

—an optimist himself—sees at work forces which are making for virtue; and in the “confederation of republican cities,” which are eventually to take the place of our present over-large “centralized states,” the commercial instinct is to be disciplined and made to play its proper part.

But, though the evolution of commerce has brought with it this train of evils, commerce itself is by no means to be decried. As the author puts it, “*Le commerce ! Qui le pourrait assez louer ou stigmatiser ? C’est un malfaiteur plein de vertu.*” Does not the difficulty, then, lie in attempting to judge from two points of view at once ? From the standpoint of production commerce has certainly made material civilization possible, but from the point of view of distribution it has undoubtedly accentuated the inequality of wealth. In looking primarily to the evil effects, Professor Letourneau fails to take due regard of the good; and his judgment in favor of the natural economy of the doubtful past and the distant future is, accordingly, as one-sided as those of Aristotle and Rousseau, who regarded the matter with much the same bias.

With the ethical thread which runs through the centre of the present work there are interwoven many interesting and instructive lines of economic investigation, particularly in regard to the commercial relations of various savage races. The whole material is admirably arranged for ready reference, and is accompanied by a careful summary at the head of each chapter and a complete index. The volume is a solid addition to the author’s previous works on social evolution, and is in perfect keeping with his general theory of sociology.

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*Recht und Sitte auf den verschiedenen wirtschaftlichen Kultur-stufen.* Von DR. RICHARD HILDEBRAND. Erster Teil. Jena, Gustav Fischer, 1896. — 191 pp.

Whether it was a conscious impulse of filial piety which prompted the choice of Professor Hildebrand’s subject, we are not told. But it is certainly appropriate that the son of that Bruno Hildebrand who, fifty years ago, pointed to “the movement of historical evolution” as the object of the economist’s inquiry, should now make an attempt, with the aid of all that anthropology and comparative jurisprudence have given us in the interval, actually to sketch the outlines of that evolution, and to show its dependence upon funda-

mental economic conditions. It is an attempt which, from the novelty of its method and the distinctness of its challenge, is sure to attract wide attention.

A good deal is being said nowadays about "the materialistic conception of history." Many worthy persons are rejoicing or lamenting, as the case may be, over the disappearance of idealism. The emotion is, however, premature. Before we trouble to ask whether an economic explanation of certain events is adequate, it is commonly worth while to inquire whether the alleged economic phenomena themselves really existed as described. We may thus in most cases relieve ourselves from attacking the larger question; for it may be doubted whether any "materialistic conception" of history has ever condescended to particulars without exciting the derision of the specialist.

We are, therefore, somewhat taken aback at first by the boldness and sweeping character of Professor Hildebrand's program :

At the bottom of the following investigations lies the problem of a history of the general evolution of law and custom. This problem can only be solved when we cease to be content with merely comparing the separate phenomena of different peoples and periods, and try to arrange or group the materials according to the economic stages to which they belong. For to determine the connection and genetic sequence of the several facts, and to be able to say that this law or custom is older or more primitive than that — for this we clearly need a criterion which shall rise above and be independent of chronology. Such a criterion is alone furnished by the stage of economic culture; for this alone shows us a movement of evolution everywhere in its main features alike, or ever moving in the same direction. The reason is that population is always more or less increasing, and that, of all the interests which dominate active life, the economic, from the very nature of things, are always the most mighty.

This is a large claim, about which a good deal could be said; when Professor Hildebrand comes down to more recent times, he will not find it easy to substantiate. But if any one has a right to indulge in such preliminary assertions, it is he who sets about his task in the business-like manner of our author. To every paragraph or so of the text is attached a catena of authorities, quoted most of them in full and drawn from a remarkably wide range of anthropological literature; and these are not buried in footnotes, but are given all the advantages of decent type and spacing. I know of no book in which it is easier at every point to follow the author's reasoning.

The work falls into two parts. In the first fifty-six pages we follow the course of social evolution through the hunting and pastoral stages down to the beginning of agricultural life; and within this brief compass a dozen burning questions are sensibly and sufficiently dealt with. He shows, for instance, that in the lowest stages men do not live together in hordes, but in more or less isolated families; that "horde-marriage" or "promiscuity" is then unknown; that polyandry, when it makes its appearance at a higher stage, is exceptional and the outcome of individual poverty; and that then it does not bring with it the consequences imagined by enthusiastic exponents of matriarchy. He goes on to point out, as perhaps no previous writer has done, what are the economic, and therefore the institutional, differences between the hunting and the pastoral life; and he explains the origin, in the latter stage, alike of serfdom and of chieftainship.

When we have reached this point, we are surprised to find that the rest of the book is given up to a discussion of the condition of the Germans at the time of Cæsar and Tacitus, introduced with the remark that they were still in the stage of half-nomadic life just described. We are reminded of Fielding's parson, who by Christianity meant Protestantism and by Protestantism the religion of the Church of England. With the whole of mankind and of history to choose from, we had hoped to ward off the *agri pro numero cultorum* a little longer. Still our author does but follow the wonted course of German investigation. No one can read the early chapters of Mommsen without suspecting that he would hardly have written as he has about Rome, if contemporary scholars had not been confidently expatiating on the early German *Dorfgenossenschaft*. So now, if we can only get some more satisfactory notions about the early Germans, we may expect in time to reach the Romans and Greeks.

In a short review it is impossible to set forth as it deserves — still less to criticise — Professor Hildebrand's theory of the constitution of early German society. It is far removed from the current Germanist doctrine as presented, *e.g.*, by Waitz and Brunner. Professor Hildebrand is, so far as I know, the first notable German scholar who has cut himself altogether loose from the dominant teaching. Accordingly, it is natural to compare him with M. Fustel de Coulanges. With M. Fustel's work he is well acquainted; but he makes use of it, as it would seem, with perfect independence, utilizing an argument here and there, or rejecting this or that proposition, as he sees fit. And though the two writers agree very largely

in their negative polemic, they differ widely in the positive indications they give us. M. Fustel took for his point of departure the Provincial *villa*; Dr. Hildebrand takes the *Kirghises* of modern Asia. The method of the former is archæological; that of the latter anthropological. M. Fustel's strength was undoubtedly in destructive criticism; and some of us who took the keenest delight in his operations must at the end have been troubled somewhat by the consciousness of a vacuum that nature abhorred. Dr. Hildebrand's present book is a good deal more promising in the way of reconstruction. That lordship, on the one side, and the "dependence" of the cultivators of the soil, on the other, existed from the very beginning of tillage, he has at least shown to be highly probable. But much remains to be done to give complete consistency and *vraisemblance* to his exposition.

Let us add, to whet the appetite of some readers, that Professor Hildebrand has a new reading, based on an ingenious paleographical argument, to propose in the place of *in vices*; that he accepts M. Fustel's explanation of *Lex Salica*, tit. 45; and that he has heard the roll of Professor Meitzen's big guns (*Siedelung und Agrarwesen*) without blenching.

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*L'Impôt dans les diverses civilisations.* Par E. FOURNIER DE FLAIX. Première Série. Paris, Guillaumin, 1897. — 2 vols., xxxii, 819 pp.

This latest work of the indefatigable French publicist, although in two volumes, is only the first instalment of what promises to be a stupendous investigation, if it is ever completed. Unfortunately, M. de Flaix has already begun several other investigations, of each of which only a first volume has been published, so that in this case also it may be questioned whether the work will not remain a *torso*. To write the history of taxation throughout the world is not an easy task. To do it adequately, one would need to be, not only a polyglot, but also an archæologist of no mean distinction. To depend upon secondary materials entirely, as does our author, is not always completely satisfactory.

The work before us is divided into four parts. The first treats of the ancient Oriental civilizations, from Chaldea and Babylon to Egypt and China; the second, of Greece; the third, of Rome; and the fourth, of the feudal epoch in France and the other European states. These