 317 (Polynesians).

[144] Hawkesworth, *An Account of Voyages in the Southern Hemisphere,* ii. 294.

[145] Fraser, *Military Manners and Customs,* p. 162.

[146] G. Brown, *Melanesians and Polynesians,* p. 267; conc. Fijians, see Williams and Calvert, *Fiji,* i. 54; Thomson, *The Fijians,* p. 89. Hocart (in *Journ. Anthr. Inst.* xliii. 115) mentions that the Fijians also used whale's toot as peace symbols.

wished for peace they sometimes offered a young plantain tree, taken up by the roots, put in a basket, and carried to the temple, as they were wont to carry a human victim. The men who bore it cried to the god: 'Here is the man, long plantain; give us peace in abundance. If you do not attend, we will not worship you again. If you do not deliver us you are an evil-working god'. When terms of peace were agreed on, the wreath of peace was woven with two or tree green boughs furnished by each side. Two young dogs were exchanged by the sides, and the *Apa pia* brought; this was, according to Ellis, sometimes a long strip of *Apa,* or cloth, white on one side, and red on the other; the cloth was joined together by both parties in token of union, and curses were uttered on those who should rend this band of peace. The *Apa pia* and the green boughs were then offered to the gods, who were asked to avenge the treachery of those who should rend the band or break the wreath[147].

In the steppes around the Augusta River and the northern coast of New Guinea Taro-leaves are used as symbols of peace[148]. The Sue-islanders wear leaves in their hands to signify their friendly feelings when approaching strangers[149].

Also among some African peoples, *e.g.* the Northern Bantu young pisang-tree are, at the end of hostilities, planted within sight of the enemy. By this means the Bantu announce their desire of concluding an armistice and keeping the peace[150]. As regard the Masai they held grass—the thing most sacred to them—in their hands as a token of welcome and peace[151].

The ancient Peruvian custom of using a fancy implement developed from vegetable matter as a symbol of peace we have already referred to[152]. Many Indians hold up the palms of their hands when wishing to show their friendly intentions.

The white colour also appears as a peace-symbol among many primitive peoples. This observation has been made *i.a.* in Oceania, in Africa and in North America. A white spot placed in the centre of a wampun belt was a sign of peace and showed that the path between two parties was fair and open[153].

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[147] Ellis, *Polynesian Researches,* i. 317. According to Sir Basil Thomson (*The Diversions of a Prime Minister,* p. 305) in Mangaia in Polynesia the priests carried an enormous fan (an emblem of peace) and none, but 'an unscrupulous atheist' could destroy him.

[148] Thurnwald, in Ebert's *op. cit.* iv. 197.

[149] Krieger, *Neu-Guinea,* pp. 324, 418; Rawling, *The Land of the New Guinea Pygmies,* p. 174.

[150] Roscoe, *The Northern Bantu,* p. 243.

[151] Thomson, *The Masai,* p. 260; Baumann, *Die Masai,* pp. 118 (the Wambugwe), 165 (the Masai).

[152] *Supra,* p. 206; Tessmann, *Indianer Nordost-Perus,* p. 150.

[153] Mallery, 'Pictographs of the North American Indians', in *Ann. Rep. Bur. Amer. Ethn.* iv. 86; Westermann, *Die Kpelle,* p. 138.

It may, in this connection, be observed that greeting by movements of arms and hands, not least the handshake itself, had a certain signification in early stages of culture. No doubt there is in our own greeting, which we automatically repeat every day, a 'survival' from, or parallel to, those days when such greetings meant a precautionary measure taken to show that the hand did not carry a weapon. In the same way, when we raise out hat we unconsciously follow the primitive and mediaeval custom of taking off one's helmet as a token of peaceful intentions.

The so-called *treuga manualis* implied, in the civilized world, the idea of an armistice between the respective parties; the conception did not prevail only in ancient Germanistic law, but also in Italy, Islam, etc.

We thus see that already among primitive peoples there is a persistent drift toward peace. Nor was this idea strange to the Hebrew culture. For that which is a dream, a promise, an aspiration in the Old Testament is a gift and actual possession in the religion of the New Testament. The profets of Israel had spoken of peace as an ideal[154]. Among the blessings to which Israel look forward in the Messianic time none is more emphasized than peace[155]. The 'blessing of peace' is implied in the very name of the city: 'new Jerusalen', the establishment of which was the end of the ways of God[156]. The ultimate blessing which Christianity promises is peace. The Messiah Himself is the 'Prince of Peace', 'the great peace-maker'[157]. And a characteristic of the New Testament is the view of peace as the present position of the Christianity. With peace is here, it is true, meant personel endowment, freedom from personal anxiety in respect of the future.

We can also state that the great religious movements have, particularly at certain epoch, promoted peace. In the great Asiatic religious societies the idea of peace came to expression.

The ancients indulged in sentimental dreams of an age of universal peace, a *pactus orbis,* which seemed to be brought within reach by the establishment of the empire. The *Pax Romana* was not, indeed, merely a dream of entusiasts, it represented an ideal, but it was an element in the settled policy of the imperial government. However it became a factor of the extension of Christianity. We know also the *Treuga Dei,* or *Pax Dei* (*Pax Dominic*). Then we noted, that there was, at least theoretically, the peace of town, peace of market, peace of women. On the other hand—and it can not be denied that the church through its politics of power sharpened the contrasts and caused religious wars.

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[154] *Hos.,* 2:18 sq, *Isaiah,* 2:4, *Micah,* 4:3, *Psalms,* 46:9 sq. The end of the hostilities was signified by the blowing of the war-horn (*2. Sam.* 2:28) and 'ambassadors' negotiated terms (*Isaiah* 33:7).

[155] *Isaiah,* 54:10, *Ezk.* 3:4 sq.

[156] Augustinus, *de Civ. Dei.* xix. 11.

[157] *Eph.,* 2:14, *Hebr.,* 7:2, *Micah,* 5:6.

Chapter VIII

Tabooed Places and Times · Peace-Treaties and Peace Alliances

We have previously mentioned that primitive tribes have neutral territories and borders where every form of hostility is forbidden. In connection with the trade we shall see that the market-day almost necessarily acquires the character of a sacred day when there are chances of attending to collective tribal aims and holding social and religious meetings and other similar gatherings. We shall also see that the market-places can develop into actual asylums where no quarrels may be instigated and everybody enjoys security for life and limb.

But not only in connection with the trade do many savage peoples recognize the right of asylum. Its roots can be traced back to primitive culture in Australia, Oceania, Africa and America. We can find the right in question in ancient Mexico and in the classical Antiquity.

The idea of the right of asylum arises originally from magic and religious conceptions according to which spirits and holy beings have their whereabouts in certain places which, for this reason, are sacred and must be kept free from all crimes and disturbances[1]. Such places become asylums. The divinity abiding in the sanctuary takes the same attitude towards a protection-seeker as a host towards a guest. He must grant protection to fugitives because not even gods are entirely unaffected by the curses or blessings of human beings. The protective power, the power of asylum, is supposed to be effective so long as the protection-seeker is within the sphere of the holy radiation. Sometimes the fetish priests

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[1] *Cf.* Westermarck, *The Origin and Development of the Moral Ideas*, ii. 28 sq; *idem*, '"*L'ar*", or the Transference of Conditional Curses in Morocco', in *Anthr. Papers pres. to E. B. Tylor*, p. 63 sqq.

seem to have a right to decide the import of the asylum. In the beginning there is no difference between the persons seeking protection. But soon the asylums become places of refuge preferably for those fleeing from bloodrevenge, murder, hostilities, and war.

The right of asylums seems to be a sort of taboo. The graves of chiefs and ancestors are often sacred and taboo, as are the sanctuaries and temples beside them. Fighting is here prohibited. Owing to such conceptions temples are used as asylums. Among many primitive tribes there are many taboo or fetish houses where protection and peace is secured for all who enter. As asylums are also regarded the territory of a bloodrevenge, the domains of certain clans or tribes, and very often the houses of a chief. Among agricultural peoples the harvest-field is taboo, and hence an asylum, being the domicile of the totem spirit or a hiding-place for the sacred totem-utensils of the tribe. But the idea of asylum is also found among gathering, hunting, and fishing peoples and nomads. Among the Barea and Kunama in East Africa, to only mention on example, the feast of the first fruit is a day of peace, when all fighting rests[2]. And, as previously mentioned, borderlands are often neutral or tabooed places.

In Central Australia the sacred storehouses are refuges. Everything in their immediate vicinity is sacred. A man pursued by others is not touched so long as he remains on this spot. And during the religious tribal ceremonies no disputes is permitted and all quarrels must be forgotten. Around the totem temples all natural objects are spared[3]. This custom is believed to be religious in origin, but it has probably also a predominantly economic significance. Mr. Curr reports that the Bangerang and related tribes could take refuge in one another's territory. At times two groups could possess a common tabooed harvest-field or harvest-ground[4]. Places of refuge in time of danger are also known to have existed among the Euahlay in Australia[5].

Among the peoples of Oceania we find the same institution. The asylums of the Maories, for instance, were associated with the idea of taboo[6]. In Samoa religion

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[2] Munzinger, *Ostafrikanische Studien,* p. 473; for general references, see for inst. Lips, in Boas, *General Anthropology,* p. 504.

[3] Spencer and Gillen, *Native Tribes of Central Australia,* p. 135; *cf.* Howitt, *Native Tribes of S.-E. Australia,* pp. 178, 33 sq; Dawson, *Australian Aborigines,* p. 70.

[4] Curr, *Recollections of Squatting in Victoria,* p. 247.

[5] Langloh Parker, *The Euahlayi Tribe,* p. 36. Conc. other Australian tribes, *cf.* Wheeler, *The tribe and intertribal Relations in Australia,* p. 106 sqq; Fison and Howitt, *Kamilaroi and Kurnai,* pp. 221, 224 (Kamilaroi); Howitt, *op. cit.* p. 220 (Kuinmurbura); Roth, *Ethnological Studies,* p. 178 (Concurry distr.).

[6] Tregear, 'The Maories of New Zealand', in *Journ. Anthr. Inst.* xix. 220.

places an effective taboo on fighting. In the temple-building all grudges may be settled[7]. In Nissan Island the hut of the chief served as asylum[8]. The tombs of dead chiefs gave shelter to refugees in Tonga[9]. In Hawaii two cities were organized as asylums, both of which afforded, in war-time, complete safety to all fugitives, included the vanquished[10]. On Buin in the Solomon Islands mountains protect visitors from bloodrevenge[11]. In many other Oceania islands asylums played a great and effective role at the time of the European colonisation.

Turning to other continents we see similar conditions prevailing in many places. Among the Lushai and Kukies in India fugitives found shelter in the huts of the chiefs[12].

The Kabyls in Africa have their fixed places of refuge[13]. Among the Kafirs the graves of chiefs are also asylums[14]. In ancient Usambara, we are told, there were four different places of resort[15]. Among the Babiza, the houses of the king and his mother, as well as the domicile belonging to the great spirit *Wamara,* are safe asylums[16]. The natives of Abyssinia, as I am informed by an Abyssianian diplomat, had, at least formerly, their places of asylum.

In the old Inca empire there was, in the vicinity of every capital, a fortified asylum called *Pucaro,* which was used as a refuge for women and children in case of hostilities[17]. In North America the Creek Indians and the Cherokee, for instance, had asylums[18]. Among the Osaka, who lived in the neighbourhod of the river Osaka, the houses of the two chiefs—there was one chief for peace and another of war—were sanctuaries not only for the people of the tribe but also for members of other tribes, including enemy tribes who were allowed to seek refuge there. These two houses represented the earth and all life contained therein[19]. Other tribes conceded to certain clans or villages the right to shelter or protect a fugitive. Among others the chief's tent, as among the Cheyenne, or the lodge of the sacred medicin man, afforded asylum[20].

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[7] Turner, *Samoa,* pp. 29, 64.

[8] Sorge, in Steinmetz, *Rechtsverhaltnisse,* p. 420.

[9] Meinicke, *Die Inseln des Stillen Ozeans,* ii. 81.

[10] Ellis, *Narrative of a Tour through Hawaii,* pp. 137, 155 sq.

[11] Thurnwald, *Forschungen auf den Salomo-Inseln,* i. 349.

[12] Lewin, *The Hill Tracts of Chittagong,* p. 100; Shakespear, *The Lushei Kuki Clans,* p. 374.

[13] Hanoteau and Letourneux, *La Kabylie,* iii. p. 62.

[14] Kidd, *The essential Kafir,* p. 332.

[15] Krapf, *Reisen in Ost-Afrika,* ii. 132.

[16] Ankermann, *Ostafrika,* p. 331.

[17] Cunow, *Soz. Verfassung d. Incareichs,* p. 44.

[18] Adair, *The History of the American Indians,* p. 158 sq.

[19] La Flesche, 'The Osage Tribe', in *Ann. Rep. Bur. Amer. Ethn.* xxxvi. 54.

In South California a murderer was safe if he gained refuge in the temple. Then his punishment was left in the hands of the god[21]. The sacred temple of Cozumel in Yacatan was yerly visited by pilgrims, who passed thither through hostile territories without fear of molestation[22].

Also among the primitive Skolt-Lapps in the high North we remarks the right of asylum, regarding members of foreign *Sits* (local clans). The practice of the right, as also the question of exilation of members, was depending of the decision of the *Sit*-assembly[23].

The right of asylum existed among Indian peoples, Hebrews, and Arabs. In Palestine there were refuges for persons who had killed somebody 'by mistake'. Nor was the principle foreign to ancient Greeks and Romans[24]. Among the Greeks there was a peace of the gods of the time of the festivals: the truce of Olympia, and feud was sometimes brought to an end on such occasions, although real wars were not hindred. There was a truce of gods of two months' duration for visitors to the temple of Artemis Delia[25]. During the festival, when sacrifice were made to Jupiter, a truce was observed throughout all Latium[26]. The influence of the Church forced weekly suspensions of feudal fights and in this way developed the truce of god, which is in the history of law a remarkable attempt at establishing a time taboo against war. Already the pre-Mohammedan Arabs had certain asylums, though but a few holy places, except Mecca, where bloodshed was forbidden. At first the tabooed area included only the temple and the city, but later it was largely extended. To local communities, the graves of the ancestors offered an asylum[27].

Dr. Harri Holma has called my attention to the fact that the Arabian asylum did not extended over a period longer than three days, and that the granting of asylum probably originated in fear of two kinds, 1) in fear of the wrath and vengeance of the tribe to which the fugitive belonged, and 2) in fear of the wrath of the fugitive's enemies.

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[20] Fletscher, in Hodge, *Handbook American Indians,* ii. 915; Llevellyn, *The Cheyenne Way,* p. 238.

[21] Bancroft, *Native Races of the Pacific States,* i. 386, 409.

[22] Bastian, *Die Volker d. ostlichen Asiens,* vi. 363, or 364. Conc. other sacred houses as asylum, *cf.* Fletcher and La Flesche, in *Ann. Rep. Bur. Amer. Ethn.* xliii. 36.

[23] Tanner, *Antropogeografiska studier inom Petsamo-området* (i: Skoltlapparna: *Fennia* xlix:4) p. 349.

[24] Post, *Grundriss d. Ethn. Jurisprudenz,* i. 45; 3; Thurnwald, in Ebert's *Reallexicon,* iv. 132; Bloch, 'Das mosaich-talmudische Recht', quot. by Post, *op. cit.* 52, iv. 35:14.

[25] Burckhardt, *Griechische Kulturgeschichte,* i. 311; Beloch, *Griechische Geschichte,* ii. 2.

[26] Lippert, *Kulturgeschichte,* iv. 555. Livy (i. 8, ii:1) mentions that Romulus populated a city by establishing an asylum, which was much frequented by protection-seekers. This statement, although not historically proved, contains, perhaps, a sociological truth.

[27] v. Kremer, *Kulturgeschichte des Orients,* ii. 14, 103.

The right of asylum was included in ancient Germanic law[28]. The Church provided shelter for fugitives from bloodrevenge, and within the walls of churches and cloisters reconciliations could be effected. With a more ethical appraisement of crime and guilt the right of asylum assumes an obstructive character[29].

Outlawry, the antithesis of the right of asylum, is known even to primitive peoples. To proscribe one or several members of the tribe from the community of right implies, it is true, a certain authority which does not always exist among savages; yet the punishment, as such, shows that there have been perpetrated acts which are dangerous for the welfare of the tribe. And by such acts a very decided reaction is called forth even in the most primitive societies. Every group of bloodrevenge constitutes a sovereign community of right. Whoever is outside such a group is also outside the landmarks of sanctioned justice and may easily become an outlaw. Prescription is, on the whole, an institution typical of higher stages, but is not totally lacking even among certain hunting peoples, *e.g.* the Damas in South Africa[30]. The Badays in Western Java know no severer punishment than exclusion from the community[31]. The Chewsurs in Caucasus used to punish obstruction to tribal customs with exclusion[32]. In ancient Nordic, especially Icelandic justice exclusion was very often resorted to[33].

The right of asylum, we see, is deeply rooted in the primitive world. Savage peoples are known to have concluded agreements whereby certain territory is marked off as neutral, and within such territory no fighting must take place[34].

Like tabooed places, there are also tabooed days, when peace and rest must be observed. It is a remarkable fact that days of rest are by no means unknown to primitive peoples. On such days they do not keep away from labour only for the simple and utilitarian reason that man needs relaxation and idleness as a relief from daily toil and the hard conditions of existence. The custom has also magic and religious motives which find their clearest expression

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[28] Conc. the Teuton *Konigsfriede,* see markets.

[29] The limitation of the war theatre leads to the neutralization of other regions and determined times for fighting. Mühlmann (*Krieg und Frieden,* p. 119), however, generalizes, also as regards the Oceanians, too broadly when he says: 'so ordnet sich das ganze soziale Leben dem grossen Rhytmus von Zeiten des Friedens und Zeiten des Krieges'. The speculations on the rhythm seems to me very constructive.

[30] Vedder, *Die Bergdama,* p. 69.

[31] Post, *op. cit.* p. 352.

[32] Seidlitz, in *Ausland,* xvi. 358.

[33] Heusler, *Strafrecht d. Islandersagas,* p. 174; Kohler, in *Zschr. f. vergl. Rechtswissenschaft,* ix. 356.

Conc. the nature of taboo, see Webster, *Taboo,* ch. I.

[34] Davie, *The Evolution of War,* p. 176 sq; Hobhouse, *Morals in evolution,* p. 243.

in the taboos or prohibitions concerning lunar superstitions and festivals, evil days, etc. As we shall see further on, among agricultural peoples in lower stages of civilization the days of rest are often connected with the market. The days on which markets are regularly held are not seldom characterized by sabbatic regulations and the suspension of hostilities.

In many cases fighting is allowed only on certain days; the days of the week or the month are largely ritual and symbolic and regularly express a strong intent to keep the peace in future. It is quite another thing if the peace is actually kept, the wish to neutralize the war-producting factors is remarkable. The Mohammedans have four holy months during which fighting is forbidden, a custom originating from the heathen time[35].

Before we proceed to inquire into the origin of intertribal and international agreements and alliances it may not be out of place to touch upon the secret societies flourishing in the primitive world. These societies, as far as I can see, play a prominent part in the development of peaceful relations and are often accorded so great an importance that the members even enjoy certain 'diplomatic privileges'.

The secret societies arise from, or run parallel with, certain age-classes, which phenomena, again, can probably be traced back to the rites of initiation. For even if these rites are an important qualification for marriage, it often happens that the virile, *i.e.* initiated youths must wait a few years before they are allowed to marry. In this way there come up special age-classes whose interests differ from those of the older, married men of the tribe. The youth's classes may, indeed, form a military caste, but it is not necessary that they do so.

No doubt the age-classes have originally a religious character. But they also involve a social differentiation and imply a development of political significance. Through these organizations the social instinct in primitive societies has often shown its strength, especially among the male sex. It is true that the old men enjoy certain privileges attendent upon age, and so acquire an authority which may be regarded as the germ of political power. There are tribes among which as many as four age-classes live in houses of their own. The men's leagues develop often into clubs which have a purely social and political character and thus form

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[35] *Cf.* v. Kremer, *op. cit.* ii. 103. From the Middle Ages we know the so-called house-peace, which was later extended to cover fields and roads, later the church-peace, the market peace and the peace of God. In Scandinavia there was a peaceful interval for trade and religious festivals (*cf.* also the peace of King Magnus Ladulås).

Conc. the evolution of the right of asylum, *cf.* Castrén, 'Asylrätten', in *Nordisk Tidskrift for Intern. Ret* (*Acta Scandinavica iuris gentium*), xvi. 7.

the frame of the secret societies. It may, however, be questioned whether the age-classes give rise to so far-reaching conclusions as those drawn by Heinrich Schurtz, according to whom they represent close, more or less political alliances (*'geschlossene Verbände'*), and to other analogies respecting the age-limit and the entrance into public life among peoples in higher stages of civilization[36]. As far as I can see, Schurtz has not succeeded in proving that the primitive age-classes have the quality of fast organizations. His argumentation seems, on the whole, rather one-sided owing to the fact that he ascribes to the age-classes the same origin among different peoples.

Secret societies are common especially in Melanesia and West Africa, but they are also found elsewhere, *e.g.* among the Indians of North America.

There is often a mystic glamour over these societies. The members enjoy many privileges denied to their less fortunate tribesmen. They awaken sentiments of curiosity, fear, and awe. They surround themselves with that veil of mystery so attractive to primitive mind all over the world. They make a powerful appeal to the social and convivial aspects of human nature, to feelings of prestige and exclusiveness, and to the consciousness that very material privileges are connected with the membership.

In many cases these societies have a magic-religious background, and their principal purpose seems to be to initiate young men into manhood ceremonies which constitute a sacred bond of brotherhood between those who have undergone them and a covenant with the gods by whom they are instituted. Possibly the secret societies are a remnant of magic-religious sacerdotal organizations. But they represent something more than that, *viz.* a factor of social and political power. Especially when no definite chieftaincy exists, or when the chief is endowed with but little political power, the secred societies assume or reinforce his functions of social control. Where the societies are still essentially tribal in character and include in their membership nearly all the men of the tribe, such authority naturally centres itself in those who hold the higher degrees. But from the mysteries as an embodiment of the inner religious life of the tribe to their utilization as a means of social control, the transition has everywhere been easy.

The secret societies are often invested with a greater judicial power than the chief or the council of elders. The problem of maintaining masculin authority over the women, to mention only one instance, is readily solved by the secret

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[36] *Cf.* Schurtz, *Altersklassen u. Mannerbünde,* esp. p. 318 sqq; *idem, Volkerkunde,* p. 48 sqq; *idem, Urgeschichte der Kultur,* pp. 99, 105 sq 113 sqq, 620, 628 sqq. See also Karsten, *Naturfolkens samhallsliv,* p. 86 sqq; Crawley, *The Mystic Rose,* pass.

societies when they are powerful. In their highest form the secret societies are the most interesting and characteristic of all primitive institutions.

Though their natural jurisdiction these societies have sometimes acquired so great an esteem, that even the British colonial administration has taken them in to its service. An appeal to them has, for instance, appeared to be the only means of forcing refractory debtors to pay.

Whether the secret societies have arisen spontaneously, as may often be the case, or by means of cultural intercourse, it is a remarkable fact that they are mostly intertribal or international. They are not always limited to one society, or even to one tribe, but extend, especially in Western Melanesia, over large areas, without leading to organizations of larger units[37].

The secret societies seem to be so eminently peaceful in character that it is a question whether *one* of their chief purposes is not to prevent hostilities between local groups and tribes. Through their secret rites these societies have a certain hold upon the tribes and peoples they embrace, and are able to exercise a considerable influence in order to impede war. In many cases they have, as a matter of fact, played an important part in enforcing peace and securing amicable settlements of intertribal disputes.

It is remarkable that authors who strethe constructive value of savage warfare pass in more or less complete silence over the integrant value of the secret societies. They are inclined to depreciate their great influence on the nature of primitive authority. The permanent role of secret societies is undoubtedly in many instances of far greater importance than the occasional subordination of volounteers to the command of warleaders.

One of the most potent secret societies, the *Duk-Duk* in the Bismarck Archipelago has been described by v. Pfeil as 'a power with sufficient influence to enjoin peace on contending parties'[38]. Webster says that the secret tribal societies in Melanesia and West Africa represent the most primitive efforts toward the establishment of law and order, recalling the *Vehmgerichte* of the XIV and XV century and the 'White Caps' of modern times. The secret societies of many West African peoples are a religious as well as political and judicial institution and help to maintain intertribal amity. They are effective engines of government and highly efficient in preventing warfare. Sometimes representatives of 'frater-

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[37] Webster, *Primitive Secret Societies,* p. 96; Nilsson, *Primitiv religion,* ch. viii; *idem, Primitiv kultur,* p. 153; Wedgwood, 'Some Aspects of Warfare in Melanesia', in *Oceania,* i. 129 sqq, 168.

[38] v. Pfeil, 'Duk-Duk and other customs of the Melanesians', in *Journ. Anthr. Inst.* xxvii. 181 sqq; Matsumura, 'Contributions to the Ethnography of Micronesia', in *Journal College of Science Tokyo,* xl:7. 82, 143; Webster, *op. cit.* p. 115.

nal' secret societies from different tribes 'meet together and discuss intertribal difficulties, thereby avoiding war'[39]. The *Ukuku*-societies in Africa, among the tribes in the Spanish territory north of Corisco Bay, also come together in order to discuss intertribal difficulties, to adjust tribal quarrels and proclaim and enforce peace, which task no individual chief or king would be able to accomplish[40]. In Corisco Island a longstanding feud between two tribes was settled in such a manner by the *KimbeUkuku* society[41]. The *Ogboni* society of the Yorouba actually holds the reins of government, and the king himself is obliged to submit to its decrees. The members are popularly believed to be in possession of a secret from which they derive their power, but the secret is simply a powerful and unscrupulous organization, all members of which are bound to assist each other and to carry out and, if necessary, enforce the decrees of the body[42]. The secret *Purrah*-society in Sierra Leone was formerly a most effective instrument for preventing conflicts between the tribes, and peace-making deputies were always respectfully received[43].

The members of the secret societies often enjoy certain 'diplomatic' rights, similar to those of messengers and envoys. Among the Koennas in South Africa there is a fraternity whose initiates are marked with three cuts on the chest. They are free to visit all the valleys inhabited by the Koennas and by Griquas, and are everywhere well received[44]. The examples could be easily multiplied.

Those who belong to the *Idiong* society are thereby enabled to travel through the country without danger[45]. The chief of the secret society of the Shekani and Bakele in the French Congo is always called as a witness to covenants between neighbouring tribes[46].

Some of the societies have a secret language and a badge by which members may recognize one another, which often protects a native when journeying outside his tribal bounds. By means of such a language they can go and count upon to be well received and enjoy hospitality[47].

With growing political centralization the judicial and executive functions of

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[39] Kingsley, *Travels in West Africa,* pp. 169, 389.

[40] Nassau, *Fetischism in West Africa,* p. 145.

[41] *Ibid.* p. 141.

[42] Ellis, *The Yoruba-speaking Peoples,* p. 93; Cory, The Buyeye: 'A secret society', in *Africa,* xvi. 160.

[43] Harris, *Mém. Anthr. Soc.* ii. 32, quoted by Webster, *op. cit.* p. 107. When the law of *Purrah* was in force, no blood must be shed by contending tribes. Transgressors were punished with death (Winterbottom, *An Account of the Native Africans in Sierra Leone,* i. 135).

[44] Holub, 'The Central South African Tribes', in *Journ. Anthr. Inst.* x. 7.

[45] Marriott, in *Journ. Anthr. Inst.* xxix. 2.

[46] Wilson, *Western Africa,* p. 392.

the secret societies diminish, and their members, as the personal agents of the ruling chief, may constitute an effective state police. Africa affords us instances of such societies in affiliation with the government[48]. With the growth of population, the rise of large communities etc. there will naturally be increasing difficulty in keeping up the mystery on which depends the very life of such organizations. The establishment of the chieftaincy on a permanent hereditary basis and the consolidation of existence on agricultural lines help to decrease the significance of the societies.

In many cases the secret societies become merely social clubs, sometimes preserving a thin veil of secrecy over their proceedings as an additional attraction. By and by even women gain admittance. The decline of the old tribal secret societies is, according to Webster, associated both in Melanesia and Africa with the rise of numerous local and temporary societies, generally secret but specialized, so to speak, for the performance of various functions. Sometimes what might be called division of labour takes place. In other cases the tribal societies degenerate into pure impostures, destitute of all social utility, maintained solely by fraud and liable to speedy dissolution once the secrets are revealed. They become open clubs and age-classes whose membership, moreover, frequently includes women[49].

All this, however, does not in certain stages of civilization prevent the societies from playing an important part as peaceful tribal organizations, or even as highly influential intertribal and international institutions.

Already in early stages certain tribes seem to accord to each other special favours or, to use a modern expression, the position of 'most favoured nations'. In ancient Nordic history we find interesting examples of what might be called prescandinavism. I am thinking especially of Iceland during the free state period. According to the sagas it was enacted that Norse, Swedish and Danish subjects

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[47] I am informed by Prof. Pertold, Prague, that certain tribes of India have a secret language.

[48] For examples, see Webster, *op. cit.* p. 108 sq.

[49] *Ibid.* pp. 25 sq, 130 and chh. vii:viii. *Cf.* also Bastian, *Die Rechtsverh. versch. Volker der Erde,* p. 402; Lips, 'Kamerun', in Schultz-Ewerth and Adam, *Das Eingeborenenrecht,* ii. 160; Driberg, *At Home with the Savage,* p. 149 sqq; Junod, *The Life of an South African Tribe,* i. 200, ii. 506, 517, 467; Vergiat, *Les rites secret des primitifs de L'Oubangui,* chh. v, vi:vii; Rivers, *Social Organization,* p. 121 sqq; Rawling, *The Land of the New Guinea Pygmies,* pp. 70, 137 sqq; Loeb, 'Tribal initiations and secret societies', in *Univ. California Publ. in Amer. Arch. and Ethn.* xxv. no. 3; Boas, *Race, Language and Culture,* p. 379; *idem,* 'The Social Organization and the Secret Societies of the Kwakiutl', in *Ann. Rep. Board of Regents, Smith. Inst.* (1895), pass; *idem,* 'Die Entw. der Geheimbünde der Kwakiutl', in *Festskrift f. Adolf Bastian,* p. 441 sqq.

should be treated more gently than other strangers. Norwegians enjoyed special privileges as to the right of inheritance in Iceland. And it is typical of the land of sagas that poets were forbidden sharply to censure the persons they referred to. Such censure could be punished with *Holmgång*[50].

Warlike conflicts and complications between primitive peoples are not finished only by regular peace negotiations and a ratification of peace bound up with usual ceremonies. Already in low stages of culture we find a tendency to conclude actual t r e a t i e s a n d a l l i a n c e s. Defensive alliances are not infrequent, and as 'precursors' of special treaties of later time there occur, in the primitive world, alliances of friendship. We shall also see that one of the most important vehicles of modern international law, that is, the conventions, are not without parallels in primitive culture.

In the beginning the treaties are of a very temporary character, brought about by requirements of common undertakings such as hunting, fishing, etc.

Mr. Howitt makes mention of many such treaties among the natives of Australia[51]. In Oceania the tribal chiefs—whose power, as already pointed out, is seldom great and usually based on personal ability—are in the habit of concluding protective and defensive alliances[52]. In Samoa there were organized assemblies, *Fono,* whose judgments were executed by a forum of mob action, either by destruction of the property of the offender and his family or by the injury, death, or banishment of the individual offender. The inhabitants of Samoa sought also marital alliances in as many places as possible, the further off the better, so that they would have friends in any part they might wish to go and allies in cases of conflicts[53]. It also happens in Oceania that several villages assume mutual obligations to pursue *e.g.* a blood-revenge under some influential chief. Such agreements are known to exist among the clans of New Caledonia and the tribes of Fiji. In the latter archipelago these agreements were often pretty burdensome to the participants, in as much as it was stipulated that they should enjoy free entertainment with each other, and if the guests happened to destroy the property of the hosts they could not be prosecuted[54]. Two New England tribes, at a general council,

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[50] 'Havrke a makr at yrkia *wm* mann lóst ne lof', *cf. Grágás* (Ed. Finsen), ch. xcvii:iii. 171, 226 sq; ch. ccxxxiii:iv. 183; *cf.* also Noreen, in *Upsala Univ. Årsskrift* (1922), p. 37 sqq.

[51] Howitt, *op. cit.* p. 340 sqq.

[52] Buschan (in Buschan's *Illustrierte Völkerkunde,* ii:i. 168) call them *Schutz- und Trutzbündnis.*

[53] Stair, *Old Samoa,* p. 91 pass; Thomas, *Primitive Behavior,* p. 576; Williamson, *Social and Political Systems of Central Polynesia,* ii. 157, iii. 196.

[54] Ratzel, *Völkerkunde,* ii. 283.

decided that 'so long as the sun rises and sets, as long as the great lakes send their water to the sea, so long should peace reign over the two tribes'[55].

In the Malayan Archipelago, ethnologists tell us, agreements are sometimes concluded even between wandering peoples. Thus the Orang-rayat, in Central Borneo, make agreements with the Lanum-tribes in the Northern part of the island, and the Badsho-tribes with the Moro in the island Solu[56]. In Sumatra many Kubu villages have mutual agreements[57]. The primitive tribes in the Key islands in the Indian Ocean are known to enter into offensive and defensive alliances with one another[58].

When the Chingpaw in upper Burma conclude friendly alliances, the contracting parties exchange spears and weapons under solemn ceremonies, calling all the powers of heaven and earth to witness the fact that they intend faithfully to adhere to their vows[59].

Similar alliances are said to occur among the Li-tribes in the island of Hainan in the South of China. Smaller villages seek accession to larger ones, especially to those they come from, and they form together a kind of defensive alliance[60]. The same holds true of the primitive peoples of India[61].

Among many African peoples we find similar alliances or treaties of friendship, the conclusion of which is solemnly confirmed by ritual ceremonies. The Kavirondo, for instance, have treaties with the tribes living between the Juba River and Lake Rudolf[62]. Formal treaties of peace are concluded by the natives of Western Kilimandjaro—on such occosions the contracting parties kill a goat, make rings of its coronary bone and wear them on the middle finger[63]. Among the Bo-Ronga in South Africa the diplomatic relations are, according to Mr. Junod, 'very carefully conducted, each of the neighbouring clans having one counsellor entrusted with the care of its affairs'. In case of war, friendly clans frequently make alliances,

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[55] Lelans and Prince, *Kulóskap the Master,* p. 27.

[56] Heine Geldern, in Buschan's *op. cit.* ii:i. 800.

[57] *Ibid.* ii:i. 905. *Cf.* also van Vollenhoven, 'La découverte du droit indonésien', in *Études de sociologie et d'éthnologie juridique,* xiii, 11.

[58] v. Hoëvell, 'Bijdrage tot de Ethnographie van den Indischen Archipel', in *Intern. Archiv f. Ethnographie,* iii. 07.

[59] Wehrli, 'Beitrage zur Ethnologie der Chingpaw', *ibid.* xvi. Suppl. B, p. 64.

[60] Stubel and Meriggi, *Die Li-Stamme der Insel Hainan,* p. 288. Conc. the Mandjurian Mongols Chigolagan, usually including several tribes, see Lattimore, *The Mongols of Manchuria,* p. 152.

[61] Vroklage, 'Die sozialen Verhältnisse Indonesiens', in *Anthropos,* iv:i. 400.

[62] Aylmer, 'The Country between the Juba River and Lake Rudolf', in *The Geographical Journal,* xxxviii. 295.

[63] Meyer, *Ostafrikanische Gletscherfahrten,* p. 217.

Shinakulobye, and send messengers to each other, or they have special means of communicating news in case of war[64].

Yet again, there are treaties of peace between the Ehwe negroes and neighbouring tribes[65]. M. Hazoumé tells us that the Dahomeyans 'ne se confient de secret, ne se prêtent une assistance mutuelle, ne s'associent pour une affaire importante, enterprise commerciale, etc., ils ne se dévouent jusqu'à la mort, les uns pour les autres, que s'ils se sont juré confiance, la discrétion, la sincérité, la loyauté, le dévouement en contractant le pacte de sang'. And 'la révélation du pact de sang', which different tribes call by different namnes, is ascribed 'un être surnaturel'[66].

Dr. Nadel in his interesting study of the Nuba, hill tribes in Kordofan, states that the legal relations between different political units are not entirely covered by the formula 'law within, and lawlessness without'. To the growth of the political unit in Otoro tribe, to the extension of the area of a 'common law' under the influence of tribal chieftainship, there must be added an extension of the concept of law of a different order. Like the former, it modifies the distinction between fellow citizen and stranger and supersedes the clear-cut rule: peace with one, war with the other. But this new extension does not obscure or modify the political units themselves. It leads to the creation of an intermediate 'zone' of law and order, the recognition of a political status half-way between political union and the wide range of 'enemy' groups.

A blood pact could also be extended to whole groups. It outlawed warfare and raids and established relations of friendship and alliance between communities. Such pacts existed, since many generations, between Salara and Katla, or Nyitil and Dilling. They were concluded, on the part of Nyima, by the 'hill priests', and on the part of the other group by some powerful man (as in Katla) or by the chief of the tribe (as in Dilling).

The group-law allows of no 'extension'; inter-group relations are governed by magic, sacred pacts which preclude the question of redress and responsibility and admit only rites of expiation and supernatural sanctions. Such was the situation when the alliance embraced groups of different culture and descent, like Otoro and Tira, Nyima and Katla, Dilling and Kaduru[67].

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[64] Junod, *The Life of an South African Tribe,* i. 433 sq; Weissenborn, 'Tierkult in Afrika', in *Intern. Archiv f. Ethnographie,* xvii. 138. Conc. treaties contracted between Ba-Yaka, Ba-Mbala and neighbouring chiefs, *cf.* Torday and Joyce, 'Notes on the Ethnography of the Ba-Yaka', in *Journ. Anthr. Inst.* xxxvi. 49, and *ibid.* xxxv. 409.

[65] Spiet, *Die Ewe Stämme,* p. 816 sq.

[66] Hazoumé, *Le pact de sang au Dahomey,* p. 11.

The treaties concluded by the Abyssinian tribes between themselves were also believed to be under religious protection[68].

We shall see later on that alliances played an important role among the Indians of North America. Besides actual alliances, many tribes used to conclude between themselves special treaties of peace, as *e.g.* the Cherokee[69], the Salishan tribes of the Plateaus[70]. The Haida Indians arranged treaties of peace by delegations from hostile tribes. The treaties were made under special ceremonies, and terminated with a many days' feast[71]. It can not be denied that the Iroquois already before their contact with the Europeans were known to commit treason, but it is on the other side also said that they strictly fulfilled their treaties.

One of the means by which the Aztecs attained their predestined greatness, was to contract foreign matrimonial alliances with powerful nations. Clavigero states that the Mexicans resorted to discussions with their adversaries, which discussions soon led to accomodations between the parties concerned[72].

We hear that 'embassies' were sent from Aztecs to Tezazomac, when Huitzilihuiti, a powerful chief, wanted to get a wife. He sent his delegation to Tezazomac with a most humble and flattering petition, requesting that all powerful sovereign to favour him with one of his daughters. Mention is made also of other alliances among ancient Mexicans[73].

To take some classic parallels it can be stated that in the Homeric poems we find that the international relations included the making of truces[74]. Oaths, invoca-

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[67] Nadel, *The Nuba,* pp. 157 sq, 455, 492.

[68] Paulitschke, *Ethnographie Nordost-Afrikas,* ii. 136 sq.

[69] Mooney, 'Myths of the Cherokee', in *Ann. Rep. Bur. Amer. Ethn.* xix:i. 383 sq.

[70] Teit, 'The Salishan Tribes of the Western Plateaus', *ibid.* xlv. 386.

[71] Bancroft, *Native Races of the Pacific States,* i. 164; *cf.* also Powell, 'Indian Linguistic Families, etc.', *ibid.* vii. 164. Conc. treaties in later times between Indians and the American Government, see Royce, 'Indian Land Cessions in the United States', *ibid.* xvii:ii, 639 sqq; Mallery, 'Picture-Writing of the American Indians', *ibid.* x. 359 sqq; McKenney and Hall, *Indian Tribes of the North America,* ii. 67 sq.

Morgan (*League of the Iroquois,* i. 327) says: 'The Iroquois are illustrious for their unwavering fidelity to treaties. Both with agricultural nations and with the white intruders they frequently entered into treaties'. Mühlmann (*Krieg und Frieden*), p. 182: 'Es steht fest, dass sie (die Irokesen) die ordnungsmässig gemachten Verträgen auf das punktlichste und fast mit einer Art heiliger Erfurcht einhielten und tief empört waren uber Vertragsbruch von anderer Seite'.

[72] Clavigero, *Storia antiqua del Messico,* i. 370.

[73] Bancroft, *op. cit.* v. 362, 397 sq, 414.

[74] *Iliad,* vii. 375 sq, 408 sq.

tions of the gods, imprecations on the treaty-breaker, sacrifices and feastings also were concomitant with a treaty between Greeks and Trojans[75].

The covenants recorded in the Old Testament are, for the most part, agreements between single persons, but certain forms and ceremonies were, no doubt, common to such covenants and international treaties, as *e.g.* the setting up of a pillar and a heap of stones, the invocation of the God of Abram and the God of Nahor, Jacob's oath by the fear of his father Isaac, and the sacrifice and eating of bread on the mountain in the covenants between Jacob and Laban. The treaty between Isaac and Abimelech is similarly accompanied by feasting and oath-taking. In Josua's peace with the people of Gibeon the princes of the congregation swore by the Lord God of Israel[76].

In the historical period we find in Greece certain primitive survivals. Through the whole of the antiquity the gods presided over all treatymaking, and the oath was a predominant factor; the transition from ancient to modern times is marked by steady decline of these religious elements. The gods were called as witnesses by oaths and imprecations. The treaties were considered to be under the seal of the gods themselves. Ancient writers give details of a number of more or less picturesque ceremonies accompanying oath-taking between less civilized nations; of these the most important is the bloodcovenant[77].

Instances of treaties between semi-primitive and ancient Oriental peoples for extradition of criminals or deserters, have been recorded. The most famous of these treaties and the most detailed known to the ancient world was that drawn up between Ramses II and Chetasar (Hattushitish III), prince of the Hittite (1280 B. Chr.), when two Hittite-envoys brought the text of the treaty written on silver tablets[78].

Nadel mentions that among the Nuba tribes the fact of friendship between Kortala and Delami was sworn on the persons of two *Kujurs,* who represented the tribes. The pact with the Togiya Arabs was concluded, for the Koalib, by their *Kujur*; for the Arabs by their *Nazir:* the Koalib swore on the Korân, the Arab on the person of the *Kujur*. The need of a supernatural sanction behind this office of an 'ambassador' and peacemaker, whose person must be inviolable and whose word sacred, explain that it was first entrusted to a priest[79].

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[75] *Ibid.* iii. 103, 268-301; iv. 156 sq.

[76] *Gen.* xxxi. 44-45; *Geb.* xxvi. 28 sqq; *Joshua,* ix. 15, 19.

[77] *Virgilius,* xii. 13, 118-120, 170-174, 200-215; *cf.* viii. 614: et caesa jungebant faedera porta. *Livius,* ix. 5; *Polybius,* iii. 25.

[78] *Cf.* Breasted, *Ancient Records of Egypt,* iii. 373 sqq; *idem, History of Egypt,* p. 437 sq; Müller, 'Der Bündnissvertrag Ramses II und des Chretierkonigs', in *Mittheilungen der vorderasiatischen Gesellschaft,* vii:5. *Cf.* p. 292.

Thus we find even in the primitive world a rudimentary form of treaties, but also—and this is more interesting—alliances of friendship and peace.

The missionary Orsmond, in the eighteen-thirties, makes mention of an alliance among the Tahitians, which goes to show that the relations between different islands were favoured by friendly—and partly matrimonial—connections. The alliance was called *Hau-faatou-aroha,* which is supposed to mean 'the alliance of prolonged friendship (peace)'. According to Prof. Mühlmann this name is bound up with escatological ideas to the effect that the world had become decrepit (*'die Überalterung der Welt'*) and required renovation on the part of the natives. The alliance, which included both priests and warriors and was renewed at fixed periods, was protected by special watchmen. The members were the king's (chieftain's) particular guests at court and were treated as messengers and envoys. But the right of hospitality among the Tahitians sometime merged into domiciliary right for natives of other islands. The islanders travelled to each other in large double canoes which were often filled with presents to those who were visited and with offerings to the gods. Mühlmann traces the traditions of the alliance back to the 16th century and ascribes its decline to European influence. He seeks also sociological analogies within the field of hospitality by comparing, too boldly as far as I can see, the *Proxenos* of the Greeks and the *hospicium publice datum* of the Romans with the Tahitian institutions[80].

The *Proxenos,* as we shall see later on, were consuls of sorts who had to take pains about the well-being of their compatriots in foreign countries. But there is, as Mühlmann himself observes, another comparison more easily found: certain watchmen of alliances in New Guinea. These are persons who have, from early youth, grown up among foreign tribes, speak their languages and when dissensions occur, act as mediators between the tribes. In view of the mediative role of these watchmen Mühlmann is inclined to consider them as a kind of *Proxenos,* a very speculative construction[81].

More or less similar alliances of several tribes are found in other parts of the primitive world: in Indonesia[82], where they, as a rule, have a somewhat secret

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[79] Nadel, *The Nuba,* p. 447 sq.

[80] Muhlmann (*Staatsbildung und Amphiktyonien in Polynesien,* p. 81 sqq): 'Diese Inselreiche schlossen eine Übereinkunft, dass ihre Priester, Scholaren und Krieger sich regelmässig in Opoa zum Zwecke grosser religiöser Veranstaltungen und internationaler Bedeutung treffen sollten'.

[81] Mühlmann, *op. cit.* p. 84; *idem, Rassen- und Völkerkunde,* p. 286.

[82] Vroklage, *loc. cit.* vi:i. 400; *cf.* also Jaussen, *Grammaire de la langue Maorie,* pp. 94, 103, 156.

character; in Manchuria, where *e.g.* the Chigoleans-alliances comprise many different tribes, etc. Formal peace alliances are to be concluded by the Chinese Li-tribes in the Island of Hainan[83].

The five tribes in Jubaland in British East Africa, Boran, Sakuju, Gubbra, Ajuran and Gurreh are, as we have mentioned before, bound together by treaties of friendship, which are furthermore ratified by intermarriages[84].

Political leagues, offensive and defensive, and leagues of friendship, are, as we see, not uncommon among savage peoples. But nowhere are they so highly developed as among the Indians of North America. Usually these alliances were formed by two or more tribes who wished to enter into a compact and formally establish the principles according to which they were to govern themselves, or else take collective action in case of danger and need. Alliances were also formed to meet some grave temporary emergency. The unite of the confederation was the organized tribe. The confederation had a supreme council composed of representatives from the contracting tribes of which is was composed. The executive legislation and judical function of the council or league were exercised by the supreme council. The chiefs of the federal council and the subchiefs of each tribe constituted the local council of the tribe[85].

Perhaps the most remarkable of these leagues, representing by far the greatest political progress by any Non-European and Non-Oriental people, was that of the Iroquois Indians, founded, according to the saga, about 1400-1450 after Christ by Hiawatha, when five tribes, the Mohawk, Oneida, Onondaga, Cayaga and Seneca, still in the hunting and fishing stage, or perhaps in a stage of limited agriculture, formed a confederacy among themselves which enabled them to control or absorb surrounding tribes and build up a Indian empire. Later the Cayugu and the Tuscaron tribes, who had been living farther south in North Carolina, came and joined the league. The league—the best account of which is Morgan's *League of the Ho-de'-no-sau-nee, or Iroquois*—was not based on the clan, but on tribal phratries or tribes. It was organized and administered on the same principles which obtained in the case of each separate nation. The league did not principally destroy the autonomy of several tribes, but provided for a centralisation of external relations. Once a year, or oftener, representatives from the tribes, the *Sachems,* met in council to legislate for the confederacy. They sent and received envoys,

[83] Lattimore, *Mongols of Manchuria,* p. 152.

[84] Aylmer, 'The Country between the Juba River and Lake Rudolf', in *Geographical Journal,* xxxviii. 295; *supra,* p. 213.

[85] Goldenweiser, *Anthropology,* p. 334; Hewitt, in Hodges, *Handbook American Indians,* p. 337.

arranged alliances with outside tribes, admitted new members, and decided questions of peace and war.

Among the Iroquois and Huron women exercised a considerable authority, they took part in the election of the chief and sometimes constituted the majority of the tribal council, though the actual chiefs were always men.

The boundaries of the different tribes were mostly fixed. At its mightiest the League controlled a territory extending east of the Mississippi, from St. Lorenz to Tennessee and from the Atlantic to the Mississippi. The League had a certain totemistic-religious character and was based on a matriarchy which gave an important position to women. But even if a totemistic trait is discernible, the religious element does not seem to have played a role worth mentioning. The League never nominated priests; it may even be questioned whether we do not here come across a primitive but elementary distinction between society and religion.

The general features of the Iroquoian Confederacy may according to Morgan be summarized in the following propositions:

1. The League was thus a union of five tribes, composed of common phratries or gentes, under one government on the basis of equality.

2. It created a general council of *Sachems,* who were limited in number, equal in rank and authority, and invested with supreme power over all matters pertaining to the confederacy.

3. Fifty *Sachemship* were created and named in perpetuity in certain gentes of several tribes; with power in these gentes to fill vacancies, as often as they occurred, by election from among their respective members. The right to invest these *Sachems* with office was reserved to the general council. These fifty chiefs came from the five original tribes. The Tuscarona chieftains also sat at the deliberations of the chiefs, but their role was purely consultative.

4. The *Sachems* of the League were also *Sachems* in their respective tribes, and with the chiefs of these tribes formed the council of each, which was supreme over all matters pertaining to the tribe exclusively.

5. Unanimity in the council of the League was made essential to every public act.

6. In the general council the *Sachems* voted by tribe, which gave to each tribe a negative upon others.

7. The council of each tribe had power to convene the general council; but the latter had no power to convene itself.

8. The general council was open to the orators of the people for the discussion of public questions; but the council alone decided.

9. The League had no chief executive magistrate or official head.

10. Experiencing the necessity for a general military commander, they created the office in a dual form, that one might neutralize the other.

The two principal war chiefs were equal in power.

For general purposes of tribal government the five tribes were independent of each other. Their territories were separated by fixed boundary lines, and their tribal interests were distinct. As an organization the tribe was neither weakened nor impaired by confederate compact.

The tribes occupied a position of equality in the League, respecting rights, privileges, and obligations. Such special immunities as were granted to one another indicate no intention to establish an unequal compact or to concede unequal privileges.

Unanimity among the *Sachems* was required upon all public questions, and essential to the validity of every public act. They voted in council by tribes, and the Sachems of each tribe were required to be one mind to form decision.

Of particular interest was the foreign policy of the Iroquois League. Diplomatic relations with other nations were maintained through special envoys who were sent and received by the *Sachems* or the chiefs. And these envoys, like those of European peoples, were *permanent,* whereas primitive peoples, as a rule, employ but *temporary* emissaries.

In addition the Iroquois tribes had *runners* who were equipped with belts of wampun, and sent to summon the members of the League to meet at a fixed day in a fixed place.

The foreign envoys, or the representative of a nation belonging to the league would be heard with patience and close attention, the question would be fully debated, and the reply given[86].

Envoys were sent even to distant and hostile tribes, *e.g.* to the far-away Cherokees, the hereditary enemies of the Iroquoian nation, and to the western Algonkins. A close alliance was concluded with the far-spread Ojibway tribes[87].

The League was maintained for at least two hundred years, and comprised, at its largest, 20000 souls on a territory of more than 5000 km^2.

At length French influence and the sympathy of the Ojibways for the conquered Hurons somewhat weakened this creation of Hiawatha's.

It is however difficult to form an exact idea of the intertribal character of the Iroquois League. Hale, who is of opinion that the name itself means 'the great Peace', argues that the *Iroquois Book of Rites* shows the nation as 'a kindly and affectionate people, full of sympathy' for their friends in distress, considerate of their women, tender to their children, kind to the orphan, hospitalable to all, anxious for peace. 'So effective was this provision of their constitution', Hale says, 'that for more than three centuries this main cause of Indian wars

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[86] Morgan, *op. cit.* i. 104 sqq; Hartland, *Primitive Law,* p. 122; Radin, *Social Anthropology,* pp. 45, 48; Wissler, *Man and Culture,* p. 340; Colden, *History of the five Nations of Indian,* chh. ii. and iii.; Tozzer, *Social Origins,* p. 201 sq.

[87] It is also mentioned that the territory of Iroquois some time became the great Asylum for other Indian tribes, *cf.* Mooney, 'Myts of the Cherokee', in *Ann. Rep. Bur. Amer. Ethnol.* xvix:i. 351 sqq. Older authorities speak of fifty permanent Sachems. According to Radin (*op. cit.* p. 50) this is preposterous because these *Sachems* were simply former chiefs invested with new functions and new dignities.

was rendered innocuous, and the Great Peace remained undisturbed'. According to Hale, 'Covenant chain' or 'Chain of Friendship' was the Iroquois expression for the treaty of union. Their wampun belt had on it a line which was a 'peace-path' from tribe to tribe[88]. The League, Speck says, was an alliance conceived among aboriginal nations, which, through culturally related and speaking languages fundamentally similar but differing in vocabulary and idiom, had recurrently been in conflict. The League brought them out of conflict into peace. Speck also finds that 'first of all, the Iroquois were, and still are, a decidedly democratic people'. He mentions their chiefs as men of high moral quality[89].

Some other scholars have also asserted the opinion that one of the League's great objects was to maintain peace and to break up the spirit of warfare, and to live in harmony with the neighbouring peoples. The Iroquois are also described as illustrious for their unwavering fidelity to treaties[90]. It is true that the Iroquoian chiefs did not neglect any endeavours to maintain peace, but they also tried to make all other Indian tribes merge in the League in order to create a great Indian confederation, and if this object could not be attained by peaceful means they did not hesitate to have recourse to arms[91]. We find from many sources, especially historical ones, that the Iroquoian League did not lack warlike tendencies, especially when the subjugation of other tribes was concerned. The Iroquois chiefs may have been quite sincere when they claimed that their main object was peace and that they wanted to incorporate other tribes for the purpose of establishing a reign of quietness among all North American Indians, but this aim was pursued also by warlike means, which, of course, was not in keeping with the European way of maintaining either peace or the dignity of Law.

At least in one period of their history the various nations belonging to the Iroquoian group were engaged in fratricidal conflicts for the possession of the rich valley in central New York, and when a neighbouring people refused either to join the confederacy or conclude a treaty or an alliance with it, the almost inevitable result would, sooner or later, be a war. After his submission, however, an enemy was spared and allowed to retain his territory and nearly all his property. He was only required to acknowledge himself subject to the Iroquois, to pay his tribute and to refrain from taking any part in active warfare. A distinguished foreign warrior who had been made a prisoner was mostly well

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[88] Hale, *The Iroquois Book of Rites,* pp. 32 sq, 68 sq.

[89] Speck, *The Iroquois. A Study in Cultural Evolution,* p. 33, 36 sq.

[90] Colden, *op. cit.* ch. ii.

[91] Ramsey, *Annuals of Tennesee,* pass.; Webb, 'An Archaeological Survey of the Norris Basin in Eastern Tennesee', in *Bur. Amer. Ethnol. Bull.* (*Smithsonian Inst.*) cviii. 208 sq.

treated: he retained his liberty and even received gifts, but was obliged never more to fight against the Iroquois. Hospitality and asylum were used for the assimilation of foreign tribes. Hiawatha, according to the story, had to endure many conflicts with his evilly disposed rival chief Atortaho, the 'Entangled One'; many other tribes were, at first, against the project of the Iroquoian chief, and even among his own people he had to overcome opposition to his reform[92].

According to Jennes and Speck the League of the Iroquois would have extended its way from the Great Lakes to the Atlantic by the subjugation of the Algonkins, had not the expansion of European colonists checked its progress. 'Even though it never reached full blossom it will always remain a monument of the political genius of the Iroquois people'[93]. Also Kroeber finds that the spirit of Iroquoian culture at large shows a clear tendency to organize peoples into confederacies[94].

The League is a interesting illustration of the manner in which a primitive confederacy arose by natural growth, Indian organization and skilful legislation. And as we have pointed out, it is the first time among peoples without in historical meaning written culture, as we meet with a diplomacy which operates with permanent envoys and missions. In the 'pre-history' of diplomacy—I do not use the word in archaeological sense—the intertribal or international relations of the Iroquoian League are very remarkable.

There were, in North America, other alliances of similar kind though of less importance, *e.g.* the league of the Ogala (Sioux) of the Plains, the league of the Powhattan among the tribes of Virginia and Maryland, the Yoruk and the Western Mono tribes in Southern California[95].

Among looser confederacies we find some actual alliances, like the Chippewa, Ottawa, and Potawatomi, the seven councils of the Dakota, Yaga, and Seneca, and the loose Caddo confederacy, which also were held together largely by religious affiliation. After the resettlement of Chichén Itzá among the Maya in Yucatan, about 1250 A.D. an alliances was concluded between Itzá and the rulers of Mayaoan and Uxmal, both Maya cities. Mayapan, the great centre of the worship of Kululca, the feathered snake god, seems to have been, from the first, the paramount partner in this triple alliance. Chichén Itzá was the great religious centre

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[92] I remind of *The Song of Hiawatha* of H. W. Longfellow.

[93] Jennes, *The Indians of Canada,* quot. by Speck, *op. cit.* p. 26.

[94] Kroeber, *Cultural and Natural Areas of Native North America,* quot. by Speck, *op. cit.* p. 33.

[95] Wissler, 'Societies and Ceremonial Associations in the Oglala Division of the Teton-Dacota', in *Amer. Mus. Natural Hist. Anthr. Papers,* xi. 3, 7; Mooney, 'Myths of the Cherokee', in *Ann. Rep. Bur. Amer. Ethn.* xix:i. 555; Krickeberg, in Buschan's *Ill. Volkerkunde,* i. 109, 120, 188.

of later times, and Uxmal held a position of ominous importance in the league. The two centuries during which the alliance endured were a period of great prosperity. The three city states dominated between them the whole of Northern Yucatan and were, no doubt, able to exert their influence on whole the Maya speaking world, extending as it did almost to the shores of the Pacific. The chief cities grew into mighty powerful places, new colonies were established. The new Empire bid fair to outstrip in power and magnificence its forerunner in Guatemala. The circumstances that led up to the destruction of the league are obscure[96].

It is possible that the Maya League was the most ancient of all Indian alliances, and it m a y have been the prototype of later tribal confederacies. The sources are too scarce to show to what extent the Maya culture may have influenced the Iroquois; of Maya diplomacy we know next of nothing. Yet in view of the importance attached to treaties and alliances even among savage peoples it is by no means unlikely that intertribal, not to say international diplomacy has played a significant role in the cultural development of Central American nations.

And some parallels from 'historic time': We know from Greek history the Amphictyonic League, the Peloponesian League, flourishing during the fourth century B.C., the Delian confederacy of Athens, and the Aegan cities, the Archean Leagues, 280 B.C.

In theory and to a large extent in practice the Roman Empire constituted a league of nations as tremendous as the Geneva or Lake Success organizations: from the present Great Britain to the border of India, from Russia to Sahara the same leading, the same government. Nations were left in possession of their religion, their culture and to a great extent their local autonomy. Sovereignty alone was absorbed in the empire. There prevailed the *pax romana,* in later days world-citizenship was the general prerogative. But the sanction for this vast government was military power. In the Middle Ages the theocratic idea found expression, the idea of a God who knows no barriers, neither Jew nor Greek, bond or free, a combination of theocracy and imperialism until the 14th century as the decline of the papal supremacy.

As we have seen, peace within the primitive group is established by social instincts. The establishment of group expectations and intergroup conventions that shall serve for the maintenance of intergroup order is perhaps the most difficult task of reason. But if reason even has its way in this sphere of human action it will extend the application of ethical sentiments over intertribal to international relations, as it has done and still is doing with reference to wider and more

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[96] Speck, *Ethnology of the Yuchi Indians,* p. 286 sqq; Thompson, *The Civilization of the Mayas* (*Field Mus. Nat. Hist. Anthr. Papers*), 1:25, 17 sq.

impersonal relations within the group: then group peace will extend so as to include brotherhood of humanity.

I will terminate this chapter by citing some words of Clark Wissler: 'Students of politics and government have found much to admire in the working of leagues (of North American Indians). There is some historical evidence that knowledge of the league influenced the colonies in their first efforts to form a confederacy and later to write a constitution[97].

[97] Wissler, *Indians of United States,* quot. by Speck, *op. cit.* p. 37.

Chapter IX

The Trade as Promotor of Intertribal Relations

The circumstances which even at a lower stage of civilization tend to bring tribes and peoples together and then help to develop international relations, are to some extent, with the exception of magic and religious festivals, factors which are again predominant in modern diplomacy, —namely, the interests of trade. It is certainly true that to the primitive man the little circle within which he lives is often the only possible social world, and that beyond its limits lies an unknown country peopled by beings whom he fears and hates, and whose very existence he regards as a menace to his own. It is very difficult to describe with any precision the boundary-line where goodwill ceases and enmity begins. But gradually the circles become larger and just trade interests proved at an early stage their ability to overcome the barriers set up between tribes and other groups.

Some economists like to maintain that trade and its interests do not exist among primitive peoples, while ethnologists and social anthropologists, on the other hand, consider that trade has always been intimately connected with economic life.

Bücher states that primitive peoples have no trade, while Schmoller considers that we know no tribe or people without trade[1]. Lindblom finds in trade one of the original elements of human culture[2]. Thurnwald regards the conception of primitive peoples as living without trade as quite incorrect[3], and Peschel says: 'We may assume that commerce has existed in all ages and among all inhabitants

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[1] Bücher, *Wirtschaft der Naturvolker,* p. 26; *idem, Entstehung der Volkswirtschaft,* i:ii., pass.; Schmoller, *Grundriss der Volkswirtschaftslehre,* i. 462.

[2] Lindblom, 'Handelsmetoder bland primitiva folk', in *Handel och Samfärdsel,* p. 1.

[3] Thurnwald, *Economics in Primitive Communities,* p. 141.

of the world'[4]. Thus opinions differ very much according to the point of view from which trade is regarded.

It is anyhow apparent both from archaeological evidence and from the ubiquity of present day trading practices the world over that the passage of goods from one people to another is of extreme antiquity. As Russel states, perhaps from the prehistoric side the most striking example 'is that of a shell from the upper Palaeolithic deposits of Southern France which could have come only from Eastern Mediterranean areas'[5].

We may not, of course, deduce from the fact that some primitive peoples of the present day have acquired things not to be found within their district, that trade has always existed between all human groups. It is also very difficult to form in our times a correct conception of trade as it was in the beginning. The most primitive peoples of our day are from the first affected in their trade by more highly developed peoples and their trading methods. The question of primitive trade has been a subject of investigation for sociologists and ethnologists, but it certainly seem as if in so doing they have mostly concerned themselves with the actual methods used, and that the connection between the different forms of trade and the milieu and the economic-geographical circumstances has not been sufficiently emphasized and that the role of trade as a promoter of international relations have been given little attention.

Can we then say that mercantile relations exist among uncivilized peoples? If we take trade in the sense of national economy as the organized purchase of utility articles with the object of selling them at a necessary profit, it can be questioned whether such transactions occur among primitive peoples. Trade based upon demand and supply is, of course, not very extensive among nomadic or such tribes as scarcely have fixed habitations, who carry on *aneignende Wirtschaft, i.e.* a gathering economy. Among these gatherers, and among fishing and hunting peoples food is the only article they have for barter. Cultural possessions are with them very few in number and, as regards handicrafts, usually each man is his own provider of what he needs. Under similar geographical circumstances, primitive nomads produce fairly similar articles.

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[4] Peschel, *The races of man,* p. 210. *Cf.* also Kaukovalta, *Handelns historia,* p. 5 sqq; Graebner, in Andrée's *Geographie des Welthandels,* i. p. 149 pass; Letourneau, *L'Evolution du commerce,* intr.; Schurtz, *Afrikanische Gewerbe;* Lasch, in *Zschr. f. Socialwiss.,* ix. 619, 700, 764 pass; Grierson, *The Silent Trade;* Viljoen, *Economics of Prim. Peoples,* ch. xi.; Elisabeth Hoyt, *Primitive Trade (Foundations of Econ. Value)*; Somlo, *Güterverkehr in der Urgesellschaft;* Krause, *Das Wirtschaftsleben der Volker;* Firth, *Primitive Polynesian Economy;* Steward, 'The Economic and Social Basis of Primitive Bands', in *Essays in Anthropology to A. L. Kroeber,* pass.

[5] Russel, quot. by Herskovits, *Economic life of primitive peoples,* p. 171.

But when considering settled primitive peoples we find rather different circumstances. Here already can be found trade transactions which imply that the economist's definition is an unnecessary limitation of the idea of trade here under discussion. The desire for enjoyment and decorations very early brought about what we must call trade relations. Similarly the wish to vary the *daily menu.* There are trade contacts between tribes which are based upon peaceable relations and are not incompatible with the fact that trade sometimes runs parallel with less peaceful forms of journeys to foreign peoples and countries.

Primitive trading is perhaps originally due not to the desire to make a profit, but to obtain directly the goods required, and therefore it appears at first sight to lack the pursuit of commercial profit in our sense. The importance of primitive trade is often underestimated by economists because of Bücher's conception 'eine geschlossene tauschlose Haushalt'. Trade is certainly at first collective, an affair of the tribe or clan, managed by the clan or the tribe, or by a council of elders[6], and the collective principle continues even when foreign trade appears. Malinowski states that the primitive trade in the Trobriand Archipelago is based on a 'definite system of division of functions and a rigid system of mutual obligations, into which a sense of duty and the recognition of the need of co-operation enter side by side with the realization of self-interest, privileges and benefits'[7].

Further its seems to me that the connection of trade with booty and plundering has been exaggerated very much. It can scarcely be correct to assume with Schurtz and Kulischer that trade originated in plunder and violence, still less to state with Müller-Lyer that 'the oldest form of contact between groups of people is war and the oldest form of exchange of goods (*Güterübergang*) between stranger groups is war'[8]. Among some of the wandering peoples, *e.g.* nomads, this may sometimes have been the case, but the lowest groups are as a rule quite ignorant of such forms of trade, even when it is not wholly absent.

Practically throughout the primitive part of the Australian continent—especially among the exogamous-totemic tribes—there has been since ancient times a network of trade-paths and ways, along which the objects of trade have moved from tribe to tribe. And this exchange had nothing to do with violence and robbery any more than barter in the primitive world in general. Trade transactions are

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[6] Among the Yakuts, for instance, the trade is directed by the council of elders; *cf.* Czaplicka, *Aboriginal Siberia,* p. 57.

[7] Malinowski, *Crime and Custom,* ch. ii.; *cf.* also the primitive *Symmetrie von Handlungen,* of which Thurnwald speaks in *Die Gemeinde der Bánaro,* p. 10.

[8] Schurtz, *Urgeschichte der Kultur,* p. 279 sqq; Kulischer, in *Jahrbuch f. Nationalokonomie u. Statistik,* iii. F, xviii. p. 321; *cf.* Graebner, *loc. cit.* i. p. 159; Müller-Lyer, *Phasen der Kultur,* p. 264; Mauss, in *L'Année Sociologique,* i. 30 pass.

often connected with solemn occasions, magic and religious festivals. And the persons who barter enjoy special privileges which may almost be termed extra-territorial[9]. We see the same phenomenon in many other parts of the primitive world. Just as it was necessary for the primitive communities to set up some kind of communication with each other—by means of messengers, envoys and other representatives, which were quite common already among them—the need for some kind of trade connection also appeared quite early.

As we shall see, primitive trade had at first little of a commercial character; it was more an expression of the need for some form of social life and festivities. Such celebrations arranged by one group for another arise just from a desire to be together[10].

The principle of give and take lies deep in human nature. For primitive man it is nothing strange to give and receive presents, in the first place, of course, within the family or tribe. Such g i f t s can either spring from pure goodwill, without any thought of return—simply as an expression of the *do-ut-des* principle of gratitude and sympathy—but just as often, if not oftener, they can be based upon the conviction or expectation of the magical effect of the gifts. Soon the giving of presents developed into an exchange of articles, *i.e.* in certain cases it is a question of giving rather than of exchanging and in others more an exchange than a giving. Sometimes one states what one wishes for in exchange; then the gift is not an expression of goodwill but rather a formal reminder that something is desired in return. In other cases the gift can also be a kind of bribe or compensation for injuries done and, as already stated, is often connected with religious conceptions. Trade is a *commercium* which like *connubium* tends to bring about friendly relations. Thus in many instances a practice prevails of giving presents in expectation of a suitable return, in some cases not merely this, there is a distinct understanding, and not infrequently the object desired in return is specified. A refusal to accept the gift can be taken as a gross insult, but on the other hand, as already stated, a gift presumes a recompense of at least equal value.

In the beginning the e x c h a n g e o f g i f t s had more a social than a commercial mission—to create goodwill and peaceful intercourse. The gift was a greeting and, if a return greeting did not follow, the fact could be taken as

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[9] *Cf.* Howitt, *Native Tribes S.-E. Australia,* p. 714; Spencer and Gillen, *Native Tribes Central Australia,* pp. 576, 602; *idem, Northern Tribes Central Australia,* pp. 670, 675; Roth, *Ethnol. Studies W. Central Queensland,* p. 13.

[10] Vierkandt, 'Das genossenschaftliche Gemeinwesen der Naturvölker', in *Festschrift Eduard Seler,* pp. 588 sqq, 596 sq.

[11] Cooper, 'Analythical and Critical Bibliography of the Tribes of Tierra del Fuego', in *Bulletin Amer. Ethn.* (*Smithsonian Inst.*) lxiii. 45, 179.

a sign of unfriendliness or even enmity. Among the Yahans, for instance, a gift cannot be refused without the danger of offending the giver who expects a return gift[11]. The same is the case among the Masai[12].

The gifts can also become signs and symbols of certain wishes which, by means of similar symbolic gifts, are granted or refused. In this way a gift language develops. The primitive practice of exchanging articles partakes in some cases of the nature of giving rather than of bartering, and in others of bartering rather than of giving. Among many peoples trading is preceded by all kinds of prayers. The exchange of gifts acquires a more general character in connection with special events; such as birth, initiation, marriage, tribal feasts.

The Australian *Corroborree* festivals which, as we have seen before, are very important in the social life of these people, include an exchange of gifts. The assembly lasts about three days and the first day is given up to the distribution and exchange of gifts, the other two days to games and feasting[13]. Among the Zuñi Indians such giving is always done with the maximum of publicity, and this is flattering to the recipient, who is thus singled out. 'Since no one is ashamed of poverty, no one feels embarrassed at receiving gifts. On the contrary it is a proof of the fact that his relatives love him'[14].

At first the presentation of gifts has seldom a commercial factor even when it is bilateral in character; and if it has no economic significance, it does in any case indicate the strengthening of certain social bonds. In Bunin on the Solomon Islands both parties barter shell money of the same quantity without a thought of financial income[15]. The gifts of food among the Trobriand Islanders must be offered according to strict formalities. Malinowski states that the exchange of gifts is carried on mostly within a standing partnership, or is associated with definite social ties or coupled with a mutuality in non-economic matters. 'Most, if not all, economic acts are found to belong to some chain of reciprocal gifts and counter gifts, which in the long run balance, benefiting both sides equally' Malinowski says[16]. Among the African Bantu a gift is never recoverable, but it is customary with many tribes for a return gift to be made and this may amount to a claim. Moreover a gift is usually a form of greeting and if no

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[12] Merker, *Die Masai*, p. 204.

[13] Stranbridge, 'Tribes in Central Part of Victoria' in *Transactions Ethnol. Soc.*, N. S., i. 279, 295.

[14] Bunzel, in Boas, *General Anthropology*, p. 355.

[15] Malinowski, *Argonauts in the Western Pacific*, p. 175; *idem, Crime and Custom*, p. 29.

[16] Malinowski, *Crime and Custom*, pp. 29, 39 sqq: 'reciprocity lies at the basis of social structure' (*cf. op. cit.* ch. ix.).

return greeting were offered this would be construed as a hostile act[17]. In North and South America the presenting of a gift on the basis of an equivalent or a more valuable return between either individuals or groups and the ceremonial occasions when the gifts are exchanged have often been reported.

The custom of demanding a gift for a gift was so common among the American Indian, Elisabeth Hoyt states, that the term 'Indian gift' is understood to mean one which demands a return[18]. Herskovits has many references to this circumstance in his study on the economic life of primitive peoples, and he also recalls the competitive striving between chiefs, heads of clans, or individuals for social prestige on the taking of a name or assuming a new rank, to 'avenge' an insult or 'recover face' after a mishap, by means of the distribution of economic valuable goods to indicate the importance of this custom, both as a mechanism for the circulation of goods and, through the increased production necessitated by the requirement of the potlatch, for the stimulation there, as in other areas, of the manufacture of more commodities than would otherwise be produced[19]. It is reported from the 18th century that it was the custom of Chonos to visit the festivals of Chiloes and on such occasions to exchange fish for clothes and potatoes for grain[20].

Gifts as an expression of goodwill thus did not necessarily involve, in the beginning, that the recipient should regard it as an objective in an economic way[21].

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[17] Dundas, 'Native Laws of some Bantu Tribe', in *Journ. Anthr. Inst.* xliii. 276; Kohler, 'Das Banturecht', in *Zeitschr. f. vergl. Rechtswissenschaft,* xv. 15.

[18] Hoyt, *Primitive Trade,* p. 99.

[19] Herskovits, *op. cit.* p. 144 sq. *Cf.* also Spier, 'Klamath Ethnography', in *Univ. Columbia Publ. Amer. Arch. and Ethn.* (1930), p. 43 sqq (Klamath); Kroeber, *Handbook Indians of California,* pp. 29 sqq, 254 sqq; Beaglehole, 'Note on Hopi Economic Life', in *Yale Univ. Publ. in Arch.* xv. 81 (Hopi); Parsons, 'Taos Pueblo', in *Gen. Ser. in Anthr.* (Manasha), ii. 25 (Taos Pueblos); Denig, 'Indian Tribes Upper Missouri', in *Ann. Rep. Bur. Amer. Ethnol.* xlvi. 510 sq (Upper Missouri Tribes).

[20] Cooper, *loc. cit.* lxiii. 45, 179. As regards West Africa Westermann mentions (*Die Kpelle,* p. 36 sqq; *cf.* Tessmann, *Die Pangwe,* p. 209 sqq) journeys that Kpelle undertook just for the exchange of gifts.

[21] The gifts can also, as among the Samoans (Wilkes, *Narrative US Expl. Exp.,* etc. ii. 148) be given during the visits of friends; if food is scarce at home, the visitor brings with him the staple of his district. When a Kubu (Forbes, *A Naturalist's Wanderings,* p. 241) or a Vedda (Bailey, 'An Account of the Wild Tribes of the Veddas of Ceylon', in *Transactions Ethn. Society,* ii. 291) thinks of marrying a girl he opens his suit by making a gift to her father and it is by means of a gift that the Yaghan cements friendship and buys of the vengeance of his victim (Bridges, 'La Tierra del Fuego', etc. in *Bol. Inst. geogr. argent*). Sometimes the purpose of a gift is to procure the abandonment of a right, or to serve as compensation for loss. In Ashango-land, if a stranger accepts a present from the natives he is bound to make some stay in their district (du Chaillu, *A Journey to*

Exchange of gifts has often been a customary accompaniment of the exercise of hospitality. Those who bring rare products are welcome—whether they are Negroes, Indians, Oceanians. An understanding has been reached by which, even among hostile tribes, people may go back and forth as merchants with immunity from violence, or else certain places have been set aside as markets where, as we shall see later, fighting is taboo and intertribal exchange can take place. Gifts thus spring from goodwill or generosity, gratitude or sympathy, although there are exceptions among primitive peoples who give and except no return[22]. Further it is to be observed that in sharing among primitive peoples the giver keeps little or nothing for himself. But in the vast majority of cases gifts are made on the understanding, or at all events in the expectation, that the recipient will make a return, either by giving or by doing, or refraining from doing something, The giving of gifts is thus generally a bilateral transaction and the position of the donor is really that of a person who makes an offer which he can recall until it has been accepted. Individual exchange is not general; but it is usual between clans, tribes, or families. What is exchanged represents not purely economic utilities but a whole system of courtesies, rites, feasts, 'military service'—all of which Mauss groups under the head of *prestations totales*[23].

Prof. Herskovits remarks that an outstanding example of ceremonial device for the transfer of wealth is that which, among the cattle peoples of Africa, has been variously termed 'bride-price' or 'bride-wealth'. It is in effect, Herskovits says, a contractual relationship entered into by the families of bride and groom, whereby the groom gives surety of good behaviour toward his future wife, and in compensation to her family for her loss, tenders his future father-in-law a payment that consists principally of cattle, but may include other goods and services[24]. Loeb mentions that a form of bartering which facilitated the circulation of goods existed on the island of Niue under the name *Fakalofa,* whereby goods or services proffered in friendship were required to be returned in adequate measure. When a catch of fish was made, or taro harvested, relatives of the owner of these goods excepted to receive a share 'in the nature of a *Fakalofa',* but the interchanges under this system were really stabilized by feasts[25].

Ashango land, pp. 243, 328). Crime can be expiated and peace obtained by giving presents (Williams and Calvert, *Fiji,* i. 31; Roscoe, in *Journ. Anthr. Inst.* xxxvii. 108 (Bahima)).

[22] Hamilton-Grierson, 'Gifts', in *Encycl. Religion and Ethics,* vi. 198 sq.

[23] Mauss, 'Essai sur le don', in *L'Année Sociologique,* i. 30 pass.

[24] Herskovits, *op. cit.* p. 149 sq; Schapera, *Handbook Tswana Law and Custom,* p. 125 sq; Hogbin, *Law and Order in Polynesia,* p. 98. Marriage in Bougainville in Oceania as so often elsewhere, is sanctioned by an exchange of goods which in this case takes the form of payments in local currency (*cf.* Blackwood, *Buka Passage,* pp. 97, 445 sqq).

[25] Loeb, 'History and Traditions of Niue', in *B. P. Bishop Museum Bull.* xxxii. 113 sq.

When a tribe begins to produce an article in larger amounts than they require, an economic factor arises: they begin to think of the needs of other groups. Barter has a geographical aspect to the extent that it is chiefly conditioned by the differences between the products of the areas inhabited by the tribes, between coastal and inland districts, between lowland and highland. It gradually becomes a more external form of what was originally and exchange of gifts.

Exchange is not really trade so long as what is transferred does not involve a diminution of the giver's resources, but it easily develops all the machinery of exchange and is first intratribal and then intertribal in character. As Herskovits remarks: as far as necessities are concerned, distribution is merely a matter of allocation of what has been produced within the households of the producers who are the primary functioning units in primitive communities. The process of distribution, especially as it functions within certain tribes, may be marked by a non-economic matrix which takes the form of gifts and ceremonial exchange[26].

Thus barter begins first among members of the same group or tribe, who know each other, then passes to those who live near each other, and finally arises among those who are farther away, even among those who are not on a friendly footing. Barter arises certainly most easily in open areas—flat level land—and in limited districts which produce different things, *e.g.* on islands, where connections between the tribes arise easily because they are not separated by natural boundaries. Thus such trade has been of great importance in Australia's wide regions with their scanty distribution of natural products. Here barter has already the character of a certain group-trade, in that the whole tribe often meet *in corpore* at certain places, not seldom in connection with important ceremonies *e.g.* for ancestors, marriage, which stress their peaceful relations[27].

It may happen that the bartering party has to pass through hostile country, and fight its way—again a *commercium.*

Barter exists practically all over the primitive world even among wandering peoples. In most parts of Australia we find an extensive and at times highly regulated system of intertribal barter as an established institution[28].

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[26] Herskovits, *op. cit.* p. 134.

[27] Howitt, *Native Tribes S.-E. Australia,* p. 175; Brough Smyth, *Aborigines of Victoria,* i. 180; Roth, *Ethnol. Studies. W. Central Queensland,* p. 132; Malinowski, *Argonauts in Western Pacific,* p. 175.

[28] Many wandering tribes have definite boundaries to their movements, hunting areas marked out, and a disregard of these may lead to hostilities. Usually the boundaries are forests, rivers, lakes, mountains, watersheds, etc. *Cf.* supra, p. 23.

In Queensland certain trade-routes, laid down from time immemorial in their own or a foreign country, are followed by the members of a tribe or several tribes *along which each knows that he is free to travel unmolested; these routes of greater or less extent, are rigidly adhered to.* Among the Diery and neighbouring tribes there is bartering. Tribes in South Australia exchange grinding stones and weapons for shiel which their neighbours have received from regions still more distant. Expeditions are sent out after *pitcheri,* a prized narcotic, to North Queensland about 250 miles away[29].

Barter takes place on certain solemn occasions, such as the settling of a blood feud, the celebration of an initiation or a great tribal gathering.

Among the natives of Cooper's Creek in Victoria shields were given them by tribes to the east, in return for girdles which they themselves made. Connected with this is the fact that certain old men who were described as 'walk about old men', travelled among the neighbouring tribes carrying news. They were unmolested[30]. The Billi-billi tribes negotiate by messengers exchange (for instance, stones for skin-rugs). If, says Howitt, people came and took stones without leave, it caused trouble and perhaps a fight between the tribes[31]. In Victoria all negotiations for barter were conducted by messengers whose persons were sacred[32].

In Oceania, where different islands have different products to offer, barter is usual and is connected, as in the south-easterly archipelago of New Guinea, with festivities and the making of peace[33].

In Fiji the natural products of the country lead to a localization of industry. No tribe, however wide their territory, was entirely self-supporting. 'The comfort, if not the existence of a tribe, depending upon barter, and the form of it there devised accorded exactly with their passion for formal ceremonial', says M. Thomson[34]. Throughout Melanesia *the institution of trade friendship* caused a lifelong relationship between individuals in different, often hostile tribes or in different divisions of the same tribe, who traded exclusively with each other. This is often of tremendous social importance in a hostile tribe. The trade friend may be the only guarantee of *asylum.* And this trade opens the way for transactions regulating long term credit—a useful institution among people who have no money[35].

Barter is common among the islanders in Torres Strait and between them and the aborigines on the south coast of New Guinea and the north coast of Australia[36], between the tribes on the coast and in the mountains of New Guinea[37].

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[29] Curr, *Australian Race,* i. 7, ii. 71; Browne, in *Petermanns Mitth.* (1856) p. 445.

[30] Brough Smyth, *op. cit.* ii. 305.

[31] Howitt, *op. cit.* p. 311 sq.

[32] Brough Smyth, *op. cit.* i. 131.

[33] Buschan, in Buschan's *Ill. Volkerkunde,* ii:i. 167; Elkington, *The Savage South Seas,* p. 172; v. Waltershausen, in *Zeitschr. f. Sozial- u. Wirtschaftsges.,* iv:i.; Rivers, *Psychology and Ethnology,* p. 291 sq; Seligmann, *The Melanesians,* pp. 204, 313; Harrison, *Savage Civilization,* p. 227.

[34] Thomson, *The Fijians,* p. 280.

[35] Bunzel, in Boas, *op. cit.* p. 398.

[36] Haddon, in *Report Cambridge Anthr. Exp. Torres Strait,* vi. 185 sqq.

[37] Seligmann, *op. cit.* pp. 204, 313 sq; Williamson, *The Mafulu,* pp. 210 sq, 233.

Barter is widespread in the Malay Archipelago: *e.g.* between Semang and Sakai on the one hand, and the Malays and Chine on the other. The former supply the latter with roots, oils, and honey for which the latter gives rice, tobacco, salt, and pearls[38]. On the Andaman Islands the tribes of the coast and the inland meet to exchange goods and the occasion almost has the character of a market[39].

Barter is also carried on among the Nicobar Islanders; cocoá-nuts are the standard of value, and although dollars and rupees change hands, they are used by the natives more as ornaments than as a medium of exchange[40]. It is very frequent among the primitive tribes of India, *e.g.* between the Todas and their neighbours, the Badaga and the Kotha. The Badaga supply the Toda's need for grain and the Kothas' for iron articles, while the Badaga have the right, when the people of a Toda village are away, to use their pasture ground, their huts and other dwellings. It is worth noticing here that each Kotha village stands in a definite relation to a definite Tode clan: it is here a question of a *surplus,* the exchange of which assumes social forms[41].

As a striking instance of how economic and non-economic factors combine to produce results, Herskovits mentions the Kotha of the Nilghiri Hills, where some members of the tribe were musicians and artists for the three neighbouring folk of their area, the pastoral Toda, the jungledwelling Kurumba, and the agricultural Badaga[42]. In Tibet during autumn and the early days of winter, the headmen journey away from their upland pastures and descend to the villages, taking salt and soda, which they barter for the peasants' grain[43].

Barter is general among many African peoples.

Among Bushmen and Hottentots there is *a whole system of trade relations between different tribes,* extending from the Okavango in the north down nearly to the Molopo. In this the Naron and Auen play the part of *intermediaries,* obtaining from the tribes further north the objects they desire, and then bartering them again further south as occasion arises[44]. Something similar is usual among the Zulus, where the smith and the medicine-man are really traders[45]. In the same way barter flourishes among the Ashanti[46], the Ba-wenda[47],

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[38] *Cf.* Schmidt and Koppers, *Der Mensch aller Zeiten,* iii:i. 452; Marsden, *History of Sumatra,* p. 275.

[39] Man, 'Aboriginal Andaman Islands', in *Journ. Anthr. Inst.* xii. 191.

[40] Boden Kloss, *Andamans and Nicobars,* p. 253.

[41] Rivers, *The Todas,* p. 628. Conc. barter of the Chenchus, a jungle people in India, see Fürer-Haimensdorf, *The Chenchus,* pp. 24 sq, 33 sqq.

[42] Herskovits, *op. cit.* p. 136 sqq.

[43] Bell, *Peoples of Tibet,* p. 125.

[44] Passarge, *Bushmänner der Kalahari,* p. 118 sq; Dunn, *The Bushman,* p. 13.

[45] Krige, *Social System of the Zulus,* p. 212.

[46] Cardinall, *In Ashanti,* p. 277.

and tribes in Uganda[48]. The Warega and the Wasongola carry on barter from village to village[49]. Among the Pangwe in West Africa there is a kind of trade in gifts, under very peaceful forms, *i.e.* when visits are made; but only after certain ritual ceremonies can the exchange be begun[50]. Among the Masai too barter is preceded by discussions and ceremonies. As a sign that they approve the proposed transactions, both parties spit on the objects to be exchanged[51]. Among the Baja in the Central Sudan the bartering gives rise to visits of several weeks' duration[52]. The Akkas in Central Africa, who are grouped in small communities and wander through the lands of certain of the Monbattu tribes, are hunters and do not cultivate the soil; but they have a remarkable fondness for vegetable food and not infrequently raid the fruit-gardens of their neighbours. After a successful hunt, when they have plenty of food, they invade the banana groves and for every bunch of fruit gathered they substitute a piece of meat[53].

Barter seems to be much more important in South than in North America, and commercial relations between different stocks lead to a great development of the intertribal relations. Especially among the Indians of the eastern districts goods are to be noticed passing from tribe to tribe over enormous areas; barter has become so-to-say a kind of 'chain trade'. Koch-Grünberg states that *warlike Indians also have trade connections with other tribes* who pass on the goods to those with whom they trade. Even kanoes are exchanged over great distances. Trade also serves other purposes than pure exchange. The Indians between Suruma and Roroima have an extensive trade with even much feared tribes in British Guiana[54]. Im Thurn says that among Guiana Indians there is a rough division of labour between the tribes and that this serves not only the purpose of supplying them with better made articles but also of bringing them together and spreading news of general interest. The tribes constantly visit each other, even the hostile ones, for the purpose of exchange. Trading Indians are allowed to

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[47] Stayt, *The Bavenda,* p. 75.

[48] Roscoe, *The Baganda,* p. 452.

[49] Delhaise, *Les Warega,* p. 311.

[50] Tessmann, *Die Pangwe,* p. 209 sqq.

[51] Merker, *Die Masai,* p. 204 sq.

[52] Tessmann, *Die Baja,* ii. 110.

[53] Schweinfurth, *Im Herzen vom Africa,* ii. 145; Lenz, *Skizzen aus Westafrika,* p. 110 sq (Obongo). Regarding other African peoples see Hambly, *Source Book Afr. Anthr.* p. 609 sq; Schapera, *Western Civilisation and the Natives of South Africa,* p. 218; Veltern, *Suaheli,* p. 387; Johnston, *Brit. Central Africa,* p. 117; Bell, *Tangweera,* p. 269; v. Wissmann, *Second Journey through Eqv. Africa,* p. 126. Andersson (*Kongos dvärgfolk,* p. 100) touches upon the curious symbios circumstances in the barter between the Bakongo and the Bantu.

[54] Koch-Grünberg, *Vom Roroima z. Orinoco,* iii. 110; *idem, Zwei Jahre unter d. Indianern,* ii. 120; Schmidt, *Die Aruaken,* p. 46.

pass unmolested through enemy country, and are treated, for the time being, as fellow-tribesmen[55].

Barter was highly developed between the Selk'nam and the Havakwulup on the Tierra del Fuego[56]. The visits of friendly tribes is made the occasion for much barter. But peaceful barter is also reported from the west of the great continent. The different economic conditions under which the different tribes live may, Karsten states, compel them to enter into temporary relations with each other. Thus even their natural hatred for the whites has not prevented the Jibaros from having commercial relations with them for the purpose of obtaining things which are extremely useful or absolutely necessary like axes, knives, guns, and rifles, as well as gunpowder. Among themselves the different Jibaro sub-tribes mainly barter blowguns, arrow-poisons, and arrows, as well as hunting-dogs and salt[57]. The Choroti barter with those foreign tribes with whom they maintain friendly intercourse. The barter between the Tobas and Avas has essentially the character of an exchange of presents. A visit is paid to a village whose inhabitants are known to the visitors, and generally lasts for about one week. The Indian, Karsten states, in conformity with his natural tact, is of course anxious not to favour one friend more than another, and thus a regular system of bartering with definite measures has gradually developed[58]. Among the Karya cleverness in barter was considered a higher qualification for the chieftainship than skill in war; even former prisoners of war could depend on getting such a position if their business capacity was sufficiently recognized[59]. The mountain tribes in Equador carry on trade with the coastal tribes[60].

Quite recently there was still barter among the primitive tribes in Central America, and it was known already among the pre-Columbians Indians[61]. The Indians in Columbia exported the rock salt which abounded in their territory, receiving in return cereals[62] which they could not grow in their own barren soil. This was the usual form of trade among the earlier Mexicans[63].

According to Herskovits who gives many references, barter was widespread over the North American continent. For instance the women's dresses of native cloth are got from the Hopi and from Santo Domingo, pottery from Santa Domingo and Sia, turquoise from Santo Domingo, blankets and mutton from the Navaho. Barter was general among the Florida Indians. Natchez and other Mississippi tribes obtained the salt they needed from the Caddoan peoples west

[55] Im Thurn, *Among Indians of Guiana,* pp. 214, 270; Numelin, *The Wandering Spirit,* p. 216 and notes.

[56] Gallardo, *Los Onas,* p. 291.

[57] Karstens, *The Head-Hunters of Western Amazonas,* p. 249.

[58] *Idem, Indian Tribes of the Gran Chaco,* p. 99 sq.

[59] Nordenskiöld, *De sydamerikanska indianernas kulturhistoria,* p. 20.

[60] Krickeberg, in Buschan, *Ill. Volkerkunde,* i. 36.

[61] Bancroft, *Native Tribes Pacific States,* i. 583, 631, 726; Thomas, *Source Book Social Origins,* p. 42.

[62] de Nadaillac, *Prehist. America,* p. 33.

[63] Bancroft, *op. cit.* i. 631.

of the Mississippi River and bands of these folk were often met by the early explores as they came east to trade[64].

Barter occurs among the Eskimos[65]. And if we take some Asiatic examples we hear that the Reindeer Chukchee formerly used to sell European goods to the Asiatic Eskimos, who again transferred them to the islanders of the Bering Strait. These in turn disposed of the goods along the American coast from where they were carried to Point Barrow and Mackenzie[66]. It was employed by the Poloungs in exchanging their tea with the Burmans[67]. All primitive peoples in the countries bordering on China, especially the Tungus, barter with the Chinese[68]. It was quite common among the early inhabitants of the Orient[69].

Barter flourished for a long time among the northern Lapps. When, in the summers of 1921 and 1922, I travelled among the Skolt Lapps in Petshenga, I found barter still in existence among certain of their tribes.

As we have seen primitive exchange takes the form in some cases more of giving than bartering, and in others more of bartering than of giving. In the beginning the exchange is only between members of the same group or tribe, who are known to each other, after that it extends to tribes at a distance, and sometimes also to tribes who are not on a friendly footing.

Among some peoples only certain things could be bartered and those only against other certain things, *e.g.* food for food, iron hatchets for stone hatchets; in other cases barter is more free. At other times, what is desired is given in exchange, or the new article can be considered as a gift, a sign of goodwill, without a formal wish for another present in exchange.

It has been noticed that the fiction that barter is a friendly exchange of gifts persists to a considerable extent, though the formidable savage tends to get from the weaker whatever he wants for whatever he chooses to give: what is overlooked is the novelty of the proffered article, making it more attractive than something that is known or already owned, also the possibilities of suggestion and the drawing of the purchaser's attention to the advantages so much that the disadvantages are unnoticed; these make the savage an easy victim to practised traders[70].

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[64] Herskovits, *op. cit.* p. 164 sq. *Cf.* also Swanton, 'Social Organizations, etc. among the Indians of the Creek Conf.', in *Ann. Rep. Bur. Amer. Ethn.* xlii. 452 sq; Kroeber, *Handbook Indians of California,* pp. 287, 399.

[65] Birket-Smith, *The Caribou-Eskimos,* i. 139.

[66] Viljoen, *Economics of Primitive Peoples,* p. 212.

[67] Bastian, *Die Völker d. Östl. Asiens,* ii. 169; *cf.* Byhan, in Buschan, *op. cit.* ii:i. 335, 415.

[68] Haberland, in Buschan, *op. cit.* ii:i. 565.

[69] *Ibid.* p. 565.

[70] *Cf.* Hayes, *Introduction to the Study of Sociology,* p. 525.

Thus primitive man is very soon familiar with exchange and at first believes that the relations between the parties to it are honest and can be trusted. But very early the question arises how it will be possible to obtain from those whom they suspect and fear, even if not from open enemies, certain articles which they possess and which are coveted. For it is a rare thing for deeply-rooted suspicion—not to say enmity—with which the primitive groups regard strange tribes to allow them to make direct contact with each other. This fact gives rise to a special and very interesting form of trade. An exchange of gifts or barter within the tribe or with friendly neighbouring tribes, brings the thought and wish to obtain articles also from stranger neighbours—or even from those who are the object of suspicion or enmity. These reflections then lead to the primitive form of trade known in science as the silent trade, in which the one party brings goods (food, implements and the like) not to the village of the other, but to a neutral place, perhaps on the boundary, and leaves them there to be inspected by the other, who leaves their goods for approval beside them. The first party then returns and, if satisfied, takes the strangers' goods and goes away; finally the second party comes and takes the goods left by the first. Nothing in the nature of money is included, but the process of exchange and the rudiments of the idea of articles having a more or less definite commercial value are there. Roscher[71] sees an analogy of the silent trade in the practice of modern merchants in a country of which they do not know the language and where they must therefore do business by signs. This is scarcely an adequate explanation except possibly between different cultures, but not where the parties are equally uncivilized. It may be the result of obedience to a custom forbidding the reception of strangers.

Enmity or suspicion between tribes seems to me a possible cause of the silent trade. Those engaging in it keep in safety by remaining at a distance from those they are trading with. That this form does not exist in Australia may be due to the fact that these natives are relatively peaceful and do not need to observe such a degree of care as is implied by the silent trade. But the silent trade may also arise because the parties have little or nothing in common and therefore cannot meet either as friends in peaceful trade or as equal enemies in an armed market: it is a form of exchange between persons unseen by each other. As Hamilton states, instances may be collected in which the primitive trader is said to have been uncertain whether he was dealing with men or demons[72]. Boundaries are often 'dangerous tracts' in the primitive conception. A savage is likely to regard any natural object which is strange or unusual as connected in some way with

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[71] Roscher, *System d. Volkswirtschaft,* iii. 140.

[72] Hamilton-Grierson, in *Encycl. Religion and Ethics,* vi. 207 sq, *cf.* p. 32 sq.

mysterious influence. The strange land is the home of the mysterious. The lines of division are often associated by the savages with demons or spirit of powers, stronger than man and potent to work him good or evil.

The danger of trespassing upon strange, 'tabooed' ground was, accordingly, very serious and the dread of incurring it was so powerful for instance among the ancient New Zealanders that on going to a strange land they performed certain ceremonies 'to make it *Noa,* lest, perchance, it might have been previously *tapu*'[73]. In some cases the stranger seeks to render himself acceptable to the divine guardians of the place through which he must pass throwing down on a heap a stone, a stick, or some grass[74].

The frontiers of primitive societies are certainly vague, but they do exist in some form. The oldest boundaries are waste land, no man's land, woods, rivers, marshes, mountains chains, and seas; the boundary is regarded as a barrier or a protection. Waste land boundaries are still common among many African and Oceanic people. A frontier belt was usual among the North American Indians and also among the ancient peoples of the Orient. The settled people of the Steppes constructed boundary trenches against the nomads. But at times neighbouring tribes could agree on certain traffic lines through the boundary zones and these might soon come to have a kind of importance for foreign political or trade policy[75].

Even when each village was hostile to every other, the risks of trade were so clearly felt that the boundaries between two or more territories came to be recognized as a neutral area where men might occasionally meet for their mutual benefit, if not on friendly terms, at least without hostility. The boundary stone was perhaps the predecessor of the market cross and the neutral area round it the market place. Sometime the neutrality takes the form of a truce, which is ended so soon as the trade is completed.

In these boundary zones, which soon become taboo or 'holy', depots are set up and then the people withdraw in silence, waiting till some one from the other side comes and takes the goods left, or perhaps put others there instead. Thus the transaction lacks any kind of verbal bargaining, or may be termed a silent agreement. At the most some kind of invitation signal may be given. In the beginning the partners do not meet at all in the boundary area. They remain in safety by keeping away from those they wish to trade with. But gradually even here a personal factor comes in. In some cases the contact is restricted to the

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[73] Shortland, *Traditions and Superstitions of the New Zealanders,* p. 83.

[74] Thomson, *To the Central African Lakes and Back,* i. 228.

[75] Numelin, *Politisk Geografi,* ch. v.

act of barter itself, in others the parties may gradually approach each other, or bargain through a third person. Generally safety measures are observed. But gradually by this curious process the zone becomes a taboo trade belt, perhaps even a holy place.

It is possible that primitive man in the silent trade has waited in vain, but just as often trade has started because of curiosity or for religious reasons. Strange things attract by their mystery and it can be dangerous to offend anything in which unknown spirits dwell. By compensation in goods the possibilities of harm are reduced, and from the belief of each party in the power of good actions trade connections gradually arise. It is difficult to draw the line between the ceasing of good intentions and the start of enmity.

The silent trader, by keeping out of sight, by neither seeing nor being seen would limit his contacts with the stranger to those effected by the exchange itself. The stranger would not dare to take his goods without making a return. And the good faith of both parties would be guaranteed by the nature of the relation which united them for the time being[76].

The story of Herodotos about the Argippeans of Eastern Scythia, who are holy, just, peaceable, unarmed people, carrying on trade and in the midst of wild nomads, is repeated over an over again in the case of the sanctuary, the grave of a hero or a saint or a relict deposit, in charge of a reputedly family who sells things required for sacrifice, and in whose vicinity a market has developed. Herodotos recounts also the manner in which the exchange of goods was effected between the Carthaginians and the Africans who lived on the west coast beyond the Pillars of Hercules[77].

It is said that the Arabs have carried on the silent trade with the negroes in Gambia. A similar trade has flourished in the Niger districts of West Africa,

[76] Sometimes the contact of parties is limited to that implied in the act of exchanging. Sometimes they even approach one another, sometime they transact wholly though intermediaries, sometimes they take the additional precaution of keeping silence so long as the traffic lasts.

[77] Herodotos' description (iv:196) is very instructive. 'The Chartaginians also related as follows: Beyond the Pillars of Hercules there is a spot where people live, to which they sail with their goods which they unload and set down in rows on the shore. Then they go on board again and make a fire that gives much smoke. And when the natives see the smoke, they go down to the shore, lay down gold beside the goods and go away. Then the Carthaginians land again, look at the gold and if they consider it equal to the value of the goods, they take it and sail away; if, on the other hand, they think it is too little, they enter their boats again and wait. Then the others come and lay more gold there until the sellers are satisfied. But none of them harm the others, nor do they touch the gold until it is equal to the value of the goods, nor the others the goods until the gold has been taken'.

[78] Winterbottom, *Account Nat. Africans,* i. 177.

and the people of Morocco have certainly formerly had such connections with the natives there as with the negroes[78].

Yet this silent trade is far from being common to all primitive peoples, as Schurtz and Grierson want to make out[79]. On the contrary, it is, at least at the present time, localized to certain areas. It is found among the Australian tribes, as already stated. It has been observed between the Siossi Islanders and the Jabim of New Guinea[80]. It is quite a common form of trade among the natives of the Malay Archipelago. On Celebes Island the Toála used to lay out their products along frequented ways and others took them[81]. A silent trade is practised by the Punan tribes in Borneo[82] and by gatherers and hunters on Sula and Aru Islands[83]. The trade between the Kubu and the Malays is specially interesting. The traders of the latter go to a 'silent' trading-place, put out their food, give a signal with a gong-gong and then withdraw. Then it is the Malays' turn to place out their goods, as much as they consider they can give for the Kubus' goods, after which they leave the place and the gong-gong sounds again. The Kubu examine the value of both groups of articles: if they are satisfied they take the goods and withdraw, after which the Malays come and take their share. If, on the other hand, either party is not satisfied, the silent trade can continue a long time till agreement is reached[84]. On the Malacca Peninsula, where the Senoi and the Semang carry on at present quite a regular trade with the Malays and the Chinese, this is said to have originated in the silent trade[85]. An extensive silent trade was formerly carried on by the Forest Veddas in Ceylon with the Singhalese with whom they were not on a friendly footing. As, however, they could not themselves make axes or iron arrow-heads which they wanted, they tried to get them by the silent trade with the Singhalese smiths in the neighbouring village. At night the Veddas laid out meat, wax or honey near the smiths' villages: beside these they laid pieces of wood or leaves cut in the shape they wished for their arrows. When the Singhalese found tem they knew what was meant and laid arrows at the place where the food was. If they did not do this they might incur the vengeance of the Veddas. In some of the out-of-the-way parts of Ceylon this is said to happen still. The Veddas are also visited by wandering traders, who bring them European goods to exchange for honey, and this too is a kind of silent trade[86].

As already stated, the silent trade occurs in our days on the African continent, but by no means among all the natives. It has become a kind of symbios between the Pygmies of Central Africa and their taller neighbours. When the fruit begins to ripen the former find their way to the fields and quite simply take bananas,

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[79] Schurtz, *Afrikanische Gewerbe,* p. 122; Grierson, *Silent Trade,* p. 42.

[80] Hoyt, *Primitive Trade,* p. 134.

[81] Sarasin, *Reisen in Celebes,* ii. 275.

[82] Lasch, in Buschan's *op. cit.* ii:i. 19.

[83] Heine-Geldern, *ibid.* ii:i. 794, 801.

[84] Forbes, *Naturalists's Wandering,* p. 235; Riedel, *De sluik- en kroeshar. rassen,* pp. 16, 128, 271.

[85] Martin, *Inlandsstämme Mal. Halbinsel,* p. 878.

[86] Seligmann, *The Veddas,* pp. 33, 39; Haberlandt, in Buschan's, *op. cit.* ii:i. 556.

roots, grain and silently leave game in compensation, or the Pygmies obtain by silent trade, arrow-heads, from their neighbours[87]. The silent trade occurs between Kpelle and Gola in Liberia[88]. And there is a form of silent trade still going on in Guinea in Africa on market-roads in many districts, but always well away from Europeanized settlements. Little spaces are cleared by the wayside and neatly covered with plaintain leaves, whereon various small articles are very tidely arranged for sale: cakes of salt, cola nuts, heads of maize. Against each class of articles so many cowrie shells or beans are placed, and, a little fetish. The number of cowrie shells or beans indicates the price of the individual articles in the various heaps, and the little fetish is there to see that any one who does not place the proper price in stead of the article removed or who meddles with the goods will swell up and burst[89].

The ethnography of the two Americas does not say much of the silent trade. Bastian mentions it among the wild tribes in the Andes, but without giving their names[90]. In New Mexico the Indians from the Rio Grande del Norte stole unseen to near the Spanish quarter where the Indians on the road between Chihuahua and Santa Fé laid out small leather bags and buffalo hides. The Spanish colonists understood the hint and left salt fish instead[91]. It is also said that the silent trade is carried on between the North American Eskimos and the Chukchees on Bering Strait. It is reported that the Tungus carried on a silent trade with 'a little people', and some decades ago the Samoyeds were carrying on the same kind of traffic[92]. Again, among the Aino people on Yezo this form was practised with the inhabitants on one of the Kuriles[93]. And it is also said to have existed between the inhabitants of the Altai Mountains and their neighbours[94]. The silent trade was known in classical times[95], and writers in the tenth

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[87] Schweinfurth, *op. cit.* ii. p. 131.

[88] Thurnwald, *Economics in prim. communities,* p. 149 sq; Westermann, *Die Kpelle,* pp. 21, 37.

[89] Kingsley, *West African Studies,* pp. 243, 248 sq.

[90] Bastian, *Ein Besuch in San Salvador,* p. 209.

[91] v. Humboldt, *Essai pol. Nouv. Espagne,* ii. 408 sq.

[92] Bastian, *Geogr. Ethn. Bilder,* p. 341; Nelson, 'The Eskimo about Bering Strait', in *Ann. Rep. Bur. Amer. Ethn.* xviii:i. 359. Conc. a data about silent trade among the Lapps, *cf.* Thurnwald, *Menschl. Gesellschaft,* iii. 123. Mühlmann (*Krieg und Frieden,* p. 52) thinks he can state that the Chukchee in some form of silent trade with the Russians appeared armed. Here we already have a kind of social contact which is less sterile than the original silent trade (*cf.* also Bogoras, *The Chukchee,* i. 53, 56; Schechter, 'The Law and Morals of Primitive Trade', in *Essay to Orrin Kip,* pp. 613, 576 sq).

[93] v. Kotzebue, *Entdeckungsreise in der Südsee,* i. 217.

[94] *Cronicle,* probably written by a Novgorodian merchant in the xvi:th century.

[95] v. Luschan, in *Verh. vii. Intern. Geographen Kongr.* p. 607 sq.

century B.C. describe a similar traffic between the Bulgars and their neighbours to the north-east[96].

In some cases the practice substists only as a *survival,* the conditions which occasioned it having disappeared in whole or in part. Among the Aleuts for instance, the parties are not enemies. But in order to avoid being seen in transacting business, they will trade only through the medium of a third person[97].

Some investigators have considered that the silent trade is one of the earliest if not the earliest form or commerce[98]. This is scarcely correct. In many cases it is certain that the exchange of gifts and the barter which derives directly from it are about equal in age. There seems to me also little reason to see in the silent trade, as Kulischer does[99], a proof that trade in general developed from plundering. As a matter of fact we know too little as yet of this form to make a definite statement about it[100]. The fact that the traders at first did not make personal contact with each other may be nothing but the shyness of primitive people and suspicion of all that is strange. But even if the traders are strangers to each other, this need not mean that they are enemies. Mistrust and wariness need not lead to plunder. Nor can I find reason for the assumption that barter followed plundering; and it would be quite unjustifiable, in view of the spread of the silent trade, to attribute its origin to civilized traders. I would rather see in it a somewhat higher stage of development than the exchange of gifts and barter. Even if there was at first no measure of value, trade makes possible, indeed necessitates a bargaining, a haggling which bartering and the exchange of gifts do not need to imply, nor do they generally. If one party is not satisfied with the offer, he does not accept it, but withdraws silently and waits for another. Here we already have an idea of the value of the goods which does not exist in the most primitive trade. Perhaps the silent trade arises most easily between peoples at different stages of civilisation where those at the higher are often the active party. At times, as for example in the Vedda's trade with the Singhalese, these at the lower stage may be the active party.

As already stated, an attempt has been made to derive the silent trade, *ex*

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[96] Ssolowjeff, *Geschichte Russlands,* i. ch. vii., quot. by Kulischer, *op. cit.* p. 322.

[97] Dall, *Alaska,* pp. 306, 394, 396.

[98] Hamilton-Grierson, 'Market', in *Encycl. Religion and Ethics,* viii. 415; Mühlmann, *op. cit.* p. 52; Bücher, *Entstehung d. Volkswirtschaft,* p. 21 sq.

[99] Kulischer, in *Jahrb. f. Nationalok. u. Statistik,* iii. F, xviii. 321.

[100] Herskovits (*op. cit.* p. 162) is quite right in saying that what we need is a full description of an instance of the trade including a detailed statement of what is traded, when, under what conditions, and how often, together with an analysis of the manner in which this form of trade fits into the entire pattern of tribal exchange.

analogia, from the custom which compelled the modern trader to take to signs in countries whose speech they do not know. This may be partially justified in the case of silent trading between people at different stages of civilisation but not in general. In primitive communities where the geographical milieu is fairly similar, the goods produced are in the main also very similar. Yet the division between the sexes here so strictly carried out often conditions a certain impulse to the rise of different occupations. But this seldom causes any more individual exchange of goods between the traders in special branches, for the goods do not at first represent the property of the producer but of the whole tribe.

Certain formalities and ceremonies may anyhow be required before exchange can take place. Among the tribes of S.-E. Australia several kinds of social and mystical ceremonies are made an occasion for the exchange of goods[101]. Among the Lhota Nagas in India, when articles are sold which are believed to be peculiarly infectious with ill fortune, an old man is employed as an intermediary. He is paid for his services with the understanding that all ill-luck from the transaction will fall on him, a practice which must considerably increase the expense of distribution[102].

The silent trade probably arises quite simply from a custom which forbids any direct contact with strangers—the first careful efforts at feeling one's way. The trading parties have little or nothing in common, and therefore they cannot meet either as equal friends in peaceful trade or as equal enemies on a field of battle. They who began to trade with each other were strangers, but they need not have been enemies. But when once trading had been started and furthered, it was attractive and was continued, especially when the position of the depots was geographically advantageous. I should thus think that the silent trade developed especially between peoples of different cultures; *e.g.* between agricultural and forest-dwelling tribes who could not have a common frontier, or between seafaring folk and those on distant coasts who had been previously rather isolated, between tribes on the coast and inland whose territories were separated by tropical forests, great rivers and watersheds or a mountain massif, etc. Between peoples at similar stages of culture and similar milieu the primitive exchange of gifts most easily acquires the character of pure barter. In some cases, especially among wandering peoples, or where at least one party is migrating, the silent trade may be due to the fact that the one party does not know

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[101] Howitt, *op. cit.* p. 715 sqq.

[102] Mill, *The Lhota Nagas,* p. 44. Regarding the conception representing a transitionary stage between gathering-hunting culture and agriculture, *cf.* Numelin, *The Wandering Spirit,* p. 212.

when the other can be expected to come within reach so they put out their goods on the roadway. If we look for the silent trade in our own days, we find that it takes place in frontier areas between different kinds of country, not least often at the edge of the primeval forests. Just this characteristic of the silent trade has given it what may be termed certain 'political' factors; it has helped to develop peaceful communications between people on the different sides of natural dividing-lines, for it builds especially on trust. And in this way it has also led to another form of trade: market-trading, remarkable in that it implies an important factor in the development of the connections between tribes and nations.

Chapter X

The Trade as Promotor of International Relations

If one considers the frequently isolated character of the primitive communities and their mistrust of all that is strange, one can well understand the shyness and the restrictions connected with the silent trade, especially between peoples who live at great distances from each other. But as the mistrust declines, the former silent trade becomes less silent and the tribal representatives begin, though at first still shyly, to meet at regular periods. By this I do not pretend that the primitive markets always originated in the depots of the silent trade. Market trading is a periodical gathering of persons at an appointed place for the purpose of trading by way of exchange or purchase and sale, subject to the special regulations which law or custom may impose. It can arise without a previous primitive phase, even if one can not, with Hoyt, generalize and say that the market trading developed by and by from a primitive exchange of gifts. It is another thing that it has in some cases developed from tribal meetings.

Such markets can be the occasion of a religious festival, a popular assembly, the formation of a camp, the temporary sojourn of a court at a royal residence, the stopping of a caravan at one of its customary halting places, funeral games, the temporary cessation of hostilities, peace-making assemblages, etc.

In most cases markets, at least in the primitive world, can be traced back to the depots. Sometimes the marketing is done without a word being spoken. It is said of the natives of the southern end of Timor that they seldom exchange words with those with whom they trade[1]. At Somu-Somu in the Fiji Islands 'the market is held on a certain day in the square where each deposits in a large

[1] Moore, 'Short Account of Timor', in *Notices of the Indian Archipelago* (1837), p. 8.

heap what goods and wares he may have. Any one selects from it what he wishes, and carries it away to his own heap; the other then has the privilege of going to the heap of the former and selecting what he considers to be an equivalent. This is all conducted without noise or confusion'[2].

The direct transfer from silent trade to market trade can be clearly seen among some African peoples[3]. In ancient Mexico there was a food market where the women exchanged goods without speaking a word. One held out the article she had to sell to another who had something to give in return[4]. As the silent trade was carried on in places giving complete safety to the traders, so the first primitive markets were probably held on similarly protected spots, and such places were generally chosen whose situation made this easier. They thus very rarely lay in villages, but usually on their outskirts, at the edge of a forest or at a cross-roads, or some similar, neutral spot. In Vaikuru on Hawaii the market was on a rock in the middle of a river; the traders laid their goods out on the shores. The bargaining was done on the rock and the goods were not taken there till agreement had been reached[5].

In many places in the Malay Archipelago market-places are selected on neutral territory. Here the products are put down by one party, who then retire temporarily, and are taken up by the other party, who come and leave their own products in exchange[6]. Among the Bontoc Igorots on Luzon the market-places are situated on neutral ground. Here also the goods are put down by the one part, who then withdraw to allow the other party, coming with their own goods for barter, to take them up[7].

In British New Guinea the market-places are usually in the boundary areas where exchange often takes place without a word being said[8], as elsewhere in Africa[9].

It should be noted that the most important first Roman fairs of which we know were held on the strip of land that separated the Etruscans from the land of the Sabines[10].

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[2] Wilkes, quoted by Hamilton-Grierson, in Hastings *op. cit.* vii. 416.

[3] Lander, *Reise z. Erforschung Nigers,* iii. 144, quoted by Schurtz, *Afrikanische Gewerbe,* p. 132.

[4] Hamilton-Grierson, *loc. cit.* vii. 416.

[5] *Ibid.* vii. 416.

[6] Skeat and Blagden, *Pagan Races of Malay Peninsula,* i. 229; Sarasin, *Reisen in Celebes,* ii. 275; Beccari, *Wanderings in the Great Forest of Borneo,* p. 265.

[7] Jenks, 'The Bontoc Igorot', in *Ethnol. Survey of Philippine Islands Publ.* i. 159.

[8] Haddon, *Head-Hunters,* p. 269.

[9] Lang, in Steinmetz, *Rechtsverhaltnisse eingebor. Völkern,* p. 265.

[10] Mommsen, *History of Rome,* i. 203.

One circumstance which certainly tended to the rise of markets is the religious rites and festivals at which tribes and other groups often met, also the temporary residence of the chief and the court, or the resting-place of a caravan etc. The festivals in their turn gave rise to the exchange of gifts which was sealed by ceremonies. But in the first place it is probable that the variations in the markets in different places can be referred back to differences in the geographical environment.

A market most easily arises, like the silent trade and barter, where geographical conditions favour different products so that the tribes have different articles to offer and exchange, *e.g.* agricultural and hunting peoples. When the products are rather similar there is less possibility for such exchange. Again along the coasts of an extensive archipelago, where the islands lie close to each other and have about the same geographical andvantages, the markets develop less easily, there not being much difference in the products offered. The sea also unites distant islands. A market thrives best where, in addition to favourable geographical conditions, the natural bent of the people is towards commercial pursuit[11].

Primitive people in the greater part of the world have markets, but not all. They are lacking in some places or are else highly rudimentary. In most parts of Australia they are lacking or only just beginning[12]. Nor are they very usual in Oceania; they are almost wholly lacking in Polynesia and Melanesia. Where they do exist they are often connected, as in British New Guinea, with peace and sacrificial feasts[13]. In the Malay archipelago they are not very common. They are wholly absent in Ceram[14] and in many places in Borneo, Sumatra and the Philippines[15]. But a really classical continent for the savage markets is primitive Africa—where trade is highly developed and market customs have arisen which have acquired the character of laws—although these are absent in some parts, *e.g.* among the Ruanda, in East Africa[16].

In the kingdom of Dahomey the markets which were regarded as protected by supernatural powers, were of great social importance[17].

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[11] *Cf.* also Lasch, 'Das Marktwesen', in *Zeitschr. f. Socialwissenschaft,* ix. 702.

[12] Roth, *Ethnological Studies,* i. 186.

[13] Haddon, *op. cit.* pp. 256, 269; Speiser, *Ethn. Materialen aus d. N. Hebriden,* p. 278 sq; Herskovits, *Economic life of prim. peoples,* p. 200.

[14] Riedel, *op. cit.* p. 127.

[15] Marsden, *History of Sumatra,* p. 308.

[16] Ankermann, 'Kulturkreise und Kulturschichten in Afrika', in *Zeitschr. f. Ethnologie,* xxxvii. 81; Czekanowski, 'Forschungen im Nil-Kongo-Zwischengebiete', in *Petermanns Mitth.* ivii. 54 sq. There are no markets among the Baloki according to Weeks (*Among Congo Cannibals,* p. 114) and the markets are very little developed in Sudan (Frobenius, *Kulturgeschichte Afrikas,* p. 247).

Among the hunting tribes of South America the market was practically unknown. But among many of the peoples of Central America and the old civilizations of Mexico it formed an important element in the national life[18].

As an instance of economic factors which made for peace can be mentioned that among the Araucanians the harvest of the fruit of the pine was of such supreme importance that all intertribal quarrels and warfare were suspended by mutual accord during this period[19].

In North America's primitive world markets were to be found more in the north than in the centre. Among the Indians trade began to have the character of a foreign trade: several tribes met at the big fishing-places on the great rivers to offer goods for sale and at the same time for some peaceful ceremonies[20]. The Greenland Eskimos had formerly a kind of annual market connected with the festivals of the sun's return in spring[21].

Large markets also take place in the north of Siberia where, for example, the reindeer Koryaks and the Chukchee meet, and different kinds of goods, even Japanese products, wander a good way over the continent[22].

In Arabia markets arose on religious places at times when the traders could count upon religious protection. This was also the case in ancient Egypt and Phoenicia[23]. Markets arose very early in China and India[24]. And they were ancient institutions in Greece and Rome; in the valleys of the Rhine and the Danube they were already in existence a few centuries B.C.[25].

It is remarkable what an important role the woman plays in many parts when a market first arises. Apart from the fact that her person is often surrounded by mystery, she is often quite outside blood feuds and therefore can move freely. It is of course true that woman has been regarded as having the position of a slave among many people, but is is possible that the strict division of labour has caused the investigator to misunderstand her position. Her appearance as a leader in market affairs is also connected with the fact that it is she who has to look after the provision of food among the

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[17] Herskovits, *Dahomey*, i. 55 sqq.

[18] Hamilton-Grierson, *loc. cit.* vii. 414; Klemm, *Kulturgeschichte,* ii. 299, quoted by Lasch, *loc. cit.* p. 704; Bunzel, in Boas, *General Anthropology,* p. 399.

[19] Latcham, 'Ethnology of the Araucanos', in *Journ. Anthr. Inst.* xxxix. 341.

[20] Bancroft, *Native Races of Pacific States,* i. 378 sq; Teit, 'The Thompson Indians', in *Amer. Museum Nat. History,* ii. 258 sqq; *idem,* 'The Lillooet Indians', *ibid.* iv. 231 sq.

[21] *Ibid.* p. 704.

[22] Byhan, in Buschan's, *Illustrierte Völkerkunde,* ii:i. 307.

[23] Lasch, *loc. cit.* ix. 700.

[24] Thurnwald, *Economics in prim. Communities,* p. 168.

[25] Brønsted, 'Danmarks Handelsliv i Oldtiden', in *Nordisk Kultur,* part xvi. pass.

gatherers and the agricultural peoples. It was probably no accident that Greek mythology made goddesses of agriculture. The digging-stick in a woman's hand: perhaps the model for agricultural tools, originally used to get from the earth edible plants and roots[26].

Among many primitive peoples of Oceania and South Asia, as among the Africans, the markets are the business of the women.

In the island of Timor the women do all the selling and buying[27]. In the Malay Peninsula, according to an old account, the women carry on all the trade[28]. In British New Guinea women from different villages or districts meet at an appointed place, usually at the boundary between the tribes, and arrange exchange[29].

Among the Kikuyu and the Masai in Africa all barter with passing caravans is done by women, and the traffic between different tribes continues even when the men of those tribes are at war with one another[30]. In North-eastern Africa, for instance, among the Somali and Galla, the women have the monopol of trade. They are regarded as neutral or perhaps sacrosanct[31]. In the Congo[32], in the Cameroons[33] and in Nigeria[43] the trading is almost exclusively in the hands of the women. In Nigeria the markets are controlled by the influential old women, and they frame and administer the rules and regulations and settle questions as they arise. Each market is presided over by its queen (*Amwu*), assisted by a council of women of which she is the head. This council often fixes the prices, etc. and decides what commercial relations shall be established and maintained[35]. In the Tibbu country the great trade in salt which brings caravans there from all north-eastern Africa is carried on by women[36]. On the tribal markets in Morocco certain things are sold exclusively by women[37].

Among the Indians on the North-west coast of North America, women seem to have had an important share in the trade, much more so than the men[38]. Among many Indians in North America the fur trade was entirely in the hands of the women who prepared the

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[26] Numelin, *The Wandering Spirit,* p. 65.

[27] Forbes, *A Naturalist's Wandering,* p. 463.

[28] *Voyage d'Abd'Allah ben Abd al Kadar,* quoted by Briffault, *The Mothers,* i. 485.

[29] Haddon, *op. cit.* p. 269.

[30] Thomson, *Through Masai Land,* pp. 308, 312.

[31] Paulitschke, *Ethnographie Nordost-Afrikas,* i. 298.

[32] Livingstone, *Expedition to Zambesi,* p. 192.

[33] Buchner, *Kamerun,* p. 33.

[34] Basden, *Among the Ibos of Nigeria,* pp. 90, 195.

Talbot (*Life in Southern Nigeria,* p. 119 sq) says that among the Ibo and Yoruba trade is generally confined to women, 'one of whose chief duties and pleasures is to attend neighbouring markets'.

[35] Basden, *op. cit.* p. 195.

[36] Richardson, *Travels in the Great Sahara,* ii. 346.

[37] Fogg, 'The Tribal Market', in *Africa,* xi. 488.

[38] Niblack, 'The Coast Indians of Southern Alaska', in *U.S. National Museum* (1888), p. 337.

skins[39]. Throughout Central Asia the trading is often in hands of women[40]. 'Trade', says an old Chinese account, 'cannot be carried on by anybody except under the express sanction of group of women'[41].

Thus one can distinguish between those markets where the trade is chiefly in the hands of men and those where the women play the main part; in the latter case the market is most often a development of the silent trade. In one of the Negro languages (among the Kpelle) the market is called *Dowo,* which means bush—where the earlier depot was[42].

Among some peoples the men are not allowed to show themselves at the market, or in any case only as guardians of the peace. In certain parts of British New Guinea the men have a right to accompany their women to the market-places—as a kind of guards—but they may not mix with the other women coming to the market[43]. In New Pomerania and New Mecklenburg the markets were the women's undertakings, the men were considered a danger to peace; if they wished to accompany their women to the market they had to wait hidden in the bush near by[44]. In the district of Kilimandjaro the men were strictly forbidden to appear at the market[45], and in Nicaragua 'a man might not enter the market or even see the proceedings, otherwise he risked a beating'[46].

Gradually the neglected men began to appear at the markets and if that place is likely to become at any moment a battlefield, it is entirely in the hands of men. The women can assume the conduct of its trade in food as soon as they can visit it in safety[47].

Soon the markets become regular events. Among many African tribes they are held every fourth, fifth, or seventh months, especially where there is Arab influence. Among some of the Negro tribes time is reckoned by the markets[48].

The market day necessarily has the character of a rest-day, holiday, affording opportunities for social intercourse, sport and amuse-

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[39] Schoolcraft, *Historical and Statistical Information resp. the History, etc. of the Indian Tribes of the U.S.A.,* v. 176.

[40] Vámbéry, *Das Türkenvolk,* p. 341; Turner, *Embassy to the Court of Tshoo Lama,* p. 191.

[41] *The Chinese Repository* (1840), p. 40, quot. by Briffault, *op. cit.* i. 485.

[42] Westermann, *Die Kpelle,* pp. 21, 27.

[43] Haddon, *op. cit.* p. 269.

[44] Thurnwald, *Die menschliche Gesellschaft,* iii. 137.

[45] Volkens, *Die Kilimandscharo,* p. 239.

[46] Brühl, *Kulturvolker Alt-Amerikas,* p. 324.

[47] Hamilton-Grierson, *loc. cit.* vii. 416.

[48] Thurnwald, *Economics Prim. Communities,* p. 159.

ment. Among agricultural peoples especially the market is often associated with rest-days[49]. It is also remarkable that the market week is often inseparably connected with the regular market, the length of the former varying from three to ten days. The primitive market-places are regarded as protected and reserved, even as holy places under a supernatural sanction. There must be no quarrels. Weapons are seldom allowed, and if they are allowed they must be laid aside while the bartering goes on.

The market-places can be a kind of asylum. There is evidence to show that in many instances those who had committed deeds of violence or contracted debt before coming to market were safe from pursuit or arrest so long as it lasted and they remained within it[50].

Salt deposits among many primitive peoples are frequently 'holy grounds' on which no fighting is allowed but where barter and trade take place[51].

The quarries of red pipe stone of which the Indians make their pipes were considered by all the tribes as holy and neutral ground[52]. Even among the Melanesians, where the idea of the market is not very highly developed, the trading-places are respected, and this also holds good among many Papuan tribes[53]. In the south-east of New Guinea the settled markets on the tribal frontier have counters formed of sapplings on which the women of both sides may lay their goods and barter them without fear of molestation by the warriors, for the ground is strictly taboo and neither side would dare to commit the sacrilege of striking a blow within its limits[54]. The inhabitants of the different divisions of Hawaii, although frequently at enmity, went to the market-places for the purpose of exchanging the specialities of their respective districts[55].

Among the Battas on Sumatra all hostilities are suspended on the occasion of their market and all who come there must carry his musket with a green bough in the muzzle as a token of peace[56]. The large fairs at different points on the lower Niger are regarded as neutral ground, whatever wars may be in

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[49] *Cf.* Webster, *Primitive Secret Societies,* ch. iv.; Viljoen, *Economics of prim. peoples,* p. 117 sq. Among the Glidyi Ehwe the market day is a festival day, when nobody does agricultural work (Westermann, *Die Glidyi Ewe,* p. 99); cf. Bentley, *Pioneering on the Congo,* p. 399.

[50] Lippert, *Kulturgeschichte,* i. 620 sq.

[51] Seligmann, *The Melanesians,* p. 94 sq.

[52] Thurnwald, *op. cit.* p. 145 sq; Viljoen, *op. cit.* p. 217.

[53] Seligmann, *op. cit.* p. 94 sq.

[54] Hagen, *Unter den Papua's,* p. 253. The author states also, that at the market, as during the time of the festival, of the circumcision month, the peace of God rules (*ibid.* p. 253).

[55] Ellis, *Polynesian Researches,* iv. 324.

[56] Marsden, *op. cit.* pp. 308, 397.

progress[57]. Among the Kabyles the avenger of blood who kills a man in the market suffers the same penalty as a common murderer[58]. The Teda in North Africa must bear no weapons in the village[59].

In Ubandi men who visit the markets can keep their spears as a sign of their military dignity, but they must lay aside their shields, and in some parts of the Congo the rifles must be made unsuitable if they are to be taken to the market[60]. In Loango at the market-places special poles and leafy branches are set up to symbolize peace (*Nsanda*). Quite near piles of earth are raised and the weapons must be placed there, for no one may appear armed at the market, and if the peace should be disturbed it is closed for a long time or else it is moved to quite another part[61].

The natives in some parts of Brazil all lay their weapons aside when they trade[62]. At the great markets on the Chien Prairie in North America, tribes at enmity with each other were obliged to abstain from fighting[63]. In ancient Greece and Rome the frontiers were, as is well known, protected by special gods, *θεοὶ πῆρατοί*. The Gauls worshipped Hermes (Mercurius), the god of trade[64]. The idea that the market-places were protected was really the foundation of the peace in the markets in the Middle Ages; originally they were associated with the festivals of the Church. In the British Isles market-places were very early considered neutral boundary areas where fighting was forbidden even during war time[65].

It should also be noted that in some cases the peace of the market extends beyond that area and that even the roads leading there have, like other roads, a special signum of peace: the road to the chief, the king, the church, the court of justice, the army, indeed, sometimes even the festival roads that lead to a wedding. In Nyangwe, a central market in South Congo, the

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[57] Allen and Thomson, *Narrative of an Exp. to the River Niger,* i. 398.

[58] Hanoteau and Letourneux, *La Kabylie,* etc. iii. 303 (*cf.* ii. 8).

[59] Nachtigal, *Sahara und Sudan,* iii. 91.

[60] Lang, in Steinmetz, *op. cit.* p. 265.

[61] Pechuel-Loesche, *Volkskunde von Loango,* p. 231 (The market is *Lisändu,* Plur. *Masandu*; *ibid.* 231).

[62] v. Martius, *Rechtzustande der Ureinwohner Brasiliens,* p. 16.

When exchange is arranged among Brazilian natives, certain words are repeated several times by both parties, and both sides seize their weapons simultaneously (Sumner and Keller, *The Science of Society,* i. 154. *Cf.* Numelin, 'Primitiv handel', in *Terra,* li:i. 16).

[63] Carver, *Travels North America,* pp. 99.

[64] Schrader, *Handelsgeschichte,* pp. 35, 107.

[65] Cunninghame, *Growth of English Industry,* p. 39; Joyce, *Social History Ancient Ireland,* i. 277, ii. 266 sqq.

roads leading there are declared protected[66]. During the Middle Ages sometimes the peace of the market included the traders on their way there[67]. And among some wild tribes the actual objects of trade were considered as protected, and the trade marks—a very ancient institution—are also protective signs. Among the Riffs of North Africa the market and the roads leading to it are regarded as safe from the exercise of private vengeance[68].

In primitive society it is a very common custom for the owner of an article to put a certain mark upon it as a sign that it is part of himself. Such property marks are found in regions so wide apart as Australia, Oceania, Africa. Whoever then interferes with it is supposed to incur the enmity of the owner's particular spirit[69].

Thus all market-places quite early became a kind of asylum. In other cases again the neutrality can have the character of a temporary armistice which ceases when the trade transactions are finished. Among the Mosquitos in Honduras, if war breaks out, the Nabo tribes arrange an armistice at certain times for the purpose of exchanging goods[70].

We have instances showing that even when each village was hostile to all the others, the advantages of trade were so clearly realized that the boundary between two or more townships came to be recognized as n e u t r a l g r o u n d where men might meet occasionally to their mutual benefit, if not on friendly terms at least without fighting[71].

In the sagas of the Norse Kings we are told that when the travellers came to Bjarmal, they went to the market-town; and when the fair was over, they went out on the Vina River and then the truce with the people of the country was at an end[72].

In ancient Greece, in ancient Norwegian and Danish law , and in the France and Germany of the Middle Ages a breach of the market peace was dealt with more severely than a breach of the common law[73].

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[66] Schurtz, *Afrikanische Gewarbe,* p. 119; reg. special peaceable roads among peoples of higher cultural states, see Brunner, *Deutsche Rechtsgeschichte,* ii. 583 (Teutons); Bogos, *Afr. Jurisprudenz,* i. 396 (Semito-Hamites).

[67] Sumner, *War and other Essays,* p. 21 sq.

[68] Meaking, *The Moors,* p. 402.

[69] Roth, in *Bulletin N. Queensland Ethn.* viii. 9 (Austr. abor.); Rivers, *History Melanesian Society,* i. 92, 142, ii. 394 (Melanesians); Ellis, *op. cit.* iii. 116 (Polynesians); Seligmann, *The Veddas,* p. 112 (Veddas on Ceylon); Barret, 'Notes on the Wa-Giriana', in *Journ. Anthr. Inst.* xii. 52 (Wa-Giriana in Br. East Afr.).

[70] Hayes, *Introduction to Sociology,* p. 522.

[71] Cunninghame, *op. cit.* p. 79.

[72] Sn. Sturlasson, *Norges Kungasagor,* i. 136; Laing and Anderson, *Heimskringla,* iii. 92.

It is in the interest of all parties to maintain the peace of the market, to have certain neutral places where peaceful arrangements can be made and gradually the customs of the market become definite laws. The markets are placed under the protection of chiefs or kings where they are not, as mentioned above, protected by the gods of the frontiers and trading-places. The market is controlled by the king's officials, taxation is introduced to support the tribal officials whom new conditions bring into existence. In Africa clan warriors supply their annual quota to the king's armies: each clan provides 'pages' to the royal court[74]. In the Kabyl markets in North Africa one notices an official —the chief of the market—who belongs to the leading family of the tribe which own it and sees to the preservation of the peace[75]. Among the Baganda a chief appointed by the king performs similar duties[76].

In Loango the markets are under the protection of the king who appoints special guardians, and among the Baluba the chiefs maintain order by means of six watchmen dressed in specially marked cloaks. At the least sign of disturbance or quarrel they intervene[77]. In Uganda the king nominates annually similar special guards who sometimes also act as mediators[78]. Among the Baganda, too, there are market guardians appointed by the king[79]. And the Washambala have a superintendant who collects the market fees and is responsible for order there[80].

In Nigeria the market control is vested in the most influential of the old women, who can also mediate in quarrels[81]. The Glidy Ehwe in Togo have special market overseers called *Asigá,* appointed by the king or the chief and having the right to appoint assistants; they are responsible for order and the peace of the market, and remove disturbers of the peace[82]. The ancient Mexicans had also special market guardians called *Tianquizpan*[83].

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[73] Hamilton-Grierson, *loc. cit.* p. 420.

[74] Driberg, *The Lango,* p. 126.

[75] Hanoteau and Letourneux, *op. cit.* iii. 303.

[76] Roscoe, *The Baganda,* p. 79. There are market kings among certain peoples, who settle disputes between buyers and sellers; and the women choose a market queen to protect their business transactions. (*Cf.* Alexander, quoted by Hamilton-Grierson, *loc. cit.* p. 421). Among the Waikuru in Polynesia the king has special arbitrators for the trade questions of the market (Ellis, *op. cit.* iv. 324 sqq).

[77] Lang, in Steinmetz, *op. cit.* p. 266.

[78] Roscoe, 'The Bahima', in *Journ. Anthr. Inst.* xxxvii. 80; *idem, The Bageshu,* p. 79, and *The Baganda,* p. 71.

[79] *Ibid.* 79.

[80] Lang, *loc. cit.* p. 266.

[81] Basden, *The Ibos of Nigeria,* pp. 90, 115.

[82] Westermann, *op. cit.* p. 99.

[83] Clavigero, *Storia ant. Messico,* ii. 163.

Among some peoples of the primitive world the markets were regarded as protected by magical and religious powers. At least earlier this was the case among the natives on the Nicobar Islands[84]. Many African peoples, like the Ba-Mbala, consider the markets to be specially protected by the gods or in any case under the protection of a fetish[85].

In Spanish Morocco it was the powerful *Baraka* of the *Sîyîd* (Shrine) who not only insured safety within the *Harm* (sanctuary area) but helped to give safety at the tribal market because the *Baraka* was considered to pervade the market and be a deterrent to any acts against the public weal, since the saint would himself surely punish an offender. Like various occupations trade also had its patron saints[86].

Any disturbance of the market peace is severely punished; this fact is found both among primitive peoples and those at a higher stage. As regards the former it is considered that these disturbances have drawn upon themselves the curse of the gods in the form of an accident or even death, and this explains the exceptionally heavy punishment. But it was very seldom that the market-guardians needed to interfere, for the hundreds and thousands of people who frequented the African market knew how to keep order themselves. Many African tribes held it to be a duty to visit the markets. If someone was forced to be absent several consecutive times it was considered to have disturbed the peace, which could only be restored after he had taken certain measures of propitiation[87].

As regards the natives in the northern parts of the Gold Coast, Cardinall says: 'Except in the markets, one did not meet other men; and markets were all in a peculiar position, being under the direct control of an Earthgod. Violations of his wishes were punishable—sometimes a community would be, so to speak, forbidden all intercourse in the markets, and all other communities saw to it that the order of the market (*Tindana*) was obeyed'[88].

For the Eskimos on Bering Strait in ancient times, intertribal communication along the coast was irregular and uncertain, owing to the hostile attitude of the

[84] Whitehead, *The Nicobar Islands,* p. 19.

[85] Torday and Joyce, 'Notes of the Ba-Mbala', in *Journ. Anthr. Inst.* xxxv. 408.

[86] Fogg, 'A Tribal Market in the Spanish Zone of Morocco', in *Africa,* xi. 432; Westermarck, *Ritual and Belief in Morocco,* i. 179 sq. In addition to the invisible influence of the *Sîyîd,* there was the visible power of the Šeíh, the master of the market (*ibid.* i. 179); *cf* also Goldziher, *Muhammedanische Studien,* ii. 310.

[87] Gutmann, *Das Recht der Dschagga,* p. 425 sqq.

[88] Cardinall (*Natives of the Northern Territories of the Gold Coast,* p. 54) goes perhaps too far in stating that the need for markets involved its freedom from disturbance, an idea which in course of time, seems to have given rise to the Leagues of Nations.

peoples toward one another. For this reason trading was confined to those villages which happened to be on friendly terms. Now the old barrier is broken down and active commerce between the different communities has become a marked feature of their life[89]. Here perhaps is the beginning of the economic boycott, of the modern sanctions system.

Honest and peaceful behaviour seems thus among certain primitive peoples to be a result not so much of fear for the mystical punishment which follows a breach of the taboo, as for that which a cheater or the breaker of a promise incurs from the god of the market. Probably the reason for the peace and neutrality of the market is due both to their usefulness and magico-religious motives. Even when two villages were at enmity with each other they soon saw the advantages of having a boundary between the villages which came to be considered as neutral, where at least occasionally men could meet without fighting if not in absolute friendship. The milieu of the market coincided with the neutral area and the boundary stones were perhaps the forerunner of the Market Cross. The peace of the market depends partly on relations between traders, partly on the fact that the places where trade is carried on are taboo, and finally also on the holiness that first surrounded such meetings so that the places are considered to be under the protection of a special god.

The market places gave rise to public action of a tradepolitical, legislative kind. On the tribal market in Spanish Morocco much legal work is done: the making of marriage contracts, divorce settlements, land boundary agreements, land purchase contracts; also documents and agreements for traders, carriers etc. are drawn up there. And besides all this they are pleasure grounds, the place for many customs of a magic and religious nature in which both good and bad spirits are believed to be present[90].

Considering how often the markets at the primitive stage have developed from a depot of silent trade, it can be questioned how far the general assumption of historians is quite correct when they say that the early town is a development from a fortified place—in contrast to the more modern town which has often grown up on an old market-place. It is a question whether the early towns did not often arise just at the markets or other trading-places.

Primitive trade is sometimes organized so that it does not operate direct, *i.e.,* that the trade is not carried on directly between two tribes but that agents are employed, especially between two groups who are not on very friendly terms. And on the other hand, tribes whose geographical

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[89] Nelson, 'The Eskimo about Bering Strait', in *Ann. Rep. Bur. Amer. Ethn.* xviii:i. 229.

[90] Fogg, *op. cit.* p. 411.

position is advantageous know how to exploit it and play an agent's part profitably. Some examples are: the Kamba Negroes in East Africa do not allow the hunting tribes further inland to carry ivory through the Akambas' district to the coast; instead they obtain the ivory by exchange and sell it at a good profit to the Arab merchants[91]. The Goala are intermediaries between the inland and the coastal tribes[92]. The dwarf people in the Cameroons are not allowed to have direct contact with the whites but must trade through the Bakongo, the Negro tribe in their neighbourhood[93]. The same circumstances have been observed among the tribes on the coast and inland of North America[94] and on the Bering Street[95].

From such agencies as has been mentioned here, a real trade monopoly can arise when the strong chiefs assume the right to sell the goods produced by the members of their group, a not unusual occurrence among the African Negroes[96].

There is a tendency all over primitive Africa for the industries to become monopolies; it has gone farthest among such people as the Bakitara and Banyankole[97]. It is especially by means of these agencies that certain goods even among the primitive peoples become spread all over the whole continent.

At a somewhat higher stage of civilization primitive trade spreads farther out and expeditions are sent to distant countries. This is, of course, due to geographical causes and contributes very much to the development of peaceful connections; such trade most easily arises on much indented coasts or those having many islands, and not in the interior unless the desert or the steppes attract them to it.

Among many primitive peoples a trade with well-prepared expeditions on sea or land can already be found. For example, such expeditions are undertaken by the Australian natives.

The natives of South-east Australia often send small expeditions a long way to the mines of red ochre and firestone slabs. Old and younger men are selected for such expeditions and the council of elders appoints a leader. The preparations are kept secret. The journey takes about six to eight weeks. Often they have to fight their way, which is not surprising when one remembers that these mines and

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[91] Lindblom, 'Handelsmetoder bland primitiva folk', in *Handel och samfardsel,* p. 19.

[92] Thurnwald, *op. cit.* p. 15.

[93] Schmidt and Koppers, *Der Mensch aller Zeiten,* iii:i. 464.

[94] *Ibid.* 489.

[95] Nordenskiold, *Vegas fard,* ii. 14, 122.

[96] Lindblom, *loc. cit.* p. 21.

[97] Roscoe, *The Bakitara,* p. 176 sqq; *idem, The Banyankole,* p. 63 sqq. Sometimes it happens that the trader has especial 'trade friends' who protect and support him while among strange tribesmen (*cf.* Hagen, *Unter den Papua's,* p. 216 sq).

quarries are the property of the tribes in whose country they are situated[98]. The Diery send every year an expedition to the *pitcheri* country in Queensland, about 250 miles away[99].

Extensive trade journeys by the natives on the north-east coast of New Guinea to the Siassi Islands are also reported. The trade is often silent in that the goods to be offered or desired are simply shown. The journeys are accompanied by all kinds of ceremony and ritual, for instance, those who take part in the journey must observe great abstinence, they must make a ceremonial visit to the chief of the tribe with whom they wish to trade and must be provided with gifts[100].

Probably the longest journeys that any primitive people have undertaken are those of the Melanesians and Polynesians among the islands of the Pacific. And here the reason of trade must often have been important—the expression *trade winds* and *trade wind belts* arose very early—although one must probably not overestimate these motives at the cost of others. For if one considers the role played by the winds and sea currents in the expansion of the peoples of Oceania and Malay one cannot assume that the trade motive was the deciding one[101]. On the other hand it is not possible to overestimate the importance of these journeys for the maintainance of peaceful relations.

Among the peoples of the Malay Archipelago, where the islands and deeply indented coast-lines attracts travellers, an oversea trade, as well as one along the rivers, *e.g.* towards the woods of Borneo, has long been in existence. Here the primitive trader was able to travel under the protection of the local chiefs' recommendation[102]. The nobility in Tibet have commercial agents who go to Peking, Mongolia and other distant lands to buy rare and valuable articles for their employers[103].

The journeys of the early Mexicans, partly to the sea and partly into the interior are already a higher form of trade undertakings[104]. But foreign trade was also

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[98] Spencer and Gillen, *Across Australia,* i. 106; Horne and Aiston, *Savage life in Central Australia,* p. 34.

[99] Howitt, 'The Diery, etc.', in *Journ. Anthr. Inst.* xx. 76. Pitcheri is a bush whose twigs, dried, are used as a narcotic (*ibid.* 76). The Yantruwunta, the neighbours of the Diery, made similar excursions to the Flinders Mts. for red ochre and sandstone (Howitt, *Native Tribes,* p. 710 sqq).

[100] Zahn, *Die Jabim,* p. 315.

[101] Lindblom, *loc. cit.* p. 17; Numelin, in *Terra,* li:i. 18; *idem, The Wandering Spirit,* p. 173. Conc. long trades, *cf.* Burghardt du Bois, *Black Folk Then and Now,* pp. 65 sq, 117; Whiting, *Becoming an Kwoma,* p. 42 (natives New Guinea).

[102] Lumholz, *Through Central Borneo,* i. 28.

[103] Bell, *The People of Tibet,* p. 125.

[104] Krickeberg, in Buschan's, *op. cit.* i. 184, 280.

found among the Indians, for example the extensive trade journeys made by the Pomo Indians at Clear Lake to California[105]. The East Greenlanders' journeys to West Greenland to get snuff will take four years there and back, although they often remain no longer than an hour at the trading station[106]. An example from the peoples of North Asia are the Chukchee who formerly made long journeys to the coast of Alaska[107]. It is stated that in early times the Ainus traded with the peoples living in Eastern Siberia and the Kurile and Aleutian Islands and with Khamchatka. They also carried on barter with Matsumai, in olden times with Manchuria[108].

Nor is foreign trade quite strange to the peoples of Africa, even though, as already stated, it is chiefly represented by markets and the silent trade. The natives of the Congo are characterized by Weeks as 'born traders', the best in Africa, carrying their produce for miles either on their heads or in their canoes to neighbouring markets[109]. The people of Loango in West Africa used to undertake long expeditions into the interior, which were partly 'diplomatic'. When the traders wanted to pass through other states a messenger or envoy had to be sent there to negotiate for a free passage. It might then happen that the chief or the Negro king attached representatives to the leader of the expedition to guide them in safety to the next district[110].

The Ashantis used to send big trade expeditions to other tribes[111]. According to Thurnwald societies with a strict system of economic distribution have frequently concentrated the external trade in the hands of the distributing authority[112]. Desert areas have always had their special foreign trade connections. In North Africa and Central Asia they very early acquired the character of an organized caravan trade, of course in earlier times, connected with raids for conquest and booty, like the earlier nomads' trade, but also, as along the old 'Silk Road', very early connecting the two continents by means of barter and to some extent contributing to a peaceful

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[105] Radin, *Social Anthropology,* p. 164; Max Schmidt, *Volkerkunde,* p. 125 (*cf.* the Haussa).

[106] Mason, *Primitive Travel and Transportation,* p. 578.

[107] Byhan, in Buschan's, *op. cit.* ii:i. 285.

[108] Batchelor, *Ainu Life and Lore,* p. 37. Conc. Mongolian long distance traders *cf.* Lattimore, *The Mongols,* p. 63.

[109] Weeks, *Primitive Bakongo,* p. 199; Havemeyer, *Ethnography,* p. 60.

[110] Peschuel-Loesche, *Volkskunde von Loango,* p. 221.

[111] Schapera, *The Khoisan Peoples,* p. 218.

[112] Bowdich, quoted by Thurnwald, *op. cit.* p. 143. In accordance with the monopoly of external trade prevailing in the West African states in the 16th century many of the kings did not permit white men to trade with their people until they themselves and their court officials had received presents (*ibid.* 143).

trade with a foreign political character. It can also be noticed that the very idea of caravan trade implies an international factor. The word caravan comes from the Persian *karwan* (*kerwan*), which is supposed to mean trade protection[113]. A higher form of foreign trade developed, as is well known, between the early historical peoples of the Orient and the Mediterranean countries.

In the Valley of the Euphrates and the Tigris, as on the east and south-east coast of Arabia, foreign trade flourished. Here was the real centre of world commerce—by which the products of southern Asia and East Africa were transported to Egypt, Babylonia and Assyria. Long before Tyre and Sidon were thought of, cities for trade flourished on the Gulf of Katar and the Island and Bay of Bahrein. The caravan routes which still start here to cross the very centre of Arabia were already open at that time[114]. Pilgrims' processions and trade caravans had much in common. As early as the 8th century A.D. the Arabs carried on a regular overseas trade with the peoples of the Chinese coasts, and in 763 there were in Canton special officials for foreign trade. Not even the pirates were always robbers. Homeros says that when a stranger appeared at the door he was directly asked whether he was a trader or a real pirate. In either case he was made welcome if it appeared that he had come in peace[115]. As is well known, the Romans had trade relations with the northern Teutons, and the spread of Christianity and the wanderings of peoples created new trade connections.

In primitive trade exact measures of value were seldom used, at least in their original form. The value of an object was often determined more by its symbolic or historical associations than by its beauty or real value. Even where trade is specially active, money in the ordinary sense does not exist among primitive peoples, unless the so-called mussel money and shell money are reckoned as such (especially the so-called kauri mussels, *Cypraea moneta* and *Nassa calossa)*, usually among the Oceanic people and those of the African coast. But many other means of exchange which undoubtedly have the character of a measure of value can be met: glass beads, ornaments, the teeth of whales and elephants rice and salt, cocoanuts, spears, shields, ochre—cocoanuts are very usual in Australia—in East Asia as early as the period of the Chinese immigration, means of payment were already in use. On the Molucca Islands there are also Chinese plates in this connection. Where the slave trade was usual they have often served as means of payment. And in the Solomon Islands and the Bismarck Archipelago shell-money was used only for the purchase of

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[113] Andrée, Heiderich and Sieger, *Geographie des Welthandels,* iii. 274.

[114] 'A religious or semireligious demand is the most frequent and peremptory of any, as the opening of the caravan routes through the Arabian deserts proves' (Simcox, *Primitive civilizations,* i. 503); *cf.* also Rasmussen, *Om Arabernes og Persernes Handel med Rusland og Skandinavien i Middelalderen,* pass.

[115] Homeros, *Odysseus,* iii. 71-74; ix. 252-255.

women, the compensation for war debts, etc. that is, here money had as much a social as an economic function[116].

In the main we can thus say that from an internal exchange of gifts—between members of the same family, clan, tribe—an external exchange of gifts arises which is often accompanied by hospitality and develops into barter between neighbouring tribes or into a silent depot trade between tribes who do not know each other, and who, with the mistrust of the savage towards all that is strange, only dare to approach each other with the greatest carefulness. This carefulness is more easily understood where the parties represent different cultures or lack common frontiers. But once the trade connections have been started, when the parties have realized that they can both have greater advantage from peaceful, economic relations than from mistrust and fighting, the social and economic lines are extended. Also where tribes and people of less peaceful contacts have learnt the value of economic intercourse, trade transactions have strengthened connections between themselves. A silent trade becomes a more or less open trade, market trade, long distance trade. Much value has also accrued to trade from the making of peace, magic and religious festivals and other intertribal meetings. Thus social and mercantile relations have strengthened each other.

It has already been stated that objects derive their value often from symbolic and historical associations rather than their beauty or intrinsic value. What Goethe[117] makes Faust say: 'Krieg, Handel und Piraterie—Dreieinig sind sie nicht zu trennen' has at least no sociological correctness, least of all at the lower stages of culture.

Trade is in general an undertaking of peace, its antagonist is war. One of the first effects of primitive trade is to replace the less peaceful relations by peaceful ones, or at least to modify an ingrained suspicion. As we have seen, many primitive peoples are not engaged in war, and early wars seem only rarely to have been for economic purposes. Primitive trade shows a social motive clearly predominating over the economic, and friendly exchange within a group seems to be the germ from which all else springs. Our knowledge of the numerous facts of ethnology has shown us that it is difficult to connect the rise of trade with piracy and conquest raids. The socalled trade wars of higher cultural stages should not make us see primitive trade too one-sidedly. The peace of the market, for example, is

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[116] Numelin, *loc. cit.* in *Terra,* li:i. 20; Lasch, in Buschan's, *op. cit.* i. 20; Haberlandt, *ibid.* i. 487; Heine-Geldern, *ibid.* ii:i. 906; Mauss, 'L'essai sur le don', in *L'Année Sociologique,* i. 119 sqq; Viljoen, *op. cit.* ch. xii. Conc. magic and religious influence in trade, see Malinowski, *The Sexual Life of Savages,* p. xxxvii.

[117] Goethe, *Faust,* ii. 6574.

one of the greatest gains of primitive trade, and in some cases primitive wars have ceased just because of friendly trade connections which have developed in spite of war. And there are warlike peoples who allow warlike games, suspicion and the robber instinct to cease when trade speaks.

Wallace mentions a community of about five hundred people of various races, all meeting in a remote corner of East, 'to look for their fortune', as they express it. They are not generally people of very honest reputation; there are Chinese, Bugis, Ceramese, half-castle Javanese, with a sprinkling of half-wild Papuans, but all goes very quietly. They live without a government, police, or lawyers, but they do not cut each other's throats, do not plunder each other, because they are all inspired by the genius of commerce. All are traders, and they know that peace and order are essential to successful trading, and thus a public opinion is created which suppresses all lawlessness[118].

The traders of many African peoples are guests so long as the transactions last[119]. The Banyala will save from robbery and murder those people from other tribes who have come to trade with them[120]. In British Guiana members, even of enemy tribes, are hospitably received when they come to trade, for they are at the same time bearers of news[121].

Among the Mosquitos of Honduras, wars between the aborigines were almost continuous, but neighbouring tribes agreed to a truce at certain times to allow the exchange of goods[122].

The North American Indians had a widespread custom that both parties smoked a pipe of peace before the trade transactions were begun, to indicate in advance that they had made an agreement[123].

The Eskimos on Bering Strait had only irregular and uncertain intertribal connections because of the feeling of enmity between them; for this reason trade was carried on in villages which were considered to be on a friendly footing with each other. Yet gradually the trade relations became so extensive that to-day peaceful barter is one of the most definite characteristics of the life of these people[124].

The caravans which, when coming from the East, were so greatly feared during the Middle Ages, very soon, as we have seen, helped to maintain peaceful connections. In early Scandinavia peaceful trade intervals occurred during religious festivals, and in general trade was either the cause or consequence of peace.

Thus, far from originating in piracy and war it seems to me that primitive trade, whose different forms are to a high degree geographically conditioned, is

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[118] Wallace, *The Malay Archipelago,* p. 431.

[119] Schurtz, *Afrikanische Gewerbe,* p. 125 (in the backland of Kilwa).

[120] Weeks, 'Anthropological Notes on the Banyala, etc.', in *Journ. Anthr. Inst.* xxxix. 100.

[121] Im Thurn, *Among the Indians of Guiana,* p. 271; Waitz, *Anthropologie der Naturvölker,* iii. 98.

[122] Hayes, *op. cit.* p. 522.

[123] Bancroft, *op. cit.* i. 273.

[124] Nelson, 'The Eskimo about Bering Strait', in *Ann. Rep. Bur. Amer. Ethn.* i. 229.

an expression of peaceful relations between tribes and peoples, and of this ethnology gives us numerous examples.

We have seen already that the exchange (of gifts) is part of a system of reciprocity of mutual give and take. A fundamental principle attached to the gifts is that under certain circumstances it must be made, that the refusal to accept it is considered an offence, and that a counter gift of at least equal but whenever possible of greater value must be given in return. 'The gift fulfils social as well as economic functions. It creates goodwill and the services are, mentally, ticked off and in the long run balanced', Malinowski says[125].

In the beginning the forms of trade have more social and religious than economic motives; the sanctions which induce the savage to meet his obligations and to fulfil them scrupulously, are threefold. One can say that economically—without definite valuation—the failure to reciprocate removes all possibilities of exchange and makes the position of the trader difficult, socially he suffers a loss of prestige and is covered with ridicule. From a magic-religious point of view there is a supernatural sanction, for the failure to reciprocate makes it possible for the recipient to be subjected to witchcraft through the presents he has acquired[126].

Primitive peoples early realized the advantage of a more general exchange and these easily became motives in themselves. In some case it is difficult to state whether economic relations grew out of social ones, or whether social and religious observances were added to a relationship primarily economic in purpose.

Trade brings people in contact with each other and mutual interests lead to toleration, cooperation, peaceful inter-group relations and the formation of alliances. Thus trade, like a magic power keeping peace all round and uniting discordant elements, is an important forerunner of civilization.

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[125] Malinowski, *Crime and Custom,* p. 26.

[126] Firth, *Primitive Economics of the New Zealand Maori,* p. 411.

Chapter XI

Diplomacy among 'Historical' Peoples

As we have seen in foregoing chapters the beginnings of international rights and primitive diplomacy and trade can be traced from the primitive Australians, the peoples of Oceania, among whom navigation contributed very much to closer association between the islanders, also from the natives of Asia and Africa, to the North American Indians, who very early had a more developed organization with permanent envoys, peace and trade delegates etc.

If we now for trace some parallells, turn our attention to the people who begin to be known about the dawn of history, we find the same tendencies, the same institutions.

The ancient history of the East certainly speaks very much of conquests, attacks, the subjugation of peoples and countries as an almost constant occurrence. But even here, between wars and attacks, there are signs of international factors and peaceful diplomacy.

In Babylon the many nationalities and mixture of languages helped to create a wider outlook on questions connected with them. In what is probably the oldest book of law in the world—that of King Hammurabi of Babylon about 1700 B.C.—not of course a codex of international law—the demand for justice and equity is expressed in humane rules based partly on Sumerian law, and reflect a community which had a thousand years of development behind it. Indeed, from the Accadian period, which preceded the Babylonian kingdom, we hear of a treaty with a vassal state drawn up in the Elamite language which Narâm-Sin, grandson to King Sargon, made with the princes in Avan about 2500 years B.C. Prof. Hrozný describes it as quite the most ancient State treaty known[1]. The earliest historical

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[1] *The Code of Hammurabi;* Hrozný, *Die alteste Geschichte Vorderasiens,* p. 76; Hertzler, *The Social Thought of Ancient Civilizations* (*McGraw-Hill-Publ. in Sociology*), p. 85 sqq; Fries, 'Konung Hammurabis af Babylonien lagar', in *Finsk Tidskrift,* liv:i. 208 sqq; Edwards, *The World's Earliest Law,* chh. ii, iii.

treaty of which we have any detailed record is one for the settlement of a boundary dispute between the city states of Lagash and Unna on the one side and of Shatt-el-Hai in Babylon on the other about 2850 B.C.[2].

Instances of treaties between semi-primitive and ancient peoples for the extradition of criminals and deserters have been recorded.

The first international treaty of which the full text is preserved is, as said before, that drawn up between Ramses II, King of Egypt, and Chetasar (Hattushilish III), Prince of Hitties, ca. 1280 B.C. when two Hittite envoys brought the text of the treaty written on silver tablets[3]. This treaty provided for the return of deserters from either country to their original homes and promised that neither the offenders themselves nor their wives and children should be destroyed, nor their mothers slain[4]. Such treaties were considered as under the seals of the gods themselves. A writer of antiquity gives details of some more or less picturesque ceremonies accompanying the taking of oaths in connection with treaties between less civilized nations of which the most important was the blood covenant. All through antiquity the gods presided over treaty-making and the oath was the predominant factor; the transition from ancient to modern times is marked by a steady decline of this religious element[5].

It is said that the Assyrians were international only in a violent way. As conquerors they often displaced the inhabitants from the conquered countries to the motherland, thereby to multiply the already existing population. This was certainly only a seeming assimilation of the peoples which could note be permanent. But the Assyrian history knows also of treaties of peace with other peoples[6].

The state law of the ancient Orient, considering its rulers and their conception of the completeness of their power and its justification, should not have contained any stipulations for the development of international relations. But the rich Nile valley brought the Egyptians into contact with many foreign nations and trade connections followed as well as an exchange of ideas which gradually led to the

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[2] King, *History of Sumer and Akkad,* pp. 101 sqq, 126 sqq, 164 sqq.

[3] Korŏsec, *Hethitische Staatsvertrage,* pass.; Muller, 'Der Bündnisvertrag Ramses II und des Chetierkonigs', in *Mittheilungen der vorderasiatischen Gesellschaft,* viii:5. There are also frontier-treaties made by the Assyrian king, Raman-nirar III 812-783 B.C., Karaindas, King of Babylon, and Asurbilnisisu, King in Assur, 1470 B.C. (Winckler, *Geschichte Babyloniens und Assyriens,* p. 88).

[4] Breasted, *Ancient Records of Egypt,* ii. 373 sqq; *idem, History of Egypt,* p. 347.

[5] *Cf.* Herodotos, iv. 70 (Scythians); *ibid.* iii. 8 (Arabians); *ibid.* i. 74 (Medes, Lydians); Tacitus *Ann.* xii. 47 (Armenians). *Cf.* also *Iliad,* vii. 375 sqq, 408 sqq. Oaths, invocations of the gods, imprecations on the treaty-breaker with sacrifice and feasting also accompany the making of a treaty between Greeks and Trojans (*Iliad,* iii. 103 sq, 268 sqq, iv. 156 sq).

laying down of certain international rules. Proper treaties of peace were concluded after war and in them were sometimes included rules for an agreement between different peoples, not least such as resemble the trade and extradition treaties of later times. As regards the surrendering of criminals, there were usually conditions protecting them from more severe punishment, a consequence of the oriental respect for hospitality and the right of asylum. Even treaties of emigration were made with rules for the return of emigrants in certain cases between Egypt and her neighbours. International relations were so well developed that property belonging to a foreigner dying in Egypt was considered as safely held for his wife and children till a delegate arrived from the dead man's country to take the things back to them. Foreign merchants were received also in the interior of the country. The Phoenicians, later also the Greeks, had their own trade quarters in the towns of Egypt. And their example attracted other nations. Trade was started with Arabia, the Mediterranean countries, Babylon, India. These connections led in their turn to new trade treaties and gradually to the regulation of the right to send to exchange envoys between Egypt and other countries[7].

We have then here, probably for the first time among historical peoples, well regulated international connections; kings and chiefs of states in regular correspondence with each other, diplomatic envoys come and go; definite rules are recorded for the reception and treatment of the envoys, and regulations to be followed when they are accredited to a foreign court. The question of passports and of the safe conduct of envoys and couriers are subject to a foreign administration department, trade connections are checked by frontier guards and other inspectors.

It is to be noted that the Babylonian language, as appears from the so-called *Tel-el-Amarna* finds, was for a long time the diplomatic language for the whole of the Near East[8].

The Phoenicians, for some time in control of the Mediterranean, came into contact with foreign nations not least by their voyages and colonies, which called for regulations, and these, though they were chiefly aimed at material affairs, also

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[6] Kleen, *Mellanfolklig ratt,* i. 10 sq.

[7] Smith, *Ancient Egyptians,* pp. 70, 89, 146 sqq; Baikie, *History of Egypt,* ii. 203 sqq; Wegner, *Geschichte des Volkerrechts* (*Handbuch des Völkerrechts,* i:3), i sqq. Conc. the treaties between King Cheta Chetasar and Ramses II, King of Egypt, *cf.* also Revillout, 'Du rôle de la femme dans la politique' in *Revue Egyptienne,* ix. 31.

[8] Niebuhr, *Die Amarna-Zeit* (*Der alte Orient,* i:ii.) pass.; Budge and Belold, *The Tel-el-Amarna Tablets in the Br. Museum,* pass.

touched upon the legal side. The Phoenician States were themselves associated in a union. Between the motherland and the colonies there were legal rules of an international character.

The Medes and Persians, the Iranians of ancient times, sought to find their ideals in the beautiful teaching of Zarathustra which directed attention to justice and happiness. In spite of the external greatness of the kingdom this faith gave to the government of ancient Persia an impress of mildness and wisdom. The teaching of the gods and moral teaching were one. And international rights came to have a certain importance: the Persians showed great toleration in the treatment of conquered countries, especially in regard to their religious practices: justice and respect should find expression. The districts subjugated even retained a certain amount of self-government. Prisoners of war were not to be killed. Yet the ancient Persians did not succeed in creating any definite system of international law.

The spirit of the Jews was in some contrast to this. Israel was 'God's chosen people'. The Mosaic Law was imbued with contempt for the stranger. The killing of prisoners of war was not forbidden. The law was merciless towards them, while, on the other hand, it did not by any means disregard the property of the enemy. Among other things, fruit-trees might not be cut down even when enemy villages were being besieged. Hostile feelings were urged with different degrees of hate towards different peoples. For some countries rules were laid down with regard to peace negotiations, armistice and the burying af enemies. But treaties with foreigners were seldom respected: were they not under the protection of strange gods? When the Kingdom of Israel was set up there was a certain mitigation of the hatred, and in Solomon's time even trade treaties were made. After the exiles of the Jews (to other countries) there was a certain revision of nationalistic views; greater humanity made itself felt and envoys or messengers to foreign tribes and peoples are mentioned[9].

Language and tribal relationship furthered intercourse among the Hebrews. As Renan says, 'au sein de ces tribus nomades, parlant toutes la même langue et professant à peu près les mêmes cultes, les alliances et les pactes se faisaient et se defaisaient sans cesse'[10]. The Hebrews did not only make treaties among themselves —when they formed more or less independent states—but also with the heathen.

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[9] *Cf. Leviticus,* xxvii; *Numeri,* xx:14, 21. xxi:14-17, 22; *Deuteronomium,* xx:i, xxvi: 18 (*cf.* also vii:6 sqq); *2. Samuel,* vii:10 (x:2), xii:31; *Chronicles,* xv:11. Conc. Hebrew envoys, *cf. Psalm,* cxxii:7; *Esaias,* lii:7; *Nath.* i:15; *Jer.* xxix:7; *2. Kings,* ix:26; *Lucas,* xxvi:36; *John,* xx:19, 21, 26; *1. Samuel,* i:14 (*cf.* also Adam Brown, in *Dictionary Bibl. Ed.* iii. 772 sq).

[10] Renan, *Historie du peuple d'Israel,* i. 104.

Such contacts seem to have been numerous and frequent especially during Solomon's time[11], who himself married a daughter of Pharaoh and set up altars in Jerusalem for the gods of the Egyptians and the Ammonites; he also made treaties with Hiram or Ariram, King of Tyre, but we know nothing certain about their contents[12].

In the old Hebrew literature both divine and 'satanic' messengers are mentioned. The Hebraic word for messenger is sometimes translated in the Old Testament as 'ambassador' but appears to indicate a messenger at the court. The Hebrew messengers were not permanent representatives but were nominated by the court for special missions; they enjoyed important privileges and to treat such a functionary badly was regarded as a serious insult to the king and nation, for they had to carry out important business of state, to call opposing parties to a meeting, to convey messages of peace, etc.

The Bramanism also supported the treating of strangers as enemies, but both in the Holy Books of the Vedas and in the Laws of Manu there are expressions of real humaneness. The Laws of Manu, *Mânava Dharmásastra,* contain a whole code of diplomatic stipulations. In ancient India envoys were sent to foreign courts for the purpose of arranging alliances; these were generally with the object of making war rather than of securing peace. Neutrality seems to have been rather rare, although a state which felt strong enough might temporarily remain aloof from a war in order to maintain and perhaps increase its strength while its enemy was being weakened[13]. Yet it must be noted that treaties for alliances as well for terminating war and for securing peace were recognized as solemn agreements not to be lightly broken. Negotiations for these were under the direction of special envoys and other accredited ministers, but the ratification was by the sovereigns of the contracting states alone and bound them to each other in faith and trust[14]. As to the envoys, or as they are called in the literature ambassadors, Russel thinks that it is evident from all the dissertations on policy in ancient India that espionage was highly developed in both internal and external relations and that these envoys often had such functions[15]. Some writers divided spies quite

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[11] *1. Kings,* ix:16 sqq.

[12] Holzendorff (*Handbuch des Volkerrechts,* i. 188) does not mention it; Calvo (*Le droit international,* i. 4) says: 'Les Juifs traitèrent constamment tous étrangers en ennemi, par le fait même qu'ils ne reconnaissaient pas leur Dieu. Il ne saurait donc être question de traités d'alliance proprement dit entre les enfants d'Israel et les nations voisines'.

[13] Viswanatha, *International Law in Ancient India,* p. 19 sqq.

[14] Russel, *Theories of International Relations,* p. 43.

[15] *Ibid.* 41 sq.

simply into two classes, open spies and secret traders or those representing some other occupation and charged with obtaining information of military value for their own state. An open spy could be an envoy. In view of the detailed instructions regarding espionage given in the *Artha-Sâstras* for ambassadors it seems accurate to call them spies whatever special mission might be entrusted to them; they should find out the secrets of the state to which they were sent in order that it might later be outwitted by their King[16]. The envoys were always warned against violence in interstate relations as well as in others[17].

In ancient China their famous school of philosophy with its humane views had a considerable influence. We hear of envoys being appointed and received with established ceremonies and formalities indicating a consciousness of their importance. Questions of an envoy's precedence were determined by fixed principles. They were given exact instructions regarding tactful behaviour and the furthering of peaceful and confidential relations with other nations[18].

Along the 'Silk Road', which in itself was a remarkable commercial-political connection between East and West, we come once more to the Mediterranean countries. For a long time, of course, the Greeks regarded other peoples as 'barbarians', but their colonizing expansion involved movement and a widening horizon, and, therewith, a policy based on legal foundation and not only on annexation. In their federal policy the Greeks learned much from the Persians. When there was a dispute they appealed to the oracles whose advice was also sought with regard to the validity of the claims or demands of foreign powers and to the replies which should be given to their envoys and messengers.

The division of the Greek nation into a number of small states of unified areas led quite early to the rise of diplomatic customs and created a considerable apparatus of foreign political administration, with heralds, marshalls, messengers and ambassadors. The heralds of the Homeric period were not only the accredited agents for negotiations, they were also the managers of the royal household,

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[16] Viswanatha, *op. cit.* 64 sqq.

[17] The instructions were quite definite: intemperate expressions of friendship or extravagant promises, later to be broken, should not be made. Strongly hostile remarks should likewise be avoided. They should not speak or act in such a way as to engage the friendliness or trustworthiness of their state. Further, when on a diplomatic mission they must not resort to coercive tactics in order to bring their business to a successful issue. *Cf.* Russel, *op. cit.* p. 41 sq. Contuzzi, *Trattato teorici-pratico di Diritto Consolare et Diplomatico,* i. 8; Banerji, *Volkerrecht, etc. im alten Indien,* pass; the ancient Egyptians undoubtedly had something of the same kind, *cf.* Haelschner, *De iure gentium,* p. 37.

[18] Phillipson, *International Law and Custom of Anc. Greece and Rome,* i. 303; Contuzzi, *op. cit.* i. 8 sqq; Chuang-Tsze, *Divine Classic of Nan-Hua,* pass.

keeping order at assemblies and conducting certain religious rites. The office of herald often ran in families and his main qualification was a retentive memory and a very loud voice[19].

When a more certain historical light falls upon the Hellenic world, in the fourth and fifth centuries B.C., we find diplomatic connections between the Greek states in established forms. The records of the Sparta Conference indicate that by the fifth century the Greeks had elaborated some system of constant diplomatic relations, that members of diplomatic missions were accorded certain immunities and great consideration. The city states adopted the practice of choosing as their envoys the finest orators, the most plausible forensic advocates, that the community could produce. Their task was to plead the cause of their city before the popular assemblies of foreign leagues or cities. They were not expected to acquire information regarding the countries which they visited or to write reports on their return. All that was expected of them was that they could make magnificent speeches. Permanent embassies were not set up, but a kind of consular representation had arisen through the *proxenos* institution. A *proxenos* was either a highly esteemed citizen who had been commissioned by his town to receive the envoy from another state and show him hospitality, or the citizen who had been nominated by the foreign state to be its friend and as such to look after their affairs and their travelling subjects.

The great geographical expansion of the nation appeared not least in the establishment of colonies all over the Mediterranean area. The Greek colonies were politically self-governing states which yet through origin and tradition were often in very close connection with the city or province from which their people had come. By means of colonisation the number of small states of Greece were multiplied, a fact that very much complicated their mutual relations. Pacts and treaties between them were constantly being made and broken.

The so-called Amphictyonic Councils—assemblies of tribes and states with a religious emphasis in the neighbourhood of some revered sanctuary—played a peculiar part among the states of the Greek motherland. The most important of these assemblies was grouped round the famous temple and Oracle of Apollo in Delphi. Their members claimed exterritorial rights and other diplomatic privileges. They undertook never to destroy the town of any other member, never to cut off the water supply in war or peace, and so on, and the finest obligation in their agreement was to refrain from committing any outrage upon the sanctified

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[19] *Iliad,* v. 804, xi. 140, 286 sq; *Odyss.* xxi. 20; Fauchille, *Traité de droit intern. publ.* i:i. 68; Neumann, in Hildebrand, Hjärne and others, *Varldshistoria,* i. pp. 409 sqq, 432 sqq; Nicolson, *op. cit.* 20.

rights of the temple and the protecting gods. These Delphic Amphictyonic Councils and their history give examples of sanctions imposed by them upon one of their members who had offended against this agreement. These sanctions led not infrequently to a so-called 'holy war'[20].

Yet politically more important were the associations which grouped themselves round one or other of the most powerful states, such as the Peloponesian League and the Athenian Naval Union led by Sparta, and above all the Pan-Hellenic Union created by Philip of Macedonia whose task was a war of vengeance against the Kingdom of Persia; that war which later under Alexander the Great led to the founding of the short-lived Macedonian-Oriental world empire.

Gradually a Greek international law grows up, not least in consequence of the Greek system of association, and this renders possible a higher quality of international regulation than had prevailed among the Oriental peoples. Envoys travelled constantly between the different Greek states whose representatives often met at large or small congresses. The best speakers and the most skilled in questions of law were selected as envoys. They had to present their case not only to the government concerned but also to the national assembly of its people[21].

For a very long time a difference was made, in international relations as in private life, between Greeks and foreigners, but this distinction had to be more and more abandoned in international affairs as the Greek States became more and more closely connected with 'barbarian' states. This is specially noticeable in the Greek-Persian relations. Envoys from the rival Greek states travelled constantly, especially in the fourth century, to the court of the great King at Susa to procure his powerful support. The Persian negotiators sent to Greece were there received with the greatest respect. The duties of hospitality towards peaceful strangers, the sanctified right of refugees and the principle of the immunity of envoys were generally observed both among themselves and towards the 'barbarians', although there were exceptions. We remember the outrage against King Darius I's ambassador in Sparta and Athens in the 5th century. The teaching about international duties of the Greek philosophers like Plato and Aristotle do not in all respects agree with modern conceptions, but in any case the tendency was towards a more humane outlook.

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[20] Genet, *Traité de Diplomatie et de Droit Diplomatique,* iii. 15; Busolt, in *Handwörterbuch d. klass. Altertumswiss.* iv. :i. 54; Baier, *Studien zur achaeischen Bundes-Verfassung,* pass; Tittmann, *Über den Bund der Amphiktyonen,* pass; Klatt, *Chronologische Beitrage zur Geschichte des archaischen Bundes,* pass.

[21] *Thucid.,* iv. 118; *Livius,* i. 24, i. 30, xiii. 19; *Corps, insc. Graec no. 1937 in addendes,* quoted by Phillipson, *op. cit.* i. 315.

The diplomatic envoys, secretaries, attachés, marshalls and heralds enjoyed various privileges. They were free from all civil and criminal jurisdiction in the foreign places where they were at work. They had the right to travel anywhere, even through enemy country. They were the personification of the sovereignty of their own states. Their diplomatic correspondence was considered inviolable, even when it was to or from enemy states. They also had the right to freedom from custom duties for their private possessions. As already stated, they were often admitted to the national assembly where they were introduced by the *proxenos*. Their duties were extremely varied: negotiations with regard to treaties of peace, friendship and trade, alliances, military assistance and subventions, the burying of fallen soldiers, the presentation of gifts, etc. The national assembly had the right to put all kind of questions to these foreign negotiators. Hostile demonstrations against them by the people could not always be avoided, but in any case the authorities were in principle responsible for any infringement of the envoys' personal safety and for their freedom to return home.

To commemorate an alliance or peace an annual festival was not unusual, as Isocartes states in connection with a peace between Athens and Sparta. Such general assemblies undoubtedly had an excellent effect in regard to the maintainance of peace, as is well pointed out by the same orator: 'Now those who established the great festivals are justly praised for handing down to us a custom which induces us to enter into treaties with one another, to reconcile the hostile feelings that may exist among us, and to assemble in one place; and besides, by taking part in the common prayers and sacrifices, we are reminded of the original tie of friendship between us, and become more kindly disposed towards each other for our future relationships, and so we renew old friendships and establish new ones'. We hear also of decrees in honour of those who had faithfully fulfilled their obligations[22].

The Greek treaties were engraved on bronze or marble tablets and preserved in a special temple or state building. As in ancient China there was a special palace for keeping treaties at a holy place called *Meng-Fu,* so there was in Athens the Metróon temple, a safe place for the state archives.

These free, popular forms of diplomatic negotiations and their conclusions disappeared with the decline of the republican constitution. In the Hellenic kingdom which arose after the death of Alexander the Great, the 'cabinet' policy of the absolute sovereign took its place, but the principles of international diplomacy

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[22] Phillipson, *op. cit.* i. 414 sq; *cf.* Lange, *Histoire de l'internationalisme* (*Publ. de L'Inst. Nobel Norvégien,* iv.) pp. 24 sq, 35 sqq.

remained unchanged. They were also inherited by the powerful competitor and final conqueror of this kingdom: the Republic of Rome.

International law and diplomatic customs grew up among the Romans, as among the Greeks, by means of treaties, though these were different in many essential respects. It is well known how cleverly the Romans stabilized their connections with the peoples and towns they conquered in Italy by means of treaties which secured to the latter a certain degree of self-government. The provinces later acquired outside Italy became directly subject to Rome and were under a different law from that of Rome and her Italian allies. Yet in the provinces also there were small states nominally independent, *civitates foederatae,* whose relationship to their Roman masters were regulated by treaty. The political connections with the larger, independent states in the Mediterranean area, so long as they existed, were maintained by means of the then valid Greek international law. Foreign policy was directed by the Roman Senate although in principle the treaties they made had to be approved by the national assembly. Under the Emperors the foreign policy was determined by them, though at first in consultation with the Senate[23].

In Rome also treaties were intimately connected with the worship of the gods. The termination of ancient times is marked by the decline of the religious element in favour of the legal. During the first period of Rome's supremacy a *ius sacrum* was valid and comprised the law of peace and war, the rights of strangers and the right to emigrate. During the whole of antiquity it is the gods who watch over all treaties and alliances and the oath was a predominant factor. Gradually, as the religious custom declined, *ius sacrum* gave way to *ius gentium,* which became a Roman right, a kind of international private law distinguished from *ius civile* in that the former regulated connections with other nations and states, with whom Rome was in relation, the latter was the law applied to Roman citizens. But with the evolution of the Roman Empire a *ius peregrinum* (law of stranger) was separated from *ius gentium.*

The law of strangers was applied to the freeborn inhabitants of the new provinces that Rome conquered in so far as they did not receive a Roman or Latin citizen's right. Gradually also the idea of a *ius naturale* grew up, common to all mankind, even though never more than rather vaguely formulated and perhaps only expressed in the theories of the philosophers, especially the Stoics. The practical outcome of this was the *pax romana* created by Augustus within the Roman Empire.

The treaties were of definite kinds; *foedus* for example was a solemn form of

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[23] Pauly-Wissowa, *Real-Encyclopadie der classischen Altertumswissenschaft,* xii., art. 'Legatus'; *cf. Livius,* i. 15, xxxvii. 55, xlii. 36; *Thucid.* i. 29, iv. 63.

peace treaty (*pax*), whose object was to restore relations between states who had been at war with each other, but when one state had not been wholly conquered by the other, *indutiae* signified armistice, while *sponsio* was a preparatory truce, made by the leading generals among themselves before the agreement was ratified —for example, the agreement which in 241 B.C. was concluded after the First Punic War.

Thus in Rome there gradually developed a special department for foreign affairs, whose first task was to arrange current business in the legal intercourse with foreign countries; and here the so-called *fetiales* played an important part and even to a great extent determined the decisions of the Senate in questions of foreign policy, as that a war could not be begun before the *fetiales* had given their approval.

A Roman envoy was called *legatus* (Plur. *legati*), sometime also synonymically *orator,* which latter term Livius uses for political emissaries: 'veientes pacem petitum oratores Romam mittunt'. But there were also heralds like the Greek ones. They were principally emissaries only between the towns, while *legati* were plenipotentiaries.

The Roman envoys, *legati,* were sometimes accompanied on their journeys by the provincial Governor. *Legati pro praetore* was the title during the Empire for those governors who controlled the provinces taken over by the Emperor, while the others, as before, were ruled by the proconsuls or propraetors of the Senate. These *legati* should not be confused with *legati legionum* in command on the battle-field, who had the right to receive the enemy envoy there with messages of war or peace, but only as the agent of the higher authorities in Rome. On the other hand the Senators, for journeys in the provinces, could be granted the right of envoys—so-called *legati liberi*[24].

In more important cases a deputation of several members was sent led by one or more proconsuls or *fetiales,* one of whom acted as *princeps legationes.* An example of this is the mission sent 189 B.C. to discuss the making of peace with King Antiocus; it consisted of three *consulares,* four *pretorii* and three *quaestor urbanus.* In the Roman Embassies there was also a kind of attaché, *comites legati;* and in this way they had usually large suites, *legatorum asseclae.*

Gradually different positions were created in the central foreign administration of Rome. The Roman system created the profession of trained archivists who specialized in diplomatic precedents and procedure, and with this came the science of palaeography; that is of verifying and deciphering ancient documents. These two occupations were, until late in the seventeenth century, called *res diplomatica*

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[24] Phillipson, *op. cit.* i. 323; *cf.* Cicero, *De Leg.* iii. 3, 8, 9, 10; *Ad. Fam.* xiii:21.

or diplomatic business, namely that of dealing with archives or diplomas. It may be said that the English *Foreign Office* is descended from the Roman system in this respect[25].

The Roman envoys had the same kind of task as the Greek. Their instructions could be given both orally and in writing—in Rome usually the latter—like their credentials. But in certain cases when they were given *mandata libera* they had full liberty of action[26].

In so far as the Roman legates were only empowered to act in those provinces and towns which belonged to *Imperium Romanum*—on the basis of treaties of friendship—they were not ambassadors in the modern sense. But Rome received envoys from and sent diplomats to foreign countries. If a state refused to receive a Roman envoy war could result, in any case the treaty between it and Rome lapsed; and conversely: in 169 B.C. Rome broke off relations with Rhodos by refusing to receive its envoy. Rome could refuse to receive an envoy, other states could not; but in later times Rome also maintained a more strict reciprocity[27].

The reception of foreign envoys in Rome generally took place in the Senate. The envoy had first to announce his arrival to a *quaestor urbanus,* then to a *praetor peregrinus* (the introducer of foreigners), usually in the temple of Saturn, and then was received by the Senate. Like the Greek national assembly, the Senate had the right to ask him all kind of questions. During the Republic he had to announce his arrival to the Consuls in the presence of the Senate. But he often had to wait several days before being received, and if complications arose between Rome and the state he represented, he had to be ready to leave Rome at once[28].

When it was clear that the credentials of the foreign envoys were in order they were received in Rome with marks of great honour. Special houses were appointed for them, *hospitia publica* or *aedes liberae* where no one else was allowed to live. Great hospitality was shown them, they were invited to the most prominent families of the aristocrats and to public festivals. But the emissary from a hostile state had first to procure a permit to enter the city from the General living nearest to Rome, otherwise he risked being treated as an enemy. Then when his credentials were in order he was welcomed by a *minor magistratus* before he was received by the Senate, and he could not count upon receiving full *hospitium.* An example of

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[25] Nys, *Les origines du droit international,* p. 170; conc. interpreters in Rome, *cf.* Snellman, *De interpretibus Romanorum,* i-ii.

[26] Phillipson, *op. cit.* i. 323; *Livius,* xlii. 46, xxxvii. 55 sq.

[27] Nys, *op. cit.* p. 170; *Livius,* xlv. 20; Phillipson, *op. cit.* i. 310.

[28] *Ibid.* p. 315; Mommsen, *Römisches Staatsrecht* (*Manquarts Altertümer*), iii. 2 sq, 1148 sqq; *Livius,* xiv. 22, 44.

this is that the envoys of Macedonia were once received outside the city and there they had to live in *villa publica* on *Campus Martius:* 'Macedones decuti extra urbem in villam publicam; ibiqus iis locus et lautia praebita; et ad aedem Bellonae senatus datus', writes Livius[29].

The Roman envoys were chosen like the Greek, from the most distinguished families among the *fetiales* and the senators. During the later Republic it seems that they were sometimes chosen by lot, *sortitio,* from among the senators, and it was distinctive for the diplomats of antiquity that they had to be of ripe age, preferably not under forty years old.

Foreign envoys and their staff were also inviolable and enjoyed the same kind of privileges as in the Greek city states. If complications arose on account of their private transactions, the law of Rome gave them the right to appeal to the court of their own country.

Roman international law was discussed in detail by the great lawyers of the time of the Emperors and also by the philosophers who, like Cicero, Seneca, Marcus Aurelius put forward broadly humane views. Stoicism stood for internationalism, and the Romans—in the Forum—set up statues to diplomats killed against international law[30].

The Romans contributed more to international order than to the conception of the equality of nations, an idea which could not expect to find real sympathy within an all-embracing world state like theirs, where organized diplomacy could not recognize the principle of the legal equality of sovereign states; nor was it to be found in the European state system of the Middle Ages when the Empire and the Papacy had inherited the Roman claim to rule the world[31].

As the feudal strait-jacket began to wear out and the system of states to win greater stability by its consolidation with the Church, governments soon saw the need for closer contact. The great trading towns, especially the Hansa, are quite early examples. This need also became great in Italy where the different small states tried to outmanoeuvre each other by means of rival treaties; and they also used envoys: *oratores, legati, ambasciatores*[32].

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[29] *Livius,* xxxiii. 24.

[30] Phillipson, *op. cit.* i. 328 sq; Tacitus, *Hist.* iv. 6, 8. Conc. the Roman Consuls, see Hanell, *Das altrömische eponyme Amt* (*Skrifter utg. av Sv. Inst. i Rom,* ii.), pass; Hrabar, *De legatis et legtionibus tractus varii,* etc.

[31] Phillipson, *op. cit.* p. 338 sq; Plinius, *Nat. Hist.* xxxiv. 12 sqq. It is perhaps not quite correct to speak of an international organization in antiquity, a world organization is better, because 'the world' at that time was only the Roman Empire (*cf.* Schücking, 'Die Organisation der Welt', in *Festgabe für Laband,* p. 533 sqq). *Cf.* also Cybichowski, *Das antike Völkerrecht,* p. 86 sqq.

[32] Karlowa, *Romische Rechtsgeschichte,* i. 281 sqq.

The papacy had used temporary envoys, *legati ad hoc,* even before the Italian states, and in Constantinople diplomacy appeared early even though there were as yet no definite envoys. Princes from the Orient who were anxious to have contact with the Byzantine Empire were received here and envoys were sent from Constantinople to other states, well trained in Eastern shrewdness and the art of analysis. 'Even among the most barbaric nations', Mr. Hill says, 'the inviolability of envoys appears to have been recognized from very early times ... the ceremonies of reception at the Gothic Court of Theoderic who ruled Rome under the title of Consul shortly before the year 500 A.D. were in imitation of those customary at Byzantium where great pomp and elaborate formation were in vogue'[33]. The Frankish and Visigothic kings also endeavoured to reproduce the etiquette of Constantinople[34].

Diplomacy in Byzantium had its own office for foreign affairs and a special *Srinion Barbarōn*—bureau for the 'Barbarians'—was set up for the benefit of foreign envoys and their affairs. In Constantinople a more or less definite ceremonial protocol developed and this was important for a long time even beyond the Byzantine frontiers. Thus the emperor Constantine Porphyrogenitus' *Ceremony* gives each envoy his special place at public festivals, and describes a royal model feast in the Hippodrome at Constantinople in honour of Arabia's envoy, and another one given under Justinianus II's auspice for the Persian envoys. The Byzantian protocol allowed the Emperor to have confidential meetings with the foreign diplomats. As a special mark of favour the Emperor would sometimes send to the envoy special dishes which were otherwise arranged only for him personally. Now the great festivals of the different nations began to be kept. Otherwise it is remarkable that the foreign envoy on arrival in Constantinople was received with a definitely cool and lofty reserve which, however, seems soon to have been exchanged for great and splendid hospitality. Yet at the same time the envoy was under strict observation which hindered him from obtaining information. Their actions and remarks were closely watched, and, especially if they represented powerful neighbours, efforts were made to conceal from them the wealth of the capital and even the beauty of the women. On the other hand, military parades were often held in honour of the diplomats, in which the same soldiers repeatedly appeared—after going round a few streets—carrying different weapons and looking very martial. Special people were attached to the foreign envoys to make them acquainted with the Byzantine Church and its magnificent

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[33] Hill, *A History of Diplomacy in the International Development,* i. 7, 36 sqq.

[34] *Ibid.* p. 36 sq; Hugan, *The Study of Intern. Government,* p. 3.

[35] *Ibid.* p. 3.

liturgy which was considered to be under the special protection of the gods[35]. Detailed instructions were also given to the Byzantine envoys: they were to behave extremely politely and entertain as much as their means allowed. To lower expenses as far as possible they should try to sell the products of their homeland and in this way create a trade-political market. But they were also to make detailed reports on the internal position of the foreign countries where they represented their Emperor, with information which demanded points of view different from those of the Greek heralds.

It is also to be noted regarding Oriental diplomacy that five hundred years later the West was still in the crude beginnings of a court etiquette. The East had, as we have seen, long been accustomed to a studied courtesy, and it was from its more polished manners that Western Europe was later to acquire those polite forms of intercourse which marked the age of chivalry[36].

From beautiful Byzantium let us make a little excursion to the Eastern part of the Mediterranean and the neighbouring countries. There is a certain kind of diplomacy known from the early Mohammedan world expressed in an agreement with Christian tribes. Some examples are as follows: Mahomet, after his acquisition of political power made treaties with Christian tribes, for instance with the Christian settlement of Nağrān, a country half-way between Mecca and Aden. The story of this people's embassy to Medina is in itself curious, and has a double interest because it is referred to in the Korân: 'A deputation of fourteen important men from Nağrān repaired to Mahomet. Among them was Ackil or Abd a Masîh, of the Bani Kinda, their chief, Abdal Harit, their bishop, and his brother Kurz, their guide. On reaching Medîna, they entered the Mosque, and prayed, turning towards the east, and they were clothed in fine raiment lined with silk. Then the prophet called them: but when they came, he turned away and would not speak with them.

In the morning they came again, but this time clothed in their monastic dress, and saluted Mahomet. He returned their salutation, and invited them to be converted to Islam, but they refused; and words and disputes increased between them. Then Mahomet recited to them passages from the Korân, and said: 'If ye deny that which I say unto you, Come, let us curse each other'. They went away to consider the matter. And on the morrow Abd al Masîh, with two of the chief men, came to Mahomet and said: 'We have determined that we shall not curse with thee; wherefore command regarding us whatsoever thou wilt, we will give it; and we will enter into a treaty with thee'. So he made a treaty with them and they returned to their cities. But in the evening Ackil with a companion went back

[36] Hill, *op. cit.* i. pp. 36 sqq, 206 sqq; Finch, *The sources of modern intern. law,* p. 7.

to Mahomet professing allegiance to Islam; so they were received and entertained in the house of Abu Ayûb'[37].

It is also related that about 629 Mahomet sent an order to the rulers of Persia, Abyssinia, Egypt and Byzantium that they should be converted to Islam and emphasized his demand by sending an army to Persia. The Egyptian Governor sent a polite letter while the ruler of Persia, the story says, tore up Mahomet's letter. It is apparently certain that Mahomet just at that time sent soldiers against Persia, but the undertaking failed. Holma says rightly that if these accounts are to be believed it shows what extraordinary state importance Islam was at that time acquiring. There are also accounts of another treaty with the Christians in Năgrān which at the same time had some trade-political contents[38].

A common factor in the institution of envoys in the empires and states mentioned above was that they were used at times for one special task, *ad hoc*, that is they were t e m p o r a r y. Each time they had a special aim in view, whether to declare war or to make peace, treaties of alliance or similar agreements. Even where there was a complete embassy there was still something temporary about it. They returned after having completed their task; and this was so everywhere right up to the end of the Middle Ages. The pioneers of permanent missions to different states were the Italian City Republics already mentioned, though of course they were at first based upon common trade interests. The first permanent embassy is dated 1455 when a Venetian delegation was established in Genua under the leadership of Duke Francesco Sforza. Five years later the Duke of Savoy sent to Rome as his permanent representative there the Archdeacon of Vercelli, Eusebio Margiaria. It appears that Venice had her training in diplomacy from her contact with the East even if she later developed an extensive system spreading to other parts of Europe. As regards the theoretical demands it can be mentioned that Ottavio Maggi stated in his *De Legato*, published in 1556:—an envoy ought to be a practised theologian, at home in the classics, in geography and history, and able at once to solve the most difficult dialectic problems, while having a refined taste for poetry, music and architecture.

Now it began to seem the right thing for other states to maintain, in the countries of their more important neighbours, p e r m a n e n t envoys, *resi-*

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[37] Muir, *The Life of Mahomet*, ii. 299; āl Wāqidī, p. 51, 1-2, quoted by Muir, *op. cit.* ii. 299; Buhl, *Muhammeds Liv*, p. 329; Andrae, *Muhammed*, p. 132. Holma, *Muhammed (Merkkimiehia)*, p. 61 sq; *idem*, *Arabian suuri profeetta*, pass.

Sprenger, *Das Leben und die Lehre des Mohammed*, iii. 488 sqq.

[38] Holma, *Muhammed*, p. 61 sq.

dentes, who could attend to the interests of their governments all the time. Spain and France copied the Venetian model. At the beginning of the 16th century regular and permanent diplomatic connections had developed among the countries of western and eastern Europe.

In the North such institutions were introduced more slowly, though other connections must have been in existence, as appears from the accounts of Saxo Grammaticus. The Norse-Icelandic literature gives much information both about envoys and embassies[39]. Dr. Sigfús Blöndal in Copenhagen drew my attension to the interesting fact that the Icelandic sagas report that their poets were often sent as envoys from court to court, sometimes even on quite delicate missions[40].

The history of Swedish diplomacy is in general regarded as beginning in the 13th century. But it can be traced much further back. As early as the 9th century diplomatic missions are reported, after the dispute for the Danish throne. In the biography of Ansgarius it is said that in 829 envoys came from Sweden to the emperor Louis the Pious to report, 'among other tasks', that many Swedes wished to become Christians and that the King of their country was not unfriendly towards the new teaching. Prof. Henrik Schück assumes that this information must be attributed to the piety of the author and that the real aim of the envoys was concealed among the 'other tasks' which are not mentioned, although King Björn, for the success for his plans, formally put the question of faith first. Schück made some guesses about these tasks; that they were to win support and mediation in the strife between the two kings, Björn and Anund, reigning at the same time and unable to agree. In Ansgar's biography also it is stated that the Frankish missionaries, when they returned to Germany, carried with them a letter, 'which the King had written with his own hands in the manner customary among the Swedes'. The same source also states that Ansgar on his second journey to Sweden in the middle of the 9th century had a special mission to the Swedish King from the German King; besides that Ansgar had a message 'along with a token' from a Danish King, who later warmly recommended Ansgar to the Swedish sovereign. Another embassy of that time from Sweden is reported in the Frankish annals: in 839 Swedes are said to have come to Byzantium, probably via Novgorod, to obtain privileges for the Swedish merchants doing business in Greece. According to their own reports these Swedes belonged to a people called *Rhos* and their King had sent them to the Emperor of Constantinople with friendly aims. This is a clear proof, Schück rightly states, that the Swedish rulers, as early as the 9th century, considered themselves in a

[39] For details see Numelin, *Den grona grenen,* p. 223.

[40] *Cf.* the mission of Sihvat Thordarson, Saxo Grammaticus, *Hist. Dania,* pass.

position to negotiate with the two most powerful sovereigns in Europe. It is also a proof of far-sighted interest in trade policy. What is probably Sweden's first treaty is known from the 9th century. After exacting a ransom or a Vikings' raid on Courland a treaty was made by which that country became tributary to Sweden. This treaty was possibly the same type as those which the King of Upsala later made with conquered provinces[41].

But the treaty that really begins the series of Sweden's direct written agreements with foreign powers is that of King Knut Ericsson with Duke Henry of Saxony from about 1270, according to which Birger Jarl had sent to Lübeck two highly intellectual messengers and requested that Lübeck would send him one of its citizens to negotiate with him. This was done, and shows how diplomatic relations had developed; otherwise it does not seem that the Middle Ages, when Sweden was busy consolidating herself, were, at least at first, distinguished by any great activity in foreign affairs. The most important of such business was settled at frontier meetings between Swedish and Danish councillors.

Early in the Middle Ages Sweden had connections with her neighbours, and at least twice Birger Jarl seems to have sent messengers to Henry III of England. During the period of the Scandinavian Union her diplomacy was quite naturally managed chiefly by the Danes. During the 16th century the Northern countries had only temporary envoys abroad. But the Catholic reaction in the 17th century hastened the development of permanent embassies although these were not quite definite until after the peace of Westphalia[42].

Louis XIV organized the French diplomacy so well that the French language began to displace Latin and become the diplomatic language all over Europe, just as the Babylonian language had been that of the ancient Orient. Yet Latin continued to be used for a long time side by side with French, and in the North the Northern languages soon became that of their mutual diplomacy.

During the 18th century the so-called cabinet politics, with their dynastic interest in courts made considerable demands on professional diplomacy. It was also distinguished by a certain freedom from scruples, as is seen from the intrigues of foreign diplomats in Sweden-Finland.

The older diplomacy attributed enormous importance to external forms, and from this developed a complicated system of protocols with disputes as to rank,

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[41] Schück, Almqvist and others, *Svenska folkets historia,* i. 195 sq, 247; Tunberg, Palmstierna and others, *Den svenska utrikesforvaltningens historia,* p. 6.

[42] Numelin, *op. cit.* p. 225 sqq; Henriksson, in Nicholson, *Handbok i diplomati* (Sw. Ed.), p. 211.

which were only settled by the Treaties of Vienna and Aix-la-Chapelle. The Congress of Vienna, where all the states of Europe except Turkey were present, had even greater importance than the peace of Westphalia in the history of diplomacy.

With the expansion of the colonizing powers towards distant parts of the earth and the involving of Japan and other extra-European powers in international intercourse a planetary situation arose at the end of the last century and created the conditions necessary for a world-wide diplomacy. The international congresses of the 20th century bear witness to this. But with the improved world communications—already before the First and Second World Wars—the independent powers previously granted to embassies and legations were very much reduced, and decisions became concentrated in the hands of the governments.

Even a few years before that the importance of state and foreign ministers and other special emissaries grew greatly when weighty questions had to be settled, and during the last decades trade-political interests have also become prominent.

It now remains to relate something of the efforts made by different nations at different times to form larger associations. However well developed politically many primitive associations were, the League of the Iroquois for example, we can in them see nothing but a kind of embryo of the league of nations; but it is interesting to notice that the demand for an intertribal or international organization to prevent war has often been made even among peoples without a written tradition. Fundamentally this demand is that the relations between the states shall be subject to something analogous to the system and order to which men have subjected themselves within their smaller units. One consequence of the horrors and destruction of war is the deep longing of people for permanent peace.

An example of the demand for such an organization is, as we have mentioned, to be found in Greece, in the associations under the name of Amphictyonis which existed from the prehistoric period[43]. The Amphictyonic or regional conferences or councils were something between a Church Congress and a league of nations'

[43] *Supra,* p. 249, *cf.* Busolt, *Die Griech. Staats- and Rechtsaltertumer* (*Handb. d. Altertumswissenschaft,* iv. i, 1), 54.

These admirable institutions failed in the end owing to two main reasons: first they were never universal and many important countries remained outside, and secondly they had not sufficient power to impose their decisions upon others who were stronger. *Cf.* Klatt, *Chronologische Beitrage zur Geschichte des achaischen Bundes,* pass; Tittman, *Über den Bund der Amphiktyonen,* pass; Tenekides, in *Revue générale de Droit intern.* (1931), p. 20 sqq; Nicholson, *Diplomacy,* p. 41 sq; Finch, *Sources of Modern Intern. Law* (*Monogr. Serie, Carneg. Inst.* i.) p. 11.

assembly. They were at first held in the Island of Delos, but when that sanctuary was despoiled by Athens the prestige of the Delian Amphictyoni was transferred to Delphi. Although the main purpose of these conferences and of their permanent secretariate was the safeguarding of shrines and treasures and the regulating of pilgrimages, they also dealt with the political matters of ordinary diplomacy, and introduced an important innovation in that they claimed for themselves what would now be termed exterritorial or diplomatic privileges.

Dante, in the period of the Renaissance, developed the idea of the universal state in *De Monarchia,* and Erasmus of Rotterdam put forward principles of pacifism in *Querela pacis.*

The idea of uniting reappears, and this time with Henry IV of France and his chancellor, Sully, who sketched out 'un ordre de continuelle subsistance pacifique entre tous les Princes et Potentats de la Chrestienté européenne, par le moyen de laquelle (république) tous les potentats chrestiens de l'Europe se fussent réconciliés, familiarisés et entrevisités, les uns et les autres et leurs femmes, enfants et sujets aussi aimablement que les parents et amis de mêmes provinces'[44]. But even if in name the plan was to secure the peace of Europe, one cannot help thinking that it also aimed at a certain control of Austria and in this Henry IV appears to have co-operated with Elizabeth of England. An interesting feature was Henry IV's plan to set up 'Chambers of Commerce' in different towns.

From the Middle Ages there were also some remarkable peace organizations, especially concerning the North European commerce, league of free cities particularly the Hanseatic League. It extended to upwards of eighty cities whose great depots at Bruges, London, Bergen and Novgorod spread a network of trade through all the lands of the North. The League of the Rhine (about 1375) and the Swabian League linked the Baltic Confederacy with the Mediterranean merchants. At Bruges, London, and in the Italian cities the woollen manufactures of Flanders were exchanged for the wines of Southern France and the silks of Sicily and Greece. At Novgorod and Constantinople the western dealers met the vendors of furs and spices from the distant East[45].

For Hugo Grotius it was natural and inevitable that the rules which he set

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[44] Previous to Sully there were also Pierre Dubois, Occam and Suarez who took the same lines.

[45] *Cf.* Walker, *A History of the Law of Nations,* i. 117. See also Donner, 'Medeltida forebilder till en internationell fredsorganisation', in *Eros och Eris, Kulturessäer tillägnade Rolf Lagerborg,* p. 75; conc. Pierre Dubois, *De recuperatione terre Sancte,* and other Utopia ideas of the Middle Ages.

up for the guidance of associations of states, amounted to little more than a code of laws for the better conduct of war. They referred to the pacific relations of states, and in the following century and a half his successors developed to some extent what he had begun.

The best known projects for perpetual peace in modern times—apart from those of our own day—are those of the Abbé de Saint Pierre, Rousseau, Bentham and Kant. The first of these was published in two great volumes in 1712 after the Abbé had been Secretary to the French Ambassador at the Peace Congress in Utrecht, and was called *Projet de traité pour rendre la paix perpétuelle entre les souverains chrétiens pour maintenir toujours et par la pluspart des autres de l'Europe* (third volume in 1717) and another was his *Abrégé du projet de paix perpétuelle* from 1729.

One of the articles of Saint Pierre's *Projet* stipulated that if any of the allied powers refused to give effect to the judgements of the whole alliance or negotiated treaties in contravention of these judgements, the alliance should by force of arms bring the offending power back to obedience.

The main contents of these plans were that the 24 Christian states of Europe should form an internal association for peace directed by a permanent senate. This association should not interfere with the internal affairs of the individual states and no state should have more than 6000 men under arms; all territorial changes were forbidden in the future not only through war but through inheritance and gifts. All quarrels should be settled by a court of arbitration; if any member-state refused to submit to the decision of the association or made a treaty against its rules, the association could compel the reluctant member to obey by force of arms.

Saint Pierre's proposal aroused very much attention at the time and also a good deal of criticism. Cardinal Fleury, to whom Saint Pierre communicated his plan, replied as follows: 'Vous avez oublié un article essentiel, celui d'envoyer des missionairies pour toucher les coeurs des princes et leur persuader d'entrer dans vos vues'. But Dubois, another statesman of that period, bestowed upon him the highest praise expressed in the most felicitous manner, when he termed his ideas: 'les rêves d'un homme de bien'. Certain articles in Saint Pierre's project resemble almost word for word those of the constitutional basis of the Germanic Confederation established by the Congress of Vienna. This shows that the pious Abbé was far in advance of his time.

Rousseau, in 1761, published a little work to which he modestly gave the title of *Extrait du projet de paix perpétuelle de M. l'abbé de Saint Pierre,* and which, like his *Jugement sur la paix perpétuelle,* written in 1756, and published in 1782, bears the marks of his peculiar genius in building systems and reasoning about the

problems of social science. Voltaire said their author was a person half a philosopher and half human[46].

Rousseau's *Contrat social* or *Principes du Droit politique* was only part of the *Institutions politiques* planned by him. In the concluding chapter he made it clear that it was not possible to examine there the principles of international right, although it was a task that might very well be undertaken as a supplement to his attempt in the 'Social Contract' to lay down the true principles of right in politics and to found the State on that secure basis. In his *Extrait de la Paix perpétuelle* as well as in *Emile,* which was published in the same year as the 'Social Contract' (1762), Rousseau explains his attitude to the larger and wider questions of the external and internal relations of states.

Before this Voltaire in France and Leibniz in Germany had treated these questions and touched upon the idea of a union of states. Starting with the co-operation of the Scientific Academies, just then very active, Leibniz considered that co-operation between nations was also possible. A proposal of this sort is one of those things that can never come too early or too late, Jeromy Bentham remarks in his introduction to his *Plan for universal and perpetual Peace*[47]. Bentham also spoke in favour of alliances for defence and material guarantees against war and recommended a kind of international parliament whose decisions should be imposed by means of a political and economic boycott—that is, a kind of system of sanctions—upon reluctant and refractory states.

Later Leibniz had philosophical successors in his own country who also concerned themselves with the idea of peace and alliance[48]. Kant emphasizes, in *Zum ewigen Frieden,* published in 1795, the year of the Treaty of Bâle, the immorality of war and maintained that to combat it was an ethical duty. He also thought of an organization for defence and peace as a means thereto. By the Treaty of Bâle the first war of the French Revolution with Prussia was completed; only a visionary could have seen in it just then a star of hope in the sky, for the treaty was a link in the chain that discredited Prussia in the eyes of Europe; and to the historian of international relations it is noteworthy inasmuch as it involved a surrender by Frederic William III of the system of the empire of Europe. The greatest of all the practical problems of the human race, Kant declared, is the establishment of a civil society universally administering justice according to law[49].

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[46] Westermarck, *Minnen ur mitt liv,* p. 375.

[47] *Cf.* Bentham, Essay no iv. of his *Principles of International Law,* ii. 535 sqq.

[48] Leibnitz, *Opera omnis,* i-iv. *Cf.* other projects by Emeric Crusés, Wilhelm Schellings, Sartorius and others. See Pradier-Fedéré, *Traité de droit intern. publ.* vi. 55, 56; Walker, *History of the Law of Nations,* i. 116.

Herder also attacks war strongly, 'humanity's devil of destruction' and Fichte developed the thought of a federation of free states with an international Court of Justice and an executive army.

The Utopians, from Thomas More and Campella to Saint Simon and Auguste Comte and others[50], are in a special class as philosophers of peace.

During the 18th century congresses belonged to the regular course of things, especially those dealing with the affairs of North Europe, such as the Congress of Cambrai (1721-22) and in Soissons (1727-28)[51].

First after the Napoleonic wars was the first serious attempt made to establish an organized system for the conduct of international affairs with a view to avoiding war.

The Holy Alliance undobtedly aimed, at least according to the intention of its originator, at bringing about a peace based upon an international judicial system. This was welcomed with enthusiasm, but very soon bitter disappointment followed when it became clear that the alliance was a mere tool for strengthening the *status quo*.

During the latter part of the 19th century the idea of an international court of justice came to the front. Even before that there had been different associations for peace. At the time of the Congress of Vienna the first Peace Society was founded in New York, followed by a peace organization in Geneva, 1830. Further must be noted the first international peace congress in Brussels in 1848, the next in Paris, 1867, in the Hague, 1899 and 1909, these last two on the initiative of the Russian Czar. From the international union for peace and freedom founded by Victor Hugo, Garibaldi and Antoine Lemonier we can possibly trace a development to the thought of Geneva in 1919, which however was to suffer shipwreck within two decades, and to the new organization UNO. Will this one manage to survive?

The collapse of European diplomacy in 1939 is too near to be discussed here, even too near for an objective analysis of all its causes; it also lies outside the scope of this work. It must be sufficient to state that even if the modern temple of Janus was open for six years, even if this twilight period seems full of fateful

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[49] Kant, *The Natural Principles of the Political Order* (fifth prop.).

[50] *Cf.* Donner, *Introduction to Utopia*, p. 29 sqq. See also Ladd, *An Essay on the Congress of Nations, for the Adjustment of International Disputes without Resort to Arms*, pass.

[51] Pollard, *The League of Nations in History*, p. 6.

consequences, it will probably in the perspective of history have only the character of a sad intermezzo in the peaceful existence between societies, states, and nations. It is possible, indeed extremely probable, that diplomacy will now follow other lines than before the last World War. The grouping of countries and the different national unions indicate this. But there will always be diplomacy, as there has been earlier. The history of mankind and the presentation of sociology shows that so long as communities and states existed side by side—and even when they have not always been on a friendly footing with each other—certain forms of peaceable diplomacy have developed. Relations have at times been broken off but they were always revived, and one consequence of the horrors of war has been the people's drive for peace and attempts to find permanent ways of maintaining peace. But war can have consequences for good as well as evil; it can strengthen solidarity, the feeling of unity in a nation. It can by means of certain political constellations give a nation freedom—and strengthen it; yet seldom as a gift of grace; freedom must have as its background a people's own work and their calm feeling of independence. In such cases it has a higher value just because the consciousness of the peaceful progress of international relations then appears more living.

The cultural history of diplomacy has for us a lesson for the future, and there is good reason to study its first forms. Among our modern diplomatic customs are some survivals from older stages of culture which are still full of life, ancient institutions which are important for the national life. Other remnants again can be considered rudimentary, which, although still in existence, have no function; outer forms which have long outlived the ideas on which they were based, and to learn their sources it is necessary to study the milieu which favoured their rise.

In my book I have tried to show that the roots of diplomacy can be sought not only among the Oriental and the Mediterranean peoples but also among the savage tribes of Australia's wide plains, among the roving islanders of the Pacific, among the primitive tribes in Asia, among the negroes of Africa's jungles and among the Indians of North and South America. These peoples had already definite customs for intertribal relations, customs from which an international law gradually arose. We have seen that institutions such as envoys, the peaceful settling of disputes, places of refuge and close periods, treaties and unions are to be found even at the beginning of culture. Mankind's social urge, magic, religious, political and economic reasons have given rise to the contacts of tribes and nations. Of course the attitude of the savage to the stranger is suspicious and hostile—till they really are in contact and common interests overcome the narrow limits drawn. It seems that trade also has been a very powerful uniter of tribes and nations.

We have seen that in the lives of most primitive peoples peaceful relations are more important than the 'games' of war. They considered peace ceremonies —with feasts, sacrifices and drinking bouts—more important and durable episodes than the rites which introduced warlike undertakings. The former aimed not only at impressing them with the sacrosanct importance of peace but also, by means of magic, at preventing fresh hostilities. All along the peace envoys have a more distinguished position than those who declare war. Then green twig, the green branch, is a symbol more powerful and stronger than the sharp-pointed spear.

The earliest history of diplomacy shows a development towards greater safety and security between tribes and peoples, a development which although at times broken by warlike intermezzos has continued through all the phases of diplomacy until the present day and which, relatively seen, has fought through periods of twilights as heavy and dark as that which now oppresses mankind.

Authorities quoted

HISTORICAL AND PHILOSOPHICAL LITERATURE

Abraham, I., *The Book of Delight.* Philadelphia 1912.

Ailio, J., 'Elämästä Suomessa n. 4000 v. sitten', in *Kansainvalistusseuran Kalenteri.* Helsinki 1911.

Altheim, Fr., *A History of Roman Religion* (Engl. rewr. ed. by H. Mattingly). London 1938.

Annali Lateranensi, Città del Vaticano.

Appelgrén-Kivalo, Hj., 'Katsaus Suomen muinaisuuteen', in *Oma Maa.* Helsinki (*s. d.*).

Arthasâstra (Engl. transl.). London 1923.

Baikie, J., *A History of Egypt,* i-ii. London 1929.

Barton, G. A., *A Sketch of Semitic Origins.* New York 1902.

Beloch, J., *Griechische Geschichte,* i-iv. Strassburg 1904.

Bible, The Holy.

Bohl, F., *Die Sprache der Amarnabriefe mit besonderer Berücksichtungen der Kanaanismen* (*Leipziger Semitische Studien,* v:2). Leipzig 1909.

Breasted, J. H., *History of Egypt.* New York 1905.

— *Ancient Records of Egypt,* vol. iii. Chicago 1905-07.

Brown, W. A., *A Dictionary of the Bible.* Edinburgh 1900.

Bry, Th. de, *India occidentalis.* Frankfurt a. M. 1590.

Budge, E. and Belold, A., *The Tell-el-Amarna Tablets in the British Museum.* London 1892.

Buhl, Fr., *Muhammeds Liv.* København 1903.

Burckhardt, J. C., *Griechische Kulturgeschichte,* i-iii. Stuttgart 1898.

Burgel, H., *Die pylaisch-delphische Amphiktyonie.* Munchen 1877.

Busolt, G., *Die Griechischen Staats- und Rechtsaltertumer* (*Handbuch der klassischen Altertumswissenschaft,* iv:i, 1). Munchen 1892.

— *Griechische Staatskunde,* vol. i. München 1920-26.

Caesar, C. J., *Opera omnia,* i-v. London 1819.

Charlevoix, P F. X. de, *Histoire de la Nouvelle France,* i-iii. Paris 1744.

Chuang Tsze, *Divine Classic of Nan-Hua.* London 1881.

Cieza de Léon, *Segunda Parte de la Crónica del Perú.* Madrid 1880.

Coulange, F., *La cité antique.* Paris 1895.

Cunninghame, W., *The Growth of the English Industry and Commerce during the Early and Middle Ages.* Cambridge 1890.

Dahn, F., *Bausteine,* i-iii. Berlin 1879-82.

— *Die Germanen.* Leipzig 1905.

Donner, H. W., 'Medeltida forebilder till en internationell fredsorganisation', in *Eros och Eris. Kulturessäer tillägnade Rolf Lagerborg.* Helsingfors 1944.
— *Introduction to Utopia.* Upsala 1945.

Ellis, H., *The Philosophy of Conflict.* Boston 1919.
Encyclopædia Biblica (Ed. T. K. Cheyne, and J. Sutherland Black) i-iv. London 1899-1903.
— *Britannica* (*The*). London and New York.
Encyclopédie (*La grande*). Paris.
Eros och Eris. Kulturessaer tillagnade Rolf Lagerborg. Helsingfors 1944.

Fitz Gerald, A., *Peace and War in Antiquity* (Ed. A. Souter). London 1931.

Geiger, W., *Ostīränische Kultur im Altertum.* Erlangen 1882.
Geijer, E. G., *Det europeiska samhallets begynnelser.* Upsala 1844.
Gesemann, G., *Der montenegrinische Mensch. Zur Literatur-geschichte und Charakterologie der Patriarchalitat.* Prag 1934.
Goldziher, I., *Muhammedanische Studien,* i-ii. Halle 1889-90.
Gross, V., *Les Protohelvètes ou les premiers colons sur les bords des lacs de Bienne et Neuchâtel.* Berlin 1883.
Guizot, F. P. G., *L'église et la société chrétiennes en 1861.* Paris 1861.

Hanell, Kr., *Das altromische eponyme Amt* (*Skrifter utgivna av Sv. Institutet i Rom,* ii.). Lund 1946.
Herodotos, *Historiarum libri,* ix. (Ed. G. Dindorfius). Parisiis 1844.
— *The same work.* (Engl. ed. by G. Rawlingson and others), i-iv. London 1875.
Herrera, A. de, *The General History of America* (Trans. Ed. J. Stevens), i-vi. London 1725-26.
Hershon, P. I., *Treasures of the Talmud.* London 1882.
Hesiodos, *Carmina* (Ed. F. S. Lehrs). Parisiis 1840.
Hildebrand, H., Hjarne, H., von Pflugk-Harttung, *Varldshistoria,* i-vi. Stockholm 1918-21.
Holma, H., *Muhammed* (*Merkkimiehia*). Porvoo 1917.
— *Arabian suuri profeetta.* Helsinki 1943. *Same work* in French, *Mahomet, Prophète des Arabes.* Paris (*s. d.*).
Homeros, *Carmina.* Parisiis 1838.
Hrozný, B., *Die alteste Geschichte Vorderasiens.* Prag 1940.

Joyce, P. W., *A Social History of Ancient Ireland,* i-ii. London 1903.

King, L. W., *History of Sumer and Akkad.* London 1910.
— *A History of Babylon.* London 1919.
Klatt, M., *Chronologische Beitrage zur Geschichte des achaischen Bundes.* Berlin 1883.
Knudtzon, J. A., *Die El-Amarna-Tafeln* (*Vorderasiatische Bibliothek,* no. 2) i-ii. Leipzig 1915.
Korân, The (Ed. J. M. Rodwell). London 1876. (See also Qur'ân).
Kraelitz, Fr., *Osmanische Urkunden in turkischer Sprache aus der 2. Halfte des 15. Jahrhunderts.* Wien 1921.
Kremer, A. von, *Culturgeschichte des Orients unter den Chalifen,* i-ii. Wien 1875-77.

Lacroix, P., *Manners, customs and dress during the Middle Ages and during the Renaissance period.* London 1874.
Laing, S., and Anderson, R. B., *The Heimskringla,* i-iii. London 1889.
Lampert, K., *Deutsche Geschichte,* i-xvi. (i: Berlin 1902, ii-vi: 1895-96, vii-xvi: 1902-09).
Larousse du xx.e Siècle, i-vi. Paris.
Lassen, Chr., *Indische Altertumskunde,* vol. iv. Lepizig 1861.
Leibniz, *Opera omnia* (Ed. Dutens), i-vi. Genevae.
Leipziger Semitische Studien. Leipzig.
Lindahl, E., and Öhrling, J., *Lexicon Lapponicum.* Holmiae 1780.
Lindell, H. G., and Scott, R., *Greek-English Lexicon,* i-ix. Oxford 1925-36.
Livius, T., *Historiarum libri qui supersunt,* i-xxv. Londini 1828.

Margoliouth, D. S., *Mohammed and the Rise of Islam.* London 1907.
Meyer, P., *Geschichte des Altertums.* Stuttgart 1883.
Mommsen, Th., *Romische Geschichte,* i-v. Berlin 1881-85.
Monceaux, P., *Les Proxénies.* Paris 1885.
Montelius, O., and Hildebrand, H., and others, *Sveriges historia,* i-vi. Stockholm 1877-81.
Muir, W., *The Life of Mahomet,* i-v. London 1858-61.
Muller, F. M., *The Sacred Books of the East,* i-l. Oxford 1879-1910.

Neumann, K. J., 'De hellenistiska staterna och den romerska republiken', in Hildebrand, Hjärne and others, *Varldshistoria,* vol. i. Stockholm 1918.
Niebuhr, C., *Die Amarna-Zeit* (*Der Alte Orient,* ii.). Leipzig 1913.

Olrik, A., 'Riddarvasen och korstågskultur', in *Varldskulturen,* vol. iv. Stockholm 1908.

Pauly-Wissowa, *Real-Encyclopadie der classischen Altertumswissenschaft,* i-xiv. Stuttgart (*s. d.*)
Platon, *Opera,* i-iii. Parisiis 1846-73.
Plinius, Sec., *Naturalis historiae* (Ed. C. Mayhoff), i-xiii. Lipsiae 1887-1909.
Plutarch, *Quae supersunt omnia.* Lipsiae 1838.
Prutz, H., *Kulturgeschichte der Kreutzzuge.* Berlin 1883.

Qur'ân, The (Ed. E. H. Palmer, *The Sacred Books of the East,* vol. vi. and ix.), i-ii. Oxford 1880.

Rasmussen, J. L., *Om Arabernes Handel og Bekiendtskab med Rusland og Skandinavien i Middelalderen.* Kjøbenhavn 1814.
Reallexicon der Vorgeschichte (Ed. Max Ebert), i-xv. Berlin 1924-32.
Renan, E., *Histoire du peuple d'Israel,* i-v. Paris 1887-94.

Sandberg, G., *Lexicon Lapponicum.* Havniae MDCCXXXI.
Saxo Grammaticus, *Historica Danica* (Danish Ed. by Horn), i-ii. Kjøbenhavn, Kristiania 1898.
Schrader, O., and Nehring, A., *Reallexicon der indogermanischen Altertumskunde,* vol. ii. Berlin 1929.

Schück, H., Almqvist, H., and others, *Svenska folkets historia,* vol. i. Stockholm 1914.
Segerstedt, T. T:son, 'Customs and Codes', in *Theoria,* vol. viii. Göteborg 1942.
Servius Maurus Honoratius, *Commentarii in Virgilium* (Ed. H. A. Lion), i-ii. Gottingae 1826.
Skrifter utgivna av Svenska Institutet i Rom. Lund.
Snellman, W. J., *De interpretibus Romanorum deque Lingvae Latinae cum aliis nationalibus commercio,* i-ii. Lipsiae 1919.
Snorre Sturlasson, *Norges Konungasagor: Heimskringla* (Swed. Ed. E. Olson), i-iii. Lund 1919-26.
Sprenger, *Das Leben und die Lehre des Mohammad,* i-iii. Berlin 1865.
Strabon, *Geographica,* i-iii. Lipsiae 1852-53.
Studier tillagnade Sven Tunberg, i-ii. Stockholm 1942.

Tacitus, C. C., *Opera omnia,* i-xi. Londiini 1821.

Varldskulturen (Ed. A Friis), i-viii. Stockholm 1907-11.

Winckler, H., *Geschichte Babyloniens und Assyriens.* Leipzig 1892.
— *Die Tontafeln von Tell-el-Amarna* (*Keilinschrifte Bibiothek,* v.). Berlin 1896.

Xenofon, *Scripta quae supersunt.* Parisiis 1838.

LITERATURE OF INTERNATIONAL LAW AND SOCIOLOGY

Académie de droit international: Recueil des cours. Paris.
Adam, L., 'Recht im Werden', in *Custom is King* (Essays to R. R. Marett). London 1936.
Adamek, St. A., *Die Ideologie des Rechtes.* Stockholm 1941.
Agath, A., *Die Exterritorialität.* Breslau 1911.
Alberti, E., *Relazione degli Ambasciatori Veneti al Senato.* Firenze 1840.
Alfoldi, A., 'La Royauté double des Turcs', in *xi:e Congrès Turc d'Histoire.* Istanboul 1937.
Andreas, W., *Die venezianischen Relazionen.* Leipzig 1908.
Archives Diplomatiques et Consulaires. Bâle.

Banerji, N. C., *Volkerrecht und Kriegsrecht im alten Indien.* Köln 1935.
Bentham, J., *Principles of International Law* (First publ. fr. orig. manuscr., dated 1786-89 in *The Works of J. Bentham*), vol. ii. Edinburgh 1843.
Bittner, L., *Die Lehre von den volkerrechtlichen Vertragsurkunden.* Berlin and Leipzig 1924.
Björksten, S. R., 'Om krigforing och erkannande av erövring, in *Hufvudstadsbladet,* 17. i. 1938. Helsingfors.
Blaga, C. S., *L'Evolution de la Diplomatie.* Paris 1918.
Boëthius, S. J., *Om statslivet.* Stockholm 1916.
Borchard, E. M., 'International Law', in *Encyclopaedia of the Social Sciences,* vol. viii. London 1932.
Brooke, F. A., *The Science of Social Development.* London 1936.
Bryce, V. J., *International Relations.* New York 1923.

Bühler, G., *The Laws of Manu* (*Sacred Books of the East,* xxv.). Oxford 1886.
Burns, D. C., 'Diplomacy', in *Encyclopædia of Social Sciences,* vol. v. London 1931.
Butler, *Sir* Geoffrey, and Maccoby, S., *The Development of International Law.* London 1928.

Calvo, Ch., *Le droit international théorique et pratique,* vol. i. Paris 1896.
Cambon, J., 'Le protocole', in *Archives Diplomatiques et Consulaires,* no. 11. Bâle 1937.
Carnegie Endowment for International Peace. Monograph Series. Washington.
Castrén, E., 'Asylrätten', in *Nordisk Tidskrift for International Ret,* vol. xvi. København 1945.
Change, J. F., *List of English Diplomatic Representatives and Agents in Denmark, Sweden and Russia, and those countries in England* 1689-1762. Oxford 1913.
Classics of international law (*The*), (Ed. J. Brown). Washington.
Clausewitz, C. von, *On War* (Engl. Transl.), i-iii. London 1908.
— *Vom Kriege* (Mit einer Einfuhrung von Graf von Schliffen). Berlin 1937.
Contuzzi, Fr. P., *Trattato teorico-pratico de Diritto Consolare e Diplomatico,* i-ii. Torino 1910.
Cybichowski, S., *Das antike Volkerrecht.* Breslau 1907.

Defensor Legis. Helsingfors.
Deimel, A., *Codex Hammurabi.* Roma 1930-32.
Drost, H., *Grundlagen des Volkerrechts.* Munchen and Leipzig 1936.
Dumont, J., *Corps universel diplomatique du droit des gens.,* i-viii. La Haye 1726-31.

Edwards, Ch., *The world's Earliest Law.* London 1934.
Encyklopadie der Rechtswissenschaft (Ed. K. v. Birkmeyer). Berlin.
Erich, R., 'Till läran om folkrattsliga rattsärenden och fördrag', in *Statsvetenskaplig Tidskrift.* Lund 1916.
Essen, J. L. Fr. van, *Ontwikkeling en codificatie van de diplomatieke voorrechten.* Arnhem 1928.
Eucken, R., 'Law (natural)', in Hastings *Encyclopædia of Religion and Ethics,* vol. vii. Edinburgh 1914.

Fahlbeck, P., *Klasserna och samhallet.* Stockholm 1920.
Fauchille, P., *Traité de droit international public.,* vol. i:i. Paris 1922.
Fenwick, C. G., *International Law.* London 1934.
Finch, G. A., *The sources of modern international law* (*Monograph Series,* Carnegie Inst., vol. i.). Washington 1937.
Fitz Gerold, A., *Peace and War in Antiquity.* London 1931.
Fries, S. A., 'Konung Hammrurabis af Babylonien lagar', in *Finsk Tidskrift,* liv:i. Helsingfors 1903.

Genet, R., *Traité de Diplomatie et de Droit Diplomatique,* i-iii. Paris 1931-32.
Germonius (—), *De legatis.* Roma 1627.
Gihl, T., *Internationell lagstiftning* (*Skrifter utgivna av Svenska Institutet for internationell ratt vid Universitet i Upsala*). Upsala 1938.
Giry, A., *Manuel diplomatique,* i-ii. Paris 1925.
Grágás, *Islaendernes Lovbog i Fristatets Tid* (Ed. Viljálmur Finsen), i-iv. Kjøbenhavn 1852-70.
Grotius, H., *De Iure Belli et Pacis,* Libri tres (Ed. W. Whewell), i-iii. Cambridge 1853.
Gumplowicz, L., *Der Rassenkampf,* Innsbruck 1883.

Haelscher (—), *De iure gentium quale fuerit apud gentes Orientes.* Halae 1842.
Hall, W. E., *A Treaties of International Law* (Ed. A. P. Higgings). Oxford 1924.
Hallam, H., *View of the State of Europe during the Middle Ages.* New York 1893.
Hamidullah, M., *Documents sur la diplomatie museulmane à l'époque du prophète et des khalifes orthodoxes.* Paris 1925.
Hammurabi, The Code of, (Ed. R. F. Harper). Chicago 1904.
Hampl, Fr., *Die griechischen Staatsvertrage des 4. Jahrhunderts v. Chr. G.* Leipzig 1938.
Heatly, D. Pl., *Diplomacy and the study of international relations.* Oxford 1919.
Hemmer, R., *Studier rörande straffutmätningen i medeltida svensk rätt.* Helsingfors 1928.
Henriksson, Fr., 'Sveriges utrikestjänst', in Nicolson, *Handbok i diplomati* (Sw. ed.). Stockholm 1940.
Hernberg, A., 'Budkavlen som rättsurkund', in *Defensor Legis,* 2. Helsingfors 1921.
Hershey, A. S., *The Essentials of International Public Law and Organization.* New York 1927.
Heusler, A., *Das Strafrecht der Islandersagas.* Leipzig 1911.
Heuss, A., *Die volkerrechtlichen Grundlagen der römischen Aussenpolitik in republikanischer Zeit.* Leipzig 1933.
Hill, D. J., *Treaties of International Law.* Oxford 1895.
— *A History of Diplomacy in the International Development of Europe,* i-iii. London 1911-14.
— 'Treaties', in Hastings, *Encyclopædia of Religion and Ethics,* vol. xii. Edinburgh 1921.
Hothorn, C., 'Die volkerrechtliche Sonderstellung des Gesandten', in *Zeitschrift für Volkerrecht,* Erg. Heft zu Band xiv. Breslau 1928.
Hrabar, Vl., *De legatis et legationibus traetus varii. Bernardi di Rosergio am-baxiatorum brevilagus; Hermolai Barbari de officio legati* (Dorpati Livonum 1625). Jurjef 1904.
Hughan, J. W., *A Study of international Government.* London (*s. d.*).
Hurst, *Sir* Cecil, 'Les immunités diplomatiques', in *Académie de droit international* (Recueils des cours). Paris 1927.

Ihering, R. von, *Der Zweck im Recht,* i-ii. Leipzig 1883-84.
— 'Die Gastfreundschaft im Altertum', in *Deutsche Rundschau,* ii. Berlin 1887.
Inganni, G., *Die strafrechtliche Exterritorialität der diplomatischen Personen.* Langenzalsa 1921.
Institut de droit comparé: Études de sociologie et d'ethnologie juridiques. Paris.
Introducteurs des ambassadeurs 1585-1900, Les. Paris 1901.

Jellinek, G., *Allgemeine Staatslehre.* Berlin 1900.
— *same work,* 3:d Ed. Berlin 1922.
Jenks, E., *The State and the Nation.* New York 1919.
Johns, C. H. W., 'Law' (Babylonian), in *Hastings Encyclopædia of Religion and Ethics,* vol. vii. Edinburgh 1914.
Jusserand, J.-J., *Recueil des instructions données aux ambassadeurs et ministres de France depuis les traités de Westphalie jusqu'à la Revolution française* (*Comm. Archives diplomatiques,* xxvi:i.). Paris (*s. d.*).

Kaempffer, E., *Am Hofe des Persischen Grosskönigs* (*Das erste Buch der Amoenitates Exoticae.* Ed. W. Hinz). Leipzig 1940.
Kent, J., *Commentary on international law* (Ed. J. T. Abdy). London 1866.

Kjellén, R., *Staten som livsform.* Stockholm 1916.
Kleen, R., *Kodifierad framstallning i mellanfolklig ratt, offentlig och enskild,* vol. i. Stockholm 1911.
Knudson, J. I., *A History of the League of Nations.* Atlanta (Georgia) 1938.
Korošec, V., *Hethitische Staatsvertrage.* Leipzig 1931.
Kougeas, S. B. (*Κουγεα, Σ. Β*), *η ιδεα της κοινωνιας των εθνων παρα τοις ελλησι,* Athénes 1928.
Kunz, J. L., *Kriegsrecht und Neutralitätsrecht.* Wien 1935.

Ladd, W., *An Essay on the Congress of Nations, for the Adjustment of International Disputes without Resort to Arms.* Boston 1840 (repr. in Ed. J. B. Scott: *Publications of the Carnegie Endowment for International Peace.* Washington 1916).
Lagorgette, J., *Le rôle de la guerre.* Paris 1907.
Lange, Chr. L., *Histoire de l'internationalisme* (*Publications de L'Institut Nobel Norvégien,* iv.), vol. i. Kristiania 1919.
Laurent, Fr., *Histoire du droit des gens et des relations internationales.* Gent 1850.
Lawrence, T. J., *The Principles of International Law* (Ed. P. H. Winfield). London 1898.
— *same work,* French Ed. Paris 1920.
Laws of Manu, The, (Transl. G. Buhler: *The Sacred Books of the East,* xxv.). Oxford 1886.
Liszt, Fr., *Das Volkerrecht.* Berlin 1925.
Lundborg, R., *Staterna i vär tid,* i-ii. Lund 1923.

Mackay, B. L. von, *Die moderne Diplomatie, ihre Entwicklungsgeschichte und ihre Reformmoglichkeiten.* Frankfurt am M. 1915.
Marshall, H. R., *War and the Ideal of Peace.* New York 1915.
Maulde-la Clavière, R. de, *La diplomatie au temps de Machiavel,* vol. i. Paris 1892.
Mendelssohn Bartholdy, A., *Diplomatie* (*Politische Wissenschaft,* i.). Berlin 1927.
Minor, R. C., *A Republic of Nations.* New York 1918.
Mommsen, Th., *Romisches Staatsrecht* (*Manquarts Alterthumer*), vol. i. Leipzig 1871.
Monograph Serie of the Carnegie Endowment for International Peace. Washington.
Mowat, R. B., *A History of European Diplomacy* 1451-1789, i-iii. London 1922-28.
Müller, W. M., 'Der Bundnisvertrag Ramses II und des Chetierkonigs', in *Mittheilungen der vorderasiatischen Gesellschaft,* vii:5. Berlin 1902.
Muller-Jochmus, M., *Geschichte des Volkerrechts im Altertum* Leipzig 1848.

Nicolson, H., *Diplomacy.* London 1939.
— *same work,* in Swed. Ed. Stockholm 1940.
Nordisk Tidskrift for International Ret—Acta Scandinavica juris gentium. København (Copenhagen).
Nordström, J. J., *Bidrag till den svenska samhällsforfattningens historia,* i-ii. (1-4). Helsingfors 1839-40.
Nys, E., 'Les commencements de la diplomatie et le droit d'ambassade jusqu'à Grotius', in *Revue de droit international et de législation comparée,* vols. xv. and xvi. Paris 1883-84.
— *Les origines du droit international.* Bruxelles and Paris 1894.

Oppenheimer, Fr., *Der Staat.* Frankfurt am M. 1912.
Oppenheim, L., *International Law* (Ed. R. F. Roxburgh), i-ii. London 1920-26.
Oxford Studies in Social and Legal History (Ed. *Sir* P. Vinogradoff). Oxford.

Phillipson, C., *The International Law and Custom of Ancient Greece and Rom,* i-ii. London 1911.
Pierantoni, A., *Trattato di diritto internationale,* vol. i. Roma 1927.
Pole, Dewitt C., *The conduct of foreign relations.* New Haven 1924.
Politis, N., *Les nouvelles tendences du droit international.* Paris 1927.
Politische Wissenschaft. Schriftenreiche der Deutschen Hochschule fur Politik in Berlin. Berlin.
Pollard, A. F., *Nationernas förbund i historien* (Swed. Ed.). Stockholm 1918.
Possoz, E., 'Sur les jurisdictions indigènes', in *Zaire* (Apr.). Bruxelles 1948.
Potter, T. B., *An Introduction to the Study of International Organization.* New York 1928.
Pradier-Fodéré, P., *Cours de droit diplomatique,* i-ii. Paris 1880.
Proceedings of the institute of international relations. Berkeley. Cal.
Publications de l'Institut Nobel Norvégien. Kristiania-Oslo.
Putnam, B. H., *Early Treaties on the Practice of the Justice of the Peace in the Fifteenth and Sixteenth Century* (Oxford Studies, vii.). Oxford 1924.
Pütter, K. Th., *Beitrage zur Volkerrechtsgeschichte und -wissenschaft.* Leipzig 1843.

Ralston, J. H., *International arbitration from Athens to Locarno.* Stanford University 1929.
Rasmussen, G., 'Kamp, Krig og Fangenskab', in *Nationaltidende,* København 23. xi. and 24. xi. 1938 and 9. i. and 11. i. 1939.
— 'Krigførende Parter og Ikke-Indblanding', in *Berlingske Tidende,* København 21. ii. and 22. ii. 1939.
Rechid, A., *L'Islam et le droit des gens* (*Recueil des cours, Academie de droit international,* ii.). Paris 1937.
Recueil des instructions données aux ambassadeurs et ministres de France depuis les traités de Westphalie jusqu'à la Revolution française. Paris 1899.
Repertorium der diplomatischen Vertreter aller Lander seit dem Westfalischen Frieden (1649). (Ed. Intern. Ausschuss fur Geschichteswissenschaften. L. Bittner, L. Gross), vol. i. Berlin 1936.
Revillout, E., *Les obligations en droit égyptien comparé aux autres droit de l'antiquité.* Paris 1886.
— 'Du rôle de la femme dans la politique', in *Revue Egyptienne,* vol. ix. Le Caire 1900.
Revue de droit international et de législation comparée (Ed. Rolin-Jaequemins, Asser, Westlake and others). La Haye, Paris, Bruxelles.
Ritchie, D. G., *Natural Rights.* London 1895.
Riviers (—), *Principes du droit des gens,* i-ii. Paris 1896.
Roederer, J., *De l'application des immunités de l'ambassadeur au personnes de l'ambassade.* Paris 1904.
Rohland, W. von, *Grundriss des Volkerrechts.* Freiburg i. B. 1914.
Roscher, W., *System der Volkswirtschaft,* i-iii. Stuttgart 1899.
Russel, Fr. M., *Theories of International Relations.* London 1936.
Ruutu, Y. O., *Kansakunta.* Helsinki 1922.

Saint-Pierre, Abbé de, *Mémoire pour rendre la paix perpétuelle en Europe.* Cologne 1712.
— *same work.* Ed. of 1713, i-ii. Utrecht 1913.
Salter, *Sir* James, 'League of Nations', in *Encyclopædia Brittanica,* 14th Ed., vol. xiii. London 1929.
Satow, *Sir* Ernest, *A Guide to Diplomatic practice,* i-ii. London 1917.

Schäfer, Fr., *Die völkerrechtliche- und der Völkerbundsgedanke bei Thomas van Aquina und Immanuel Kant.* Erlangen 1932.

Schaeffer, H., *Staatsform und Politik.* (*Untersuchungen zur grieschischen Geschichte des 6. und 5. Jahrhunderts*). Leipzig 1932.

Schmidt, A., *Zum internationalen Rechtsverkehr der Römer.* Leipzig 1888.

Schmidt, R., *Allgemeine Staatslehre,* i-iii. Leipzig 1901-03.

Schmitthenner, P., *Krieg und Kriegführung im Wandel der Weltgeschichte.* Potsdam 1930.

Schmoller, G., *Grundriss der allgemeinen volkswirtschaftslehre,* i-ii. Leipzig 1901-04.

Schrader, O., *Handelsgeschichte und Warenkunde.* Jena 1886.

— *Prehistoric Antiquities of the Aryan Peoples.* (Engl. Trad.) London 1890.

Schriften der Akademie für Deutsches Recht (Ed. H. Frank), vol. ix: Germanenrechte, Isländisches Recht: Die Graugans (Trad. A. Heusler). Weimar (*s. d.*).

Schröder, R., *Lehrbuch der deutschen Rechtsgeschichte* (6th Ed.). Leipzig 1919.

Schucking, W., 'Die Organisation der Welt', in *Festgabe für Laband.* Tübingen 1908.

Schuman, Fr. L., 'Treaties', in *Encyclopaedia of Social Science,* vol. xv. London 1935.

— *International Politics.* New York. London 1937.

Sinner, U., *Étude de droit diplomatique. L'immunité judiciaire civile des agents diplomatiques étrangers.* Lausanne 1906.

Skrifter utgivna av Svenska Institutet for internationell ratt vid Universitetet i Upsala Harry Ax:son Iohnsson-Institutet). Upsala.

Statsvetenskaplig Tidskrift. Lund.

Straelen, H. van, *New Diplomacy in the Far East.* London 1944.

Stratton, G. M., *Social Psychology of International Conduct.* New York 1929.

Strupp, K., *Documents pour servir à l'histoire du droit des gens.* (2nd Ed.) Berlin 1923.

Suomalaisen Lakimiesyhdistyksen julkaisuja. Helsinki.

Suontausta, T., *Yhdistyneet Kansakunnat* (*Suomalaisen Lakimiesyhdistyksen julkaisuja.* B. sarja. xv.). Helsinki 1946.

Ter Meulen, J., *Der Gedanke der internationalen Organisation in seiner Entwicklung* 1300-1800, i-ii. Haag 1917-29.

Tittman, F. W., *Über den Bund der Amphiktyonen,* i-ii. Berlin 1812.

Triepel, H., *Volkerrecht und Landesrecht.* Lepizig 1899.

Trimborn, H., 'Der Rechtsbruch in den Hochkulturen Amerikas', in *Zeitschrift für vergleichende Rechtswissenschaft,* vol. li. 1-2. Berlin 1936.

Tunberg, S., Palmstierna, C.-F., and others, *Den svenska utrikesforvaltningens historia.* Upsala 1935.

Vinogradoff, P., *Outlines of Historical Jurisprudence,* i-ii. London 1920-22.

— *Principes historiques du droit de la tribu,* vol. i. Vannes 1924.

Viswanatha, S. V., *International Law in Ancient India.* London 1925.

Voigt, M., 'Die romische Klassifikation von ius divinum und humanum', in *Berichte über die Verhandlungen der Konigl. Sächs. Gesellschaft der Wissenschaften,* vol. liv. Leipzig 1902.

Walker, Th. A., *A History of the Law of Nations,* vol. i. Cambridge 1899.

Ward, R., *An enquiry into the foundation and history of the law of nations in Europe, from the time of the Greeks and Romans to the age of Grotius,* i-ii. London 1795.

Wegner, A., *Geschichte des Völkerrechts* (*Handbuch des Völkerrechts,* i:3). Stuttgart 1936.
Weiss, A., *Le droit fétial et les fétiaux à Rome.* Paris 1883.
Westlake, J., *International Law,* vol. i. Cambridge 1910.
Wheaton, H., *History of the Law of Nations.* New York 1845.
— *Histoire des progrès du droit des gens en Europe et en Amérique depuis la paix de Westphalie jusqu'à nos jours, avec une introduction sur les progrès du droit des gens en Europe avant la paix de Westphalie,* i-ii. Leipzig 1853.
Wheaton's Element of International Law (Ed. A. B. Keith), i-ii. London 1929.
Wheeler, G. C., *The Tribe, and intertribal Relations in Australia.* London 1910.
Wilda, W. E., *Das Strafrecht der Germanen.* Halle 1842.
Wilson, F. G., *The Elements of Modern Politics.* London 1936.
Wilson, G. Gr., *Handbook of International Law.* S:t Paul Minn. 1927.
Wines, F. H., *Punishment and Reformation.* New York 1919.
Wrangel, F. U., *Liste des diplomates français en Suède 1541-1891.* Stockholm 1891.
Wright, H., *Catholic Founders of Modern International Law.* Washington 1934.

Zeitschrift für vergleichende Rechtswissenschaft (Ed. F. Bernhöft, G. Cohn and J. Kohler). Stuttgart.
— *fur Volkerrecht.* Breslau.

ETHNOLOGICAL, ETHNO-SOCIOLOGICAL AND GEOGRAPHICAL LITERATURE

Abhandlungen aus dem Gebiet der Auslandskunde, Hamburgische Universität. Hamburg.
— *der Koniglichen Sachsischen Gesellschaft der Wissenschaften.* Leipzig.
Achelis, Th., *Moderne Volkerkunde.* Stuttgart 1896.
Adair, J., *The History of the American Indians.* London 1775.
Adamson Hoebel, E., 'The Political Organization and Law-ways of the Comanche Indians', in *Memoirs of the American Anthropological Association,* no. 54. Menasha (Wisc.) 1940.
Africa. Journal of the International Institute of African Languages and Cultures. Oxford. London.
Aitchinson, T. G., 'Peace Ceremony as Performed by the Natives of the Ramu Headwaters', in *Oceania,* vol. vi. Sydney 1938.
Aldrich, L. R., *The Primitive Mind and Modern Civilization.* London 1931.
Allen, W., and Thomson, T. R. H., *A Narrative of the Expedition sent by Her Majesty's Government to the River Niger,* in 1841, i-ii. London 1848.
Allier, R., *The Mind of Savage.* London 1929.
American Anthropologist, The. Washington, New York, Lancaster.
American Museum of Natural History (*Handbook Series*). New York.
American Naturalist, The. New York.
Ananthakrishna Iyer, L. K. (Diwan Rao Bahadui), *The Mysore Tribes and Castes,* i-iv. and appendix. Mysore 1935-36.
Andersson, C. J., *Lake Ngami.* London 1856.
Andersson, E., *På upptäcktsfard bland Kongos dvärgfolk.* Stockholm 1942.

Andrée, K., *Geographie des Welthandels,* i-iii. Frankfurt a. M. 1910-12.

Andree, R., *Ethnographische Parallelen und Vergleiche,* i-ii. Stuttgart 1878-1889.

— *same work.* Neue Folge. Stuttgart 1889.

— 'Über den Schulzenstab', in *Zeitschrift für Ethnologie,* vol. xiv. Berlin 1882.

Angas, G. F., *The New Zealanders.* London 1847.

— *Savage Life and Scenes in Australia and New Zealand,* i-ii. London 1850.

Ankermann, Br., 'Kulturkreise und Kulturschichten in Afrika', in *Zeitschrift fur Ethnologie,* vol. xxxvii. Berlin 1905.

— *Ostafrika* (Ed. E. Schultz-Ewert and L. Adam, *Das Eingeborenenrecht*). Stuttgart 1929.

Annales du Musée du Congo Belge. Ethnographie et Anthropologie. Bruxelles.

Année sociologique, L'. Paris.

Annual Reports of the Board of Regents of the Smithsonian Institution. Washington.

— *Reports of the Bureau of American Ethnology.* Washington.

Anthropological Essays presented to E. B. Tylor. Oxford 1907.

— *Papers of the American Museum of Natural History.* New York.

— *Review, The.* London.

Anthropologie, L'. Paris.

Anthropos, Bibliotèque Ethnologique. Ethnologische Bibliothek (Ed. *P.* W. Schmidt). Salzburg, Wien.

Archiv fur Anthropologie. Braunschweig.

— *fur Anthropologie, Volkerforschung und Kolonialen Kulturwandel,* Neue Folge. Braunschweig.

Archives d'Études Orientales (Ed. J.-A. Lundell). Upsala.

— *suisses d'Anthropologie générale.* Bâle.

Archivio per l'anthropologia e la ethnologia. Firenze.

Ariens Kappers, C. U., and Parr, L. W., *An Introduction to the Anthropology of the near East in Ancient and Recent Times.* Amsterdam 1934.

Ashe, R. P., *Two Kings of Uganda.* London 1889.

Ashley-Montagu, M. F., *Coming into being among the Australian Aborigines.* London 1937.

Asiatic Researches. Calcutta.

Aufinger, A., 'Die Geheimsprachen auf den kleinen Inseln bei Madang in Neuguinea', in *Anthropos,* vol. xxxvii-xl. (1942-45). Freiburg in Schw. 1947.

Ausland, Das. Stuttgart, Augsburg, Munchen.

Australian Association for the Advancement of Science. Melbourne. Sydney.

'Australian Message Sticks' (by An aboriginal from Braidwood), in *American Anthropologist,* vol. x. Washington 1897.

Autenrieth, (—), 'Recht der Kissibaleute', in *Zeitschrift für vergleichende Rechtswissenschaft* (Ed. Bernhoft, Cohn, Kohler), vol. xxi. Stuttgart 1908.

Avebury, *Sir* John Lubbock, *Lord, The Origin of Civilisation.* London 1912 (also consulted the Ed. from 1902).

Aylmer, L., 'The Country between the Juba River and Lake Rudolf', in *The Geographical Journal,* vol. xxxviii. London 1911.

Baessler-Archiv. Beitrage zur Volkerkunde (Ed. P. Ehrenreich). Leipzig, Berlin.

Bailey, J., 'An Account of the Wild Tribes of the Veddahs of Ceylon', in *Trans. Ethn. Soc. London,* New Ser., vol. ii. London 1862.

Bakkers, J. A., 'Het leenvorstendom Boni', in *Tijdschrift voor Indische taal, land- en volkenkunde.* Batavia and 'sGravenhage. Vol. xv. 1866.

Baldus, H., *Indianerstudien im nordostlichen Chaco* (*Forschungen zur Volkerpsychologie,* vol. xi.). Leipzig 1931.

Bancroft, H. H., 'The History of Mexico', in *Works of H. H. Bancroft,* vol. ix. San Francisco 1883.

— *The Native Races of the Pacific States of North America,* i-v. San Francisco 1883-86.

Bandelier, A. F., 'The Art of War and Mode of Warfare of the Ancient Mexicans', in *Reports of the Peabody Museum of American Archaeology and Ethnology. Harvard Univ.,* vol. ii. Cambridge, Mass., 1880.

Bantu-Studies. Johannesburg.

Barbot, J., 'A Description of the Coast of North and South Guineas', in *Churchill's Collection of Voyages and Travels,* vol. v. London 1707-47.

Barrett, W. E. H., 'Notes on the Customs and Beliefs of the Wa-Giriana, etc., British East Africa', in *Journ. Anthr. Inst.,* vol. xli. London 1911.

Barrow, J., *An Account of Travels into the Interior of Southern Africa, in the Year 1797 and 1798,* i-ii. London 1801-04.

Bartlett, F. C., *Psychology and Primitive Culture.* Cambridge 1923.

Barton, R. F., *Philippine Pagans. The Autobiographies of three Ifugaos.* London 1938.

Bartram, W., 'Observations on the Creek and Cherokee Indians', in *Trans. American Ethn. Soc.* vol. vii., pt. i. New York 1853.

Basden, G. T., *Among the Ibos of Nigeria.* London 1921.

Basedow, H., *The Australian Aboriginal.* Adelaide 1925.

Baskerville, G. K., 'Die Waganda', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.

Bastian, A., *Afrikanische Reisen. Ein Besuch in San Salvador.* Bremen 1859.

— *Die Volker des ostlichen Asien,* i-vi. Leipzig 1866-71.

— *Die Rechtsverhaltnisse bei verschiedenen Volkern der Erde.* Berlin 1872.

— *Geographische und Ethnologische Bilder.* Jena 1873.

— *Die deutsche Expedition an der Loango-Küste,* i-ii. Jena 1874-75.

— *Die Culturländer des alten America,* i-ii. Berlin 1878.

— 'Über australische Botenstabe', in *Zeitschrift für Ethnologie,* vol. xiv. Berlin 1882.

— *Indonesien.* Berlin 1884-94.

— 'Die frühere Vorlage australischer Schriftsubstitute', in *Zeitschrift fur Ethnologie,* vol. xxx. Berlin 1911.

Batchelor, J., *Ainu Life and Lore.* Tokyo (*s. d.*).

— 'Notes on the Ainu', in *Trans. Asiatic Soc. of Japan,* vol. x. Yokohama 1882.

Baudesson, H., *Indo-China and its Primitive People.* London (*s. d.*).

Baumann, H., *Lunda.* Berlin 1935.

Baumann, O., *Usambara und seine Nachbargebiete.* Berlin 1891.

— *Durch Massailand zur Nilquelle.* Berlin 1894.

— Thurnwald, H., Westermann, D., *Volkerkunde von Afrika.* Essen 1939.

Beach, W. Gr., *An Introduction to Sociology and Social Problems.* Cambridge, Mass., 1935.

Beaglehole, E., 'Notes on Hopi Economic Life', in *Yale Univ. Publ. in Anthropology,* no. 15. Yale 1937.

Beauchamp, W. H., 'Permanency of Iroquois Clans and Sachemship', in *American Anthropologists,* viii. Washington 1887.

Beccari, O., *Wanderings in the Great Forest of Borneo.* London 1904.
Beck, G., *Der Urmensch.* Basel 1899.
— *Das Individuum bei den Australiern* (*Inst. für Völkerkunde,* i:6). Leipzig 1924.
Bell, Ch., *Tibet, Past and Present.* Oxford 1924.
— *The People of Tibet.* Oxford 1928.
Bell, C. N., *Tangweera.* London 1899.
Bell, F. L., 'Warfare among the Tanga', in *Oceania,* vol. v. Sydney 1935.
Benedict, R., *Patterns of Culture.* London 1935.
Bentley, W. H., *Pioneering on the Congo.* London 1900.
Berichte über die Verhandlungen der Konigl. Sachs. Gesellschaft der Wissenschaften zu Leipzig. Leipzig.
Bernatzik, H. A., *Die grosse Volkerkunde,* i-iii. Leipzig 1939.
Best, E., 'Notes on the Art of War, etc., by the Maori of New Zealand', in *Journ. Polynesian Soc.,* xi-xii. Wellington 1902-04.
— *The Maori,* i-ii. Wellington 1924.
Beukes, W. T. H., *Der Häuptling in der Gesellschaft der Sud-, Ost- und Zentral-Bantuvolker.* Hamburg 1931.
Beveridge, P., *The Aborigines of Victoria and Riverina.* Melbourne 1889.
Beverley, J. E., 'Die Wagogo', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.
Bibliothèque Anthropos, see *Anthropos.*
Bij, T. S. van der, *Ontstaan en eerste ontwikkeling van den oorlog.* Groningen 1929.
Bijdragen tot de taal-, land- en volkenkunde van Nederlandsch-Indie. 'sGravenhage.
Birket-Smith, K., *Ethnography of the Egedesminde District* (*Meddelelser om Grønland,* lxxi.). København 1924.
— *The Caribou Eskimos* (*Report Fifth Thule Exp.,* v., i-ii.). Copenhagen 1929.
— *Kulturens Veje,* i-ii. København 1941-42.
— and De Laguna, Fr., *The Eyak Indians of the Copper River Delta, Alaska* (*Det Kgl. Danske Videnskabernes Selskab*). København 1938.
Bischofs, P. J., 'Die Niol-Niol, etc.', in *Anthropos,* vol. iii. Wien 1908.
Blackwood, B., *Both Sides of Buka Passage.* Oxford 1935.
Blagden, C. O., see Skeat and Blagden.
Blanchod, Fr., *Les mœurs étranges de l'Afrique noire.* Lausanne 1945.
Bleek, D. F., *The Naron, a Bushman Tribe of the Central Kalahari.* Cambridge 1928.
Block, M., *Der Mensch auf den hohen Inseln Mikronesiens und Polynesiens.* Hamburg 1933.
Bloxam, G. W., 'West African symbolic messages', in *Journal Anthrop. Society,* xvi. London 1886.
Blüher, H., *Die Rolle der Erotik in der männlichen Gesellschaft. Eine Theorie der menschlichen Staatsbildung nach Wesen und Wert* (vol. ii: Familie und Männerbund). Jena 1921.
Blunt, *Lady* Anne, *Bedouin Tribes of the Euphrates,* i-ii. London 1879.
Boas, Fr., 'The Central Eskimo', in *Ann. Rep. Bur. Amer. Ethnol.,* vi. Washington 1888.
— 'The Social Organization and the Secret Societies of the Kwakiutl Indians', in *Smithsonian Report 1894-95.* Washington 1897.
— 'Property Marks of Alaskan Eskimo', in *American Anthropologist,* n. s. i. Lancaster 1899.
— 'Ethnology of the Kwakiutl', in *Ann. Rep. Bur. Amer. Ethnol.,* xxxv:i. and ii. Washington 1921.

Boas, Fr., *General Anthropology.* New York 1938.
— *Race, Language and Culture.* New York 1940.
Bock, C., *The Head-Hunters of Borneo.* London 1881.
Boden Kloss, C., *In the Andamans and Nicobars.* London 1903.
Bodley, R. V. C., *A Japanese Omelette.* Tokyo 1933.
Bogardus, E. S., *Sociology.* New York 1934.
Bogoras, W., *The Chukchee* (*Publ. of the Jesup North Pacific Expedition,* vol. vii.). Leiden and New York 1904-09.
Boletín del Instituto Geográfico Argentino. Buenos Aires.
Bolinder, G., *Ijca-Indianernas kultur.* Alingsås 1918.
Bonnerjea, B., 'Peace and war in Hindu culture', in *Primitive Man,* iii. Washington 1930.
Bösch, *P.* Fr., 'Les Banyamwezi', in *Anthropos Bibliothek,* iii:2. Münster 1930.
Botkin, P. S., *Картинки Дипломати ческой изну.* Paris (*s. d.*).
Brage, Årsskrift. Helsingfors.
Brandstetter, R., *Wir Menschen der indonesischen Erde,* i-ix. Luzern 1921-37.
Breeks, J. W., *An Account of the Primitive Tribes and Monuments of the Nilgiris.* London 1873.
Bridges, M. T., 'Mœurs et Coutumes des Fuégiens', in *Bulletin de la Société d'Anthropologie de Paris,* ser. iii., vol. vii. Paris 1884.
— 'El confin sur de la República La Tierra del Fuego y sus habitantes', in *Boletin de la Inst. geogr. argent.,* vii. Buenos Aires 1886.
Briffault, R., *The Mothers. A Study of the Origins and Sentiments of Institutions,* i-iii. London 1937.
Brinton, D. G., *American Hero-Myths.* Philadelphia 1882.
British Museum: *Handbook to the Ethnographical Collections* (Ed. Ch. H. Read). Oxford 1910.
Brockhaus, Der Grosse. Leipzig.
Brooke, J., *Ten Years in Sarawak,* i-ii. London 1866.
Brown, G., *Melanesians and Polynesians.* London 1910.
Brown, M. J., *The Riddle of the Pacific.* London 1925.
Brühl, G., *Die Culturvölker Alt-Americas.* New York, Cincinnati, St. Louis 1877-87.
Bryant, A. T., *The Zulu Family and State Organization* (*Bantu-Studies,* i.). Johannesburg 1923.
Bücher, K., *Die Wirtschaft der Naturvolker.* Dresden 1898.
— *Die Entstehung der Volkswirtschaft,* i-ii. Tübingen 1898 and the same work 1918.
— 'The Economic Life of Primitive Peoples', in Thomas, *Source Book for Social Origins.* Chicago 1909.
Buchner, K., *Kamerun.* Leipzig 1887.
Buhler-Oppenheim, Kr., 'Die Initiation', in *Anthropos,* xxxvii-xl. Freiburg in Schw. 1947.
Buller, J., *Forty Years in New Zealand.* London 1887.
Bulletin du Centre d'Étude des Problèmes Sociaux Indigènes. Elisabethville.
— *Cranbrook Institute of Science.* Bloomfield Hills. Mich.
— *mensuel des musées et collections de la ville de Genève.* Genève.
— *National Museum of Canada.* Ottawa.
— *of New York State Museum.* Albany.
— *of North Queensland Ethnography* (Ed. W. E. Roth). Brisbane.
— *der Schweizerischen Gesellschaft für Anthropologie und Ethnologie.* Basel.

Bulletin de la Société d'Anthropologie de Paris. Paris.
— *de la Société d'Anthropologie et de Préhistoire.* Merxplas.
— *de la Société de Géographie.* Paris.
— *de la Société Royale Belge.* Bruxelles.
Burckhardt, J. L., *Notes on the Bedouins and Wáhábýs.* London 1830.
Burger, F., *Unter den Kannibalen der Sudsee.* Dresden 1923.
Burghardt du Bois, W. E., *Black Folk. Then and Now. An Essay in the History and Sociology of the Negro Race.* New York 1939.
Burrows, G., 'On the Natives of the Upper Welle District of the Belgian Congo', in *Journ. Anthr. Inst.,* xxviii. London 1899.
Burton, *Sir* Richard F., *The Lake Regions of Central Africa,* i-ii. London 1860.
— *Wanderings in West Africa,* i-ii. London 1863.
Buschan, G., *Illustrierte Volkerkunde,* i-ii:i., ii:2. Stuttgart 1922-26.
Büttner, C. D., *Das Hinterland von Wahlfischbai und Agnra Pequena.* Heidelberg 1884.
Butt-Thompson, F. W., *West African Secret Societies.* London 1890.

Caillot, A. C. E., *Histoire des religions de l'Archipel Paumotu.* Paris 1932.
Calonne-Beaufaiet, A. de, *Azande. Introduction à une ethnographie générale des bassins de l'Ubangi-Uele et de l'Aruwimi* (*Inst. Solvay. Travaux de l'Inst. de Sociologie*). Bruxelles 1921.
Campbell Smith, M., 'Enemy', in *Hastings Encyclopædia of Religion and Ethics,* vol. v. Edinburgh 1912.
Capple, E. D., and Carleton, S. C., *Principles of Anthropology.* New York 1942.
Cardinall, A. W., *In Ashanti and Beyond.* London 1927.
— *The Natives of the Northern Territories of the Gold Coast.* London (*s. d.*).
Carey, B. S., and Tuck, H. N., *The Chin Hills.* Rangoon 1896.
Carmichael, Ch. H. E., *L'anthropologie et les origines de la société chez les peuples de l'Orient et de l'Occident* (*Société de géographie de Lisbonne*). Lisboa 1899.
Carver, J., *Travels through the Interior Parts of North America in the Years 1766-68.* London 1778.
Casalis, E., *My Life in Basuto Land.* London 1889.
Catlin, G., *Letters and Notes on the Manners, Customs, and Conditions of the North American Indians,* i-ii. New York 1841.
Cayley-Webster, H., *Through New Guinea.* London 1898.
Chalmers, J., *Pioneering in New Guinea.* London 1887.
Champion, A. M., 'The Atharaka', in *Journ. Anthr. Inst.,* xlii. London 1912.
Champlain, S. de, *Voyages,* i-ii. Paris 1830.
Churchward, W. B., *My Consulate in Samoa.* London 1887.
Ciba Zeitschrift. Basel.
Claus, H., 'Die Wagogo', in *Baessler-Archiv.* Beiheft ii. Leipzig 1911.
Clavigero, Fr. S., *Historia antiqua del Messico,* i-iv. Cesena 1780-81.
— *The History of Mexico,* i-ii. London 1807.
Clifford, M., 'A Nigerian Chiefdom' in *Journ. Anthr. Inst.,* lxvi. London 1936.
Codrington, R. H., 'Religious Beliefs and Practices in Melanesia', in *Journ. Anthr. Inst.,* x. London 1883.
— *The Melanesians.* Oxford 1891.
Cohn, L., 'Spuren der Araber in der Sudsee', in *Deutsche Geogr. Blätter,* xxxix. Bremen 1921.

Cojazzi, A., *Gli Indii dell' archipelago fueghino.* Torino 1911.
Colden, C., *The History of the Five Indian Nations of Canada.* London 1747.
Cole, F.-C., *The Peoples of Malaysia.* New York 1945.
Cole, H., 'Notes on the Wagogo of German East Africa', in *Journ. Anthr. Inst.,* xxxii. London 1902.
Colle, R. P., *Les Baluba* (Ed. Van Overbergh). Bruxelles 1913.
Collection de monographies ethnographiques (Ed. Van Overbergh). Bruxelles.
Collet, O. J. A., *Terre et peuple de Sumatra.* Amsterdam (*s. d.*).
Columbia University Contributions to Anthropology. New York.
Communications from the School of African Studies. Cape Town.
Comptes Rendus de la xvi:me Section du Congrès intern. d'Anthropologie. Genève 1912.
Congrès international des sciences anthropologiques et ethnologiques. London 1934. Copenhagen 1939. Bruxelles 1950.
Contributions from the Museum of American Indian Heye Foundation. New York.
Cook, A. C., 'The Aborigines on the Canary Islands', in *American Anthropologist,* n. s. ii. New York 1900.
Cook, J., and King, J., *A Voyage of Discovery to the Pacific Ocean 1777-80,* i-ii. London 1784.
Cooley, Ch. H., Angell, R. C., Lowell, J. C., *Introductory Sociology.* London 1933.
Cooper, J. M., 'Analytical and Critical Bibliography of the Tribes of Tierra del Fuego and Adjacent Territory', in *Bulletin no. 30. Bur. Amer. Ethnol.* Washington 1917.
Cowan, J., *The Maoris of New Zealand.* Christchurch 1910.
— *The Maori yesterday and to-day.* Wellington 1930.
Cox, R., *Adventures on the Columbia River,* i-ii. London 1831.
Cox, W., *Account of the Russian Discoveries between Asia and America.* London 1804.
Cranz, D., *The History of Greenland,* i-ii. London 1767.
Crawley, *The Mystic Rose. A Study of Primitive Marriage.* London 1902.
Cunningham, J. F., *Uganda and its Peoples.* London 1905.
Cunow, H., *Die Verwandtschafts-Organisation der Australneger.* Stuttgart 1894.
— *Die Soziale Verfassung des Inkareichs.* Stuttgart 1896.
Cureau, A., *Les Sociétés primitives de l'Afrique équatoriale.* Paris 1912.
Curr, E. M., *Recollections of Squatting in Victoria.* Melbourne. Sydney. Adelaide 1883.
— *The Australian Race: its Origin, Language, Customs,* i-iv. Melbourne 1886.
Curtis, E. S., *The North American Indians,* vol. iv. Cambridge 1909.
Custer, G. A., *My Life on the Plains.* New York 1874.
Custom is King. Essays presented to R. R. Marett. London 1936.
Czaplicka, M. A., *Aboriginal Siberia. A Study in Social Anthropology.* Oxford 1914.
Czekanowski, J., 'Forschungen im Nil-Kongo-Zwischengebietes', in *Petermanns Mittheilungen,* vol. lviii. Gotha 1912.

Dalager, L., *Grønlandske Relationer.* Kiøbenhavn (*s. d.*).
Dall, W. N., *Alaska and its Resources.* Boston 1870.
Dalton, E. T., *Descriptive Ethnology of Bengal.* Calcutta 1872.
Danske Videnskabernes Selskab, Det. København.
Davidson, D. T., *The Chronological Aspects of Certain Australian Social Institutions.* Philadelphia 1928.
Davie, M. R., *The Evolution of War* (*Yale Publ. in Economics, Social Science and Government,* i.). New Haven 1929.

Davis, W. M. H., *El Gringo, or New Mexico and her People.* New York 1857.
Dawson, C. A., and Gettys, W. E., *An Introduction to sociology.* New York 1929.
Dawson, J., *The Australian Aborigines.* Melbourne 1887.
Deacon, A. B., *Malekula. A Vanishing People in the New Hebrides* (Ed. C. H. Wedgwood). London 1934.
Deane, W., *Fijian Society.* London 1921.
Decken, Baron C. C. von der, *Reisen in Ost-Afrika,* i-ii. Leipzig, Heidelberg 1869-71.
Decle, L., *Three Years in Savage Africa.* London 1898.
Deedes, C. N., 'The double-headed God', in *Folk-Lore,* no. 46. London 1935.
Delafosse, M., 'Coutumes observées par les femmes en temps de guerre chez les Agni de la cote d'Ivoire', in *Revues d'ethnographie et de sociologie.* Paris 1913.
Delhaise, Ch., 'Chez les Warundi et les Wahorohoro', in *Bulletin de la Société Royale Belge,* vol. xxxii. Bruxelles 1908.
— 'Chez les Wabemba', *ibid.* xxxii. Bruxelles 1908.
— *Les Warega (Congo Belge). (Collection de monographies ethnographiques.* Ed. C. Van Overbergh, vol. v.). Bruxelles 1909.
Dellenbaugh, Fr. S., *The North-Americans of Yesterday.* New York. London 1902.
Delobson, A. A. D., *L'Empire du Mogho-Naba (Inst. de droit comp. Études,* xi.). Paris 1933.
Delteil, P., *Le Fokon 'Olona, et les Conventions de Fokon 'Olona. (Études de sociologie et d'ethnologie juridique,* i.) Paris 1931.
Denig, E. Th., and Hewitt, J. N. B., 'Indian Tribes of the Upper Missouri', in *Ann. Rep. Bur. Amer. Ethnol.,* xlvi. Washington 1930.
Deniker, J., 'Les Ghiliaks', in *Revue d'Ethnographie,* vol. ii. Paris 1883.
Densmore, Fr., 'Chippewa Customs', in *Bur. Amer. Ethnol. Bull.,* no. 86. Washington 1929.
Descamps, P., *Les origines du Totémisme collectif.* Bruxelles 1927.
— *État social des peuples sauvages.* Paris 1930.
Deutsche Rundschau für Geographie und Statistik. Berlin. Wien. Pest. Leipzig.
Diamond, A. S., *Primitive Law.* London 1935.
Dictionary of the Bible, A, i-v. Edinburgh 1898-04.
Dobrizhoffer, M., *An account of the Abipones,* i-ii. London 1882.
Dohne, I. L., *Das Kaffernland und seine Bewohner.* Berlin 1844.
Doke, Cl. M., *The Lambas of Northern Rhodesia.* London 1931.
Donaldson, Th., 'The George Catlin Indian Gallery in the U.S. National Museum', in *Smithsonian Inst. Report,* pt. ii. Washington 1884-85.
Donner, K., 'Ethnological notes about the Yenisey-Ostyak', in *Mémoires de la Société finno-ougrienne,* no. lxvi. Helsinki 1933.
Dornan, S. S., 'The Tati Bushmen (Masarwas) and their language', in *Journ. Anthr. Inst.,* xlvii. London 1917.
— *Pygmies and Bushmen of the Kalahari.* London 1925.
Dorsey, J. O., 'An Account of the War Customs of the Osages', in *The American Naturalist,* xviii. Philadelphia 1884.
— 'A Study of the Siouan Cults', *ibid.* vol. xi. Washington 1894.
— 'Omaha Sociology', in *Ann. Rep. Bur. Amer. Ethnol.,* vol. xv. Washington 1897.
— 'Siouan Sociology', *ibid.* vol. xv. Washington 1898.
Dottin, G., 'War-Gods' (Celtic), in Hastings, *Encyclopædia of Religion and Ethics,* vol. xii. Edinburgh 1921.
Driberg, J. H., *The Lango. A Nilotic Tribe of Uganda.* London 1923.

Driberg, J. H., 'Primitive Law in Eastern Africa', in *Africa,* vol. i. London 1928.
— *A Home with the Savage.* London 1932.
Drower, E. S., *The Mandaeans of Iraq and Iran.* Oxford 1937.
Du Bois, C., *The Peoples of Alor. A Social-Psychological Study of an East Indian Island.* Minnesota 1944.
Duggan-Cronin, A. M., and Bleek, D. F., *The Bushman Tribes of Southern Africa (Alex. McGregor Memorial Museum).* Kimberley 1942.
Dumont d'Urville, J. S. C., *Voyage au Pôle Sud et dans l'Océanie,* i-xxiii. Paris 1841-54.
Dundas, *Hon.* C., 'History of Kitui', in *Journ. Anthr. Inst.,* xliii. London 1913.
— 'Native Laws of some Bantu Tribes of East Africa', *ibid.* li. London 1921.
Dunn, E. J., *The Bushman.* London 1931.
Dunn, J., *History of the Oregon Territory.* London 1844.

Eggan, Fr., Gilbert, W. H. jun., and others, 'Social Anthropology of North American Tribes', in *Essays presented to prof. Radcliffe-Brown.* Chicago 1937.
Ehrenfels, Baron O. R. von, 'The Dual System and Mother-right in India', in *Anthropos,* xxxv-vi. Freiburg in Schw. 1940-41.
— *Mother-right in India.* Hyderabad 1941.
Elander, R., *The Chief of the Indian Clan in North America.* Göteborg 1909.
— 'The Clan as a local Unite in Society', in *Festskrift tillegnad Edward Westermarck.* Helsingfors 1912.
Elkin, A. P., *The Australian Aborigines.* Sydney 1938.
Elkinton, E. W., *The Savage South Seas.* London (*s. d.*).
Ella, S., 'O le tal a le taema ma na-fuana', in *Journal of the Polynesian Society,* v. Wellington 1897.
Ellenberger, D. Fr., and MacGregor, J. C., *History of the Basuto, ancient and modern.* London 1912.
Ellis, A. B., *The Ewe-speaking Peoples of the Gold Coast of West Africa.* London 1887.
— *The Tshi-speaking Peoples of the Gold Coast of West Africa.* London 1890.
— *The Yoruba-speaking Peoples of the Slave Coast of West Africa.* London 1890.
Ellis, W., *Narrative of a Tour through Hawaii, or Owhyhee.* London 1826.
— *History of Madagascar,* i-ii. London 1838.
— *Polynesian Researches,* i-iv. London 1859.
Elton, F., 'Notes on Natives of the Solomon Islands', in *Journ. Anthr. Inst.,* xvii. London 1888.
Encyclopædia Britannica (The). London, New York.
— *of the Social Sciences,* i-xv. London 1930-35.
Encyclopédie (La grande). Paris.
Encyclopaedie van Nederlandsch-Indië (Ed. J. Paulus), i-v. 'sGravenhage and Leiden 1917-27.
Erskine, J. E., *Journal of a Cruise among the Islands of the Western Pacific.* London 1853.
Essays in Anthropology, presented to A. L. Kroeber. Berkeley 1936.
— *presented to Prof. Radcliffe-Brown.* Chicago 1937.
— *presented to C. G. Seligman.* London 1934.
Ethnographical Museum of Sweden, The (Statens Etnografiska Museum. Publications. N.S.). Stockholm.
— *Studies published on the occasion of the centenary of the Ethnographical Department,* National Museum. København 1914.

Ethnographiske Beiträge. Adolf Bastian zu seinem 70:sten Geburtstage 1896 gewidmet (*Intern. Archiv f. Ethnographie,* ix.). Leiden 1896.
Ethnography of India. Calcutta.
Ethnologica. Leipzig.
Ethnological Survey Publications. Manila.
Ethnos. Stockholm.
Etnografija, Sovjetskaja, Советская этнография. Leningrad.
Etnografiska bidrag av svenska missionärer (Ed. Baron E. Nordenskiold). Stockholm 1907.
Etnologiska Studier (*Ethnological Studies*). Goteborg.
Études de sociologie et d'ethnologie juridique (Ed. R. Maunier). Paris 1931.
Evans, I. H. N., *Among primitive peoples in Borneo.* London 1922.
Evans-Pritchard, E. E., *The Nuer.* Oxford 1940.
— *The Political System of the Anuak of the Anglo-Egyptian Sudan* (*Monographs on Social Anthropology,* no. 4). London 1940.
Eylmann, E., *Die Eingeborenen der Kolonie Südaustraliens.* Berlin 1908.
Eyre, E. J., *Journals of Expeditions of Discovery into Central Australia* 1840-41, i-ii. London 1845.

Fairchild, H. P., *Dictionary of Sociology.* New York 1944.
Farrer, J. A., *Primitive Manners and Customs.* London 1879 (and 1885).
Fellman, J., *Anteckningar under min vistelse i Lappmarken,* i-iv. Helsingfors 1906.
Festschrift Eduard Seler. Stuttgart 1922.
— *Publication d'Hommage offert au P. W. Schmidt.* Wien 1928.
Festskrift tillegnad Edward Westermarck den 20. nov. 1912. Helsingfors 1912.
Fewkes, J. W., 'Preliminary Account of an Expedition to the Cliff villages of the Red Rock Country', etc., in *Smithsonian Report* 1895. Washington 1896.
— 'Tusayan Katcinas', in *Ann. Rep. Bur. Amer. Ethnol.,* xv. Washington 1897.
— 'Hopi Festivals', in *American Anthropologist,* iv. Washington 1902.
Field Museum of Natural History. Depart. of Anthropology. Publications. Chicago.
Finsch, O., *Samoafahrten.* Leipzig 1888.
— *Ethnologische Erfahrungen und Belegstucke aus der Südsee.* Wien 1893.
Firth, R., *We the Tikopia. A Sociological Study of Kinship in Primitive Polynesia.* London 1936.
— *Primitive Polynesian Economy.* London 1939.
Fison, L., *Land Tenure in Fiji.* Suva 1903.
— and Howitt, A. W., *Kamilaroi and Kurnai.* Melbourne 1880.
Fletcher, Al. C., 'The Hako: a Pawnee Ceremony', in *Ann. Rep. Bur. Amer. Ethnol.,* xxii. Washington 1904.
— 'Pawnee', in Hastings, *Encycl. Religion and Ethics,* ix. Edinburgh 1917.
— and la Flesche, Fr., 'The Omaha Tribe', in *Ann. Rep. Bur. Amer. Ethnol.,* xxvii. Washington 1911.
Fogg, W., 'A Tribal Market in the Spanish Zone of Morocco', in *Africa,* xi. London 1938.
Folk. The Journal of the International Association for Folk-Lore and Ethnology (Ed. J. de Vries). Leipzig.
Folk-Lore. London.
Forbers, H. O., 'On some of the Tribes of the Island of Timor', in *Journ. Anthr. Inst.,* xiii. London 1884.

Forbers, H. O., *A Naturist's Wandering in the Eastern Archipelago.* London 1885.
— 'On the Kubus of Sumatra', in *Journ. Anthr. Inst.,* xiv. London 1885.
Forsberg, N., *Une forme élémentaire d'organisation cérémoniale. Contribution à l'étude de la morphologie du culte.* Upsala 1943.
Fortes, M., *The Dynamics of Clanship among the Tallensi.* London, New York, Toronto 1945.
— and Evans-Pritchard, E. E., *African Political Systems.* London 1941.
Fortune, R. F., *Sorcerers of Dobu.* London 1932.
— 'Arapesh Warfare', in *American Anthropologist,* xli. Washington 1939.
— 'The rules of relationship behaviour in one variety of primitive warfare', in *Man.* London 1947.
Foureau, F., *D'Alger au Congo par le Tsad.* Paris 1912.
Fox, C. E., *The Threshold of the Pacific. An Account of the Social Organization, Magic, and Religion of the People of San Christoval in the Solomon Islands.* London 1924.
— and Drew, F. H., 'Beliefs and Tales of San Christoval (Solomon Islands)', in *Journ. Anthr. Inst.,* xlv. London 1925.
Franchère, G., *Narrative of a Voyage to the North-West Coast of America.* New York 1854.
Fraser, J., *The Aborigines of New South Wales.* Sydney 1892.
Frazer, *Sir* J. G., 'Folk-Lore in the Old Testament', in *Anthropological Essays presented to E. B. Tylor.* Oxford 1907.
— *The Golden Bough,* i-xii. London 1911-15.
— *The Scapegoat* (vol. vi. of The Golden Bough). London 1913.
— *Totemism and Exogamy,* i-iv. London 1920.
— *Folk-Lore in the Old Testament,* i-iii. London 1924.
— 'Taboo', in *Encycl. Britannica.* Ed. 9. London 1888 (reprinted in *Garnered Sheanes*). London 1931.
— *Aftermath. A Supplement to the Golden Bough.* London 1936.
— *Anthologia Anthropologica. A copious selection of passages for the study of social anthropology,* i-v. London 1936-39.
Freud, S., 'Über einige Übereinstimmungen im Seelenglauben der Wilden und der Neurasteniker', in *Imago,* i-ii. Wien 1912-13.
Friederici, G., *Indianer und Anglo-Amerikaner.* Braunschweig 1900.
— *Skalpieren und ähnliche Kriegsgebräuche in Amerika.* Braunschweig 1906.
— 'Über die Behandlung der Kriegsgefangenen durch die Indianer Amerikas', in *Festschrift Eduard Seler.* Stuttgart 1922.
— *Der Charakter der Entdeckung und Eroberung Amerikas durch die Europaer,* i-iii. Gotha 1925-36.
Friedrich, Ad., *Afrikanische Priestertumer* (*Studien zur Kulturkunde.* Ed. L. Frobenius, E. Jensen). Hamburg (*s. d.*).
Fries, S. A., 'Konung Hammurabis af Babylon lagar', in *Finsk Tidskrift,* liv:i. Helsingfors 1903.
Fritsch, G., *Die Eingeborenen Süd-Afrikas.* Breslau 1872.
— *Sudafrika bis zum Zambesi.* Leipzig. Prag 1885.
— *Drei Jahre in Sud-Afrika.* Breslau 1886.
Frobenius, L., *Die Geheimbünde Afrikas.* Hamburg 1894.
— *Kulturgeschichte Afrikas.* Leipzig. Wien 1933.
Fuhrmann, E., *Neu-Guinea* (*Kulturen der Erde,* xiv.). Hagen i. W. 1922.
— *Neu-Seeland.* Friedrichssegen 1931.

Fülleborn, Fr., *Das deutsche Njassa- und Ruwuma-Gebiet.* Berlin 1906.
Fürer-Haimendorf, Chr. von, *The Chenchus. Jungle Folk of the Deccan (Aboriginal Tribes of Hyderabad,* i.). London 1943.
Furness, W. H., *The Home-Life of Borneo Head-Hunters.* Philadelphia 1902.

Gallardo, C., *Los Onas.* Buenos Aires 1910.
Gardner, E. A., 'War, War-Gods (Greek and Roman)', in Hastings, *Encycl. Religion and Ethics,* xii. Edinburgh 1921.
Gason, S., *The Manners and Customs of the Dieyerie Tribes of Australia* (J. D. Woods, *The Native Tribes of South Australia).* Adelaide 1879.
Gatschet, A. S., *A Migration Legend of the Creek Indians,* i. Philadelphia 1884.
Gaul, W., *Das Geschenk nach Form und Inhalt.* Braunschweig 1914.
Gelders, M., *Le clan dans la société indigène. Étude de politique sociale.* Paris 1943.
Geografisk Tidskrift. København.
Geographical Journal, The (Ed. Royal Geographical Society. London). London.
Gerig, J. L., 'Ethics and Morality', in Hastings, *Encycl. Religion and Ethics,* v. Edinburgh 1912.
Gesemann, G., *Der montenegrinische Mensch. Literaturgeschichte und Charakterologi der Patriarchalitat.* Prag 1934.
Ghurye, G. S., 'Dual Organization in India', in *Journ. Anthr. Inst.,* liii. London 1923.
Giddings, F. H., *The Principles of Sociology.* New York 1896.
— *same work,* in German: *Prinzipien der Soziologie.* Leipzig 1911.
Gifford, E. W., *Dichotomous social organization in South Central California (Univ. of California Publ. in Amer. Archaeology and Ethnology,* xi:v). Berkeley 1916.
— *Clan and moieties in Southern California (ibid.* xiv:2). Berkeley 1918.
— *Tongan Society (B. P. Bishop Museum Bulletin,* lxi.). 1929.
Gilder, W. H., *Schwatka's Search.* London 1882.
Gill, W. W., *Myths and Songs from the South Pacific.* London 1876.
— *Historical Sketches of Savage Life in Polynesia.* Wellington 1880.
Ginsberg, M., *Studies in sociology.* London 1932.
Gisborn, Wm., *The Colony of New Zealand.* London 1888.
Globus. Hilburghausen. Braunschweig.
Goddard, P. E., *Life and Culture of the Hupa (Univ. of California Publ. in American Archaeology and Ethnology,* i:i.). Berkeley 1903-04.
— 'Indians of the Northwest Coast', in *American Museum Natural History.* New York 1924.
Godden, G. M., 'Nāgā and Other Frontier Tribes of North-East India', in *Journ. Anthr. Inst.,* xxvi. and xxvii. London 1897-98.
Goldenweiser, A. A., 'Totemism, an analytical study', in *Journal of American Folk-Lore,* xxiii. New York 1910.
— 'Barter in Aboriginal Australia', in *American Anthropologist.* N. S., xvii. New York 1915.
— *Anthropology.* London 1937.
Goldfrank, E. S., 'The social and ceremonial organization of Cochiti', in *American Anthropologist,* xxxiii. Menasha, Wisc., 1927.
Goldschmidt, W., 'Social Organization in Native California and the Origin of Clans', *ibid.* Menasha, Wisc., 1948.

Goodfellow, D. M., *Principles of Economic Sociology.* London 1939.
Gopčevič, S., *Overalbanien und seine Liga.* Leipzig 1881.
Gough, J. W., *The Social Contact.* Oxford 1936.
Graebner, Fr., 'Die sozialen Systeme in der Sudsee', in *Zeitschrift f. Sozialwissenschaft.* Berlin 1908.
— 'Handel bei Naturvölkern', in Andrée, *Geographie des Welthandels.* Frankfurt a. M. 1910.
— *Methode der Ethnologie.* Heidelberg 1911.
Gray, L. H., 'Law (American)', in Hastings, *Encycl. Religion and Ethics,* vii. Edinburgh 1914.
Gray, W., 'Some Notes on the Tannese', in *Intern. Archiv f. Ethnographie,* vii. Leiden 1897.
Gregory, J. W., *Australasia* (*Stanford's Compendium of Geography and Travel. N. I.,* vol. i.). London 1907.
Gregovius, F., *Wanderings in Corcica,* i-ii. London 1855.
Grinnell, G. B., *The Cheyenne Indians,* i-ii. New Haven 1923.
Grosse, E., *Die Formen der Familie und die Formen der Wirtschaft.* Freiburg i. B. 1896.
Groves, E. R., *An Introduction to Sociology.* New York 1932.
Grubb, W. B., *Among the Indians of the Paraguayan Chaco.* London 1904.
Günther, H. Fr. K., *Formen und Urgeschichte der Ehe.* München 1940.
Gusinde, P. M., *Die Feuerland-Indianer,* i. (*Anthropos-Bibliothek*). Mödling 1931.
— *Die Feuerland-Indianer,* i-iii. (i: *Die Selk'nam,* Wien 1931; ii: *Die Yámana,* 1937; iii i. (*Die Halakwúlup,* in prep.); iii:2: *Anthropologie,* 1939.
— 'Die Kongo-Pygmäen in Geschichte und Gegenwart', in *Nova Acta Leopoldina.* N. F. xi:76. Halle 1942.
— *Urmenschen im Feuerland.* Wien 1946.
Gutmann, B., *Dichten und Denken des Dschagganeger.* München 1909.
— *Das Recht der Dschagga.* München 1926.
Haberlandt, K., 'Die Gastfreundschaft auf niederen Kulturstufen', in *Ausland.* Stuttgart 1878.
— *Volkerkunde.* 1906.
Haddon, A. C., *Head-Hunters.* London 1901.
— 'The Religion of the Torres Straits Islanders', in *Anthr. Essays presented to E. B. Tylor.* Oxford 1907.
— *The History of Anthropology.* New York 1910.
— *The Wanderings of Peoples.* Cambridge 1912.
— in *Reports of the Cambridge Anthropological Expedition to Torres Straits,* i-vi. Cambridge 1901-35.
Haekel, J., 'Gewinnung einer relativen Zeitfolge aus der Gruppierung der Sozialsysteme', in *Mitteilungen der Anthr. Ges. Wien,* lxvii. Wien 1937.
Hagen, B., *Unter den Papua's.* Wiesbaden 1899.
— *Die Orang Kubu auf Sumatra* (*Veröffentlichungen aus dem St. Volkerkunde-Museum,* ii.). Frankfurt a. M. 1908.
Hahl, A., 'Mittheilungen uber Sitten und rechtliche Verhältnisse auf Ponape', in *Ethnologisches Notizblatt* (*Kön. Museum f. Volkerkunde in Berlin,* ii.). Berlin 1901.
Hahn, C. H. L., *The Ovambo.* Cape Town 1928.
Hakluyt, R., *The principall navigation, voiages, traffiques and discoveries of the English nation.* London 1589.

Hale, E., *Ethnography and Philology* (*U.S. Exploring Expedition,* vi.). Philadelphia 1846.
— *The Iroquois book of rites.* Philadelphia 1883.
Hambly, W., *Tribal Dancing and social Development.* London 1926. (*Field Museum of Natural History. Anthr.* Ser. xxvi.)
— *Source Book for African Anthropology,* i-ii. Chicago 1937.
Hambruch, V., *Malaiische Marchen aus Insulinde.* Jena 1927.
Hamburgische Universität: Abhandlungen aus dem Gebiet der Auslandskunde. Hamburg.
Hamilton-Grierson, P. J., *The Silent Trade.* Edinburgh 1903.
— 'Market', in Hastings, *Encycl. Religion and Ethics,* viii. Edinburgh 1915.
— 'Strangers', *ibid.* Edinburgh 1920.
Hammar, J., 'Bawende', in E. Nordenskiold: *Ethn. bidrag av svenska missionärer.* Stockholm 1907.
Handbook of American Indians North of Mexico (*Bur. Amer. Ethn. Bull.,* xxx.; ed. F. W. Hodge). Washington 1907-10.
Handbücher der Volkskunde. Leipzig.
Handwörterbuch der Soziologie (Ed. A. Vierkandt). Stuttgart 1931.
Hanoteau, A., and Letourneux, A., *La Kabylie et les coutumes kabyles,* i-iii. Paris 1872-73.
Harkness, H., *A Description of a Singular Aboriginal Race inhabiting the Neilgherry Hills.* London 1832.
Harrisson, T., *Savage Civilization.* London 1937.
Hartland, E. S., *The Legend of Perseus,* i-iii. London 1894-96.
— *Primitive Paternity,* i-ii. London 1909-10.
— 'Law (primitive)', in Hastings, *Encycl. Religion and Ethics,* vii. Edinburgh 1914.
— 'Introductory Note to Dinka Laws and Customs by Captain H. O'Sullivan', in *Journ. Anthr. Inst.,* xl. London 1910.
— *Primitive Society.* London 1921.
— *Primitive Law.* London 1924.
Harva, U., 'The Finno-Ugric System of Relationship', in *Transactions of the Westermarck Society,* i. Göteborg 1947.
Hassell, E., 'Notes on the Ethnology of the Wheelman Tribes of the Southwestern Australia', in *Anthropos.* Wien 1931.
Hastings, J., *Encyclopædia of Religion and Ethics,* i-xiii. Edinburgh 1908-26.
Hauser, O., *Urmanniskor och vildar.* Stockholm 1919.
Havemeyer, L., *The Drama of Savage Peoples.* New Haven, Cunn., 1916.
— *Ethnography.* Boston 1929.
Hawkes, E. W., 'La fête 'des invités' des Esquimaux de l'Alaska', in *Mémoire. Min. des Mines,* xlv. Ottawa 1915.
Hawkesworth, J., *An Account of Voyages in the Southern Hemisphere,* i-iii. London 1873.
Hayes, E. C., *Introduction to the Study of Sociology.* London 1925.
Hayford, C., *Gold Coast Native Institutions.* London 1903.
Heine-Geldern, R., 'Südostasien', in Buschan, *Illustrierte Volkerkunde,* ii:i. Stuttgart 1923.
Heinitz, W., 'Probleme der afrikanischen Trommelsprache', in *Beitrage zur Kolonialforschung,* iv. Berlin 1943.
Helbig, K., *Urwaldwildnis Borneos.* Berlin 1940.
Hennepin, *P.* L., *A New Discovery of a Vast Country between New France and New Mexico in America.* London 1698.
Hennig, J., *Die Frau im offentlichen Leben in Melanesien.* Leipzig 1936.

Henry, T., *Ancient Tahiti. Based on Material Recorded by J. M. Orsmond.* Honolulu 1928.
Hermann, E., *Schallsignalsprachen in Melanesien und Afrika (Nachrichten d. Akademie d. Wissenschaften in Gottingen. Phil. Hist. Kl.).* Göttingen 1943.
Hershon, P. I., *Treasures of the Talmud.* London 1882.
Herskovits, M. J., *Dahomey, an Ancient West African Kingdom,* i-ii. New York 1938.
— 'Some neglected concepts in the study of primitive economics', in *Congr. anthr. ethnol.* London 1934.
— 'The Economic Surplus and its Disposal', in *Congr. anthr. ethn.* Copenhague 1939.
— *The Economic Life of Primitive Peoples.* New York 1940.
— *The Myths of the Negro Past.* New York 1941.
— *Man and his work. The science of cultural anthropology.* New York 1948.
Hertzler, J. O., *Social Institutions.* New York 1929.
— *The Social Thought of the Ancient Civilizations (McGraw-Hill Publ. in Sociology).* New York. London 1936.
Hewitt, J. N. B., 'Iroquoian Cosmology' (ii.), in *Ann. Rep. Bur. Amer. Ethn.,* xliii. Washington 1928.
Hiekisch, C., *Die Tungusen.* St. Petersburg 1879.
Hildebrand, R., *Recht und Sitte auf den verschiedenen wirtschaftlichen Kulturstufen.* Jena 1907.
Hill, G. F., 'Treaties', in Hastings, *Encycl. Religion and Ethics,* xii. Edinburgh 1921.
Hill, W. W., *Navaho Warfare.* New Haven 1936.
Hinde, S. L. and H., *The Last of the Masai.* London 1901.
Hiroa, Te Rangi (Petter H. Buck), 'Mangaian Society', in *Bernice P. Bishop Museum,* ci. New York 1934.
Hobbes, Th., *Leviathan.* Oxford 1881.
Hobhouse, L. T., *Morals in Evolution,* i-ii. London 1906.
— *Social Evolution and Political Theory.* New York 1911.
— *Social Development, its Nature and Conditions.* London 1924.
— Wheeler, G. C., and Ginsberg, M., *The Material Culture and Social Institutions of the Simpler Peoples. An Essay in Correlation.* London 1915.
Hocart, A. M., 'Fijian Heralds and Envoys', in *Journ. Anthr. Inst.,* xliii. London 1913.
Hocart, D. G., *Kings and councillors (Cairo Univ. Fac. des lettres; Recueil de Travaux,* xii.). Cairo 1936.
Hodge, Fr. W., see *Handbook of American Indians.*
Hodgkinson, Cl., *Australia from Port Macquarie to Moreton Bay.* London 1845.
Hodgson, C. P., *Reminiscences of Australia.* London 1846.
Hodgson, B. H., 'On the Origin &:c of the Kócch, Bodo, and Dhimál People', in *Journal Asiatic Society.* Bengal. N. S., xviii:ii. Calcutta 1850.
Hodgson, T. C., 'The 'Genna' amongst the Tribes of Assam', in *Journ. Anthr. Inst.,* xxxvi. London 1906.
— *The Nāga Tribes of Manipur.* London 1911.
Hoevell, Baron G. W. W. C. van, 'Bijdrage tot de Ethnographie van den Indischen Archipel', in *Intern. Archiv f. Ethnogr.,* iii. Leiden 1890.
Hoffman, W. J., 'The Menomini Indians', in *Ann. Rep. Bur. Amer. Ethn.,* xiv:i. Washington 1896.
Hofmayr, W., *Die Schilluk.* St. Gabriel. Mödling 1925.
Hogbin, H. I., *Law and Order in Polynesia.* London 1934.

Hogbin, H. I., 'Tillage and Collection, a New Guinea Economy', in *Oceania,* ix. Sydney 1940.
— 'Native Councils and Native Courts in the Solomon Islands', *ibid.* xiv. Sydney 1944.
Hollis, A. C., *The Masai. Their Language and Folk-Lore.* Oxford 1905.
— *The Nandi. Their Language and Folk-Lore.* Oxford 1909.
Holmes, H. H., 'Initiation ceremonies of the natives of the Papuan Gulf', in *Journ. Anthr. Inst.,* xxxii. London 1932.
Holmes, J. H., *In primitive New Guinea.* London 1924.
Holmsen, S., *Polynesisk passad.* Stockholm 1942.
Holsti, R., 'Some Superstitious Customs and Beliefs in Primitive Warfare', in *Festskrift till-egnad Edv. Westermarck.* Helsingfors 1912.
— *The Relation of War to the Origin of the State.* Helsingfors 1913.
— 'Sociological Theory of Sovereignty', in *Proceedings of the Inst. of International Relations,* vi. Berkeley. Cal. 1930.
Holub, E., *7 Jahre in Südafrika* (1872-79), i-ii. Wien 1881.
— 'The Central South African Tribes from the South Coast to the Zambesi', in *Journ. Anthr. Inst.,* x. London 1881.
Horne, G., and Aiston, G., *Savage Life in Central Australia.* London 1924.
Hornell, J., 'Floats: A Study in Primitive Water-Transport', in *Journ. Anthr. Inst.,* lxxii. (i:ii.). London 1942.
Hose, Ch., *Natural Man.* London 1926.
Hose and McDougall, W., 'The Relations between Men and Animals in Sarawak', *ibid.* xxxi. London 1901.
— *The Pagan Tribes of Borneo,* i-ii. London 1912.
Höst, G., *Nachrichten von Morokos und Fez.* Kopenhagen 1781.
Howitt, A. W., 'Notes on Australian Message Sticks and Messengers', in *Journ. Anthr. Inst.,* xviii. London 1888.
— 'On the Organization of Australian Tribes', (iv.), in *Transactions of the Roy. Soc. Victoria,* i. Melbourne 1889.
— 'The Diery and other Kindred Tribes of Central Australia', in *Journ. Anthr. Inst.,* xx. London 1890.
— *The Native Tribes of South-Australia.* London 1904.
— 'Australian Group-Relationship', in *Journ. Anthr. Inst.,* xxxvii. London 1907.
Hoyt, E., *Primitive Trade and its Psychology and Economics.* London 1926.
Hulsius, L., *Eine Beschreibung der zweyen Insulen Formosa und Japan.* Frankfurt a. M. 1649.
Humboldt, Fr. H. A. *Baron* von,*Essai politique sur le Royaume de la Nouvelle Espagne,* i-ii. Paris 1811.
Humphreys, C. B., *The Southern New Hebrides. An Ethnological Record.* Cambridge 1926.
Hunter, J., *Manners and Customs of Several India Tribes.* Philadelphia 1822.
Huntingford, G. W. B., 'Early Foreign Trade in East Africa', in *Man,* xlviii. London 1948.
Hutton, J. H., *The Sema Nagas.* London 1921.
Hyades, P. D. J., and Deniker, J., *Mission scientifique du Cap Horn,* vol. ii. Paris 1891.
Hyatt, H. M., *Folk-Lore from Adams Country Illinois.* New York 1935.

Ibn Batuta, *Voyages* (Ed. C. Defrémery and B. R. Sanguinetti). Paris 1853-58.
— Im Thurn, E. F., *Among the Indians of Guiana.* London 1883.
Institutes of Vishnu, The (*The Sacred Books of the East,* vii; Ed. J. Jolly). Oxford 1880.

Indian Notes and Monographs (Ed. by Museum of the American Indian Heye Foundation). New York.

Internationales Archiv für Ethnographie. Leiden.

Irle, J., *Die Herero.* Gütersloh 1906.

Irstam, T., *The King of Ganda. Studies in the Institutions of Sacral Kingship in Africa* (*The Ethn. Museum of Sweden,* viii.). Stockholm 1943.

Irving, J. T., *Indian Sketches,* i-ii. Philadelphia.

Ivanitzsky, N., *Les institutions des primitifs australiens.* Bruxelles 1922.

Ivens, W. G., *Melanesians of the South-East Solomon Islands.* London 1929.

Izikowitz, K. G., *Över dimmornas berg.* Stockholm 1944.

Jackson, F. G., *The Great Frozen Land.* London 1895.

Jahrbuch des städtischen Museums für Volkerkunde zu Leipzig. Leipzig.

Jahrbücher für Nationalokonomi und Statistik (Ed. J. Conrad, E. Loening, W. Lexis). Jena.

Jardin, Ed., 'Notice sur l'archipel de Mendana ou des Marquises 1853-54', in *Mémoires de la Société Impériale Académique de Cherbourg 1856.* Cherbourg 1856.

Jarves, J. J., *History of the Hawaiian or Sandwich Islands.* London 1847.

Jaussen, T., *Grammaire et dictionnaire de la langue Maorie, Dialect Tahitien.* Paris 1898.

Jenks, A. C., 'The Bontoc Igorot', in *Ethnol. Survey of Philippine Islands. Publ.,* i. Manilla. 1905.

Jennes, D., *The Life of the Copper Eskimo* (*Report of Canadian Arctic Expedition,* xii.). Ottawa 1913-18.

— *The Indians of Canada* (*National Museum of Canada. Bull.,* lxvi.). Ottawa 1934.

Jensen, Ad. E., Rhotert, H., and others, *Im Lande des Gada* (*xii. Deutsch-Inner-Afrika Forsch. Exp.* (*DIAFE*) 1934-35. Stuttgart 1936.

Jessop, W. R. H., *Flindersland and Sturtland. London 1862.*

Jochelson, W., *Peoples of Asiatic Russia* (*The American Museum of Natural History*). London 1928.

Johns, C. H. W., 'Law (Babylonian)', in Hastings, *Encyclop. Religion and Ethics,* vii. Edinburgh 1914.

Johnston, *Sir* Harry, *The Kilima-Njaro Expedition.* London 1886.

— 'The People of Eastern Equatorial Africa', in *Journ. Anthr. Inst.,* xv. London 1886.

— *British Central Africa.* London 1897.

— *The Uganda Protectorate,* i-ii. London 1902.

— and Lydekker, R., and others, *The Living Races of Mankind,* i-ii. London (*s. d.*).

Johnstone, J. C., *Maoria.* London 1874.

Jones, E., 'Ethnography of the Fox' (Ed. M. W. Fischer), in *Bur. Amer. Ethn. Smithsonian Inst.,* cxxv. Washington 1939.

Jones, P., *History of Ojebway Indians.* London 1861.

Journal of the African Society. London.

— *The, of American Folk-Lore.* Boston, New York.

— *of the Asiatic Society of Bengal.* Calcutta.

— *of the Ceylon Branch of Royal Asiatic Society.* Colombo.

— *des Museums Godeffroy.* Hamburg.

— *of the Polynesian Society.* Wellington.

— *The, of the Royal Anthropological Institute of Great Britain and Ireland* (here abbreviated: *Journ. Anthr. Inst.*). London.

Journal of the Royal Geographical Society. London.
— *de la Société Finno-ougrienne.* Helsinki.
— *Southwestern, of Anthropology. Univ. of New Mexico.* Albuquerque.
Joyce, P. W., *A Social History of Ancient Ireland,* i-ii. London 1903.
Jung, V., *Sumatra.* København 1942.
Junghuhn, F., *Die Battalander auf Sumatra* (Germ. transl.), i-ii. Berlin 1847.
Junod, H. A., *The Life of a South African Tribe,* i-ii. London 1927.
— *Mœurs et coutumes des Bantous,* iii. Paris 1936.

Kaberry, Ph. M., 'Law and Political Organization in the Abelan Tribe, New Guinea', in *Oceania,* xii. Sydney 1942.
Karsten, R., 'Indianska hovlighetsformer i Sydamerika', in *Brage. Årsskrift,* viii-xi. Helsingfors 1917.
— 'Naturtillstånd och kultur', in *Nya Argus,* xiii. Helsingfors 1920.
— 'Blood revenge, war, and victory feasts among the Jibaro Indians of Eastern Ecuador', in *Bur. Amer. Ethn. Bull.,* lxxix. Washington 1923.
— *The Civilization of the South American Indians.* London 1926.
— *Naturfolkens samhallsliv.* Helsingfors 1928.
— 'Indian Tribes of the Gran Chaco' (*Societas Scientiarum Fennica. Comm. Hum. Litt.,* iv:i.). Helsingfors 1932.
— *The Head-Hunters of Western Amazonas* (*ibid.* Comm. Hum. Litt., vii:i.). Helsingfors 1935.
— 'Arrow-poisons and narcotics in Western Amazonas. (A reply to Dr. H. Wassén), in *Etnografiska Studier,* ii. Göteborg 1936.
Kaudern, W., *I Celebes obygder,* i-ii. Stockholm 1921.
— *Ethnographical Studies in Celebes,* i-vi. (Vol. vi. posthumous). Göteborg 1925.
Kauffmann, H. E., 'Kriegsgebrauche der Naga', in *Mitt. Blatt Deutsche Gesellschaft f. Volkerkunde.* Berlin 1939.
Keller, A. G., *Homeric Society.* New York 1906.
Kerry-Nicholls, J., 'The Origin, Physical Characteristics, and Manners and Customs of the Maori Race', in *Journ. Anthr. Inst.,* xv. London 1885.
Keysser, Chr., *Aus dem Leben der Kai-Leute* (Rich. Neuhauss, *Deutsch-Neuguinea*), iii. Berlin 1911.
Kidd, D., *The Essential Kafir.* London 1904.
King, P. P., and Fitzroy, R., *Narrative of the Voyage of the 'Adventure' and 'Beagle',* i-iii. London 1839.
Kingsley, *Mrs.* H., 'African Religion and Law', in *National Review.* London 1877.
— *Travels in West Africa.* London 1898.
— *West African Studies.* New York 1899.
Kjersmeier, C., 'Ashanti Gold, Weights, etc.', in *Ethnographical Studies* (*Nationalmuseum*), i. København 1941.
Klaatsch, H., *Människan och kulturens tillkomst och utveckling* (Sv. transl. by E Teiling). Stockholm 1923.
Kleintitschen, A., *Mythen und Erzahlungen eines Melanesierstammes aus Paparatava.* Wien 1924.
Knabenhans, A., *Die politische Organisation bei den Australischen Eingeborenen.* Leipzig 1919.

Knoche, W., 'Blutrache auf der Oster-Inseln', in *Zeitschrift f. vergl. Rechtswissenschaft,* l. Berlin 1936.

Knocker, F. W., 'The Aborigines of Sungei Ujong', in *Journ. Anthr. Inst.,* xxxvii. London 1907.

Koch-Grünberg, Th., *Zwei Jahre unter den Indianern,* i-ii. Berlin 1909-10.

— *Vom Roroima zum Orinoco,* i-v. Stuttgart 1917-23.

Kongo-Overzee Tijdskrift voor en over Belgisch-Kongo en Andere Overzeese Gewestern. Antwerpen.

Koppers, W., *Unter Freuerland-Indianern.* Stuttgart 1924.

Kosmos. Zeitschrift fur die gesamte Entwicklungslehre. Stuttgart.

Kotzebue, von, *Entdeckungsreise in der Südsee,* i. Wien 1825.

Kraft, A., 'Die Wapokomo', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.

Kramer, A., *Die Samoa-Inseln,* i-ii. Stuttgart 1902-03.

— and Nevermann, H., *Ralik-Patak.* Hamburg 1938.

Kranz, A., *Natur- und Kulturleben der Zulus.* Wiesbaden 1880.

Krapf, J. L., *Reisen in Ost-Afrika 1837-55.* Stuttgart 1858.

Krasheninnikoff, S. P., *The History of Kamchatka, and the Kurilski Islands* (Engl. Transl.). Glocester 1764.

Krause, Fr., *Das Wirtschaftsleben der Volker.* Breslau 1924.

— 'Der Trommelbaum im Schinququellgebit, Zentral-Brasilien', in *Mitteilungen d. deutsch. Gesellschaft f. Völkerkunde.* Leipzig 1942.

Krieger, M., *Neu-Guinea.* Berlin 1899.

Krige, E. J., *The social System of the Zulus.* London. New York. Toronto 1936.

Kroeber, A. L., *Anthropology.* New York 1923.

— *Handbook of the Indians of California.* Washington 1925.

— 'A Kato War', in *Festschrift P. W. Schmidt.* Wien 1928.

— 'Peoples of the Philippines', in *American Museum Nat. Hist. Handb. Ser.,* viii. New York 1928.

— *Cultural and Natural Areas of Native North America* (*Berkeley Univ. of California Press*). Pasadena 1939.

— and Watermann, T. T., *Source Book in Anthropology.* New York 1931.

— and Benedict, R., and others, 'Franz Boas', in *American Anthropologist,* xlv:3:2. New York 1943.

Kropf, A., *Das Volk der Xosa-Kaffern.* Berlin 1899.

Krusenstern, A. J. von, *Voyage round the world in the years 1803, 1804, 1805 and 1806.* (Ed. R. B. Hoppner), i-ii. London 1813.

Krzywicki, L., *Primitive Society and its vital Statistics.* London 1939.

Kubary, J. S., 'Die Palau-Inseln der Südsee', in *Journal des Museums Godeffroy,* Pt. vi. Hamburg 1873.

— *Beitrag zur Kenntnis der Núkuóro oder Monteverde-Inseln.* Hamburg 1900.

Kuhn, H., *Sitte und Sittlichkeit* (H. Schneider: *Germanische Altertumskunde*). München 1938.

Kulischer, J., 'Zur Entwicklungsgeschichte des Kapitalzinses', in *Jahrbücher f. Nationalokonomi und Statistik,* iii:e F.B. xviii. Jena 1899.

Lacombe, L. de, *Voyage à Madagascar et aux isles Comores 1823-1830.* Paris 1840.

Lafitau, F. Fr., *Mœurs des sauvages ameriquaines,* i-ii. Paris 1724.

La Flesche, Fr., 'The Osage Tribe', in *Ann. Rep. Bur. Amer. Ethn.,* xxxvi. Washington 1921.
— 'The Osaka Tribe', *ibid.* xliii. Washington 1928.
— 'War Ceremonies and Peace Ceremony of the Osage Indians', in *Smiths. Inst. Bull.,* ci. Washington 1939.
Lahontan, A. L. de, *Nouveaux voyages dans l'Amerique septemtrionale.* Haag 1703.
Lampert, K., *Die Volker der Erde.* i-iii. Stuttgart, Leipzig (*s. d.*).
Lander, R. and J., *Journal of an Expedition to Explore the Course and Termination of the Niger.* London 1832.
Landman, J. H., *Primitive Law, Evolution, and Sir Henry Sumner Maine* (Reprinted from *Michigan Law Review,* xxviii:4.). Michigan 1930.
Landtman, G., *The Kiwai Papuans of the British New Guinea.* London 1927.
— *Ethnographical Collection from the Kiwai District of British New Guinea in the National Museum of Helsingfors (Helsinki).* Helsingfors (Helsinki) 1933.
— *The Origin of the Inequality of the Social Classes.* London 1938.
Lane-Fox Pitt-Rivers, A., *The Evolution of Culture.* London 1906.
Lang, F. H., 'Die Waschambala', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.
Langloh Parker, K., *The Euahlayi Tribe.* London 1905.
Langsdorff, G. H. von, *Bemerkungen auf einer Reise um die Welt in den Jahren 1803 bis 1807,* i-ii. Frankfurt 1813.
Lapouge, V. de, *Les Sélections Sociales.* Paris 1896.
Larousse du xx:e Siècle. Paris.
Lasch, R., 'Das Marktwesen auf den primitiven Kulturstufen', in *Zeitschrift f. Socialwissenschaft,* vol. ix. Berlin 1906.
Lasker, Br., *Peoples of Southeast Asia.* New York 1945.
Latcham, R. E., 'Ethnology of the Araucanos', in *Journ. Anthr. Inst.,* xxxix. London 1909.
Lattimore, O., *The Mongols of Manchuria.* London 1935.
Lavachéry, H., *Vie des Polynésiens.* Bruxelles 1946.
Lebzelter, V., *Rassen und Kulturen in Sudafrika,* i-ii. Leipzig 1930.
Leenhardt, M., *Notes d'Ethnologie Néo-Calédonienne (Univ. de Paris, Travaux et Mémoires de l'Institut d'Ethnologie,* viii.). Paris 1930.
— *Gens de la Grande Terre.* Paris 1937.
Lehmann, F. R., 'Die Herausbildung des Führertums auf niederen Stufen der Kultur', in *Baessler-Archiv.* 1936. Leipzig, Berlin 1936.
Lehner, St., 'Sitten und Rechte der Melanesierstammes der Bukawac', in *Archiv f. Anthropologie,* xxiii. Braunshweig 1935.
Leighton, A. H., and Dorothea, C., *The Navaho Door.* Cambridge, Mass., 1945.
Lekkerkerker, C., *Land en Volk van Sumatra.* Leiden (*s. d.*).
Leland, C. G., and Prince, J. D., *Kulóskap the Master.* New York 1902.
Le Mesurier, C. J. R., 'The Veddás of Ceylon', in *Journ. Roy. Asiatic Soc. Ceylon Branch,* ix. Colombo 1887.
Lenz, O., *Skizzen aus Westafrika.* Berlin 1878.
Lepper, J. H., *Famous secret societies.* London 1932.
Letourneau, Ch., *Sociology* (Eng. Transl.). London 1881.
— *La guerre dans les diverses races humaines.* Paris 1895.
— *L'évolution du commerce dans les diverses races humaines.* Paris 1897.
— *L'Evolution de l'Esclavage dans les diverses races humaines.* Paris 1897.

Leuscher, (—) von, 'Die Bakwiri, Kamerun' in Steinmetz, *Rechtsverhaltnisse von eingeborenen Völkern in Afrika und Ozeanien.* Berlin 1903.

Lévy-Bruhl, L., *Les Fonctions mentales dans les sociétés inférieures.* Paris 1910.

— *La mentalité primitive.* Paris 1922.

— *L'âme primitive.* Paris 1927.

Lewin, T. H., *The Hill Tracts of Chittagong.* Calcutta 1909.

— *Studies in African Native Law.* Cape Town. Philadelphia. Oxford (*s. d.*).

Leyburn, J. G., *Handbook of Ethnography.* New Haven 1931.

Leyder, J., 'Les Pygmées du Congo Belge', in *Bull. Société roy. belge de Géographie.* Bruxelles 1933.

Lichtenstein, H., *Travels in Southern Africa,* i-ii. London 1812-15.

Life, American Indian. By several of its students (Ed. E. Clew Parsons). New York 1922.

Lindblom, G., *The Akamba in British East Africa.* Upsala 1916.

— *The Akamba. An ethnological monograph* (*Archives d'Études Orientales,* xvii.). Upsala 1918-19.

— 'Handelsmetoder bland primitiva folk', in *Handel och Samfardsel.* Upsala 1931.

Lips, J. E., 'Kamerun', in Schulz-Ewerth and Adam, *Das Eingeborenrecht,* etc., ii. Stuttgart 1930.

— 'Public Opinion and Mutual Assistance Among the Montagnais-Naskapi', in *American Anthropologist,* xxxix:2. New York 1937.

Livingstone, D., *Missionary Travels and Researches in South Africa,* i-ii. London 1857.

— and Ch., *Narrative of an Expedition to the Zambesi and its Tributaries.* London 1865.

Llewellyn, K. N., and Adamson Hoebel, E., *The Cheyenne Way.* Oklahoma 1944.

Lobsiger-Dellenbach, M., 'Passeports', in *Bulletin mensuel des musées et collections de la ville de Genève.* Genève 1947.

Lockwood, Fr. C., *The Apache Indians.* New York 1938.

Loeb, E. M., 'History and Traditions of Niue', in *B. P. Bishop Museum Bull.,* xxii. New York 1926.

— 'Tribal initiations and secret societies', in *Publ. Univ. of California: Amer. Archaeol. and Ethn.,* xxv:3. Berkeley 1929.

— and Heine Geldern, R., *Sumatra.* Wien 1935.

Lothrop, S. K., *The Indians of Tierra del Fuego.* (*Contr. from the Museum of the Amer. Indian Heye Found.,* x.). New York 1928.

Lovén, Sv., *Origins of the Tainan Culture.* Goteborg 1935.

Low, H., *Sarawak.* London 1848.

Lowie, V. R. H., 'Dance Associations of the Eastern Dacota', in *Anthr. Papers of the Amer. Museum of Natural Hist.,* xi-xii. New York 1911.

— 'Social Life of the Crow Indians', *ibid.* ix:ii. New York 1912.

— 'Societies of the Crow, Hidatsa and Mandan Indians', *ibid.* xii:iii. New York 1913.

— 'Plain Indians Age Societies. Historical and Comparative Summary', *ibid.* xi:xiii. New York 1916.

— *Culture and Ethnology.* New York 1917.

— *Primitive Society.* New York 1920.

— 'Notes on the Shoshonean Ethnography', in *Anthr. Papers of the Amer. Museum Nat. Hist.* New York 1924.

— *The Origin of the State.* New York 1927.

Lowie, V. R. H., *An Introduction to Cultural Anthropology.* New York 1934.
— *The Crow Indians.* New York 1935.
Lowis, R. F., *The Andaman and Nicobar Islands (Census of India 1911,* vol. ii.). Calcutta 1912.
Luc, B., *Le droit Kabyle.* Toulouse 1911.
Lumholtz, C., *Through Central Borneo,* i-ii. London 1921.
Luschan, F. von, 'Über die alte Handelsbezieungen von Benin', in *Verhandl. vii. Intern. Geographenkongresses* 1899. Berlin 1901.
Lydekker, R., and Webster, H. C., 'Melanesia and New Guinea', in Johnston, Lydekker, *The Living Races of Mankind.* London (*s. d.*).

MacCauley, C., 'The Seminole Indians of Florida', in *Ann. Rep. Bur. Amer. Ethn.,* v. Washington 1887.
Macdonald, J. R. L. *Rev.,* 'Manners, Customs, Superstitions, and Religions of South African Tribes', in *Journ. Anthr. Inst.,* xx. London 1893.
— 'Notes on the Ethnology of Tribes met with during progress of the Juba Expedition', *ibid.* xxix. London 1899.
Mackenzie, J., *Ten Years North of the Orange River.* Edinburgh 1871.
Mac Leod, W. Chr., 'Trade Restrictions in Early Society', in *American Anthropologist,* xxix. Menasha. Wisc. 1927.
Macpherson, C. Ch., *Memorials of Service in India.* London 1865.
Macrae, J., 'Account of the Kookies', in *Asiatic Researches,* vii. Calcutta 1801.
Mademba, F., 'Die Sansanding-Staaten', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.
Magarey, A. T., 'Smoke signals of Australian aborigines', in *Australian Association for the Advancement of Science.* Sydney 1893.
Maine, *Sir* Henry S., *Lectures on the Early History of Institutions.* London 1875.
— *Village Communities in the East and West.* London 1876.
— *Ancient Law.* London 1885.
Mair, G., 'The Early History of the Maories', in *Transactions of New Zealand Inst.,* xxxvii. Wellington 1905.
Mair, L. P., 'Chieftainship in modern Africa', in *Africa,* ix. London 1936.
Makareti, *The Old-Time Maori* (Ed. T. K. Penniman). London 1938.
Malinowski, B., 'The Economic Aspect of the Intichiuma Ceremonies', in *Festskrift tillegnad Edv. Westermarck.* Helsingfors 1912.
— *The Family among the Australian Aborigines.* London 1913.
— 'War and Weapons among the Natives of the Trobriand Islands', in *Man.* London 1920.
— *Argonauts of the Western Pacific.* London 1922.
— *Crime and Custom in Savage Society.* London 1926.
— *The Sexual Life of Savages in North-Western Melanesia.* London 1932.
— *Coral Gardens and their Magic,* i-ii. London 1935.
— *A scientific theory of culture.* Hill. N. Car. 1944 (posthumous).
— *Freedom and Civilization.* New York 1944 (posthumous).
Mallery, G., 'Sign Language among North American Indians', in *Ann. Rep. Bur. Amer. Ethn.,* i. Washington 1881.
— 'Pictographs of the North American Indians', *ibid.* iv. Washington 1886.

Mallery, G., 'Picture-Writing of the American Indians', *ibid.* x. Washington 1893.

Man. A Monthly Record of Anthropological Science. London.

Man, E. H., 'On the Aboriginal Inhabitants of the Andaman Islands', in *Journ. Anthr. Inst.,* xii. London 1886.

— *On the Aboriginal Inhabitants of the Andaman Islands* (Ed. A. J. Ellis). London 1932.

— *The Nicobar Islands and their People* (Ed. L. H. Yates 1932).

— *same work* (Ed. *Sir* David Prain). London 1933.

Marett, R. R., 'Tabu', in Hastings, *Encycl. Religion and Ethics,* xii. Edinburgh 1908.

— 'Ethics', *ibid.* v. Edinburgh 1912.

— and Penniman, T. K., see Spencer, *Sir* Baldwin.

Mariner, W., *An Account of the Natives of the Tonga Islands* (Ed. J. Martin), i-ii. London 1817.

Markham, *Sir* Clements R., 'A List of the Tribes in the Valley of the Amazon, etc.', in *Journ. Anthr. Inst.,* xl. London 1910 (Third Ed.).

— *The Incas of Peru.* London 1910.

Marsden, W., *The History of Sumatra.* London 1811.

Marshall, A., *Principles of Economics.* London 1936.

Martin, (—), 'Forschungsreisen zu den juganischen Ostjaken', in *Globus,* lxxii. Hildburghausen, Braunschweig 1897.

Martin, R., *Die Inlandsstamme der Malayischen Halbinsel.* Jena 1905.

Martin, W. A. P., 'Traces of international law in ancient China', in *International Review,* xix. New York 1883.

Martius, C. F. Ph. von, *Von dem Rechtszustande unter den Ureinwohnern Brasiliens.* München 1832.

— *Beiträge zur Ethnographie und Sprachenkunde Amerika's zumal Brasiliens,* i-ii. Leipzig 1867.

Mason, F. ,'On Dwellings, Works of Arts, etc. of the Karens', in *Journ. Asiatic Society of Bengal.* N. S. xxxvii. Calcutta 1868.

Mason, O. T., *The Origin of Invention.* London 1895.

— *Woman's share in primitive culture.* New York 1905.

Mathew, J., *Eaglehawk and Crow.* London 1899.

— *Two Representative Tribes of Queensland.* London 1910.

Mathews, R. H., 'Message-Sticks used by the Aborigines of Australia', in *American Anthropologist.* Washington 1897.

— 'Australian Tribes', in *Zeitschrift f. Ethnologie,* xxxviii. Berlin 1906.

Matsumura, A., 'Contributions to the Ethnography of Micronesia', in *Journal of the College of Science. Tokyo,* xl:7. Tokio (*s. d.*).

Matthews, J., *A Voyage to the River Sierra Leone.* London 1791.

Mauss, M., 'Essai sur le Don', in *L'Année Sociologique,* vol. i. Paris 1925.

— *Manuel d'Ethnographie.* Paris 1947.

Mayne, C. R., *Four Years in British Columbia and Vancouver Island.* London 1862.

McCarthy, F. D., "Trade' in Aboriginal Australia and 'Trade' Relationships with Torres Strait, New Guinea and Malaya', in *Oceania,* x. Sydney 1939.

McClintock, W., *The Old North Trail, or Life, Legends and Religion of the Blackfeet Indians.* London 1910.

McDougall, W., *An Introduction to Social Psychology.* London 1910.

McGee, W. J., *The Relations of Institutions to Environment.* Washington 1896.
— 'The Siouan Indians', in *Ann. Rep. Bur. Amer. Ethn.,* xv. Washington 1897.
— 'The Seri Indians', *ibid.* Washington 1898.
McGraw-Hill Publications in Sociology (Ed. E. B. Reuter). New York. London.
McKenney, Th. L., and Hall, J., *History of the Indian Tribes of North America with biographical Sketches of the Principal Chiefs,* i-ii. Philadelphia 1836.
— — *The Indian Tribes of North America* (Ed. F. W. Hodge), i-iii. Edinburgh 1933-34.
McRitchie, D., 'The Aïnos', in *Intern. Archiv f. Ethnographie.* Suppl. to vol. iv. Leiden 1892.
Mead, M., *Growing up in New Guinea.* London 1931.
— *Sex and Temperament in three primitive societies.* London 1935.
Meaking, B., *The Moors.* London 1902.
Meddelelser om Grønland. København.
Meek, C. K., *The Northern Tribes of Nigeria,* i-ii. Glasgow 1925.
— *Tribal Studies in Northern Nigeria,* i-ii. London 1931.
— *Law and Authority in a Nigerian Tribe. A Study in Indirect Rule.* London 1937.
Meinicke, C. E., *Die Inseln des Stillen Ozeans'* i-ii. Leipzig 1875-76.
Melville, H., *Typee.* Boston 1892.
Memoires of the American Anthropological Association. Menasha., Wisc.
— *of the American Museum of Natural History.* New York.
— *of the Asiatic Society of Bengal.* Calcutta.
Mémoires, Ministère des Mines. Canada. Ottawa.
— *de la Société Impériale Académique de Cherbourg.* Cherbourg.
Merker, M., 'Rechtsverhaltnisse und Sitten der Wadschagga', in *Petermanns Mittheilungen,* Erg. H. 138. Gotha 1902.
— *Die Masai.* Berlin 1904.
Mertens, J., *Les chefs couronnés chez les Ba Kongo orientaux.* Bruxelles 1942.
Meyer, H., *Ostafrikanische Gletscherfahrten.* Leipzig 1890.
— *Die Barundi.* Berlin 1916.
— 'Das Parakwesen im Glauben und Kult bei den Eingeborenen an der Nordostkuste Neuguineas', in *Annali Lateranensi,* vii. Città del Vaticano 1942.
Meyer, P., *Geschichte des Altertums.* Stuttgart 1883.
Miller, Ch. C., *Black Borneo.* London 1946.
Mills, J. P., *The Lhota Nagas.* London 1922.
— *The Rengma Nagas.* London 1937.
Minor, R. C., *A Republic of Nations.* New York 1918.
Mission scientifique du Maroc. Villes et Tribus du Maroc, i-vi. Paris 1915-18.
Mitt(h)eilungen der Anthropologischen Gesellschaft in Wien. Wien.
Mitteilungen der deutschen Gesellschaft fur Volkerkunde. Leipzig.
Mitt(h)eilungen aus den Deutschen Schutzgebieten. Berlin.
— *der Geographischen Gesellschaft in Hamburg.* Hamburg.
— *des Seminars für Orientalische Sprachen an der Universität Berlin.* Berlin.
— *der Vorderasiatischen Gesellschaft.* Berlin.
Mjöberg, E., *Bland stenåldersmänniskor i Queenslands vildmarker.* Stockholm 1918.
— 'Beiträge zur Kenntnis der Eingeborenen von Nord-Queensland', in *Archiv f. Anthropologie,* xx. Braunschweig 1925.

Mockler-Ferryman, A. F., *Up the Niger. Narrative of Major Claude Macdonald's mission to the Niger and Benues river, West Africa.* London 1892.
Moerenhout, J. A., *Voyages aux îles du Grand Océan,* i-ii. Paris 1837.
Moffat, R., *Missionary Labours and Scenes in Southern Africa.* London 1842.
Molina, J. J., *The Geographical, Natural, and Civil History of Chili* (Eng. Transl.), i-ii. London 1809.
Mondandon, G., *Traité d'Ethnologie culturelle.* Paris 1934.
Monographs on Social Anthropology. London.
Monograph Serie of the Carnegie Endowment for International Peace. Washington.
Montell, G., *Bland gudar och vanliga manniskor.* Stockholm 1942.
Montesquieu, C. de S., *Oeuvres.* Paris 1837.
Mooney, J., 'The Ghost-Dance Religion and the Sioux Outbreak', in *Ann. Rep. Bur. Amer. Ethn.,* xiv:ii. Washington 1890.
— *The Siouan Tribes of the East.* Washington 1894.
— 'Calendar History of the Kiowa Indians', in *Ann. Rep. Bur. Amer. Ethn.,* xvii. Washington 1898.
— 'Myths of the Cherokee', *ibid.* xix:i. Washington 1900.
Moore, H. J., *Savage Survivals.* London 1933.
Moore, J. H., 'Short Account of Timor', in *Appendix to Notices of the Indian Archipelago.* Singroon 1837.
Morey, R., 'Aspects of Swazi Male Initiation', in *Congr. anthr. ethnol.* London 1934.
Morgan, L. H., *League of the Ho-dé-no-sau-nee, or Iroquois.* Rochester 1851.
— *Ancient Society.* London 1877.
Moszkowski, M., *Vom Wirtschaftsleben der primitiven Volker.* Jena 1911.
Mounteney-Jepson, A. J., *Emin Padcha and the Rebellion of the Equator.* London 1890.
Mühlmann, W., *Rassen- und Volkerkunde.* Braunschweig 1936.
— *Methodik der Vòlkerkunde.* Stuttgart 1938.
— *Staatsbildung und Amphiktyonien in Polynesien.* Stuttgart 1938.
— *Krieg und Friede.* Heidelberg 1940.
Müller, F. M., *The sacred books of the East,* i-l. Oxford 1879-1910.
Müller-Lyer, F., *Phasen der Kultur und Richtungslinien des Fortschritts.* München 1908.
Müller-Wismar, W., *Yap,* i. Hamburg 1917-18.
Munzinger, W., *Über die Sitten und das Recht der Bogos.* Winterthur 1859.
— *Ostafrikanische Studien.* Schaffhausen 1869.
Murdock, J., 'Ethnological Results of the Point Barrow Expedition', in *Ann. Rep. Bur. Amer. Ethn.,* ix. Washington 1887-88.
Murphy, J., *Primitive Man.* London 1927.

Nachrichten d. Akademie d. Wissenschaften in Gottingen. Göttingen.
Nachtigal, G., *Sahara und Sudan,* i-ii. Berlin 1879-89.
Nadel, S. F., 'Social Symbiosis and Tribal Organization', in *Man* 1938 no. 85. London 1938.
— *The Nuba. An Anthropological Study of the Hill Tribes in Kordofan.* New York. Toronto 1947.
Nansen, F., *Eskimo Life.* London 1893.
Nasmyth, G., *Social Progress and the Darwinian Theory.* New York 1916..
Nassau, *Rev.* R. H., *Fetishism in West Africa.* New York 1904.
Nationalmuseets Skrifter (*Etnografisk Række*). København.

Nationaltidende. København.

Nelson, Ed. W., 'The Eskimos about Bering Strait', in *Ann. Rep. Bur. Amer. Ethn.,* viii. Washington 1899.

Neuhaus, R., *Deutsch-Neuguinea,* i-iii. Berlin 1911 (vol. iii: St. Lehner, *Bukaua*).

Newman, L. F., 'Notes on Some Rural and Trade Initiations Ceremonies in the Eastern Counties', in *Folk-Lore,* li. London 1940.

Niblack, A. P., 'The coast Indians of Southern Alaska and Northern British Columbia', in *U.S. Nat. Museum.* New York 1888.

Niboer, H. J., *Slavery as an industrial System.* The Hague 1910.

Nicolas, Fr. C., 'The Aborigines of the Province of Colombia Santa Fe', in *American Anthropologist.* N. S., iii. Washington 1901.

Nieuvenhuis, A. W., *In Central Borneo,* i-ii. Leiden 1900.

— *Quer durch Borneo.* Berlin 1907.

Nigmann, E., *Die Wahehe.* Berlin 1908.

Nilsson, M. P:n, *Primitiv Kultur.* Stockholm 1908.

Nissen, H. D., *Die Maori und ihre Kultur. Ein Vergleich mit der Kultur der tropischen Polynesier auf landschaftlicher Grundlage.* Hamburg 1933.

Nodillac, F. F. A. du P., *Prehistoric America* (Engl. Transl.). New York 1884.

Nooteboom, C., 'The study of primitive sea-going craft as problem', in *Intern. Archiv f. Ethnographie.* Hft. 4-6. Leiden 1945-47.

Nordenskiöld, *Baron* A. E., *Vegas fard kring Asien och Europa,* i-ii. Stockholm 1880-81.

Nordenskiöld, *Baron* Erland, *De sydamerikanska indianernas kulturhistoria.* Stockholm 1912.

— *Forskningar och aventyr i Sydamerika 1913-14.* Stockholm 1915.

— 'Über die Sitte der heutigen Aymara und Quichua Indianer, etc.', in *Globus,* lxxxvii. Hildburghausen. Braunschweig 1915.

— *Vergleichende ethnologische Forschungen. Comparative ethnological Studies,* i-iv. Göteborg 1918-21.

— *An Historical and Ethnological Survey of the Cuna Indians* (Ed. Henry Wassén; *Comp. Ethnogr. Studies,* x.). Goteborg 1938.

Nordisk Kultur (Ed. S. Erixon). Stockholm. Oslo. København.

Nordisk Tidskrift for International Ret. Acta scandinavica juris gentium. København.

Northcote, G. A. S., 'The Nilotic Kavirondo', in *Journ. Anthr. Inst.,* xxxvii. London 1907.

Nova Acta Leopoldina. Halle.

Nova Guinea. Leiden.

Novicow, J., *Les luttes entre sociétés humaines et leurs phases successives.* Paris 1896.

— *War and its Alleged Benefits* (Engl. Transl.). New York 1911.

Ntara, S. Y., *Man of Africa* (Transl. from Nyanja by T. C. Young). London 1934.

Numelin, R., *Politisk Geografi.* Helsingfors 1927.

— *The Wandering Spirit.* Copenhagen 1936 (London 1937).

— 'Uppkomsten av mellanfolkliga forbindelser', in *Statsvetenskaplig Tidskrift.* Lund 1938.

— 'Den primitiva handeln och dess geografiska utbredning', in *Terra,* cl:i. Helsinki. Helsingfors 1939.

— *Den grona grenen.* Helsingfors 1941.

— *same work,* in abbreviated edition in French (*Les origines de la diplomatie.* Paris 1944).

— *Faltforskare och Kammarlärde.* Helsingfors 1947.

Numelin, R., 'Messengers, Heralds and Envoys in Savage Societies', in *Transactions of the Westermarck Society,* i. Göteborg 1947.

— and Brotherus, H., *Fritt Fädernesland.* Helsingfors 1943.

— *same work* in French (*Liberté créatrice*). Helsinki 1943.

Obermaier, H., Birkner, F., and others, *Der Mensch aller Zeiten,* i-iv. Regensburg (*s. d.*).

Oceania. Sydney.

Oertzen, (—) von, 'Die Banaka und Bapuku, Batanga', in Steinmetz, *Rechtsverhältnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.

Öfversikt av Finska Vetenskaps-Societetens Förhandlingar. Helsingfors.

Oppenheim, *Baron* Max, *Die Beduinen.* Leipzig 1939.

D'Orbigny, A., *Voyages dans l'Amérique méridionale,* i-v. Paris 1843.

O'Sullivan, H., and Hartland, E. S., 'Dinka Laws and Customs', in *Journ. Anthr. Inst.,* xl. London 1910.

Ottley, R. L., 'Peace', in *Encycl. Religion and Ethics,* ix. Edinburgh 1917.

Overbergh, C. van, *Collection de Monographie ethnographiques.* Bruxelles.

— *Les nègres d'Afrique.* Bruxelles 1913.

Oxford Studies in Social and Legal History (Ed. *Sir* Paul Vinogradoff). Oxford.

Parker, K. L., *The Euahlayi Tribe.* London 1905.

Parkinson, R., *Im Bismarck-Archipel. Erlebnisse und Beobachtungen auf der Insel Neu-Pommern* (*Neu-Britannien*). Leipzig 1887.

— 'Beitrage zur Ethnologie der Gilbertsinsulaner', in *Intern. Archiv f. Ethnographie,* ii. Leiden 1889.

— *Dreissig Jahre in der Südsee.* Stuttgart 1907.

Parry, N. E., *The Lakhers.* London 1932.

Parsons, E. Cl. 'The Pueblo of Jemez', in *Papers of the Southwestern Museum,* iii. New Haven 1925.

— 'Taos Pueblo', in *Gen. Ser. in Anthropology,* ii. Menasha 1936.

Partridge, Ch., *Cross River Nations.* London 1905.

Passarge, S., *Die Buschmanner der Kalahari.* Berlin 1907.

Paulitschke, P., *Ethnographie Nordost-Afrikas,* i-ii. Berlin 1893-96.

Pechuël-Loesche, E., *Volkskunde von Loango.* Stuttgart 1907.

Perron d'Arc, H., *Aventures d'un voyageur en Australie.* Paris 1870.

Perry, W. J., *The Children of the Sun.* London 1923.

— *The Growth of Civilization.* London 1924.

Peschel, O., *The race of man.* New York 1894.

Petit, R., 'La Monarchie annamite', in *Études de sociologie,* v. Paris 1931.

Pfeil, G. von, 'Duk Duk and Other Customs as Forms of Expression of the Melanesian's Intellectual Life', in *Journ. Anthr. Inst.,* xxvii. London 1898.

Pfeil, J., *Studien und Beobachtungen aus der Südsee.* Braunschweig 1899.

Pigott, Sr., *The Progress of Early Man.* London 1935.

— 'Early Foreign Trade in East Africa', in *Man,* xlviii. London 1948.

Pinkerton, J., *A General Collection of Voyages and Travels,* i-xvii. London 1808-14.

Polack, J. D., *Manners and Customs of the New Zealanders,* i-ii. London 1940.

Pöpping, E., *Reise in Chile, Peru, und auf d. Amazonenstrome während d. Jahre 1827-32.* Leipzig 1835.

Porteus, St. D., *The Psychology of a Primitive People.* London 1931.

Possoz, E., 'Étude sur l'article premier du decret sur les juridictions indigènés, in *Zaïre.* Bruxelles 1948.
— *Eléments de droit coutumier nègres.* Bruxelles (*s. d.*).
Poupon, A., 'Étude ethnographique des Baya de la circonscription du M'bimou', in *L'Anthropologie,* xxvi. Paris 1915.
Powell, J. W., 'Wyandot Government', in *Ann. Rep. Bur. Amer. Ethn.,* i. Washington 1880.
— 'Indian Linguistic Families of America North of Mexico', in *Ann. Rep. Bur. Amer. Ethn.,* vii. Washington 1891.
Powers, St., *Tribes of California* (*U.S. Geographical and Geological Survey to the Rocky Mountain Region: Contribution to North American Ethnology,* iii.). Washington 1877.
Prescott, W. H., *The Conquest of Mexico,* i-ii. London 1937.
Priestly, H. I., *The Mexican Nation: A History.* New York 1923.
Primitive Man. Washington.
Publications of the Field Museum of Natural History. Chicago.
— *de l'Institut Nobel Norvégien.* Oslo (Kristiania).
— *of the Jesup North Pacific Expedition.* Leiden and New York.
Putnam, B. H., *Early Treaties on the Practice of the Justice of the Peace in the Fifteenth and Sixteenth Centuries* (*Oxford Studies,* vii.). Oxford 1924.

Quatrefages, A. de, *Hommes Fossiles et Hommes Sauvages.* Paris 1884.
Quellen und Forschungen zur Geschichte der Geographie und Völkerkunde (Ed. A. Hermann). Leipzig.

Radcliffe-Brown, A. R., *The Andaman Islanders.* London 1922 (New Ed. 1933).
— 'The Social Organisation of Australian Tribes', in *Oceania,* i. Sydney 1930.
— 'Primitive Law', in *Encycl. Social Sciences,* ix. London 1933.
— 'Australian Social Organization'. Summary of a Communication presented in Roy. Anthr. Soc. 19, x. 1937, in *Man.* London 1937.
— *Taboo. The Frazer Lecture 1939.* Cambridge 1939.
Radin, P., 'The Winnebago Tribe', in *Ann. Rep. Bur. Amer. Ethn.,* xxxvii. Washington 1923.
— *Social Anthropology.* New York. London 1932.
— *The Story of the American Indian.* New York 1934.
— *Indians of South America.* Garden City. New York 1946.
Raffles, *Sir* Thomas Y., *History of Java,* i-ii. London 1817.
Raglan, F. R. S., *The Hero.* London 1936.
Raleigh, W., *The Discovery of the Empire of Guiana.* London 1848.
Ramsay Smith, W., *Myths & Legends of the Australian Aboriginals.* London 1930.
Ramsey, J. G. M., *Annals of Tennessee.* Charleston S. C. 1853.
Rattray, R. S., *Ashanti Law and Constitutions.* Oxford 1929.
Ratzel, Fr., *Volkerkunde,* i-iii. Leipzig 1885-88.
— *same work* in English (*The History of Mankind,* i-iii. London 1896-98).
— *Der Staat und sein Boden* (*Abhandl. der kön. sächs. Gesellsch. der Wissenschaften,* xvii.). Leipzig 1897.
— *Politische Geographie.* München. Berlin 1923.
Raum, J., 'Blut- und Speichelbünde bei den Wadschagga', in *Archiv f. Religionswissenschaft,* x. Berlin 1907.
Rautanen, M., 'Die Ondonga', in Steinmetz, *Rechtsverhältnisse von eingeborenen Volkern in Afrika und Oxeanien.* Berlin 1903.

Rawling, C. G., *The Land of the New Guinea Pygmies.* London 1913.
Reclus, E., *Primitive folk* (Norw. Transl.). New York 1891.
Recueil de Travaux. Faculté des lettres. Univ. de Caire. Cairo.
Reichard, Gl. A., *Social Life of the Navajo Indians* (*Columbia Univ. Contrib. to Anthropology,* vii.). New York 1928.
Reinach, A., 'Les trophées et les origines religieuses de la guerre', in *Revue d'ethnographie et de sociologie.* Paris 1913.
Reinecke, *Dr.,* 'Zur Kennzeichnung der Verhältnisse auf den Samoa-Inseln', in *Globus,* lxxvi. Hildburghausen. Braunschweig 1899.
Reitzenstein, F. von, *Das Weib bei den Naturvolkern.* Berlin 1937.
Reports of the Cambridge Anthropological Expedition to Torres Straits (Ed. A. C. Haddon). Cambridge.
— *of the Meetings of the British Association for the Advancement of Science.* London.
— *of the U.S. National Museum* (*under the Direction of the Smithsonian Inst.*), see *Ann. Rep. of the Smiths. Inst.*
Revista de Indias. Madrid.
Revue d'anthropologie. Paris.
— *d'ethnographie.* Paris.
— *d'ethnographie et de sociologie* (Ed. A. van Gennep). Paris.
— *de Géographie humaine et d'Ethnologie, La* (Ed. P. Deffontaines, A. Leroi-Gourhan). Paris.
Ribbe, C., *Zwei Jahre unter den Kannibalen der Salomon-Inseln.* Dresden 1903.
Richard, A. I., 'Reciprocal clan relationships among the Bemba of N.E. Rhodesia', in *Man.* London 1937.
— *Land, Labour, and Diet in Northern Rhodesia.* London 1939.
Richardson, J., *Travels in the Great Sahara,* i-ii. London 1848.
Richter, *Oberleutnant,* 'Der Bezirk Bukoba', in *Mitth. Deutsch. Schutzgebiete,* xii. Berlin 1899.
Ridley, *Rev.* W., 'Australian Languages and Traditions', in *Journ. Anthr. Inst.,* ii. London 1872.
— *Kamilaroi.* Sydney 1875.
Riedel, J. G. F., *De sluik- en kroesharige rassen tusschen Celebes en Papua.* 's-Gravenhage 1886.
Ringwald, W., 'Häuptlingswesen und indirekte Verwaltung auf der Goldküste', in *Archiv f. Anthropologie, Volkerforschung und kolonialen Kulturwandel.* N. F., xxxviii. Braunschweig 1942.
Rinn, L., *Les origines berbères.* Alger 1889.
Risley, H. H., *Census of India* (*Ethnography of India*). Calcutta 1903.
Rivers, W. H. R., *The Todas.* London 1906.
— *The History of Melanesian Society,* i-ii. Cambridge 1914.
— *Kinship and Social Organization.* London 1914.
— *Psychology and Ethnology.* London 1926.
— *Social Organization.* London 1926.
Rivet, *Dr.* P., 'Recherche d'une voie de migration des Australiens vers l'Amérique', in *Compte-rendu somm. Séances société biogéographie,* iii:18. Paris 1926.
Robertson, *Sir* George Scott, *The Káfirs off the Hindu-Kush.* London 1896.
Robson, R. W., *The Pacific Islands Handbook.* New York 1946.
Rochas, V. de, *La Nouvelle Calédonie et ses habitants.* Paris 1862.

Rodd, Fr. R., *People of the Veil.* London 1926.

Rodway, J., *Guiane.* London. Leipsic 1912.

Rosa, *P.* A. D. J. N. de la, 'Floresta de la Santa Iglesia Catedral de la Ciudad de Santa Marta', in *Amer. Anthropologist,* iii. Washington 1887.

Roscoe, J., 'Further Notes on the Manners and Customs of the Baganda', in *Journ. Anthr. Inst.,* xxxii. London 1902.

— 'The Bahima', *ibid.* xxxvii. London 1907.

— 'Notes on the Bageshu', *ibid.* xxxix. London 1909.

— *The Baganda.* London 1911.

— *The Northern Bantu.* Cambridge 1915.

— *Twenty-Five Years in East Africa.* Cambridge 1921.

— *The Soul of Central Africa.* London 1922.

— *The Bakitara or Banyoro.* Cambridge 1923.

— *The Banyancole.* Cambridge 1923.

— *The Bagesu.* Cambridge 1924.

Rose, H. J., *Primitive culture in Italy.* London 1926.

Rosen, Count Eric von, *Från Kap till Alexandria.* Stockholm 1911.

— *Träskfolket.* Stockholm 1916.

Roth, H. Ling, *The Natives of the Sarawak and British North Borneo,* i-ii. London 1896.

— *The Aborigines of Tasmania.* Halifax 1899.

— 'An Introductory Study of the Arts, Crafts and Customs of the Guiana Indians', in *Ann. Rep. Bur. Amer. Ethn.,* xxxviii. Washington 1897.

Roth, W. E., *Ethnological Studies among the North-West Central Queensland Aborigines.* Brisbane. London 1897.

— 'Notes on Government, Morals and Crime', in *Bulletin of North Queensland Ethnography,* viii. Brisbane 1906.

— 'An Inquiry into the Animism and Folk-Lore of the Guiana Indians', in *Ann. Rep. Bur. Amer. Ethn.,* xxx. Washington 1915.

— 'Additional Studies of the Arts, Crafts and Customs of the Guiana Indians', *ibid.* Washington 1929.

Routledge, Sc., *The Mystery of Easter Islands.* London 1919.

Routledge, W. S. and K., *With a Prehistoric People: the Akikúyu of British East Africa.* London 1910.

Rowe, N. A., *Samoa under the sailing gods.* London 1930.

Roy, S. Ch. and R. Ch., *The Khāriās.* Ranchi 1937.

Ruhemann, B., 'The Relationship Terms of Some Hill Tribes of Burma and Assam', in *Southwestern Journal of Anthropology. Univ. of New Mexico.* Albuquerque 1948.

Russell, R. V., *The Tribes and Castes of the Central Provinces of India,* i-iv. London 1916.

Russel, T. T., 'Report on Archaeological Researches in the Foothills of the Pyrenes', in *Smithsonian Miss. Coll.,* lxxxvii:xi. (Publ. 3174). Washington 1932.

Rutter, O., *The Pagans of North Borneo* (with intr. by C. G. Seligman). London 1929.

Rydén, St., 'Skalpierung bei den Tobaindianern', in *Etnologiska Studier,* i. Göteborg 1935.

Sagard, Th. C., *Le grand voyage du pays des Hurons.* Paris 1632.

Santesson, C. G., 'Pfeilgifte aus Burma und Yünnan', in *Etnologiska Studier,* ii. Göteborg 1936.

Santesson, C. G., 'Pfeil- und Fischgift aus Kolumbien und Ekuador', *ibid.* ii. Göteborg 1936.
— and Wassén, H., 'Some Observations on South American Arrow-poisons and Narcotics', *ibid.* iii. Göteborg 1936.
Sarasin, Fr., 'Les galets coloriés de la grotte de Birseck près de Bâle', in *Compte Rendu du Congrès international d'Anthropologie.* Genève 1912.
Sarasin, P. and Fr., *Ergebnisse naturwissenschaftlicher Forschungen auf Ceylon,* i-iii. Wiesbaden 1887-93.
— *Die Weddas auf Ceylon und die sie umgebenden Völkerschaften.* Wiesbaden 1893. (Atlas, Wiesbaden 1892-93).
— *Reisen in Celebes,* i-ii. Wiesbaden 1905.
Sarg, Fr., 'Die australischen Bumerangs', in *Veroffentl. aus dem Stadt. Volkermuseum.* Frankfurt a. M. 1911.
Sartori, P., *Sitte und Brauch,* i-iii. (*Handbucher zur Volkskunde,* v-viii.). Leipzig 1910-14.
Schaegelen, R. P. Th., 'La tribu des Wagogo', in *Anthropos,* xxxiii. St. Gabriel-Modling 1938.
Schapera, I., *The Khoisan Peoples of South Africa* (*Bushmen and Hottentots*). London 1930.
— *Western Civilization and the Natives of South Africa.* London 1934.
— *The Bantu-speaking Tribes of South Africa.* London 1936.
— *A Handbook of Tswana Law and Custom.* London 1938.
— *Tribal Legislation among the Tswana of the Bechuanaland Protectorate* (*The London School of Economics Monographie on Social Anthropology*). London (*s. d.*).
— *The Political Annals of a Tswana Tribe* (*Communications from the School of African Studies.* N. S. No. 18). Cape Town 1947.
Schebesta, P., *Bei den Urwaldzwergen von Lalaya.* Leipzig 1927.
Schechter, Fr. I., 'The Law and Morals of Primitive Trade', in *Legal Essays in Tribute to Orrin Kip McMurray.* Berkeley 1935.
Schinz, H., *Deutsch-Sud-West Afrika.* Oldenburg. Leipzig 1891.
Schmidt, H. P., *Philosophische Erdkunde.* Stuttgart 1937.
Schmidt, M., *Indianerstudien in Zentralbrasilien.* Berlin 1905.
— *Die Arauaken.* Berlin 1917.
— *Grundriss der ethnologischen Volkswirtschaftslehre,* i-ii. Stuttgart 1920-21.
— *Volkerkunde.* Berlin 1924.
Schmidt, P. W., *Die Stellung der Pygmaenvolker in der Entwicklungsgeschichte der Menschen.* Stuttgart 1910.
— *Das Eigentum auf den ältesten Stufen der Menschheit* (vol. i: *Das Eigentum in den Urkulturen*). Münster i. W. 1937.
— and Koppers, P. W., *Volker und Kulturen,* see Obermaier, Birkner, etc., *Der Mensch aller Zeiten,* iii:i.
Schmoltz, J. D. E., 'Beiträge zur Ethnographie von Neu-Guinea', in *Intern. Archiv f. Ethnographie,* viii, ix, xvi, xvii. Leiden 1895-96. 1904-05.
Schomburgk, R., *Britisch-Guiana in 1840-44.* Leipzig 1847.
Schoolcraft, H. R., *Historical and Statistical Information respecting the History, Condition, and Prospects of the Indian Tribes of the United States* (the title-pages of vol. iv-vi. read: *Archives of Aboriginal Knowledge,* etc.), i-vi. Philadelphia 1851-60.
Schriften der schweizerischen Gesellschaft für Volkskunde. Basel.
Schulenburg, W., 'Über eine Art zu wirken in der Lausitz', in *Zeitschrift f. Ethnologie,* xiv. Berlin 1882.
Schultz-Ewerth, E., and Adam, L., *Das Eingeborenenrecht,* i-ii. Stuttgart 1930.

Schultze, L., *Aus Namaland und Kalahari.* Jena 1907.
— *Indiana,* i-iii. Jena 1933-35.
Schurtz, H., *Das afrikanische Gewerbe.* Leipzig 1900.
— *Urgeschichte der Kultur.* Leipzig. Wien 1900.
— *Altersklassen und Mannerbünde.* Berlin 1902.
— *Vòlkerkunde.* Leipzig. Wien 1903.
Schweinfurth, G., *Im Herzen von Afrika,* i-ii. Leipzig 1874-78.
Seemann, B., *Viti.* Cambridge 1862.
Seligman(n), C. G., *The Melanesians of British New Guinea.* Cambridge 1910.
— 'Some Aspects of the Hamitic problem in the Anglo-Egyptian Sudan', in *Journ. Anthr. Inst.,* xliii. London 1905.
— and Brenda, Z., *The Veddas.* Cambridge 1911.
— — 'The social organization of the Lotuko', in *Sudan Notes and Records,* viii. No. 2. Cairo 1925.
— *Pagan Tribes of the Nilotic Sudan.* London 1932.
Serpa Pinto's Wanderungen quer durch Afrika (Ed. and Transl. H. v. Wobeser), i-ii. Leipzig 1881.
Shakespear, J., 'The Kuki-Lushai Clans', in *Journ. Anthr. Inst.* London 1909.
— *The Lushei Kuki Clans.* London 1912.
Shchukin, N., *Shamanism among the tribes of Arctic Asia* (Engl. Transl.). London (*s. d.*).
Sharp, L., 'Ritual Life and Economics of the Yir-Yoront of Cape York Peninsula', in *Oceania,* v. Sydney 1934-35.
Shirokogoroff, S. M., *Social Organization of the Northern Tungus.* Shanghai 1929.
Shooter, *Rev.* J., *The Kafirs of Natal and the Zulu Country.* London 1857.
Shortland, E., *Traditions and Superstitions of the New Zealanders.* London 1854.
Sieroshevski, V. L., *The Yakuts* (Engl. Transl.). St. Petersburg 1896.
Simcox, E. J., *Primitive Civilizations,* i-ii. London 1894.
Simmons, L. W., *The Rôle of the Aged in Primitive Society.* Yale 1945.
Simpson, J., 'Observations on the Western Esquimaux and the Country they inhabit', in *Further Papers relating to the recent Arctic Expeditions, presented to both Houses of Parliament.* Jan. 1855. London 1855.
Skeat, W. W., and Blagden, Ch. O., *Pagan Races of the Malay Peninsula,* i-ii. London 1906.
Skinner, A., 'Political Organization, Cults and Ceremonies of the Plain-Cree', in *Anthr. Papers American Museum Natural History,* xi:vi. New York 1914.
— 'Political Organization, Cult and Ceremonies of the Plain-Ojibway and Plain-Cree Indians', *ibid.* xi:vi. New York 1914.
— 'Kansa Organization', *ibid.* xi:ix. New York 1915.
— 'Ponca Societies and Dances', *ibid.* xi-xii. New York 1915.
— 'Societies of the Iowa, Kansa, and Ponca Indians', *ibid.* xi:ix. New York 1915.
Skottsberg, C., 'Observations on the Natives of the Patagonian Channel Region', in *American Anthropologist.* N. S., xv:4. Lancaster 1914.
Skrifter utgivna av Svenska Institutet i Rom. Lund.
Smeaton, D. M., *Loyal Karens of Burma.* London 1887.
Smith, E. W., and Dale, C. A. M., *The Ila-speaking Peoples of Northern Rhodesia,* i-ii. London 1920.
Smith, G. E., *Human History.* London (*s. d.*).
— *The Ancient Egyptians and the Origin of Civilization.* London 1923.

Smith, G. E., *In the Beginning.* London 1934.
Smith, H. P., *The Native Tribes of South West Africa.* Cape Town 1928.
Smith, S. P., 'The Tohunga-Maori', in *Transactions and Proceedings of the New Zealand Institute,* xxxii. Wellington 1899.
Smith, W. C., *The Ao Naga Tribe of Assam.* London 1925.
Smith, W. R., *Kinship and Marriage in Early Arabia.* Cambridge 1878.
Smithsonian Contribution to Knowledge. Washington.
Smithsonian Institution: Annual Reports of the Board of Regents. Washington.
Smithsonian Institution: Bureau of American Ethnology Bulletin.
Smithsonian Miscellaneous Collections. Essays in Historical Anthropology of North America (Publ. in Honour of J. R. Swanson). Washington 1940.
Smyth, R. B., *The Aborigines of Victoria,* i-ii. London 1878.
Snouck-Hurgronje, C., *De Atjèhers,* i. Leyden 1894-95.
Social Anthropology of North American Tribes (Ed. Fr. Egan). Chicago 1937.
Sociological Papers. London.
Sociological Review, The. London.
Soga, J. H., *The South-Eastern Bantu.* Johannesburg 1939.
Sohier, A., 'Notes sur l'organisation et la procédure judiciaires coutumières des indigènes du Congo Belge', in *Africa,* xiii:i. London 1940.
Sollas, W. J., *Ancient Hunters.* London 1924.
Somerville, B. T., 'Notes on some Islands of the New Hebrides', in *Journ. Anthr. Inst.* London 1894.
Sorge, F., 'Nissan-Inseln im Bismarck Archipel', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Oceanien.* Berlin 1903.
Sorokin, P., *Contemporary Sociological Theories.* London 1928.
Speck, Fr. G., *Ethnology of the Yuchi Indians (University of Pennsylvania. Anthropological Publications of the University Museum,* i. No. 1). Philadelphia 1909.
— *Family Hunting Territories and Social Life of Various Algonkian Bands of the Ottawa Valley (Canada Department of Mines. Geological Survey. Mem. 70. No. 8. Anthr. Ser.).* Ottawa 1915.
— *Chooter on the Ethnology of the Powhattan Tribes of Virginia (Indian Notes and Monographs,* i:5). New York 1928.
— *The Iroquois. A Study in Cultural Evolution (Cranbrook Institute of Science. Bull. No. 23).* Blomfield Hills. Mich. 1945.
Speiser, F., *Ethnographische Materialien aus den Neuen Hebriden und den Banks-Inseln.* Berlin 1923.
— 'Kulturgeschichtliche Betrachtungen über die Initiation in der Südsee', in *Bulletin d. Schweiz. Gesellschaft für Anthr. und Ethnologie.* Basel 1945-46.
Speke, *Capt., Journal of the Discovery of the Source of the Nile.* Edinburgh and London 1863.
Spencer, *Sir* Herbert, *Descriptive Sociology,* i-viii. London 1873-81.
— *The Principles of Sociology,* i-iii. London 1885-96.
— *The Principles of Ethics,* i-ii. London (vol. ii. 1897, vol. i. 1893).
Spencer, *Sir* Walter Baldwin, *Native Tribes of Central Australia.* London 1914.
— *Wanderings in Wild Australia,* i-ii. London 1928.
— *Spencer's Scientific Correspondence with J. G. Frazer and others* (Ed. Marett and Penniman). Oxford 1932.
— and Gillen, F. J., *The Native Tribes of Central Australia.* London 1899.

Spencer, *Sir* Walter Baldwin, and Gillen, F. J., *The Northern Tribes of Central Australia.* London 1904.

— *Across Australia,* i-ii. London 1912.

— *The Arunta,* i-ii. London 1927.

Spier, L., 'Klamath Ethnography', in *Univ. California Publ. in American Archaeology and Ethnol.* Berkeley 1930.

— *Yuman Tribes of the Gila River.* Chicago 1933.

— and Sapir, Edw., *Wishram Ethnography* (*Univ. Washington Publ. in Anthropology*). Seattle, Wash. 1930.

Spiet, J., *Die Ewe-Stämme. Material zur Kunde des Ewe-Volkes in Deutsch-Togo.* Berlin 1906.

Spix, J. B., and Martius, C. F. Ph. von, *Travels in Brazil in the Years 1817-20,* i-ii. London 1824 (Engl. Transl.).

Squier, E. G., 'Archaeology and Ethnology of Nicaragua', in *Transactions of the American Ethnological Society,* iii:i. New York 1853.

St. John, *Sir* Spencer, *Life in the Forest of the Far East,* i-ii. London 1862.

Stair, J. B., *Old Samoa.* London 1897.

Stanbridge, W. E., 'Some Particulars of the General Characteristics, Astronomy, and Mythology of the Tribes in the Central Part of Victoria, Southern Australia', in *Transactions Ethnological Society, London.* London 1861.

Stanford's Compendium of Geography and Travel. N. Iss. London.

Staschewski, F., and Ankermann, B., 'Die Banjangi', in *Baessler-Archiv.* Beiheft viii. Leipzig. Berlin 1917.

Stayt, H. A., *The Bavenda.* London 1931.

Steffen, G. F., *Sociologi,* i-iv. Stockholm 1910-11.

— *Varldsåldrarna,* i-iii. Stockholm 1918-20.

Steinen, K. von den, *Unter den Naturvolkern Zentral-Brasiliens.* Berlin 1894.

Steinmetz, S. R., *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.

— *De vreedelievenheit der laagste volksstammen* (*Ges. Kl. Schr. z. Ethnol. und Soziologie,* iii.). Groningen 1935.

— *Gesammelte kleinere Schriften zur Ethnologie und Sociologie,* iii. Groningen (Noorhoff) 1935.

Stevenson, M. C., 'The Sia', in *Ann. Rep. Bur. Amer. Ethnol.,* xi. Washington 1894.

Steward, J. H., 'The Economic and Social Bases of Primitive Bands', in *Essays in Anthropology to A. L. Kroeber.* Berkeley 1938.

— 'Basin-Plateau Aboriginal Sociopolitical Group', *Smithsonian Inst. Bur. Amer. Ethnol. Bull.* 120. Washington 1938.

— *Handbook of South American Indians,* i-ii., *ibid.* 143. Washington 1946.

Steward, R., 'Notes on the Northern Cachar', in *Journ. Asiatic Society Bengal,* xxiv. Calcutta 1855.

Stewart, C. S., *A visit to the South Seas, in the United States' ship Vincennes, during the years 1829 and 1830,* i-ii. London 1832.

Stirling, M. W., 'Historical and Ethnographical Material of the Jivaro Indians', in *Smithsonian Inst. Bur. Amer. Ethnol.* Bull. 117. Washington 1938.

Stites, S. H., *Economics of the Iroquois.* Lancaster 1904.

Stow, G. W., *The Native Races of South Africa.* London 1905.

Strehlow, C., *Die Aranda- und Loritja-Stämme in Zentral-Australien (Veröffentlichungen aus dem städtischen Völker-Museum Frankfurt am Main,* i.). Frankfurt a. M. 1907-13.

Strzoda, (—), 'Die Li auf Hainan und ihre Beziehungen zum asiatischen Kontinent', in *Zeitschrift f. Ethnologie,* xliii. Berlin 1911.

Stübel, H., and Meriggi, P., *Die Li-Stamme der Insel Hainan.* Berlin 1937.

Studien zur Volkerkunde (Ed. O. Reche and H. Plischke). Berlin.

Stuhlmann, Fr., *Mit Emin Pascha ins Herz von Afrika.* Berlin 1894.

Sudan Notes and Records. Cairo.

Sumner, W. G., 'The Yakuts', in *Journ. Anthr. Inst.,* xxxi. London 1901.

— *War and Other Essays.* New Haven 1913.

— *Folkways.* Boston (*s. d.*).

— and Keller, A. G. (and Davie, M. R.), *The Science of Society,* i-iv. New Haven 1932-33.

Suomalais-Ugrilaisen Seuran Aikakauskirja. Journal de la Société Finno-Ougrienne. Helsinki.

Swanton, J. R., 'Social Organization and Social Usages of the Indians of the Creek Confederacy', in *Ann. Rep. Bur. Amer. Ethnol.,* xlii. Washington 1925.

— 'Religious Beliefs and Medical Practices of the Creek Indians', in *Ann. Rep. Bur. Amer. Ethnol.,* xlii. Washington 1925.

— 'Notes on the Cultural Provinces of the Southeast', in *American Anthropologist.* N. S. xxxvii. Menasha. Wis. 1935.

Talbot, P. Am., *Life in Southern Nigeria.* London 1923.

— *The Peoples of Southern Nigeria,* i-iv. London 1926.

— *Tribes of the Niger Delta.* London 1932.

Tanner, V., *Antropogeografiska studier inom Petsamo-området,* i: *Skolttlapparna (Fennia,* xlix:4). Helsinki-Helsingfors 1929.

Taplin, G., 'The Narrinyeri', in Woods, *Native Tribes of South Australia.* Adelaide 1879.

Tautin, *Dr.,* 'Étude sur la dépopulation de l'archipel des Marquises', in *L'Anthropologie,* ix. Paris 1898.

Taylor, Gr., *Environment and Race.* Oxford 1929.

Taylor, R., *The Ika a Maui · New Zealand and its Inhabitants.* London 1855.

Teit, J. A., 'The Thompson Indians of British Columbia', in *Publications of the Jesup North Pacific Expedition,* vol. i. (*Memoirs of the American Museum of Natural History,* ii.). New York 1900.

— 'The Salishan Tribes of the Western Plateaus', in *Ann. Rep. Bur. Amer. Ethnol.,* xlv. Washington 1930.

Tellier, G., 'Kreis Kita, Franzosicher Sudan', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.

Terra (Journal of the Geographical Society). Helsinki-Helsingfors.

Tessmann, G., *Die Pangwe.* Berlin 1913.

— *Die Bubi auf Fernando Poo.* Hagen i W. Darmstadt 1923.

— *Die Indianer Nordost-Perus. Grundlegende Forschungen für eine systematische Kulturkunde.* Hamburg 1930.

— *Die Baja. Ein Negerstamm im Mittleren Sudan,* i-ii. Stuttgart 1934-37.

Thilenius, G., *Ergebnisse der Südsee-Expedition 1908-10,* i-xii. Hamburg 1927-31.

Thomas, N. W., *Natives of Australia (The Native Races of the British Empire).* London 1906.

— 'Taboo', in *Encyclop. Britannia* (11th Ed.), xxvi. London 1907.

Thomas, W. I., *Source Book for Social Origins.* Chicago 1909.

— *Primitive Behaviour* (*McGraw-Hill Publications in Sociology*). New York 1937.

Thomson, A. S., *The Story of New Zealand. Past and Present, Savage and Civilized,* i-ii. London 1859.

Thomson, *Sir* Basil Homen, 'Note upon the Natives of Savage Island, or Niue', in *Journ. Anthr. Inst.,* xxi. London 1901.

— *The Fijians. A Study of the Decay of Customs.* London 1908.

Thomson, D., Meyer, E., and Briggs, A., *Patterns of Peacemaking.* London 1945.

Thomson, J., *To the Central African Lakes and Back,* i. London 1881.

Thompson, J. E., *The Civilization of the Mayas* (*Field Museum Natural History; Anthropology,* L. 25). Chicago 1927.

— *Through Masai Land: A Journey of Exploration among the Snowclad Volcanic Mountains and strangle tribes of Eastern Africa.* London 1887.

Thörnberg, E. H., *Om sociologiens historia och uppgift.* Stockholm 1925.

Thouless, R. H., *Social Psychology.* London 1905.

Thurnwald, R., *Forschungen auf den Salomo-Inseln und dem Bismarck-Archipel,* vol. iii. Berlin 1912.

— 'Bánaro Society', in *Memoirs of the American Anthropological Association,* vol. iii. Lancaster 1916.

— *Psychologie des primitiven Menschen* (*Handbuch f. vrg. Psychologie.* Ed. G. Kafka). Berlin 1922.

— *Die Eingeborenen Australiens und der Südseeinseln.* Tubingen 1927.

— 'Papuanisches und melanesisches Gebiet südlich des Äquators einschliesslich Neuguinea (Schurtz-Ewert and Adam: *Das Eingeborenenrecht,* iii.). Stuttgart 1930.

— *Die Menschliche Gesellschaft in ihren ethno-soziologischen Grundlagen,* i-ii. Leipzig 1931-35.

— *Economics in primitive Communities.* London 1932.

— 'Adventures of a Tribe in New Guinea', in *Essays presented to Seligman.* London 1934.

— *Black and White in East Africa.* London 1935.

— *Forschungen zur Volkerpsychologie und Soziologie.* Leipzig.

Thurston, E., *Castes and Tribes of Southern India,* i-vii. Madras 1909.

Tidskrift, Nordisk, for international Ret—Acta scandinavia juris gentium. København.

— *voor indische taal-, land- en volkenkunde.* Batavia and 'sGravenhage.

— *voor Nederlandsch Indie.* Zalt-Bommel.

Tittmann, F. W., *Über den Bund der Amphiktyonen.* Berlin 1812.

Tönnies, F., *Einfuhrung in die Soziologie.* Stuttgart 1931.

Torday, E., and Joyce, T. A., 'Notes on the Ethnography of the Ba-Mbala', in *Journ. Anthr. Inst.,* xxxv. London 1905.

— — 'Notes on the Ethnography of the Ba-Yaka', *ibid.* xxxvi. London 1906.

— — *Notes Ethnographiques sur les peuples communément appelés Bakuba, ainsi que sur les peuplades apparrentées. Les Bushongo* (*Annales du Musée du Congo Belge*). Bruxelles 1911.

— — *Notes ethnographiques sur des Populations habitant les bassins du Kasai et du Kwango orientale:* 1: Peuplades de la forêt, 2: Peuplades des prairies (*ibid.*). Bruxelles 1922.

Torriani, L., 'Die Kanarischen Inseln und ihre Urbewohner. Eine unbekannte Bilderhandschrift vom 1590', in *Quellen und Forchungen zur Geschichte der Geographie und Völkerkunde* (Ed. J. Wolfel, vol. vi.). Berlin 1940.

Tozzer, Alfr. M., *Social Origins and Social Continuities.* New York 1925.

Transactions of the American Ethnological Society. New York.

— *of the Asiatic Society of Japan.* Yokohama.

— *of the Ethnological Society of London.* N. S. London.

— *of the Royal Society of Victoria.* Melbourne.

— *of the Westermarck Society.* Göteborg. København.

— *and Proceedings of the New Zealand Institute.* Wellington.

Tregear, Edw., 'The Maoris of New Zealand', in *Journ. Anthr. Inst.,* xix. London 1890.

— *The Maori-Polynesian Comparative Dictionary.* Wellington 1891.

— *The Maori Race.* Wanganui. N. Z. 1904.

Treichel, A., 'Die Klucke und die Kriwule', in *Zeitschrift f. Ethnologie,* xiv. Berlin 1882.

Tremearne, A. J. N., 'Notes on Some Nigerian Tribal Marks', in *Journ. Anthr. Inst.,* xli. London 1911.

— 'Notes on the Kagoro and other Nigerian Head-Hunters', *ibid.* xlii. London 1912.

— *The Tailed Head-Hunters of Nigeria.* London 1912.

Tromborn, H., 'Das Recht der Chibcha in Columbien', in *Ethnologica,* iv. Leipzig 1930.

— 'Das Rechtbruch in den Hochkulturen Amerikas', in *Zeitschrift f. vergl. Rechtswissenschaft,* li. 1-2. Berlin 1936.

— 'Tres estudios para la etnografia y arquelogia de Colombia', in *Revista de Indios,* No. 11-14. Madrid 1943.

Trowbridge, C. C., *Meearmeear Traditions.* Ann. Arbor 1938.

Tuck, N., *The Chin Hills.* Rangoon 1896.

Tuckey, J. K., *Narrative of an Expedition to explore the River Zaire.* London 1818.

Tueting, L. T. 'Native Trade in Southeast New Guinea', in *B. P. Bishop Museum Occas. Papers,* vol. xi. New York 1935.

Turner, G., *Nineteen Years in Polynesia.* London 1861.

— *Samoa a Hundred Years Ago and Long Before.* London 1884.

Turner, R., *Peace on Earth.* London 1905.

Turner, S., *An Account of an Embassy to the Court of the Teshoo Lama in Tibet.* London 1800.

Tylor, *Sir* E. B., *Primitive Culture,* i-ii. London 1889.

— *Anthropology,* i-ii. London 1930.

United States Exploring Expedition during the years 1839-42 under the command of Charles Wilkes. Philadelphia 1846.

United States Geological and Geographical Survey. Miscellaneous Ethnology. Washington.

Université de Paris. Travaux et Mémoires de l'Institut D'Ethnologie. Paris.

University of California Publications in American Archæology and Ethnology. Berkeley.

— *of Pennsylvania. Anthropological Publications of the University Museum.* Philadelphia.

— *of Washington Publications in Anthropology.* Seattle. Washington.

Vaccaro, M., *La lotta per l'esistenza e suoi effetti nell'humanità.* Roma 1886.

Vámbéry, H., *Das Türkenvolk.* Leipzig 1885.

Vancouver, *Capt.* J., *Voyage of Discovery to the North Pacific Ocean, and round the World,* i-iii. London 1798.

Van Der Kerken, G., *Les sociétés bantoues du Congo belge et les problèmes de la politique indigène.* Bruxelles 1920.

Van Wing, *Études Bakongo.* Bruxelles 1921.

Vedder, H., *Die Bergdama S.-W. Afrikas* (*Veroffentl. d. Hamburger Universität*). Hamburg 1923.

— *The Nama* (in H. P. Smith, *The Native Tribes of South Africa*). Cape Town 1928.

— *The Herero* (*ibid.*). Cape Town 1929.

Velten, C., *Sitten und Gebrauche der Suaheli.* Gottingen 1903.

Vergiat, A. M., *Les rites secrets des primitifs de L'Oubangui.* Paris 1936.

Verhandlungen der Berliner Gesellschaft fur Anthropologie, Ethnologie und Urgeschichte. Berlin.

— *des 7ten Geographenkongresses in Berlin 1899.* Berlin 1901.

— *der Hamburger Universitat.* Hamburg.

— *aus dem stadtischen Volker-Museum.* Frankfurt a. M.

Vicedom, F. G., and F. F., 'Ein neuentdecktes Volk in Neuguinea', in *Archiv f. Anthropologie,* xxiv. N. F. Braunschweig 1937.

Vierkandt, Alfr., 'Die wirtschaftlichen Verhaeltnisse der Naturvölker', in *Zeitschrift f. Socialwissenschaft.* Berlin 1899.

— 'Das genossenschaftliche Gemeinwesen der Naturvölker', in *Festschrift Eduard Seler.* Stuttgart 1922.

— *Gesellschaftslehre.* Stuttgart 1928.

Viljoen, St., *The Economics of Primitive Peoples.* London 1936.

Vincendom-Dumoulin, C. A., and Desgraz, C., *Iles Marquises ou Nouka-Hiva.* Paris 1843.

Virchow, R., 'Eine Sammlung australischer Botenstocke, in *Zeitschrift f. Ethnologie,* xiv. Berlin 1882.

Volkens, G., *Der Kilimandscharo.* Berlin 1897.

Volz, W., 'Die Bevolkerung Sumatras', in *Globus.* Hildburghausen. Braunschweig 1909.

Vorderasiatische Gesellschaft, Die· Der alte Orient. Leipzig.

Vroklage, B. A. G., 'Die sozialen Verhaltnisse Indonesiens', in *Anthropos,* iv:i. Munster i. W. 1936.

Wainwright, G. A., 'Early foreign trade in East Africa', in *Man.* London 1947.

Waitz, Th., *Anthropologie der Naturvolker,* i-vi (Vols. v. pt. ii. and vi. by P. Gerland). Leipzig 1859-72.

Walker, J. B., *Early Tasmania* (*Walker's Memorial Volyme*). Hobarton 1902.

Walker, K. F., 'The Study of Primitive Economics', in *Oceania,* xiii. Sydney 1942.

Wallace, A. R., *The Malay Archipelago,* i-ii. London 1869.

— and Guillemard, F. H. H., *Australasia,* i-ii. (Stanford's Compendium of Geography and Travel). London 1893-94.

Walter, P., 'Die Inseln Nossi-Bé und Mayotte', in Steinmetz, *Rechtsverhaltnisse von eingeborenen Volkern in Afrika und Ozeanien.* Berlin 1903.

Ward, H., 'Ethnological Notes relating to the Congo Tribes', in *Journ. Anthr. Inst.,* xxiv. London 1894-95.

Ward, L., *Applied Sociology.* New York 1903.

Världskulturen (Sw. Edition: A. Friis), i-viii. Stockholm 1907-11.

Warner, W. L., *A Black Civilization. A Social Study of an Australian Tribe.* New York 1937.

Wassén, H., 'Notes on Southern Groups of Chocó Indians in Colombia', in *Etnologiska Studier,* i. Göteborg 1935.

Webb, W. S., 'An Archaeological Survey of the Norris Basin in Eastern Tennessee', in *Bur. Amer. Ethn. Bull.,* cxviii. Washington 1938.

Weber, El. A., *The Duk-Duks. Primitive and Historic Types of Citizenship.* Chicago 1929.

Webster, H., *Rest Days. A Study in Early Law and Morality.* New York 1916.

— *Primitive Secret Societies.* London 1932 (and Ed. 1908).

— *Taboo. A Sociological Study.* London 1942.

Weddell, J., *A Voyage towards the South Pole.* London 1827.

Wedell, H., 'Die Sachen- und Vertragsrecht . . der Suaheli', in *Zeitschrift f. vergl. Rechtswissenschaft,* xviii. Berlin 1905.

Wedgwood, C. H., 'Some Aspects of Warfare in Melanesia', in *Oceania,* i. Sydney 1930.

Weeks, J. H., 'Anthropological Notes on the Banyala of the Upper Congo River', Part ii., in *Journ. Anthr. Inst.,* xxxix. London 1909.

— *Among Congo Cannibals.* London 1913.

— *Among the primitive Bakongo.* London 1914.

Wehrli, H. J., 'Beitrag zur Ethnologie der Chingpaw (Kachin) von Ober-Burma', in *Intern. Archiv f. Ethnographie,* xvi., Suppl. London 1904.

Weissenborn, J., 'Tierkult in Afrika', *ibid.* xvii. Leiden 1905.

Wellhausen, J., *Skizzen und Vorarbeiten,* i-iii. Berlin 1877.

Westermann, D., *The Shilluk People.* Berlin 1912.

— *Die Kpelle, ein Negerstamm in Liberia.* Gottingen. Leipzig 1921.

— *The African To-Day.* London 1934.

— *Die Glidyi-Ewe in Togo (Mitt. des Seminars f. Orientalische Sprache. Univ. Berlin.* Beiband zum Jahrgang, xxxviii.). Berlin 1935.

— 'Züge aus der Geschichte des Reiches Dahome', in *Archiv f. Anthropologie,* N. F. xxvii. Braunschweig 1941.

— *Afrikaner erzahlen ihr Leben.* Essen (*s. d.*).

— and v. Fuhrer-Haimendorf, Chr., and others, *Die heutigen Naturvolker im Ausgleich mit der neuen Zeit.* Stuttgart 1940.

Westermarck, E., 'The Position of Woman in Early Civilisation', in *Sociological Papers,* i. London 1905.

— '"*L'âr*", or the Transference of Conditional Curses in Morocco', in *Anthr. Essays presented to E. B. Tylor.* Oxford 1907.

— *The Origin and Development of the Moral Ideas,* i-ii. London 1906-08.

— *The History of Human Marriage,* i-iii. London 1921.

— *Ritual and Belief in Morocco,* i-ii. London 1926.

— *Wit and Wisdom in Morocco.* London 1930.

— 'Blodshämnd bland Marockanska Berber', in *Acta Academiae Aboensis.* Hum. vii:9. Åbo 1931.

— *Ethical Relativity.* London 1932.

— *Pagan Survivals in Mohammedan Civilization.* London 1933.

— 'The Blood-Feud among some Berbers of Morocco', in *Essays to Seligman.* London 1934.

— 'Customs Connected with Homicide in Morocco', *oeuvre post,* in *Transactions of the Westermarck Society,* i. Goteborg 1947.

Western Australian Year-Book (Ed. A. C. Fraser). Perth.

Weule, K., *Negerleben in Ostafrika.* Leipzig 1908.
— 'Botenstäbe bei den Buschmännern', in *Jahrbuch d. städt. Museums f. Völkerkunde zu Leipzig,* vi. Leipzig 1915.
— 'Vom Kerbstock zum Alphabet', in *Kosmos.* Berlin 1915 (as book: Stuttgart 1927).
— and Bethe, E., and others, *Kulturgeschichte des Krieges.* Leipzig 1916.
Whiffen, Th., *The North-West Amazons.* London 1915.
Whitefield, G. M. B., *South African Native Law.* Cape Town 1930.
Whitehead, G., *In the Nicobar Islands.* London 1924.
Whiting, J. W. M., *Becoming a Kwoma. Teaching and Learning in a New Guinea Tribe.* New Haven 1941.
Whitmee, S. J., 'The Ethnology of Polynesia', in *Journ. Anthr. Inst.,* viii. London 1879.
Whittaker, C. E., *Arctic Eskimo.* London 1937.
Wikman, K. R. V., *Die Einleitung der Ehe.* Åbo 1937.
Wilken, G. A., *Verspreïde Geschriften,* i-iv. Semarang, Soerabaja. 'sGravenhage 1912.
Wilkes, Ch., *Narrative of the United States Exploring Expedition during the Years 1838-42,* i-v. Philadelphia 1845.
Williams, F. E., *Orokaiva Society.* London 1930.
— 'Trading Voyages from the Gulf of Papua', in *Oceania,* iii. Sydney 1932.
— *Papuans of the Trans-Fly.* Oxford 1936.
Williams, J., *Missionary Enterprises in the South Sea Islands.* London 1841.
Williams, M. W., *Social Scandinavia in the Viking Age.* New York 1920.
Williams, Th., and Calvert, J., *Fiji and the Fijians* (Ed. George Stringer Rowe), i-ii. London 1858 (1870).
Williamson, R. W., *The Mafulu Mountain People of British New Guinea.* London 1912.
— *The Ways of the South Sea Savage.* London 1914.
— *The Social and Political Systems of Central Polynesia,* i-iii. Cambridge 1924.
— *Religion and Social Organization in Central Polynesia.* Cambridge 1937.
— *Essays in Polynesian Ethnology* (Ed. R. Piddington). Cambridge 1939.
Willoughby, W. C., 'Notes on the Initiation Ceremonies of the Becwana', in *Journ. Anthr. Inst.,* xxxix. London 1909.
Wilson, C. F., and Felkin, R. W., *Uganda and the Egyptian Soudan,* i-ii. London 1882.
Wilson, J. L., *Western Africa.* London 1856.
Winship, G. P., 'The Coronado Expedition 1540; 1542', in *Ann. Rep. Bur. Amer. Ethn,* xiv:i. Washington 1896.
Winterbottom, W., *An Account of the Native Africans in the Neighbourhood of Sierra Leone,* vol. i. London 1803.
Wirz, P., *Die Marind-anim von Hollandisch-Sud-Neu-Guinea,* i-iv. (*Hamburg Univ.,* iv). Hamburg 1922.
— 'Anthropologische und Ethnologische Ergebnisse der Zentral Neu-Guinea Expedition 1921-22', in *Nova Guinea,* xvi:i. Leyden 1924.
Wissler, Cl., 'Societies and Ceremonial Associations in the Oglala Division of the Teton-Dakota', in *Anthr. Paper Amer. Museum of Natural History,* xi-i. New York 1912.
— 'Societies and Dance Associations of the Blackfoot Indians', *ibid.* xi-iv. New York 1913.
— *The American Indian.* New York 1922.
— *Man and Culture.* London. Calcutta. Sydney 1923.
— *The Relation of Natur to Man in Aboriginal America.* New York 1926.

Wissler, Cl., *An Introduction to Social Anthropology.* New York 1929.
— *Indians of North America.* New York 1945.
Wissmann, H. von, Wolf, L., and others, *Im Innern Afrikas.* Leipzig 1891.
Witte, A., 'Zur Trommelsprache bei den Ewe-Leuten', in *Anthropos,* v. Wien 1910.
Wolfram, R., 'Altersklassen und Männerbünde in Rumänien', in *Mitt. Anthr. Gesellschaft in Wien,* lxiv. Wien 1934.
Woodford, Ch. M., *A Naturalist among the Head-Hunters.* London 1890.
Woods, J. D., *Native Tribes of South Australia.* Adelaide 1879.
Woodthorpe, 'Notes of the Wild Tribes inhabiting the so-called Naga Hills', in *Journ. Anthr. Inst.,* xi. London 1882.

Ymer. Tidskrift utgiven av Svenska Sallskapet for Antropologi och Geografi. Stockholm.

Zaire, Revue Congolaise. Congoleesch Tijdschrift. Bruxelles-Brussel.
Zeitschrift der Deutschen Morgenlandischen Gesellschaft. Leipzig.
— *für Ethnologie.* Berlin.
— *Geographische* (Ed. Hettner). Leipzig.
— *der Gesellschaft fur Erdkunde zu Berlin.* Berlin.
— *Neue, für Missionswissenschaft.* Schöneck-Beckenried.
— *für vergleichende Rechtswissenschaft* (Ed. F. Bernhöft, G. Cohn, J. Kohler). Stuttgart.
— *für Socialwissenschaft* (Ed. J. Wolf). Berlin.
— *des Vereins fur Volkskunde.* Berlin.
— *für Volkerpsychologie und Soziologie* (*Sociologus*). Leipzig.
Zimmermann, W. F. A., *Die Inseln des indischen and stillen Meeres,* i-iii. Berlin 1863-65.

Only my manuscript already being sent to the Editor I got to see the new work of Prof. R. H. Lowie, *Social Organization,* New York 1948, as well as the book of Paul Einzig, *Primitive Money and its Ethnological, Historical and Economic Aspects,* London 1949, which I thus have not had the opportunity to utilize for my purpose.

The Peruvian Minister in Brussels Dr. Pedro Ugarteche has in *Turismo,* Lima 1948, published an interesting study of the woman in diplomacy.

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