PERU


This pamphlet honors the memory of the Peruvian priest, Bartolomé Herrera, who exercised considerable political influence and held various public offices from the time of Andrés Santa Cruz until his own retirement from public life in 1853. The latter date gives the present publication a centennial character.

Following a short biographical sketch of Herrera, the reader is given a selection of quotations from the priest’s writings on morality, education, politics, international law, and patriotism. In conclusion there is a series of documents illustrating Herrera’s period of training for the priesthood.

Whether or not the reader concludes, from the excerpts here, that Herrera was a thinker of considerable stature, he will probably feel that the Peruvian cleric exaggerated the role his country would play during the following century. But any collection of quotations, undated and removed from context as these are, furnishes an unreliable basis for judging a man’s thought. These sage and eloquently phrased observations may have some inspirational value for the Peruvian reading public; they can scarcely serve any other purpose.

Charles E. Nowell
University of Illinois


When Chief Justice Eguiguren was awarded an honorary Doctor in Law degree at Columbia University, last Armistice Day, he intended to deliver a lengthier speech on the history of Peru’s law codification. It is published here together with a bungling English translation.

Colonial laws governed Peru during its first three decades of independence, except for the interlude of confederation with Bolivia when the ‘‘Code of Santa Cruz’’ prevailed. In 1852 the first civil and procedural codes were promulgated. They were markedly conservative. A penal code was established in 1919 and another in 1940 whereof ‘‘retrograde’’ changes are now being debated. In 1922 a commission was appointed to reform the civil code, and its project became law in 1936.

The present Peruvian Civil Code establishes civil marriage and divorce, and the legitimation of children by parents and the courts. Men and women are equal before the law, except for married women. Ayllus have legal personality and their property is inalienable, except through public domain. A family farm or business may be entailed. Labor is protected through maximum hours, accident compensation, child labor regulation, and mandatory payment of cash wages. Finally, the code upholds the superiority of the 1836 Constitution over incompatible laws, although ‘‘es posible que pasen muchos años para que una severa y larga jurisprudencia mantenga en vigor estos sanos principios.’’

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Columbia University

PUERTO RICO


URUGUAY


VENEZUELA