

A FEW WORDS

ON THE

WOMAN'S FRANCHISE QUESTION.

BY

JAMES THORNTON HOSKINS, B.A.

---

*Price Sixpence.*

---

LONDON:

EMILY FAITHFULL,

*Printer and Publisher in ordinary to Her Majesty.*

VICTORIA PRESS, PRINCES STREET, HANOVER SQUARE.

LONDON:  
EMILY FAITHFULL,  
PRINTER AND PUBLISHER IN ORDINARY TO HER MAJESTY,  
VICTORIA PRESS, PRINCES STREET, HANOVER SQUARE.

#### A FEW WORDS ON THE WOMAN'S FRANCHISE QUESTION.

God wills that human beings should have happiness, the acquisition of which mainly depends on the free exercise of faculties. Therefore the realization of the Divine will involves the position that persons should have liberty to develop all their talents, provided they do not trench upon the equal freedom of others, and provided they do not by harsh language or brutish habits cause pain to their relatives and society in general. If this statement of the perfect law be correct, it is a person's duty to bring out all that is within him or her, otherwise the Divine purpose cannot be fulfilled. Again, if it be allowed that the non-performance of duties entails punishment on the transgressor, it is clear that a nation's happiness or suffering will bear a constant ratio to the expansion of its various differing energies. Unless then it can be proved beyond possibility of refutation that women have no souls or minds, it is absolutely certain that the law of equal freedom applies to both sexes, for if woman cannot develop her faculties without liberty, she has a right to liberty, and in the absence of all proofs that the gratification of her nobler intuitions would retard the moral and intellectual progress of her neighbours, it were unjust to place obstacles in her path. She has a right to speak, write, enter professions, hold property, and share legislative power without let or hindrance, save only in those cases where her acts would injuriously affect others. He who disputes this proposition, he who presumes to fathom the creative design by wild guesses as to the fitness or unfitness of women for this or that sphere or occupation, virtually declares that he is the best judge of what is suitable for *another* person, an assumption which is irreconcilable with all the most correct tendencies of modern thought. Let there be no illusions. Whatsoever considerations of expediency, whatsoever limitations to the enjoyment of political rights may be acquiesced in for the sake of the public welfare, let it be distinctly understood that we are not whining for privileges or favours, but calmly

demanding rights, rights which are justly due, rights which have been long withheld, rights eternal, rights Divine.

Unless it can be shown that a pure democracy would imperil the safety of society, it is inequitable to deprive any individual of a right to share in making those laws, which he or she is bound to obey, of a right to guide the policy of the country in whose honour and safety men and women are all alike interested. Everyone, in short, has an abstract right to vote. But at present, owing to the imperfections of our social state, restraints are still indispensable. And why? Not surely to humour the caprices of hereditary patricians, not surely because one class of society is a whit more moral than another, but simply because with unlimited Universal Suffrage, there would be a danger of society dissolving into its elements. So long as men are imperfect, so long as crime, pauperism, and ignorance still mar our struggles to reach the perfect goal, so long as the old predatory instincts of the primeval savage still linger amongst us, just so long must limits be imposed on what we call the right of suffrage, for if all were allowed to vote, *i. e.*, if ignorance could drown knowledge, such laws might be passed, such revolutions might occur as would prevent the very humblest electors from peacefully pursuing their various trades and occupations. Look what a pseudo-Universal Suffrage has done for France. It aided and abetted the execrable Buonapartist criminals, the men of '51, it demoralized the citizens of every rank, teaching some a degrading subservience to a self-seeking despotism, and others to hatch desperate schemes of robbery and assassination, it has forced that unhappy land to bow beneath the iron yoke of feudal aggression, it has lately sent to the National Assembly a brainless crew of reactionary "rurals," it provoked the murders of Montmartre and the massacres of Neuilly. After the late events on the Continent, the most enthusiastic democrat will allow that it is right and therefore expedient, that the citizens through their representatives should erect standards of capacity for the due fulfilment of an important public duty. *A priori* everyone has a right to vote, but, inasmuch as this right involves power over others, it is fair and reasonable that men's rights should be as it were in abeyance, with the tacit acknowledgment that we are only adapting our political arrangements to deranged social conditions, for when we assume the responsibility

of barring out a vast number of persons from a share of representation, it is our bounden duty to provide tests of fitness that are strictly in harmony with legitimate popular aspirations. Now we have no fault to find with the existing property qualifications. In those tests we see something more than a representation of mere bricks and clayey soil, for it may be fairly supposed that freeholders, duly-rated householders and lodgers are capable of forming an intelligent judgment on national affairs, but surely holders of personal estate and other educated persons have an equally good moral claim to avail themselves of their political rights.

On the threshold of this argument, however, we are arrested in our course by the existence of a startling anomaly. It appears that in glaring violation of the Divine right of the people to express their own political wills, there are a multitude of individuals peremptorily excluded from the suffrage on the ground of sex. Why, exclaims the astonished reader, why is this? God wills their happiness as much as that of men. They have an equal right to liberty. If there be any truth in the doctrine of averages as applicable to national character, we may presume that their intellectual faculties and powers of moral discernment are on the whole fully equal to those of men. Specified standards of fitness for the discharge of electoral functions have after careful deliberation been set up with the consent of the male portion of the community, and yet here are a number of competent individuals debarred from their rights for no adequate reason. Facts are stubborn things; and it behoves us to travel patiently through the long list of objections to Woman's Franchise, that have been raised not only by the bitter opponents of all that is humane and enlightened, but by the conscientious and learned of all political parties, who are sincerely anxious to secure good government.

Now, it is an indubitable fact that ever since the first introduction of Christianity in the Roman Empire, the degree of improvement in the position of woman may be regarded as an infallible test of a nation's civilization. In savage countries, she is still forbidden all rational intercourse with men. By Mahommedan law she is even classed with pigs and other impure animals, and not allowed to enter a court of justice. By the old common law of England, all her property passes

absolutely without reserve to her husband, who is allowed to control her liberty, and to beat her with a cudgel, if she does not obey his orders. True that a more refined jurisprudence has somewhat modified these enormous powers of the man, who at the altar is supposed to endow his wife with all his worldly goods, but many hardships still remain, and though most of us may live on a footing of practical equality with our wives, yet it is notorious that the brutality of some husbands towards those whom the law stamps as an inferior being is actually aggravated by their contempt for women in general, whom from childhood they have been taught to despise. This being the case, is it not our bounden duty to re-consider the validity of an hypothesis, which involves consequences so hateful, so repugnant to all one's notions of right and wrong? If it be once conceded that Christianity sanctions the improvements that have already been effected in the direction of female enfranchisement, who is to put up the signboard and say, 'Thus far shalt thou go and no further?' If women are an inferior race, why do we let them vote at municipal elections, why do we not prevent them from influencing public thought in their writings, why, in short, do we not keep a strict watch over all their actions? The truth is that there is no finality in this reform any more than in that carried by Lord John Russell. Once grant that woman is capable of moral and intellectual development, that her capacities though different, are equally necessary to social well-being, and the idea of subordination become an absurdity. The day must shortly come, if it has not already arrived, when this last remnant of the old barbarous law of physical force will receive its death-blow, in an age, which pronounces now more emphatically than ever, that merit of every kind and not birth shall entitle one human being to superiority over another.

That the time is ripe for the recognition of the glorious principle of the equal rights of either sex is proved by the very fact that this demand for female suffrage has been so calmly and dispassionately urged, that both in Great Britain and America the movement has thoroughly outlived the silly sneers and undeserved calumnies, which threatened to burk it at the commencement, and that so many men are willing and eager to concede that liberty, which they themselves know how to appreciate. The instinct of personal rights is so strong in many men

that they cannot rest satisfied, until their female relatives participate in that freedom, which is the birthright of every Englishwoman. The old leaven of selfishness still whispers to us all kinds of insidious pretexts, all sorts of sophisticated snipetty arguments why women should be kept in a state of subjection, yet the number of converts to the good cause increases daily. Despite the prevalence of not a few grave disorders, it may perhaps be allowed that on the whole the state of public morals is such as to admit of a Woman's Franchise Bill being favourably discussed this year, and passed before the next elections. Ten, nay five years ago, we were hardly good enough for so important a change, but since then the public conscience has been loudly awakened to the injustice of venerable abuses, in many ways our benevolent sympathies have been kindled, the spirit of inquiry has extended itself to all manner of religious and political subjects, though still woefully backward, we are all more amenable to reason, and less controlled by the shadowy semblance of emotion or passionate self-love.

We think that the franchise should be conceded to all women who, but for the accident of sex, would be placed on the registrar's book, to all ladies who have had or may have property of the value of £1000 settled upon them at their marriage, to all payers of income-tax, male or female, and moreover one cannot be far wrong in suggesting as a universal theorem that all adults, not paupers or criminals, who can satisfy the revising barrister that he or she has had a good education, are, on both Conservative and Liberal principles, morally entitled to vote. Either let people qualify as holders of real or personal estate, or let them produce a certificate (or collection of certificates) of having at some school, college, or recognized public institution been instructed in English History, and at least four branches of knowledge, taking care not to exclude from the list Divinity, the elements of Moral and Political Philosophy (the latter including under separate headings, both the science of government and the usual economic problems), Elocution, English Composition, and those parts of the science of Domestic Economy which deal with the laws of health, cookery, etc. We have ample machinery at our command for testing the educational qualifiers in the shape of properly authenticated school and ladies' college certificates, university degrees, local examinations, working men's and literary insti-

tutes. This test, which with proper securities against fraud, might be retrospective, would, to say the least, be as satisfactory as any other. Some would qualify in one way, some in another, but no man or woman would enjoy civic trusts unless they deserved them.

We urge this extension of the suffrage on the following grounds:—

Everyone allows that the exercise of an important public trust has a tendency to enlarge the mind, to divert the attention occasionally from the absorbing cares of every-day life, and in short to make the citizen feel that he is a member of a great commonwealth, a unit of a vast whole, and that upon his action at the polling-booth depends the welfare of many millions. We all know that people do not invariably shape their actions by such lofty considerations alone, but on the other hand numbers vote from mixed motives, not a few from the very highest, and without straying from the subject, we may add that under a thoroughly good system like that of Mr. Thomas Hare, which gave to every voter in the kingdom a free and practically unrestricted choice, removing great temptations either basely to exert or basely to yield to sinister influences, these exalted feelings of public duty would be felt by countless electors who are now strangers to them.

The various franchises and the rights of property will have the effect of conferring upon grown-up women benefits similar to those which result from sound scholastic training. They form part of that educational movement which is one of the chief characteristics of our progressive civilization. Again, though representation should accompany taxation, for the simple reason that those who contribute to the national treasury ought to have a voice in the disposal of the State funds, we may infer from the preceding observations, that if any bill were pushed through the Legislature without any alteration of the existing electoral qualifications, virtually giving the franchise only to spinsters and widows, married ladies would have a serious grievance, for they might fairly complain that their social position was lowered by the marriage contract. But here a host of objectors start up from every side. We do not mind giving single women the franchise they say, but the married should not have it, because they ought to confine their attention chiefly if not entirely to domestic duties, because the result would be either to give a dual vote to the husband or excite discord in families, because

“discipline” could not be maintained in households, and because in St. Paul’s epistles wives are told to obey their husbands. Such, if we mistake not, are the arguments of those who oppose married women’s suffrage.

Let us now try to refute them one by one. First then, we contend that marriage, when viewed in a proper light, is for a lady the most ennobling of all the *professions*. It cannot be too forcibly urged that a married woman, who has the care of a family is morally accountable not merely to her husband but to the State. Her duties are essentially public as well as private. She may perform them well or ill. She may instil into the minds of her youthful charge good ideas preparatory to the reception of large and comprehensive views, or she may let things drift sluggishly along, and thus neglect the due fulfilment of a sacred trust, but she cannot separate herself from the world in which she lives. She must either help to elevate mankind or add to the sum of human misery. Admitting that the wife contributes at least her fair share to the aggregate happiness of the nation, one might suppose that she ought to have a voice in the conduct of the national business and the disposition of the national property. Even where the home ties are very stringent, where the parties cannot afford to keep servants, where the wife has to attend to the children, make the beds, cook the dinner, mend and wash the clothes, no one will deny that she could spend half-an-hour or so over the daily paper, so as to form as clear a judgment on questions of imperial policy as is compatible with the strict and faithful performance of her own special obligations, and from this point of view there is no more reason for denying her the right of voting than her hard-worked husband, a skilled artisan, we will suppose, who has about the same amount of spare time at his disposal. How much the more then have wives in the middle and upper ranks of society, who pay nurses, cooks, and milliners to get through the work, which poor people do for themselves, time to read books and reviews, and perhaps to engage in some charitable or literary employment. Without any very painful exertions, a lady who is well off could easily set apart ten or twelve hours a week for honest study, if so disposed. When we consider the long afternoons, or even mornings, that are wasted on idle profitless gossip, on “Kettledrums,” croquet parties, and other wearisome occu-

pations, which cease to be pleasures when carried to excess, it seems childish to argue that they would have no time to fulfil their duties as members of the State. Nay, they have often more opportunities than their husbands for general reading, and they would have no excuse for not taking an interest in what concerns everyone, if only they had similar inducements. There is too a sort of floating notion, that because domestic is incompatible with Parliamentary work, therefore married ladies ought not to vote. How trivial this reasoning! In the first place it ignores the existence of wives with grown-up children, who, it is not inconceivable, might occasionally win the confidence of constituencies. Secondly, it assumes that votes are to be given to none but those who are likely to be candidates for important posts, a curious *reductio ad absurdum* which would at once disfranchise many lawyers, farmers, and other busy people, who have no ambition to get into Parliament. How strange that some people cannot see that the functions of a legislator and a voter are wholly distinct! The so-called dual vote objection may be dismissed with the remark that when two people deposit their voting papers in the balloting urn, and are entered on the books as registered voters, nothing in the world can serve to convince us that the result is the same as if the husband or wife had refrained from giving expression to his or her political opinion. It might easily be proved by figures that in the case of a district where the proportion of married Conservative electors was in excess of that of married Liberals, and all the wives backed up their husbands, these pseudo-dual votes might turn the scale. Those, however, who lay stress on the educational and social effects of married woman's suffrage will be inclined to attach very little importance to an argument which is based upon the false assumption that men have the wish or the power to dictate to their wives. The dual vote bugbear at once excites the ridicule and outrages the moral sense of nearly every husband who has heard of it.

Again, many people who are opposed to the movement draw a lugubrious picture of family dissensions and matrimonial bickerings, which they imply will be the certain consequence of two electors in one household developing their higher faculties. Several answers may be given to this objection. First, even if there were any well-founded apprehension of domestic quarrels arising from differences of political

opinion, it were both grossly unjust and excessively impolitic either to gag the free utterance of thoughts, or to withhold voting power from the wife, who, other things being the same, has as good a right to vote as her husband. Because, forsooth, an antiquated 'obstructive' is offended that his wife should occasionally give vent to genuine Liberal aspirations, therefore we are told that in order to ensure discipline, the sentiments of the latter should be for ever stifled! Suppose that the wife and her husband were radically opposed to one another in politics, is that any reason for denying the former her liberties? On the contrary; if the husband hung out the red flag of despotism, and the wife quietly but firmly stuck to her own colours, we hold that, by the very fact of refusing to submit to the arbitrary high-handedness of her ex-lover, she clearly shows herself fully qualified to give a good honest independent vote, whereas the man, who plays the tyrant in his own home, is in his turn, as likely as not to cringe in abject servility before some autocratic *notabilité de clocher*, who seeks to browbeat all his neighbours. But even if in some families such conflicting opinions were provocative of incessant disputes, this would only prove the tempers of the married couple to be so thoroughly incompatible that they ought never to have been united. If they had not wrangled over the *Standard* and *Daily Telegraph* they would have perpetually come into collision over nameless house worries, and surely if little tiffs are inevitable, it is better to dispute about such topics as are elevating and exciting, than those which concern the individuals alone, the settlement of which, one way or another, is a matter of minor importance to the outside world.

Without being accused of pedantry, one may fairly advise people who are keenly interested in politics, to think twice before they marry those whose principles are diametrically opposed to their own, just as sensible men and women who belong to different religious communions, think their happiness best consulted by keeping apart. The relative truth or falsity of the political as of the religious creed is altogether beside the question. Take the case of two persons equally well-informed and equally sensitive to the duty of speaking out their beliefs, one of whom thinks the disestablishment of the Church of England an intensely religious movement, while the other sees in it the downfall of Gospel

truth and the inauguration of the reign of anti-Christ, what fellowship, what loving sympathy can exist between two such uncompromising opponents? It is a delusion to imagine that this antagonism would reveal itself only on the one subject. Other knotty points of public interest or even domestic management would continually arise, when the spirit of hopeful advancement would be crushed and battered down by the cumbersome bulk of precedent, when a cheerful and implicit reliance on the future would be baulked and enfeebled by a blind and molecular adherence to the past, when the mood of sullen obstruction would clash bitterly with the genius for Reform. Yes, there is no doubt but that those marriages alone are truly happy, which are built upon the solid foundations of mutual esteem and moderate similarity of beliefs political or religious. That some of your 'practical common-sense people' cannot see that lasting happiness in married life is only secured by the union of congenial temperaments, that in short the coercive and reforming types of character are fundamentally opposed, is not our fault. The Hottentot is unable to understand why the whole is greater than its part, or why things which are equal to the same thing are equal to one another, and yet these elementary mathematical axioms are none the less true. Many indeed who may feel inclined to admit that political differences would mar wedded happiness, but that notwithstanding it is at once woman's mission and woman's duty to vote conscientiously, fear that if wives had the franchise they would often be influenced by others. Well suppose they were. Doubtless it would frequently happen that husbands would bias their wives and *vice versa*, but there is neither harm nor novelty in the idea of legitimate influence, for remember how many men defer to the opinions of the daily press, and those of their immediate friends. An advanced Liberal would naturally try to impress his convictions upon the lady he loved best in the world, but his whole soul would revolt with a shudder of horror from the bare notion of persuading her to vote against her inclinations, even if she were resolutely bent upon throwing herself into the arms of ultra-Conservatism. That some odious selfish fellows might tease their wives into voting for candidates whom the latter cordially disliked, we do not of course deny, but contend that under the very worst contingency there would be a clear gain to the community, for the impertinent husband would of necessity feel that his wife's opinion

was of some account in our political system, that to whatever state of mental prostration she might be reduced through his bad treatment, the State at any rate, by putting her on a footing of political equality with himself did not consider her a mere cypher. Local opinion would condemn the brutality of the man, and he himself might possibly feel remorseful compunctions, see the hatefulness of his conduct and behave differently on the next occasion. In some rare instances then we grant that wives might be bullied to the poll, just as the benighted peasants in the French rural districts succumb to the insolent dominion of wicked priests, but as a rule we are pretty sure that duly-qualified mothers of families would vote freely and fearlessly. In other words, we hold that the new arrangement would be adapted to the condition of public morality, that the recognition of the political equality of wives would be productive of many blessings and promote in numberless ways higher harmony in nearly every family throughout the length and breadth of the United Kingdom. We agree with Mr. Mill that the vote would be given with more circumspection, if husband and wife talked the matter over together and shared the responsibility between them, for then they would both realize more fully that there is a point of honour in politics. To put the matter on a selfish ground, it is a sad blunder to imagine that a husband is content if he gets his dinner and everything comfortable as they say. The latter has mental wants as well, and how much better that these should be satisfied at home than that he should have to seek elsewhere from comparative strangers that earnest sympathy which even at present he now and then does, and which under a just system he nearly always would obtain from the lady who should be his most intimate companion!

In making these remarks, we fully realize the fact that we are cutting our way up a very formidable ice-slope. 'These arguments for married woman's franchise are all very well,' some might exclaim, 'we are disposed to admit that, if any women are to have the suffrage, the married have even a better moral claim to it than spinsters, for that they are on the average more experienced, and their views are in all probability more matured, by reason of their daily association with the male sex, but (they would add) we are sorely perplexed. Are we not bound to withhold the suffrage and retain a modified control over the

real and personal property of our wives, else what is to become of that theory of supremacy upon which our marriage laws are based? True, we have read a little American pamphlet called 'Equality under Headship,' but candidly own we can make nothing of it. If the law of the land is such that women are made to vow obedience at the altar, should we not stultify ourselves by conceding what you call the Divine right to exercise their faculties, in accordance with the law of equal freedom? We have an uneasy sensation that there may be some truth in all you say, but cannot see our way out of the difficulty. Now it were folly to ignore the fact that there is a very serious difficulty. The inference above mentioned is logically correct. Either the various franchises and rights of property with all their attendant benefits, should be kept back from our wives, or the laws of marriage must be *eventually* altered. Now we do not scruple to affirm that some parts of the Marriage Service jar against the moral sense, that is, the notions of equity prevalent among all classes of society in this country, and that were it not for what we firmly believe to be a mistaken view of its Scriptural sanction, the vow of obedience would meet with few, if any, defenders. Let us calmly examine the matter.

It were easy to show by indisputable arguments, that in this stage of social development, family despotism withers up every true feeling of domestic affection, that it impedes the moral and intellectual growth of both wife and husband, that it is no less demoralizing to the 'master' of the house than to his dependents. Everyone allows that it is perfectly impossible for two friends to live on good terms, if the one presumes to dictate to the other any particular course of conduct or line of thought. Equality of rights, and, if need be, disguised superiority of conditions are the essential prerequisites of any friendship worthy of the name. Similarly parents, who wish to generate in the minds of their children a tender regard for the feelings of others, an unselfish anxiety to do good, and an intelligent craving for knowledge, are loath to extort a sulky, dogged obedience by means of angry, morose punishments, but will seek rather by the force of example and gentle suasion to mould the character of their offspring in harmony with the Divine law. Again, it is notorious that many engagements have been broken off, because the lover (?) rashly attempted to exact

compliance with his wishes before his betrothed had passed under the yoke, his wishes, forsooth, as though it must be taken for granted that he was in the right and she in the wrong! If then the voice of command prove fatal to love and friendship, and only a very moderate exercise of it be allowable in our demeanour towards children, how much the more must it crush, kill, and destroy the refined hopes, the glowing anticipations and romantic yearnings of married life! Our readers may rest assured that the ideal of connubial felicity is where the love of the honeymoon is as nothing compared with that which afterwards blends itself with their innermost thoughts and actions, when each is keenly jealous of the dignity of the other, when both are knit together in the closest bonds of religious and political union, when the sympathies of both are at once domestic, national, and cosmopolitan, when they both study the same authors and imbibe the same enlightened ideas, and when they both look forward with joy to the happy day, when a wise legislature and a benevolent public opinion will enable them to go to the poll together and share alike in liberty and equality. It is very bad for men, however unselfish and unwilling to domineer, that they should be tempted to gratify their own tastes at the expense of their wives. Tyrannous instincts will sometimes overmaster us, but we men can at least claim on our own behalf that the laws of the country shall not seek to entice us from the path of virtue. We prefer mutual concessions to either a slavish yielding up of the will of others, or perpetual squabbles about the limits of obedience, and we are of one mind with Herbert Spencer, who says in the 'Social Statics,' page 181: "Command is the growl of coercion crouching in ambush. Or we might aptly term it, violence in a latent state. All its accessories—its frown, its voice, its gestures, prove it akin to the ferocity of the uncivilized man. Command is the foe of peace, for it breeds war of words and feelings—sometimes of deeds. It is inconsistent with the first law of morality. It is radically wrong."

We are firmly persuaded that there are many blessed unions, not because of the marriage law, but in spite of it. That the principle of equality is practically adopted in many a happy home serves to show that the law of subordination in marriage, whatever may have been its uses in the past is now incongruous with the precepts and



practices of the present age. All in vain to argue that only a "reasonable" submission is required, for who is to assign the limits of obedience? Where are we to find the infallible casuist, who may be shrewd enough to affix boundary lines, which will meet with the universal *consensus* of the civilized world? This question cannot and ought not to be slurred over. The opinion of the writer is that for the word 'obey' we should substitute the word 'assist,' omit those texts which enjoin one-sided obedience, and close the Service with fitting exhortations to comfort and sustain one another, and at the same time practise works of charity towards our neighbours. If it be urged that after all the vow of obedience does not signify, because everyone knows that the parties mean to live on an equal footing, we reply that the moral law is shamefully violated, when on such a solemn occasion, two persons should be obliged to listen to words which their consciences condemn, that they should be forced to hearken to an injunction against which they in their hearts rebel, and which they feel instinctively to be disappointing, irrational, and irreligious; yes, irreligious, for the man who kneels at the altar, knows perfectly well that he has no wish to degrade his betrothed, that the vow of obedience evokes no responsive echo, no thrill of sympathy in the heart of either one or the other, that in the sight of their joint Creator the vow to love, honour, and cherish is alone acceptable. That the theory of marital domination has in actual life been undergoing palpable modifications is as certain as that it will at no distant period completely disappear.

Why, it may be asked, do St. Paul and St. Peter so repeatedly urge the duty of submission on the part of the wife as in the Epistle to the Ephesians v. 22—24; Colossians iii., 18; and 1 Peter chapter iii? Now, it may have been that St. Paul really thought that there was nothing immoral in the subjection of women, any more than in the institution of slavery, or the tyrannical authority of the Cæsars, both of which he countenanced, when he enjoined slaves (in the original version the Greek word signifies 'slave') to obey their masters, and subjects to submit to rulers. Those who think that St. Paul with all his depth of learning and profound knowledge as well of the Divine as of human nature, was nevertheless so imbued with the feelings of that age that he could not emancipate his mind from the notions of absolute rule,

which were deeply inseminated in the national life of the ancient world, may point to such references as, Timothy, chapter iii, and others, where deacons are told to rule their own houses before attempting to "take care of Church of God." If the inspired Apostles secretly disapproved of human beings rendering to one another unquestioning obedience, if they thought that at a later stage of civilization, people should be free to express their own will, and not subserve the despotic inclinations of other equally fallible mortals,—one might suppose that they would not convey to men's minds the idea of rule in family life in the course of an exhortation to ministers of the Gospel, thus, as it were, stepping out of their way in order to inculcate conjugal obedience. One might think that they would not be *too* anxious to insist on the subjection of wives. Those, however, who believe with the writer, that the Apostles were inspired to that extent that they could foresee the future fulfilment of the Divine law, may quote Galatians iii. 28: "There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female: for ye are all one in Christ Jesus," and again, Ephesians v. 21, "submitting yourselves one to another in the fear of God." Also they may refer to the General Epistle of James, chapter v., where the notion of reciprocity in social relationships is earnestly impressed upon the reader's mind. Here we would caution our readers against the fallacies of those mischievous reasoners, who argue that in this dispensation we shall never be able to get rid of wars, poverty, artificial distinctions of sex and other frightful social evils. How do they know that the progress of humanity to comparative perfection in this world is not part of the Divine scheme? Inasmuch as the general tenour of woman's career has been that of gradual progress, we are surely not warranted in assuming that we must wait for the millennium before fully recognizing her true position. Given the perfect law, we are morally bound to act up to it, as best we can, modifying our political and other arrangements to suit the national character, which, in the absence of occasional and temporary convulsions, *must* alter for the better year by year. In many parts of Holy Scripture, we find that our blessed Lord evinced an intensely loving interest in the welfare of women, and it must never be forgotten that at the day of Pentecost, the Holy Ghost descended upon both sexes. C.F. the Acts of the Apostles, chapter i. 13,—ii. 4.

But we have not yet explained how it was that our Lord, through his Apostles gave an apparent sanction to the subjection of women. Or to put the question in another form, why did St. Paul, whom we prefer to think was fully aware that the subjection was only a token of a diseased state, earnestly counsel wives, slaves, and the people generally to submit to the existing social conditions. We reply first, that St. Paul's grand object was to propagate the Gospel throughout all lands. He could never have persuaded the rude inhabitants of Asia Minor, still less the haughty and exclusive Greeks, to listen to his exhortations to believe in the redeeming merits of Christ, or to practise the virtues of self-sacrifice and brotherly love, if he had made any weak premature attempts to upset prejudices and customs, to which they were immoveably welded. It stands to reason that if he had tried to abolish slavery, or give women equal rights with men, he could never have obtained such a hold upon men's minds as to compel attention to those precious doctrinal and other truths, which it was his main purpose to proclaim. Whilst then by far the greater portion of this part of the New Testament must be regarded as containing all the general principles of a perfect morality we infer that when the Apostles came to speak of *particular* duties, they did not intend their words to apply literally to all ages and all phases of progress. Those who dissent from this reasoning must, if they would be consistent, stand forth as the champions of slavery and Cæsarism in the present day. The truth is, that if we look into these three systems a little more deeply, we shall find that they had their use in God's Providential government of the world. The issue lay not between despotism and democracy, not between subjection and equality, but between despotism and anarchy, authority without appeal, and authority involving obligations on the part of the ruler. St. Paul in this part of his writings lays down a short scheme of Therapeutical Ethics, that is to say he takes cognizance of the imperfect state, and tries to modify it by the aid of rules adapted to the weakness of their depraved natures, in this way condescending to their necessities, and conforming, as far as he conscientiously could, to the social and governmental institutions of the East. More scope could be afforded to the development of faculties under a comparatively benevolent yoke, than under an unmitigated despotism. Hence St. Paul

wisely urged the husband to love and cherish his wife, and the master to "forbear threatening his servant," in order that hate and bitterness might not smoulder in the bosoms of the oppressed. If you ask how it was that these unjust systems lasted so long, we answer first, that the progress of humanity from imperfection to ultimate perfection is the acknowledged intention of the Deity, that if this progress was far slower than one might have expected, the blame must be laid upon men's wickedness alone, for the Creator in his wisdom gives us a free volition and suffers us in this life to take the consequences of our own acts. Secondly, in rude primitive, and semi-barbarous countries, there was urgent need of the strong hand to prevent society from splitting up into infinitesimal fractions. The authority of the task-master was indispensable, so that mankind might be taught habits of continued persevering application. Before men and women are fit to govern themselves, it is necessary that they should first learn how to obey. Surely the weaker sex have amply profited by the wholesome discipline of the past, and may now be fairly trusted with an equitable share of political power. A few texts may certainly be quoted, which at first sight clash with these views, as for example—1 Corinthians xiv. 34, 35, where women are enjoined to keep silence, "for it is a shame for women to speak in the churches," etc., but these passages simply refer to the scandalous disorders in the Corinthian synagogues at the time the Apostle wrote. It was a shame that the services should be interrupted with untimely questioning, and it was only natural that, where both sexes were to blame, St. Paul should concentrate his censure upon the women, as they were more ignorant than the men of that age, and had probably taken a more prominent part in the unseemly disputations. Such being the case, no argument can be drawn from these verses in favour of marital supremacy, nor for matter of that against women taking holy orders and preaching in the pulpit, any more than their joining with men in the prayers, hymns, and responses. Again, there are two other remarkable chapters—1 Timothy ii. 11, 12, and Ephesians v. 23, which deserve close examination, in the first of which the wife is told "not to usurp authority over *the* man." We think the commentators are mistaken in referring to Ephesians v. 24, for in the context the Apostle has not been laying down any general exhortations to obedience, but instructing men

how to pray, and women how to adorn themselves, so as not to give any unnecessary shock to Oriental notions of propriety. Very likely the verses allude to some very becoming regulation of the Jewish synagogue approved of by St. Paul, and incorporated with the rules of the Christian churches, to the effect that no wife should hold office as deaconess without her husband's consent, lest by so doing she might neglect her own special avocations. The second of the two last-mentioned references probably denotes the intense spirituality of the union between man and wife, just as Christ and his Church are now and will be hereafter one and indivisible. Though St Paul may have had the idea of rule in his mind, yet, taken in a higher sense, the passage appears to suggest that between the followers of Christ and their Master there should subsist the closest harmony, and in all the concerns of daily life, in religion, politics, trades, business, and pleasures of all kinds, the most endearing and well-nigh associative intercourse, that as Christ made the Church "bone of his bone," and "flesh of his flesh," so, for the fulfilment of the perfect law, the tie which joins together man and wife should be as indissoluble as the ligaments connecting the head with the body. Granting that some passages in the Epistles, if we accept them only in their literal signification, are at variance with those democratic ideas of equality and liberty which are the fundamental characteristics of the Divine law of progress, we may nevertheless deduce from them the lesson that husbands and wives owe a Christian deference to each other's opinions; that servants should obey their masters, not as in old times, because they have been born in a fixed *status* whence there is no escape, but simply because they have *contracted* to serve for a consideration; that instead of passive obedience to rulers the submission now required of us is of a different sort, *i.e.*, that, where the powers of government emanate from the governed, we should always render a loyal allegiance to the powers that be, but that, as all authority springs from the people, these governors may be changed periodically, peaceably if possible, but by force, if such an unwelcome proceeding be imperatively demanded.

Again, just as not many years ago, some people were so silly as to assert that slavery was a pre-ordained institution, the attempt to overthrow which was an impious violation of the laws of God, so we have actually heard one of our opponents, or rather misguided friends, try to

prove from the Old Testament that the emancipation of women is at variance with the Divine purpose. In Genesis i. 27, we find the words, "male and female created he them," which seem to imply that whatever corruptions may have sprung up after the sin of Adam and Eve, yet that at the Creation at any rate, God was "no respecter of persons." In Genesis iii. 15 it is written, "and thy desire shall be to thy husband, and he *shall* rule over thee." Now the word "shall" in the Hebrew may also be rendered 'will.' Clearly then these words are not a command, but merely a statement of what would happen. Compare this with the preceding verse, in which God did not give directions to the serpent, but merely foretold the insidious devices of the evil one. Compare also Genesis iv. 7, "And unto thee shall be his desire, and thou *shalt* rule over him." Here it cannot be predicted that God ordered Cain to domineer over his brother Abel. He simply predicted the event. In like manner did our Lord prophesy his betrayal by Judas. We would also refer our readers to Genesis xxi. 9-12, where, when Abraham was very reluctant to comply with his wife's wishes, God commanded him to "hearken unto her voice," and acquiesce in the dismissal of Hagar and her son. What a pity that the Marriage Service, instead of laying undue stress upon Sarah calling Abraham "lord," an Eastern mode of address corresponding to our 'sir' or 'Mr.,' does not even mention this striking fact of a husband's deference to his wife's wishes. It appears, from what has been said, that God was very unwilling that wives and other women should be regarded as inferior beings, but that this plague spot of subordination fell upon both sexes, for it is a moot point which has suffered the most. Slowly and painfully for long weary centuries centuries has woman been emancipating herself from the curse. Storm-tossed, but erect, the good ship now floats triumphant in the tranquil waters. The long-looked-for haven is close at hand. Eager pilots dispute the honour of bringing her into port. May the rich treasures with which she is laden amply supply all our immediate wants, and furnish the seed of many a golden harvest in the future, the glorious future!

Our aim in solving political problems should be first to ascertain and the Divine Will, then to adapt our laws to the improved moral and intellectual sensations of the persons for whom

we legislate. In making changes, we must ask ourselves first, is the new proposal right in the abstract? Secondly, can the people bear the change? Will it harmonize with the general tenour of their lives? Will it work well? Will it conduce to the good of Humanity? Will it have the effect of improving our condition, developing for good objects the faculties which God has given us, and intensifying our religious devotions? If these questions can be answered in the affirmative, can we suppose that, after the preliminary experiments of many generations, a morality based upon the principle of the equal rights of either sex would be otherwise than rich in fruitful consequences, and thus necessarily meet with the approval of the Almighty? We must consider too, not what St. Paul thought then, but what he would think now. He was in very truth, a more earnest, self-sacrificing reformer than any of the modern school, but it would have been both unwise and un-Christian to stir up the spirit of resistance before the time was ripe. The moral feelings of different epochs vary considerably. In the very early period, submission was justly deemed the best of all the virtues. The morality of chivalry or protection of the weak by the strong characterized the Middle Age, while now the various relations of men and women to one another tend to be regulated more and more by the morality of justice. God's government of the world is progressive. Light does not come all at once. It gradually dawns upon our minds, and it were vain to imagine that the physically weaker part of our population could shake off a false and humiliating yoke, until men in considerable numbers came forward to help them. If accordingly after mature deliberation and much earnest discussion we feel that it is our duty to reject the notion that one sex should be under subjection to the other, we may be *absolutely certain* that such a policy springs from above, that it is in short a manifestation of the Deity in our hearts.

So far we have tried to point out that married women and spinsters ought to be entrusted with the franchise. Indeed one cannot help thinking that if, by any remote chance, unjust distinctions were to be drawn, we husbands should get up a large monster convention to agitate for our rights. We know for a positive fact that there are married ladies first-rate housekeepers who are not only reading, but studying the works of such as De Tocqueville, Ranké, Robertson, and

the transactions of the Social Science Association. They take an intense interest in all questions of foreign and domestic policy, being equally excited about the Licensing Bill and the marvellous proceedings of the 'Commune.' Let us thoroughly grasp and never loosen our hold of the apparent truism that general mental cultivation enables people to fulfil the most homely duties quickly and efficiently. It is possible for a lady to be at once an excellent house manager and a philosophical economist of the school of Bentham.

Those who allege that women should not have the franchise, because they are mentally and physically inferior, may be utterly routed. Let us briefly analyse the various objections, together with the erroneous views and ill-concealed fallacies on which they are founded. In the first place, women have been rigorously shut out from the Universities, and nearly all the great educational endowments of the country. Oh, says your objector, but of course they do not require a first-rate education, when most of them are "destined" for marriage, and the others are not allowed to enter the professions. To this, we reply, first that even if marriage were the only career open to a woman, the responsibilities of wedded life are, or ought to be, deemed so great that parents should be just as anxious to give their daughters as their sons a good mental training, for the former in after life will probably be mothers of children. Whether these latter will turn out productive workers, that is, whether in return for what they consume, they will increase our stock of moral, intellectual and material goods, will depend in great measure on the way in which the mother has been brought up. Thus it is easy to see that, as invariably happens, the elementary principles of political economy confirm the truthfulness of the moral law of equal freedom. Train up the young of both sexes to exercise the faculties inherent in their natural constitution and society is a gainer. Nip in the bud their youthful aspirations, or laugh them down with the hollow croak of a pseudo-expediency, and society suffers in exact proportion to the neglect. Just as, no matter what the adventitious advantages of moist climate and insular situation, the annual supply of food will mainly depend on the morality and intelligence of the workmen and the proportion of those employed in agricultural and manufacturing labour, as compared with those not so employed, so the moral and intellectual condition of the community

will be better or worse according to the number of paid or unpaid workers, who, in the various professions, public bodies, schools, colleges and families, devote themselves directly or indirectly to the noble task of alleviating human suffering, and ameliorating the laws, institutions, manners, customs, usages, etiquettes of all the component parts of the body politic.

Now we are of the number who think that generally speaking, under any circumstances a larger share of happiness would fall to the lot of married ladies than to those who prefer single blessedness, and we have already hinted that the former virtually *profess* to discharge certain semi-public obligations, but if ladies are disinclined to marry, why should they not make themselves useful in other ways and receive the same pecuniary and honorary rewards as men? Let us rejoice in the thought that some of the male monopolies have already disappeared. Traders are not so jealous of women's capacity, young girls are employed in postal and telegraphic establishments, and above all, through the earnest and indefatigable endeavours of Lord Lyttelton, to whom we owe an immense debt of gratitude, there is reason to believe that women will shortly be appointed governors and inspectors of boys' and girls' schools. We do not presume to say that women and men are equally fitted for all occupations. Far from it. All that we ask is 'let there be a clear field and no favour.' We do not base their claim upon identity of faculty so much as upon the principle of absolute liberty of thought and action in all those cases where the freedom of the individual does not trespass upon the rights of others. 'Let them try' was the cry, which welled up from the heart of Protestant Christendom, when the Pope told Luther that the common people could not understand the Bible. 'Let them try' pleaded Lord Macaulay on the Jews' Disabilities "question, before you deny eloquence to the countrymen of Isaiah or valour to the descendants of the Maccabees." 'Let them try' we repeat, 'ere you withhold from half humanity the social or material rewards of honest labour, on the miserable pretence of a fancied intellectual inferiority or physical weakness.

It is no use urging that there are so many men competing in the various lucrative employments that there is no room for women. If once we sanction the odious creed of monopoly, where are we to stop?

Why not return to the old system of guilds? Why not prevent half the male population from seeking emoluments, for the very same arguments might be used for restrictions? The fallacy of this plea like all others selfish and rotten at the core may easily be exposed. If in the china trade, jewellery and others, men plumed themselves a little less upon a fancied superior skill; if in banking, discount, and other companies, young women were admitted as clerks and accountants, if all appointments in the English Civil Service were thrown open to *unlimited* competition, if middle class parents, instead of teaching their daughters a few showy accomplishments, brought them up more practically, and then gave them a capital of £500 to start in business on their own account, if we admit that all human beings have rights of property in mind no less than in land, all parties would generally speaking enter those branches of industry for which they were best suited. Enlarged experience would confirm again and again the soundness of the great principle of the division of labour. The result of the increased number of workers and greater skill in the workmanship would be that, though at first there might not be much difference in the sum total of human earnings and the increased demand might lower the rate of wages, additional labour would very soon produce more wealth, and wages would rise by reason of this augmentation of the wage fund. What is the reason that the wages received by a governess are often very disproportionate to the work done? It is not the fault of this or that particular capitalist, but it is simply owing to the fact that there is such an excessive competition in the labour-market. When a man is in a similar straight, he casts about for some other employment, but a lady cannot do this; she must take what she can get, if forced to earn her own living. Throw open all the professions, especially Civil Service posts, and the result will be that, owing to this extension of the great principle of free trade, wages will rise where now there are crowds of women competing against each other. Again, looking at the matter from another point of view, the condition of the operative classes would be ameliorated in consequence of the diminishing number of hasty and early marriages. It is notorious that whenever trade is prosperous, population increases with startling rapidity, for the workman, instead of saving his earnings plunges into matrimony without

counting the cost, food of course becomes dearer on account of the increased demand, and the impossibility of raising the requisite supply but by a greater proportional outlay of capital, wages fall, and then the labourer foolishly complains. Now surely, these rash and ill-assorted unions would be less frequent, if women in humble life were not fearfully tempted to throw themselves into the arms of the first man who offers to maintain them, simply because through the timidity of parents or arbitrary custom they are (though the monopolies are being gradually beaten down) still to a great extent virtually debarred from supporting themselves by their own exertions. Remove such impolitic restrictions, and you will find that, partly owing to the increasing development of our economic resources, but still more through the civilizing effects of a more humane distribution of the rewards of industry, and the salutary operation of the prudential check on excessive population, great numbers of poor women and children will be saved from destitution and crime. Reflect too that, on the justifiable assumption on an increase of wealth, the more efficient employment of labour and capital would have the effect of lowering the natural price of commodities, and that one great result of the cost of production would be that the very poor classes would purchase articles of daily consumption or warm clothing at a cheaper rate than they otherwise would. Hence not only would many honest self-supporting women be added to the industrial ranks, but we might reasonably hope for a steady decrease in the annual death-rate. Nor is this all, for it is a natural corollary to the foregoing argument that a diminished poor-rate would set free a great many small sums that could be profitably employed in enlarging the gross amount of the national capital. Thus we see that the establishment of the principle of industrial equality in all the various ramifications of public life would tend to lighten poverty and suffering, restrain improvident multiplication of births, augment the natural capital and divide it among a greater number of persons. More, it would substitute by degrees the principle of co-operative association for that of private competition, and then eventually might improved machinery not merely subserve the purpose of enriching the already affluent capitalist, but by limiting the manual toil, it might give men and women in the operative ranks more time for the cultivation of their nobler faculties,

and thus might the standard of the whole community be raised to such a height of moral and intellectual grandeur as would far exceed the expectation of even the most sanguine reformer. Depend upon it, that if we follow strictly the Providential law of Nature, which commands every one to labour to the best of his or her abilities, and in the exact manner which he or she deems suitable, Nature will be true to herself and add to the stock even of our material comforts, for, as Dr. Barrow says in one of his excellent sermons, "God always blesses the labours of productive industry." In the higher walks of life, every kind of work requiring brain-power will gain by women's assistance. There can be no valid objection to their serving on juries, or being employed as sub-editors and translators in newspaper establishments. In many country districts, there is urgent need of good doctors, and if there ever was a profession demanding the active co-operation of women, it is that of medicine, which requires skill and delicacy of treatment, faculty of minute observation and warm-hearted sympathy as indispensable conditions of great success. Physicians, we may add, should be courteous, and we have no hesitation in saying that the lady-students at Edinburgh are at once more clever and more modest than the rude unmannerly young gentlemen whose proper sphere for the time at least was the tap rather than the class-room. Whether or not a few ladies would succeed at the Bar we cannot pretend to form a definite opinion. One thing alone is certain, that they themselves would be the best judges of their own physical strength. As for their intellectual competency, there can be no doubt but that under favourable conditions, women would develop such clear shrewd reasoning powers as would put many a lawyer to the blush. At any rate, ladies are confessedly endowed with good common sense, and it must be acknowledged that in the law-courts the supply of that commodity has never yet been satisfactorily equalised with the demand. It may be objected that there are certain trials so indecent that no lady with any claim to self-respect could take a brief either for the defence or the prosecution. Until the false vulgar notions of spurious delicacy die away, and loftier standards of modesty applicable to both sexes take their place, this may be an argument for letting it be pretty generally understood that solicitors would do well not to give such briefs to women, but it would be ridiculous to maintain that

because a few persons are guilty of gross misbehaviour, others should be totally excluded from the means of gaining an honourable livelihood. Again, it would be worth while for the Committee of the Stock Exchange to consider the propriety of admitting ladies to a profession so adapted to that cool sensible business-like temperament, which is on the average quite as strongly developed in one sex as the other. Through the wholesome action of an enlightened human opinion, one might expect to hear less of the ruinous speculations, the reckless 'time bargains,' the 'operators for the fall,' and the 'lame ducks,' which though decreasing in number, are still a blot upon our commercial morality. Women also would make good bankers, heads of public companies, and active members of (as now is the case) every kind of association organized for charitable purposes, ever bearing in mind that the most effectual charity is that which helps people to help themselves. It is not necessary that parents, who can afford to leave their daughters well off, should train them for a profession for the sake of earning money, but it is right that every girl should be brought up to spend her days in good honest labour, so that eventually whether by marriage, writing for reviews, or anything else, she may utilize her faculties for the promotion of national prosperity. Again, the so-called natural inferiority assertion may be met by somewhat forcible *à posteriori* arguments, for despite the unjust legal subordination to which she has been forced to submit, despite the unhealthy action of a diseased semi-public opinion which was ever wont to sneer hideously at all her earnest endeavours to be in very truth the complement of man, she has yet succeeded in breaking through the barriers erected by brute strength and maintained not indeed through malice but from sheer ignorance of our real interests. Look through the history of the world and we find that woman no less than man has done her duty nobly. In medicine from the days of Asbella of Salerno in the 4th century, we find that such ladies as Maria della Donne at Bologna, Olivia di Nantes of Spain, Madame la Chapelle of Paris and in our own day Mrs. Garrett-Anderson of England have by their talents and indomitable moral energy assisted in the glorious work of alleviating human suffering, and yet the latter had to obtain in a foreign land that diploma, which the professors of her own country so illiberally denied her. In literature, which has ever been the last

exclusive, because the most learned of all the professions, who has not heard of such names as Mrs. Hemans, Mrs Somerville, Miss Edgeworth Harriette Martineau, the Misses Rothschild and in other lands and other ages Helena Lucretia Corano, Mary Cunitz of Silesia, and Ayesha of Cordova, who in the words of the Moorish chronicler was "a well of science, an ocean of discretion and a mountain of learning?" In politics have we not Madame de Stael before whose powerful intellect the first Napoleon quailed and Isabella of Castile, who by her unexampled vigour and prudent statesmanship raised degraded Spain to a height of glory, the memory of which a long train of bigoted and imbecile male successors could never blot out? What student of history, however severely he may condemn her private character, can refrain from admiring the rare wisdom and sagacity of 'the Virgin Queen,' who preferring a Walsingham and a Burleigh to those whose only recommendations were broad lands and a noble name, at once hurled back the tide of Spanish invasion and foiled the vile intrigues of Romish conspirators in her own dominions? In times of war and violence, we read of the intrepid firmness of the Countess of Derby, the self-sacrificing devotion of Flora Macdonald, and the sublime patriotism of Augustina of Saragossa, who with unflinching courage inspired the citizens to fight from street to street, from house to house, till the foreigner, yielding ground inch by inch was driven victoriously from the town. Who can forget the heroic though silent toil of Miss Nightingale at the hospitals of Scutari, and where is the Englishman who cannot sympathize with the moral courage, eloquence and ardent efforts of Miss Emily Faithfull to raise the condition of her sex, and the no less noble philanthropy of Miss Burdett Coutts or the ladies at the Spitalfields Refuge, who "are literally wearing out their lives in that truly Christian work?" These instances of female capacity for intellectual and physical exertion might be multiplied, but enough may have been said to prove, that if the reign of monopoly came to an end, and that of unlimited competition took its place, single women who have had a decent education will be able to hold their own in the struggles of life. By the census of 1861, it appeared that no less than two millions of unmarried ladies were thrown upon their own resources. Add to these the number in affluent circumstances who are living comparatively useless lives. Consider moreover the

grave awful fact, that, as has been shown by the statistics of Duchatelet, Mayhew and other inquirers, many thousands of women in large towns are reduced to crime, not in the majority of cases from depravity of character, but simply to save themselves, or it may be a suffering near relative from starvation, and you will agree that something must be done to cure an evil so appalling that one can hardly realize its existence. Half measures are acceptable, and sometimes even preferable to violent changes, provided that they remedy the worst evils, and provided that in doing so they pave the way for still more effective reforms.

Having thus encountered the mental inferiority objectors face to face, let us now attack them in flank so that they may be beaten all along the line. Are men so very wise, that they should venture to pronounce a number of intelligent citizens unworthy of the vote, on the ground that they are too impetuous and apt to be led astray by sentimental considerations? First, we should be very rash in concluding because now many non-electors form crude judgments, that therefore they would do so, if they felt they had as great a share in the government of the country as the majority of voters whose society they frequent. We must consider what ladies would think, if they had the franchise, *i.e.*, if the unjust stigma were removed, not what they say when they are taught to believe that public affairs do not concern them. Secondly, even supposing for the sake of argument, that they were inclined to rush into philanthropic schemes, we maintain that this would be a fault on the right side. It would show that they thought more of others than themselves, and this is just one of the all-important prerequisites for the conscientious discharge of a public trust. In the third place, though the education of many feminine electors *in futuro* has not been such as to qualify them for filling important offices in the State, it has been quite good enough to enable them, with a little study, to form as competent opinions as the great mass of male householders. Able accounts of all that is going on, with intelligent criticisms, are published daily and weekly. First rate monthly and 'Quarterly' Reviews give us a regular philosophy of history, than which noting better could be desired, and we may be very sure that ladies would find time to read them.

The physical-inferiority objection is positively ludicrous. Women are able to walk to the polling booth; they are capable of hard mental

application, as might be proved by a pile of statistics from Hitchen College and other places, and though they are not so muscular and cannot lift such heavy weights as their more robust friends, yet their superior beauty is an ample set off for their deficiency in corporal strength. No flattery is intended. As advocates of their physical equality, we merely call attention to the fact.

The question of the comparative morality of the two sexes is a barren and fruitless topic of discussion, for those at least who have had occasion to study the law of uniformity of national character will have no difficulty in comprehending, how in every class of society high or low, rich or poor, male or female, good and bad dispositions, honourable and unworthy motives, though the different forms, which they may assume, bear a constant ratio to the external difficulties which individuals have been forced to encounter, are yet on the average pretty much the same. Women and men have both their peculiar temptations to overcome, and we suspect there is something sinister and satirical in the shallow compliments of those who chatter about the moral superiority of the fair sex, and yet in the same breath deprecate the more extensive diffusion of those alleged superior moral influences. We base their claim to the suffrage not upon any fanciful haphazard speculations as to their extraordinary virtue, but simply on the ground of the absolute certainty, that so long as in this free country they are excluded from a voice in legislation, just so long will half our moral power be utterly lost as far as the amendment and framing of laws are concerned.

Again, it is curious to notice the anger of many of our opponents, when we bring forward what they call 'the Constitutional argument.' 'Exception proves the rule,' they growl out in voices half choking with passion. What rule, my good friends? Do you mean that sovereign princesses are the only women who ever have been, or are now endowed with powers of political discernment, or are we to understand that, although there may be many shrewd, business-like clever women in the world, yet that for reasons of statecraft their faculties should perpetually lie dormant? There is no escape from the dilemma. The first alternative implies an extravagant burlesque of the Divine right of kings, while the second, conceding one of the main points at issue, *i.e.*, that women have political abilities, fails to show why they should be suppressed. We



would however, go further, and retort that there are no exceptions to the eternal laws of life. The continual progress of humanity is one of those constant and unchanging laws. Development of the faculties is the primary condition of progress, the rate of which will bear an unswerving ratio to the opportunities, which each individual has of developing his or her spiritual, mental, or even physical capacities. Not to speak of children, every adult, at any rate, is, or ought to be, keenly interested in the laws of the country. No one can fully employ their faculties, unless they participate in the enactment of those laws. Thus every adult has a right to vote, unless the existing electors through their representatives satisfactorily demonstrate that, were it not for that right being in abeyance, a degenerate people would become the parents of despotism— anarchy—despair. Hence, it is easy to interpret the real meaning of the phrases 'political rights' and 'Divine right of democracy.' They do not mean that everyone ought to express their own political wills in every stage of a nation's history, but that, until we have reached the *penultimate* era of civilization, those rights are in accordance with the sacred law of Progress necessarily suspended. The true theory of representation is that no laws should be made without the express consent of the whole people. In practice, it is found that standards of fitness for the discharge of electoral functions have been extracted first from semi-absolute sovereigns, then from a reluctant and selfish aristocracy, then from a portion of the people themselves, who, at first distrustful of the intelligence of the rest, afterwards cheerfully admit the new claimants within the pale of the Constitution.

Many persons, who laugh in their sleeves at the utter vacuity of the '*Exceptio probat regulam*' objection, yet insist that women have already much indirect influence, that they are sufficiently represented by men, that their feelings shrink from allowing women to be 'contaminated,' and that women themselves do not want the franchise. Let us say a word on each of these four points. If indirect influence be exerted for good, here is a *prima facie* case for giving the wife or sister, if otherwise qualified, direct power, for why *cæteris paribus* should that share of law-making, which is accorded to the husband or brother, be withheld from her? If, however, this indirect influence be exercised perniciously, if the wife should tempt her husband to accept a bribe or succumb to the

frowns of the evil-disposed intimidator, then, indeed, one might be anxious for her to become a registered elector, in the hope that when she shared the responsibility, she might realize the guilt and meanness of her past conduct. These indirect influences are just the very ones that ought to be as far as possible removed, for no one is fit to be trusted with irresponsible power. One of the great truths, which glare out upon us from the pages of history is that power should be co-extensive with responsibility, for it is always a bad thing for a person to be in such a position that he or she can shunt the burden of sin or wilful violation of public trusts on to another's shoulders. Except where there is a contingent danger of still worse evils, we prefer the fearless and honourable expression of independent opinions to those backstairs intrigues and drawing-room cabals, which will not bear the light of day.

How again can women be said to be represented by men? Look at the marriage law, than which there is no more glaring contradiction of the principle of equality. Look at the property laws. Without going into the question of the many legal inconsistencies of the House of Lords' Act of 1870 (what else could be expected from the exquisitely refined sense of justice and philosophic culture of the majority of our hereditary legislators, when they are not afraid of Ministerial pressure?), we maintain that, although great improvements have been effected in the law of Married Women's Property by allowing them to dispose of their own earnings, deposit money in savings-banks, and retain for their own separate use personalty up to any sum not exceeding £200, to which they are entitled as next of kin of an intestate, yet that on the principle of equal justice, no measure is entirely satisfactory which does not permit them to acquire, bequeath, devise and hold real or personal estate, to contract, sue for and be sued just as though they were single, which does not, in short, place married women and their husbands on a footing of impartial equality. It is idle trash to say that married ladies would spend their money on jewellery and dresses, as though there were no husbands who ever lost half their fortune on the turf, or fuddled it away over expensive suits of clothes, rich dinners, and *récherché* wines. Women are quite as economical and quite as provident as men, and the sooner the latter acknowledge this fact, the better for their own peace of mind and that of

their families. Unity in matrimony should be, and often is, spiritual and intellectual; it is not ensured by a species of quasi-benevolent legal brigandage. Look too at the law of Divorce, which, in order to give effect to a petition on the part of the wife, requires that the husband should be convicted of adultery coupled with certain kinds of cruelty, or desertion without reasonable excuse for two years or upwards, while, if the husband be the plaintiff, adultery alone is sufficient ground for a dissolution of the marriage. Look at the barbarous common law, which consigns the children of both to the "custody" of one. Look finally at the Contagious Diseases Acts those odious blots on our statute book, which give a legal sanction to immorality; which only attempt to punish the least guilty offenders, who supply the demand which is created by men; which by conferring capricious and arbitrary powers upon the police, violate those constitutional bulwarks of British liberty for which our ancestors fought, and won after many a hard and glorious struggle; which actually extend and aggravate the venereal diseases they profess to cure. But thus it always will be, so long as under ignorant and shallow pretences we wilfully transgress the everlasting principles of morality, so long as we merely tinker with the symptoms of grave social evils, instead of boldly dealing with the causes of suffering and crime, by encouraging and amply rewarding female labour in all the remunerative and honorary departments of industry, by improving the barrack life and otherwise allowing private soldiers more liberty of action, or by bravely substituting a civilian national army for a comparatively unproductive military caste. All these injustices form abundant proofs that "virtual" representation is but a pitiful snare. All the hackneyed arguments that were brought forward years ago in favour of enfranchising the skilled artisans are still more applicable to women's suffrage. They may be summed up in one or two sentences. Woman cannot oppose force to force, when subjected to brutal treatment, hence it is all the more essential that the laws should afford her adequate protection. No popular assemblies, however upright and well-intentioned, are fit to make laws for both sexes, and it is unfair that they should be tempted to do wrong. If women were allowed a free expression of their opinions through their representatives, male or female, it is certain that politicians chiefly from an earnest desire for quick progress, and partly from a not

wholly discreditable anxiety to attract the ladies' support, would come forward, promising to represent not so much their interests as their intellectual points of view. But we advocate their enfranchisement on far higher grounds than the benefits which may accrue apparently to themselves alone. We venture to affirm that, if it were possible for ladies to derive no personal advantage from this "key to the house," the woman's suffrage agitation is in every point of view a man's question. It even affects our pockets, for, as we [have already suggested, capital will increase, when there are more workers, and rates will diminish, when there are fewer criminals and paupers to maintain. In truth, one of the remedies for drunkenness is Woman's Franchise, for when man and wife have the vote, when society formally recognizes that they have political sympathies and pleasures in common, it were no wild flight of fancy to imagine that at least quarter of the 600,000 habitual drunkards would prefer a rational and exciting conversation with their wives to the frowsy associations of the tavern. Ladies would be sure to throw new light upon such momentous problems of constructive legislation as the humane treatment of the criminal classes, the just claims of labour, the re-organization of our national system of superior education, and the inauguration of a nobler era of foreign policy, the cardinal principle of which should be unity of nations in the bond of mutual affection and mutual esteem, to be secured by a firm determination, at any risk, to defend oppressed nations, a cordial alliance with the great American Republic, the cession of Gibraltar to Spain, reiterated proposals for universal disarmament and a steady persistent agitation for a Federal Government of the United States of Europe, the establishment of which would bring us nearer to the perfect goal of Christian unity and render wars utterly impossible.

Many people feel quite shocked at the idea of Women's Suffrage, just in the same way as a Turk would be properly horrified, if you were to recommend that his countrywomen should leave off wearing veils, or indeed, not to search for analogies from distant regions, as we should have been not long since, if any adventurous thinker had predicted that in a few year's time, two ladies in their respective districts would probably head the poll at a London School Board Election by several thousand votes. We are really at a loss to imagine, why some of our

Conservative friends should be scandalized at the thought of women performing their civic duties in a grave, sober, deliberative manner once every five or six years, when they mix with men in the ball-room, at the theatre, the riding party and the croquet ground. If the two sexes associate for the purpose of enjoying innocent recreation, what sane objection can be made to the principle of mixed education (save only at anatomy classes) in early youth, and to that prolongation of early training, which is to be found in the profitable improving discussions, that are or should inseparable from a reflective use of the vote. The truth is that these and such like feelings, inasmuch as they are signs of a very imperfect state, are but transitory, while those that are morally defensible, are necessary and eternal. The ardent reformer, though he may groan with impatience at the delay, yet, in his calmer moments, feels no alarm at these symptoms, for he knows that the disappearance of evil as well in the ethical as in the physical world is an universal law of Nature. Suppose that some men and women were horrified at the sight of ladies speaking before the male sex, voting and perhaps being elected, we hold that it is a very good thing, that feelings, which have been already proved to be only evanescent, should be weakened by the infliction of temporary pain, and that those on the contrary, which are rooted in the moral sense guided by reason, should be strengthened by habitual exercise. Given a certain diminution of happiness, which must result from the concession of the franchise to women, it is right that those should suffer who are blind to every conception of public duty, not those who are expending their energies on the public welfare, especially when the slight annoyance occasioned is sure to produce future good by the conversion of abnormal prejudices into normal convictions.

Many, who are painfully solicitous for the stability of "the old landmarks," and who are yet conscious that a change is inevitable, gasp out in despair that women do not want the franchise. To this we reply in the first place, that a great many married and single ladies do earnestly desire to vote for members of the House of Commons at the next Parliamentary elections, as is testified by the number of petitions that have been presented from all parts of the country. How many too must secretly cherish similar aspirations, who are afraid to give utterance

to them for fear of ridicule or supercilious sneers. Secondly, it is sad to think of the number of ladies in the higher classes, who are not only indifferent to, but bitterly hostile to the idea of their being called upon to take part in public affairs. Brought up as they have been to ignore politics, unaccustomed to take any interest in the heart-stirring topics of the day, one cannot be surprised that they do not suddenly turn round and change those beliefs, which they hitherto deemed unassailable. For all that, the great majority of women, yes even the gayest of the gay butterflies of fashion, will ere long perceive that it is not a matter of choice, but a plain positive duty, first to form a few clear ideas on the relations between Church and State, the utilization of waste lands, the questions of Pauperism, Emigration, Representation, &c., and then to seek to express them by voting for persons, who will adequately represent their opinions. Charity, which "seeketh not her own," consists not in lazy almsgiving, nor yet in simply setting aside a fixed portion of one's annual income for well-organized benevolent distribution. It consists in a lively sense of all our duties towards our neighbours, *i.e.*, towards those with whom we are not closely connected, but with whom we sympathize for their own sakes alone. We love our nearest relatives in great measure, because their happiness is essential to our own; but the feminine elector of the future, (may we not say of the present?) duly impressed with a feeling of social responsibility, will deem it incumbent upon her, as far as lies in her power, to show her sympathy with her fellow citizens by attending, not necessarily speaking, at public meetings, and by discussing the politics of Europe rather than echoing the tittle-tattle of her own little clique, or maundering complacently about the last sensational novel, the opera or the weather. The fashionable Lady Cecílias are much too good for the life they lead. Let them no longer presume to 'cut up' such men as Mill, Swedenborg, or Cumming, without having read a single page of their writings, let them form Educational Associations as at Birmingham and elsewhere, let them quietly agitate for admission to men's debating societies, let them reduce within reasonable limits those morning calls and visits which they "must" pay, let them dress their minds for evening parties as well as their back hair, and thus prove to the intense satisfaction of all their male friends that they are fit to be trusted with the imperial vote.

What if some 'fast' girls care for nothing but a ceaseless whirl of so-called pleasure, they have no more a claim to be regarded as types of their sex, than have the finniky little men who are always lounging about the park, or "filtrating through the Burlington." The types of true womanhood may be sought from the ranks of those who are faithfully doing their duty in those stations of life to which they have been called, and who, but for what we firmly believe mistaken conceptions of duty, would, without neglecting their daily occupations, seek at once a wider range of sympathy and a wider sphere of action. We hope, nay we feel confident, that these latter will join hand in hand with those many estimable ladies, who, with a firm persuasion of what is due to the dignity of their sex, have for long years been peacefully agitating for their rights, and thus proved to the world that they, like men, know how to value the priceless blessings of political freedom.

If, as has been already conceded, thanks to the far-sighted statesmanship of such men as Mr. Forster and the Duke of Argyll, educational politics affect women because there are girls to be brought up, so, as the writer in the *Daily Telegraph* once forcibly argued, poor-laws affect women because there are female paupers, criminal laws because there are women criminals, and religious questions because there are female devotees. 'Non sequitur, non sequitur' we hear some robust Liberal nervously exclaim 'it does not follow, because ladies like Mrs. Garrett-Anderson have evinced a shrewd ability for solving those knotty points which for a long time puzzled the brains of the sectarian wiseacres, that therefore they would display equal wisdom if they tried to dabble in other matters which do not fall within their province. Education as you are, aware is their sphere.' 'My dear Sir, speak for yourself. I do not profess to be able to judge of their or anyone else's sphere. The individuals concerned are the best judges of their own capacities, and the probability is that if—' Oh bother your *à priori* reasoning, I am wearied to death with it. I am a practical man, give me facts, hard tangible facts. 'Gently my dear, Sir, don't be irritable. You are not singular in that respect. We are all strictly practical. You have already had some facts, but if you want more, read Miss Taylor's lucid and vigorous article on 'Paris and France' in the last *Fortnightly*, and never again breathe a hint that ladies cannot grapple with the most complicated

problems of foreign policy; read also Mrs. Fawcett's articles on Hare's scheme in *Macmillan*, and you may perhaps arrive at the painful conclusion that in a few years time the ladies will have the credit of clearing up those mechanical difficulties, which have hitherto baffled our clumsy masculine endeavours; go to the Victoria Discussion Society, and after listening to the eloquent speeches and able debating power of the feminine orators, you will return to your home, musing over the signs of the times and resolving henceforth to practise that modesty, which is so becoming in the male sex.' 'Well, well,' exclaims the objector somewhat testily, 'I suppose we must give in with a good grace.' 'Yes, indeed you must, my good friend, but comfort yourself with the reflection, that your constitution has all along been gradually adapting itself to more enlightened conditions of social existence. It will soon be quite reconciled. Adieu!'

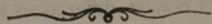
We have thus based the claims of women chiefly on the Divine law of development of the moral and intellectual faculties. We have dwelt upon the educational advantages of the suffrage. We have given a few hints on the subject of qualifications. We have briefly examined the most serious objections that have ever been raised, to Woman's Franchise, and in so doing, we have purposely branched off into the question of the marriage laws, and the employment of women in industrial pursuits, in order that we may not be accused of shirking the collateral issues of the settlement of this grave question.

Let us conclude with an earnest hope that there may be no display of *artificial* Conservatism on the 3rd of May. Regardless of party eventualities, let statesmen speak out with the courage of their convictions what they in their hearts believe to be true, bearing in mind that progress is the *resultant* of honest differences of opinion. What if Mr. Disraeli were to "educate" his party, and a Tory Ministry were once more to pass a Radical Reform? What then? We should heartily congratulate them on their well-earned triumph. But we do not anticipate this contingency. We rely implicitly on the good sense, the matured wisdom, and the sensitive morality of the present Government. We know that they are rapidly realising their own aspirations of early years, and carrying out the sublime faiths of the Radical chiefs, so far as the exigencies of the times may permit, courteously conciliating

opponents, and at the same time paying to their more advanced supporters that respectful attention, which is justly due. It would be foolish and positively ungrateful to ask them to come to a definite decision this session when there are at least eight very important Government Bills before 'the House,' which we all hope will soon become law.

We may feel quite certain of one thing, and that is that a question which transcends in importance any that have ever yet been brought forward since Edward I. issued his celebrated writs to the sheriffs in the year 1295, will not be hustled through the two Houses by a legislative side wind. All we ask is that the Government should assent to the principle of our heroic and eloquent spokesman, Mr. Jacob Bright, so that after having assented to the second reading on the understanding that the Bill be dropped for this session, they may next year, or the year after, wisely consolidate our representative form of government by the introduction of Mr. Hare's scheme, the extension of the suffrage by means of additional property and educational qualifications, and above all by the recognition of the truly noble, truly far-sighted, and truly humane principle that in the great battle-field of daily life, no less than by the domestic fireside,

"It is not good for man to be alone."



#### ERRATA.

- For* Here it cannot be predicted, *read* Here it cannot be said.—Page 21, line 13.
- For* Lowering the natural price, *read* Lowering the national price.—Page 26, line 18.
- For* Result of the cost of production, *read* Result of the reduced cost of production.—Page 26, line 19.

JUST PUBLISHED.

A MODIFICATION OF MR. HARE'S SCHEME

FOR THE

ELECTION OF REPRESENTATIVES.

BY

JAMES THORNTON HOSKINS, B.A.

---

*Price Threepence.*

---

LONDON:

EMILY FAITHFULL,

*Printer and Publisher in ordinary to Her Majesty.*

VICTORIA PRESS, PRINCES STREET, HANOVER SQUARE.

# VICTORIA MAGAZINE,

ONE SHILLING MONTHLY,

Established 1863,

Is now the recognised organ of what is known as the "movement for women;" its articles are quoted by the chief English and foreign papers, and it is everywhere received as an "authority" by friends and foes alike.

## OPINIONS OF THE PRESS.

It discusses the social questions that affect the status of women with a knowledge and ability altogether its own.—*The Spectator*.

The lady's name on the title page is a responsible guarantee of good and true performance and of the best of company.—*Daily News*.

Conducted by Miss Faithfull with energy and ability.—*The Queen*.

Altogether the *Victoria* shows trace of increased freshness and power.—*Guardian*.

Miss Faithfull has unquestionably been true to her principles, and has brought a rare energy and tact to bear on the cause she has taken up.—*Brighton Observer*.

Miss Faithfull's object is to educate women, and to raise them to that position in which they may be able to help themselves, and be a blessing to their families and households.—*Western Daily News*.

To those who wish to be kept *au courant* on matters relating to the efforts now being made to improve the condition and prospects of the female portion of the community, they can have no better medium than Miss Faithfull's serial.—*Bath Express*.

The *Victoria* thoroughly sustains its position as the recognised advocate for the education of women, so as to enable them to fulfil the positions, for which they are so eminently qualified, but from which masculine prejudice has long kept them.—*Gloucester Mercury*.

By far the most able representative of its class.—*Stroud Journal*.

The ability of its advocacy and the calmness of its tone, indicate the confidence of clever women in the progress of the cause, and inspire respect for it.—*Jersey Independent*.

A credit to its conductor.—*Liverpool Daily Post*.

The *Victoria* thoroughly sustains its character as the principal organ in questions relating to women, so far as the term may be supposed to include the intelligent portion of the sex.—*Yarmouth Independent*.

It is second in value to no woman's journal in either hemisphere.—*The Revolution, New York*.

Miss Faithfull has persevered for very many years with her periodical, and in her mission to get better terms for women in society, and she is living to reap a considerable amount of success, thanks to her moderation, and her power of living down misrepresentation.—*Illustrated Midland News*.

The contents keep up Miss Faithfull's credit as a generous and painstaking conductor.—*Taunton Courier*.

The ablest Magazine on woman's rights, nor does it omit reference to woman's duties.—*Hastings & St. Leonard's News*.

## THIRD ANNUAL MEETING

IN FAVOUR OF

## WOMEN'S SUFFRAGE,

HELD IN

QUEEN STREET HALL, EDINBURGH,

JANUARY 22. 1872.

A PUBLIC MEETING was held in Queen Street Hall, on Monday, 22d January, in favour of conferring the Electoral Franchise on Women who are qualified as being owners or occupiers of lands or houses in their own right. On the platform were—Sir Robert Anstruther, Bart., M.P.; Mr Duncan M'Laren, M.P.; Mr John Miller, M.P.; Dr Lyon Playfair, M.P.; Professors Kelland, Masson, and Calderwood; Mr W. A. Brown, advocate; Mr M'Lennan, advocate; Bailie Marshall; Mr John Cox, Mr R. Cox, W.S., Mr Alexander Nicolson, Mr W. M'Crie, Mr David Pryde, Councillors Millar and Bladworth, Mr Stephen Wellstood, Mr James Clark, Mr Ord of Muirhouselaw; and a number of ladies, including Mrs M'Laren, Mrs Ord, Mrs Clark, Mrs M'Crie, Mrs Warren; Misses Taylour of Belmont, Wigham, Hunter, M'Laren, Burton, Kirkland, and Walker; Mrs Robertson and Miss Shepherd, Paisley, &c.

On the motion of Professor KELLAND, Sir Robert Anstruther was called to the chair.

The CHAIRMAN said it would require few words from him to convince the meeting that the subject they were met to discuss was one which demanded their serious attention. From the first time this subject was mooted in Parliament, he felt himself compelled by a sense of justice to give it his cordial support—(applause)—and for this simple reason, that it appeared to be just. He did not trouble himself with abstruse questions regarding what might follow the enfranchisement of women. He dealt with this question, as he was accustomed to deal with most other public questions, in a very simple fashion. He asked himself whether the thing proposed to be done

was just and right; and if he conceived it to be just and right, he voted for it, and left the consequences to take care of themselves. (Applause.) It appeared to him that it was singularly appropriate that a subject of this sort should be discussed in this city. Edinburgh had become famous for the education of women, and he might also say famous for the want of education of women. (Laughter.) Within the last year he had been delighted and surprised at the magnificent schemes which had been carried out for the endowment of the schools under the charge of the Merchant Company; and the chairman of that Company had been praised by all sections of the community in England and Scotland, and all the civilised world he might say. (A Voice—"Question.") It must be a great satisfaction to that gentleman, and those who acted with him, to know that their example had been held up as worthy to be followed by all educational reformers. There was another subject connected with the education of women—he referred to the failure of the lady medical students in Edinburgh to obtain satisfaction and justice at the hands of the University Court. It was not his province to enlarge on that question, but he did say that it was with surprise and regret that those who were interested in the University of Edinburgh had seen the authorities failing to implement what was considered to be their honourable promise to those students. (Applause and hisses.) He did not hesitate to say they had the sympathy of all those who were interested in the medical profession; and it would be very easy for him to demonstrate what, in his opinion, was the folly of those distinguished gentlemen. That would be foreign to his purpose. He would only say this, that when they found in a free country men behaving so unfairly to women, it was high time that they should be given more power to speak and act for themselves. (Cheers, and a hiss.) Sir Robert then proceeded to refer to the debate which took place in the House of Commons early last spring on the very interesting question which they were to discuss that evening. That was a debate, he said, of a very remarkable kind. Those who were interested in the enfranchisement of women might contrast it very favourably with the debate and division which took place on the subject the year before. Among the speeches there was, above all, that of the Prime Minister. It was not a very long speech, it was not a speech in which he declared his opinion in their favour; but, if he was not very much mistaken, it was a speech which caused them to see the beginning of the end of their great movement. (Hear, hear, and cheers.) Before, however, alluding to that speech, he would refer to one or two others. The first speech hostile to their movement was made by Mr Bouverie, the member for Kilmarnock. It was a speech characterised by great want of taste, and one which, had there been time, might have been very easily answered. Mr Bouverie did not hesitate in that speech to bring very serious charges against some very distinguished people—against men who were not in the House to defend themselves. He said—"To his mind, his hon. friend (Mr Jacob Bright) struck at the very foundation of society—namely, the family. Was the head of the family the man or the woman? Was the head of the

family to be the master of the family, or was he not?" Then he went on to say that he would quote a passage from Mr Mill:—"If married life were all that it might be expected to be, looking to the laws alone, society would be a hell upon earth." And again—"The law of servitude in marriage is a monstrous contradiction to all the principles of the modern world. . . . There remain no legal slaves except the mistress of every house." Mr Mill didn't say there a word against the sanctity of marriage; what he objected to, and most reasonably, was the law under which woman was compelled to be the absolute slave of her husband. Upon that Mr Bouverie founded this very unwarrantable remark—"Such were the views on which were founded the operations of those persons outside the House who asked for an extension of the franchise to women owners of property." It would be impertinence on his (Sir Robert's) part to attempt to defend Mr Mill against such charges as these; and his whole married life gave a triumphant answer against any charges made against him by Mr Bouverie. And they with him would acquit all others interested in this movement of anything like the charges that Mr Bouverie would there desire to bring against them. Another speech was that of Mr James, the member for Taunton, who complained that if they gave the franchise to women, they would then be eligible to sit in the House of Commons, and, of course, to be representatives in the House of Peers, act on juries, and sit upon the Episcopal benches. It appeared to him that that was straining the matter a little too far. He never heard any desire on the part of any lady to become a bishop. He did not know that a bishop's was such an enviable position, although he had a seat in the House of Lords; nor had he heard, on their part, any claim or desire to be admitted members of the House of Commons. In principle it was perfectly true, if it were competent for women to sit on school-boards in London, comprising forty-nine members, it might be competent for them to sit in the House of Commons. It would enliven their debates and society very much. His answer to Mr James would be, that if it were objectionable that they should assert these claims, they could exclude them by statute. One of Mr James' statements was, that if women were endowed with the franchise they could not be expected to give an unbiassed vote, the result of their political convictions. There was no doubt that, if true, was a very serious charge; but it proved rather too much. If they refused to enfranchise women because they could not be expected to give an unbiassed vote, they ought to disfranchise all men who did not give such a vote. It was matter of notoriety that a large number of the enfranchised classes were not in a position to exercise an independent opinion of themselves; and they had no scruple to give them a vote. His firm belief was, that so far from not giving an unbiassed vote, they would, quite as much as any class of the constituency, desire that their votes should be used for the general and social welfare. (Laughter.) Mr James hoped that the House would not be led away by itinerant and restless ladies; but he seemed to forget that there had been itinerant and restless men



who had accomplished great things—there was hardly any reform effected in the country but had been accomplished by agitation. Mr James winded up by imploring the House not to attempt to upset what nature had ordained and custom had ratified as the natural place for women in the State. If nature had ordained it—he presumed he meant the God of nature—and custom had ratified it, possibly they should have nothing further to say; but he adduced no proof that God intended unequal laws passed by men as against women. (Applause.) In concluding, Sir Robert alluded to the speech of Mr Gladstone, which he said indicated the working of his mind. They knew very well that when that distinguished man took anything in hand he carried it through. They had seen him take one or two things in hand since he became Prime Minister of England. They had all succeeded; and he thought they might fairly hope that if Mr Gladstone would devote his mind candidly and honestly to the consideration of this question it would succeed also. “We have done wisely,” he said, “on the whole, in giving both the franchise and the right of sitting on the school board to women. Then comes a question with regard to Parliament, and we have to ask ourselves whether we shall or shall not go farther. Now I do go as far as to admit that my hon. friend has a presumptive case for some change in the law; although, for my part, I will go no farther until I know more of the nature of the change to be effected. . . . I admit there is more presumptive ground for change in the law than some of the opponents of the measure are disposed to own.” Then further on he said—“I cannot help thinking that, for some reason or other, there are various important particulars in which women obtain much less than justice under our social arrangements;” and “I am by no means sure that these inequalities may not have an indirect connection with a state of law in which the balance is generally cast too much against women, and too much in favour of men.” When they considered by whom these words were spoken, he thought they might, without presumption, take it that Mr Gladstone was turning his mind towards this matter seriously. In the closing sentence of his speech, Mr Gladstone said that although he could not vote for the bill of last year without some modification, yet he was not “sorry to think that some activity of thought in these busy days of ours is directing itself to the subject of the relations which actually prevail between men and women; and if it should be found possible to arrange a safe and well-adjusted alteration of the law as to political power, the man who shall attain that object, and who shall see his purpose carried onward to its consequences in a more just arrangement of the provisions of other laws bearing upon the condition and welfare of women, will, in my opinion, be a real benefactor to his country.” As far as he (Sir Robert) could render Jacob Bright any assistance, he would be glad to do it, and hoped that those present, by their conduct and their resolutions, would give all the assistance in their power to aid him in passing his measure through the House of Commons. (Applause.) Apologies for absence had been received from Sir John Murray of Philiphaugh, Professor Caird, and the Rev. Dr Pulsford. A telegram has also been received

from Miss Robertson, who was to have been one of the speakers; and Professor Hodgson wrote:—“If I had any leisure and strength for public meetings not connected with my immediate duties, I would certainly be present at the meeting this evening. The more I think of the subject the more surprised I am that, all other legal qualifications for the suffrage being present, sex should be made a disqualification. Of course, the advocates of the present one-sided and unjust state of affairs will require women to shew reason why they should be admitted to the franchise; but I think as regards principle the advocates of the present system are bound to shew why women should be excluded. That the admission of women to the rights of voting would powerfully help to abolish what of male tyranny, injustice, and cruelty yet remain in our legislation and social intercourse, I am satisfied; and I have not yet heard or read of any valid argument against it. I trust that this meeting will greatly aid the movement. It is well that both the members for the burgh and the member for the university are warmly in its favour.” (Applause.)

Miss WIGHAM, one of the secretaries, then read the annual report of the Edinburgh Branch of the Society:—

“In presenting our Annual Report for the year 1871 to our friends and supporters, we would claim their continued and increased sympathy and help, in the hope that many more anniversaries will not come round before our efforts in this matter shall have arrived at their legitimate conclusion, being crowned with success. Reasonable objections to our claims cannot well be substantiated, and unreasoning prejudice is fast dying away before the advance of general intelligence.

“Our operations during the past year have been similar in character to those adopted during previous years, but we have to report an increase in amount of work done, and a proportional amount of successful result.

“The holding of public meetings has again been adopted to considerable extent. The series commenced with the great Annual Meeting in the Music Hall, on the 12th January 1870, presided over by our much honoured senior member, Mr Duncan McLaren, and aided by the presence and advocacy of Mr John Stuart Mill, and many other influential friends of women's suffrage. This was followed, during the year, by sixty public meetings held in different parts of the country. These were generally presided over by the chief magistrate or some other influential citizen of the towns in which they were held: and from nearly all of these, petitions were voted and signed by the chairman in support of Mr Jacob Bright's Bill.

“We have to express our obligations to Mrs Fawcett for coming to Scotland, and delivering able and elegant lectures in St Andrews, Stirling, and Paisley; and we must again record our thanks to Miss Taylour, for her most industrious, gratuitous, and efficient advocacy of women's suffrage, while delivering upwards of fifty addresses in many

towns of Scotland. On nearly all of these occasions, the lecturer was accompanied by a member of our committee, who succeeded in organising allied committees to the number of twenty-four, to co-operate with our Association, and to promote the signing of petitions to parliament, and in other ways to give efficient aid in the future agitation.

"On the 13th of February 1871, Mr Jacob Bright's Women's Electoral Disabilities Bill was introduced into the House of Commons; besides his name, on the back of the Bill were also the names of Mr E. B. Eastwick and Dr Lyon Playfair. On the 3d of May, Mr Jacob Bright, in a powerful speech which called forth the warm commendation of the Premier, moved the second reading of the Bill. The motion was seconded by Mr Eastwick, and supported by Lord John Manners, Dr Lyon Playfair, and Mr Ward Hunt. The arguments used by these gentlemen, it would seem to us, must convince every candid mind of the justice of the cause they so ably and generously advocate; and for their advocacy we would record our heartfelt thanks.

"The opposition was conducted by Mr Bouverie, Mr Scourfield, Mr Beresford Hope, Mr Newdegate, and Mr James, and to the speeches of these gentlemen we may refer for all the objections that can possibly be raised against women's suffrage—not a very convincing array truly!

"Mr Gladstone spoke carefully yet candidly on the question, reviewed the arguments on both sides, admitted that the 'mover of the Bill had a presumptive case for some change;' 'that there was more presumptive ground for some change in the law than most of the opponents of the measure are disposed to own;' alluded to the fact that there is a progressive increase in the number of self-dependent women, and that they approach the task of providing for their own subsistence under greater difficulties than attach to their more powerful competitors; and that there are various important particulars in which women obtain much less than justice under social arrangements. He added, 'I am by no means certain that these inequalities may not have an indirect connection with the state of law in which the balance is generally cast too much against women, and too much in favour of men.' He touched on several points wherein the law does *less than justice* to women, and concluded by stating that he was not prepared to vote for the Bill in its present state. He added, 'I am not sorry to think that some activity of thought in these busy days of ours is directing itself to the subject of the relations which actually prevail between men and women; and if it should be found possible to arrange a safe and well-adjusted alteration of the law as to political power, the man who shall attain that object, and who shall see his purpose carried onward to its consequences in a more just arrangement of the provisions of other laws bearing upon the condition and welfare of women will, in my opinion, be a real benefactor to his country.' Mr Gladstone did not (as in 1870) vote against the Bill!

"On the question being put, there appeared for the second reading, 151; against it, 209; majority against the Bill, 58.

"Although numerically we seem to have lost, the analyses of the division gives many encouraging circumstances, a few of which we quote, as they cannot fail to be of historical interest. The Bill was supported by 96 Liberals and 55 Conservatives, including four members of the late Government, Mr Disraeli, Mr Corry, Mr Ward Hunt, and Lord John Manners. Out of the 151 who voted for the Bill, 42 were new supporters; of these, 20 were Liberal and 22 Conservative. Seventeen members who voted against the Bill in 1870 voted for it last session. Five others who voted against Mr Mill's motion in 1867, voted with Mr Bright in 1871; so that out of the 42 new adherents, 22 were former opponents. Against this, we must notice the defection of three members who voted for the Bill in 1870, and against it in 1871. The majority which threw out the Bill contained 115 Liberals and 102 Conservatives. The five great towns which return each three members to Parliament, give undivided support to the Bill. There is no other political or social question which secures the unanimous support of the representatives of these large towns. Out of their 15 votes, 12 were recorded in its favour in May last, and one adverse vote was explained as having been given under a mistake, the other two were neutral. Of the constituencies, 22 gave their full vote of two each for the Bill; 61 gave it their full vote of one each; and 38 constituencies have given each one vote for the Bill, their other vote being neutral; so that 125 constituencies are now ranged on the side of the Bill against 100 in 1870.

"The total number of members now in the House of Commons who have voted or paired in favour of women's suffrage is 202. For the Bill, counting tellers and pairs, on 5th May, there were 159, against it, 228, and absent, 271; of the Scotch members, 25 voted for the Bill, 13 against it, and 22 were absent, the Scotch members having thus declared themselves as two to one in favour of women's suffrage. During the session of 1870, 622 petitions signed by 186,976 persons were presented to the House of Commons in favour of women's suffrage. Of these petitions, 286 were sent from Scotland, including 10 from the Town Councils of the most influential cities and burghs.

"We desire to express our sincere thanks to all the members who voted for the Bill, and especially to Mr Jacob Bright, for so ably and vigorously introducing and conducting the question. He has agreed again to bring in his Bill early next session, and we earnestly hope he will be supported from without even more largely than in past years, to shew a sense of gratitude to himself, as well as a strenuous determination to press for a successful issue to this year's struggle.

"The exercise of the municipal franchise by women in England is a useful illustration of the advantage of women voting at elections. To Scotland this act of justice has not yet been extended, but it is probable

the greater will include the less, and the claim for Parliamentary representation will include that for Municipal representation also.

"The important position which the question of women's suffrage has now assumed, has called for the organisation of a representative society in London to watch over the question. This Central National Society numbers among its members forty members of Parliament, and a long list of the most influential names. All local associations throughout the kingdom are invited to take part, by their representatives, in the deliberations of this society, whose special function it is to watch the action of Parliament, and summon on occasions of importance, the energy, strength, and co-operation of the provincial societies—thus forming at once a rallying point and watch-tower for the whole country.

"A very pointed argument in favour of women's suffrage exists in the fact, that more than two millions of women in the British islands are self-supporting, and this number is increasing from year to year. Many of these women conduct extensive business concerns, and many provide for the support of families and dependents. That these industrious, tax-paying citizens should be denied the right of direct representation is an injustice which surely cannot long be tolerated. We claim representation for all women who are householders or owners of land in their own right, because we cannot but see that injustice in legislation prevails towards non-represented classes, and that appeal to the Imperial Parliament is more respected from electors than from non-electors. We also claim the suffrage for women in order to their having just legislation in matters specially referring to them wherever the laws are partial and unjust. But not for themselves alone do women desire the franchise; they wish to have a constitutional opportunity of expressing their opinion in matters of which they are peculiarly qualified to know something: such as questions concerning the care of the poor—the reformation of criminals—the laws of health—concerning morality and education—and concerning war and peace.

"The Home Secretary, on being questioned recently by his constituents as to his views of women's suffrage, gave forth as one argument against it, "that women in Parliament might vote us into a war, knowing that they were themselves exempted from the danger of bearing arms." Could even the Home Secretary possibly utter this argument seriously? Because, personally, women are not expected to go forth to battle, have they not vital interests dearer than their own lives perilled by the declaration of war? Do not women feel even more keenly than men the terrible attendants of war—the waste of precious life—the multiplication of widows and orphans—the desolation of homes—the cramping of industrial resources—the national suffering; and they would reasonably wish to have some voice respecting these things—not to sit in Parliament and vote the country into a war—but seriously and intelligently to vote for such men being sent there as shall act for the general well-being of the nation, applying the principles of legislation

uniformly to all classes, and who shall, in the spirit of true patriotism, institute measures in accordance with that 'righteousness which alone exalteth a nation.'

Miss Wigham then read the names of committee, and added, "In reading over these names, there is one name omitted to which we would refer with feelings of touching interest. We allude to that of Miss Dick Lauder, whose sudden removal from among us has filled our hearts with sadness. We shall greatly miss her faithful, ready help, her unvarying gentleness, and her wise counsel; but, while feeling our loss, and deeply sympathising with her bereaved family, we bow before the Wisdom which has taken her from this sphere of service. It might have been more in accordance with our feelings that this meeting should not have been held to-night, but it would not be according to the mind of her who has left us, that duty should be postponed on account of feeling; and the sudden removal of workers from this life but calls to those who remain to fill up the ranks, and to be yet more zealous and faithful, for the time is short; we know not how short."

Mr ALEX. NICOLSON, advocate, seconded the adoption of the report. He said he looked upon this movement as one of the most important of the present time; and believed that when it attained practical success—the time for which was not far distant—it would lead to results, both as regarded social and political consequences, which, so far from being injurious, as some ignorant and prejudiced people thought, would, in his estimation, be beneficial both as regarded their influence on general politics and upon the relations of society. He believed the anticipations expressed in the report were well founded, and though they had met with some obstructions in the past, and might look forward to such before they attained success, they must look to it as a part of the ordinary process through which every salutary change in this country had to pass before it became law. This measure, to adjust the balance of political power, had been on the *tapis* for only four or five years. When it was first introduced to the House, only seventy members voted for it, and it had since gained to its side no less than two hundred members of the House of Commons. That fact in itself was a strong presumption that a measure which in so short a time had commended itself to so large a number of members was likely soon to be crowned by success, especially when they looked at the constitution of the majority, and considered the fact that twenty-five to thirteen of the Scotch members were in favour of the bill. This measure had drawn to its support men who were diametrically opposed to each other, not only in politics, but on almost all matters on which men thought. It was a certain augury of the success of this measure when they found that it drew into the lobby such men as Mr Mill and Mr Disraeli, Mr Jacob Bright and Mr Ward Hunt, Dr Lyon Playfair, and Lord John Manners, the latter of whom, he said, was the representative of everything that was sentimental and conservative.

(Applause.) He did not say that in disparagement of Lord John Manners; on the contrary, he entertained great esteem for his Lordship both as a man and a poet. Another augury of success was the speech made by Mr Gladstone, which shewed that after the Premier had overcome the difficulty of making up his mind—(laughter)—and had attained that point when he was satisfied that it was his duty, he would then, with all the earnestness and power of his magnificent nature—(renewed laughter)—declare that this measure must be carried, and that the whole weight of the Government would go in its support. (Applause.)

The CHAIRMAN put the motion to the meeting, and declared it carried.

Mr MILLER, M.P., moved the following resolution:—"That the ownership or occupation of lands or houses being now the basis of representation, it is unjust in principle to make sex a ground of disqualification, thereby excluding a large number of intelligent persons well qualified to exercise the electoral franchise, who pay all the national taxes and local rates equally with men." To his mind this resolution brought pointedly before them the wrong to women by the existing state of the law, and if it was their opinion that such a wrong existed, it would be their duty to move so as to have the law amended as soon as they possibly could. The present state of the law appeared to him to have arisen from some eastern idea that women were inferior to men, or that exercising the right of voting in the election of members of Parliament is incompatible with their nature. This idea was one they could not admit, and he did not know how else they could account for the existing state of the law. The defect which some classes of women in this country previously had through want of education was being done away with, and he hoped this movement would go on until the sexes were on a footing of perfect equality; but even in their present state, women were not in any degree inferior to those who enjoyed the franchise. They knew that the right of women to vote had been conceded in 1869 in municipal elections in England, and that in such elections they had exercised their right with quite as much intelligence as men. In 1870 the same right was conceded in the English Education Bill, and not only that, but women have been elected as members of the School Boards, even of the School Board of our great metropolis. (Applause.) Parliament having gone so far in the right direction, it was difficult for him to understand why it stopped short of giving to them the Parliamentary franchise. He hoped sincerely this would soon be accomplished. Some people said that women did not wish to interfere in politics. Mr Jacob Bright's Bill would not enforce voting on the part of women householders, it would only confer the right, that right to be exercised as they may think fit; but he knew many women who would exercise their right, and quite as intelligently as men. It was also objected that women could not undergo the hustling and tumult of voting at general elections. In answer to this, he was happy to be able to say that they had no tumults at their

Edinburgh elections; but even in districts where such scenes took place, the ballot system, which will (it is all but certain) be in operation before the next general election, will admit of the most delicate lady recording her vote with the utmost comfort. He for one would rejoice to see women in possession of the Parliamentary franchise, as he felt confident that were their voice heard by our Legislators, it would vastly aid in making laws most important for their own sex and the social condition of the country. (Hear, hear.) Had women been allowed to vote for members of Parliament, they might never have had their statute-book polluted with such laws as had lately been passed, and the sooner these were wiped off the better. (Cheers and hisses.) He hoped that this meeting, and others to be held in the country, would not hesitate in adopting the resolution he had proposed. (Applause.)

Miss TAYLOUR of Belmont, who was received with loud cheers, said—I beg to second the resolution which has now been submitted to this meeting. I do so with a feeling of solemnity, for I believe that the cause which we seek to advance by our meeting here this evening is one of grave and vital importance. The question at issue is not merely that of deciding the justice of admitting ratepaying women to a due share of the privileges as well as the burdens of householders; nor is it one narrowed down to the consideration of whether the one sex is mentally equal to the other; but it is in reality the great and important question of whether woman is a complete and responsible human being, having the correspondent inherent rights of such, or whether she is in truth but a mere chattel, created solely for man's service or pleasure, and consequently intended to be dependent upon his will and subject to his rule. This question involves the most momentous and weighty interests; it affects the welfare of the whole human race—(applause)—and we have come to a period in the world's history when it must be settled completely and conclusively. It is fortunate that the difficulty of its settlement bears no proportion to the magnitude of its importance. In truth there is no difficulty surrounding it that will not be easily swept away by those who have entered into the spirit of our Lord's command—"Whatsoever ye would that men should do to you, do ye even so to them." Emancipated from narrow prejudice and superstition, and enlightened by Christian love, reason will be quite able to guide to a just and wise arrangement of those matters of detail that selfishness or ignorance now so often persistently strive to distort and darken. Every one capable of forming an intelligent and candid opinion must surely allow that the capacities bestowed by nature upon any creature are given for development and use; also that such gifts can never be fully developed and used while they are repressed and dwarfed by restraint. Yet, so far as women are concerned, these very plain axioms have always been, and still are, more or less practically denied. This denial has not been the less real or less foolish because it can be traced back to the earliest ages of the world. Hoary antiquity may

becloud with its delusive mists, and appeal to a morbid veneration; but it can never change that which is eternally true. The root from which woman's subjection sprung may be easily traced. When sin entered the world there came in its train dangers and difficulties that required man—the physically stronger—to take the precedence that was indispensable in order to enable him to become the protector of woman—the physically weaker—but the taking of this precedence did not prove man's superiority to woman in any other attribute than that of mere muscular power. (Applause.) And as a balance to this superior strength, impartial nature has endowed woman with such peculiar attributes as enable her to give to man adequate compensation for the protection that he accords. In the beginning man and woman were created equals, made in the same divine image. God blessed them unitedly, and gave them conjoint dominion over the world. The distinctive characteristic differences that marks the sexes were intended to complement each other, and blend in one harmonious and perfect unity, not to lead to the usurpation of power by the one over the other. But sin came and changed this natural order of things, by converting the precedence—necessarily taken by the protector—from a matter of expediency, into a sovereignty that increased with exercise, until mere physical power established a supremacy that has existed in a greater or less degree until now. Under this arbitrary rule woman has been more or less degraded to the position of a slave; been treated in many respects as a mere chattel, and she has rarely, if ever, been in a position fully to develop, and freely to use the powers with which her God has gifted her. Politically, men have taken upon themselves the right of legislating for women, without any direct reference to their feelings and opinions—without any direct acknowledgment of the truth that they are reasoning beings like themselves. So also socially. Men have arrogated to themselves in general the right to dictate to women what they should and should not be, and do, and learn; what is befitting for them, what unseemly, apparently quite unconscious that, in so doing, they treat them both unjustly and insultingly. If woman was intended thus to be under man's rule, it naturally follows that nature must have suited her gifts to the level of the designed position of inferiority. Either, then, she has the spirit and powers of an inferior, and will remain in the state of subjection natural to such, without need of restraint, and without feeling that state a hardship; or, on the other hand, she has not been given the spirit and lower powers of an inferior, in which case the laws, the rules that would force her into subordination, are both unnatural and cruelly tyrannical. A most emphatic protest is now being made against the old and world-wide form of falsehood that assumes the inferiority of woman; and the very fact of such a protest being made, proves forcibly and conclusively, that neither in spirit nor in capacity is she a mere servile appendage to man. Woman stands forth now before the world, and claims as her birth-right the freedom to which every human being has an inalienable title. She claims the right to belong to herself, as a self-contained individual existence—the right that every soul, stamped

with the divine image, has of striving to perfect itself by the free exercise of its own faculties: the right to refuse submission to the sovereign rule of a fellow-creature, weak and erring as herself: the right to perfect liberty in fulfilling her duties in the world in accordance with nature's teachings and her own convictions: in short, her right to live up to the full measure of her capacities, to reach up to the highest and most useful standard she can attain. In answer, some may say that we have—under existing circumstances—all these rights sufficiently acknowledged and respected. Those who would say so take a very narrow and imperfect view of life—indeed, and proclaim their ignorance in regard to the workings of human nature. It is undoubtedly true that some women can and do live high and useful lives under existing circumstances. But if all this high and holy living was united to the untrammelled practical living that should be made possible to every aspiring human soul, what an added wealth of work would come to bless the world! What an amount of gladness would accrue to many hitherto circumscribed workers, who are mourning over sorrow that they are helpless to relieve; sorrows, some of which they believe to be in some measure caused or intensified by the repression that degrades woman to the position of a mere cipher, or to that of a restrained and enfeebled worker. It is worse than vain to expect women to work with strong hearts and unflagging energy in the alleviation of distress, in the reclamation of the outcast, and the protection of the weak, if they are not permitted to give effective expression to their opinions when laws are framed that regulate these matters—laws that often nullify or weaken their best-directed efforts. Reason alone—apart from all the lessons that experience can teach—shews us that it is not a matter of doubt, but one of certainty, that none of the great social problems of life now awaiting solution can ever be satisfactorily settled until women take their full share in the regulation and administration of human affairs. And just in proportion as the feminine differs from the masculine, is it necessary for legislation to be the result of the combined wisdom of both sexes. Nor should woman's thoughts and influence be confined to social matters, for as her interests are co-extensive with human interests, wherever they extend her voice should be heard. The widest political questions affect her well-being as much as that of man, and even in their adjustment she must have something wise and useful to say that is especially hers. In deliberations that involve the issues of life and death, direct female influence should carry its full weight. The burdens and horrors of war fall quite as heavily upon women as upon men—perhaps more so, for there are sufferings worse than death or physical pain, as thousands of desolate women can testify. It is desirable, therefore, that we should have the franchise—not only that we may, through its exercise, be enabled to bring our due influence to bear directly upon social politics, but also that we may be in a position to give constitutional expression to our opinions, power to our influence, when men are called upon to debate matters that refer to peace and war. We are entering upon a momentous and stirring era in the world's history—much that has

hitherto been venerated and set apart for respectful homage is about to be dethroned. The knell of departing Conservatism is being rung—(loud applause)—and while it sounds out loud and clear, thrones shake, and people clamour for what will prove a delusion and a mockery, unless it is founded upon the basis of immutable justice and truth. When the spirit of change is thus brooding everywhere over the land—when destructive forces are marshalling, and the overturn of many things is imminent—are women—one half of the human race—to take no recognised part in determining questions that will involve the entire reorganisation of society? Yes! And when change is threatening to lay its busy hand upon our own time-honoured Constitution, are the daughters of free Britain to have no voice in deciding alterations that will affect the welfare of their beloved land—no power to give constitutional and effective expression to the loyal devotion that burns within them? Women are patriots as well as men; we, equally with our brothers, are descendants of liberty-loving sires. Yes, Scotchmen, if you love liberty and justice, we, your sisters, love them too. The same blood that flows in your veins flows in ours—the blood of those who fought and bled in the defence of right. Think you that we are content to forego our share in the freedom that our ancestors so nobly gained? No, we are not. Like you, we have inherited their love of liberty, their spirit of patriotism. This love of liberty, this spirit of patriotism that we possess, has at last cast aside the apathy that has hidden it so long, and, quickening into life and vigour, is inspiring us to arise and seek a position more worthy of the daughters of those who won the liberties you so much prize. If reforms are to be based upon the great fundamental principles of truth and justice—upon which alone stable and righteous government can be founded—woman must no longer be considered a political nonentity—she must no longer be treated as a chattel, or classed politically with minors, paupers, criminals, or lunatics; but she must take her true, her normal position by man's side—the dignified position of one who is conjoint owner of human capacity and human responsibility. The whole world, heavy laden with sin and sorrow, is crying loudly for ministration. So long as its intense hunger for sympathy is unsatisfied, its mighty cry for help unanswered, there will be work enough to task to the utmost the ability and the energy of every earnest man and woman in it. No estimate can ever be formed of how much the world has been impoverished by the folly that has ignored and repressed the highest powers of half the human race. Sometimes the foolish remark is made that the success of this movement for advancing the position of women will result in the turning of the world upside down. I once heard an excellent reply made to this by a gentleman, who said that, in his opinion, the world had been upside down all this time; and that he looked to the restoration of woman to her proper place of conjoint authority over it as the means by which it will be set right side up again. I believe there is a precious germ of truth enfolded in this reply. Since man and woman share the same humanity—are equally entrusted with the same awful talent of individual responsibility—

are called to live after the same divine example, and are joint-heirs of the same eternal destiny—should they not be guided in their lives by the self-same principles; and does not this involve equal freedom of action for both? This freedom has never yet been fully accorded to woman. Drawn down to the standard fixed by man, she has been restrained and subjected to his rule, until slavery has done its work by degrading her more or less too generally into a state of apathetical indifference, or selfish and enervating frivolity. Here and there in the past is seen the vision of some noble woman rising above the circumstances that surrounded her—bright exceptions, demonstrating what many might have been, if restraining pressure had been withdrawn. Prophetic, too, of coming days—when woman, stirred by high resolve, would, with the aid of good and earnest men, shake off the bondage that has fettered and degraded her sex so long, and advance with solemn step and thoughtful brow to resume her proper place by man's side. Those days have come. Even now is woman rising from the apathy and ignorance of past ages, and as she makes her first step forward, she meets an obstacle that bars her progress. This barrier is formed by the political disabilities that shut her up to the endurance of unjust laws, that brand her unlawfully with the insulting stamp of inferiority, and that weaken and restrain her efforts in every direction. We come to you, our brothers, and we ask you to remove this obstacle from our path. And we believe you will, for we have faith in your manhood, in your love of justice. Perhaps there is not one man present who would deliberately allow low and selfish considerations to lead him to withhold either political or social justice from women, but probably there are many amongst you who have hitherto held back from helping us to gain our enfranchisement, because you have permitted the fanciful veil of poetic imagery to hide from your view the realities of life. I beseech of you, brothers, to cast this veil aside, and look at the sad truths it conceals. Look seriously at the painful fact that tens of thousands of unprotected women are struggling to escape from the cold grasp of cruel poverty. Crushed beneath a sad weight of deprivation, they almost hopelessly seek or wait for the work that comes not. These struggling, suffering women are the sisters of our countrymen, and some of you now before me may yet have daughters amongst them. I solemnly charge you to ponder this sad—this unnatural state of things; and when you trace, as you easily may—how much of this misery results from the political and social injustice to which women are subjected, I feel confident that you will come with generous haste to aid us in the advancement of the righteous reform we seek. Emancipation from prejudice and superstition will be followed, too, by the recognition of the truth, that the womanliness that is worthy of admiration will not, as some absurdly dread, disappear or be injured by the concession of political justice; for as an Act of Parliament did not confer the distinctive attributes of womanhood, neither can one destroy them. Nature, which gave woman her peculiar gifts, will maintain them—nay more, she will assert her power by developing them more and more in pro-

portion as full and perfect liberty is attained, for undue restraint and subjection is as injurious to the development of true womanhood as to that of manhood. We are told that "whatever day makes man a slave takes half his worth away," and so is it also with woman. In like manner as enfranchisement benefits man, so will it benefit her also. Freedom, not subjection, is the root of virtue in the one sex as well as in the other. Weak dependence upon the will of others is not womanliness, any more than the self-asserting power of mere brute force is manliness. It is true, too, that the parasite, however much it may please the eye by its graceful twinings, is no sign of good to the noble tree; it often causes the decay that it so certainly hastens. In view of the true solemnity of human life, and the undoubted duty that lies upon woman to take her full share of work and responsibility in regard to all that concerns it, what are the paltry, petty objections worth that are brought forward to interpose between her and the due discharge of this duty? They are mere motes in the sunbeam, mere flecks of foam upon the ocean wave. There they dance, there they shimmer; but the all-pervading flood of light shines brightly over all, undimmed in lustre and in power; the sounding main sweeps grandly on, its mighty depths unconscious of the froth that crests its waves: so the bright enlightening outflow of truth, the overpowering might that accompanies just principle, will continue to endure, and despite all paltry obstructions, will carry the righteous reform sought for on to a triumphant issue. If any tell you that the cry for woman's restoration to her normal position in the world comes only from a "restless and discontented few" who would draw the many into degradation, believe them not—the cry comes from the very heart and soul of true and earnest womanhood. It is uttered by those who would struggle upwards to regain the high position from which they have been dethroned, and who—in their upward struggle—would bear, high above all vulgar strife, the spotless fame of pure and gentle womanhood. It is not degraded and masculinised woman that we would enthrone, but the woman that nature formed to be noble, tender, pure, and true; and we would make it possible, too, for all women to escape from degradation, and join in the endeavour to rise to her original place in God's creation. From the deepest, most solemn conviction of our hearts, then, has our earnestness in this arduous work been evolved; and those have never fathomed the depths of an earnest woman's nature, they know nothing of the inflexibility of her determination, nor the energy with which she can prosecute what she believes to be a duty, if they think we will relax our efforts until success has crowned them. Then, and then only, may we hope to see the lofty ideal of the poet realised—woman rising to the full height of her normal grandeur,—

"Till at last she set herself to man  
Like perfect music unto noble words,  
And so these twain upon the skirts of time  
Sit side by side, full summ'd in all their powers,  
Dispensing harvest, sowing the To-be,  
Self-reverent each, and reverencing each;

Distinct in individualities,  
But like each other ev'n as those who love.  
Then comes the statlier Eden back to man,  
Then reign the world's great bridal, chaste and calm,  
Then springs the crowning race of humankind."

May these things be. (Loud cheers.) The resolution was also adopted.

Professor CALDERWOOD submitted the third resolution to the meeting—"That this meeting desires to thank Mr Jacob Bright for his advocacy of the electoral rights of women, and for the success which has attended his efforts to enlighten the public mind on the subject by means of the discussion raised by him in Parliament on the bill for removing the electoral disabilities of women, and respectfully requests him to introduce his bill early in the ensuing session." He was sure they were all deeply convinced of the important service done to the country by any member who carried a measure of practical reform through the House of Commons. Those who remembered the ability with which Mr Bright advocated this cause when he appeared in Edinburgh, and had observed the effective support he had given to the claim of the ladies, when introducing his measure to Parliament, would be satisfied that he was entitled to hearty thanks and strong encouragement in continuing his efforts. On the ground of justice, he did not think much needed to be said with reference to the case before them. They had been asked—Who is the head of the house? To this, however, they had a very ready answer—the person who pays the rent of the house—(hear, hear)—and the taxes, and supports all who live in the house. And if it so chanced, because of affliction, that the person who was thus the head of the house was a woman, he felt ashamed of the man who would deny her the rights as head of the house. (Hear, hear, and applause.) And if it chanced that the woman was an eldest sister, and supported the house, and not an eldest brother, so much the more would he honour that sister, and stand by her claim to be honoured in the midst of our country, where he hoped they would always value moral worth and true honest purpose in fulfilling all the obligations which Providence might lay upon them. (Applause.) If they passed from the claims of justice to the interests of their nation, he would like to know if any one, looking upon the influence women exercised in society, would say that members of Parliament would be in no respect the better of having some portion of their constituency peculiarly interested in those matters which especially concerned women. He could not understand how there should be opposition to such a measure as this, except it was upon the very natural, proper, and honourable feeling which would desire to shelter women from suffering and rudeness, from shamelessness and from scorn. They all honoured the feeling which would cast a sheltering hand over woman, and try to save her from exposure to any of those perils which men might be prepared to encounter. Acknowledging all this, if there stood before them a plain injustice through a person who held property and discharged all the duties connected therewith, not receiving the rights of

property, then he would say, let justice be done. Had the question never been raised by those who thus ought to have a vote, they might possibly have been content to let it go by, but they were now entering a time when legislation must deal more especially with social questions, and touch women's interests even more than it had done in the past, and therefore they had come to a time when it was a right thing that a woman should stand forward and claim on ordinary grounds of justice that she should exercise such influence in the nation as her property and place distinctly entitled her to according to other principles of the Constitution. Then it was said that if women received that right which they claimed, they would use the right to the franchise, proceeding on knowledge gathered at second hand. He should like to know where the man was that used his right to the franchise, and proceeded from knowledge that was not gathered from second hand. He wondered who attended meetings gathered together for considering the interests of the community, who had knowledge at first hand on questions connected, for instance, with the army and navy, and those matters with which the Legislature had to deal, and professed itself competent to judge. He thought there were not many who would make such a claim. He should ask how many members of Parliament proceeded in legislation from knowledge gathered at second hand. When they had to do with the rights of women, and all those things which touched personal and domestic well-being, did they pretend to profess that they proceeded upon knowledge gained at first hand? He thought it was at least a feasible thing that, before they legislated for women, they should ask women to tell what they wished to be done in their own interests. (Applause.) They would give them a fair opportunity of expressing their own wishes, and, at least so far as some of them were constitutionally on other grounds entitled to vote, let them vote, indicating the direction in which they wish legislation should proceed. If they asked what women were so much interested in, he asked, were there no legal questions most seriously involving the interests of women, whose husbands were to them anything but the protectors they ought to be, and who knew what it was to allow their wives to toil and then take the gain? Was it not true that the laws affecting women might affect women holding property which was their own by all law and justice, just as a man who made it claimed it simply upon the grounds of earning it; and if it were true, consequent upon our present relations, that year after year orphan children were sadly neglected, and were cast upon the care of the State, was it asking too much in the interests of sound and good government that women should also have something to say in reference to the education of those orphans, those dependents upon the State, whose training now determined the position that would afterwards be held by them as members of the nation. (Applause.) He thought they had only to consider what were the reasons which women had to speak out, only to bear in mind what was the nature of their claims, to be convinced that there should be some opportunity for giving voice to those wrongs which were now burning deep into the hearts of some, and finding no

utterance. He asked nothing in the way of discussing questions in regard to equality, but one question, and a great question, was this—Had women some knowledge in reference to their own wants that men had not? Was it true that the woman's sphere was home? And if it were true, could she not speak for home and all domestic claims as men could not? If so, she should be granted that right which she claimed by getting a free, formal, legitimate opportunity of expressing her desires, which would not only be in accordance with justice, but ultimately be a gain to the whole. (Applause.)

Mr W. A. BROWN, advocate, seconded the resolution, and in doing so he said that at one time he held very different views, and he appeared there that night in the humble attitude of penitence and conversion. (Laughter.) But while most cordially supporting the movement, he desired to explain the grounds on which his views rested. He did not recognise the political equality of the sexes as its foundation, and that for the best of all reasons, that he did not believe in that equality, or any other equality, in relation to the sexes. He said this in no disparaging sense; in some respects women were superior to men; all that he contended for was that equality could not be predicated in the constitution of the sexes. Nor did he think that anything of the nature of a State necessity had been made out requiring this claim to be conceded. On the occasion of the extension of the suffrage in 1868 there was a necessity which the State could not fail to recognise without serious injury to itself—he meant when a large section of the community for the first time received political power. He did not think that the cause they were met to promote stood in anything like that position; but that was not a matter to be regretted, for on that account it had a chance of receiving more close and dispassionate attention. He felt it to be open to him to say he thought it was holding the language of exaggeration to represent the continued withholding of this claim as a peril to the State. But on the other hand he had no doubt the cause was immovably fixed on principles of justice, and what was more, upon a clear view of what would eventually be for the public good; and, therefore, although he should not be disappointed if the cause progressed with but slow stages, he looked forward without apprehension to its ultimate and complete triumph. His reasons for supporting the movement were—(1.) That he could not withhold this claim without operating an injustice. Until the basis of parliamentary representation was changed in this country, he could not understand upon what principle a distinction could be maintained with the view of imposing disabilities between the property of women and the property of men. (2.) It was unjust and unwise not to concede it in view of the future history of the country, which would probably be called upon to a much greater extent than in the past to deal with questions, and with ever new and shifting aspects of the questions of women's rights. It was manifestly absurd that the ultimate solution of those questions in which women would certainly be gravely interested,



should depend on the voice and votes of men alone. (3.) A third reason was, that the influence and interference of women in political matters were proverbial, but while admitting that this influence was right, it should be provided that women should have political knowledge, and that could not be secured without political responsibility. Mr John Stuart Mill had pressed this argument with unanswerable force. (4.) He supported it because he believed that the co-operation of women with men on the political platform was an agency that was required to complete the moral education of the world. The world was growing older, and he doubted whether it was getting better, and they might well consider whether a great responsibility did not lie with them for having so long rejected the assistance which women had proved themselves so well able to render in the crusade they had to wage against vice, pauperism, intemperance, and crime. (Applause.) He concluded by proposing that the following addition be made to the motion:—"Resolve to present petitions to both Houses of Parliament, and memorials to the Prime Minister and Home Secretary in terms of the resolutions, and authorise the Chairman to sign the same in the name of the meeting."—Agreed to.

Mr DUNCAN M'LAREN, M.P., in moving a vote of thanks to the Chairman, said this should not be merely a formal vote of thanks, such as was passed to every Chairman, but one coming heartily from the meeting—(loud cheers)—for Sir Robert Anstruther had come at much inconvenience to himself in consequence of a recent accident, and had he not been devoted to this as he was to every other liberal question—(cheers)—he would have had ample grounds for declining to take part in this meeting.

The motion was carried by acclamation, and duly acknowledged by Sir Robert Anstruther.

---

I N C O M E.

Subscriptions and Donations, . . . . .	£297 15 6
Collections at Meetings, . . . . .	34 17 9
Interest from Bank, . . . . .	0 5 3
	£332 18 6
Due to Treasurer, . . . . .	12 0 9½
	£344 19 3½

E X P E N D I T U R E.

Due to Treasurer from last year, . . . . .	£5 18 10
Expenses of Sixty Public Meetings, . . . . .	220 17 8½
Printing and Publications, . . . . .	56 16 7
Expenses attendant in getting up Petitions, . . . . .	36 11 7¼
Postages, . . . . .	20 10 6¼
Committee Room, . . . . .	4 4 0
	£344 19 3½

# THE POLITICAL DISABILITIES OF WOMEN.

REPRINTED, BY PERMISSION,

FROM THE "WESTMINSTER REVIEW,"

1ST JANUARY, 1872.

MANCHESTER

ALEXANDER IRELAND & CO., PRINTERS, PALL MALL.

—  
1872.

THE POLITICAL DISABILITIES

OF WOMEN

## THE POLITICAL DISABILITIES OF WOMEN.

THE question of the political disabilities of women, which, long dormant but never dead, has remained hidden in the hearts of thoughtful women, to be repressed with a sigh over the hopelessness of the attempt to gain a hearing, has suddenly sprung into life and activity, and assumed, in an incredibly short time, an acknowledged position among the most important social and political subjects which call for the attention of the nation. This result could not possibly have been attained unless the principles involved in the claim had been in harmony with those great ideas of progress and reform which have taken so deep a hold on the minds of the people of this country, and which have received so sudden a development in about the same period of time as that comprised in the history of our present movement.

Within the last half century there has been a revolution in the principles which govern the distribution of political power. Shall the people be governed by rulers claiming to be divinely appointed, or shall they be ruled by representatives of their own choosing? Shall the right of the common people culminate in the claim for good government, or shall it rise to that of self-government? Is it enough for the populace that their irresponsible rulers shall govern them according to what they, the rulers, believe to be just and beneficial principles, or have those who must submit to laws and governance a right to be consulted in the election of the governors and the enactment of the laws? Such is the problem which it has been the task of the last fifty years to solve, and which has resulted in the triumph of the principles of popular government by the passing of the Representation of the People Act of 1867. This principle is now accepted by both the great parties in the State. A measure based upon it has become law by common consent. It has therefore changed its position from that of one which had to be recommended and enforced by those who urged the adoption of any measure founded upon it, to that of one which is admitted to be established. Therefore any class

in the community which seeks for the removal of political disabilities does so on principles which are now sanctioned by the Legislature as those on which the government of the country shall henceforward be conducted.

We, who make this claim for the enfranchisement of women, do so from the feelings and for the reasons which have led other classes of the community to make the same claim, and we ask that our claim shall be decided by the same principles which have guided the judgment of the Legislature in the case of others. In making this demand we are, however, met at the outset with the allegation that the same principles of justice are not applicable to both sexes—that the claim which is just when made by a man, is unjust when made by a woman—that when men say that the Government has no moral right to hold them responsible to laws enacted without or against their consent, nor to tax the fruits of their labour without giving them a voice in the imposition and disbursement of such taxation, their complaint is just and reasonable, and deserves attention; but that when women say the same thing, their complaint is unjust and absurd, and must be suppressed. Now we say that we can see no reason for this alleged discrepancy, and we challenge those who maintain it to show cause why the same broad principles of justice are not applicable to all human beings. We maintain that women are equally liable with men to suffer from misgovernment—that they have the same interest as men in securing good government—that they have the same intelligence as men in regard to the method of obtaining it, and further, that the only security for good government, either of women or men, is that the governed shall be consulted in electing the rulers and making the laws. We say that the disadvantages and hardships entailed on women by their deprivation of representative government are analogous to those suffered by the lower classes at the hands of the more powerful interests in the country. Women complain of the want of the means of education, want of liberty to engage in honourable or lucrative professions, want of opportunity of earning the means of subsistence, want of security for the possession of their property, their tenure being forfeited by marriage; want of sufficient protection for their persons from the violence of men; these and many other grievances are enough to justify any class of persons in seeking for their removal. Whether the special grievances of women are or are not precisely like those suffered by the common people at the hands of the privileged classes, there can be no doubt that they spring from the same root, political slavery, and their redress must be sought by the same means, political emancipation.

The theory on which the right of voting under the new Reform Act is ostensibly based is that of giving a vote for every household

or home. Mr. Disraeli stated in the House of Commons that by the Act regulating the franchise, the House gave it, and intended to give it, to every householder rated for the relief of the poor. But when this declaration comes to be practically tested, it is found that about one-seventh of the ratepayers in every borough are adjudged to be out of the pale of representation. This happens though they are taxed to the same extent as the others, and, moreover, have been subjected to the special burdens imposed by the ratepaying clauses of the Representation of the People Act, for which the vote conferred by that Act was confessedly offered as an equivalent. A woman would not only be derided, but punished, who refused to obey a law on the ground that "man" did not include "woman," that "he" did not mean "she," and that therefore she was not personally liable for contravening any Act so worded. Accordingly, though the "occupiers" and "owners" who come under the operation of the ratepaying clauses of the Reform Act were referred to throughout by masculine pronouns only, women were made to pay the increased rates thereby imposed. These clauses bore with distressing severity on thousands of poor women, as we gather from police reports which appeared in London and other newspapers. At Hackney in one day more than six thousand persons, mostly women, were summoned for non-compliance with them; and at Lambeth, we are told that several poor women applied to Mr. Elliott for his advice how to save their "things" from being seized by the parish authorities for rates under these clauses. Mr. Elliott did not appear to have any power to help them, and the applicants left, lamenting that they were likely to have all their "things" taken for rates for the right to vote under the new Reform Act. But when women came into court to claim the vote conferred on the occupiers who were fined, they discovered that "words importing the masculine gender" were held to include women in the clauses imposing burdens, and to exclude them in the clauses conferring privileges, in one and the same Act of Parliament.

One of the excuses alleged for excluding women from the right of voting is a desire to save them from the unpleasantness of contact with a crowd during the conduct of an election. But no one proposes to force women to record their votes, and if they did not like the crowd, they would have full liberty to stay away and exempt themselves from the operation of the vote-giving clauses. But there was no escape from the operation of the ratepaying clauses; and under these, thousands of poor women were dragged from their homes, and haled before the magistrate, for no wrong that they had done, but solely by the operation of an Act from the benefits of which they were excluded under the pretext of exempting them from an unpleasant duty. Men must

have a very low idea of the intelligence of women when they endeavour to impose on them by pretences such as these.

The political position of women under the existing law has been compared to that of minors, criminals, lunatics, and idiots. But a little examination will prove that the status of persons of all these classes would be considerably lowered were it reduced to that of women. Minority, if a personal, is merely a temporary disqualification. A householder who is a minor will in time come into the enjoyment of his vote. But adult women are kept throughout their lives in the state of tutelage proper to infancy. They are never allowed to grow up to the rights of citizenship. As Justice Probyn said, "Infants cannot vote, and women are perpetual infants." Criminals are also only temporarily disqualified. During the debate on the Bill of 1867, Lord E. Cecil proposed a clause providing that persons who had been sentenced to penal servitude for any offence should be incapable of voting. Mr. Gladstone objected to the clause because "a citizen ought not to bear for life the brand of electoral incapacity." Another member objected to "extending a man's punishment to the whole of his life." The clause was finally negatived. But the brand of lifelong electoral incapacity, which was thought too severe for burglars and thieves, is inflicted without scruple on rational and responsible human beings, who have never broken the law, for the sole crime of womanhood. Parliament deems an ex-garrotter morally competent to exercise the franchise, whilst it rejects the petition of Florence Nightingale. So much for the moral standard required for the exercise of the suffrage. Let us now see what the law says to lunatics. In a legal text-book we find the following statement:—"With regard to a lunatic who, though for the most part he may have lost the sound exercise of his reason, yet sometimes has lucid intervals, it seems that the returning officer has only to decide whether at the moment of voting the elector is sufficiently *compos mentis* to discriminate between the candidates and to answer the questions, and take the oath, if required, in an intelligible manner,"\* But the law never allows that a woman can have a lucid interval during which she is sufficiently *compos mentis* to discriminate between the candidates, and to comply with the formalities incident to recording a vote. Thus it places her mentally below lunatics, as it does morally below felons. The courts have a very kindly consideration for the electoral rights of idiots, as a case quoted by Mr. Rogers will show. He states that the voter had no idea of the names of the candidates, but he had of the side on which he wished to vote. He seems to have been unable to answer the ordinary questions, and the returning officer

\* Rogers, "On Elections," 10th edition, p. 153.

rejected the vote of this idiot; but on appeal the decision was reversed, and the vote held to be good. Mr. Rogers states that it is difficult to determine, since the decision in the "Wigan Case," what degree of drunkenness need to be shown in order to disqualify an elector. It is a question of fact for the returning officer to decide; and with respect to persons deaf, dumb, and blind, he says, that "although it is difficult to believe that such persons should have understanding, still if such a person can show by signs or otherwise that he knows the purpose for which he has come to the poll, and can also comprehend the obligation of an oath, and the temporal dangers of perjury, it is conceived that a returning officer would not be justified in refusing his vote." It will be seen by these extracts that those who compare the political status of women to that of criminals, lunatics, and idiots, give too favourable a view of the facts." The true comparison is that which was used by Mr. Justice Byles in the Court of Queen's Bench, when he likened the political condition of women to that of dogs and horses. After indignantly scouting the claims of woman to humanity: "I will not," said the Judge, "allow that woman can be man, unless in a zoological treatise, or until she is reduced to the condition of fossil remains," he proceeded to level the political rights of woman to those of the domestic animals. He would not even allow her to be "something better than his dog, a little dearer than his horse," but assumed the absolute identity of the political rights of all three. The case was that of 1,600 ratepayers, who had been placed on the register by the overseers of Salford, and who had been struck off by the revising barrister without inquiry, merely because they bore such names as Mary, Hannah, &c. No objection was raised by any one to these names, though they had been published in the usual way. The mayor, the overseer, and the public generally concurred in the propriety of retaining them, and the representatives of both Liberals and Conservatives in the Revision Court did their best to keep them on the register, but in vain. Though the revising barrister expressed doubts as to whether he had a right to expunge the names, he said he should do so. This decision was appealed against, and the counsel was arguing that the revising barrister had exceeded his jurisdiction in striking off the names of persons not objected to, and the description of whose qualification was good upon the face of it; when he was interrupted by the Judge asking whether he meant to say that if the barrister found the name of a dog or a horse on the register he would not be justified in striking it off. This sudden question rather staggered the learned counsel, who had evidently up to that time not looked upon his clients as exactly on a level with brutes; but he could only follow the Judge's lead, and reply that in case a man

happened to be called Ponto or Dobbin, he did not see why he should lose his vote.

In the election petition at Oldham, where a scrutiny was demanded, one set of objections turned on alleged legal incapacity of the voters. These comprised some aliens, some minors, and one woman, who, being upon the register, had recorded her vote. Mr. Justice Blackburn decided that the objections to the aliens and minors should have been taken before the revising barrister, and that it was then too late to challenge the votes on the ground of legal incapacity, but a woman was not a man at all, and he should strike off her vote at once. He added, however, that if the vote became of consequence, he should reserve the point for the Court of Common Pleas. We hereby perceive what a mere fetish sex becomes according to the principles of English law. The attributes that distinguish man from the beasts are speech, reason,\* moral responsibility, and religious faith. Out of these attributes springs the capacity for political functions, for knowledge and experience, and for the formation of a stable, regular government. Yet in seeking the proper basis of a qualification on which to rest the possession of political power, men deliberately reject as insufficient all those attributes of reason and conscience which raise humanity above the brutes, and select one which they have in common with these.

We say that this principle is injurious, because it sets a stamp of inferiority on women. The opinion of a woman is not esteemed so highly as the opinion of a man, because the law does not deem it worthy of being taken into account in reckoning the votes of the people. This lowers women in their own eyes, and in the eyes of men. By making the capacity for feminine functions a disqualification for political functions, the female sex is depressed from its natural position as the one whose preservation is of the most importance in the human economy to that of one which is deemed of secondary consequence, and the welfare of the race suffers accordingly.

The exclusion of women from political power has been defended on diametrically opposite grounds. On one hand it is said that the interests and sentiments of women are identical with those of men, and that therefore women are sufficiently represented by taking the votes of men only in the various classes of society. But if the opinions and interests of women are identical with those of men of a similar social grade, there could be no possible harm in giving them the same means of expressing them as are given to men. On the other hand it is said that

\* We must not be understood as denying that the lower animals reason to a certain extent; but this does not affect the argument, as the distinction between these and mankind is sufficiently marked.

women are morally and intellectually distinct from men; that they possess mental attributes not inferior but diverse, and consequently the ideas which they may form on questions of national polity will be of a different character, or based on different principles, from those entertained by men. On this view, however, whether we regard political questions with reference to the interests of the community at large, or of the feminine element in particular, the recognition of the right of women to vote seems absolutely necessary in order to secure that fair representation of all classes of the community, and that impartial consideration of subjects involving the interests of these various classes, which is the final cause of representative government.

In illustration of this necessity we may refer to a speech by the present Attorney-General in the House of Commons during one of the debates on the Bill to render legal marriage with a deceased wife's sister. He is reported to have said:—"If ever there was a woman's question it was this one, and he asked if it were reasonable or generous to legislate on a matter of marriage against the well understood feeling of one of the sexes who were parties to it." Now whether Sir John Coleridge was right or wrong in his estimate of the feelings of his countrywomen on this question, there was surely justice in his appeal to the House not to legislate upon it without taking the sentiments of women into consideration. But under the present law what possible means exist for gauging the opinions of women on this or on any subject? The process of carefully eliminating from the electoral body every person otherwise qualified who belongs to the sex whose views are especially desired, seems singularly ill-adapted for the purpose of arriving at a trustworthy estimate of those views. Probably the opinions of women are divided on this question of the marriage law as on other topics, but until women are allowed to vote no one can possibly determine on which side the majority lies. Every attempt to do so is mere random guesswork, and until women are allowed to express their sentiments as freely, as fearlessly, and in the same manner as men, no man has a right to speak in their name. Legislation in regard to the interests of women, by an assembly from which the representation of women is rigidly excluded, is truly a "leap in the dark."

Another question specially affecting women is that of the right of married women to own property. Strange to say—or is it strange?—there seems less disposition to acknowledge the justice of consulting women in regard to this proposed amendment of the marriage law than on the other. In the debates which took place in both Houses of Parliament on the Married Women's Property Bill of 1870, it was throughout assumed that the matter must be settled according to men's notions of what was just and expedient for

women. Women's ideas on the subject counted for nothing. The opponents of a change in the law relating to marriages of affinity appealed passionately on behalf of the presumed sentiments of women. They arrayed them in opposition to the measure, and claimed for them the right to be heard. But the opponents of a change in the law relating to the status of wives were silent respecting the opinions of women. Either they did not dare to appeal to them for fear of an adverse verdict, or they thought that although women might be generally in favour of the maintenance of the existing law, their opinions were not worth quoting in its defence.

The law relating to the property of women is an instance of flagrant wrong inflicted on the unrepresented half of the nation. What would be said of a law which deprived the majority of adult men of the right to own property? It would be at once concluded that such men had no votes, or they would not allow a session to pass without enforcing a measure to secure their rights. Yet this is exactly the position of the great majority of adult women under the common law of England. The Act of 1870 does not in any way interfere with this principle of the common law, but leaves it in full force. It merely extends to the personal earnings of women, to small amounts of property accruing to them by deed or will, and to certain descriptions of property, on special application, the facilities offered by the Chancery courts for evading this principle. It would not touch such a case as the following:—A woman selling oranges in the streets of Liverpool related her history to another woman as follows: Her first husband died leaving her in possession of a comfortable inn in Liverpool and one thousand pounds in the bank. She married again. The second husband, after living with her a short time, ran away to Australia, having previously paid a visit to the bank and drawn out the thousand pounds. The wife continued her business, by which she was able to earn a comfortable subsistence for herself and a daughter by the first marriage. After a few years the prodigal husband returned without the thousand pounds, penniless, ragged, and ill. He professed penitence for his past offences and begged of his wife to forgive and receive him. She consented, and took care of him until he recovered. For a time all went well, the husband was kind and attentive, and the wife began to think they might be happy. One day the husband observed that he thought a drive in the country would do his wife good after the care of nursing him through his illness; he would order a carriage for her and her daughter. The wife did not wish to go, but in order to gratify her husband she consented, and she and her daughter departed. On her return she did not see her husband, but found a stranger in the bar. When she asked his business he produced

a bill of sale by the husband to him of the house with all it contained and the business. The mother and daughter found themselves turned adrift homeless and penniless on the streets of Liverpool without appeal and without redress. The husband has not since been heard of.

This robbery was committed under the sanction of the marriage law, and the law which sanctions it is still in force.

Sometimes it is urged that since the husband is bound to maintain his wife, it is but just that he should pocket all her property and earnings. But this is a fallacious argument. The claim of a wife to maintenance by her husband is based on the performance by her of the duties of a wife. Her maintenance is an equivalent for services rendered—an equivalent to which she is justly entitled whether she owns property or not. In truth, in the majority of cases, a husband no more "maintains" his wife than a man does his footman or his cook. To each is given maintenance in requital of services rendered. A cook or footman receives wages in addition to maintenance—a wife usually does not. To claim from a wife in exchange for mere maintenance not only her personal services, which are a full equivalent, but the surrender of all the property she may possess or acquire independently of her husband, is to demand something for which no equivalent is offered.

Under a system of free trade in labour every able-bodied single man or woman is presumably capable of maintaining himself or herself by the exercise of bodily or mental powers. Each such person has two classes of labour to accomplish for this end: 1. Out-door labour—*i.e.*, the earning of the money necessary to procure food, clothing, and shelter. 2. In-door labour—*i.e.*, the application of this money for the personal sustenance and comfort of the individual. It is not enough to earn money to purchase food in order to sustain a man; that food must be prepared and made ready for his use. It is not enough to earn money to pay the rent and furniture of a house; a very considerable amount of daily labour is requisite in order to keep that house habitable and comfortable. Suppose the case of a labouring man working for wages, who had no domestic inmate—who had to light his fire, prepare his own breakfast, and ere he set forth for his day's toil had to make his bed and set his house in order. Then, when he returned for the midday meal, had to go to market to purchase the food, to cook it for himself, to wash up the dishes and arrange his room before he again went forth to his labour, to return at the close to repeat the same process before he could get his supper; and in addition to these daily toils, had the periodical scrubbing of the floor and washing of his clothes, and such mending as is rendered necessary by their wear and tear. It may be safely assumed that a man so circumstanced would not be able to earn

more than half the wages which he could earn were he relieved of all these laborious and time-consuming offices. Let us imagine a woman similarly situated, half of whose time was consumed in out-door or money-earning labour, and half in domestic or comfort-earning labour. Let us now suppose that these two marry. In order to perform the domestic duties for the man, and thus set him free to devote his whole time to money-earning labour, the woman must give up that portion of her time which she had hitherto devoted to money-earning labour. Because of this, she has an equitable claim to share the money which this sacrifice on her part enables a man to earn. The claim of a wife to maintenance arises from the simple fact that marriage enables a man to earn money by relieving him from the burden of domestic cares, while it disables a woman from earning money by imposing upon her these cares.

The claim of a wife for maintenance we hold to be absolute under these circumstances—*i.e.*, where neither husband nor wife owns property or income other than the earnings of their daily labour. It becomes considerably modified when either possesses a fortune sufficient for maintenance without such labour. Since marriage need not of necessity, and would not, had the bill introduced in the House of Commons by Mr. J. G. Shaw Lefevre, in 1869, become law, have actually dispossessed a woman of her income or in any way disabled her from its possession or enjoyment, and since the possession of independent means of subsistence relieves her from the necessity of maintaining herself by marriage, and renders such an engagement a purely voluntary one on her part—the claim which a woman who gives up her independent means of subsistence in order to marry, has on the man at whose invitation she gives it up, does not exist, and in the case of persons who marry possessed each of independent property, we should be disposed to admit that the claims of husband and wife upon each other for maintenance are mutual and equal.

But this difference in the condition is not recognised by our laws. Whatever obligation the law at present imposes on a man to maintain his wife is totally irrespective of the amount of her possessions: it is the same whether she be a beggar or an heiress. Moreover, this vaunted liability shrinks to the narrowest limits when examined. If a man refuse to supply his wife with food and clothing, she has no means of enforcing her claim upon him. No magistrate could listen to a woman who complained that her husband would not maintain her. All he could do would be to recommend her to apply to the parish, and then if the guardians chose to supply her with pauper's allowance, they could recover the amount from the husband. But if the parish authorities were to find that the husband was in the receipt of good wages, and

therefore to decide that they would not relieve the woman, she must starve, for the wife has no direct remedy against the husband for neglect to maintain her. Cases have occurred of women being actually starved to death under the circumstances.

If, instead of bringing his wages home to his wife, to be applied to the maintenance of the family, a man takes them to the public house and spends them all in drink, the wife has no remedy. Yet surely, when the husband induced the wife to marry him on the faith that he would provide her with a maintenance, he contracted an obligation as binding and as capable of legal definition and enforcement as any other contract for the performance and reimbursement of personal services.

Suppose the common case of a working man paying court to a servant-girl in a good place. She is earning board and lodging of a much better quality than the wives of working men usually enjoy, and from ten to twenty pounds annually in addition. He asks her to leave all this, to give up all prospect of earning money, to devote herself to his service, to be not only his wife, but his servant—to wait upon him, to cook for him, to wash for him, to clean his house; and to perform all these arduous and multifarious duties, not only while she is well and strong, but through the period when the cares of maternity render them physically oppressive and injurious. In requital, he undertakes to provide her with uncooked food, lodging without attendance, and clothing. Now this is not a very tempting bargain, and commercially it cannot be considered advantageous. But such as it is, the terms ought to be carried out, and the law ought to provide means for enforcing their fulfilment. If the wife does not, at the end of the week, receive a portion of her husband's wages sufficient to provide her with these things, she ought to have as ready a means of redress as the working man would have who, after performing his week's work, should find that his employer neglected to pay him his week's wages.

Were the rights of the wife to her share of the husband's wages recognised as fully as the right of the workman to his share of the profit of his labour, a husband would no more think of defrauding the wife of her due than the employer now thinks of defrauding the workmen of their wages. The knowledge that wages can be recovered, effectually secures punctual payment without the resort to actual process of law, while this power in no way disturbs amicable relations between master and man. The experience that employers are now as a rule in the habit of paying wages punctually, would by no means induce the workmen to forego their legal claims. They would not think it just to be bound to spend their time and strength in working for their masters, and then be compelled to trust to their caprice or favour, or sense of honour alone,

for the payment of their wages. Yet we are unable to discover in what way the position of a man earning his livelihood by working for a master who supports him in return for his labour, differs as regards the question of right to maintenance from that of a woman who earns her bread by the performance of household duties for the husband who has undertaken to maintain her in return for her labour. If, when pay-day came round, the master were to inform the men that he had no money for them, as he had spent it all in selfish indulgence, and they would get nothing for that week's labour, the men would consider themselves unjustly treated. What, then, must the wife feel whose husband comes home on the Saturday night with his head full of drink and his pocket empty of cash? But the case of the wife is the harder of the two. The money she has a right to find in her husband's pockets at the end of the week is not hers for her personal use. It is the fund out of which she has to furnish food for her husband, her children, and herself. When that is wasted, their sustenance is gone.

A short time ago a lady was asked by a poor woman for a loan to pay off a debt at a provision shop for food supplied for the use of her family, consisting of her husband, herself, and three children. The husband was earning good wages, which he spent mostly in drink, and he did not give his wife enough even to provide the cost of his own food. The wife was obliged to go out to work, in order to earn money to pay for her own and her children's food, and make up the deficiency in that of her husband. The lady was advised not to lend the money, but to say to the poor woman that her husband was legally liable for the debt incurred at the provision shop, and that the shopkeeper should sue him for it. The reply was, that the husband had threatened to strip the house and sell off every stick of furniture, and that if he were asked to pay the debt he would very probably carry his threat into effect. The furniture had not been provided by the husband; it had been bought with money advanced by the lady who was our informant, and repaid by the wife in weekly instalments out of her earnings. But as this transaction took place before the passing of the Married Women's Property Act of 1870, the husband would now be upheld by the majesty of the law in desolating his wife's home, the fruits of her honest industry.

The clergyman of a parish in Lancashire stated the case of one of his parishioners, the wife of a drunken, truculent collier, who is earning good wages, but who spends all on his own vicious indulgences, and gives his wife nothing for the maintenance of the household. Nevertheless he expects to be provided for at home, and kept "like a lord," as the clergyman said. The woman is industrious, clever, orderly, and a good manager. She contrives

to earn enough to maintain a comfortable home and provide good meals for her legal master, who makes no scruple of abusing her if things are not served to his mind.

Such cases are very common: but were they as exceptional as they are common, they would afford ground for altering the law which supports and sanctions them.

The franchise is needed as a protection for women in regard of equal law. In every case where the laws determine the relative duties of men and women, the interest and the feelings of the unrepresented half of the nation have been made wholly subservient to that of the class which has political power. In the marriage relation, the wife's separate existence is lost; the husband is the only person recognised by the law. One of the most sacred natural rights, that of a mother to the child she has borne in her bosom, flesh of her flesh, bone of her bone, is set aside; and to the married mother's legal master is given the power to dispose of her offspring, not only during his lifetime but after his death. The law does not recognise a mother, even after her husband's death, as the natural guardian of her children. Her husband can will them away from her, and even if he names no other guardian, the mother does not become such by law. A married woman's children are not her own. Until a very few years ago an unweaned child might be torn from its mother's bosom, and deprived by a father's will of its mother's milk. However unnatural or bad a man might be, the law, without making any inquiries into his character, invested him with irresponsible power to make such a decree, and sanctioned and enforced it effectively. One of the revising barristers who adjudicated on the claims of women to be put on the roll of electors, desiring to say something especially insulting and unpleasant to the claimant who came to plead in his court, stated that he declined to recognise suckling as a qualification for the suffrage. But if womanhood had not been a disqualification for the suffrage, it would have been impossible that for hundreds of years the law should have vested the right to the custody of an unweaned child in that parent who could not nourish it. This glaring anomaly has been partially remedied, but at the cost of an injustice which is almost more cruel than the original one. By Sir Thomas Talfourd's Custody of Infants Bill, passed soon after the accession of her present Majesty, the married mother is as a matter of grace kindly permitted to keep—not her children—oh no! the law does not recognise them as hers—but she is graciously allowed to keep her husband's children until they are seven years old. Why! that she may have all the care, trouble, and anxiety of their helpless infancy, and the—it may be—profligate father be relieved from the same, and the torture and the uprooting of her heart be all the more cruel at the end of the seven years, when



the fiat of separation goes forth. What that torture is, none but a mother can know. It is probably the greatest that a human being can suffer. And the law sanctions the infliction of this torture on Englishwomen at the irresponsible will and pleasure of a man who may be a cruel and heartless scoundrel.

The despotic powers of a father are by no means a dead letter. But a short time ago a scene took place which shows what can be done, and what is done, under the sanction of man-made laws. The account went the round of the newspapers in a paragraph entitled

“PAINFUL SCENE IN A COURT OF JUSTICE.—In the Irish Court of Queen’s Bench, Mr. Justice Fitzgerald had a *habeas corpus* application made by the Rev. Henry Newenham, to obtain custody of his two children, Adelaide and Edith, who were under the care of their mother, Lady Helena Newenham, and her father, Lord Mountcashel. His lordship ordered that the younger girl, a child of about seven years, should be delivered up to her father; but the other girl, who is nearly sixteen, the age at which she is legally a free agent, having already expressed her unwillingness to comply with her father’s wish, was permitted to exercise her choice. A painful scene occurred as an officer came into the court, bearing the younger child, a pretty little girl, with long fair hair, and intelligent beyond her years. She screamed and struggled violently, exclaiming repeatedly, ‘Oh, must I, must I? Oh, dear, I won’t go to my father.’ Mr. Justice Fitzgerald took her up and spoke kindly to her, telling her her father would be fond of her, and that her mother would often see her. To this the child only replied again and again, ‘Oh, please, do let me do as I like. Don’t send me away. Will mamma ever see me again? Grandpa, grandpa, where are you?’ Mr. Justice Fitzgerald: ‘I shall take care of that, my dear. Your mamma will see you as often as she likes.’ Child: ‘Will it be every day? Tell me—will it be every day?’ Mr. Justice Fitzgerald: ‘Oh, yes, every day.’ Lord Mountcashel (who was much moved): ‘Knowing what I know, that is impossible. He is a d—l.’ Mr. Justice Fitzgerald said: ‘I am sorry I cannot leave the two sisters together. If I could, I would persuade you to that, Mr. Newenham. However, I hope you will allow free communication between the girls; and I must order that the mother be allowed to see her child as often as she wishes.’ Mr. Purcell: ‘Yes, my lord, all reasonable opportunity will be given her.’ The child was then handed over to her father, who carried her out.”

What a mockery to call the above a court of justice! A mother is to be “allowed” to see her child as often as she wishes, and a lawyer promises that all “reasonable opportunity” shall be given her. But suppose that on one of these reasonable opportunities on which the mother is “allowed to see” her child, she sees that the child is unhappy, or harshly treated, she cannot take it away, and the permission to “see” it may only add to her agony.

We appeal to every mother in the land to say, Is that mother and is that child justly treated by this country’s law? Is it enough for those who are happy to say, “These laws, though unjust, are a dead letter in my case; therefore I take no care for these things?” As well might those who are warmed and fed allege their own sense of personal comfort as a reason why they should bestow no thought on the sufferings, or care for the relief of the cold, the hungry, and the naked. We ask all women who have happy homes to join us in trying to protect those women who have unhappy homes, or who have no homes. For it is only the happy who have strength to help. The unhappy are helpless entirely.

We thought it necessary before appealing to this condition of the law as an argument for the necessity of the franchise, to ascertain with more precision the state and animus of the law with regard to mothers. From a legal text-book which enters fully into this subject we gather that the fundamental principle of English law is, that the father alone is entitled to the custody and disposal of his children; that this right inheres totally irrespective of his moral character or fitness for the charge; and that it will be confirmed and enforced by the courts, though he be an open and notorious evil liver. That while the law is thus jealous of the natural rights and parental feelings of the father, those of the mother are utterly disregarded; and that in the rare instances in which the absolute power of the father in regard to the disposal of the children is restrained or modified by the action either of the judges or special application of the law relating to the custody of children under seven years of age, this is done not in consideration of the natural right or parental feelings of the *mother*, but solely out of care for the supposed interest of the *child*. The courts have specially and expressly disclaimed any other intention than that of interfering for the protection of the child, and the claims of the mother have been dismissed as altogether out of the consideration of the Court. Such modified rights to the custody of the babies as are permitted at the discretion of the judges to be conceded to a mother, are wholly forfeited if she has been guilty of adultery, while a father may be living in open adultery, yet may withhold the custody of her children from a virtuous mother. It seems so monstrous and incredible that so unjust a law should prevail, that we think the fact will scarcely be credited on assertion only. We will therefore offer to our readers some cases and decisions quoted by Mr. Macpherson, to set forth the state of the law:—

## I.

“On the petition of a mother and her daughter, a child of about fourteen years of age, praying that the daughter might be placed

under the mother's care, or that the mother might be permitted to have access to her daughter at all convenient times, it being stated at the bar that the father was living in habitual adultery, on account of which the mother had obtained a divorce in the Ecclesiastical Courts, Sir Anthony Host, L.C., said that the court had nothing to do with the fact of the father's adultery; that some conduct on his part, with reference to the management and education of the child must be shown to warrant an interference with his legal right to the custody of his child. He did not know of any case which would authorise him to make the order sought. If any could be found, he would most gladly adopt it; for in a moral point of view he knew of no act more harsh or cruel than depriving the mother of proper intercourse with her child."

## II.

"The mother of three girls, the eldest aged five and a half years, left the house rented by her husband in which she was living with the infants, and afterwards removed them, and instituted proceedings in the Ecclesiastical Courts for a divorce. On the application of the father a writ of *habeas corpus* was granted to bring the children before Mr. Justice Paterson. The judge ordered that the mother should deliver up the children to the husband. In this case it was stated that the father was living in adultery."

## III.

"An Englishwoman married a Frenchman domiciled in England. She separated from her husband on account of ill-treatment, and he by force and stratagem got into the house where she was, and carried away her child, an infant at the breast. The mother obtained a *habeas corpus* upon affidavit, stating these facts. Lord Ellenborough said, 'The father is the person entitled by law to the custody of his child. If he abuse that right to the detriment of the child, the court will protect the child. But there is no pretence that the child has been injured for want of nurture, or in any other respect.' The child was remanded to the custody of the father."

## IV.

"G. H. Talbot, a Roman Catholic, married a Protestant lady. They had two children, John and Augusta. By a deed of separation between the parents it was agreed that Augusta should remain with her mother till the age of ten. The father died, having by will appointed a Roman Catholic priest to be the guardian of his children. The infants were made wards of court. The mother married Mr. Berkeley, a Protestant.

"A petition was presented on behalf of the infants, stating that the guardian had removed the boy, aged ten years, from school, and placed him under the care of his uncle, the Earl of Shrewsbury—that Lord Shrewsbury refused to allow him to visit his mother. The petition prayed that Augusta might continue with her mother, and

that John might have unrestrained intercourse with his mother, and might reside with her for convenient periods.

"The guardian petitioned that Augusta might be delivered to him.

"The Lord Chancellor (Lord Cottenham) said that the *mother had no right to interfere with the testamentary guardian*. The Court would exercise a discretion whether an infant should be ordered to be delivered up to such guardian. The female infant was of the age of eight years and seven months, residing in her mother's house, under the care of a Roman Catholic governess, and there was strong evidence showing her to be of delicate constitution, and requiring the care of her mother. There was also a statement of the late father's wishes that she should be left in the care of her mother till the age of ten, and on that circumstance his lordship relied as evidence that she might safely be left with the mother till that period. He therefore left the female infant in the care of her mother. The petition of the guardian was ordered to stand over, no order being made upon it for the present. As to John Talbot, the Lord Chancellor said that it was right that he should live with Lord Shrewsbury. The petition of the infants was dismissed. The only access to her son which the guardian would afford to Mrs. Berkeley was at Lord Shrewsbury's house, and in the guardian's presence.

"Mrs. Berkeley petitioned that her son might be allowed to visit her for a month; the petition was accompanied with a medical certificate that she was in ill health owing to her anxiety to have access to her son.

"The Lord Chancellor felt it to be necessary to *look only to the interests of the infant, and to the wishes of the father*, expressed in his appointment of a guardian, and declined to make any order on the petition. June 13, 1840."

## V.

"A father applied to obtain possession of a child of five years old which the mother kept from him. There was reason to doubt whether the child was his; he had been divorced from the mother soon after its birth. Lord Kenyon had no doubt but that the father was entitled to the custody, as the Court saw no reason to believe that he intended to abuse his right by sacrificing the *child*."

## VI.

"Lord Eldon, on *habeas corpus*, ordered two children of the respective ages of five years and seven months, to be delivered to their father by their mother, who was living apart from him, and who claimed their custody in virtue of a deed which provided for their residing with her in the event of a separation, and of another deed by which a provision was made for her separate maintenance, and an allowance was agreed to be paid her for the maintenance of the infants."

## VII.

"In a modern case, in the Court of Common Pleas, a husband ill-treated his wife; a separation took place. The wife kept her child,

which was six years old. The husband cohabited with another woman. The husband sued out a *habeas corpus*. The judge decided that neither the father nor the mother was entitled to the custody of the child, and it was given up to a third person."

The propositions which these cases illustrate are the following:—

The law vests parental rights in the father alone, to the entire exclusion of the mother. The father has power to remove children from their mother, not only during his life; but he may by will appoint a stranger to be guardian after his death, and such guardian may separate mother and child. The power of the father is not forfeited by his immoral conduct. It inheres in him by law, and he cannot be divested of it at the discretion of a judge. The Custody of Infants Act allowed some modified rights to mothers. But these rights are not conferred directly on any mother. They do not inhere in her by virtue of her motherhood; the Act is merely permissive. It declares that it shall be lawful for a judge, upon hearing a petition, *if he see fit*, to make an order that a mother shall be allowed access to her child, and if it is under seven years of age, to order that it be delivered to and remain in the custody of the mother until attaining that age, subject to such regulations as he shall deem convenient and just. Another section of the Act declares that the judge shall have no power to make the order if the mother has been guilty of adultery.

The franchise is needed as a protection for women from the uncontrolled dominion of the savage passions of men. In the less cultivated classes of society these passions rage with terrific violence, and their effects fall chiefly on the unhappy wives whom the law delivers up to the mercy of their legal masters. The existence of this savage element in our population will not be denied. Yet we will call two witnesses whose testimony is well calculated to arouse attention to this commonly acknowledged but commonly neglected fact. At the meeting of the British Association in Liverpool, after a lecture by Sir John Lubbock on "Savages," Professor Huxley, in the course of some observations, said:—

"Since I have walked in your great town of Liverpool I have seen fully as many savages, as degraded savages as those in Australia. Nay, worse; in the primitive savage there remains a certain manliness derived from lengthened contact with nature and struggle with it, which is absent in these outcast and degraded children of civilization. The people who form what are called the upper strata of society talk of political questions as if they were questions of Whig or Tory, of Conservative and Heaven knows what, but the man who can see, will, I think, believe that in these times there lies beneath all these questions the great question whether that prodigious misery which dogs the footsteps of modern civilization shall be allowed to exist—whether, in fact, in the heart of the most polished nations of the

present day—of those nations which pride themselves most on being Christians—there shall be this predominant and increasing savagery, of which such abundant instances are in your midst. I believe that this is the great political question of the future."

We agree with the eminent Professor in this belief, and we ask—Have not women the deepest interest in, and is it not their duty to care for, political questions such as this? For women, and notably the women of our own land, are the chief victims of this savagery. There is not, we believe, any class in the world so subjected to brutal personal violence as English wives.

Soon after these remarks of Professor Huxley at Liverpool, Mr. Justice Brett held the winter assizes at Manchester. The following are extracts from his charge to the grand jury:—

"The calendar is not long, but I am sorry to say it is serious, and this seems to me to arise principally from a habit of brutal violence, and giving way, without the smallest provocation, to evil passions. There are no fewer than four persons accused of murder, and there are many cases of violence by stabbing and cutting with knives. . . . The first case is No. 1 in the calendar, and it is the case of a man who is accused of the murder of his wife. According to the depositions, by his own confession, he went in without any particular ill-feeling to this woman. The principal evidence against him is his own child. He put a rope round his wife's neck, tied it with a knot under her ear, and dragged her about the room until she was dead. . . .

"The next case is No. 6 on the list. It is also that of a man charged with the murder of his wife. In this case no one was present when the blow was struck, but the man was seen going into his house, a scream was heard, and the woman was seen coming out holding her apron to her head, the blood streaming profusely from a severe wound in the head. There was a brush or part of a broom found on the floor, and the woman made a statement in the prisoner's presence that he struck her with the broom. When she was examined by the doctors it was found that her skull was crushed in, and she was seized with paralysis and died. . . .

"The next case is No. 27. This, again, is the case of a man who is charged with the murder of a woman with whom he lived as his wife. There is evidence that he struck the woman a blow. . . .

"Another case is that of a man who killed his wife; and here, again, the blow was not seen, but the man was seen going into the house, and shortly afterwards the woman was seen bleeding about the head, and several contused wounds were afterwards found on her person. She seems to have died from what the doctors call prostration and weakness from exhaustion; and in presence of the man she said he not only struck her with a poker, but stamped upon her after having knocked her down. . . . How terrible this is! Here are no fewer than four cases in which men are charged with wilful murder, with brutal violence to women with whom they lived as their wives. Some steps must be taken to put an end to such conduct."

Men say that women are not oppressed. But women themselves tell a different tale. From all parts of the country, from suffering and sorrowing women, come voices blessing the efforts that are made and bidding them God speed. Sometimes they come from the ranks of the peerage—sometimes from the well-to-do middle classes—sometimes from the poorest of the poor. From all sorts and conditions of women the cry of distress has gone forth. And the story is ever the same deep and cruel wrong, suffered at the hands of those who in theory are their natural protectors. All have the same hopeless consciousness that for them there is no help and no redress. They are made legally subordinate to men, and their sufferings are held as of no account.

We are persuaded that the sufferings and the wrongs of women will never be considered worthy of attention by the Legislature until they are in possession of the suffrage, and not until they are politically on the same level as men, will their education and their welfare receive equal care from the Government. All those who are interested in the general progress of society in intelligence and virtue should aid in the effort to remove the political disabilities of half the nation. When this shall be accomplished the additional power thereby gained will enable those who are working for measures of social and political reform to carry them on at a rate of progress hitherto undreamed of. At present half the people are excluded from participation in matters of national interest, and of the privileged half a great portion are held back by want of public spirit, of knowledge, and of interest in these matters. This apathy is the natural result of the influence of the huge mass of political ignorance, partly engendered by the exclusion of women from political existence. Remove the cause, and the effect will begin to diminish; enfranchise the whole people, and the whole people will begin to develop political life. In a celebrated Essay on the Education of the World, the writer has personified the human race under the figure of a colossal man, whose infancy, education, and growth represent the development of religious and political civilisation throughout the period of authentic history. If we can imagine this man determining that his right leg alone must have the advantage of exercise, and the left should be regarded as an ornamental appendage, it will not inaptly figure the attempt of humanity to make progress by cultivating only one sex. All who have turned their energies to public affairs feel how lame and imperfect is the advance of opinion on great questions, and in the suppression of intelligent and responsible opinion in women we find the cause of this lethargy.

THURSDAY, MARCH 21, 1872.

THE MARRIED WOMEN'S PROPERTY AMENDMENT ACT.\*

DISCUSSION.

FREDERIC HILL, Esq., in the Chair.

Among those present were the following:—Mr. E. C. Dunn, Mr. Richard Elliott, Dr. Herschel, Mr. S. H. Hodgson, Mr. P. H. Holland, Mr. J. T. Hoskins, Mr. G. C. Mast, Mr. H. N. Mozley, Mr. A. V. Newton, Mr. Edwin Pears, Mr. F. Pennington, Miss Wallington.

The CHAIRMAN, in opening the proceedings, said that owing to a misconception in the matter, a notice had been issued that a paper by himself on International Arbitration would be read that evening; though, as soon as the mistake was discovered, the issue of the notice had been stopped. He had, indeed, undertaken to open a discussion on the subject, but the time he had proposed was when the case now before the country relating to the "Alabama" claims had been discussed in Parliament and virtually settled. There was no thought of the Association attempting to influence the decision upon that question, for happily the country, with a concurrence of opinion approaching, if not amounting, to unanimity, had made up its mind on the subject. But what had seemed to himself and others as a fitting task for the Association was, for future use, to examine the principles on which International Arbitration should be based, and the nature of the references which it was expedient to make. And to such an examination he hoped the Association would at no distant time address itself. With these remarks he would call on their General Secretary, who had kindly undertaken to fill up the void which would otherwise have arisen, to bring before the meeting the Bill now in the House of Commons for Amending the Married Woman's Property Act.

Mr. EDWIN PEARS, in opening the discussion, adverted to the history of the Married Woman's Property Act. He pointed out what were the evils which the promoters of a change in the law sought to remedy. The most serious of these were, first, that there was little or no protection afforded to a married woman in regard to her earnings, and

\* Monday, March 18th, 1872.

second, that the law gave to the husband the whole of the wife's personal property, which came to her either before or after marriage. Numerous instances had been given at former meetings in that room of women, who had earned money under circumstances of great difficulty, and had then had this taken from them by idle or dissolute husbands. This Association came to the conclusion, that it was time this state of things should be put an end to. Accordingly, a Bill was prepared which provided a remedy. At first it was met by a certain amount of ridicule, both in Parliament and by the press. This, however, continued only until people began to look into the question, and then everybody recognised that something must be done. The subject was referred to a Select Committee of the House of Commons, and in accordance with its recommendations the Bill was somewhat modified. Still the remedy proposed was definite and effectual. In 1870, this Bill passed through the House of Commons and entered the Lords. There it met with a certain amount of opposition, and the supporters of the Bill began to entertain grave doubts as to its chance of passing during that session. Lord Cairns, who had taken charge of the Bill, did his best to carry it through. But the opposition was so strong that he came to the conclusion that it would be wiser to modify the Bill with a view to secure some at least of the advantages aimed at, than to attempt to carry our original measure. The Law Amendment Committee of this Association was called together to consider what course should be taken, whether the new Bill should be accepted as an instalment, or whether the Bill which the Association had done its best to pass should be adhered to, even at the risk of losing everything. Several prominent supporters of the Bill in the House of Commons were consulted. The session was far advanced. The war between France and Prussia had just broken out. There were considerable fears of a European war into which England might be drawn; and the members of the Committee felt that in view of the possibility of a war, which would certainly put back all measures of social reform, it was well to get what they could. They accordingly agreed not to oppose the measure then before the Lords. But they never concealed for a moment their belief that the original Bill introduced by Mr. G. Shaw Lefevre, and subsequently taken charge of by Mr. Russell Gurney, was superior to that framed in the Lords. The former was based on the simple principle that marriage should not operate at all on the property of the woman married. They believed, and to a man believe now, that this is the right principle to adopt. The Bill of the Lords is in the main an Equity Bill, an honest attempt to give poor women the same advantages in regard to their property which the Courts of Equity confer upon women belonging to the wealthy classes. But it is complicated and quite beyond the comprehension of anybody but a lawyer. Still the country owes a debt of gratitude to Lord Cairns, but for whose exertions poor women would now be without the important protec-

tion which this Bill gives to them in several particulars, and especially in regard to their earnings. Shortly after the Bill became law, several defects were observed. The most important of these regards the influence of marriage on the debts of the wife. It is, to say the least, doubtful whether a creditor has any remedy against a married woman for debts which she has contracted before marriage. So far as this Act goes he has none. Of course such a blot could not be allowed to remain. Mr. Staveley Hill's Bill endeavours to remove it. There are, however, other points in it which require amendment with Mr. Hill's Bill does not deal. The question now to be considered which is therefore this;—since the time has come when it is believed necessary to amend the Act, ought we to accept the measure proposed by Mr. Hill, and put a patch on the Act, or ought we to say, the original Bill, as introduced by Mr. Shaw Lefevre and Mr. Russell Gurney, is one which contains the principle in accordance with which this measure ought to have been framed? If you are going to change the present law, let us get back to that principle. Go back to it, sooner or later, we shall to a certainty. Let us do so now, instead of covering a difficult Act of Parliament with amendments, and further amendments, which before long will have to be swept away. He (Mr. Pears) believed that on the whole the latter was the preferable course, though in so saying he was merely speaking as an individual member of the Committee.

Mr. H. N. MOZLEY did not think it was correct to speak of the Act of 1870 as embodying the "Equity principle" as opposed to the "Common-Law principle," as the 11th section of that Act distinctly recognised the Common-Law rights of women in the property thereby secured to them. For the present, the true policy of the Association would be to attempt, if possible, the substitution, by way of amendment, of the provisions of the original Bill introduced by Mr. Russell Gurney in 1868, for those of Mr. Staveley Hill's proposed measure.

Mr. MAST wished to ask whether such cases of hardship as had been mentioned, in which women suffered, were very numerous? If they were not, it would be a question whether the difficulty could not be better met by punishing, in another way, such men as took advantage of their position, rather than by altering the whole principle of the existing law in regard to married women's property.

Mr. HOSKINS desired to answer the argument against change brought forward by the last gentleman, but was reminded by the Chairman that the question under consideration did not include the discussion of that point. He then said that it was advisable, in his opinion, to re-introduce Mr. Russell Gurney's Bill, and to endeavour to get the principle it established embodied in our law. If women were to have the suffrage, as he believed they ought, it was but reasonable that they should have the power and responsi-

bility of holding property, in respect of which they are to become possessed of the franchise. Such a defect as had been shown to exist in the Bill of 1870 should certainly not be allowed to remain. Creditors must have the power to obtain what was justly due to them.

Mr. HOLLAND said there was a difficulty, in all cases, in framing laws, to put into precise words what we thought was just. He thought we could secure the property of women without depriving the husband of his just rights. The principle which he believed was the fairest, was that the husband should be considered as the possessor of the income which might accrue from the wife's property, as long as they lived together, but the capital of it should belong to the wife. This was at present admitted, and acted upon by most men. It was a great hardship that when, as was often the case, a man got into debt through recklessness rather than guilt, the creditors having taken all his property, should seize upon that of his wife. This was a matter that should be attended to. He would make the property of a wife free from the control of the husband, but not the income arising therefrom. If this were the case, the injustice of the present law in regard to this matter would be remedied.

The CHAIRMAN, in closing the discussion, said that he agreed with Mr. Pears and Mr. Mozley in greatly preferring the original Bill, as prepared in the main by this Association, to the present Act. The one was comprehensive and just, and so simple, that even a child could understand it; while the other was complex, in some of its provisions unfair, and in parts so difficult of comprehension as to baffle even a lawyer. Nevertheless, with all its faults, the existing Act was a large and substantial improvement on the state of things preceding it—than which nothing indeed could well be worse. He could not but think that those who objected at the time to accept this instalment, and who were for throwing out the Bill altogether, rather than have it in its altered form, must now be glad that other counsels had prevailed, since a great amount of cruelty and injustice had thereby been prevented, and the public, by witnessing much practical good from an alteration in the law, must have been in great measure prepared for a yet larger measure; and what he thought most desirable was to let things go quietly on till this preparation should be complete. Although, therefore, he fully admitted that Mr. Staveley Hill's Bill would be a real amendment, and while he, for one, could not think of opposing it, he regretted its introduction, and could not advise the Association to give it their active support. Still less could he recommend that an attempt should be made, through its means, to force again before Parliament at the present time the original Bill. In the House of Commons the attempt might probably succeed, but in the House of Lords the appearance of the Bill, so soon after the passing of the present Act,

an Act which must have been regarded by their Lordships as a kind of compromise, would, in all likelihood, cause feelings of irritation to be met with a summary ejection; whereas, if time, which was on the side of the reformers, were but allowed, say a couple of years, longer to do its work, the Peers, who, with other members of the community, could not but observe the good working of the present measure, would probably become reconciled to a measure of larger dimensions.

#### THE SANITARY LAWS.

THE following is an abstract of the report of the proceedings of a deputation of the Joint Committee of this Association and the British Medical Association, which waited upon Mr. Stansfeld, at the Local Government Board, on the 15th ult. The deputation was introduced by Dr. Lyon Playfair, C.B., M.P.; there were also present Mr. Dalrymple, M.P., Mr. Macfie, M.P., Mr. G. W. Hastings, Dr. A. P. Stewart, Dr. Farr, F.R.S., Mr. Heckstall Smith (St. Mary's Cray), Dr. McEwen (Chester), Mr. Webster, Q.C., F.R.S., Mr. Edwin Chadwick, C.B., Dr. Aldis, Dr. Drutt, Mr. Edwin Pears, Dr. Tyacke (Chichester), Mr. A. H. Safford, Mr. Ernest Hart, Dr. Joseph Rogers, Dr. Hardwicke, Mr. W. Clode, Mr. Edward Jenkins, Dr. L. Marsh, Mr. Edgar, LL.D., Dr. Baylis (Birkenhead), Mr. Liddell, and others.

Mr. Hastings said that the Joint Committee of the Social Science and British Medical Associations had some claim to a voice in sanitary matters, inasmuch as it was owing to their representations in 1868 that the Royal Sanitary Commission had been issued. They acknowledged the value and ability of the Report of the Commissioners, but felt compelled to differ from it in some particulars. Their first object was to obtain a consolidation of the central authorities dealing with the public health. This had been partly accomplished by the Local Government Act of last session; but there were still sanitary functions outstanding in other departments which might be usefully united with those of the Local Government Board. In the next place, they desired a similar consolidation of local sanitary authorities, so that there might be no longer separate nuisance and sewer authorities, but all the various parts of sanitary work might be transacted by the same administrative body. They differed from the opinion of the Com-

missioners that the sole local authority in rural districts should be the board of guardians, with the Poor Law medical officer as the sole health officer. They thought, on the contrary, that the area of the union was too small for some purposes; and that the Poor Law medical officers, encumbered as they were with private practice and other onerous duties, could act only as assistants. They therefore advocated the creation in each county of a county board, composed of representatives of the justice, and of each local sanitary authority, whether boards of guardians, local government boards, or the town councils of smaller boroughs; and that these county boards should supervise and control the action of the purely local authorities, and appoint one or more highly trained medical officers of health, with good salaries, required to devote their whole time to the work, and irremovable except by the consent of the central authority. To these officials the Poor Law medical officers should act as paid assistants. In order to provide for the wider watershed districts, and to execute large drainage-works, these county boards should be empowered to unite with each other in appointing joint committees for such purposes. They also advocated the establishment of a system of registration of sickness, which might be accomplished through the agency of the county health officers. Mr. Hastings concluded by expressing his hope that the two influential Associations represented there might find it in their power to support the forthcoming Bill, or that any representations they might hereafter have to make would be received, as he was convinced they would, with candid consideration.

Dr. Stewart, in the unavoidable absence of Dr. Rumsey and Mr. W. H. Michael, said that he represented the British Medical Association, the members of which were substantially agreed as to the absolute necessity of independence in the medical officers of health, for without it, it was vain to expect anything like a satisfactory discharge of their preventive functions. This independence must extend to freedom from the caprice and control of the local authorities; therefore, their appointment must not be subject to the consent of the local authorities. They must be independent of private practice, for their prospects of success in that respect would be damaged by the faithful discharge of their public duties. This involved an adequately large salary; and that could only be obtained from a large area. The duties of a principal health officer require special training, and could not be properly discharged without it. The Poor Law medical officers themselves

THE  
WOMAN QUESTION:

PAPERS

REPRINTED FROM "THE EXAMINER."

LONDON:

R. H. LAPHAM, 9 WELLINGTON STREET, STRAND, W.C.

1872.