

## Contributions and Correspondence.

### THE EDUCATION OF CITIZENS.

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Ought any knowledge of the qualifications and duties of citizens to be taught in the schools of a free State?

The legal maxim, "*ignorantia legis non excusat*," is a valid reason for every citizen acquiring a competent knowledge of the laws which are the guardians of his rights, and the rules of his conduct as a citizen. The laws of England are a rich inheritance, founded upon sound principles and tested by the experience of many generations. Many of these laws are a continuation of the immemorial customs of the past, and some of the ancient laws of Alfred the Great and of good King Edward are still in force among us.

A knowledge of the laws and enactments of the country in which we live is a necessary part of the education of every citizen. It was so regarded in the time of Cicero, who informs us (*De Legg.* 22-3) that the Roman youth were set to learn by rote the laws of the twelve tables, as a necessary part of their education. It was deemed indispensable to imprint on their tender minds an early knowledge of the laws and constitution of their country. History among the Romans was not composed merely to gratify curiosity, but also to inflame the minds of youth by the force of example, and urge them on to emulation. "I have regarded these things," writes an old Roman annalist, after giving an account of Regulus, "that they who read my commentaries may be rendered by his example greater and better." The chief object of the constitution of this country is the maintenance of civil and religious liberty. This liberty consists in the power of a citizen to do whatever the laws permit, and to submit to those rules by which the weak is protected from the strong, the poor from the oppression of the rich. Its every subject is interested in the preservation and observance of the laws. It is the duty of every man to become acquainted with those laws, at least, which concern his duties; for how can a man perfectly do his duty if he be ignorant of what he ought, and what he ought not, as a citizen to do? Every man ought at least to know the laws which concern himself in his daily life, and the great objects and principles on which all the laws of the Constitution stand. Every citizen who contributes to the rates for the house or dwelling he inhabits, is invested with the highly responsible power of voting for the return of persons to legislate in the House of Parliament. Every such citizen may also be called to act on a jury for the trial of his equals in matters of life and death. Other duties of a citizen might be named which cannot be rightly discharged with benefit to the public without some degree of exact knowledge of the laws.

It is obvious to common sense that some other qualifications are needful in citizens besides a mere knowledge of the laws, if the constitution of a state is to be maintained in a healthy condition. If a man be a pauper, an idler, or a violator of the laws, it would not be wise or prudent to invest such a person with the privileges of citizenship. It is not unnatural to expect that such persons would elect as legislators such men as would be more disposed to unsettle than to maintain the laws which secure the rights of property, whether inherited or gained by honest toil. The old proverb is true, "He that hath nothing, is nothing" in the citizenship of states; and such a person cannot be trusted either to make laws or to elect others to make laws for those who have something to lose.

To persons of wealth and property, a knowledge of the laws to a greater extent is not only useful, but necessary for the faithful dis-

charge of the higher responsibilities and duties which devolve upon them both in public and private life. Such persons are liable to be summoned on grand juries, and sometimes on special juries, where, by their verdict, they have to establish rights, estimate injuries, weigh accusations, and sometimes dispose of the lives and properties of their fellow-citizens. The language and forms of expression peculiar to all laws require more care and attention to be understood fully and completely than is commonly supposed by a person not conversant with the exact and technical forms of law. The importance of the proper and exact words being employed in wills and bequests is illustrated by the cases which not unfrequently are brought before courts of law. When questions of law and fact are closely involved and blended together, it is not possible to discriminate and decide such questions without a knowledge of what the law really is.

Again, there are those whose position in life is such as to qualify them to be invested with the power of a magistrate. Such a person should have a perfect knowledge of the common and municipal law, if he is to administer justice according to the law, and not according to his own ignorance and prejudices, or the interests of his class. A magistrate well skilled in the law may be the most useful man in his neighbourhood in giving countenance to the peaceable and industrious, and discountenancing the idle and dissolute, as well as by healing party feuds and preventing vexatious litigation. An exact and extensive knowledge of the laws and their history is still more needful for such persons as are desirous of sitting as legislators in the House of Commons. Those representatives of the people who are ignorant of the old laws, can scarcely be well qualified to vote for new laws. They are invested with the highest trust, to resist questionable or dangerous innovations, and to promote the adoption of improvements in the laws, and to transmit them to the next generation amended, and, if possible, when adopted to secure the well-being of all classes of the community. The House of Commons ought especially to be the people's guardian of the Constitution.

It is needless to state how much more important is a full and exact knowledge of the laws to the members of the Senate, whose legislative functions continue during the whole period of their lives, from the time when they take their seat in the "Upper House." The science of legislation is perhaps the most difficult of all sciences, and notwithstanding its importance, is so despised as to be unworthy of the attention of almost every one who does not follow it as a profession. The neglect of the laws by the class from which our legislators are supplied, appears to support the presumption that the knowledge of the laws of their country descends to them in the same way as the property of their ancestors. Cicero, himself no mean jurist, has left on record (*Legg.* 8-18) that "it is necessary for a legislator to be thoroughly acquainted with the constitution of his country;" and this he declares "is a knowledge of the most extensive nature—a matter of science, of diligence, of reflection, without which no senator can possibly be fit for his office."

### MOTIVE POWER IN EDUCATION.

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As is the motive so is the man, and in this respect also "the child is father of the man." Whether, therefore, we speak of the schoolroom or of the university, it is of primary importance to secure the best motive power. And the best is not merely that which happens to be the strongest. Nay, the worst case is that in which the strongest is not the best. It is the strongest in a particular person because the wrong thing has got uppermost; and