

Indeed, prohibitions in war, be they of methods, munitions, merchandise or manners, are no new thing; nor are they peculiar to the nations that arrogate to themselves the title of "civilised." Even barbarian warfare has its taboos, its ceremonies. Among the Malays the Battaks announce war by a cartel; the Ilongotes of North America send arrows or sprinkle the road with blood. In the lowest grades of humanity there are restrictions—things that, in popular phrase, no decent fellow would do. There have been, and there must always be, rules for the Great Game, else would confusion ensue. Discipline, after all, is but law in another form. But in the matter of rules mankind has "sought out many inventions." A possibly less self-deceiving age dubbed them "Articles of War:" chivalry and Christianity added to the etiquette, and brought further measure of humanity into the business; with Grotius we get a definite attempt to range them—customs, usages, etiquette, and the dictates of humanity—as recognised and recognisable law, not for one belligerent, as Henry's "Ordinances," but for all.

The etiquette of mediæval warfare was no mere empty ceremony. Heralds in the days of chivalry enquired and proclaimed the terms of combat. The last herald to announce war was sent to the Danes in 1657. Subsequently the method changed, and hostile powers prearranged by treaty or cartel those matters which heretofore had been the province of the herald—such as the ransom, treatment, or exchange of prisoners, and later the treatment of wounded. From these cartels much may be gleaned. For instance, the treaty between England and Spain in 1630 ruled that prisoners should not be sent to the galleys—proof enough of their previous hard fate. But legislation on behalf of these unfortunates of war is of earlier origin. Haroun al Raschid, hero of so many a tale that it is almost startling to find him a real historical personage, in the year 797 made treaty with the Empress Irene, and eight years after with the Emperor Nicephorus, for the exchange and ransom of prisoners. They cried quits, or sold the balance to the adversary instead of dis-