

Citizenship—General Foundation.

(Continued from last month.)

This pattern is very different from anything else found on the earth. A jewel by itself alone is as bright and is worth as much as when one among many jewels. A tree growing alone in a field may have even more strength and beauty than when growing with many trees in a forest.

But a human life alone would be marred, and dwarfed and blighted. Man needs society for his true perfection. So important to a man is mankind, that the ancients had a proverb, "One man, no man," meaning thereby that a man's manhood would be impossible without his fellowship with other men.

But what do we mean by this? What is the fellowship so essential to a man's manhood? It is far more than that of one jewel with many jewels, or of one tree with many trees. There could be no real fellowship among these. Fellowship, in its original sense, means joint ownership. It implies a community of interests, of rights, of obligations, and the fellowship which is not only the crown and glory, but the real being and royalty of the human life, is a reciprocity and interdependence, which every member of the human family bears to every other. Each one is a fellow member to all the rest. So true is this that nothing can happen to one human being anywhere without affecting other human beings everywhere. No man liveth unto himself, and no man dieth unto himself. The human family is like the human body where the eye cannot say to the hand, I have no need of thee, nor again the head to the feet, I have no need of you. The union of men is the union of an organism, wherein every part is at the same time the means and end of all the rest.

Such is the pattern after which men are made, and the governing of men means the keeping of them in order according to this pattern. There need be no other justification of human government than is found in this, its meaning and its grand design. That is the best government which best subserves this organic unity. That is the worst where this living fellowship is least regarded.

This organic fellowship of the human family establishes among its members a community of rights and duties. In so far as each member of the organism is the end of all the rest—his good being the true outcome of theirs—he has certain rights which he can claim from them. And in so far as he is the means of all the rest, his power being needful for their perfection, he has certain duties which they can claim from him. The law of the organism, therefore, may be expressed in the community of these rights and duties, and the government of the organism is the power which sets and keeps these in their original order.

The organism itself is what we mean by the state. The state is nothing other

than the organic unity of mankind. All the obligations which the state imposes, the place and work which it assigns, are nothing more or less than the most perfect reciprocity and interdependence among its subjects required. All the laws of the state do but express the principle of this organic relationship among men. The law of human society only affirms what place and work and obligations belong to men by virtue of the organic bond which holds them together. If truly law it does but represent and declare the principle of a brotherhood of human hearts. If it attempts anything other than this and seeks the good of one person or class, and not the good of all, it is tyranny, and not law.

In this broad conception the state is one, and yet there are actually many states; as we say that man is one, while there are many men. But as the individual man is a man only as the universal manhood is mirrored and expressed in him, so the individual state is a state only as the universal state, the ideal state, finds itself typified and actualized therein. In other words a given community can only justify its claim to be a state on the ground that the organic unity of mankind requires its separate existence as such.

Taking the state in its broadest aspect as embracing all mankind, the nations of the world are its members. Taking it in its narrower application as an individual state, its membership consists of the individual persons subject to its sway. But in either case our definition is appropriate. The state is as organic unity, and both the universal state and the particular state can be best treated under the broad classification of rights and duties, which are nothing other than the requirements of an organic fellowship. All the questions of human government upon the earth are questions of rights and duties. In their broadest relations they all resolve themselves into these two: What are the rights and duties of states respecting each other? And what are the rights and duties of states respecting their own subjects? This will therefore make our grand division to be:

1. International law.
2. National law.

International law may be subdivided into that which expresses:

1. The rights and the duties of nations in peace.
2. The rights and the duties of nations in war.

National law, called also and more commonly municipal law, which is the law of a particular nation or state, has also two chief divisions:

1. That which expresses the rights and the duties of the sovereignty or the government.
2. That which expresses the rights and the duties of the subjects, or the governed.

The first of these may be called public law, and the second, popular or private law. Public law, therefore, is the body of

rules for the orderly arrangement of the government, and private law is the body of rules for the orderly arrangement of the governed. Keeping this line of division clear, we shall have the whole scheme clear.

Public law easily arranges itself under two heads:

1. That which considers the rights of the government.
2. That which considers the duties of the government.

The first of these is properly called constitutional law, and the second, administrative law.

Private law has also two chief divisions:

1. That which expresses the rights and duties of the subjects respecting the government.
2. That which expresses the rights and duties of the subjects respecting one another. The first of these two may be called political law, and the second civil law.

Political law, therefore, is the body of rules which orderly express the rights and the duties of the subjects concerning the government, and civil law is the body of rules which orderly express the rights and the duties of the subjects concerning one another.

Still farther, political law has two divisions:

1. That which expresses the rights.
2. That which expresses the duties of the subjects concerning the government.

The rights will be found to be three-fold: those which the subject may claim concerning his religion, those which he may claim concerning his opinion, and those which he may claim concerning his political conduct. The duties are also three-fold: the duty of obedience, the duty of service, civil and military, and the duty of tribute.

Civil law embraces two comprehensive classes of rights and duties, which may be called respectively social and individual. The first of these has also two, and the second three lesser classes. The social rights are, the rights of voluntary compact and the rights of natural relationship.

The individual rights are, the rights of person, the rights of property, and the rights of reputation.

The social duties are those which belong to voluntary compact, and those which belong to natural relationship.

The individual duties are the duties concerning the person, the property, or the reputation of another.

We have thus outlined the foundation of citizenship.

In all self governing communities, municipal institutions are adapted to the wants, the intelligence and genius of the citizens. In Ontario they are the philosophy of their self reliance reduced to simple laws, or the peoples common sense embodied in municipal regulations.