

the world he had none at all, (as the general scandal of his profession, the natural course of his studies, the indifference of his behavior in matters of religion, neither violently defending one, nor with that common ardor and contention opposing another), yet in despite hereof he might without usurpation assert the honorable style of a follower of Allah, holding, indeed, a faith so catholic as to include not Islam alone, but all the worshippers of God.

“The temple of idols¹¹ and the Kaaba are places of adoration; the chime of the bells is but a hymn chanted to the praise of the All-Powerful. The *mehrab*,¹² the church, the chapel, the cross, are, in truth, but different stations for rendering homage to the Deity.” (N. 30. Cf. N. 248.)

And so we will take leave of al-Khayyami (God be merciful to him).

THE PROTOTYPE OF THE MODERN MEAT-INSPECTOR.

BY S. MENDELSON.

WRITERS on Preventive Medicine or Hygiene do not devote much, if any, time to details of the history of meat-inspection. They carefully and minutely treat of the objects and methods of the inspection, but not of its origin or evolution. Even veterinarians who are naturally deeply interested in this branch of their science, fail to furnish the information as to the origin and age of practical meat-inspection for purposes of averting causes of disease. They lead us back to distant lands and days of yore, but only to show that institutions, bearing more or less similarity to modern scientific inspection of meats intended for human food, have existed in other countries in former ages; they do not show the genesis of the institution.

In the scant historical data they do cite, the reader can find little palpable proof of meat-inspection in the modern sense. The standard *Text-Book of Meat Hygiene* (Mohler and Eichhorn, Washington, 1908), for example, summarizes the ancient history of meat-inspection within the space of one page (367), and advises the student: “For details see Ostertag’s *Handbuch der Fleischbeschau*,”

¹¹ The Kaaba in Mecca with its sacred black stone was built around a temple of the heathen gods of the Koreish, of whom Allah was the chief.

¹² The pulpit in the mosque.

etc. We trustfully appeal to Ostertag, and find him (pp. 8-10) pointing to Egypt, to Phenicia, to Athens, as having practised meat-inspection; but he produces only one instance, besides that of the Israelites, which resembles our methods. It is that of ancient Rome, where the *ædiles* supervised the markets, and meat condemned by them was unceremoniously thrown into the Tiber. Ostertag states that in an official report dating from 164 B. C., the following notable item appears: "The *ædile* Tetini fined two butchers for selling people meat which had not been submitted to official inspection. The fine went toward the erection of a temple to a goddess."—All other instances cited by him represent simple taboos, prohibitions against the use of certain animals or parts of animals, for human food or for the altars. In these cases no *post mortem* inspection was required. And yet the intelligent layman as well as the student of hygienics would like to know the true origin of so important a branch of preventive medicine, one which is often the means of averting danger to human health and human life. Where did this beneficial institution originate: what suggested it to its originators?

Failing to find the answer in the literary productions treating of the institutions of the Occident, we turn to the investigators of the institutions of the ancient Orient, in the hope of finding a clue to our problem. We consult Dr. Morris Jastrow, Jr., professor of Semitic languages in the University of Pennsylvania. He declares the Babylonian *baru* (inspector, diviner) to be "the prototype of the modern meat-inspector" (*Religious Belief in Babylonia and Assyria*, New York, 1911, p. 163). It was the *baru's* function to divine the future by inspecting the internal parts, especially the livers, of sacrifices; as such he suggested the idea of examination into the internal condition of the animal killed for human food.

Clear and satisfactory though this postulate appears on the surface, it nevertheless fails to solve our problem. Aside from the fact that there is too little analogy between the function of the sacerdotal *baru* and that of the sanitary meat-inspector, the same question which we are seeking to answer with regard to the putative counterfeit may be raised with regard to the putative prototype: How did the idea of divination originate? What suggested the action of divination by inspection of the entrails of a sacrifice?

Presently it will be shown that the putative prototype was himself but a counterfeit; but first we must discover the immediate pattern of our meat-inspector,—we shall find him among the Jews.

The oldest system of meat-inspection in the modern sense and

the oldest known to history, the inspection of the animal and its organs for evidence of disease, is that of the Jews. It was called forth by the natural instinct of self-preservation; it dates back to pre-Sinaitic times (cf. Kent, *Israel's Laws and Legal Precedents*, p. 212 n.), and traces of its continued practice are found in the several Pentateuchal codes: in the First Book of the Covenant (Ex. xxii. 30 [A. V. 31]), in the Deuteronomic Code (Deut. xiv. 21; cf. Reggio, *Examen Traditionis*, p. 198f), in the Holiness Code (Lev. xxii. 8), and in the Priestly Code (Lev. vii. 24; xvii. 15). Still, like the system of divination, this one too is denied origination through spontaneous generation. Professor Jastrow (*loc. cit.*) states: "Midway between the ancient and the modern *baru* we find among the officials of Talmudical or Rabbinical Judaism an official inspector of the organs of the animal killed for food, whose duty is to determine whether the animal is ritualistically 'clean'; upon this examination depends whether or not the meat could be eaten. There can be no doubt that this ritualistic inspection is merely a modification of the ancient examination for purposes of divination." Thus our pattern is declared to be a mere modification of a pagan rite. But let us probe the tenability of this declaration.

Professor Jastrow himself observes (*loc. cit.*, p. 172, n. 2) that "the Pentateuchal codes abound in protests against customs and rites prevailing among the nations around" the adherents of those codes. As an instance he adduces the burning of "that which hangs over the liver—the caul above the liver"—of a sacrifice on the altar of God (Lev. iii. 4, 10, 15 *et passim*)—"intended as a protest against using the sacrificial animal for purposes of divination, the *pars pro toto* being regarded as a sufficient reminder."

According to Maimonides, the prohibition (*ibid.* ii. 11) against offering leaven and honey unto the Lord, was a protest against the heathen custom of offering just these articles on the altars of the gods (Moreh, III, 46; cf. Herodotus, II, 40).

The Pentateuchal codes—Primitive, Deuteronomic, and Holiness alike—strictly enjoin the Israelites against all kinds and manners of sorcery and divination (see Ex. xxii. 18; Deut. xviii. 10-14; Lev. xix. 26, 31, xx. 6, 27), and as strictly and repeatedly they warn the people against adopting pagan rites. "Take heed to thyself that thou be not ensnared to follow them, . . . and that thou enquire not after their gods, saying, 'How used these nations to serve their gods? even so will I do likewise.' Thou shalt not do so unto the Lord thy God" (Deut. xii. 30; cf. *ibid.* xviii. 9; Lev. xviii. 3, 24, 30; *ibid.* xx. 23 *et passim*). These warnings and injunctions formed

the foundation of Israel's constitution as "a kingdom of priests and a holy nation," and were dutifully followed by all godfearing Israelites.

Considering all this and remembering that the whole structure of Judaism rests on Biblical ground, is it believable that a characteristic pagan rite, or even a semblance thereof, could be introduced into the Jewish ritual?

Moreover, the ancient rabbis, the authors of the Talmud and moulders of Talmudical and Rabbinical Judaism, could not tolerate such a thing, much less do it, consistently with their own principles and enactments. Critics of Rabbinism produce and decry countless instances where the rabbis interdicted customs, harmless if not wholesome in themselves, only because they were characteristically pagan. Even usages originally viewed as manifestations of true Jewish piety and reverence, were prohibited by the rabbis, when such usages became associated with idolatry, in order to eschew and obviate all and every semblance of infidelity to Judaism. Hence, while the rabbis prized human life and health above ritualism; while they repeatedly and forcibly impressed upon their disciples the comprehensive maxim: "We must be stricter in matter involving danger to health than in ritualistic matters;" while in cases threatening human well-being they consistently applied the axiomatic interpretation of the last clause of the Scriptural verse (Lev. xviii. 5): "Ye shall keep My statutes and Mine ordinances, which if a man do he shall live by them," as implying: *but not die through them*,—while they applied this interpretation to all Biblical laws which might interfere with the use of an efficacious remedy, they only excepted, together with the laws concerning incest and bloodshed, those against idolatry and its similitudes. Can we, in the face of all this, even for a moment suppose that the same "legalists" would overtly borrow a notorious pagan rite and incorporate it, or even a modification thereof, in the ritual of Talmudical or Rabbinical Judaism?

But if not from the diviner, from whom did the ancient rabbis learn the rudiments, if not the complete method, of meat-inspection?—They learnt their lesson from the same traditional sources from which the *baru*, the diviner, evolved the art of divination.

In the course of a lengthy disquisition on the Roman *auspices* (*Evolution of the Aryans*, London, 1897, pp. 361-379), Rudolph von Ihering declares (p. 362): "The right interpretation of the Roman *auspices*, as I hope to prove in what follows, is based upon a careful distinction being made between these two periods, one

referring to the time of migration, the other to that of the settlement. In the former we have to deal only with the natural process, adapted merely to the purposes of migration—signs without any religious meaning whatsoever. It was not until the second phase, when, on their becoming settled, the once practical meaning of these signs became quite obliterated, that the *auspices* in the Roman sense of the word, i. e., signs interpreting the consent or non-consent of the gods, came into existence."

Ihering's thoughtful and judicious disquisition being entirely too long to be reproduced here, we must be satisfied with a succinct statement of his conclusion. Woodruff (*Expansion of Races*, New York, 1908, p. 105) thus epitomizes it: "The Roman process of divination by observing the passage of birds was a remnant of a custom of migratory Aryans looking for the proper way to travel; and divination by examining the intestines and other organs of an animal is a remnant of the habit of looking for diseases among the domestic animals the emigrants slaughtered *en route* to see if the region was a healthy one."

This explanation of an otherwise inexplicable aberration appears lucid, rational, conclusive. To reverse the evolutionary process in this case would necessitate the belief that the early migrants had an elaborate system of divination, which presupposes a fully developed cult, before they felt the necessity for some precautionary measure to prevent sickness and to secure personal well-being; while we know that it is not human nature to be governed by sentiment before being actuated by the instinct of self-preservation.

But here a question of authority is raised: can a conclusion deduced by Ihering be properly considered conclusive? Ihering held no membership in the guild of learned Orientalists, and no diploma as authorized expositor of ancient Oriental cults; wherefore his right to formulate theories in matters connected with those cults is seriously disputed. A learned upholder of Professor Jastrow's views, as stated above, to whose attention the present writer brought Ihering's opinion, remarked: "Ihering was a great student of law and legal institutions, but he was not an investigator of religious rites, or he would not have struck upon so far-fetched a theory of divination as the one to which you refer. If we find divination methods among all people living in a primitive stage of culture, we must explain it on the basis of a common point of view, and not through such special incidents as migrations."—However, the impartial reader can readily see that, after advancing this *argumentum ad hominem*, the defender of the anti-Ihering view leaves

the question as to the origin of divination *in statu quo ante*; and since, than that received by the Tuscan ploughman from the demigod Tages, the son of Genius and grandson of Jupiter (Cicero, *De Div.*, II, 23; Ovid, *Metam.*, XV), no more convincing evidence has been produced, proving that divination by inspection of sacrificial entrails was a primary institution, one may rightly assume that, like all other human institutions, it had a progenitor of some kind.

Of course, we unhesitatingly admit that all divination methods had "a common point of view" basis, even though unconditioned by the people's "living in a primitive stage of culture." Already "3000 years before our era civilization and religion in the Euphrates Valley had reached a high degree of development" (Jastrow, *loc. cit.*, p. 2); nevertheless divination was always at home there. But the negative appendix, that the rite cannot be explained "through such special incidents as migrations," leaves room for doubt. Does it mean to imply that the art of divination, or its basic common point of view, presented itself to all people and everywhere simultaneously? Jastrow (*Heb. and Bab. Traditions*, New York, 1914, p. 140) himself declares: "The system [of divination] not only continued its strong hold upon the people of the Euphrates for thousands of years, but passed on to other nations, to the Etruscans, to the Greeks, and to the Romans, perhaps also to Eastern nations." Here we have his own opinion that migration was, if not the first cause of the system, the vehicle for the promulgation of the system: that the system was born at some place in the Euphrates Valley, amidst some people; that it was conveyed to other nations by means of migration, and that eventually its basic point of view became common to many and widely separated nations. But what begot the idea itself? What engendered the common superstition?

When Voltaire asked, "Who was it that invented the art of divination?" and flippantly answered, "It was the first rogue who met a fool!" he may have enunciated the only theory satisfactory to the modern cultured mind; but even he leaves unanswered the natural question, What suggested that idea to that rogue? From what antecedent did there arise so strange and absurd an idea that the position, or the condition, of the entrails of an animal revealed the decrees of the gods?

The same philosopher, however, also says that, "blacksmiths, carpenters, masons, and ploughmen were all necessary before there was a man of sufficient leisure to meditate;" and a Biblical tradition tells us that Cain and Abel respectively tilled the ground and kept

sheep before they ever thought of bringing offerings to God. Is it too much to assume that, by the same token, the butcher preceded the metaphysician?

Ihering's conclusion shows this to have been the order of development, and a moment's thought will suffice to convince the unbiased that this conclusion is sober and sensible, founded on human nature and accordant with the genesis of human institutions.

Why hepatoscopy, divination through inspection of the signs of the animal's liver, was so universally practised, is lucidly explained by Professor Jastrow (*Religious Belief in Bab. and Ass.*, p. 159). It was because "the diseases most common to men and animals in marshy districts like the Euphrates Valley primarily attack the liver." In other words, phenomena due to pathological conditions afforded the *baru* opportunities for artful interpretations. Again, the same authority assures us (*ibid.*, p. 4) that "there is no longer any doubt of the fact that the Euphrates Valley from the time it looms up on the historical horizon is the seat of a mixed population. The germ of truth in the time-honored Biblical tradition, that makes the plain of Shinar the home of the human race and the scene of the confusion of languages, is the recollection of the fact that various races had settled there and that various languages were there spoken." Of course, it is not to be thought that all the races came there at one and the same time.. On the contrary, they followed each other; and it may be taken for granted that "when the Semitic hordes, coming from their homes in Arabia, and the Sumerians. . . began to pour into the land" (*ibid.*, p. 12), they found there not only the noxious miasmatic effluvia affecting man and beast, but also that some squatters had preceded them. Is it not reasonable to believe that the aborigines, having repeatedly suffered dire consequences from eating animal meats affected by the diseases indigenous to the district, established the habit of looking for diseases among the animals they killed for food, before they thought of inventing systems of divination by hepatoscopy? To Ihering it clearly appeared so; and also that from the habit, born of experience and primarily established (whether in the Valley of the Euphrates or in—the land of Nod!) for the purposes of hygiene, there was eventually evolved a system of divination in which the liver, as the reputed seat of life, afforded great opportunities for the display of the *baru's* ingenuity or for the overt practice of his disingenuousness.

And now, since the origin of divination so skilfully maintained by Ihering is, I truly believe, fully vindicated, it must be stated that

Ihering never claimed for himself the authorship thereof. On the contrary, he expressly names its author who preceded him by about 2300 years. He writes (*loc. cit.*, p. 369): "That the condition of the intestines of the animal justified them in forming a conclusion as to the food and the healthfulness of the district, as Cicero (*Divin.* II, 13) tells us, has already been stated by Democritus, who brings the inspection of the victim in connection with it." Cicero also remarks (*loc. cit.*, 57): "Democritus believed that the ancients had wisely enjoined the inspection of the entrails of animals which had been sacrificed, because by their condition and color it is possible to determine the salubrity or pestilential state of the atmosphere, and sometimes even what is likely to be the fertility or sterility of the soil." Ihering (*loc. cit.*, p. 370) further says, "I have borrowed my view of the matter from him. . . . I rejoice to have been enabled to raise out of its unmerited obscurity, and to restore to honor, the view of my predecessor, which found so little favor with the antiquarians that they have left it in such unmerited oblivion."

And as for the Talmudic or Rabbinical inspection of animals killed for food, it has been clearly shown that this could not have been copied from the heathen rite of haruspication. Bible and Talmud strictly forbid the adaptation to Judaism of anything savoring of idolatry. We must therefore conclude that the Jewish system of meat-inspection originated independently of the pagan custom. While throughout uncounted centuries, as may be judged from the case in Rome, the sanitary and the visionary systems divided honors in the ancient world, the sanitary Jewish system was not the counterfeit of the pagan rite. Doubtless the Jewish system originated at a very early period in Israel's history, perhaps during the period of his peregrinations through the wilderness. Certain it is that the Jewish system of meat-inspection for sanitary purposes is nothing but an elaborate continuation of some of the same hygienic rules regarding which William Gladstone (*The Impregnable Rock*, Philadelphia, 1895, p. 384) has said, "I have learned enough from some high medical authorities to be warranted in saying that the sanitary qualities of the Jewish race, even in our own time, and their superior longevity, appear in no small manner to be due to the strict observance of the Mosaic laws." It is true, the rabbis, having amplified the system so as to make it difficult, if not impossible, to discover its nucleus, surrounded it with the halo of ritualism; but this is owing to the fact that Judaism recognizes no distinction between religion and hygiene, except that where the two conflict, the latter is considered more obligatory than the former.

After all that has been said, the reader may safely conclude that the modern meat-inspector had for his prototype, not the Babylonian *baru* or the Roman *haruspex*, but the primitive unconsecrated and probably unlicensed butcher. With proud consciousness, the modern meat-inspector may rightly proclaim himself, not the counterfeit, but, by virtue of the lineal descent of his function, the prototype of the heathen diviner. True, the modern meat-inspector did not go back to the age of the Semitic and Sumerian hordes, or even to that of the Aryan migrations, to learn his disease-preventing profession, as did the *baru* and the *haruspex* to learn theirs. But for him there was no occasion to follow the trail of "all people living in a stage of primitive culture." The Talmudical and Rabbinical inspector of the organs of the animal killed for human food was always near at hand to suggest, and to demonstrate the benefit of, the system of careful scientific inspection for hygienic purposes. In short, the modern meat-inspector is the collaborator of the time-honored Rabbinical inspector whose preceptor was the God-given instinct of self-preservation and whose object always was the prevention of disease among his fellow-beings.

SOLAR WORSHIP.

BY THE EDITOR.

WE are apt to think of our own age as the climax of all history and the perfection of mankind, and that we have passed through all the successive stages of civilization for the sole sake of attaining the blessings which we now enjoy. And what is the result of our attainments? If we consider all in all we find that our happiness may be compared to a fraction, the numerator of which represents our needs and the denominator our satisfactions.

Thus our happiness remains a relative quantity, being approximately a constant throughout the ages, and while the progress of civilization increases the denominators, at the same time the numerators advance in proportion. The Eskimo is in all probability quite satisfied with his scanty denominator simply because his numerator is not as large as it is among civilized people. In consideration of this relative character of our emotional existence we may very well understand that former generations were as elated by their successes as we are to-day when for some reason or another we celebrate a new triumph of science, inventions or progress of