

BOOK II

THE MODERN ORGANIZATION OF THE
UNIVERSITIES AND THEIR PLACE
IN PUBLIC LIFE

CHAPTER I

THE LEGAL STATUS OF THE UNIVERSITIES AND THEIR RELATION TO THE STATE

1. *Historical Orientation.* In law the German universities are state institutions. This seems natural and self-evident to us, but as a matter of fact it is the result of historical development which might have taken a different direction. Research and instruction are not, like war and peace, natural functions of the state. And they had their origin wholly outside of the sphere of governmental activity. The old schools of the philosophers in Greece, like Plato's Academy and Aristotle's Lyceum, the first form of organized scientific instruction, came into existence as purely private enterprises. The universities of the Middle Ages, likewise, began as private associations; and, although they soon acquired a public legal status, they still continued to be free, autonomous corporations which perpetuated themselves by the bestowal of degrees. Much that is peculiar to these older forms still survives on English and American soil. The modern North American universities are for the most part still purely private corporations, founded by private individuals and wholly independent of the state in the administration of their internal and external affairs.¹

¹ I refer to an article by E. Emerton (Professor in Harvard University) on "Higher Education in America" in the *Deutsche Rundschau*, November, 1900, which gives one an admirable survey of the whole subject. It is noteworthy that the development is taking an entirely different direction in America from ours. The universities over there are tending more and more to lay aside the character of state institutions which they had to some extent in the beginning; this taking place first in the eastern states, but now also in the western. The large endowments which they receive make them independent of state aid, and the result is that the administration also becomes

In Germany the development of the university into a state institution was an historical necessity. As was previously explained, the German universities did not spring up spontaneously, but were founded by the governments. At first the state merely granted endowments and privileges; the internal affairs, instruction and examinations, were independently ordered and administered by the corporation. Since the fifteenth century, however, the authority of the governments began to assert itself in this direction also; they soon learned how to make their *ordinationes* and *reformationes* felt against the opposition of the corporations, which insisted upon their autonomy.

The ecclesiastical reformation then gave the Protestant rulers spiritual in addition to the secular power. The universities became government institutions whose function it was to train officials for the secular and spiritual administration, and the university teachers, with the title of professors, became salaried officials of the state. After the middle of the seventeenth century the sovereign power developed into a kind of governmental providence embracing all the purposes of civilization and welfare. The smallness of the German territories favored the conception of the state as a single great household under a "paternal" government. During the eighteenth century this conception became absolutely dominant. The German common-school system, with its compulsory attendance, has its roots in this principle. The sovereign, as the "father of his people," was also the head tutor of his subjects. The higher schools and universities were administered in the same way, and, as opportunity offered, new institutions were founded in harmony with the spirit of the age, such as the *Carolinum* at Brunswick

autonomous: a president and board of trustees and a board of visitors, elected from the members of the university (the graduates), attend to the business, elect the professors, arrange the course and examinations, etc. The faculties, however, exert a far-reaching influence upon the decisions of these bodies. A comprehensive presentation of the entire educational system of the United States, with historical and statistical matter, is contained in *Monographs on Education in the United States*, 2 vols., 1900, compiled for the Paris Exposition and edited by N. M. Butler. The instructive monograph on the universities is by Professor Perry, of Columbia University, New York.

and the *Carlsschule* in Württemberg. Everywhere the paternal governments interfered, by their regulations and admonitions, with the form and content of university instruction; the teachers were praised or censured according to the measure of their ability to carry out the ideas of the sovereign; they were told what books were to be used and which ones were to be abandoned, and received orders and directions concerning the method and spirit of their instruction, etc. The history of Prussian university administration under Frederick II., and of the Austrian under Maria Theresa and Joseph II. supplies us with apt examples. And it often happened that these orders, admonitions, censures, and threats, were addressed to individual professors in a tone not far removed from that of a schoolmaster toward immature and naughty boys.¹

¹ Particulars given by Bornhak, *Geschichte der preuss. Universitätsverwaltung*, pp. 99 ff; also in the histories of the several universities; especially Schrader's *Geschichte der Universität Halle*. A decree published in 1780, and addressed to Frankfort-on-the-Oder, contains, among many criticisms of things displeasing to the administration, censure of the philosopher and jurist, Darjes, a man not unknown to his time: "You, Darjes, lecture for a year on the *Institutiones*, but it is not to be supposed that you will relate any unheard-of things in the *jure positivo*, and if you, as is known from other *Collegiis*, spend the time with mere *aliostris* and *incongruditaeten* (*sic*), you are all the more culpable" (Bornhak, p. 135). With this may be compared a Cabinet order to the University of Halle in 1786, in which the faculty's objections concerning a change in administrative methods are rejected, since His Royal Majesty is not inclined to permit a few restless heads among the professors of Halle to criticise governmental arrangements and orders, because it is their duty to obey promptly and becomingly without demurring (p. 182). Add to this the order of 1798, which ordains that corporal punishment for certain student excesses shall be administered in the presence of the Rector, who must accompany it with paternal admonitions (p. 76). The military and police department of the state had assumed control of education. The longing for the "legal state," as indicated in Kant's and Humboldt's theory of the state, can be understood from this standpoint. It would, however, be unjust not to admit that the interference of "enlightened despotism" was on the whole, beneficial here also; it may be doubted whether the universities, owing to the sluggish inertia of the old corporations, would have been able unaided to pull themselves out of the mire in which they found themselves at the close of the seventeenth century. The history of the French and English univer-

Two traits characterize the development during the nineteenth century. The first is the extraordinary increase of governmental activity and expenditure in behalf of the universities; the other is their enhanced internal independence and freedom. During the eighteenth century the Prussian ministry of education still found a legal basis for the universities in the provisions of the common law of Prussia: "Schools and universities are state institutions having for their object the instruction of youth in useful information and scientific knowledge." (Part II. Tit. 12, § 1.) During the nineteenth century the state's supervision of these institutions has constantly grown; a separate department has been established for their administration, with a minister of education at its head. The appropriations for all grades of instruction, especially for the universities and their scientific laboratories, have increased enormously. The university teachers have been placed on an equal footing with the state officials as regards their rights and duties.

On the other hand, the universities and teachers have gained much in the way of internal freedom; the eighteenth century's passion for regulating things no longer annoys them. The greater legal security which the general code gave to all state officials also benefited the professors, while with the beginning of the nineteenth century their original corporative independence was gradually restored to them. This development is connected with the fact already mentioned (p. 51), that the great, new Prussian universities were founded at a time when Freiherr von Stein, relying upon the spirit of the nation, led the Prussian people out of a bureaucratic absolutism into the paths

sities is against the supposition. It is noteworthy that the French universities did not experience any reform during the entire eighteenth century. The state did not concern itself with them, so they vegetated until the Revolution put an end to their inglorious existence (L. von Savigny, *Die franz. Rechtsfakultäten*, p. 19). I remark, further, that in passing judgment upon the policy of Frederick William II. and the attitude of Kant toward the prohibition of his religious-philosophical lectures, this fact must not be forgotten: during the eighteenth century it was the self-evident and universally exercised prerogative of the ruler to shape university instruction according to his own personal views and to demand obedience accordingly.

of independence. It is significant that the University of Berlin is described in the statutes not only as a state educational institution, but also as a "privileged corporation," whose supreme function was, as defined by its intellectual founder, W. von Humboldt, the free pursuit of knowledge.

By entering more and more directly upon the paths of scientific research under the leadership of a long line of celebrated men, the universities gradually ceased to be mere state institutions for the training of officials, and grew further and further away from bureaucratic control. While France reduced her universities to professional schools, Germany made her universities the embodiment of an independent scientific life, with the hope that an unfettered service of truth would not only be compatible with the interests of the state, but indissolubly linked with them. And even though this hope has been occasionally thwarted, especially during the unfortunate persecution of the liberals as demagogues (*Demagogenhetze*), when hardpressed ultra-conservatives succeeded in frightening the heads of government with the hobgoblin of revolution, and caused them to place the entire university system under police surveillance, and even to employ violence against several institutions, nevertheless, the relation of the state to the university has become one based essentially upon confidence in its independence. The principle of the freedom of learning and teaching, formulated in paragraph twenty of the Prussian Constitution, may really be described as one of the fundamental principles of our public law. The surer a government was of its ground, the more fearlessly it accepted this principle; and we may regard the independence of the universities as a criterion of a government's confidence in its stability.

Thus the development during the nineteenth century followed mainly along the lines pointed out by Schleiermacher. Schools and universities, so he says in the *Gelegentliche Gedanken über Universitäten* (p. 45), looking back upon the eighteenth century, "suffer, the longer, the more keenly, from the fact that the state regards them as institutions in which the pursuit of knowledge is not to be carried on for its own sake, but for the benefit of the state, and that it misunderstands and hampers their natural endeavor to conform to the laws imposed upon them by

science." And, anticipating the future, he declares that "the guardianship of the state, which was probably necessary at an earlier day, must, like all guardianship, come to an end some time; the state should leave the sciences to themselves, committing all the internal arrangements entirely to the scholars, and reserving for itself only the economic administration, police superintendency, and the study of the immediate influence of these institutions upon the civil service."

At the celebration of the two-hundredth anniversary of the University of Halle, in 1894, Emperor Wilhelm II. subscribed to this view in the following memorable words in his address of welcome to the university: "It will never be forgotten that this university was the first clearly to recognize the essential connection and fruitful relations between academic instruction and free research, and thereby established a principle which has become an inalienable heritage of all the German universities and largely determines their modern character."

2. *Present Status and Organization.* The legal status of the universities, therefore, has the following characteristics, which are generally uniform in all the German states.

The universities occupy a dual position: on the one hand, they are state institutions, and on the other, they have the character of free scientific corporations. As state institutions they are founded, supported, and administered by the government. From it they receive their organization and laws. The regulations governing the universities and the faculties are passed by the government, usually with the advice of the corporations. In Prussia the faculty statutes are prescribed by the ministry of education. The government also defines the function of the universities and grants them their privileges. The Berlin statutes thus define the function of the university: "to continue the general and special scientific education of properly prepared youths by means of lectures and other academic exercises, and to fit them for entrance into the several branches of the higher civil and ecclesiastical service." Among the privileges peculiar to the university is that of conferring academic honors. This privilege is now granted by the state, that is to say, by the different states severally, without the coöperation of a higher authority like the papal and imperial in the Middle

Ages. Legally, therefore, there would be nothing to prevent, let us say, the municipality of Hamburg from founding a university with the right to create doctors *sub auspiciis senatus populique Hammoniensis*.

The wish has been expressed that the universities, for the sake of greater uniformity, especially in the promotion of professors, be placed under the control of the imperial government. But I do not think that this demand will meet with the approval of intelligent persons. If decentralization is possible and necessary anywhere, it is so in the field of state supervision of intellectual culture. The independence of the several states has kept alive a spirit of competition which has shown itself to be a wholesome incentive. Nor has it been less favorable to the internal freedom of the universities: for every proscribed professor there has always been found another chair beyond the boundary of the state, as in the case of the seven teachers at Göttingen, and the men driven from Leipzig after 1850. And the independence of the university teacher depends in no little measure upon the fact that, in case he becomes impossible in a certain place, he can go elsewhere and establish a sphere of usefulness for himself under a different administration.

In distinction from the intermediate and lower grades of schools, which are administered by the provincial officials, the universities are under the immediate control of the ministry of education. In Prussia, however, each provincial university has a curator, who is the resident representative of the central authorities; his duty is to exercise, in behalf of the state, a general superintendence over the institution and to watch over its welfare and efficiency in every way. It is through him that communication is had between the university and the ministry. A man with the requisite gifts for such a position can be of considerable service to a university. For it must be admitted that owing to the constant change of academic officials and the limited business capacity of many scholars, a university's efficiency as an administrative body cannot be rated very high.

That is one side of the case. But the universities are not only state institutions, they are also independent corporations of scholars. This becomes evident everywhere in their form of

government. Because of their organization and the independence which they enjoy they occupy a position within the state which can really be described as exempt. Historically this position is traceable to their origin as corporate bodies; in fact, it is due to the peculiar nature of their function. Of the autonomy of the old *universitas* they have above all retained the unrestricted choice of academic officers. The head of the university, the rector, is always chosen annually by the full professors, and is one of their number. He represents the university in its external affairs; the university officials are subject to his orders; he has charge of the immatriculation of students; and he controls the societies and the meetings of the student body. In like manner the Senate is formed by election from the corps of full professors. In the Prussian universities, in addition to the elected members, the rector, as chairman, the university judge, and the deans are *ex officio* members of the Senate, which forms a general executive committee. Of the old academic jurisdiction the control of discipline has been retained. It is lodged with the rector and senate. By way of punishment the following penalties can be imposed: fines, not exceeding twenty marks; incarceration (*Karzer*), not longer than fourteen days; threat of rustication (*Verweisung*); rustication and expulsion (*Exklusion*). Although the authority of the elected heads of the universities is a modest one, and the office in general, when compared with the position of a president of an American university, is rather of an ornamental character, it is nevertheless not entirely without significance. Imagine at the head of the university an official appointed by the government, like the *recteur de l'académie* in France, a man, let us say, in the position of a provincial school director, and the difference becomes at once apparent. The German rector is the visible symbol of the corporative independence of the university.

The different faculties also possess important functions as self-governing bodies. The full professors, who are the faculty's administrative body, annually elect one of their number as dean to act as their presiding officer. The faculty has oversight of the behavior and studies of the students, though in a scarcely appreciable way. It manages the benefices and conducts the

examinations prescribed for them, announces the subjects for prize-essays, and awards the prizes. It also has supervision of instruction and must, above all, see to it that all subjects are fully represented during each semester, and suggest additions to the teaching staff, whenever necessary. Again, and most important, it holds the examinations for the academic honors and confers the degrees through the dean. It also extends the *venia legendi* to young scholars, which means that it confers upon them the privilege of teaching in the faculty as private docents, admitting them thereby into the larger academic teaching-corps. Finally, when a vacancy occurs in a chair it must nominate candidates for the vacancy to the ministry of education. In a certain sense, therefore, the *corpus academicum* still continues its existence by a kind of coöptation.

A similar exemption, finally, appears in the official activity of the individual. The instructor in a university enjoys an independence in the form and content of his duties that is not equalled by that of any other government office. Upon his appointment a professor receives a wholly general commission to teach certain branches, and he is allowed to interpret this commission for himself; he decides for himself what lectures and exercises are to be offered, the number of hours to be devoted to every subject, the topics to be treated, and the methods to be followed. He is merely bound to deliver at least one private and one public course of lectures during each semester. There are no official courses of study as in the schools. There is no supervision of the efficiency of the instruction; no revision by supervising officials, and no statements of accounts, except by the laboratories.

3. *The Legal Relations of University Teachers.*¹ The teaching-corps of a German university comprises two kinds of teachers, whose legal status is thoroughly distinct: 1, professors, who are appointed and paid by the state; 2, private docents, or independent instructors upon whom the faculties have bestowed the privilege of teaching, but who have no official duties and receive no salaries.

A distinction is also made between professors: the ordinary

¹ C. Bornhak, *Die Rechtsverhältnisse der Hochschullehrer in Preussen*, 1901.

(*ordentliche*) or full professors, also constitute the administrative body, while the extraordinary (*ausserordentliche*) professors take no part in the administrative affairs of the university or faculty. The distinction between regular (*etatmässige*) professorships and so-called personal (*persönliche*) professorships ought also to be mentioned. The former are fixed and continuous, and vacancies in them are filled upon nomination by the faculty, while the latter expire with the occupant. There is, further, the distinction between salaried and unsalaried extraordinary professors; when private docents have for a time taught successfully, and a salaried position is not open, it is customary to confer upon them unsalaried extraordinary professorships as a mark of recognition and with reversionary rights. Of recent years merely the professor's title is frequently given. Finally, the honorary professors must be mentioned. They have the rank of extraordinary professors, but have neither a definite duty as instructors nor salary, in which respect they are like the private docents. As a rule they are old and worthy men who are, in this way, publicly brought into independent relation with a university.

The professors, both ordinary and extraordinary, are state officials. They are appointed by the government and receive from it the commission to teach a certain subject, or a group of subjects. Rights and duties are defined in a general way by the statutes of the general code governing all civil officials. Like other offices, that of the teacher is conferred without a time limit; the performance of duty carries with it a permanent claim upon the privileges of the office. Unlike other offices, pensions are unknown to the academic teacher. Instead of them, there is a release from the duty of lecturing, with a continuation of salary. In other countries, Austria, for example, seventy is fixed as the age-limit for the occupant of a professorship, after which a successor is appointed; but the former occupant retains not only his salary but the privilege of lecturing. There are good reasons for such an arrangement. It may be taken for granted that the strength and inclination for academic teaching either become exhausted or impaired at the age of seventy. And because it is by no means advisable to allow the person in question to decide when this period begins for

him, for self-delusion on this point is common, as we know, and because, on the other hand, the compulsory pensioning of some particular individual would be especially painful and insulting, the legal enforcement of an age-limit would, perhaps, be the most appropriate solution. In case, as might occasionally happen, an efficient professor should in this way be retired too soon, the loss would not be so great as if an inefficient man should direct a department or a laboratory for years, thereby lowering the standard of instruction and standing in the way of rising talent.

It remains to be said that compulsory transfers, such as necessarily occur in the interests of the service in other lines, are unknown in the universities.

The ministry of education has supervision over the university professors and the performance of their duties. But in the ordinary course of events this supervision is scarcely felt at all by the individual professor, and by him less than by any other government employee. Especially is there no sort of interference with the performance of official duty, except, indeed in the maintenance of public order. It may be truly said that at no time has university instruction enjoyed a wider freedom, not even during the period of corporative autonomy in the Middle Ages, or perhaps there was less freedom then than now, for the instruction consisted almost entirely in the transmission of approved doctrines. Afterwards government regulation came into prominence, reaching its highest point during the eighteenth century. Attempts to determine the content and form of instruction by prescriptions and commands, which were then of almost daily occurrence, are at present entirely out of vogue. The university teacher is now left practically entirely to his own judgment and conscience. It is only by means of the regulations governing state examinations that a certain influence is exerted upon the system of instruction, such influence being particularly noticeable in the law faculty.

All this is the expression of the conception of the university which became dominant during the nineteenth century. If a university is primarily a scientific institution, its freedom must be taken for granted. The state has become convinced that its political authorities have not the capacity for the recognition of

scientific truth, and therefore allows science to regulate its own affairs. And with the content of instruction the form is so closely connected that it cannot tolerate control by means of general regulations, except, indeed, in purely external things.

Although, therefore, the content and method of university instruction lie beyond the influence of the controlling authorities, this cannot be said of the formulation of the commission to teach. It is not contrary to the principle of liberty in teaching that the ministry of education should designate somewhat precisely the needs which appointees are expected to satisfy, and call attention, also, to newly emerging demands and see that they are met. Owing to their scientific character the universities are apt to assume a rather indifferent attitude toward the needs of the student from the point of view of his future calling and the state examinations. This is true for example of the philosophical faculty. The school administration has not infrequently had cause to complain that the instruction in philology paid too little attention to the needs of future teachers in neglecting the most necessary branches and authors. Thus it recently became necessary to supplement instruction in mathematics by adding descriptive geometry and applied mathematics, in order to equip the teachers of the *Realanstalten* and technical schools with the necessary knowledge and skill. Hence the task of seeing that the necessary instruction is offered, by controlling the commission to teach, cannot be surrendered by the central administration to the individuals and the faculties themselves.

So far as discipline and misconduct in office are concerned, the same regulations apply to university professors in Prussia as to all officials outside the judiciary. The disciplinary law of July 11, 1852, for such officials fixes their general duties, transgressions, and penalties. Penalties (warning, reproof, fine) can only be imposed by the minister, transfer to another position with a smaller stipend and dismissal from office can take place only after process before a court of discipline in the first instance and before the ministry in the way of appeal. Transfers for punishment, however, as well as transfers for the good of the service, are evidently contrary to the entire nature of the office and the university system; and, so far as I am aware, such punishment has never been imposed in Prussia.

On the other hand, the second section of paragraph two of the disciplinary laws, which declares that an official who "because of misconduct in or out of office becomes unworthy of the respect, consideration or confidence which his calling demands" shall be subject to discipline, used to be frequently applied in order to punish professors for assuming a position antagonistic to the government. And this was, presumably, the intention of the framer of the law, for it dates from the period of reaction when the increase of governmental authority seemed to be the one essential thing. Whether the application of the law has had this result is, however, open to question; the power of a ministry may have been momentarily strengthened by it, but the authority of the government can scarcely have benefited thereby. I remind the reader of an apt comment by H. von Treitschke: In the moral world nothing can serve as a support which cannot at the same time offer resistance. And professors are not and ought not to be political officials; hence their duties cannot be measured by the same standard as that which is applied to district-presidents and presidents of governments. But this subject will be resumed in a later chapter on the liberty of teaching.

4. *The Appointment of Professors.* This is brought about throughout Germany by the state governments; in Prussia the sovereign himself appoints the ordinary professors, and the minister of education the extraordinary ones. The faculty, however, has the right, based upon tradition and also, for the most part, upon statutory regulations, to cooperate in the appointment, in the following manner. When a vacancy occurs in a chair, the faculty suggests, as a rule, the names of three men who, in its judgment, are suitable for the position. But the government is not bound to confine its choice to these names, and, as a matter of fact, they are not infrequently disregarded in that neither the faculty's first choice, nor, indeed, any one of the men suggested receives the appointment. And for the first appointment to a newly created chair the faculty's right to make nominations is, generally, not recognized at all.¹

¹ According to a report in the *Nordd. Allgem. Zeitung*, December 5, 1901, 311 appointments were made in the theological faculty between 1817 and 1900, 209 upon the recommendation of the faculty and 102

This procedure, which developed quite uniformly in the course of the nineteenth century, though with many individual peculiarities—during the eighteenth century there were greater variety and arbitrariness: in some cases the corporation filled the vacancies itself and the government formally ratified the action, in others professors were appointed without so much as consultation with the faculty—has frequently become the object of bitter criticism and complaints. Failure to consider their recommendations is felt by the faculties as a scarcely endurable disregard of their judgment or sense of duty, and is usually attributed to political influences or personal favor. On the other hand, the professors have frequently been reproached with the fact that their recommendations are not always determined by the candidate's ability, but by all kinds of personal considerations, and family and university connections. It is charged that flattery and obsequiousness, intrigue and kitchen-politics find a wide field here.

The charges against the faculties, so far as I can judge, emanate largely from those who have been disappointed, and must, therefore, be received with caution as tinged with personal bias. Naturally, mistakes and human weaknesses play their part in the recommendations; it sometimes happens that the real interests of the case are crossed by personal interests and considerations; likes and dislikes, due to general and personal causes, also influence the judgment. Where in the world would it be possible to rule out such things altogether? On the whole, however, in my opinion, the faculties may well claim that they are impartial and conscientious in their recommendations. One may as well accept the fact once for all that it is impossible to escape slander whenever the judgment of individual merit is followed by practical consequences.

without or against the recommendation; 432 in the juridical, 346 upon recommendation, 86 without or contrary to such recommendation; 612 in the medical, 478 upon recommendation; 134 without or contrary to it. For the years after 1882 the figures are: in the theological faculty, upon recommendation 82, without or contrary 38; in the juridical, upon recommendation 125, without or contrary 15; in the medical, upon recommendation 207, without or contrary 29.

There is a survey of the several procedures for the filling of professorships in Billroth's *Lehren und Lernen*, pp. 280 ff.

This is also largely true, so far as I can see, with regard to the occasional complaints of the faculties against the arbitrariness of the administration. Here too mistakes are made, which can, for the most part, be traced back to illegitimate political influences. But as a rule the German universities have no just cause for complaint. They cannot and do not wish to deny that the men who have had and still have charge of their administration, are governed by a conscientious concern for the welfare of the whole as well as by a kindly interest in individuals. And in reviewing the past they must themselves admit that the rejection of their nominations has not in every case been unjustifiable.

It may therefore be asserted that this method of appointing professors suits our conditions; for us there is probably none better suited to secure the end of putting the right man in the right place. Promotion by seniority, possible in other departments, although a very dangerous method of procedure everywhere, would certainly be a serious menace to the efficiency of the university, at least unless it were counteracted by a merciless elimination of the incompetent. The custom of canvassing for positions by submitting testimonials and opinions, both public and private, which prevails in the north, and in America, or even by competitive examinations and public trial-performances, such as tradition demands in the Latin countries, would surely not be the proper way to secure the recognition of ability under our conditions. On the contrary, the effect would be to exclude precisely the ablest from the competition. Nor would the dignity of the calling be increased by such methods. Candidating for vacancies would not be advisable even from this standpoint. To be sure, candidating occurs in Germany also; but it is certainly not an open and recognized system. One is ashamed to offer oneself as a candidate. And there are not wanting men who can adopt the statement made by W. II. Riehl, the historian of civilization, in his autobiography: "I have never in my life sued for anything except my wife's hand."

The results of the coöperation of faculty and government may now be described somewhat more definitely. The right of nomination by the faculties guarantees the scientific ability of the appointee. It prevents the development of a ministerial

absolutism, which, as things now are, would greatly increase the influence of the controlling political parties in the appointment of professors in certain departments, a privilege which, as every one knows, is coveted on every hand. The faculty's official advice is both a check upon the minister's own partisanship and a protection against the political pressure which is brought to bear upon him either by the court or the house of deputies. And in the case of the non-political professorships the influence of particular private advisers would increase, for the minister or his representative (*Referent*) could not, as a matter of course, form a personal judgment concerning all the departments, and would, therefore, have to seek the advice of some one whose judgment he could rely on, and this might lead to a kind of secret and irresponsible autocracy of the leader of a school. To be sure, such private counsel is not entirely excluded now, and it has its legitimate place; but the administration also listens to the judgment of others, of appointed and responsible counsellors. On the other hand, appointment by the government is a simple necessity. It is a right which belongs to it because the state establishes, and provides the funds for, the positions. But it is also the only practicable method. The appointment of professors by the faculty would certainly give the sects and coteries, the intriguers and "kitchen-politicians" a pernicious influence. To this must be added that the central administration alone is able to survey the entire university system of the land, to consider its needs and the available men at its disposal, and finally to have a due regard for personal relations and interests. The numerous faculties cannot conduct a central administration; even a particular faculty is scarcely qualified as an administrative body. The faculties should not forget this when the administration rejects their nominations. Nor should those forget it, on the other hand, who accuse the faculties of wholly overlooking efficient men in their nominations, thereby exposing them to ruin. The faculties, or rather a particular faculty, can only be held responsible for finding and nominating a suitable person, and not for the fact that all efficient men are not employed. It is the business of the administration carefully to guard against hardships in this connection.¹

¹ This paragraph was written before the bitter charges against the man who has for many years stood at the head of the Prussian univer-

5. *Salary and Honorarium.*¹ A professor's official stipend comes from two different sources: he draws a salary from the state and also receives compensation from attendants upon his private lectures. The most recent regulation in Prussia, dating from 1897, fixes the initial salary of an ordinary professor at 4000 marks (Berlin 4800), of an extraordinary professor at 2000 (Berlin 2400). These figures are increased five (at Berlin six) times, at intervals of four years, by the addition of 400 marks each time. There is, in addition, an extra allowance for domicile of 540-900 marks. The income from the *honorarium* or fee varies exceedingly, depending upon the subject taught, the attendance, and the number of lectures, as well as the personal drawing-power of the teacher; it fluctuates between a few hundred and many thousand marks. The large incomes from the honorarium are found especially in the large law and medical faculties, also in a few departments of the philosophical faculty. In order to give the reader a statistical basis for what follows, as well as to guard him against exaggerated statements, I supply a few data. During the session of 1894-95, 191 ordinary professors of the Prussian government received, each, as much as 1000 marks from the honorarium, 87 received as much as 2000, 74 as much as 4000, 59 as much as 6000, 27 as much as 8000, 14 as much as 10,000, 15 as much as 15,000, 7 as much as 20,000, and 4 more than 20,000.

Because this system, especially the honorarium, is the object of constant attacks, I shall deal with it in some detail. And because it cannot be properly understood without considering its historical beginning, and because, also, its origin is used to cast suspicion upon it, I shall first say something about the evolution of the system.

In the mediæval universities instruction was paid for by an honorarium. As a rule, however, the teachers in the higher faculties also held benefices and a number of the masters of arts had places in a *collegium*. With the advent of humanism

city system were published, which recently caused such an animated newspaper controversy. It has not caused me to change my opinion.

¹ Bornhak, *Die Rechtsverhältnisse der Hochschullehrer*, pp. 49 ff. L. Elster, *Die Gehälter der Universitätslehrer und die Vorlesungshonorare* (from Conrad's *Jahrbücher für Nationalökonomie*, 1897), gives the status before the reform in Prussia.

it frequently happened that the sovereign would secure, for a shorter or longer period, the services of a teacher, sometimes a foreigner, to give public lectures on the new arts in addition to the ordinary course offered by the faculty. During the sixteenth century, at the time when the curriculum was changed, when the humanistic branches were admitted, and the entire university system came under state control, salaried lecture-ships in all the faculties were systematically provided for, and the professor was expected to deliver, gratuitously, all the lectures necessary for the examinations, generally four times a week, in the faculty's *lectorium*. But in addition to this public and gratuitous instruction private instruction for a consideration continued to be customary, especially on the part of younger and unsalaried masters of the philosophical faculty. This was all the more necessary because the preparation of the scholars was very unequal and often very insufficient. But there was nothing to prevent the salaried professors from offering in addition to their public lectures, private instruction for a fee. Since the middle of the seventeenth century private instruction became more and more prominent, and that at the expense of the public lectures. With the depreciation in the value of money and the uncertainty of payments, the salaries proved wholly inadequate. The students, especially the jurists, who were constantly growing in numbers and represented the new aristocracy at the universities, looked upon private instruction as more respectable and effective. In the course of the eighteenth century the private lectures gradually came to be regarded by both sides as the really important part of the instruction; the new universities, Halle and especially Göttingen, led the way here also. But the public lectures continued to be obligatory. The private lectures were also characterized by the fact that they were always given in the professor's own house. The fixing and collection or remission of the honorarium was the individual's private affair.

In answer to certain malicious statements that the insatiable greed of the professors had surreptitiously increased the salary by the addition of fees in the eighteenth century, I add the following remarks. The development of the lecture system in the direction described was most intimately connected with the gen-

eral conditions, especially with the inadequacy of the appropriations. The University of Halle, during the eighteenth century by far the foremost and best attended of the Prussian universities, from its foundation up to 1787 drew not more than 7000 thalers annually from the public funds, Königsberg somewhat more than half of that sum, and Göttingen, somewhat more than double that sum from the very beginning. Out of these amounts the salaries of all the professors as well as the incidental expenses, which, however, were not very heavy, had to be met. It becomes at once apparent that the government could never have intended the professors to depend upon their salaries for their entire income. These were merely intended, as in the case of most of the other offices, as a fixed basis for a livelihood, which, it was assumed, would be supplemented by a further variable income from their work. The honorarium of the professors corresponded to the fees and perquisites of the officials. The theologians generally also received incomes from spiritual offices which, at that time, were still usually connected with professorships. The jurists derived incomes from opinions and probably also from judgeships, while the medical men engaged in practice. The philosophical faculty, on the contrary, had to depend almost entirely upon the honorarium from private lectures, while after it came the law faculty, which really had the students who were best able to pay.

And these private lectures were taken into account in the new organization of instruction. The old public lectures had consisted of continuous interpretations of canonical books. Each professor lectured about four times a week, and this constituted his entire teaching. The one public auditorium of the faculty served as a lecture-room which the different teachers used in turn. With the growth of the sciences and the successful introduction of the new system of instruction, and the systematic presentation of subjects in semester courses, it followed as a matter of course that the number of lectures should be largely increased, and that each professor should be expected to treat a number of subjects in private lectures in addition to his official public courses. Indeed, it was made his duty so to do by the supervising authorities. It is quite comprehensible that with such an arrangement the public lectures should have

gradually given way to the private ones requiring a fee. The wholly inadequate arrangements of the public auditoriums, about which bitter complaints were frequently made, for example, that they could not be heated and could, therefore, not be used during the severe winter months, contributed their share in making the professor's private auditorium the real place of his activity as a teacher.

One may, therefore, be allowed to say, without arguing for the ascetic unselfishness of the professors,—to be sure, specimens of the species financier have never been wanting among them—that the gradual transformation of public and gratuitous university instruction into private instruction for an honorarium was a process in which the interests of the students and the wishes of the supervising authorities, as well as the necessity of supplementing the salary of the professors by means of extra work on their part, each played its part. The entire process might be described in a single sentence: during the eighteenth century the cost for the improved academic instruction was shifted from the state (in the form of professors' salaries) to the students, or rather to their families: a process which certainly does not supply any occasion for moral indignation. The fact that the private lectures with their fees did more to arouse the zeal and diligence of both teachers and students than the traditional lectures, seems to have given the new system its final justification.

The nineteenth century received this system from its predecessor, and so improved upon it, that the private lectures now form the principal part of a professor's official duty. These lectures, like the public ones, are also held in the university buildings, and the collection of the honorarium is secured through an official bureau (the *Quästur*). The old public lecture courses, on the other hand, which, down to the eighteenth century, and in some few instances (for example at Königsberg), far into the nineteenth, treated some fundamental subjects about four times a week, have been changed into the so-called *publica*, in which it is customary to present subjects of general interest to a larger circle of hearers once or twice a week. In addition, there are the seminars, which are always given gratuitously, whereas formerly the *privatissima* were well paid,—an

important substitute for what has been given up; there is certainly no ground for the assumption that the expenditure of time and strength now necessary for conducting these exercises is less than what was formerly required for four hours of text-interpretation.

In this way there arose the system of double remuneration in university instruction, which is so offensive to many at present. That, besides, the honorarium is not overlooked in the fixing of salaries, may be inferred *a priori* from the dutiful spirit of economy animating the ministry of finance, but it is also plainly enough evident from the figures themselves. In 1896, prior to the new salary regulations, 96 out of 492 full professors in Prussia received a salary amounting to 4000 marks, 217 received 5800, 101 6700, and the remaining 78 more than the last figure.¹ It can be seen that without the addition of the honorarium the income of the professors, compared with what can be earned by physicians or in the civil service, or even by technically trained employees in industrial and commercial concerns, would be altogether inadequate. And even with the honorarium the average income may be described as modest. We should not allow the fact that a few men draw great prizes in the academic career in the form of salaries, fees, and additional incomes, to deceive us in this matter.

Against this arrangement, which certainly has never been without opponents, a literary storm arose a few years ago. It came at a time when efforts were making to secure certain changes in the Austrian and Prussian university administrations. The lecture honorarium was characterized as a public scandal: for the same service, it was said, the professor first draws a salary as an official, and then also an honorarium as a private teacher; and finally, to cap the climax, the requirements for the examinations compel the student, if not to hear the lectures, at least to pay the honorarium for them. On the other hand, the unsalaried private docent is really compelled to lecture gratuitously, for even though the student should prefer his courses, he would not care to pay a double honorarium. Hence—the critics argued—this system, with the amazing inequality in salaries for which it is responsible, is the very acme of social

¹ W. Lexis in the *Akadem. Revue*, January, 1897.

injustice and perverse order. Its cause, however, is the avarice of the professors, who have succeeded in doing away with the public lectures, to which they are obligated by their salaries, and to substitute the private ones in their stead.¹

I am not blind to the defects of the present system. There has been and is an inequality of income among the academic teachers which does not occur in any other organized public calling. It is an inequality, moreover, which is not always grounded on a difference in productive and teaching capacity, and for that reason if for no other is bitterly resented, not only openly, but secretly. Nor can it be denied that the system has a tendency to increase the sordid desire for money-making, that it now and then offers a temptation to abuse the position of examiner to this end, and that it also affects the discussions concerning necessary reforms in the organization of instruction, and even plays a part in the matter of appointments. Nor do I care to dispute the assertion that the multiplication of official perquisites supplies an income in a few instances

¹ *Die akademische Laufbahn und ihre ökonomische Regelung*, 1895. In this, at first anonymously published, article by a Berlin professor (G. Runze), the prevailing system is attacked by the skillful use of particular facts and with persuasive eloquence, and its abolition by the political authorities demanded. The author of this article is seconded by E. Horn in a historical account, *Kolleg und Honorar*, Munich, 1897, concerning which I have made some statements in the *Preuss. Jahrb.* (January, 1897). A characteristic feature of these, as of other articles on university reforms—and the case could be still further generalized—is that existing arrangements are pictured in dark colors, while, on the other hand, the conditions to be brought about by the reforms are painted in the brightest colors. When the present conditions are referred to the professors are made to appear as imperious and greedy individuals who arbitrarily use their power to increase their sources of income and to shut other persons out. Just as soon as the *honorarium* is controlled by the state, it is supposed that an incorruptible idealism will spring up in the same individuals: from purest sense of duty and consecration to the cause they will live wholly for science and the education of the youth. In the same way, according to the social-democratic doctrine, as soon as private property is abolished all men will be transformed into virtuous and peaceful comrades, striving only for the general good. It is the universal weakness of idealists to suspend the causes that work in opposition to their system. If only nature would be agreeable!

which far transcends even the most ample requirements of a scholar.

Notwithstanding all this I am fully convinced of the wisdom of the system of the private honorarium in academic instruction. And it is my opinion that the Prussian university administration deserves commendation for refusing to follow Austria's example in the governmental control of the honorarium. In 1896, in spite of strong opposition in university circles, the Austrian ministry of education did away with the honorarium (which, however, was not historically so well established there as in North Germany) and substituted for it the payment of salaries from the university funds, compensating the professors for the difference by an increase in salaries. The Prussian government did not follow this example, although some expected it to do so. After a careful consideration of all the circumstances it concluded to keep its reform within modest bounds. The law of 1897 made two changes that belong together: the introduction of the system of periodically increasing salaries according to length of service, and the division of the honorarium whenever it reaches a certain figure. When the honorarium goes beyond 3000 marks (in Berlin 4500) one-half of it belongs to the government, as a partial recompense for the increased expenditure for salaries.

In my opinion, both innovations deserve approval. Certainly the first: because by the system of a fixed initial salary and the periodical increase (figures are given on page 87) the academic teacher has become more independent in every respect. The old system of fixing the salary by individual agreement made the professor dependent for this salary and an increase upon the good-will of the administration and his own ability to enhance his value by a recital of his gifts, the urgency of his suit, or by securing calls from other institutions. Under such a system, those whom nature had not endowed with the *donum impudentiae* would necessarily get the worst of the bargain. That such persons fare better under the new system must be regarded as a gain, and it is a further gain that the bargaining over the terms of appointment will tend to become less frequent, and that the desire for calls and perhaps also for changing from university to university will gradually disappear.

But the second innovation also, the cutting down of the large honorariums, seems to me to be commendable. If it makes the achievement of a millionaire's income somewhat more difficult for the university teacher, I do not consider that as, in any wise, a misfortune. A millionaire's income is not an advantage to a professor either in his relations with the students or in his relations with his more modestly situated colleagues. It is even doubtful whether such an income is a personal blessing to the possessor himself.

On the other hand, however, the university administration deserves commendation for not yielding to the pressure for the abolishment of the honorarium, and for continuing the old system of "double payment." I confess that I am so far from considering this system as an insupportable abuse that I rather look upon the combination of a fixed salary with a variable income depending upon the amount and quality of the work done, as an ideal system for the payment of state officials. Formerly, as is well known, this system prevailed widely: the clergyman, the teacher, and the civil official received, on the one hand, a fixed salary, and on the other, an income in the form of fees, tuition, voluntary offerings *in kind*, and similar "emoluments," dependent upon the extent of their own activities. The salary offered a modest but assured support, while the variable income, which could be increased by activity and grew with the amount of work done, on the one hand supplied the man of greater energy and greater needs with the possibility of satisfying them, and, on the other, offered a not altogether superfluous counterweight against the danger of laziness and routine, habits easily contracted when the income is a fixed sum entirely independent of the work accomplished.

It is true, this system has disappeared, with the exception of some insignificant survivals. It became impossible in proportion as the state became bureaucratic. The danger that the service rendered or the decision pronounced might depend upon the amount of the fee, even the danger of the mere suspicion of such a thing, made it impossible. The salary system also seemed to be more commensurate with the dignity of office. Hence the honorarium is, to be sure, a survival of a

disappearing system. For the equality fanatic this is in itself a sufficient cause for its removal.

I will enumerate the reasons which influence me to demand its retention. The task does not seem to me to be superfluous, in spite of the fact that it has frequently been undertaken by celebrated men, of whom I mention A. Smith, Victor Cousin, Dubois-Reymond, L. von Stein, and Billroth. A clear understanding of these matters is not so common that a continued assault upon this not wholly unimportant part of our old German university system might not prove successful in the end. Let me add that the great majority of professors are in favor of the retention of the system and by no means only those who are blessed with opulent honorariums. With the majority, indeed, self-interest would generally argue against rather than for the system, for a uniform increase in the salaries of all the positions would mean for most of them an increase of income. And even those whose income in fees exceeds the average, would scarcely be personally interested in the preservation of the system, in view of the fact that vested rights would hardly be arbitrarily set aside. Nor are the financial interests of the students involved in the discussion: there seems at present to be less inclination than ever to remit the dues for instruction. It would, therefore, solely be a question as to whether what now goes to the professors in fees should go into the state treasury, either as payment for single lecture courses, as in Austria, or in the form of quarterly dues, as in France, where the law student pays 1,130 francs in matriculation and examination fees during his three years' course.

The reasons which, in my judgment, demand the retention of our traditional system, are the following:

1. To carry out the salary system absolutely would result in making more prominent than ever the official character of the professor in his relation both to the state and the student. The payment of the honorarium by the student to the teacher selected by him contributes in preserving that free and personal relation between them upon which it was originally solely based. It is certainly worthy of note that among the French professors the objection was expressed against the introduction of the German system that it would lower the dignity of the office.

On the other hand, the dependence of the university teacher upon the administration would be increased. At present he is not dependent upon its good-will for at least a portion of his income, and on that very account more independent in accepting or declining a change of position.

2. The accentuation of the professor's official character would, in connection with the increase of salary, lead to a more precise definition of his official duties, as for example, by fixing a minimum of lecture hours. And with the determination and increase of his official duties there would come a corresponding necessity for their supervision. The checking of the natural inclination to reduce the amount of official work as much as possible, which is now brought about by the diminution of the professor's income in fees in case he neglects his lectures or offers fewer courses, would, without such a diminution of income, have to be accomplished by supervision. We have no reason to expect that the accentuation of the official character of the professor's position would increase his zeal in the performance of his duties. The usual laziness of officialdom rather argues for the contrary. I would also like to remind the reader that, with the introduction of the salary system and the obligatory public lectures during the sixteenth century, the fixing of penalties also regularly occurs in the statutes, such as reduction of salary for every hour lost without a sufficient excuse, although, as may easily be seen from inspection-reports and also from lecture notes that have come down to us, this did not by any means prevent the frequent omission of lectures.

3. And with this weakening of external freedom there would also come about a tendency to diminish the internal freedom; the supervising authorities, beginning with the control of the number of hours devoted to duty, would endeavor to extend their control over the content and form of the instruction also. With the system which makes the professors nothing but state officials there would come prescribed courses and examinations, as in the French faculties. The development of our *gymnasias* reveals the fact that the establishment of the system of state supervision during the nineteenth century brought with it the regulation of the content and form of all instruction, giving directions even concerning the spirit and sentiment, which it

ought to awaken. This was not done intentionally or even with the consent of any one in particular. The bureaucratic system's tendency to expand works automatically. It would also assert itself in the universities. The controlling political parties, either in parliament or at court, would assert their influence in the same direction. Their demand is "correctness of opinion." For are not the professors paid by the "people" and appointed by the king? Then they ought to teach that which is agreeable to the people and pleasing to the king. To quote the bitter words of P. de Lagarde, it is in harmony with the party idea that employees, like maggots, should assume the color of the fruit on which they feed.

4. The old, specifically German system of private docents would also disappear. Side by side with salaried officials who lecture gratuitously there would be no room for independent teachers who teach the same branches for a fee. In the place of the private docents we would have assistants, substitutes, and other teachers commissioned to give courses. And then there would be a tendency among the professors to turn over the instruction to these in the form of paid courses; the desire to retain the dignities and perquisites of office, but to shift the duties upon "vicars" has always appeared under similar circumstances. And this inclination, again, would have to be guarded against by supervision.

5. Nor would the student's freedom remain undisturbed. Instruction imparted by supervised state officials presupposes or would result in supervision of the students also. Attendance upon the lectures is a matter of choice, because it is looked upon as a private affair, and the honorarium, at least in theory, is supposed to be a sufficient external incentive to the student to take the courses for which he has paid. And the tendency is, doubtless, in this direction. A person does not like to be deprived of that for which he has paid, even though he has not a very lively sense of its value at the time. A general fee would certainly not have this effect in like measure. Of course, it is possible that such a fee, offering free admission to all the lectures, would have the effect of inducing particular individuals to visit as many "interesting" courses as possible until an all too copious gratification would end in aversion and disgust.

And all this would, in turn, lead to an effort to check the evil. The attempt would be made to develop in the student stability and definiteness of purpose by means of fixed courses of study, and this would meet with the approval of professors transformed into teaching officials.

6. The relation of the professor to his hearers would suffer a material change. Objectively this relation now rests upon the fact that the student selects his own teacher and offers him a return for his instruction. This is plainly the case with the private docents. But it is true, also, of the salaried professor, and is so interpreted by him, for he, likewise, has to do with students who, by choice and payment, place him under personal obligation; he does not instruct them merely as an official duty. This feeling of personal obligation acts otherwise than the mere sense of official duty. It is especially well known to the better class of professors: they are keenly mortified when students, who have paid for their lectures, remain away from them and thus seem to reject the return as of inferior value. With the abolishment of the honorarium this feeling to do one's best to hold the students, probably the strongest of the external incentives, would without doubt lose some of its keenness; officials do not usually regard it as a cause for sorrow when there is little public demand for their services. These are intangible things; but a disregard of them is avenged in moral relations even more certainly than in political. Therefore, whoever does not wish all these things to happen, whoever is unwilling to make the professorship a mere office by divesting it of what it still retains of an independent calling, whoever is not ready to rob the relation now existing between teacher and student of the character of free choice and mutual return which it has succeeded in preserving, and to transform it into a purely official relation, will not be in favor of absolutely abolishing the fee system.

The results just described would not at once become apparent; the old traditions would continue to exert an influence for some time, but these results would be inevitable. Hence: *nolumus legem terrae mutari*.

I add, in conclusion, that the Prussian university administration is fully justified, on the other hand, in its determination to check the unreasonable increase of the honorarium by

fixing a scale, as well as in retaining a part of the large honorariums in order to equalize incomes. It is no less the right and duty of the administration to see to it, in making up the examination commissions, that the students secure the greatest possible freedom in the selection of their professors; an absolute guarantee against the abuse of the position cannot, in the nature of the case, be given. I am, moreover, of the opinion, that very extravagant notions prevail, often even among students, with respect to this whole subject. On the whole it is generally true that whoever decides to be independent and has the courage to be so, will be independent. J. E. Erdmann's words also apply here: "A professor who passes a man just because he has been his student, and a student who attends a professor's lectures only in order to pass, have no cause to reproach each other. They are *par nobile fratrum*. If in earlier times it really happened that a person, in order to secure a pastorate, married a count's mistress, he certainly had no right, in my opinion, to chide the count's baseness." (*Akad. Leben und Stud.*, page 197.)

To remove abuses and excrescences is to conserve that which is healthy. This is true in this instance. To cleanse the system of its odious effects tends to its perpetuation. In this spirit the system of delaying payment (*Stundung*) ought also to be handled. Recent enactments have sought to mitigate the difficulties that grow out of it. It seems to me that the proper thing to do would be to abolish the system entirely. It is intended as a help to the indigent student, but its real effect is to burden the first and hard years of his struggle for independence. The collection of the debt, which often grows to quite unnecessary proportions, because of youthful indiscretion, and which not infrequently requires the assistance of the courts and the police, is the cause of much trouble and bitterness. It is a fact, often observed, that those who enjoy the remission of the honorarium, are less careful in their choice of lectures and less faithful in their attendance upon them, than those who pay. In my judgment the system of remitting either half or the whole of the honorarium, according to circumstances, as it prevails in Bavaria, is to be preferred. The abuse or excessive use of the privilege could be prevented, on the one hand, by an examina-

tion by the dean, and on the other, if needful, by a restriction of the number of courses. By this means the remission of the honorarium would assume the form of an academic benefice based on the recipient's scholastic achievements.

6. *Titles and Decorations.* I add a few observations at this point concerning those external honors and distinctions with which the universities are at present so richly provided. Originally confined to political and military circles, the decorations, titles, and patents of nobility began to invade the academic world in the eighteenth century and have multiplied to such an alarming extent during the nineteenth that they are almost in danger of losing their distinction.

I confess my belief in the view that it would not have been a loss to the universities if these distinctions had been confined to their original sphere. In the diplomatic, political, and military world they have their meaning; they serve, if not to reward, at least to recognize distinguished service to the state or government in a suitable manner. In the learned world, and perhaps this is true, also, of the church and the bench, opportunities for meritorious service are lacking that can be suitably recognized in this way. Merit with regard to the state, political or military merit, is not acquired in this field. The service rendered consists in preserving and increasing intellectual goods, and, although this has great value for the welfare and honor of a nation, it is not a direct service to the state any more than distinguished achievement in art and poetry.

Or is it, perhaps, the purpose of these distinctions to encourage professors to achieve political merit also? In that case the question would arise whether such a thing was compatible with their real vocation. In my judgment this question cannot be answered in the affirmative. If the problem is to acquire the freest and most impartial knowledge of the truth and to lead others in the same direction, then, it seems to me, there can be no doubt that participation in politics and deferent regard for the views which the political powers happen to consider allowable or necessary, will not enhance, but rather diminish and divert the professor's capacity to realize this end. Even though the services of scholars who possess the public esteem,

may occasionally be desired by the political powers, it will be better for the academic world and the ideal peculiar to it if they be not rendered.

But, it will be said, these distinctions are not intended as a recognition of political services, but rather as a recognition of scientific achievements. As such they tend to bring the value of these things to the attention of the laymen who otherwise would not hear of them at all. They give science a recognized rank by placing its representatives among the dignitaries of the state.

Let us grant the good intention, although one may perhaps say of the state, what is said of the devil, that it does nothing for nothing. Let us assume that these distinctions are given entirely according to the degree of merit acquired by academic service and for the purpose of bringing the great value of this service to the whole world's notice; is that purpose achieved? I fear the contrary is the case. If intellectual achievement is measured by the same standard with which military and political services are measured, it will necessarily be looked upon as of less value than these, for the honors falling to the scholar will, as compared with those conferred upon the holders of military and political offices, always be meagre, and justly so, for political and military services are always of much more immediate importance to the state. Hence it would be better for the reputation of the learned world if it refused to engage in a competition in which it is bound to get the worst of the bargain. What are the titles and orders worth that can be obtained in an intellectual career, compared with those which tempt the political and military world? How can the scholars with their half dozen "Excellencies" compete with the hundreds and thousands of political and military Excellencies? The importance of the calling, measured in this way, will seem far inferior to that of the other classes, just as in the case of the gymnasial teachers, in spite of all the attempts that have recently been made to raise their profession to a higher rank. Or has its reputation risen since the bestowal of the order of "councilor of the fourth class"? It seems to me the calling stood higher when it made no pretensions to titles, but held the esteem of the world of scholars. The distance separating

it from other classes is simply brought to light by its entrance among the titled orders.

And the remark of old Michaelis of Göttingen is still to the point.¹ "The individual professor doubtless profits from his titles; but does not the university, on the whole, sustain a loss? As a matter of fact, it seems to lend more dignity to an institution when the position itself determines the social rank of a professor than when his standing depends on titles. The military class, the source and standard of all rank, does not accept titles from other classes." He also adds these misgivings: "The distinctions created between professors by the bestowal of titles not infrequently constitute a cause for discontent."

Nor does his colleague, the witty Lichtenberg, seem to have a high opinion of the custom, or to expect an improvement in the dignity of human personality by such means; he ventures the almost slanderous remark: "The man *sans la lettre* was better before the title had been tacked on to him."

However, neither Lichtenberg nor Michaelis escaped the fate of becoming a *Hofrat*. If I am not mistaken, the whole system began at Göttingen; the *Hofrat* is indigenous to the modern court-university. At the Prussian universities, apart from a few "*Geheimbe Räte*" in the law faculty at Halle (where, however, the thing had some meaning: the state really needed them, if not as political advisers, at least to draw up professional opinions) and some exceptions in the philosophical faculty, which prove the rule, the "*Geheimrat*" did not become common until the last generation, his appearance being connected with the development of the laboratory system. The title has now become so common that the philosophical faculties are frequently veritable boards of "privy councilors." The professors at Strassburg have refused to countenance this metamorphosis, without injury, I am sure, to their dignity and independence.

Should these remarks give offense to any one, I suggest that he derive his satisfaction from the popular parable of the fox and the sour grapes. As for the rest, I have no fear that my remarks will do any harm: governments will not be wanting

¹ *Räsonnement von den protestantischen Universitäten*, ii., 408.

in future which are ready to offer such rewards for services performed nor will there be a dearth of hands stretched out to receive them.

7. *The Legal Status of the Private Docents.*¹ The private docent is a scholar to whom the faculty has extended the privilege of teaching, but who is not a member of the official teaching body, and is under no official obligation to teach. In a certain sense he is a living survival of the original form of the university, in which the faculties, as autonomous teaching-corporations, perpetuated themselves. The bestowal of the *venia legendi* signifies admission into the teaching body of scholars, but not into the state's official corps of instructors. The peculiar dual character of the German university as a state institution and a corporation here becomes most apparent. "Habilitation" does not confer upon the private docent any kind of office or official character; if he does not wish to lecture, his right to do so is merely held in abeyance but is not extinguished, and if, for two successive semesters he does not respond to the invitation to announce his courses, his name is omitted from the announcement of lecturers.²

Otherwise he is on an equality with the professors as a teacher. He has the use of the university buildings and laboratories; his lectures and exercises are announced in the catalogue,

¹ Bornhak, *Rechtsverhältnisse*, pp. 61 ff. Daude, *Die Rechtsverhältnisse der Privatdocenten*, Berlin, 1896, gives a comparison of the laws in force at all the universities of German tongue. I mention also the opinion of Hinschius in the *Zentralblatt für die preussische Unterrichtsverwaltung*, November, 1897, with which compare J. Jastrow, *Die Stellung der Privatdocenten*, 1897, and an article of mine on *Die deutschen Universitäten und die Privatdocenten* in the *Preuss. Jahrbücher*, November, 1897.

² So with variations at the Prussian universities. Other conditions obtain in Catholic countries, where the private docent was not originally at home. In Bavaria permission to teach is given by the ruler, the private docent must take a kind of oath of office, is required to give at least one course of lectures and can be removed at will by the ruler. In Austria the faculty's action needs the approval of the Ministry of Education, which also reserves the right of examining for itself the scientific qualifications of the candidate, and repudiates the faculty's vote if it sees fit, a procedure which in theory amounts to the repudiation of the faculties themselves. Particulars in Daude.

and are, in case the student is formally enrolled in the course, accepted as regular work. The student is under no obligation whatever to attend the lectures of the salaried professors. The faculty, however, is not permitted to take account of the private docent's activity, in making provision for the courses. The official teaching corps is supposed to be complete without the private docents. This arrangement prevents the employment of cheap talent on the part of an economical administration.

At the Prussian universities the conditions for "habilitation" are printed or written scientific treatises and two lectures, one of which must be held before the faculty and is followed by a *colloquium*, and the other a public one before the students. The emphasis is laid on the treatises which are submitted by the candidate; his ability as a speaker is not taken into consideration at all. Scientific ability is thus declared to be the chief requisite for an academic career: a body of scholars examines the scholarship of the candidate. I shall have occasion to return to the significance of this system for the German universities. At this point I wish to add a few remarks concerning its historical development.

As shown above, the conferring of academic degrees originally carried with it the right to teach, *licentia docendi*, theoretically in all universities, *hic et ubique terrarum*. In reality, however, this right of free movement was scarcely recognized at any time; as a rule, besides the necessary monetary considerations for the nostrification of diplomas, at least one disputation was most likely held before the assembled faculty by way of introduction and as a test of efficiency. So far as I can see, it was a general requirement during the eighteenth century, even for one who wished to become a *magister legens* in the faculty which had given him his degree, to "habilitate" himself, that is to say, to demonstrate his "habilitation" or fitness by one or more disputations on printed treatises. The practice was connected, on the one hand, with the demand for a higher grade of university instruction, and, on the other, probably also with the lowering of the requirements for degrees, which resulted from the increased demand for them, especially in the faculties of law, medicine, and finally also of philosophy. The sarcastic maxim, by the way: *Sumimus pecuniam et mit-*

timus asinum in patriam, most likely dates back to the Middle Ages. To the requirement of the disputations, which was repeated upon promotion to a professorship, we owe, among other things, a number of Latin dissertations by young Kant. As the disputations became obsolete in the nineteenth century, the requirements for the dissertations were raised. The demand that a longer interval ensue between graduation and "habilitation" must be looked upon as favoring quiet intellectual concentration on the part of the habilitant himself. From this standpoint we can estimate the value of the assertion recently brought forward that the requirements for habilitation have been constantly raised by the professors, who have acquired absolute control during the nineteenth century, in order to shut out the competition of younger men.¹

I shall also touch upon the disciplinary regulations affecting private docents which, a few years ago, threw the political world into a state of turmoil. The law of June 17, 1898, has brought them under central control, whereas formerly they were differently defined by the statutes of the individual faculties. As a rule, a faculty had the oversight of and the right to discipline its private docents. The new law gives the minister of education equal authority with the faculty in imposing penalties (reprimand and warning). The withdrawal of the *venia legendi*, however, makes necessary a formal disciplinary process, the faculty acting as the trial court, and the ministry as a court of appeals.

The law, known as the *lex Arons*, was occasioned by the case of a private docent of physics at the University of Berlin, who became a convert to the social-democratic party and engaged in public agitation in its behalf. The faculty did not regard this as incompatible with the character of a private docent, though it did not hesitate to impose penalties for excesses in agitation. The ministry, however, was of the opinion that public avowal of social-democratic principles naturally carried with it the withdrawal of the *venia legendi*. In order to gain this end the above-named law was passed, upon the strength

¹ E. Horn. *Zur Geschichte der Privatdocenten*. In *Mitteilungen der Gesellschaft für deutsche Erziehungs- und Schulgeschichte*, edited by K. Kehrbach, vol. xi, 1901, pp. 26 ff.

of which Dr. Arons was deprived of the *venia* by ministerial decree, after the faculty had again decided to the contrary as the court of the first instance. Whether the danger arising to the state or public order from Dr. Arons's championship of social-democratic ideas was urgent enough to necessitate such far-reaching political action, may be left undecided. Likewise, whether future events will justify the assertion that this law increases the legal security of the private docent against injustice on the part of the faculties. In the meanwhile we can add this assertion to the chapter on political hypocrisy, which, though it cannot be entirely dispensed with as things go in this world, ought to be employed only as a last resort and with modesty, if for no other reason than to save it from wear and tear.

During the last century the standing and importance of the private docent as a member of the teaching corps have been lowered, in fact, though not in law. The old *magistri legentes* formed, in addition to the salaried professors, essentially an independent, unofficial part of the teaching force; there was nothing to prevent a capable man from acquiring a considerable sphere of influence and a living income, as was the case with Kant, who taught as a private docent until he was forty-six years of age, without becoming dissatisfied with his position. According to the degree in which the official character of the professorship was accentuated and the examination and seminar systems were developed, the teaching activity of the private docents lost in significance and extent. As a general thing the private docent of to-day, unlike the old *magister legens*, looks forward to a professorship; for the individual the position of private docent is a stepping stone to a salaried professorship, and for the universities it is a training school for professors. Of course, it still happens that older men "habilitate" themselves without having a professorship in view, and merely in order to give free scope to their desire to teach; and it happens, likewise, that scholars who for some reason or other do not reach the professorship for many years, exercise a not always insignificant influence as private docents. And it even happens that a professor who has been deprived of his official position again takes up the business of teaching as a private docent: a

refuge of freedom not without all value. But, in general, the position of private docent is a stepping-stone to the professorship.

But this fact has no legal basis, as every private docent is given to understand at his "habilitation." Unlike all other officially organized callings, it does not follow that every man who puts himself in line and measures up to the general requirements will be promoted in his turn, for the principle of priority is not enforced. To this is due the uncertainty and precariousness of an academic career. Promotion to a professorship depends, in the main, upon the call of a faculty or upon a recommendation for the position of *extraordinarius*. It may happen, therefore, that a thoroughly competent scholar, one who is also a thoroughly competent teacher, is passed over and neglected for a less competent person, either because he is unpopular with those on whom he depends for promotion, or merely because he does not possess the shrewdness or the talent to supply himself with the necessary recommendations and influence. And the result will be a long, hard struggle, with privations and an overplus of work, leading at last to the destruction of health and strength, to unhappiness and ruin.

Is it possible to secure the academic career against such failure, can we make the promotions as regular as in other offices? Something similar to the principle of priority has been suggested: after a regular and fixed period of teaching activity, especially as a public lecturer, there should be promotion, first, to the position of unsalaried *extraordinarius*, with the right of succession, in the next place, to that of a salaried *extraordinarius*. This is the view of the author of the treatise on the academic career referred to above (page 92). Such a system, however, would be open to the gravest objections. To make the initial promotion dependent upon applause, as it used to be said at Göttingen, and that, too, upon applause in public lectures, would not only be giving too much consideration to the judgment of the students, but might also occasionally tempt to all sorts of daring candidating.

Indeed, it may be said, the essential thing here is not the performance of professional duties which any man of mediocre capacity can undertake after a little schooling, but independent

productive power, which can only—but of course not always and absolutely—be measured by the candidate's scientific achievements, whose value must be judged by colleagues in his own field of work. In such a profession, as in other independent professions, it is impossible to assure everyone promotion who follows the normal routine. In the very nature of the case the risk is greater here, and it cannot and ought not to be removed. It can, however, be lessened, and that is the business of the administration.

Competent men who have been successful as teachers, but who are unjustly kept back in the academic competition, might be provided with salaried positions as extraordinary professors or they might receive some temporary form of remuneration. Or they might receive some recompense for public lectures, as suggested by the author of the above-named treatise, although the general application of this plan would be open to serious objections. But the risk cannot be wholly removed: the system of acquiring a professorship by prescription, the application of the principle of seniority of service, would mean the destruction of the university as a scientific institution.

For this reason it is particularly essential that the individual should have a clear appreciation of the situation, that he should not conceal from himself the uncertainty of the career, and that he should not enter upon it without something to fall back upon. He should above all, by taking some examination, keep the way open for entering some other calling in case he does not succeed in the academic career. Theologians, jurists, and the medical men regularly do this. The practice is not so common, however, in the philosophical faculty, hence old and disappointed private docents are the most numerous here. The new regulations of 1890 concerning practical training make it more difficult than ever to go over into the secondary schools. But, by way of compensation, positions in other callings have increased, as, for example, in the administration of libraries and archives. The newly created posts for "scientific officials" at the Berlin Academy are also suited to furnish competent scholars who have not been successful as teachers with appropriate positions. It may also be assumed that the demand for more elementary instruction for beginners

will increase; the differences in preparatory training will frequently emphasize the need of private instruction in one field or another, either in the languages or in mathematics.

The essential thing, however, will always be not to deceive oneself concerning one's inherent fitness for the academic career. That persons not infrequently deceive themselves in this respect, is doubtless true; our university system itself is in a way responsible for it. The student hears constant criticisms and is himself urged to criticize: why should not the thought suggest itself to him that he may be called upon to enrich the field of knowledge with better theories? In case he finds admiring comrades, and a teacher who is not niggardly in recognizing his "pupil," it will not be surprising if he begins to feel that he ought not to allow his genius to wither away in the dull monotony of official routine. And when he has "habilitated" himself, and feels proud of being a promising private docent, and has received the homage which is always forthcoming, and then does not obtain the expected recognition and promotion, he naturally finds it hard to discover the cause in his own inefficiency. Then follow charges against the system and against the men who are responsible for the fact that such gifts as his own are allowed to rust out unused. The only safeguard against such disappointments is earnest self-examination, an examination into all the conditions, even into one's subjective attitude toward science itself. Before any one decides to enter the academic career, he should first thoroughly convince himself that intellectual work is an inner need and a need so vital that its satisfaction would compensate him for any lack in salary and rank. From this point of view the private docentship would afford the young scholar an opportunity to live the life of a scholar, without official duties, and also, of course, without any of the rights and privileges of office, to devote himself wholly to science and to impart his knowledge to younger men as inclination and opportunity dictate. All of which implies, further, that whatever tends to make an official of the private docent, either with regard to position and salary or discipline, is contrary to the purpose of the system. The less he depends on the state, the more nearly will the ideal be realized.

From this point of view certain changes ought also to be considered which are beginning to take place in the position of the private docent. They are due to the establishment of stipends for private docents and to the union of the office with the assistantship. In 1875 a fund was created both in Austria and Prussia (40,000 florins in Austria and 54,000 marks in Prussia), for the support of indigent young scholars who have either already entered the academic career or have decided to do so, and whose previous work gives promise of success. The purpose is not to introduce a kind of remuneration for the private docents; by no manner of means, it is held; the object is not to assist old, unsuccessful, and needy private docents, but rather to enable young and promising doctors or docents to enter upon and continue in a career which they would otherwise have to renounce. The enjoyment of the stipend is, therefore, limited to four years. The purpose aimed at in this arrangement is to make entrance upon the academic career somewhat more independent of wealth than has been the case. But one of the results not aimed at will be to increase the private docent's dependence upon the professors: the recommendation for the stipend will regularly proceed from the professor in the candidate's department, and it is natural and inevitable, that the professor should, first of all, suggest young men whom he knows and esteems as his pupils; and it is equally natural and inevitable that docents should be retained who have been encouraged by stipends to enter the academic career, except in extreme instances. This undoubtedly will make it more difficult for those outside of the universities to enter the academic career.

And the system of assistantships in the departments of medicine and the natural sciences will have the same results. Only persons who, as professors' assistants, have access to the facilities of a laboratory can hope to obtain the position of docents.

CHAPTER II

THE RELATION OF THE UNIVERSITIES TO SOCIETY

1. *The Origin of the Universities in Social Necessities.* All public institutions of learning are called into existence by social needs, and first of all by technical-practical necessities. Theoretical interests may lead to the founding of private associations, such as the Greek philosophers' schools; public schools owe their origin to the social need for professional training. Thus during the Middle Ages the first schools were called into being by the need of professional training for ecclesiastics, the first learned profession, and a calling whose importance seemed to demand such training. Essentially the same necessity called into being the universities of the Parisian type with their artistic and theological faculties. The two other types of professional schools, the law school and the medical school, which were first developed in Italy, then united with the former. The universities therefore originated as a union of "technical" schools for ecclesiastics, jurists, and physicians, to which divisions the faculty of arts was related as a general preparatory school until, during the nineteenth century, it also assumed something of the character of a professional institution for the training of teachers for the secondary schools.

To these "learned" vocations of the old order the century just closed, under the influence of the social-industrial evolution, has added a number of new ones, which call for university training. First of all, there are the "technical" callings in the narrower sense, such as engineering, architecture, chemistry (as the technical preparation for industrial chemistry), mining, and forestry. But even the pursuits of the agriculturist, merchant, and soldier in our day depend upon such varied scientific principles that technical training seems to be indispensable.

The numerous new forms of the university which now exist side by side with the old universities have all sprung from these new social needs. We thus have schools of technology, agriculture, and forestry, veterinary schools, academies of art, military academies, and schools of commerce. They can merely be mentioned here, but they must at least be mentioned in order to show how the conception of "academic education" has grown in our days. I wish merely to add a word concerning the technical universities, the best among these new higher institutions, which are growing more like the universities both in organization and curriculum.

At present there are nine schools of technology in the German Empire, all of them founded during the nineteenth century, most of them in the capitals of the different states: Berlin-Charlottenburg, Hanover, Aachen, Brunswick, Dresden, Darmstadt, Karlsruhe, Stuttgart, and Munich, to which, apparently, two new ones will shortly have to be added in eastern Prussia, Danzig and Breslau. The number of their students is already almost as large as that of the universities fifty years ago, more than 12,000. Like the university, the technical university (*Hochschule*) represents a union of several technical schools, which are here called "departments." Thus the Charlottenburg school has six, one each for architecture, civil engineering, mechanical engineering, marine engineering, chemistry, and metallurgy, to which is added a department for the general sciences, especially mathematics and the natural sciences. They are constantly approximating the universities both in organization and instruction. Recently they have also acquired the right of conferring an academic degree (that of Doctor of Engineering).

It would have been possible to add these "departments" of the new schools of technology to the "faculties" of the old universities, a thing which has been done in the case of agriculture. Their general form is the same; the three higher faculties at least are in principle merely "technical institutions," that is to say, training schools for the practical professions, just as much so as the "departments" for engineers and chemists. The theoretical sciences upon which each one is based are all to be found in the "philosophical" faculty: theology and juris-

prudence depend on history and philosophy, medicine on the natural sciences; the same thing being true of the "technical" branches: engineering rests on mathematics and physics, practical chemistry on chemistry, etc. Medicine could also be added as a "department" in the technological school; in which case it would naturally carry the biological sciences with it. The causes which have led to the existing separation of the universities and schools of technology are not to be sought in the classification of the sciences nor in the peculiar nature of the professions, but in external, historical conditions. Above all, the schools of technology gradually evolved out of separate lower technical schools as occasion demanded, and have grown up independently of the general educational administration. There has been, besides, a tendency on the part of many academic circles to look down upon technical knowledge and ability as something inferior, a tendency, by the way, which is disappearing. It was due to the ascendancy of philological-historical culture and the aversion of the new humanism to everything "realistic" and "utilitarian."

It is to be regretted that the new professions requiring higher training were not articulated with the old "faculties." Many rivalries, as for example between technologists and jurists, which occasionally vent themselves in violent recriminations, would probably have been more readily avoided. And knowledge and practice doubtless belong together; connection with a university, the privilege of using its scientific laboratories, closer contact with the theoretical research practiced there, would certainly bring many advantages to the new "technical" branches. And, on the other hand, closer contact with practice would probably have a stimulating effect upon research, similar in its character to the mutually beneficial relation existing between medicine and the biological sciences in the philosophical faculty. However, such an arrangement, once in vogue, cannot easily be reversed. And even if it could be, it would make the academic body far too large and unwieldy. And there is really nothing to prevent a closer approximation of the two forms: the technological schools are constantly appropriating a larger share of scientific work, as well as realizing, more and more, the ideals of general intellectual culture: while the universities, on

the other hand, at least some of them, are striving to bring the technological applications of science within the range of their activities, especially with a view to the training of teachers for the realistic and technological schools. Besides, whenever a university and a technological school exist in the same place the students freely enjoy the privileges of both institutions. A frequent interchange of instructors also takes place.¹

2. *Co-education.* The old universities are also exhibiting a tendency to enlarge their activities in other directions, as in the admission of women and in offering university extension work. I merely touch upon the subject in order to indicate the social changes which bring these things about.

The social development of the nineteenth century has caused a double change in woman's position. The new industrial conditions and city life have robbed the old economic functions embraced under the term of "house-keeping" of much of their former significance, and woman has turned her back upon the narrow confines of the home to enter the general labor market. On the other hand the two sexes have been constantly approximating each other in the domain of higher education. During the eighteenth century there was still a deep chasm between the education of girls, which never went beyond that of the elementary schools (*Volksschule*, or common school), and the education offered by the gymnasia. The natural consequence of this dual movement is that girls having the desire and strength for something better can no longer be excluded from higher education nor deprived of the privilege of following the professions which it opens to them. Justice also demands this. The right to work, to create for oneself a sphere of action commensurate with one's ability and to achieve a higher station in life, is the most important of human rights. To shut out persons who wish to work and achieve something simply be-

¹ For the history of the technological universities, E. Zöller, *Die Universitäten und die technischen Hochschulen*, 1886. Damm, *Die technischen Hochschulen in Preussen*, 1899. A. Riedler, *Unsere Hochschulen und die Anforderungen des 20. Jahrhunderts*, Berlin, 1898. F. Klein and E. Riecke, *Ueber angewandte Mathematik und Physik in ihrer Bedeutung für den Unterricht an höheren Schulen* (lectures delivered at Göttingen during the vacation course for head-masters of mathematics and physics, Göttingen, 1900).

cause they are women, and to refer them to the always uncertain contingency of marriage—a contingency beyond their control—appears to be an unbearable restriction of human freedom and dignity. And so woman has succeeded in entering the professions requiring scientific training, first of all in the English-speaking countries, especially in the United States, a country less trammled than ours by traditions and customs. In Germany, also, the opposition has weakened, even though it has not been entirely removed. The *Oberlehrerin*, in particular, has invaded the philosophical department.

As much as I recognize the necessity for this concession to new conditions, I cannot deny that I do not look for such great intellectual progress to result from it as some others seem to expect. The history of the sciences and arts hardly leaves any room for doubt that real creative activity has, in general, been bestowed by nature in a larger measure upon the male than upon the female. The fact that full maturity, including that of the intellect, is attained later in life by the male sex, and that the period of development is consequently longer, also seems to favor this view.¹ It is even less doubtful that a man's energy is, on the whole, more robust, persistent, and reliable; a woman's average strength, especially the power of resistance of her nervous system, is more easily exhausted, and more exposed to all kinds of disturbances and limitations. Hence the female sex will always remain less capable of meeting the demands of public professions which require regular and uniform service. Finally, the fact must also be taken into consideration that a woman ages more rapidly than a man, and that, therefore, a long period of training would not be economical, not to mention the possibility that marriage might necessitate the abandonment of professional activity on her part altogether.

It may, therefore, be assumed that the intellectual training of young women for the so-called learned professions will always be somewhat exceptional, at least in those countries in which the

¹ I refer to two recently published investigations which contain many facts worthy of notice in this connection: K. Joël, *Philosophenwege*, with the treatise: *Die Frauen in der Philosophie*, and P. J. Möbius: *Ueber den physiologischen Schwachsinn des Weibes*.

supply of men is equal to the social demand, or even exceeds it, which is not the case in the United States. Hence, also, the general form of the higher education of women will not, like the education given by the gymnasium, be arranged with a view to the university. The most sensible arrangement will be to supplement the knowledge acquired after completing the course at a higher girls' school with special courses, in case the girl desires to prepare for the university.

3. *Further Extension of University Activities.* In still another direction has the sphere of the university been extended in Germany; following the example of the English and American universities it has made a small though not unsuccessful beginning in endeavoring to reach a wider constituency among the people. The great universities in the large cities, especially (Vienna, Berlin, Leipzig, Munich), have endeavored to meet the demand for education among the masses by offering brief winter-courses in the evenings. This movement, too, seems to be most intimately connected with the social development, above all, with the tremendous expansion and intensification of universal education. At the beginning of the nineteenth century the people were still divided into two distinct halves: into scholars equipped with a classical education and laymen possessing a scanty elementary education, the former called to be the rulers and the latter to be the ruled. Since then, with the progress of industry and commerce and the corresponding growth of cities and wealth, the improvement of the elementary and intermediate schools, the reorganization of political life, the advances in self-government and the coöperative system, there has come into existence a large and educated middle class extending down into the higher strata of the new laboring population in the large industrial centers. It is precisely the latter class—who have, of their own initiative, by the way inaugurated an intellectual movement of considerable force and depth—whom the universities are now endeavoring to assist, in part from the conviction that a continuation of the isolation and estrangement, which the pride of learning has hitherto encouraged, is a menace to our entire civilization.¹

¹ Concerning the English-American university extension movement, see G. Fr. James, *Handbook of University Extension*, Philadel-

I must add, however, that the need which has led to the creation of public high-schools (*Volkshochschule*) in the neighboring countries to the north of us will not be satisfied by such methods. These institutions, spreading from Denmark over Sweden and Norway, are private schools which construct a more independent higher form of instruction upon the basis of the elementary school. The instruction, organized into half-yearly winter-courses, aims, especially, also to meet the demands of the rural population for a more general education. The north-western regions of our own country, which exhibit a similar social structure, offer a favorable field for such institutions, and they are no longer entirely lacking. Should they succeed in inducing the peasant class to take a more active interest in the intellectual life of the people and thus increase the economic power of resistance of this part of the population, so important for the life of the social organism, by raising its intelligence and independence, they will be highly conducive to the general welfare. For it must not be forgotten that the instruction of the common schools (*Volksschule*), closing with the pupil's fourteenth year, ends too soon, that the period most susceptible to and most in need of education, the years from fifteen to twenty, the years between the public school and the military service, are now not only allowed to lie perfectly fallow, but to lose and waste what has been so laboriously acquired during the preceding period at school. In eastern Germany and in the Catholic south of Germany the conditions are not quite so favorable to such public high schools; the difficulties and objections are greater, but not insuperable; the predominantly agricultural and Protestant regions must take the initiative.

I conclude with a general remark. The fact that the German universities are making all these efforts to give a higher education to ever-widening circles is an evidence of the remarkable change of sentiment which has taken place in a single generation. For a long time university circles looked upon a strict isolation of science from the so-called popular culture as a requirement of professional honor. Whenever any one con-

phia, 1897. A brief summary, embracing also the northern movement, is given by E. Schultze, *Volkshochschulen und Universitätsausdehnung*, Leipzig, 1897.

descended to the level of the general public, science looked upon such conduct as lacking in dignity. This feeling was connected with the great and universal reaction against the *Aufklärung*. The speculative philosophy was the first to insist upon a strictly esoteric character. Obscurity and incomprehensibility were proudly regarded as an advantage over the "popular philosophers" and their endeavors to achieve "clearness and utility." No less did the new classical learning refuse to have any intercourse with the "masses"; *odi profanum vulgus*; whoever does not know Latin and Greek does not count. It would not be dignified to write for such. Many, indeed, would have preferred the revival of Latin as the cryptic language of science. The contempt for translations was characteristic. Then came the period of "exactness," during the second third of the century; the exact sciences, naturally exclusive, also resolutely isolated themselves from wider circles. A greater stigma could not have been placed upon a university man than to accuse him of "publicistic" tendencies. During the last generation an unmistakable change of sentiment has taken place; sympathy for universal culture is growing, scientific lectures for larger constituencies, primarily in the domain of the natural sciences, but also in the field of the mental sciences, have also become somewhat common even among us; periodicals of a general character, like the English and French monthlies, have also undertaken to popularize knowledge; and university professors are everywhere leading in this work. The university extension courses constitute the last step in this direction.

It is my conviction that this revival of the ideals of the *Aufklärung* has the fullest subjective justification, no matter how skeptically it has been and is still looked upon by certain elements in Germany. Of course, scientific research itself will always be the concern of the few, and the severer the demands made upon them and which they make upon themselves, the more fruitful their work will be. But that does not mean science for science alone! Science is, certainly, not the concern of the scholars alone, but of the people also; the uplifting of the whole people is the final goal of all the progress of knowledge and the grandest duty of the educated classes. It is an unhealthy and dangerous condition for science and the people

to become estranged from and indifferent to each other. It was in consequence of such isolation, which the pride of scholarship brought about during the first half of the nineteenth century, that the masses took up with writers of inferior worth. A sample of what is inflicted upon the public as philosophy, whenever philosophy retires into the solitude and darkness of Hegelian speculation, is the literature of materialism. Nor is isolation favorable to scholarship itself. Scholars who lose touch with the intellectual life of the people as a whole will also, in the end, lose their sense for that which has essential value. And after all, science exists in order to be of service to mankind.

Such was Kant's opinion, a man who certainly knew how to guard the rights of science against the demands of an unseasonable popularity. But, ultimately, all the theoretical achievements of science are at the service of philosophy, and philosophy, as the doctrine of practical wisdom, is at the service of mankind. As for the fear that superficial education and arrogance would be encouraged by such efforts, it may be said that it is probably limited to persons who are not awake to present conditions, or cherish the impossible hope of turning back the hand of time a hundred years. By superficial education I mean a smattering of everything and the ability to talk about everything of which one really knows nothing. And in these times when everybody reads in the paper, day after day, articles and final judgments on all possible themes, there is such a surplus of this semi-education that the public high school courses and similar schemes will scarcely increase it. It may, however, be said, that the lectures would certainly be hopeless from which the audiences carried away with them the conviction that they knew everything and understood the matter thoroughly, instead of a consciousness of their deficiencies and a longing for further instruction. It is, rather, to be hoped that they will contribute somewhat to the spread of the scientific spirit, that they will help to develop a critical sense in their hearers, and that they will counteract the narrowness of party dogmatism of every kind.

4. *The Social Position of the Academically Educated.* In Germany those who have a university education form a kind of intellectual aristocracy. It is composed of the clergy and

teachers, the judges and officials, the physicians and technologists, and, in short, all those who have gone through a university and have secured the *entrée* to one of the learned or administrative vocations. As a whole they constitute a kind of official nobility, and as a matter of fact, they all really take part in the government and administration. They are found actively engaged in the bureaus and courts, in the ecclesiastical consistories and school faculties, and in the hygienic and technological administration of every grade.

On the whole, those who follow these callings constitute a homogeneous social stratum; they recognize each other, because of their academic training, as social equals, although this does not, of course, exclude differences of rank within a profession nor gradations of respectability among the professions. All kinds of rivalries, such, for instance, as exist between technologists and jurists, have their origin in this condition. But just as the academic residents of the universities recognize each other as equals, as fellow-students, even though this, that and the other group may cherish its peculiar pride, so also the members of all the academic professions recognize each other in theory as on an equal footing, although this recognition may consist in nothing but a willingness on their part to regard each other as perfectly capable of giving "satisfaction" upon the field of honor.

On the other hand, a person in Germany who has no academic education, is without something for which wealth and noble birth cannot offer a complete recompense. The merchant, the banker, the wealthy manufacturer or even the large land owner will occasionally become sensible of the lack of such an education, no matter how superior he may feel in other respects. The consequence is that the acquisition of an academic education has become a kind of social necessity with us; a person must at least have been graduated from the gymnasium, which would give him a potential claim to academic citizenship. Only a commission in the army can, in a measure, relieve a man from this necessity. This already attracted the attention of the Frenchman, Charles Villers, at the beginning of the nineteenth century: "A German," he writes, "who has not put the finishing touches on his education, who has not taken lectures for a few semesters at some university, is not regarded as an

educated man (*homme instruit*) by society. Even the phrase 'to study' has been reserved for this final educational stage."

This state of things, which now seems so natural and self-evident to us, was not always in vogue. An academic education has not always been a prerequisite for, and a guarantee of membership in "society" or in the gentleman's class. It has only really become so since the close of the eighteenth century. The historical development was as follows:

During the Middle Ages the nobility were not generally expected to have a higher education; princes and nobles, with the exception of younger sons intended for the church, did not attend the universities. During the earlier years of this period the nobility did not even acquire the elementary arts of reading and writing, the *artes clericales*, as they were significantly called. Many a German emperor merely made his mark instead of writing his name. As late as the fifteenth century the humanistic orators and poets constantly reproached the German nobility for their lack of culture, as compared with the Italians, and their lack of interest in intellectual things. On the other hand, German princes who had an education and who prized it, such as Duke Albrecht IV., of Bavaria, were derided as "clerks" by their nobles.

Since the advent of the new era the importance of intellectual, and even scholastic, culture, has constantly increased. The Renaissance and the Reformation were both effective in this direction. The former raised the standard of secular education, and the latter that of theological. The adoption of the Roman law did the rest in that it made educated jurists indispensable in the governmental councils. All these forces were in operation during the seventeenth and eighteenth centuries, and the modern state came into being, with its educated secular and spiritual officials. The nobility was thus compelled to secure an academic education in order to retain its position. The new and modern universities, Halle, Göttingen and Erlangen, first attracted the nobility in great numbers; they point with pride to the counts and barons whom they have matriculated.

It is true, another road remained open besides the one through

the university; the way through the army. The sons of noble families, after acquiring the necessary information from a tutor or at an academy for young noblemen (*Ritterakademie*), which really, to some extent, took the place of the university, entered the army as officers, from which the capable ones passed into the diplomatic service as well as into the higher administrative offices. And indeed this was looked upon as the more respectable course, and was followed especially by the sons of the ruling houses. Princes went through the army, not through the university. Call to mind the educational history of the Hohenzollerns; the kings of the eighteenth century were not educated at the gymnasium or at the university. Emperor Frederick was the first to study at a university, and Emperor William II. the first one to finish, besides, the course at a gymnasium. An academic education was not, as yet, the necessary prerequisite of a gentleman during the eighteenth century, nor did it give its possessor the *entrée* into society. The jurist, at best, might rank as a "gentleman," but the clergyman, the physician, and the school teacher could make no such pretensions. Not until the nineteenth century did an academic education so rise in value that the old nobility could no longer do without it and that its possession admitted one among the "gentlemen." All this is, moreover, due to the general changes that have taken place in society.

The old land-owning hereditary nobility has lost, or at least no longer holds in the same degree the dominant position which it held unchallenged during the eighteenth century. The middle class, on the other hand, is increasing in influence; since the middle of the eighteenth century it has won the leadership in the intellectual world, in literature and the sciences, and since the middle of the nineteenth century it has also acquired an ever increasing preponderance in the industrial world, which, of course, explains the prominence of this class in politics. It is in the universities and the academically educated circles that the people of the middle classes are really represented in Germany. The introduction of the final or leaving examination (*Abiturientenprüfung*) and the state examinations has made it possible on the one hand for the able among the middle classes to rise in the civil service, and has, on the other, compelled the old

nobility to take their places in the line and to earn by equal merit the offices which formerly belonged to them by right of birth.

The reaction of this evolution upon the state and society is described for us by Schmoller, who says, in his *Volkswirtschaftslehre* (page 353):

"The development of our new system of study and examination has transformed most of the liberal callings into fixed careers; it attracts, mostly from the middle classes, a largely homogeneous element to the different groups; it has created a distinct professional honor, fixed customs and practices with regard to professional duties, and has set definite limitations to money-making. These liberal callings have thereby acquired an entirely different character. The families that turn their sons into the liberal callings have become a more or less distinct social class, a class characterized by personal qualities rather than by wealth, a class which is really open to every man of talent, but is, in the main, recruited from the younger sons of the middle class. The liberal professions have inculcated into the entire middle class, otherwise largely devoted to business and financial gain, nobler habits of thought and loftier intellectual aims, thus supplying an ideal counterpoise to the bald egoistic class-interests of other circles. They have perhaps at times influenced both state and society too much in the direction of abstract ideals; on the whole, however, they have become the real exponents of scientific progress, of idealism, of noble purposes. Through their professional activity, as well as by the generally tactful and respectful way in which they are remunerated, our modern class of clergymen and teachers, physicians and scholars, artists and officials exercise an extraordinary influence upon the further development of society and economic life."

In conclusion, two incidental results of this process of development must be mentioned, namely, the chronic overcrowding of the learned professions, and their greatly depressed economic condition. The excessive crowding into the learned professions did not really begin until the nineteenth century; before that time the problem of the administration had been to attract a sufficient number of persons to these callings rather

than to discourage any one. The convicts and stipends of the sixteenth century were instituted with a view to alleviating the scarcity of candidates. Occasional decrees which excluded the sons of the lower classes from a learned career, dating from the eighteenth century, were mainly intended to guard against the effort to escape conscription by means of academic citizenship. It was the increasing respect which university training conferred upon its possessor, that led to the prevailing chronic overcrowding of the professions, especially of law and medicine, which occupied the foremost place in popular esteem.

The other side of the question is the inadequate economic condition of many of the members of academic professions. Professional incomes, even though they have perceptibly increased, are still not sufficient to meet the more rapidly increasing demands which the social standing of the professions seems both to justify and to impose. It is especially true that an income sufficient to support a family comes too late, owing to the long period of waiting brought about by overcrowding. The result is that in the learned professions, either the hope of setting up a family is frequently abandoned, or there exists an onerous disproportion between the income and the unavoidable expenses, or expenses that are considered unavoidable. The more modest incomes of former times really went further in the satisfaction of more modest wants.

It is plain that this unfortunate condition cannot be alleviated by an increase of salaries, nor yet by a multiplication of positions. Increased overcrowding and still longer periods of waiting would be the result. It would not be profitable either to individuals or to the state to bring about or to continue such a condition. Especially would it not be in the popular interest; hence official positions ought not to be made too attractive from a financial standpoint. In case they become too desirable, the eyes of all fathers and mothers, anxious for the future of their sons, will be turned in their direction and the entire educational scheme will aim to fit the boy for an official career. This is the evil from which France is suffering, according to credible statements; everybody is seeking to provide for his sons by placing them in office, hence the entire school system with its drills and "cramming" for the examina-

tions, with its prizes and distinctions for those who best meet the requirements, has for its end the preparation of the pupil for a "career." But the consequence is: loss of independence, of individuality and enterprise, spiritless passivity. The individual either idles away his time waiting for his turn or he eagerly tries to push ahead by cringing and crawling, by assiduous toil and struggle.¹

The plan least open to criticism for securing an income commensurate with the standing of the families of officials is perhaps the one pointed out by a Prussian official (Ministerial-Director Thiel, in an article in the *Preussische Jahrbücher*, April, 1896): He recommends the establishment of free scholarships (*Freistellen*) in boarding schools (*Internate*) to be erected for the older children of officials, similar to those offered by military schools for the children of army officers. This would meet a real need, which occasionally becomes a genuine distress, without calling for a further burden on the public by a general increase of salaries in favor of bachelors already in comfortable circumstances, and of rich families. To be sure, this plan is not without its dangers: it would have a tendency to increase the inbreeding of the official class.

5. *How the Academically Educated Class is Recruited.* In Germany, more than in the western countries, student bodies are recruited from all the strata of society. In the matriculation lists of our universities are found the names of the sons of the noblest families, up to the ruling houses, and the children of insignificant people, shopkeepers, artisans, laborers, teachers, and subaltern officials. They all receive the same scientific education and associate as fellow-students both in work and play, the game of arms included. In England the recruiting field of the universities is more limited, and the cost of living at a college and even at school is so great that only well-to-do families can afford it; the poor are excluded; or, rather, they were excluded, for during the last few decades there has been

¹ All these phenomena have been well observed and described in a book which created a sensation in France a couple of years ago: E. Demolins, *A quoi tient la supériorité des Anglo-Saxons?* Are they also noticeable among us? The author says yes; and it will not be possible to contradict him absolutely.

a slight change in conditions. But in general the universities reflect the aristocratic constitution of society. In Germany they are democratic institutions; they exclude none and put all upon an equality.

E. M. Arndt praises this as an advantage of the German universities: "As a citizen of a university the son of the poorest and most obscure parents, if of sound mind and body, enters upon a career in company with the highest and most aristocratic; and those who are the most daring in spirit, determination, and courage, will, if they choose, rule by reason of an innate nobility. This proud equality, which the narrowness of life scarcely ever reveals afterward, I esteem as among the principal glories of German student life, a precious memorial of what the entire Germanic people once was."¹

But it cannot be denied that a change is taking place. It is not only true that within the student body itself the efforts of a social aristocratic group to isolate itself are constantly becoming stronger, but the number of students drawn from the lower classes is diminishing. The expenses of an education and the period of waiting are constantly increasing; in consequence a large and growing section of the population, the new workingman's class, is not represented at the universities at all. That is the reverse side of the increasing aristocratic tendencies of university life; the demands made on the period of study and the standard of life increase in proportion to their social value.²

It is not without interest to survey the historical development here. During the Middle Ages the students came from the entire population, down to the very poorest sections. A large proportion of the scholars worked their way through college with very little assistance from their families, and not a few continued a practice already begun at school: "they earned their living by begging," for begging was not considered a dishonor, being carried on as a matter of principle by great ecclesiastical corporations. The *pauperes*, who receive everything

¹ *Der Wächter* (magazine), i, 317 (1815).

² The statistics of the social classes represented by the German students are, in more senses than one, inadequate and faulty. But I will add a few facts, supplied by Conrad for the Prussian universities

"for God's sake," are a constant category of the matriculation lists, *nihil dedit, quia pauper*.

The Reformation, which sought to do away with begging by organized charity, brought about a change here also. As already suggested, territorial and ducal schools were established, with free scholarships, and *convicta* were erected at the universities, in order to educate poor but talented boys and young men for ecclesiastical and secular callings. Until the eighteenth century the great majority of students came from poor families, especially the larger part of the theological faculty, which included the teachers; during their residence of perhaps two years at a university those who did not secure a place in a *convictum* were supported by stipends, free board, and by tutoring in families. Side by side with these *pauperes* the "gentlemen" were represented in the law faculty, with a great difference in their standard of living.

The nineteenth century showed an increasing tendency to get rid of the *pauperes*. The length of the course has been greatly increased, especially in the philosophical faculty. A nine years' course in the gymnasium precedes the university

for 1887-1890, and by Cron for the three universities in Baden for 1869-1893. They give the following results:

	Fathers of Students	Prussia	Baden
1	Merchants, bankers, shopkeepers, innkeepers...	2416	907
2	Factory-hands, artisans, master-workmen.....	1981	1116
3	Independent agriculturists	1613	715
4	Teachers without academic training.....	1099	487
5	Clergymen	890	238
6	State and city officials with academic training..	888	811
7	Physicians	471	251
8	Teachers with academic training.....	416	195
9	Capitalists	351	362
10	Large landowners	253	39
11	Apothecaries	185	89
12	Officers, members of the reigning house.....	127	87
13	Laborers	12	..
14	Lower class of employees	9	278
15	Artists, musicians, journalists.....	..	69
16	All others	149	..
	Totals	12,709	6201

course, the latter is followed by a period of practical training, and after that comes what may under some circumstances be a long period of waiting. The year of military service with its economic demands must also be taken into consideration. On account of all these things an academic course is becoming more and more difficult for persons without means. A hundred years ago conditions were still such that no one with remarkable gifts and strong inclinations was deprived of the opportunity to study on account of poverty. The course of the local Latin school and a couple of years at a university could be completed without serious expense; then came a position as a private tutor (*informator*) or a small place in a school, and this was followed in a few years by a pastorate, unless, indeed, one preferred to try oneself as a *magister legens* at a university. Such was the career of many of our most distinguished men; Kant, Herder, Fichte, Winckelmann, Heyne, Voss, all came from poor families which to-day could hardly think of sending their sons to college, not to speak of preparing them for an academic career.

And the development outlined above meets with popular approval. There is noticeable, especially within the academic professions themselves, a growing tendency to prevent an influx from the lower classes. The social-aristocratic trait, which has become so apparent in the moral physiognomy of the German people during the last generation, also reveals itself in the lively concern of the learned professions for their "class honor." This feeling especially manifests itself in efforts to prevent additions from the families of the lower classes. Formerly the desire was strong to assist gifted boys of indigent families, but the tendency is in an entirely different direction to-day. Hence the question of preparatory training for the university is now largely influenced by the determination not to lower the entrance requirements for fear of lowering the academic class in social value. For this reason the medical societies have always opposed the admission of the graduates of the *Realschule*. Similar arguments are met in the periodicals and conferences of the teachers of the higher schools. It is held that the admission of members from poor and uneducated families is a misfortune; that the sons of tailors and glovers, shopkeepers and peasants, are often lacking in intel-

lectual, and always in social culture when they become teachers, and that they not only expose themselves but the entire profession to the contempt of pupils belonging to other circles, and so lower the social standing of the entire class.

It is certainly not desirable that a learned profession should be largely, not to say exclusively, recruited from the classes below it; even the practical efficiency of the profession might suffer thereby. If, for example, the teachers in the *gymnasium* were to lose their social prestige as a class, so that the sons of wealthy and respectable families would generally scorn to enter the profession, and only those should choose it who regarded it as the cheapest and quickest road to an academic berth, it would naturally lose the power to educate the leading classes.

And there is also considerable danger to the individual in studying without sufficient means. Poverty is a heavy burden both during and after the course. When a student is compelled to give private lessons to support himself, he loses time and strength and vigor for the free pursuit of knowledge. Unless this hindrance is counterbalanced by extraordinary gifts and great energy, and last but not least, by splendid health, the course becomes a long and finally useless struggle with want, frequently ending with failure to pass the examinations. And even in case this peril is successfully overcome, there follows a further test which exhausts the already failing energies, namely the time of probation and waiting which bars the entrance to every calling. One should, therefore, seriously consider, before taking such a step. A foolish decision, favored by the vanity of parents or the levity of youth, is frequently atoned for by much misery and final failure.¹

On the other hand, it cannot be denied that the complete exclusion of the poorer classes from the academic world has its great dangers. Talents would be lost to the nation which nature does not bestow upon it all too lavishly. An individual possessing superior gifts and a strong will, who is restricted to a sphere in which he cannot develop and utilize his talents merely

¹ A vivid description of the sufferings of the poor medical student in Vienna, who usually hails from the Jewish population of the East, is found in Billroth, *Lehren und Lernen der medizinischen Wissenschaften*, p. 148 ff.

from a lack of means, would be forced to the severest kind of renunciation, and would look upon it as a bitter humiliation. And, finally, the solidarity of the nation would thereby be imperiled. An academic official class, no longer chosen as a kind of personal aristocracy from the entire people, but only from the wealthy families, and posing as a kind of committee of the wealthier classes, would be looked upon by the people with distrust and aversion as an alien rule. We are still far removed from such a state, for the recruiting area of our universities still extends far down into the classes which are not wealthy; nevertheless such feelings have long ago taken root in that broad stratum of our population, the laboring classes of our large cities, whose social self-consciousness is expressed in the Social Democracy. Another thing: with the erection of further barriers the sympathy of the academically trained for the masses would become even weaker than it is; a cruel class pride and foolish sentimentality would make the haze of prejudice and misunderstanding which even now so often dims the eye of the ruling classes completely impenetrable. It cannot be doubted that the great influence which the Catholic clergy exercises upon the masses is largely due to the fact that its membership is drawn from all classes of the population, more especially from the lower strata, the peasantry and artisans. The priests know the people, sympathize with them, and are looked upon by the people as their representatives among the higher classes.

How is this danger to be met? The method adopted by the sixteenth century of training the gifted sons of poor parents for the public service at the expense of the state in public schools and the *convicta* of the universities, can scarcely be followed to-day, with the supply so far in excess of the demand. Survivals of the old methods are still in existence and in operation: the free scholarships and stipends at schools and universities. It is true that, owing to the increased expenses and the increasing number of students, they are no longer of much consequence. A material extension of the system under present circumstances is scarcely possible, and would bring its own dangers. The situation must, therefore, in the main, be left to private effort. And, as a matter of fact, wealth has here a

fine field of usefulness, first and foremost in the support of individual students, but also in founding adequate scholarships in educational institutions of every grade. The state, however, can do one thing: it can make the approaches easier from the lower schools to the university; the easier the passage the sooner can those of decided talent pass from the lower strata into the academic professions; I am also thinking of the so-called "Reform Schools."

In closing the consideration of this subject let me add a few utterances in which the feelings of an earlier time are expressed.

Luther, who experienced poverty in his own youth, once said: "The children of the rich seldom amount to anything. They are self-confident, arrogant, proud, and imagine that they do not need to learn, because they already have enough to support them. The sons of the poor, on the contrary, must work up from the dust, and suffer much. And because they have nothing of which to be vain and of which they can boast, they learn to have faith in God, are humble, and keep quiet. The poor fear God, hence He gives them good heads, so that they can study well and learn, become well informed and sensible, and can teach princes, kings, and emperors with their wisdom."¹

In the same strain Jacob Grimm sings the praises of poverty: "Need spurs one to diligence and labor, guards against many distractions, and instils a not ignoble pride, which is kept alive by a consciousness of personal worth, over against the pride which position and wealth give to others. I am even inclined to make the assertion general and attribute much of what Germans have accomplished directly to the fact that they are not a wealthy people. They toil from the bottom up and open for themselves many individual paths while other peoples keep rather to a broad and level highway."

One cannot but think of the poverty in which our entire German university life was spent down to about the middle of the nineteenth century, and compare it with the luxury in which the English universities and colleges lived. Think of what the single University of Halle, with its ridiculously small endowment (to 1786 only 7,000 thalers per annum), with its poor students and its poorly paid professors, has done for science

¹Cited by Jürgens, *Luther*, i., 152.

and for the culture of the German people, compared with Oxford, spending its inherited millions in hereditary indolence.

6. *Fluctuations in the Attendance.* I add a remark, by way of appendix, on the fluctuations in the number of students in general and in the several faculties. They reflect the variations in the strength of the social needs.¹

In Germany and the countries of similar culture-conditions the figure for the number of students attending the university is about one-half per thousand of the population. In the nineties France had 43 students for every 100,000 inhabitants, Germany 48 (including theologians 57), Italy 51, Austria 56, while the maximum was reached in Norway with 77 and Belgium with 82 students, figures which are explained by differences in the preparatory system, making necessary a longer course at the university. The minimum is furnished by Russia with 10 students. But the figures are not constant; they move with considerable variations about a variable mean. Since 1830, the attendance in Germany has fallen as low as 33 for every 100,000 souls in the forties, and has gone as high as 63 at the close of the eighties. The several faculties show special variations.

Just a word concerning the cause of this phenomenon. The variations may be compared with the movements of a river. A stream with a shifting fall has its pools and rapids. So also the stream of students which runs through the learned professions. There are successive periods in which the ability of society to assimilate persons with academic training is greater or less. When the number of positions is stable, vacancies rare, and the supply large, a state of congestion ensues. There is little movement into the profession in question, the waiting period is increased, and all these factors react upon the attendance at the university. When the congestion has been relieved by a diminution of the supply, an increase of positions, and more vacancies, the prospect of rapid promotion encourages

¹I take the figures from Conrad's article, *Allg. Statistik der Deutschen Universitäten*, in the work published by Lexis. An earlier, thorough investigation of statistical conditions is found in Conrad, *Das Universitätsstudium in Deutschland während der letzten 50 Jahre*, 1884; and *Statistik der Universität Halle während der 200 Jahre ihres Bestehens*, 1894.

attendance upon the university. It regularly happens, however, that here as elsewhere in the economic world, speculation overrates the favorable opportunity or, at least, its duration; too great crowding speedily causes an oversupply of candidates waiting for places and again leads to congestion.

In addition to this cause, which is dependent on the general nature of economic and social conditions, supply and demand, and speculation, there are variations in the attractive power of the academic professions. The attractiveness of a profession really depends upon two factors, the comparative size of the income and the social standing of the calling. Both of these vary for the academic callings among themselves as well as relatively to the non-academic professions. When the salaries of the academic callings appear large in comparison with the incomes of other professions, their attractiveness is increased, and is still further enhanced by the security of tenure which they offer. If, however, the salaries appear meagre in contrast to what the industrial and commercial callings offer, the supply decreases with this decrease of attractiveness. Accordingly, periods of great industrial prosperity, with large and quickly achieved returns, have a tendency to reduce the number of academic students. The case is complicated, however, by the very opposite effects of the same condition; increasing prosperity has a tendency to increase the demand for physicians, lawyers, and teachers, and enables a larger proportion of the population to secure an academic education by increasing their incomes and the number of the schools.

No less than its income the social standing of a profession acts as an attractive force. It is dependent upon numerous factors, especially these two: the official gradations in rank, and public opinion. The latter by no means depends entirely upon the former, but rather upon the public estimate of the intellectual significance of the profession and the value of the science upon which it depends. And this is a variable factor. Theology for example, compared with earlier times, has fallen considerably in the public esteem, while the natural sciences have made extraordinary gains during the past half century, and with them the professions which are theoretically based upon them, such as medicine and technology. Nor is the signifi-

cance attached by public opinion to the official gradations of rank a stable quantity, but varies with the authority of the state itself. During periods in which the relations between the people and the government are strained, the value of rank, the dignity of a government position, and consequently its attractiveness will decline. This is the explanation of the great decrease in the attendance of the law faculty during the fifth and sixth decades, and the newly acquired dignity of the government accounts for the increase in the figures after 1866-70.

The effects of these variations are by no means desirable. For the individual the periods of congestion are painful and not seldom ruinous in consequence of the extremely long period of waiting. Nor are they desirable from the standpoint of the general good. The delay caused in entering the profession frequently results in putting discontented, worn-out, half-broken individuals into office, while others increase the numbers of the "learned proletariat." But neither are the periods in which the stream runs rapidly, in which candidates quickly find positions, favorable to the general weal, for then it frequently happens that incompetent candidates are appointed merely in order to keep the positions filled. Thus, for example, when there is a great dearth of gymnasial teachers and clergymen, persons are often appointed who are entirely devoid of an inward calling and who, under normal conditions, would have been refused as entirely incompetent. But the situation has its danger for the individual also; it is possible that the period of quiet preparation will be unduly shortened merely in order to secure an office quickly.

It would also, doubtless, be a matter of some importance if the stream could be so regulated as to flow with tolerably uniform velocity, without pools and rapids. And even though a regulation fixing the number of students to be admitted each year, could not be enforced, another scheme does seem feasible. If the administration would systematically ascertain the demand for candidates as well as the supply and the additions (reasonably accurate data for all of which seem to be supplied by the statistics of the civil service, including the average number of vacancies, and on the other hand, by the statistics of schools, universities, and examinations), and if it would regularly pub-

lish the facts thus gathered, together with necessary explanations, the chances of appointment and the duration of the waiting period might be calculated to some extent in the several branches of the academic callings, and individuals might govern themselves accordingly in their choice of a profession. Warning or encouragement would at least tend to help some irresolute ones to come to a decision; and even that might suffice to prevent such severe crises as now not infrequently occur.

The time may come when statistics, which are only a couple of decades old in this department, will be able to secure data to some extent reliable. Thus far this has not been possible. The last great disappointment is still in everybody's memory: from a period with an enormous supply of candidates for teaching positions we have unexpectedly passed to a time of great dearth, a time which statistics had supposed to be very remote. Numerous influences are at work here whose precise value it is almost impossible to fix. However, this is not a favorable prognostic for the future socialistic state, which, as we know, could not decline the task of regulating the choice of professions.

In conclusion, let me add a few data concerning the attendance in the different faculties. They reveal a general movement which points back to changes in social demands. Following Conrad, I contrast the figures of 1831-36 with 1892-93. The evangelical theological faculty shows a slight absolute increase from 3,103 to 3,601, while the Catholic has remained stationary, the number being 1,310. But its percentage of the entire student body has materially decreased: the evangelical theologians in 1831 made up 24 per cent. of the entire number of students, while in 1892 they constituted only 13 per cent; the Catholics in the same years comprising 10 and 4.7 per cent. respectively. The number of jurists has risen from 3,642 to 6,969; but their percentage has suffered a slight decline, from 28 to 25. The number of medical students has increased from 2,579 to 8,171, and the percentage from 19.8 to 29.5. Finally, the group which matriculates in the philosophical faculty (including agriculturists, pharmacists, and dentists) has increased from 2,395 to 7,686, and its percentage from 18.4 to 27.4.

I add, also, the figures which show the ratio to the popula-

tion. In 1831-36 there were 137 evangelical theologians for every 100,000 Protestants, and in 1892-93 114.5. In the same years, there were 100.3 and 72.8 Catholic theologians for every 100,000 Catholics (counting only those theologians who studied at a university). For every 100,000 of the population there were, at the same time, respectively, 109.7 and 140 jurists, 78.3 and 165.3 medical students, and 83 and 155.2 philosophers.

It can be seen that the number of theologians has not kept step with the increase in the population, while the jurists, and, even more rapidly, the medical and philosophical, students have increased. Taking the student body as a whole, the jurists form the stable element, always about a fourth of the whole; the theologians are constantly decreasing in numbers, falling from one-third to nearly one-sixth; while on the other hand the students of medicine have increased from one-fifth to three-tenths, and the philosophers from less than one-fifth to more than one-fourth.

That is, the ministry has lost in social importance, in the power to satisfy the social needs, while the vocations of the physician and teacher have gained in scope and importance: the sense of their necessity has grown both extensively and intensively. This would describe, in a word, the entire movement of social life, as it is reflected in the statistics of the faculties.

