

MONTHLY NEWS of the Conservative Women's Reform ASSOCIATION. NEW ISSUE.

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OUR WORK.

Our busy and successful Session is more than half over, and still there are a number of "events" to carry through before we all enjoy our Easter recess. And even in May Mrs. Bucknill is considering a further programme of particularly interesting lectures. Truly we live in very interesting, very strenuous, and very critical times.

Meetings. On Friday, February 15, the Countess of Hardwicke took the chair for the Right Hon. Sir Robert Sandar's address on the "Policy of the Referendum," Lady St. Helier kindly lent her drawing-room, as on so many other occasions. Our only cause for regret was that Mrs. Curtis-Brown was recalled to America by the grave illness of a relation just before our meeting.

On Friday, February 22nd, a large audience assembled to hear the Duchess of Atholl, M.P., speak on "The Election of 1923." The meeting was held in Lady McGarel Hogg's house, and Lady Edward Spencer Churchill took the chair. The afternoon was one of quite exceptional interest, and the address placed the whole conception of Conservatism on the very highest and most inspiring plane.

On Monday, March 3rd, Mrs. Routledge, M.A., F.R.Hist.S., gave a most interesting account of her "Sojourn in the Islands of the Southern Pacific," illustrated by lantern slides. Sir Martin Conway, M.P., presided, and Miss Edmonds very kindly lent her house. Miss Edmonds was one of the founders of the original Conservative and Unionist Women's Franchise Association, the parent of the present Association, and her continued help is very much appreciated.

Council. Lady Trustram Eve made a brilliant address to the Council at Lady Hardwicke's house on February 27th. Her subject was "The Programme of the Socialist Government."

Study Circles. The course of six Study Circles which has been meeting first at Mrs. Wilson Fitzgerald's house and latterly at the Countess of Hardwicke's were completed on Friday, March 7th. The average attendance

has been about 10 to 12, and the Committee hope to organise a further course—this time on Housing—in the autumn.

Future Programme. The Right Hon. Sir Philip Lloyd-Greame, M.P., late President of the Board of Trade, has kindly promised to speak on March 21. His subject will be "The Economic Conference in Relation both to Trade and Migration."

It is hoped before Easter to have an address on the Dock Strike, but arrangements are not yet completed. On March 14, Miss Brodie Hall has kindly promised to answer "posers"—the difficult questions with which canvassers may find themselves faced as they go about their work.

Canvassers' Classes. Lady Cunynghame's classes at Caxton Hall have been increasingly successful, and there is no doubt they are filling a real want. Between 150 and 200 people attend weekly, and the assurance of a large and intelligent audience makes it worth while for Headquarters to secure speakers of great eminence and authority to address them.

Lady Cunynghame is now organising a similar series to be held on Wednesday evenings at 8.30 o'clock. She wishes that they should be made known as widely as possible, and anyone desiring more information is invited to write to her at 20, Cheyne Gardens, S.W.3.

Monthly News. Our number this month is largely occupied with a reprint of the Hon. Mrs. Wilson Fox's article, subsequently printed as a pamphlet, on the LEGITIMACY BILL. Mrs. Wilson Fox is a strong upholder of the proviso (requiring that only those children shall be legitimated whose parents were free to marry at the time of their birth). This view is opposed by the National Council for the Unmarried Mother and her Child, and anyone desiring to acquaint themselves with the arguments they put forward can apply to 117, Piccadilly, W.1. We also publish the programmes of the Conference on Unemployment, organised by the League of Nations Union, and the notice of a Mass Meeting promoted by the Six Point Group.

THE LEGITIMACY BILL.

By HON. MRS. WILSON-FOX, C.B.E.

(Reprinted by kind permission from the February number of "Maternity and Child Welfare.")

Much discussion and interest has been aroused on the subject of the Legitimacy Bill, which came before Parliament during the summer session of 1923.

The Bill is a very important one, and is destined to have far-reaching effects, involving as it must the questions of family life, of observance or violation of the marriage laws, and of the laws of inheritance. It is, therefore, desirable that everyone should endeavour to understand, so far as possible, the provisions of the Bill, and should form his own opinion on this all-important subject.

It is felt by many people that a certain danger exists nowadays in the tendency to bring forward over-hasty, or too far-reaching, legislation. This tendency is inspired by the endeavour to eradicate many of the defects of human nature and arises no doubt from the desire to make the path of life more smooth and easy. But it must surely be recognised by those who promote such measures of social reform, that legislation cannot be made to supersede the moral code, and that there are, and must always be, many difficulties and sad facts and situations in life which cannot really be touched by the intervention of legislation, but which can only be solved by conduct and character.

THE PROVISIONS OF THE BILL.

It is, of course, recognised that social reform is very desirable, and necessary in many directions, and that changes must be made in order to meet the needs of the times; and, further, that many anomalies and hardships which exist under our present laws, need to be rectified and redressed. Yet it must also be borne in mind that every change in our complicated social system is fraught with difficulty, and that there is always a danger that in giving relief in one direction the door may be opened to fresh troubles in another direction. Therefore, it behoves us to walk warily, and to proceed neither too far nor too fast without first counting the cost, or, to change the metaphor, not to drive in the thick end of the wedge until the thin end has been thoroughly tested.

All thoughtful persons are probably unanimous in urging the great desirability of some change in our present legitimacy law, which is far behind that of other countries, and in admitting the justice of the principle that children in certain circumstances should be made legitimate on the subsequent marriage of their parents. On this point opinion appears, and rightly so, to be undivided. But the question which has aroused some controversy, and which merits our gravest and most careful consideration, is exactly what form the new law ought to take, and whether an illegitimate child should become legitimate in every instance by the subsequent marriage of its parents, or whether there should be a certain proviso or limitation.

The Legitimacy Bill of last session contained in Clause 1, Section 2, the proviso that those children only shall be legitimated whose parents were free to marry at the time the child was born; or to quote the exact words of the Bill, "Nothing in this Act shall operate to legitimate a person whose father or mother was married to a third party when the illegitimate person was born." Such a proviso, which is approximately in keeping with the law of Scotland and with the Canon Law, and is parallel with the laws of France, Switzerland, and many of the States of America, is surely a wise and very necessary proviso.

The history of the Bill, so far as it has gone in the House of Commons, is well known. It was introduced with the proviso included in Clause 1, Section 2, and passed its second reading without a division. The Bill was then referred to a Standing Committee, where, after a long and heated discussion, the clause containing the proviso was deleted. It was then returned to the House for the third reading and Report stage, when, after an exhausting and

serious debate, "showing"—to quote the words of the Solicitor-General—"how deep were the feelings excited by this amendment," the clause was again reinserted. The Bill then passed its second reading in the House of Lords, and, had it not been for the General Election, would probably have been further considered during the autumn session.

Thus it will be seen that the question of the retention of the proviso aroused in its discussion in the House of Commons a peculiarly interesting example of fluctuating opinion, and it is doubtless a question that should be considered very closely, in order that the far-reaching results which may be brought about by passing the Legitimacy Bill without such a very necessary and important proviso may be faced quite conscientiously and fearlessly.

DISTINCTIONS BETWEEN CLASSES OF ILLEGITIMACY.

The retention of the proviso would preclude the legitimation of children born in adultery, and would, therefore, cause no weakening or violation of the marriage tie. This distinction between one class of illegitimate children and another class seems to be a clear and definite issue, and some of the arguments put forward in support of it are worth quoting.

1. If a married man keeps a mistress he is breaking his contract with his wife, and to legitimise the result of such an intercourse is to legalise an irregular connection, or, in other words, to legalise adultery.

2. In the opinion of an eminent K.C., to legitimate such children is to put hardship on the wife in favour of the mistress and her child. Thus, if a man had no son by his wife, but had one by his mistress, he would be more likely to force his wife to divorce him if he knew that his illegitimate son would be legitimated by his marriage with the mother.

3. A third argument which has been supplied by social workers is that there is strong evidence, especially among better-class girls, that the knowledge that their children must be illegitimate has deterred many from living with married men.

These reasons alone would seem sufficiently convincing, and it is sometimes a matter of wonder whether those who are in favour of no proviso have really thought out the question in all its bearings.

Their argument against the proviso usually is that they are "thinking only of the child." This would seem to be hardly a practical argument owing to its very limited point of view. For, greatly as everyone must pity the illegitimate child, and deeply as all must deplore its unfortunate position, it seems hardly possible to isolate consideration for the child to the exclusion of all else. Surely it is necessary also to try to visualise all the practical consequences which such a change in the law must entail. If an attempt be made to isolate the case of the illegitimate child for its sole benefit, the consideration of the moral law, of the laws of other countries, and of the law of inheritance, is excluded, and, in addition, new practical difficulties might be entailed, making the position of such families worse instead of better.

The argument, or rather, what might almost be called the catchword or parrot cry, "We are thinking only of the child," is in itself a great danger, as it sounds so humane and so reasonable, and has such an air of finality. But it may be that many of those who use it have not fully appreciated and do not entirely realise the many serious objections and difficulties which weigh down the reverse side of the scale.

NECESSITY FOR RETAINING THE PROVISIO.

Let us think for a moment of some specific cases which might arise if this Bill were passed without the proviso:

1. A man could be living simultaneously with his wife and with his mistress, and could have two families of children of practically the same age. His wife dies and he marries his mistress, and introduces two or three illegitimate children as legitimate to share the family life and inheritance of the motherless children of his lawful wife.

2. A man keenly desires to have a son and has a very delicate childless wife. He has a son by his mistress, and either forces his wife to divorce him, or, by his conduct to her, is actively or passively so cruel that he brings about her premature death. He then marries his mistress, and his illegitimate son becomes legitimate.

3. A man having no children, and knowing that he could never have a child, could marry a woman having an illegitimate son by another man, could declare paternity to the child, and make it his legitimate son and heir, to the exclusion of some other relative.

Some may say that these cases are extreme, and though, to a certain extent, this may be true, they are by no means impossible, nor are they even improbable. And, admitting that such cases may be rare, it is surely fundamentally undesirable that new legislation which is introduced for the benefit of our people should afford a legal loophole for any cases which are clearly immoral, and, possibly, also fraudulent.

Further, it seems not unlikely that the Bill, if passed without the proviso, would be at least as much in the interest of the parent who had sinned as in the interest of the child against whom the sin had been committed—perhaps even more so—and one cannot shut one's eyes to the fact that the result might well be to increase, rather than to diminish, the number of illegitimate children. And the saddest part of it all is that a child might be legitimated and styled legitimate instead of illegitimate, but the stigma would remain, and nothing could really alter the unfortunate fact of its birth. If anyone were cruel enough to wish to throw a stone, he could throw it just as straight, and could wound just as deeply, as if this law had never been passed. Legislation can only alter the surface of this matter, and cannot really touch the root. Another important point is that as no Act of Parliament can compel a man to marry his mistress, the fate of an unmarried mother and her child is entirely at the mercy of an immoral man.

As regards the legal aspect of the question, the words of the Solicitor-General may well be noted. In the course of the debate on the third reading he said: "I despair of explaining what complications may ensue if the Bill goes through in its present form in regard to succession to property." He was referring to the Bill shorn, as it then was, of the clause containing the proviso, which as already stated, was reinserted during the third reading as the result of the debate.

THE MORAL ASPECT OF THE QUESTION.

Some people may argue that the Bill deals with the principle of justice and not with the principle of morality. But is it possible, in this particular instance, to dissociate these two principles and to consider justice as apart from morality?

The question with which the Bill deals is essentially a moral question, involving as it does the consideration of such serious violations of the moral law as adultery and infidelity. To pass this Bill without this most important and necessary proviso is, without doubt, to condone an illegal connection, or, in other words, to legalise the fruits of adultery, and the result inevitably must be to lower the standard of public morality. Most serious-minded people would surely be prepared to agree that it is of more importance to maintain a high standard of public morality than to endeavour to remove the stigma of illegitimacy from the children of an adulterous union, the result of which removal, at the best, can be only a partial reparation.

It appears, therefore, that the proviso is the most important part of the Bill, in order that discrimination may be made between what is right and what is wrong. The proviso in itself is framed to give relief to the unmarried mother and her child. It extends legitimation to the child of the young woman who has "got into trouble," but who subsequently marries the father of her child, and sets up an honourable home with him. It further removes the unfortunate condition, so frequently seen, of an eldest child remaining stigmatised as illegitimate in an otherwise united and legitimate family.

The Bill, if shorn of the proviso, is framed rather in the interests of the unfaithful husband, and of the woman of uncertain morals, for since it cannot be made to deal with one class of persons only, it is calculated to play into the hands of a type of men and women who should be prepared to bear the brunt of the lives they lead. It would, moreover, undoubtedly in many cases bring sorrow and shame to legitimate children in the home, by the introduction among them, at any period of their lives, of brothers and sisters born in adultery.

It must be recognised, on the other hand, that there are cases of genuine hardship where there has been desertion by a husband or wife over a long period, or where one partner in the marriage had been deemed to be dead. It may, therefore, be worth serious consideration, and possibly may not be beyond the wit of man, to devise a clause or proviso which might be introduced into the Bill in order to provide for such cases. If this were possible, the Legitimacy Bill would then give relief to all cases in which it is really desirable to do so, and it would not be responsible for condoning or for legalising flagrant cases of immorality or adultery.

In these days, however, it is impossible to shut one's eyes to the modern, and unfortunately the growing, tendency to regard the civil tie in marriage as of equal, if not of more importance than the moral tie, and to the knowledge that it savours almost of old-fashioned ideals to place too high a value to-day on the moral aspect of matrimonial obligations. It is the duty, therefore, of all those whose scruples weigh heavily in this matter, or who still feel seriously and keenly on the moral question, to state their views clearly and fearlessly, and to speak with no uncertain voice. Many citizens who are not attached to any particular religious denomination will agree that the family—that is, the husband, wife and child—must be the foundation on which to build the greatness of a nation.

CONFERENCE ON UNEMPLOYMENT

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THE LEAGUE OF NATIONS UNION

to be held at

THE LONDON SCHOOL OF ECONOMICS,

Houghton Street, Aldwych, W.C.1.

on

MARCH 25th, 26th, and 27th.

PROGRAMME.

TUESDAY, 25th, 10.15 a.m.

INTERNATIONAL TRADE.

Chairman—Sir William Beveridge, K.C.B. (Director, London School of Economics)

Speakers—Mr. E. F. Wise, C.B. (Economic Adviser to the All-Russian Central Union of Consumers' Co-operative Societies (Centrosojus)
Dr. T. E. Gregory, B.Sc.Econ.
Mr. W. Zimmern (Director, Steinthal and Co., Ltd., Manchester)

Discussion Leaders—Sir Arthur Shirley Benn, K.B.E., M.P.
Sir William Noble, Bt.
Mr. Pethick-Lawrence, M.P.

2.30 p.m.

FINANCIAL FACTORS.

Chairman—Sir William Beveridge, K.C.B.

Speakers—Mr. H. D. Henderson
Mr. J. M. Keynes, C.B.
Professor E. Cannan

Discussion Leader—Mrs. Wootton

WEDNESDAY, 26th, 10.15 a.m.

WORK FOR THE UNEMPLOYED.

Chairman—Rt. Hon. Tom Shaw, K.C., M.P. (Minister of Labour)

Speakers—Mr. A. Greenwood, M.P. (Parliamentary Secretary, Ministry of Health).

Viscountess Astor, M.P.
Miss Mary Phillips (Vice-Chairman, Industrial Law Bureau Y.W.C.A.)
Professor D. H. MacgregorDiscussion Leaders—Mr. Ernest Bevin
Sir George Paish
Mr. Beresford Ingram
Mr. R. Murray, M.P.

WEDNESDAY, 26th, 2.30 p.m.

UNEMPLOYMENT INSURANCE.

Chairman—Mr. E. D. Simon, M.P.

Speakers—Mr. T. W. Phillips, C.B.E. (Director, Employment Exchanges)
Mr. J. L. Cohen
Mr. Henry Lesser, LL.B. (President of the National Federation of Employers' Approved Societies)Discussion Leaders—Mr. Arthur Hayday, M.P.
Sir J. A. R. Marriott, M.P.

THURSDAY, 27th, 10.15 a.m.

HOURS AND WAGES.

Chairman—Rt. Hon. G. N. Barnes, P.C.

Speakers—Professor A. L. Bowley, F.B.A.
Mr. Frank Hodges, M.P. (Civil Lord of the Admiralty)
Mr. W. L. Hichens (Chairman, Cammell, Laird & Co.)
Mr. P. G. Pybus, C.B.E. (Managing Director, English Electrical Co.)Discussion Leaders—Mr. A. Pugh
Mr. J. J. Mallon

2.30 p.m.

MIGRATION.

Chairman—Viscount Burnham, C.H.

Speakers—Mr. T. C. Macnaghten, C.M.G., C.B.E. (Vice-Chairman, Oversea Settlement Committee)
Commissioner Lamb (Salvation Army)
Mr. James Wignall, M.P.
Miss Gladys Pott (Chairman, Executive Committee, Society for Oversea Settlement of British Women),
Sir George Maclaren Brown, K.B.E. (European General Manager, Canadian Pacific Railway)

Concluding Discussion—including the International Aspects of Unemployment

Speaker—Mr. H. B. Butler, C.B. (Deputy Director, I.L.O. Geneva)

Tickets can be obtained free from the League of Nations Union, 15, Grosvenor Crescent, S.W.1.

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The Six Point Group are organising a Mass Meeting in the Queen's Hall on Tuesday, March 18th, at 8 p.m., on Widows' Pensions, Equal Guardianship of Infants and the Rectification of the Sex Disqualification (Removal) Act.

Viscountess Rhondda will be in the Chair, and the speakers include Professor Winifred Cullis, O.B.E., D.Sc., Mr. Isaac Foot, M.P., Miss Ada Moore, Mr. Henry Snell, M.P., Dame May Whitty, D.B.E.

Tickets, 5/-, 2/6, 1/6, and 1/-, and a limited number of free tickets to be had from the Six Point Group, 92, Victoria Street, S.W.1.

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