

396.11 A  
c

# WOMAN'S SUFFRAGE AND EFFECTIVE VOTING.

By C. H. SPENCE.

A PAPER READ AT A DRAWING-ROOM MEETING AT GLENELG.

at Mrs Birks

[REPRINTED FROM "THE VOICE."]

The original advocates for that reform in our electoral laws which would make all votes of equal value, or, as I call it, would make each vote effective, were also the strongest advocates for admitting women to all political and municipal rights of voting on the same terms as men. My friends, Mr. Thomas Hare and Mr. John Stuart Mill, as well as Professor Fawcett, while directing their efforts towards allotting the votes of citizens qualified by the laws of their time equitably, foresaw and advocated the extension of the suffrage not only to manhood, but also to womanhood. No men were more free from that pride of rank, or of education, or of sex, which would exclude the less favored by Nature or by circumstances—the poorer, the more ignorant, the less physically strong—from their fair share in political representation, and no men in private life honored women more than these three men did, or did more directly and indirectly for their benefit.

It has, therefore, been naturally urged against me that I have been more indifferent than my teachers to the claims of women for full political rights, and that though I have in other directions endeavored to advance the education and the social status of woman, until lately I have not pressed for political recognition, as Hare, Mill, and Fawcett did.

It was in the expectation that other forces, some of them little looked for, would bring about the extension of the suffrage to classes more numerous than those enfranchised by the first Reform Bill of 1832, that these men sought to make that extension safe by conserving the just interests of minorities. They were full of hope that both the party of order—the Conservatives—and the party of progress—the Liberals and Radicals—would join hands in a reform which was democratic in principle, while it was conservative in tendency. In these colonies, where the widening of the constituencies by the granting of manhood suffrage, and the doing away with plural voting also in this province, gave a preponderance to the more numerous classes, my engrossing anxiety for over 31 years has been to secure the rights of minorities by some simple and practicable modification of Mr. Hare's vast scheme. Thus I desired to obtain the representation of various political opinions and social platforms before parties in South Australia became organised

and crystallised, and before party spirit blinded opposing factions to everything but immediate victory. It might be expedient, as well as just, for Mr. Hare and Mr. Mill to combine the two reforms—the just representation to all classes of society and all schools of thought, with the giving of the franchise to women, but I felt that absolute disinterestedness was the only line for me to take. No one could accuse or suspect me of any personal ambition or interest in view when I urged that the votes of the qualified men who are supposed to represent the women should be equitably allocated.

The woman's suffrage movement in this province has, however, become too strong for me to keep outside of it any longer. I must take hold of it and endeavour to guide it somewhat, and as there is no logical reason why women should not have the same political rights as men, I am bound to stand up for it. The granting of political rights on the basis of womanhood, which is the only one suited to our democratic institutions, would lead to enormous additions to every constituency of voters unused to politics, and, as a whole, little interested in public matters, yet whose votes would be important to parties, and would be eagerly solicited by them. I have for 30 years protested against being governed by an exclusively majority representation of men. I do not see that the situation would be improved by its becoming an exclusively majority representation of men and women. Wisdom, especially in the initiative stages, is with the minority—indeed, it is generally the thought of a single mind. And the earnest and intelligent advocates of woman's suffrage are only a small minority of the women themselves. Those who seek it as a means of purifying politics, and of obtaining better social, as well as political, legislation, might be outvoted at every poll, not only by men, but by the women, who, having little independence of thought, vote as the men of their households, or as the clergymen or the priest whom they follow advise them to do.

It is at this critical moment in our history, when labor and capital, or call it the wage-earner and the wage-payer, are for the first time organising in earnest for defensive and perhaps also offensive warfare, and when there is a near prospect of the admission of women as voters, that I have changed my position as an occasional writer on

representative reform for that of a public speaker on any platform that is opened to me. By argument from history which is past politics, and from politics which is present history, and from tendencies which make for future history, I am endeavoring to create public opinion strong enough to lead to the reconstruction of our South Australian constituencies on a wider basis. By enlarging the basis from double to six or eight-member electorates, with the adoption of the single transferable vote, we might secure that the voices of the wisest men and the wisest women were not extinguished. While insuring the return of candidates of the two leading parties in proportion to their numbers, we would give opportunity for all considerable minorities to have adequate and untrammelled representation. If any one unaccustomed to our present majority regime—say any visitor from Mars with average understanding—were asked how a constituency of 6,000 voters should be represented by six candidates, he would say that each thousand who could agree as to any man's fitness should return him, and not that 3,001 should return six, and leave 2,999 without any. This has been the only mode of dealing with many-membered electorates in past times, and is called by the French *scrutin de liste*, and it has justly brought such constituencies into disfavor. But in our two-member and in the single-member electorates, prevalent in the other colonies, and universal in the United States and Canada, and even now in the United Kingdom, minorities are everywhere cut off and extinguished in detail, and voters go to the poll-year after year for 20 years—*e.g.*, Conservatives in Scotland, democrats and republicans in American States—without the slightest chance of making their votes effective, because in the small district in which they live their opinions are in a minority greater or smaller. By the method which I advocate, the single transferable vote for a larger constituency, every man may see in Parliament one man whom his vote has placed there, without neutralising the vote of any man who thinks differently from him, or wasting the vote of any man who agrees with him.

The cause of equal representation has taken its place in the practical politics of this colony at least. Our two leading newspapers have declared themselves in favor of the principle, and one in favor of the details. The objection of the *Register* as to uncertainty in allocating contingent votes has been met by a series of test elections after every lecture, and I am confident that the result will be satisfactory and conclusive. At these test elections women as well as men are invited to vote, and do vote, and do so as intelligently as the men. They take up at once my most telling illustration, that of a subscriber to a circulation library, who having a right to one book, though a messenger may be sent with a list of six, the exact parallel of the single transferable vote, and for the return of one candidate.

Mrs. Wolstenholme Elmy and Mrs. McLewham,

two leaders of the women's suffrage movement in England, instance as one argument in its favor that women are quite as capable of understanding the principles and the advantages of *proportional representation* as men are, which shows that in the old as in the new, the two measures of justice are advancing with equal step. Mr. Hare said his first converts were women, and of the only two newspapers in the United States which advocated the reform, one is owned and mostly edited by Mrs. Abba Holton, a woman who devotes time and also loses money in the venture.

So much more eloquence has been expended on the woman's suffrage than on the other reform, that almost everything possible to be said on the matter has been spoken and written and published, and I fear that I may be considered as only fraying at a threadbare topic when I try to deal with it. Yet so long as the suffrage is not granted, and the appeals have not brought a change, those who see the right thing should not cease to make their voice heard in the world.

It has been a long struggle, and at first a very hard one. Mrs. Mary Astell, who published in 1696 "An Essay in Defence of the Female Sex," in a letter written by a lady to a lady, says cogently, "A Man ought no more to value himself upon being wiser than a woman, if he owe his advantage to a better education and greater means of information, than he ought to boast of his courage for beating a man whose hands were bound."

In reading the recent republication of Mary Wollstonecraft's century-old "Vindication of the Rights of Women," with the preface by Mrs. Fawcett, one sees how far public opinion has travelled in the hundred years. The utterances which were accounted so subversive of all order and religion that they were denounced from the pulpits of all denominations, and for which Horace Walpole called her a hyena in petticoats, are now the commonplaces of ordinary literature and of ordinary society. The phrases that ring in our ears as household words were then startling paradoxes, if not mischievous and dangerous falsehoods. In speaking of the very different judgment passed on sexual sin for men and women, she says that Magdalene hospitals and asylums are no proper remedy. "It is justice, and not charity, that is wanting in the world."

A woman is always told to *seem* this and that which is attractive to men. Mary Wollstonecraft declared, on the contrary, that her first duty was to herself as a rational human being, and the next in point of importance as citizens was that which includes so many, that of a mother. "I do not want them to have power over men, but over themselves." From the outset she stamped on the woman's rights movement the sacred word of duty, and pleaded for rational education, economic independence, political enfranchisement, social equality, and friendship, mainly because without them they are less able to do their duty to themselves and to their neighbors.

No more worthy editor of the republication could have been found than Mrs. Fawcett, the sister of the first, and probably the most eminent, lady physician in England—the wife of the blind, cheerful, and wise Professor Fawcett—the mother of the girl who has recently beaten all male competitors at Cambridge on that very ground of the higher mathematics which has been supposed to be beyond the female capacity—and herself the acknowledged leader of the woman's suffrage movement. We have travelled very far from the days when Fordyce, in his sermons for young women, which we gather from the letters and the literature of the day was a recognised standard book, recommended piety to his readers and hearers as being becoming to the face and figure. "A fine woman never strikes more deeply (the other sex understood) than when composed into pious recollection or meditation. She assumes *without knowing it* superior dignity and new graces, so that the beauties of holiness seem to radiate about her." The preacher does his best to let her know it, and encourages the self-consciousness and the insincerity which are destructive to real devotion. In those days cowardice and physical weakness were extolled, and ignorance was recommended as well as insincerity by men who would have been ashamed of it in themselves, as making women more attractive and more dependent. Even good Dr. Gregory, in his "Legacy" of advice to his daughters, a still more popular book in my mother's young days, recommends girls who have the misfortune to enjoy vigorous health to conceal it, for men prefer the dependent, clinging, feeble creature who needs protection; and if they have good understandings, and chance to have read and thought more than the average, to keep their opinions and attainments in the background. They were to "be cautious even in betraying good sense; and as for learning, keep it a profound secret, especially from the men, who generally look with a jealous and malignant eye on a woman of good parts and a cultivated understanding." Thus pretence was exalted into a virtue. Man was told to dread the eye of God; woman to dread the eye of man. When I think of the manner in which my own mother rose above the petty lessons inculcated in her youth, and how the heart of her husband during the thirty years they lived together put perfect trust in her understanding and her integrity, and how her children rose up and blessed her, and contrast with this the conventional woman with narrow sympathies, who acts only according to the bidding of Mrs. Grundy, I feel that I have a hereditary interest in this matter. But along with my desire for justice to woman in this matter of the suffrage, I have no ill-will to the men who conscientiously or sentimentally oppose it. Men too have travelled far during the century, and even those who think it not advisable to grant electoral rights, have cheerfully conceded higher education and social consideration to women. Many stop short of the suffrage out of mistaken kindness, because they think elections too rough for their meddling with,

and fear differences of opinion in politics may lead to dissension in the home. Many men too, seeing how poor a thing politics are now, and how corrupt and time-serving they tend to become, want to keep women out of what to themselves is unprofitable or vexatious. Politics, however, have become so inextricably mixed up with social questions in which women are deeply interested, and in which matters they are quite as competent judges as men, that they cannot be kept out of them. The aim of the leaders of the movement here and everywhere is to moralise politics, as well as to rectify some injustices and disqualifications which still stand in the law of the land, and still profoundly affect that public opinion which may be called "the collective conscience," which is stronger as a motive power than the law itself.

That certain sins are venial in men, while in woman they are deadly and irremediable; that competition in bread-earning pursuits should be hampered for the weaker sex by extraneous restrictions and disabilities; that the rights as to property and the custody of children, though greatly improved of late, should still be inequitable towards women, these are the wrongs which women, working for women, especially seek for redress.

But there are other matters connected less with women than with men, in which the collective conscience, as expressed at the polling booth, in the newspaper, on the platform, and in the home, may be improved by the full admission of women into the arena.

And here I would desire to impress on our social reformers that gradual progress, and such progress as enlists the sympathy of both men and women, is the safest. To the out-and-out prohibitionists who seek to extirpate the liquor traffic altogether, I would point to what has been done in Scandinavia, and notably in Norway and Finland, not by prohibition but by the intelligent use of local option, to diminish the number of drinking houses, by separating the interest of the retailer from the trade he does, by through regulation, and by preventing adulteration. By these means, the most drunken peoples have been made the most sober in Europe, and prosperity and honesty have advanced with temperance. This has been done in a rigorous climate, where spirit-drinking was considered absolutely necessary.

Of the many excuses given for taking a glass of spirits, which are legion, the climatic are most frequently used. Men drink because it is so hot in Australia, or they drink because it is so cold in Norway. Vested interests must have been comparatively quite as strong in Norway and Finland as in England and Australia. The one luxury of a poor people must have engrossed in providing it, in manufacturing and retailing it, a larger share of the national capital and enterprise, than in wealthier countries where far more fields for investment are open. But the collective conscience of Scandinavia was aroused, and not by sudden edict or confiscation, but by a general voluntary

movement, the people of those countries have been transformed. No compensation was given, but five years' notice in lieu of it. One may travel 60 or 80 miles in the country without meeting with a single public-house, and in cities like Bergen the proportion, 14 hotels for 60,000 inhabitants makes the successes of local optionists at Ballarat and Geelong—one for the first 250, and one for every 500 in addition—hide their diminished heads. But this work has been doing for 20 years, and is still going on.

Women must work so as to enlist the co-operation of the ordinary citizen in another field of action, and not merely that of a kind of enthusiast. We cannot prevent grown women from entering on a life of sin and shame, through the opening of better fields of industry, and kindlier relations with domestic helps, would reduce the temptations to it, but we can safeguard the young and ignorant, and punish those who entrap them. I would go further than that. We cannot make chastity compulsory, but we might make the trade which lives on the unchastity of others contraband.

There may be venal love, so called, but the middleman and the middlewoman might, by the collective conscience, be drilled out of existence. It is already a dishonorable trade, but so profitable that it flourishes in every city in the civilised world. I would seek to make it an impossible one.

As for gambling, it is quite as impossible to prevent men and boys from betting, but to make a trade of it might be an illegal thing, if the collective conscience was strong enough to enforce it. If the bookmakers and the betting shops, and the racing sweeps were suppressed, gambling would shrink marvellously. As for the totalisator, which was meant to check the evils of bookmaking, the  $7\frac{1}{2}$  per cent. to be taken by the racing clubs is increasing the number of race meetings. If that  $7\frac{1}{2}$  per cent. were confiscated for public uses or charitable uses, as in France, the zeal for the totalisator will die out among racing men. As for over speculation in shares, or in land, which leads to absurd inflation of values alternating with ruinous collapse, and which is accountable for most of the sad cases of fraud and embezzlement which disgrace our annals, it is sometimes hard to say where legitimate enterprise ends and where gambling begins. But it is in the education of the collective conscience towards the conviction that money is not everything, and from the greater simplicity of living, which the two reforms of adult suffrage and equal representation will encourage among us, I hope for the lessening of the gambling spirit which snatches at unearned money, and which, instead of the nexus of mutual service, which is satisfactory to both buyer and seller, makes one man's gain another man's loss, with no shadow of service or satisfaction to the latter. In all these three lines, there is no doubt that the admission of women to full political rights would aid the progress of society.

Mrs. Wolstenholme Elmy, whom I have already mentioned, is hon. secretary of the Woman's Emancipation Union, which declares in its programme that this is a union of no party politics, as they believe that only by absolute emancipation from party trammels on the part of its advocates, can the freedom of women be satisfactorily and speedily achieved. It is the same with the Woman's Suffrage League in South Australia, with the advocates of effective voting, labor and capital, progress and order, individualism and Collectivism—all benefit by it. They ask and expect to receive large and liberal support from members of each political party, from persons of every shade of opinion, who agree with them in regarding the emancipation as the most vital of all pressing reforms, and to all such helpers they hold out the right hand of fellowship. Like the English union, our S.A. Woman's Suffrage League recognises clearly that we must proceed step by step, and move steadily along the lines of least resistance.

It is not by abusing men as tyrants, or protesting vehemently against injustices more the result of ignorance than of ill-will, that we can show our fitness to be conjoined with them in all the duties of citizens. Men are our fathers, our brothers, our husbands, our sons, our nephews. On the whole, I have a very high opinion of the sex, and seek their friendly co-operation in all things that make for freedom and progress. I desire equality in citizenship, as well as more intercourse between men and women in society. This is the reason why I recommended in my Democratic Ideal that we should have reception evenings open to men and women, especially to young people, instead of the one one-sexed afternoon call, which is fatiguing and unsatisfactory. I feel sure that while there are hundreds of girls whose lives are dwarfed and made dull by the want of a sufficient masculine element in their social circle, there are thousands of young men who would be made happier and better by more free admission to family circles, where good and intelligent girls of their own class may be seen at their best—and that is in the home. And, after all, with all our desire for the wider field, it is from the home that we must go, and to the home that we must return. The family is the social unit, and the home is the social centre. But it is absolutely true, though it sounds paradoxical to say, that the home is better and happier when those who live in it have interest outside of it. Family selfishness may be selfishness once removed, but it is selfishness nevertheless. The woman who makes a Juggernaut of her husband, or her children, or of both, and would sacrifice all public objects, all social duties, and all private friendships and charities, to the pleasure or convenience of these idols, is not only lowering herself—she is irretrievably injuring them.

396. 11A  
✓

THE EMANCIPATION OF WOMEN (No. 3).

## Women's Suffrage.

(Reprinted from the *Manchester Guardian* of 12th April, 1890.)

---

SIR,—Absence from home and the heavy pressure of other work have till now hindered me from asking leave to reply in your columns to Mr. Samuel Smith's letter against women's suffrage. I shall be grateful if you will now, late though it may be, allow me space to do so, the more so as Mr. Smith's letter is being carefully and extensively circulated by our opponents.

Mr. Smith first argues that the claim for manhood suffrage having already been preferred, we shall not, if once any women are enfranchised, be able to resist the claim for adult suffrage, including all men and women of full age and not legally disqualified. Therefore he refuses to recognise the citizenship of any woman at all, and declines to say A lest by-and-by he should be led on to say B, or perhaps, in the long run, to admit the moral claim of women to full civil and political equality with men. Because during the twenty-five years or thereabouts of the tedious struggle for the political existence of women Parliament has hitherto resisted their claim, and refused (twice through the direct personal intervention of Mr. Gladstone) to assent to the modest proposals for the enfranchisement of "duly qualified" women, Mr. Smith would intensify and perpetuate this injustice by admitting to full political rights every adult male person, however ignorant, brutal, or degraded, whilst continuing the political outlawry of every woman, no matter what her intellectual and moral qualifications and fitness, or how great her services to the nation and to the race. Mr. Smith, as a professedly sound Liberal, ought to be able to recognise—indeed, in every other connection he would recognise—the validity of the plea that the wider the basis of representation the greater the injustice to any excluded class. Probably, too, in every other connection he would admit to the full the significance of the broad human truth—"legislation without representation is tyranny." For some reason or other, however, Mr. Smith is of opinion that the principles on which he would admit the claims of the masculine half of humanity to political justice fail in their application to the claims and needs of the feminine half.

Let us examine his reasons. "Women are so ignorant." Well, we frankly admit and deeply feel our ignorance. It is because we long to know, to be, to do much that is now denied to us that we ask for our political emancipation, and for that education which it will bring in its train—education which would enrich our own lives, develop and train faculties and capacities hitherto denied growth and

exercise, and enable us to do our full share of service to humanity. But we are not quite so hopelessly ignorant as Mr. Smith would have us appear. Even on "such domestic questions as leasehold enfranchisement, proportional representation, Free Trade *versus* Fair Trade, monometallism *versus* bimetallism," I think I could find nearly as many women as men competent to discuss each or any of these questions with Mr. Smith himself, and well able to give sound reasons for the faith that is in them. Mr. Smith's further suggestion that the "future government of India, the confederation of Australasia" may be "settled by the votes of several millions of women who could hardly point out those places on the map" is rather wild. It is a little too late in the day for Mr. Smith to travesty an ancient sarcasm of Mr. Cobden's (applied in the first instance to gentlemen of the House of Commons) and plead the alleged want of geographical knowledge as a ground for refusing women the protection of the Parliamentary franchise. For good or for evil, the tide of emigration from these islands has compelled almost every woman to learn *by heart* some store of geographical facts and information. To every village, to almost every homestead, letters come from afar; sometimes the loved ones return, more often other loved ones go out to join them, and thus distant lands are no longer "places on the map," but living realities, in which are bound up hopes and fears, joys and sorrows. Affection has bridged the Atlantic, tunneled the Pacific, and the far has been brought near in a fashion unknown to the world before. And in these days of international sympathies and incessant moving to and fro our political Rip Van Winkle wakes and rubs his eyes and looks around, but sees only the world of forty years ago. That Mr. Smith can believe in the existence of the crass ignorance which he attributes to women is proof enough that his acquaintance amongst them may have been "peculiar" but cannot have been "extensive."

Mr. Smith further assumes when he talks of "such questions being settled by the votes of several millions of women" a political condition, that of the *plébiscite* or *referendum*—the giving of a direct vote on any doubtful question,—not yet existent in this country, nor likely to be so till a far higher and later stage of political development has been reached, a stage in which we may well expect there will remain few of these vexed questions to need such direct reference. It is not by the direct vote of men that these questions are now settled, and the contrary assumption is a mere trick of rhetoric.

For what, after all, is the Parliamentary franchise? It is so little, yet imports so much. It is simply the right of saying, from time to time, which person out of a very limited number to choose from we think, on the whole, the fittest to be trusted with the management for us of that part of our affairs—legislation and government—which we cannot conveniently manage individually for ourselves. And for such a decision to be wisely made no knowledge of recondite questions is necessary, but simply the possession of that keen perception and correct judgment of character which no one denies to women, but which, on the contrary, it is admitted they continually manifest in a high degree. Parliament, moreover is not always engaged in the determination of

questions of financial and commercial policy, but occupies itself more and more with matters which concern women equally with men, or touch them even more keenly than men. Has a woman no interest or concern, *e.g.*, in legislation affecting her status in marriage, her relations to her own children, the conditions of divorce? Is she not affected by the multiplication of laws touching her at every point of her domestic life? Can she afford to be indifferent to industrial or educational legislation which may easily place her at a disadvantage as compared with men? It is idle, because it is not true, to allege that "there is no fear of women nowadays not receiving their due." Those of us who have given the best years of our lives to the task of influencing legislative action in the direction of justice to women, and to the passing of some of those measures as to which Mr. Smith boasts, and justly enough, that he has "been in favour" of them, know, as Mr. Smith cannot know, how inexpressibly hard and difficult has been our task, how long-delayed our success, by the fact that being an "unrepresented" class we could only plead as suppliants, and never claim as equals even the barest justice.

"Full little knowest thou that hast not tried  
What hell it is in suing long to bide;  
To lose good days that might be better spent;  
To waste long nights in pensive discontent;  
To speed to-day, to be put back to-morrow;  
To feed on hope, to pine with fear and sorrow;  
To fret thy soul with crosses and with cares;  
To eat thy heart through comfortless despairs."

It would, sir, take many letters, longer than any you can give me space for, to outline in brief the defects of even the remedial measures which have already been passed—defects due largely, if not entirely, to the fact that the masculine mind, dominated by its inherited and cultivated sex bias, cannot of itself and by itself give due consideration and weight to the feminine point of view. To specify all the cases of retrogressive and injurious legislation and action of even recent times from which women have suffered and do suffer would need almost as many more, whilst the legal hardships and wrongs inherited from the past and needing to be set right are more numerous than Mr. Smith dreams of. For all these reasons we demand the protection and the power of the Parliamentary vote, a protection and a power which Mr. Smith, in his ignorance, would fain deny us on the plea of our ignorance.

Mr. Smith condescends to the use of one argument which he must, I think, on reflection himself admit to be an unworthy one. "Have you considered," he says, "the consequences that would follow from enfranchising the multitudes of fallen women in our large towns, or the effect on young men of visiting their abodes to canvass them?" A "fallen woman" must in every case presuppose a "fallen man." Does Mr. Smith propose to introduce a morality test in the case of male electors, or to disfranchise them all on the ground of the gross, the flagrant, the notorious profligacy of some of their number or the veiled vices of others? If not, why is such a test to be suggested in the case of women, or to be made the excuse for refusing them the legal right and power to deal with causes instead of with consequences, and to put an end, as only such power can enable

them to put an end, to that economic dependence of women on men which is the source of all this terrible flood of immorality? Can Mr. Smith calmly contemplate as a possible contingency the continuance in perpetuity of the conditions of ignorance and immorality which he pictures, the degradation of half the race involved therein, and the consequent waste, the infinite waste, of the priceless treasures of humanity? I do not believe him to be heartless enough or foolish enough for this. I would submit, moreover, that the true safeguard against the danger which he dreads is to be found in the abolition of canvassing, with all its attendant demoralisation, and not in the continued disfranchisement of half the nation.

But, Mr. Smith continues, women "reason more through their heart than through their head," and "politics would become sentimental." Is there no room for sentiment in politics, no need for the exercise of that sympathy which develops the sense of justice, no real want of the freer play of the humane emotions? Shall politics continue for ever a mere game of party strife, and never rise to the true dignity of the applied science of social relations? The people of sentiment and of enthusiasm are the most practical people of all, for their sentiment is the spur of energy, their enthusiasm quickens the "dry light" of reason, and carries intellectual conviction onward into practical issues. Nor can any student of history and biography have failed to note the fact that the worst errors and crimes even of men otherwise great have been caused not by the excess but by the lack of passion, sentiment, or enthusiasm. Sublime selfishness is not the safest guide of moral action.

Finally, Mr. Smith urges woman "to be content," and "not covet what God never intended her to have." When, where, and how did Mr. Smith receive this special light, this personal revelation? More modest persons might condescend patiently to seek the designs of the Creator in the capacities and desires of the creature. But our philosophic guide needs to make no such investigation. He is serenely sure, "In no country since the world began have women enjoyed the political franchise," and as "God never intended" women to have it, we must be content to be political pariahs for ever. Now, in the first place, the assertion is not true, even as regards this England of our own. Women have in the past in this country enjoyed and exercised political rights, and what we now claim is *restitution* of those past rights, with such modifications as may adapt them to latter-day uses. But if it were absolutely and universally true, it would be of no real weight against our claim. Every argument of this kind that can be used against the emancipation of women was used within this present century against the emancipation of the slave. Yet the spirit of justice and freedom triumphed, and shall continue to triumph till the slavery of sex has followed that of caste, colour, and race, and woman, no longer the "chattel" of man, has taken her just place as his "helpmeet," companion, friend—no rivalry between them but that of noble thought and noble deed.—I am, &c.,

E. C. WOLSTENHOLME ELMY.

Congleton, April 10.

1s. per 100 (*post free*), from  
MRS. WOLSTENHOLME ELMY, Congleton.

## ELECTORAL FRANCHISES OF WOMEN.

Reprinted from the "Manchester Examiner and Times," 16th February, 1885.

Sir,—The announcement of the meeting to be held in the Free-trade Hall on Tuesday evening next, in support of the extension of the parliamentary franchise to "duly qualified" women, and the near approach of the date fixed for the discussion in the House of Commons of Mr. Woodall's Bill (which at present stands for Wednesday, March 4), induce me to ask consideration in your columns for a view of the question which the conveners of that meeting seem desirous to ignore, but which is forced into prominence by the new and obnoxious bill, which Mr. Woodall, being, as I think, most ill-advised, has unfortunately substituted for the original measure.

A bill which attempts to exclude from any share in the benefits which it professes to confer upon women, every member of the largest, the most influential, and, socially, the most important class of women, has little chance of commending itself to public favour by its inherent justice or "sweet reasonableness." Such a measure, however, is Mr. Woodall's bill in its present form, for the sole purpose of the proviso appended to its enacting clause is to exclude every wife from the dignity of capable citizenship.

No married woman, therefore, however "duly qualified" on the existing basis of the suffrage, or whatever her personal qualifications for political activity, may, according to the intent of this "enfranchising" measure, have any vote in the election of the men who make the laws which yet she is compelled to obey, such laws, for example, as regulate her relations to her own children. Such a measure is, I venture to say, an utter anachronism, little worthy of consideration, much less of acceptance, by a Parliament which has already, by the passing of the Married Women's Property Act of 1882, recognised the civil independence of the wife, and practically abolished, so far as regards her property, and to a large extent as regards her personal actions also, the legal fiction of "coverture,"—by a Parliament which, moreover, has now under consideration the recognition of the rights of the wife in her capacity of mother and of her claim to the guardianship of her own children. Such a Parliament can scarcely be expected to assent to the insult offered to wifehood by Mr. Woodall's unfortunate bill, and it is difficult indeed to believe that the proposal can be seriously intended. At the present moment married women are beginning to realise the full effect of the Married Women's Property Acts of 1870 and 1882, and to exercise those local franchises, based upon rating or property qualifications, which their unmarried sisters have longer exercised, and it would seem incredible, were it not the fact, that the advocates of women's suffrage, improperly so called, should select this as the fitting time to attempt to bar further progress

and to deal a back-handed blow at the dignity and status of the wives of these kingdoms.

As one who, eighteen years ago, assisted in founding the Manchester Women's Suffrage Committee, I emphatically declare that some at least of the originators of this movement will acquiesce in no such timid and short-sighted policy, but will persist in claiming for women the exercise of the parliamentary franchise on the same terms on which it is, or may be, granted to men. That comparatively few wives would be immediately enfranchised by the passing of a measure resting on this, our just principle, is true, but immaterial to our purpose, which is not to claim political enfranchisement for every wife, *quâ* wife, but to insist that women shall no longer be held in political slavery by reason simply of their sex. It is idle to pretend that this end can be accomplished by a measure which seeks to exclude "duly-qualified" women on the ground of marriage, whilst no married man is debarred as such from his right of voting.

Some of those who feel it impossible to acquiesce in the wrong proposed to be done to wives by Mr. Woodall's measure have prepared a bill, the text of which I have the honour to submit to your readers. This bill it is proposed to introduce as soon as Parliament meets, and our legislators will then have to decide between the claims of women as women, and the narrower issues raised by those who have shown themselves sadly too ready to sacrifice justice to a casual and transient seeming advantage, and principle to a temporary expediency.—I am, sir, faithfully yours,  
ELIZABETH C. WOLSTENHOLME ELMY.

Congleton, 14th February.

### A Bill to Amend the Law relating to the Electoral Franchises of Women.

Whereas it is just and expedient that women, who are equally subject with men to imperial legislation and to imperial taxation and local rating, should, equally with men, have a vote in the conduct of such legislation and taxation.

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons, in this present Parliament assembled, and by the authority of the same as follows:—

I. In all Acts of Parliament regulating the exercise of the parliamentary franchise, and also in all Acts regulating the exercise of the municipal and other local franchises, all words importing the masculine gender shall be held to apply to women equally with men, and no woman possessing the necessary legal qualification shall be deemed to be disqualified by reason of marriage.

II. This Act may be cited as the Women's Electoral Franchises Act, 1885.

Every person who is willing to assist the passing through Parliament of the Women's Electoral Franchises Bill is requested to write out and sign a form of petition in its favour, and to forward it for presentation at the earliest convenient date, and if possible to one of the members for the constituency in which he or she resides.

The following form is suggested for the use of those who have not time to draft one for themselves:—

*To the Honourable the Commons of Great Britain and Ireland in Parliament assembled.  
The Humble Petition of the undersigned*

SHEWETH:

That women, being subject equally with men to imperial legislation and to imperial taxation and local rating, should equally with men have a vote in the conduct of such legislation and taxation.

Wherefore your Petitioners humbly pray that your Honourable House will pass a measure declaring that in all Acts of Parliament regulating the exercise of the Parliamentary franchise, and also in all Acts regulating the exercise of the municipal and other local franchises all words importing the masculine gender shall henceforth be held to apply to women equally with men, and providing that no woman possessing the necessary legal qualification shall be deemed to be disqualified by reason of marriage.

And your Petitioners will ever pray.

CCNSWS

396.11 A

with the Editor's request for his circulation



## DECLARATION OF WOMEN HOUSEHOLDERS.

1890.

MADAM,

I have the honour to call your attention to the form of Declaration, given on the next page, from duly qualified women in favour of the proposed extension to such women of the Parliamentary franchise. This declaration has been already signed by many hundred ladies, whose names have been published in the *Women's Suffrage Journal*. That Journal was closed after the lamented death of its Editor, the late Miss Lydia E. Becker; it has now been arranged to continue the publication of the Declaration in the *Englishwoman's Review*.

I would beg that you will kindly allow your name to be added to the list of signatures.

If you are willing to do the cause of Women's Suffrage this service, I would ask you to be good enough to fill in and return the form at your earliest convenience, or should you have already signed that, you will pass it on to a friend.

I am, Madam,

Your obedient Servant,

HELEN BLACKBURN,

Editor of the *Englishwoman's Review*.

10, Great College, Westminster.



## WOMEN HOUSEHOLDERS' DECLARATION.

We, the undersigned unmarried women and widows, possessing qualifications which would entitle men to vote in elections for members of Parliament, declare that we consider our exclusion from the privilege an infraction of the principle that taxation and representation should go together, and we hereby express our desire for an alteration in the laws which shall enable such women to exercise the Parliamentary franchise if they desire to do so.

The above Declaration has already been signed, amongst others, by

NAME.*	Qualification, whether as occupier or owner of houses, land, or other property.†	ADDRESS.	Parliamentary Division in which the qualifying property is situated.
The Dowager Countess of BUCHAN ..	Occupier of house ..	27, Park-street, London ..	St. George's, Hanover Square
Countess of CAMPERDOWN ..	Occupier of house ..	22, Hill-street, Berkeley-square ..	St. George's, Hanover Square
" " "	Owner of house and land ..	Weston House, Shipston-on-Stour ..	Warwickshire, Stratford
CLARA, Lady RAYLEIGH ..	Occupier of house ..	90, Onslow Gardens ..	South Kensington
" " "	Owner of house and land ..	Tofts ..	Durham, S.E.
" " "	Owner of house and land ..	Little Baddow, Chelmsford ..	Essex, Chelmsford
Lady MATHESON ..	Occupier and owner of house ..	13, Cleveland Row, St. James's ..	Westminster
" " "	Owner of land ..	Achanay and Sallacoy ..	Sutherlandshire
" " "	Owner of land ..	Island of Lews, Dingwall, and Ullapool ..	Ross-shire
LOUISA, Lady GOLDSMID ..	Occupier of house ..	13, Portman Square, London ..	Marylebone, West
Lady CARRINGTON ..	Occupier and owner of house ..	St. James's Square, Bath ..	Bath
Mrs. ASHFORD ..	Occupier of house ..	Cofton Hackett, Bromsgrove ..	Worcestershire, East
" " "	Owner of freehold land and houses ..	Churchill, Kidderminster ..	Worcestershire, Droitwich
Miss ATKINSON ..	Landowner and householder ..	The Laurels, Sale ..	Cheshire, Altrincham
Miss BOUCHERETT ..	Landowner and householder ..	Willingham Hall, Market Rasen ..	Lincolnshire, Louth
" " "	Landowner ..	Stallingborough, near Grimsby ..	Lincolnshire, Brigg
Miss C. BONHAM-CARTER ..	Occupier of house ..	7, Hyde Park Mansions ..	Marylebone, West
Mrs. BROWNE ..	B.A. Lond. ..	.. ..	London University
Mrs. BRYANT ..	D.Sc. Lond. ..	.. ..	London University
Miss EMMA COUS ..	Occupier and owner of house ..	Surrey Lodge, Lambeth ..	Lambeth
Miss MARY CLIFFORD ..	Occupier of house ..	Redland Green, Bristol ..	Bristol, West
Miss ISABEL DACRE ..	Occupier of studio ..	10, South King-street, Manchester ..	Manchester, North West
Dr. ELIZA W. DUNBAR ..	Occupier of house ..	Oakfield Road, Clifton ..	Bristol, West
Mrs. SARAH MARIA FEARINGTON ..	Owner of property ..	Penwortham ..	Lancashire, N., Blackpool
" " "	Owner of property ..	Leyland and Walton ..	Lancashire, N., Chorley
Miss CAROLINE FOTHERGILL ..	Occupier of house ..	26, Grafton-street, Chorlton-on-Medlock ..	Manchester, South
Miss H. A. MACKLIN ..	B.A. Lond. ..	.. ..	London University
Miss ELISE MARSHALL ..	B.Sc. Lond. ..	.. ..	London University
Miss E. A. MANNING ..	Occupier of house ..	Blomfield Road, Maida Hill ..	Paddington, North
Miss R. M'DOWELL ..	Occupier of house ..	45, Mespil Road, Dublin ..	Dublin, St. Stephen's Green.
Miss ELIZA M'DOWELL ..	Occupier of house ..	45, Mespil Road, Dublin ..	Dublin, St. Stephen's Green
Mrs. GRANT MILLAR ..	Life-rent occupier and owner ..	26, York Place, Edinburgh ..	Edinburgh, West
Mrs. VARIAN ..	Occupier of house ..	92, Talbot-street, Dublin ..	Dublin City, Harbour
Miss CAROLINE WILLIAMS ..	Occupier and leaseholder of house ..	Vicarage Gate, Kensington ..	South Kensington
" " "	Freehold colliery owner ..	Dinas ..	Glamorganshire, South

\* State whether Mrs., Miss, or other designation.

† If occupier or owner in more than one constituency particulars and address of each additional qualification should be given.

TO

MISS BLACKBURN,

10, *Great College Street,*

*Westminster, London, S.W.*

396.11

SPEECH

IN THE HOUSE OF COMMONS

ON

WOMEN'S SUFFRAGE.

1892.

---

THE RIGHT HON. A. J. BALFOUR, M.P.

---

Price 1d. each ; 2/- per 25 ; 3/10 per 50 ; 7/- per 100.

---

LONDON SOCIETY FOR WOMEN'S SUFFRAGE, 58, VICTORIA STREET, S.W.

The FIRST LORD of the TREASURY (Mr. A. J. Balfour, Manchester, E.): I should not have thought it necessary or entirely for the convenience of the debate to have intervened if it were not that I find myself in opposition to the greater number of friends of mine who sit on these benches, and with whom I am in the habit of acting in the closest agreement on all political matters; and knowing, also, that the opinions I am about to express are not shared by a large number of gentlemen who sit on this side of the House, I am unwilling to give a vote without very briefly stating some of the reasons which influence me in taking that course. The debate has been an extremely able and interesting one, and the burden of the attack upon the Bill introduced by the hon. member for South Islington has been borne by two gentlemen sitting on the other side of the House, the right hon. gentleman who just sat down, and the hon. member for Fife. The right hon. gentleman the member for Bury, though he made a very able and interesting speech, laboured under two or three disadvantages. He laboured, amongst other things, under the disadvantage of having replied to a speech which he had not heard, and he attacked my hon. friend who moved the second reading of this Bill on grounds which he never advanced at all. He supposed that this Bill was introduced in order to produce absolute equality and symmetry in the position of men and women in regard to politics. My hon. friend would have been guilty of the greatest absurdity if he had advanced arguments of that kind in support of a Bill which, on the very face of it, does not profess to produce that equality. And many of those who are going to support this Bill do not support it on any ground of abstract right or equality, or on any abstract right at all. We support it for practical reasons which I will endeavour shortly to state to the House. Another argument put forward by the member for Bury was, if he will permit me to say so, fundamentally inconsistent with the arguments advanced by the member for Fife. The right hon. gentleman drew a picture of what the condition of England would be when eleven million women had a vote, and only ten million men had a vote. He said—

“You will then be under the subjection of women. Women will control the policy of this country, and we shall be a nation of women and children.”

That implies that the women are all going to vote on one side and the men on the other, and that women would outvote the men. In other words, it pre-supposes that there is a class distinction and

cleavage between women and men in matters political which would put all the women on one side and all the men on the other. That is altogether and wholly inconsistent with the argument of the member for Fife, who told us that to consider this question as one of class distinction was altogether to misconceive the conditions of modern society. Turning from the right hon. gentlemen to the learned gentlemen behind him (Mr. Asquith), he gave us a very good Tory speech of the old tune upon the question of Reform Bills in general, and, in fact, there has been an unexpected vein of Toryism, or, at all events, what is described as Toryism by Liberal critics, in the speeches of gentlemen who sit on the opposite benches on this question. As the member for Dover (Mr. Wyndham) has pointed out, had the words "agricultural labourer" been substituted for "women," some of those speeches were such as might have been heard from the small knot of gentlemen who were opposed to the Reform Bill of 1885, and precisely the same arguments have been used with respect to the incompetence of the class to be admitted, and as to the interests of that class having been hitherto fully considered. These are arguments with which we are all familiar, and have been familiar from time immemorial, the only difference being that they have much less justification in the present case than, I think, they had on previous Reform Bills. The hon. and learned gentleman mentioned three points in which this particular alteration of the franchise differed from any previous alteration of the franchise that had ever been proposed. He said that in every previous case the class to be enfranchised had shown their very great anxiety to obtain the franchise, and that in this case no such anxiety had been shown. I differ from the hon. and learned gentleman. I think those who wished to be enfranchised have used the only methods they could use in the matter. That is to say, they have expressed their desire to obtain the vote on platforms and by public meetings, and by whatever other means were open to them. The hon. gentleman appears to think that there was a widespread desire on the part of agricultural labourers to claim the franchise in 1885. I do not believe the desire existed, and I am sure it was never demonstrated. I am sure it could not be demonstrated; there were no means of demonstrating it except the means which have been used in the present case—platform speeches, public meetings, petitions, votes, and resolutions. Then, Sir, the second point on which the hon. gentleman says this Reform Bill differs from every other Reform Bill is that the class to be enfranchised on this occasion are not capable of performing the duties of active citizenship as the classes which were previously enfranchised had

been. What duties? So far as I know, the main one to which the hon. gentleman alluded, is that of fighting for their country. The duty cannot be performed with efficiency by gentlemen over 60 years of age. At all events, I am not aware that the severest conscription in any country requires any person over 60 years of age to serve under any contingency whatever, and yet I do not think the hon. and learned gentleman desires to disfranchise them. The *posse comitatus* does not go out and fight the enemy; the enemy is fought by the disciplined forces of the country, and the chief duty of the ordinary citizen consists not in shouldering a rifle and going off to the frontier; it consists in paying the bill. That is a duty which the people desired to be enfranchised by this Bill can perform; it is a duty they are obliged to perform; and the mere fact that they cannot enrol themselves in volunteer corps does not appear to be an adequate reason for refusing them some control over the policy by which the foreign relations of our country are conducted and means of defence are to be secured. The third argument of the hon. and learned gentleman was that in the case of every previous Reform Bill there had been a grievance of the class to be enfranchised, which required to be redressed, and which could not, and would not, be redressed until the franchise was given to them, and he pointed out with great force that in connection with each of the great Reform Bills the grievances of the enfranchised class came to the front. But when did they come to the front? Did they come to the front before the enfranchised class received the vote or after it? The hon. and learned gentleman has only to consider the list of cases he has himself given, and he will discover that it was only after the vote was conferred that it was discovered that this House really had a function to perform in modifying legislation in this country in the interests of the new class of voters. Now, Sir, leaving the speech of the hon. and learned gentleman, and referring to the general course of the debate, there is one argument which has been used which I desire directly to traverse. We have been told that to encourage women to take an active part in politics is degrading to the sex, and that received the assent of an hon. friend of mine below the gangway. It has received the assent of almost every speaker to-day. I should think myself grossly inconsistent and most ungrateful if I supported that argument in this House, for I have myself taken the chair at Primrose League Meetings, and urged to the best of my ability the women of this country to take a share in politics, and to do their best in their various localities to support the principles which I believe to be sound in the interests of the country. After that, to come down

to the House, and say I have asked these women to do that which degrades them appears to me to be most absurd. I do not know much about these matters, but I understand that there are other associations of the kind of which women are members, and I have heard of a Liberal-Unionist Women's Association; I do not know if it has given my right hon. and learned friend the member for Bury (Sir H. James) that valuable assistance they are always ready to give. There is also, I think, a Women's Liberal Federation. I daresay the learned member for Fife (Mr. Asquith) has taken part in its meetings.

Mr. ASQUITH: Never.

Mr. A. J. BALFOUR: The House will understand that I do not wish to introduce personal questions at all, but I think I may take it that every section in this House is only too glad to use the services of women when they think they can profit by them, and it does not lie in the mouths of any of us to say that taking part in framing the policy of the Empire is degrading to the sex. In any other department of human thought than politics such an argument would be described by no milder word than "cant." Cant it undoubtedly is. The argument which appealed most, I am convinced, to those who oppose this Bill is not an objection of this character, but the conviction—the ill-founded conviction, I think—that it must necessarily carry with it, as what they call a logical consequence, the result that women must have a seat in this House, in the Cabinet, and should in all respects, so far as public offices are concerned, be placed on an equality with men. I do not believe a word of that argument. I can quite agree that it is very difficult to stop in such a course—to fix an arbitrary point and say there you will stop—if the arguments for going further are precisely those which made you travel thus far. The point, therefore, for us to consider is, Can the arguments that are brought forward in favour of this Bill be also brought forward in favour of women having a seat in this House? No, Sir, they cannot. There is no fundamental distinction between giving women the right to vote in municipal affairs and giving them the right to vote in Imperial affairs, and yet, though there is no distinction, you have resisted the change for 20 years, and according to the hon. member for Fife you are going to resist it for 20 years more. How easy it would be to resist a change which involved a new departure—a new principle! Everybody must assent to the proposition of the hon. gentleman the member for Flintshire (Mr. S. Smith) that women cannot engage on an equality with men in a large number of professions. They cannot; and I quite agree that the profession of politics is one of these. In my opinion women

could not with advantage to themselves, or to the community, take part in the labours of a great deliberative assembly like this. This is a reason for not giving them a seat in this house, but is it a reason for not giving them an opportunity of expressing an opinion and giving a vote every four or five years? I do not know what the average duration of Parliament has been during the last 100 years, but I think in the future it will probably not be so long. If you want to prevent further progress you ought to stop at a point where defence is possible, but at the present point logical defence is not possible. Therefore, those who are greatly moved by logical consistency should, I think, move on till they come to a point where further change could be successfully resisted. The debate has now almost reached its natural termination, and all I will say is that the matter which surprises me in this debate is the position taken up by hon. gentlemen opposite. I understand that part of their programme is a great alteration of the franchise, in spite of what fell from the hon. member for Aberdeen (Mr. Bryce). I understand one plank of the Newcastle platform was one man one vote. When that is brought forward I believe we shall have all the old flesh-and-blood arguments urged again, all the old arguments for political liberty, and the whole train of commonplaces again thrust before us for our acceptance, by which each successive change in the franchise has been accepted, and yet the very gentlemen who say they are going to bring forward that programme at this moment absolutely refuse to admit the validity of a single one of these arguments when they are directed towards enfranchising not the least worthy class of the community, but what I believe to be one of the worthiest classes. You will give a vote to a man who contributes nothing to taxation but what he pays on his beer, while you refuse enfranchisement to a woman because she is a woman, whatever her contribution to the State may be. She has sufficient ability to look after lighting and paving, but is not so fitted to look after the interests of the Empire as a man who cannot point out on the map the parts of the world of which that Empire is composed. I think from all I can hear that this Bill is not likely to be successful on this occasion; but depend upon it, if any further alteration of the franchise is brought forward as a practical measure, this question will again arise, menacing and ripe for solution, and it will not be possible for this House to set it aside as a mere speculative plan advocated by a body of faddists. Then you will have to deal with the problem of woman suffrage, and to deal with it in a complete fashion.

Balfour, A. J.

1892 speech

Elmy

396.11 A  
✓

## WOMEN'S SUFFRAGE.

TO THE EDITOR OF THE "MANCHESTER GUARDIAN."

Sir,—Absence from home and the heavy pressure of other work have till now hindered me from asking leave to reply in your columns to Mr. Samuel Smith's letter against women's suffrage. I shall be grateful if you will now, late though it may be, allow me space to do so, the more so as Mr. Smith's letter is being carefully and extensively circulated by our opponents.

Mr. Smith first argues that the claim for manhood suffrage having already been preferred, we shall not, if once any women are enfranchised, be able to resist the claim for adult suffrage, including all men and women of full age and not legally disqualified. Therefore he refuses to recognise the citizenship of any woman at all, and declines to say A lest by-and-by he should be led on to say B, or perhaps, in the long run, to admit the moral claim of women to full civil and political equality with men. Because during the twenty-five years or thereabouts of the tedious struggle for the political existence of women Parliament has hitherto resisted their claim, and refused (twice through the direct personal intervention of Mr. Gladstone) to assent to the modest proposals for the enfranchisement of "duly qualified" women, Mr. Smith would intensify and perpetuate this injustice by admitting to full political rights every adult male person, however ignorant, brutal, or degraded, whilst continuing the political outlawry of every woman, no matter what her intellectual and moral qualifications and fitness, or how great her services to the nation and to the race. Mr. Smith, as a professedly sound Liberal, ought to be able to recognise—indeed, in every other connection he would recognise—the validity of the plea that the wider the basis of representation the greater the injustice to any excluded class. Probably, too, in every other connection he would admit to the full the significance of the broad human truth—"legislation without representation is tyranny." For some reason or other, however, Mr. Smith is of opinion that the principles on which he would admit the claims of the masculine half of humanity to political justice fail in their application to the claims and needs of the feminine half.



Let us examine his reasons. "Women are so ignorant." Well, we frankly admit and deeply feel our ignorance. It is because we long to know, to be, to do much that is now denied to us that we ask for our political emancipation, and for that education which it will bring in its train—education which would enrich our own lives, develop and train faculties and capacities hitherto denied growth and exercise, and enable us to do our full share of service to humanity. But we are not quite so hopelessly ignorant as Mr. Smith would have us appear. Even on "such domestic questions as leasehold enfranchisement, proportional representation, Free Trade *versus* Fair Trade, monometallism *versus* bimetallism," I think I could find nearly as many women as men competent to discuss each or any of these questions with Mr. Smith himself, and well able to give sound reasons for the faith that is in them. Mr. Smith's further suggestion that the "future government of India, the confederation of Australasia" may be "settled by the votes of several millions of women who could hardly point out those places on the map" is rather wild. It is a little too late in the day for Mr. Smith to travesty an ancient sarcasm of Mr. Cobden's (applied in the first instance to gentlemen of the House of Commons) and plead the alleged want of geographical knowledge as a ground for refusing women the protection of the Parliamentary franchise. For good or for evil, the tide of emigration from these islands has compelled almost every woman to learn *by heart* some store of geographical facts and information. To every village, to almost every homestead, letters come from afar; sometimes the loved ones return, more often other loved ones go out to join them, and thus distant lands are no longer "places on the map," but living realities, in which are bound up hopes and fears, joys and sorrows. Affection has bridged the Atlantic, tunnelled the Pacific, and the far has been brought near in a fashion unknown to the world before. And in these days of international sympathies and incessant moving to and fro our political Rip Van Winkle wakes and rubs his eyes and looks around, but sees only the world of forty years ago. That Mr. Smith can believe in the existence of the crass ignorance which he attributes to women is proof enough that his acquaintance amongst them may have been "peculiar" but cannot have been "extensive."

Mr. Smith further assumes when he talks of "such questions being settled by the votes of several millions of women" a political condition, that of the *plébiscite* or *referendum*—the giving of a direct vote on any doubtful question,—not yet existent in this country, nor likely to be so till a far higher and later stage of political development has been reached, a stage in which we may well

expect there will remain few of these vexed questions to need such direct reference. It is not by the direct vote of men that these questions are now settled, and the contrary assumption is a mere trick of rhetoric.

For what, after all, is the Parliamentary franchise? It is so little, yet imports so much. It is simply the right of saying, from time to time, which person out of a very limited number to choose from we think, on the whole, the fittest to be trusted with the management for us of that part of our affairs—legislation and government—which we cannot conveniently manage individually for ourselves. And for such a decision to be wisely made no knowledge of recondite questions is necessary, but simply the possession of that keen perception and correct judgment of character which no one denies to women, but which, on the contrary, it is admitted they continually manifest in a high degree. Parliament, moreover, is not always engaged in the determination of questions of financial and commercial policy, but occupies itself more and more with matters which concern women equally with men, or touch them even more keenly than men. Has a woman no interest or concern, *e.g.*, in legislation affecting her status in marriage, her relations to her own children, the conditions of divorce? Is she not affected by the multiplication of laws touching her at every point of her domestic life? Can she afford to be indifferent to industrial or educational legislation which may easily place her at a disadvantage as compared with men? It is idle, because it is not true, to allege that "there is no fear of women nowadays not receiving their due." Those of us who have given the best years of our lives to the task of influencing legislative action in the direction of justice to women, and to the passing of some of those measures as to which Mr. Smith boasts, and justly enough, that he has "been in favour" of them, know, as Mr. Smith cannot know, how inexpressibly hard and difficult has been our task, how long-delayed our success, by the fact that being an "unrepresented" class we could only plead as suppliants, and never claim as equals even the barest justice.

"Full little knowest thou that hast not tried  
 What hell it is in suing long to bide;  
 To lose good days that might be better spent;  
 To waste long nights in pensive discontent;  
 To speed to-day, to be put back to-morrow;  
 To feed on hope, to pine with fear and sorrow;  
 To fret thy soul with crosses and with cares;  
 To eat thy heart through comfortless despairs."

It would, sir, take many letters, longer than any you can give me space for, to outline in brief the defects of even the remedial measures which have already been

passed—defects due largely, if not entirely, to the fact that the masculine mind, dominated by its inherited and cultivated sex bias, cannot of itself and by itself give due consideration and weight to the feminine point of view. To specify all the cases of retrogressive and injurious legislation and action of even recent times from which women have suffered and do suffer would need almost as many more, whilst the legal hardships and wrongs inherited from the past and needing to be set right are more numerous than Mr. Smith dreams of. For all these reasons we demand the protection and the power of the Parliamentary vote, a protection and a power which Mr. Smith, in his ignorance, would fain deny us on the plea of our ignorance.

Mr. Smith condescends to the use of one argument which he must, I think, on reflection himself admit to be an unworthy one. "Have you considered," he says, "the consequences that would follow from enfranchising the multitudes of fallen women in our large towns, or the effect on young men of visiting their abodes to canvass them?" A "fallen woman" must in every case presuppose a "fallen man." Does Mr. Smith propose to introduce a morality test in the case of male electors, or to disfranchise them all on the ground of the gross, the flagrant, the notorious profligacy of some of their number or the veiled vices of others? If not, why is such a test to be suggested in the case of women, or to be made the excuse for refusing them the legal right and power to deal with causes instead of with consequences, and to put an end, as only such power can enable them to put an end, to that economic dependence of women on men which is the source of all this terrible flood of immorality? Can Mr. Smith calmly contemplate as a possible contingency the continuance in perpetuity of the conditions of ignorance and immorality which he pictures, the degradation of half the race involved therein, and the consequent waste, the infinite waste, of the priceless treasures of humanity? I do not believe him to be heartless enough or foolish enough for this. I would submit, moreover, that the true safeguard against the danger which he dreads is to be found in the abolition of canvassing, with all its attendant demoralisation, and not in the continued disfranchisement of half the nation.

But, Mr. Smith continues, women "reason more through their heart than through their head," and "politics would become sentimental." Is there no room for sentiment in politics, no need for the exercise of that sympathy which develops the sense of justice, no real want of the freer play of the humane emotions? Shall politics continue for ever a mere game of party strife,

and never rise to the true dignity of the applied science of social relations? The people of sentiment and of enthusiasm are the most practical people of all, for their sentiment is the spur of energy, their enthusiasm quickens the "dry light" of reason, and carries intellectual conviction onward into practical issues. Nor can any student of history and biography have failed to note the fact that the worst errors and crimes even of men otherwise great have been caused not by the excess but by the lack of passion, sentiment, or enthusiasm. Sublime selfishness is not the safest guide of moral action. Finally, Mr. Smith urges woman "to be content," and "not covet what God never intended her to have." When, where, and how did Mr. Smith receive this special light, this personal revelation? More modest persons might condescend patiently to seek the designs of the Creator in the capacities and desires of the creature. But our philosophic guide needs to make no such investigation. He is serenely sure. "In no country since the world began have women enjoyed the political franchise," and as "God never intended" women to have it, we must be content to be political pariahs for ever. Now, in the first place, the assertion is not true, even as regards this England of our own. Women have in the past in this country enjoyed and exercised political rights, and what we now claim is restitution of those past rights, with such modifications as may adapt them to latter-day uses. But if it were absolutely and universally true, it would be of no real weight against our claim. Every argument of this kind that can be used against the emancipation of women was used within this present century against the emancipation of the slave. Yet the spirit of justice and freedom triumphed, and shall continue to triumph till the slavery of sex has followed that of caste, colour, and race, and woman, no longer the "chattel" of man, has taken her just place as his "helpmeet," companion, friend—no rivalry between them but that of noble thought and noble deed.—I am, &c., E. C. WOLSTENHOLME ELMY.

Congleton, April 10, 1901

TO THE EDITOR OF THE "EXAMINER AND TIMES."

Sir,—My friend Mr. Samuel Smith, M.P., seems greatly exercised at the evil results which he thinks would accrue from women's suffrage. He begins by assuming, against all the evidence, that if some women have votes, all will soon have them. Has this been the case with men? The

first important extension of the franchise was in 1832; yet 35 years elapsed before any further considerable number of men were enfranchised. Seventeen years more passed before the county (male) householders and service men were enfranchised, and after six years more there is not even an agitation in favour of manhood suffrage. Are not Mr. Smith's fears as to the advent of womanhood suffrage, then, utterly unreasonable? Mr. Smith complains of the ignorance of vast numbers of women. The remedy is to educate them. Another fear is that, if women were enfranchised, young men would make "canvassing" an excuse for visiting disreputable women. I am afraid, sir, that young men inclined to vice need no such excuse. As to married men, have they not plenty of excuses already? Have they not "important business engagements" which prevent their return home at night, or until a late hour? In my opinion, if women had votes it is probable that canvassing would receive a great blow. The male relatives of women voters would certainly be dead against their being canvassed by Dick, Tom, and Harry, or even by Mary, Jane, and Eliza; and women householders themselves would, I fancy, resent unwarrantable intrusion into their houses. I am glad to find that Mr. Smith does not condescend to object to vicious women householders voting, though one passage in his letter might be so construed. He knows too well how many vicious men have votes. For my part I should be very glad to disfranchise both vicious men and women, did I conceive any possible means of doing so. Mr. Smith is afraid of "unsexing" women, but I need not answer him on this point, for in the same sentence he answers himself. He says Nature is against it. Of course she is, and since Nature or the Power behind her has made women different from men any legislation which should attempt to make them the same would be so much waste paper. But I have never heard that Nature has made any objection to women going to the poll, as go they do already. Mr. Smith says there is no fear now of women not receiving their due. I ask him are men willing to give women the same right to marry their deceased husbands' brothers as they claim so many of them themselves to marry their deceased wives' sisters? And if not, why not? I pity Mr. Smith in that hardly a single lady of his acquaintance wishes for the suffrage, for he loses the society and influence of many noble women, whose memory will long live in the hearts, not only of their sisters, but of their brethren throughout the civilised world.—Yours, &c.,

Bolton, 17th March.

JOHN P. THOMASSON.

396.11 A ✓

PAMPHLET

THE POLITICAL DISABILITIES  
OF WOMEN.

(By Miss Becker)  
BECKER

REPRINTED, BY PERMISSION,  
FROM THE "WESTMINSTER REVIEW,"  
1ST JANUARY, 1872.

MANCHESTER  
ALEXANDER IRELAND & CO., PRINTERS, PALL MALL.

—  
1872.

*Becker*

## THE POLITICAL DISABILITIES OF WOMEN.

---

X 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. (2)

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 life-long 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-garotter 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. . . .

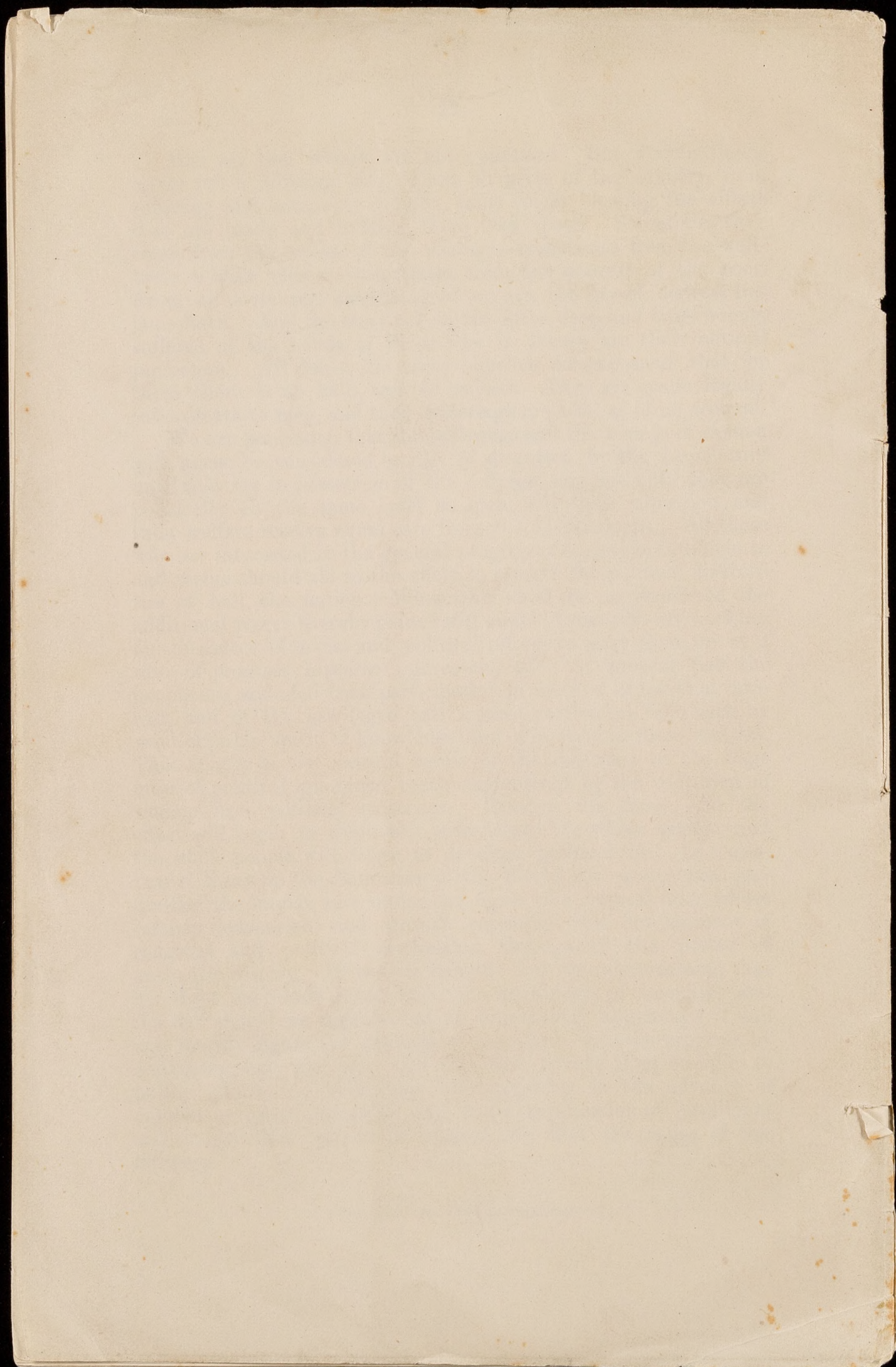
"The next case is No. 6 on the list. It is also that of a man charged with the murder of his wife. In this case no one was present when the blow was struck, but the man was seen going into his house, a scream was heard, and the woman was seen coming out holding her apron to her head, the blood streaming 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.





Paw

396-11A

[SECOND EDITION]

A LECTURE  
ON  
WOMEN'S SUFFRAGE,

DELIVERED IN BRISTOL ATHENÆUM,

FEBRUARY 24th, 1869,

BY

EMER. PROF. F. W. NEWMAN,

FOR THE

CLIFTON & BRISTOL SOCIETY FOR WOMEN'S SUFFRAGE.

---

LADIES AND GENTLEMEN,

The placards and advertisements have told you that this Lecture is to be delivered under the auspices of the Society which has been formed in Clifton to support the cause of Women's Suffrage. Yet I must warn you that the Society cannot be responsible for all that I say. It desires not to identify itself with either party in politics, and in this sense it is not a political society. But it aims at a political object, and therefore cannot forego political reasonings. A few years back it might have seemed that to urge extension of the parliamentary franchise touched the sorest place in party controversy; but all that is now changed. Lord DERBY and Mr. DISRAELI have called into the exercise of the franchise so many new voters, as to make Ladies on all sides enquire, why they also may not vote. Happily the arguments needed in the discussion of that question have no longer a party-colour.

There are intelligent persons who think all Parliamentary elections a great nuisance. I have heard it seriously urged, as decisive against them, that they produce too much local ill-will, too much excitement, too much rudeness and coarseness; that they do not really select the best men, but either rich men, men of noble birth, or great talkers. Perhaps a well known philosopher of Chelsea will tell us, that the whole thing is a mistake.—I have read an elaborate discussion, to prove that what is called

Political Freedom always makes a nation ill mannered, whether surly or disagreeably smart; that nations under despotism become polite and graceful; that even negroes, while they are slaves, gain smoothness and polish from a constant anxiety to please, but under freedom become self-pleasing and rude. If it be true that the Law and the Executive Government are neither better nor worse, be the legislators, and be the ministers, who they may; or if good law, and wise, faithful administration, are very small things in comparison with graceful manners;—I do not expect that men who have made the discovery will be in favour of Women's Suffrage. I expect them rather to say: "Is it not enough, that these notions of constitutional rights have converted nearly all the male sex into snobs and ruffians? and do you want to spoil the women too? Do leave *us* men to take all the dirty work." But I do not pretend to be so self-sacrificing. Instead of gaily undertaking dirty work, I would rather study how the work may be made clean. I see that women are great lovers of cleanliness; that they are not naturally fond of tumult, of fights, or of dangerous fun. I know also that men will do and say in the presence of men, what they shrink to say or do in the presence of women: that when our grandfathers were used to get drunk after dinner, they did not dare to begin the carousal, until they had sent away the ladies. It is therefore worth enquiring, whether the gentler and purer sex might not improve some of our ways, if we would let them, in politics and in morals, as well as at dinner.

Have men really been so successful in the government of the world, that our great maxim of prudence ought to be, to LET WELL ALONE and beware of change? What is the testimony of History in this matter? History is regarded as a very improving study, especially for politicians: but I confess that when ladies ask my advice about studying History, I hardly know how to refrain from replying,—“Well; if you want to make your heart ache, study History.” It is a book like the little book of the Apocalypse; it may for a moment be sweet to the mouth, but it is bitter in the stomach. And why is this? Simply because the male sex has so frightfully mismanaged their rule, that the burden of the past is lamentation and woe. Of the *past*,—do I say? But the present is still more alarming: for we see, precisely in the richest, cleverest and most advanced countries of Christendom, under all our knowledge and science, the same evils growing up, as marked the decay of Rome. Is then perseverance in routine all that we want? When, under one physician and one theory of physic, patients one after another run through the same career of wasting disease, does not prudence always suggest to call in a second physician of a different temperament and school?—Each historical failure is attributed to a separate cause; but amid their diversities a general sameness reigns. Briefly I express my belief to be, that,—after full

allowance for the inevitable martyrdom to be endured by the scrupulous who fight against the unscrupulous,—a deeper cause of failure remains: there is *more enthusiasm* on the side of evil than of good, though good men far outnumber the bad. Everburning enthusiasm animates the adherents of Injustice; but enthusiasm is seldom or never allowed to lead the side of Right. Politicians even of the best sort dread *too much* Justice, lest it subvert society! dread enthusiasm, lest it carry them off their balance. They say with TALLEYRAND: “Hark you, my friend! no enthusiasm!” Few politicians seem to feel that Justice is not only the glorious path, but the only safe path. Now in my belief Women know this truth by instinct more keenly than Men. Their very weakness perhaps aids them to it. The strong can thrive by violences, the scheming by chicanery; but Justice is the only support of the weaker. This may be in part the reason, why, in a case of clear Right, women do not argue and prate of Expediency like men. However, be the cause what it may, they seem to me to have more Faith in Right, as they have more of religion, than has the male sex. That is why I believe that men need their joint-action in politics.

Our Society is not proposing to claim the Executive Government for women nor seats in Parliament: all that we ask is, that women may be able to give a vote, which recurs at the average interval of five years, and may be but once in seven years. Nevertheless, considering that the First Personage in the realm is a Queen, and that no sane mind in the three kingdoms would willingly exchange her for any of her male predecessors of the House of Brunswick,—I should not find any thing paradoxical or rash in wishing that the law would let the two sexes, like other things, find their own level, instead of elevating one sex over the other. In the middle of the last century the Italians had in the Chair of Mathematics in the University of Bologna a lady—by name MARIA GAETANA AGNESI. Why not, if she excelled in that study? Not many mathematical Professors in England have any ostensible right to claim superiority over MARY SOMERVILLE. If a woman have high gifts from God and have improved them by assiduous culture, what wisdom or what justice is there in shutting our eyes to the fact, or trying to make her gifts as little useful as we can? I cannot adequately set forth the rightfulness of the cause which our Society supports, if I refrain from showing how much more some women have done, and done well, than they are ordinarily allowed to do. Not all the nations of Europe allow a female to be Queen; and not many Queens have reigned; yet among the more celebrated of European sovereigns female names are found. Since PETER THE GREAT Russia has had some considerable and active emperors: we must not judge their characters by any other standard than that of royalty and public success: in this sense none stands higher than

the great Empress CATHERINE. In the Austrian line of sovereigns none is higher than the Empress Queen MARIA TERESA. On our English throne Queen ELIZABETH will compete with the best of our EDWARDS or HENRIES. It is not to modern India that we should go to find wise, just, gentle and firm rulers. From the break up of the Mogul dynasty to the present day anarchy, misgovernment and tyranny have been so common, as more than any thing else to have facilitated, and called for, the rise of the British power. Yet if you ask, Of all Indian sovereigns in that calamitous period, whose name stands highest in the estimate of British historians? I believe the reply is,—the name of a woman, ALIAH BAE; who, as widow-Queen, governed the Mahrattas for more than twenty years about a century ago. Sir JOHN MALCOLM, writing of her in an official State paper, where we expect what is cold and cautious, seems hardly able to qualify his admiration. You must allow me to quote his words. He says:—

“A female without vanity, a bigot without intolerance, a mind imbued with the deepest superstitions, yet receiving no impressions but what led to the benefit and happiness of those under its influence; a being exercising in the most active and able manner despotic power, not merely with sincere humility, but under the severest moral restraints that a strict conscience could lay upon human action; and this, combined with the greatest indulgence for the weakness and faults of others. To sum up all:—She was Goodness in its most comprehensive sense Personified.”—\*(*Report upon Malwa.*)

She raised the agricultural classes out of misery, reëstablished property, reorganized the finances, introduced courts of arbitration, was herself accessible to appeals and unweary in administering justice. She constructed roads over difficult hills, built resting places and dug wells for travellers: kept her country in peace and her taxes light, being as forbearing to the rich as she was tender to the poor. While her own chieftains were proud of her, she was wholly proof against flattery, which she checked by extreme coldness to it. This is not written concerning one who lived in distant legendary times, one whose virtues might be held fabulous; but in a very recent period, within the full cognizance of our able and wary statesmen. Who dares to say, or can say at all plausibly, that the sex which produced such a woman in a land of heathenism has any natural incapacity for understanding public affairs?

What is peculiarly instructive in this account is, the fact that ALIAH BAE had no marked superiority of intellect. She was narrowminded, but large-hearted, tender-hearted, and tender of conscience. There is plenty of cleverness in male politicians; too much, one might say. The

\*(NOTE.) I borrow from the *Westminster Review* (Mahratta Empire) of January, 1869.

deficiency lies in the moral, not in the intellectual part; except in so far as narrowness of heart contracts the mind by limiting aspiration and directing it to ignoble ends. It is an old saying, “Where there is a will, there is a way.” Where a ruler, male or female, longs for the public welfare as a mother yearns over her children, very moderate intellect is more fruitful of good than any subtlety of diplomatists.

Allow me to read a few words written in 1841 by a plain spoken statesman of vigorous and original thought:—

“Half the follies, half the brutalities, committed by nations, and for which they have paid the price in long arrears of punishment and suffering, would have been prevented, if they had been presented to the ordeal of the right-minded and clear-headed *Women* of the land. When real necessities occur to nations, Women have never been found deficient in the virtues which such times demand.”—*General T. Perronet Thompson.*

There are people who say: “Do not seek to give political power to women: be satisfied that they have that influence which their fascination naturally gives them; and beware of lessening that fascination.” I interpret such doctrine to mean, “Refuse to women responsible public power, and yield to their irresponsible secret influence. Let them be as the sultana who sells the offices of State; or as the freedmen of a Roman emperor. Let the backstairs flourish.” Nay, but rather, look at France. France has forbidden women to be queens, but cannot help their being queen mothers; and in the history we see what a curse they have been as intriguers or as royal mistresses.

If my limits of time permitted, it might be instructive to review several theories concerning the female sex. But I must pass to the modern English theory. It goes upon presumptions, which unhappily are not always true. It presumes that women of full age are well married, and have not to support themselves; that they need not be taught any other trade or art, than the art of keeping their house clean and tidy, if the husband is poor; or superintending it gracefully, if he is richer. Husbands are never to be sick and infirm, bad, profligate or cruel; they are never to die and leave widows destitute. If any women are unmarried, they are either to receive adequate life-support from wealthy parents, or to become valuable domestic servants in substantial families.

But in contrast to this theory, what are the stern facts of life? In the last census, it appeared that nearly three million and a half of English women and girls work for their own subsistence. They are distinguished as follows:—nearly 839,000 wives, above 487,000 widows, and 2,110,000 spinsters. The laws and customs of England do not count upon this. We pretend to great chivalry towards women, but it certainly does not reach to females of the lower ranks. I do not wholly blame my sex that

the actual life of our poor women is so wretched, their toil so degrading, their occupations sometimes filthy, their work terribly hard. We have in general been ignorant how widely spread and how intense the evil. Who could reasonably expect our legislators to know it all? The law did not make any of them the women's protectors: the law was to blame, and is to blame. But I cannot equally exculpate the male sex for the fact pressed home by the *Dublin National Review*, that men do not care at what the women work, *provided only it be not something lucrative*. If any occupation be pleasant and well paid, it has been reserved for men, even though it be naturally and obviously a woman's function. Well may the writer deride the sentimental pretence that men keep women out of the franchise from tenderness to the sex, lest it lose refinement by having political protectors.

Now I am coming to the point. What I maintain is this. Women, as a sex, are cruelly wronged both by our laws and by our customs. They never would have been so wronged, if they had been represented in Parliament. To deny such representation to them is now, more than ever, a wrong; because now, more than ever, they are cast on their own resources. Our young men emigrate to the colonies, become sailors, or go into the army, perhaps are sent to India. Our mechanical industry in factories, on railroads, in mines, abounds with great dangers; so does all occupation on the sea, in fisheries, coasting trade and general navigation. Male life is cut short by numberless accidents and diseases; women are left widows or unmarried; even those tenderly brought up have to struggle for themselves against the competition of men. Not to give them full equality of law, of education and of trade, is a grievous injustice.

It is very hard to please opponents, and I suppose it is best not to try to please them. On every side come warnings to me from women, that it is unwise to claim Rights for Women, because they find that many men laugh and scoff, the moment that Rights are mentioned. Well then: I talk of Woman's Wrongs,—“On no account!” cry ladies to me: “say nothing about our *Wrongs*; for it only makes men angry, and then there is no reasoning with them.” Now let me ask the audience, what is contained in such a statement. Does it not imply, that the women are slaves, and the men have the heart of slaveholders? A slaveholder ridicules the idea of a slave's *rights*. “Coloured men have no rights, which a white man is bound to respect;” was the utterance of Chief Justice TANEY some ten or eleven years ago. But what if the *wrongs* of the slave were spoken of? The mention of the word set his whole nature on fire. If men do indeed laugh down Woman's Rights, and scold down the mention of her Wrongs, it affords a far completer proof than is desirable that she needs political power for self-protection.

I call on the audience to ponder the fact,—for it is a fact,—that the law of these three kingdoms is more unjust to women than that of the historically despotic countries. The United States inherited our common law: they have much improved it in many States, and especially of late, yet the women there complain greatly of it, and the more so, the better the community is educated. History explains how these results came about. In particular, where royalty has been strong, the Roman law has been made a basis of the new legislation: in England, dread of it as something despotic made the barons cling to our more barbarous common law. Where learned lawyers, and judges with a greater breadth of cultivation, had the main influence in legislation, the despotism of the crown might be noxiously increased, yet the general basis of the law was wiser: equitable consideration might be shown, and sometimes was shown, to the weaker classes of the community, especially women and colonial slaves. But when legislation is shaped by the influence of privileged classes, those classes get, if not all, yet nearly all the benefit. The unrepresented are not heard; their wrongs are either unknown, or unthought of, or are selfishly tolerated. Such is the outline of truth: but when we go into details, nation differs greatly from nation. In England, the law has been signally tyrannical to women, by playing fast and loose with religious theory.

Under cover of the mystical, poetical or religious idea that husband and wife are one person, the common law has not admitted the wife to equality and to real union, but has absorbed and exploded her, and in the most important senses has made her the husband's slave. To speak first of property:—that great oracle of common law, Lord COKE, laid down: “Marriage is an absolute gift by the wife of all her chattels personal, whether the husband survive the wife or not.” Observe the last words. They come to this. If a rich woman marry a poor man, and the man die the day after the marriage, his children by a former wife or his other kinsfolk despoil the woman of the greater part of her own property, and leave to her at the utmost only a widow's fraction, and that, a mere life interest. The law insists on treating the property as though it never had been hers at all!

If, instead of a male English judge, the Mahratta queen, ALIAH BAE, had sat on the bench, I cannot doubt that the decisive word would have been widely different.—Marriage is a voluntary contract. Does a woman in it give away her property? does she, not merely share it with her husband, but alienate it from herself? Why! There is not a word in the contract about her property! On the contrary, the bridegroom says to the bride: “With all my worldly goods I thee endow.” The common law, if it arbitrarily reverses a contract, becomes common lawlessness.—So, I am disposed to believe, any female judge would

decide. Yet it is asserted, that the male sex has no interests against the female, and cannot be biassed; while the iniquity of male law stares us in the face. The law pretends to found marriage in religion, and gives to the man the out-and-out advantage of that theory; yet the moment that it favours the woman, the law tramples the marriage service under foot.

Now remember that according to a high authority the law is not made for a righteous man, but for the ungodly and sinners; and when it sanctions iniquitous deeds, men will be found to perform such deeds. The opinion of large numbers gravitates down to the level of what the law permits. I am ashamed at the power which English law gives me over my wife; and so I think ought every Englishman. A husband may live in idleness and daintiness on his wife's fortune, while refusing to her every thing but the meanest fare and most necessary support of life. He may gamble away her property, as did Mr. LONG TILNEY WELLESLEY LONG POLE with his wife's vast possessions; or, against her will, he may lose it by foolish investments. And if she have talent and spirit and accomplishments; if, after she has been ruined by him, she earn money by her own exertions, that money is not hers, but his. If she lodge her earnings with a friend, or with a banker, the common law will justify the holder of her money in giving it up to the husband's demand, and, I believe, will compel him. In lower life we know how many a worthless husband clutches his wife's hard-earned wages for his own indulgence,—probably to spend in drink,—and will not let her even feed her children. Now what is law made for if not to check and put down such enormities? Yet the law itself HAS CAUSED them. No man, however vile, thinks of seizing his *sister's* earnings, and beating her if she will not give them up. Evidently the law which bestows the power alone puts such offences into men's heads.

I mentioned, that even in the United States women are becoming more and more keenly alive to the injustices of the law. An association likely to be very powerful, is there rising for the defence of women, many of whom speak eloquently for their sex. I have copied out part of a speech spoken about six week ago by a highly intelligent lady, a Mrs. FRANCES D. GAGE, who, in a retrospect of her own life, states what first impressed her with the wicked injustice of the law towards women. She says:—

At twenty I married. My husband was a lawyer. One day a woman called at our house to see him. Her husband had been drunk, had beaten her, turned her out of the house and kept her children from her. She had married him while he was poor, Her father dying had bequeathed her a farm and house, horses, cattle, sheep and money. Into this house the husband moved. Into the comforts and use of the money he installed himself as master, and she soon found herself a pauper dependent on his bounty. He

starved her, beat her children and forced them all to work to excess. She had come to my husband to ask what she should do.

Leave him,—said he.—“But he wont let me have my children.”—No: in law they belong to him.—“The property is mine.”—In law, not one cent of it; except for your necessary support.—“Well, if I could have my say about that and my children.”—But you cannot. He can keep the children. You must have an arbitration of men, to say what ought to be enough for your necessary support.—“Did not my father give it all to me?”—Certainly: but the law gives it to your husband.—“Can't I sue him for beating me?”—Not in your own name (!!)—“Suppose you sue him for me: could I then get damages?”—No: any damages would go to other parties. If you choose to leave him, I will do what I can for you. Are you strong enough to leave your children, and abide the issue?—“My God! no. The youngest is a baby.”—Then I cannot help you; unless you sue for assault and battery, and have him bound over to keep the peace.—“If I should do that, he would kill me.”—I suppose he might maltreat you.

The poor woman rose slowly from her chair, and in a voice that went to our souls said simply as she went out,—“I *must* go to my children.”

You see, a bad husband holds the children in his hand, and by them can control his wife; who not only yearns for them, day by day, but in absence must dread that they will forget her, or will be filled with false prejudices against her. It is notorious to those who have inquired, how much misery mothers will endure from a bad husband, rather than be deprived of their children. Now can anything be more wonderful than that a law pretending to be just, to be equitable, to be religious, should make out that a mother has no right in her own children? I much rather believe, with a certain ancient people, that the mother has of the two parents the greater right; for on her comes child-rearing as well as child-bearing; and all believe that her affection is deeper than the father's. The cruelty of our law is to me quite a marvel.—Well: but suppose that there are no children to a marriage; and that a wife,—made miserable by a husband's ill treatment, tries to run back to the house of her father or brother: what then? Why! then, the law authorizes him *to lock her up!* Not many years back there was such a trial. I read it in the papers, but I cannot refer to it. The judge laid down, that it belonged to the husband's conjugal rights to retain possession of his wife's person; and if he had reason to believe she wished to escape, he had a right to lock her up. What are called the husband's “conjugal rights” are to be retained, at any amount of misery to a woman. I cannot here dwell on this; but frightful things are veiled under the words. All this tyrannical theory is evidently constructed by MEN against WOMEN; women have never had a voice in it. The richer classes know the law to be unjust to a wife's property; for when a suitor proposes marriage to a woman who has a thousand pounds or upwards,

her kinsmen insist on putting the capital of her fortune into the hands of Trustees. Even so, if a husband is shameless and wicked, there is no common law protection to a wife: she will still have to appeal to a Court which has grown up against the common law and condemns it by evading it. When my wife's trustees pay money to her, I may violently wrench it out of her hands, or break open her desk, and the common law will pronounce that I am not robbing; but am using what is my own. If I seize her whole wardrobe, and barely leave rags for her to wear, and her kinsfolk give her something worth stealing,—say, a velvet cloak, a silk gown, or a fur tippet,—I may strip them off her back, and sell them for my own purposes, and the common law will justify me. Understand then to what all this tends. Such law would never have stood six hundred years with a Parliament in England, if women had been duly represented in that Parliament.

I once more warn you that our Society is not responsible for my arguments or for my assertions in detail: but I say in my own name, that the law has no more right to give me my wife's property than my sister's property. I call it, wanton spoliation. Women are only too generous to husbands and brothers. Trustees are needful, to save them from their own indiscreet generosity: why should the law plunder them? I do not ask a bit by bit reform; I claim a simple repeal,—a short simple avowal that marriage makes no difference whatever in a woman's pecuniary status,—that she sacrifices no farthing of pecuniary right or duty by marriage, any more than does a man. Leave the wife on the footing of a sister or grown up daughter, and no difficulty can arise.

There is such a thing as respectable error: there is also such a thing as disgraceful error. If the law, basing itself on religion, tried to enforce domestic morality with a high hand; if it publicly scourged every man who dishonoured a woman; if it acted the spy within our apartments; if it severely punished violence in a husband, and divorced him for any gross neglect of a husband's duties; if it carefully watched over a wife's rights and happiness, and counted her property sacred, as even Mohammedan law does;—we might think that the law had, on the whole, undertaken too much: but at any rate, its error would be respectable. But our law is, all through, lenient to the man and cruel to the woman. If a scoundrel gain a woman's heart, dishonour her, and cast her off, this is no substantive offence by our law. The woman's father can only bring the seducer into court by a ridiculous complaint that he has lost her service during certain months. Her service! The law does not regard *her* as injured; only her *father* is injured; and that, by losing her service! That she is heartbroken, and her whole life-prospects darkened, goes for nothing. The seducer cannot be punished even by a pecuniary fine, except by exposing a too confiding and too generous girl to public shame,

laying her open to impudent cross-examination and probably to false imputations. The same law, which is so reckless of men's profligacy, becomes suddenly very religious, as soon as a religious metaphor can be made an excuse for despoiling a wife. This I hold to be, not a respectable superstition, but a mean and scandalous tyranny, enacted by men against women.

Let it be observed, that these rude and coarse iniquities rest entirely on the Common Law, as expounded by judges always irresponsible and often fanciful; not on Parliamentary enactment. In the interest of richer women, our Courts of Equity have done something to soften the evil, which comes down evidently from the barbarous times, and rests on the idea that women is a sort of slave to man. No English Parliament (I believe) would deliberately have sanctioned such principles; but it has not been their direct duty to disown them, because women have not been their constituents. What is more, we have no reason to suppose that our ancestors in their barbarism imagined or intended such a state of injustice as has grown up out of interpretation of *unwritten* law by a series of arbitrary judgments. The old Saxons and Germans, among barbarians, stand high as honouring the female sex. Where they saw one household, they insisted on its having one head: hence they attributed all the property to that one, who was of course the husband. Heiresses were not allowed to be unmarried: practically no women were rich but widows. But widows possessing property and unmarried women were perhaps not so depressed politically then as in modern England. We know how closely the old English associated the ideas of property with political duty, also with political right, and especially with the vote by which all rights were supposed to be defended. We know familiarly to this day that women have in some cases local political duties and votes, where they have property on which they are taxed. Now the English Parliament was constructed out of the local institutions of county and borough; so that, until it is disproved, we have a right to infer, and can scarcely help believing, that the women who had municipal or county votes once exercised the Parliamentary vote also: and when the principle was laid down with so much vehemence, that taxation and representation went together, the women who were taxed must almost necessarily have voted. Except, I believe, as to the poll-tax, there was an honest attempt to make voting commensurate with taxation. If then it is to pass as history, that in old England those widows and spinsters who paid taxes voted only in local matters and not also in Parliamentary Elections, the man who is to convince me must be not only a good Judge in modern law, but also a profound antiquarian; and I shall believe him, not because he is a Judge, but because he is an antiquarian: moreover, he must show no animosity against Women's Suffrage.

In this connexion we may cast a glance on other countries of Europe. In France no woman was allowed to be Queen; yet even before the great revolution of last century, as I am informed, women of property used to vote, on the few occasions on which men were called to vote: nor is the practice extinct in local elections. And when the English conquered Canada from the French, we found Women's Suffrage established there. I hear that it continued into this century; and now that the whole question is opened, we shall probably learn by what influences it was put down. Every where a like phenomenon appears; namely: by the injustice of the strong the weak are made weaker. In former days free men of colour had the suffrage in all the slave-states of the American Union except South Carolina; but the white men being in the majority, voted them out of the suffrage, first in one, then in another State. Women appear to me to have been ousted thus, little by little, in England; though it is quite clear that at no time had they collectively any adequate legislative defence; for the widows and spinsters possessed of property were but a small fraction of the whole sex. In Hungary, until of late, all women duly qualified by property had the political rights of property, but there again, in reforming the constitution for the interests of liberty, the men were pleased to annihilate the small vestige of power exercised by the women. On the contrary despotic Austria has of late remarkably taken up the cause of Women which free Hungary had so unaccountably trampled down; and now freeholding Austrian women who pay a small amount of taxes in country or town have been allowed to vote *by proxy*. No one seems yet to have discovered any evil or inconvenience following it. In the new Electoral law of Italy, as I read, a woman who pays taxes may delegate her vote, which seems equivalent to voting by proxy. In Sweden, widows and spinsters who have some realized income vote in the election of the electoral colleges, as we might call them. Thus there are countries of Europe ahead of England in this matter. Finally, I read that in the Australian colony of Victoria women have for four years voted on equal terms with men, and that every thing goes on satisfactorily under it.

I earnestly trust that Parliament is already becoming aware of the cruel wrongs which our laws does to married women. I hope that the worst of them will be soon removed. I rejoice to see so many young lawyers eager in Law Reform. Yet if the legal wrongs of wives were all swept away this week, the history of those wrongs would remain as a cogent proof that injustices will fall on any class which is politically depressed. Wives moreover have ever been the majority of the sex. Yet I must not leave it to be inferred that only married women are sufferers by the selfishness of men: on the contrary the whole sex is wronged, alike by law, by its administration, and by custom. Where funds have

been left for education, without distinction of sex, girls have been excluded by the male Trustees; and when public money is voted, girls have been generally forgotten. To such injustices the Right Hon. Lord LYTTLETON pointedly referred with great indignation at the last meeting of the Social Science Association. But how long have such things gone on unredressed, because uninvestigated; and uninvestigated, because women have no legislative spokesman! Nor do we easily learn the many forms which injustice takes, and *will* take, while things are thus. We have but lately learnt that widows are often ousted from farms by landlords, because they have no Parliamentary vote. At the bottom of all lies the noxious fixed idea, generated in society by the long injustice of the law, that women have unequal Rights, as an inferior race, who ought not to be paid as much as men for the very same service; and that men have a natural claim to all lucrative appointments. Time does not allow my opening that important subject.

I will not pretend to expect quick and early relief to Women from Women's Suffrage, except in so far as the passing of it will denote a repentant state of the public mind. Far more important than political equality to the female sex is the full possession of *social* equality,—equality in education, and equality in the market; so that those who must work may work healthfully and happily. This I say, so far as women's interest is concerned. The political franchise cannot be to them an *end*, but only a *means*; and as such it is less valuable than the end. But hitherto we nowhere see social and political degradation separated. The same influences which exclude a class politically are sure to depress it socially. It is always found impossible to win equity from society, while equality is refused in law. Thus even on that head I find full reason for desiring this stigma of legal inequality to be swept away. But a far greater reason lies behind, in the essential immorality which has hitherto stained the male government of the world. Ambition is very inhuman, very unscrupulous; and to this imperial vice, under every form of government, may be traced the worst enormities of history. Notoriously even in England politicians think much of talent, much of crooked expediency, little of morality. Justice is talked of when convenient, and set aside when convenient.—It has been said that the corruption of what is best becomes worst; and that a bad woman is worse than a bad man. I am disposed to believe it. Yet I believe that the sex collectively has more of the milk of human kindness, and more shrinks from the characteristic cruelties of imperial governments, than does the male sex; and that the impurities which corrupt and disgrace Christian cities would become impossible, if women held equal rule with men. Women who have compassion for their sex, have *no right* to despise the franchise for themselves. It is *selfishness* to say,—“I have a good husband; therefore I do

not care that my sex is legally subject to oppression, and thousands of them are trodden under foot."

Moreover I beg the male part of the audience to remember, that if an attempt were made to disfranchise us men, a bloody civil war would be the inevitable result,—now, as once before. We should sacrifice human lives by the ten thousand, rather than be despoiled of the vote. Now there are women, not a few, who claim this same vote as their equal right; who tell us that we have no right to withhold it. *They* see it to be vital to the interests of their sex. If *we* do not see it:—well, perhaps we do not see that they need luxuries or money, any more than a vote; but, they tell us, we are not arbiters of either matter. To say that women do not *want* it, is like slaveholders who say that slaves do not *want* to be free. The plea is partly false, wholly irrelevant. If we can justly claim the franchise for ourselves, we cannot justly refuse it to women.

But of what sort are the women who claim it? I am made peculiarly ashamed of my sex, when I hear men in derision call them *strongminded*. Let me take an example,—rather an extreme example; it shall be HARRIET MARTINEAU. One who judged her severely from a spiritually philosophic point of view, remarked of her, that all her talents were practical and political. Is a woman to have no political voice, because, being strongminded, she is an excellent woman of business and has high political talent? Another reviewer said of her, that she was a woman towards whom perhaps no man could feel tenderness, but every man must feel respect, and something like fear. Quite different in womanly qualities, but also strongminded, is the aged MARY SOMERVILLE the astronomer; who is described as a lady of the gentlest and most courtly dignity. Quite different also is Miss BURDETT COUTTS. Where shall I stop in mentioning the names of English women who claim the suffrage? I will add but one, FLORENCE NIGHTINGALE. In the United States, it is a *fact*, against which it is vain to scoff, that the women who are politically most enlightened are also eager for Women's Suffrage. I say, it is a fact; because there we have an easy test of what is political enlightenment. Prejudice against colour has made more than half the white community cruelly unjust to the coloured race. Precisely those women whose justice, truth and mercy made them take the lead, in spite of odium, and in spite of danger, as abolitionists of slavery, are at the head of the movement for equalizing women with men politically. That all go all lengths, I do not say; but at least they go so far as desiring the vote for women. Such is Mrs. HARRIET BEECHER STOWE: and let me remark, that that other Harriet, HARRIET MARTINEAU, was first to call all England in 1837 to sympathize in the Martyr Age of the United States, when abolitionists risked their lives and ruined their worldly

prospects for negro freedom. To say that a woman is eminent in America for zeal on behalf of justice to the coloured race, is almost equivalent to telling us that she is an advocate of Women's Suffrage. I will name only one other American woman, whose position is very remarkable. She is a beautiful young lady under twenty-five, known to the whole Union as ANNA DICKINSON. Such is her eloquence, that she has been a power in the United States for the last three years. Old politicians go to hear her speak, and it is reported that tears have been seen running down their rugged faces under her rebukes and exhortations. When God has given to women such talents and such hearts, no heartless scoffers can keep them down. ANNA DICKINSON, you may be sure, claims female suffrage as well as negro suffrage and negro equality. So does GARRISON, the veteran retired abolitionist; so does WENDELL PHILLIPS, the eloquent and untiring advocate of justice to all races, of every colour and clime. And in this country, I may say boldly, it is not the more ignorant, the more narrowminded and narrowhearted part of either sex which claims the enfranchisement of women, but the same class as energetically seeks improved education. It is quite a peculiarity in this political movement, that it is supported by so many men known in science and literature, but not much known in politics. Besides, I hold in my hand a list of 102 M.P.'s who are favourable to it. The list is made up out of the present Parliament; for I observe that Mr. J. STUART MILL's name is not in it, whose very absence reminds us of him. Moreover the names do not belong exclusively to one side of politics. It is sufficient to remark that the late Premier, the Right Hon. BENJAMIN D'ISRAELI was early to avow himself favourable to Woman's claim: and that some ladies of title, who are warm in the Conservative cause, are as anxious as any Liberals can be for this justice to women.

[The Lecturer then read Miss F. P. COBBE's summary of nine Reasons, "Why women desire the suffrage;"\* and after a practical call on the audience for aid, closed by saying,—]

Let no one think that he or she is too small or too poor to help. A little zeal goes a great way: so let my last word be,—give us your hearts, and we will make sure of getting your hands.



Published for the BRISTOL AND CLIFTON BRANCH of the National  
Society for WOMEN'S SUFFRAGE.

**Committee.**

Miss LILIAS ASHWORTH, Claverton Lodge, Bath

Mrs. BEDDOE, 2 Lansdown Place

Mrs. ALFRED BRITTAN, 5 Lansdown Place

Rev. J. ESTLIN CARPENTER, 12 Brighton Park

Miss ESTLIN, *Treasurer*, Durdham Down

Miss FLORENCE HILL, Heath House, Stapleton

Emer. Prof. F. W. NEWMAN, *Secretary*, 1 Dover Place

Mr. J. F. NORRIS, 9 Buckingham Vale

Annual Subscribers of 1/- or upwards will be enrolled as Members.

The names of the COUNCIL and Officers are to be had on another paper.

396 . 11 4 ✓  
NO 1 A/E

THE EMANCIPATION OF WOMEN (No. 2).

The Position of Women.

(Reprinted from the *Manchester Guardian* of July 7th, 1891.)

---

SIR,—Will you give me space in your columns that I may draw the attention of your readers at this critical period in the history of the woman's movement to the issues that are at stake, and to the principle that underlies all the claims that are being made by our sex in the present day? I would try also to persuade those who have not thought previously of these questions to do so now, for upon them, it is not too much to say, rests the future history of the human race. There are many who think, and perhaps more who affect to think, the mere possession of the vote not worth struggling for, although English constitutional history may almost be said to be a record of the effort after and final attainment of this very right of self-government; there are still many who answer arguments in favour of the extension of the franchise to women by able impeachments of the voting system. It is, strange to say, not yet generally realised that there are two questions, and not one—(1) Whether the system of voting be a good one, and (2) whether a human being should be excluded from sharing in any rights, small or great, which that system confers. To the demand "Let us, too have a part in creating the conditions of life to which we must perforce submit," the reply generally is—"You cry after a vain thing; the vote is an empty and an accursed gift, and bringeth no blessing to him that registereth. Is not the counsel of the wise man overcome by the many voices of fools? Is not the nation guided by the yells of the mass, and not by the thought of the few? Already," it is further urged, "we have too many voters; would you more than double their number at a stroke?" It is sad and strange that it remains still necessary to point out the extreme remoteness of these reflections, interesting in themselves, from the point at issue. Truly the average man is full of loving-kindness; he overflows with sentiment; in the time of trouble he is a ministering angel; but the reasoning faculty is denied him! This is a great psychological fact which becomes daily more astonishingly patent. Nothing is more difficult than to obtain an answer on these subjects bearing any observable relation to the question. Admitting that we have too many voters, how does that affect the inquiry "Is it just or reasonable to exclude a portion of the human race from the franchise on the sole ground of sex?" Were there a hundredfold the number

of voters that question remains obdurately the same. Again, do the faults of a representative system constitute a reason for this gigantic exclusion, and, if so, why? The mere enumeration of the faults contains in itself no such justification. As a rule the adversary here shifts his ground and plants himself on a secure spot, where he finds the soil worn into a smooth depression by the multitude of feet that have previously taken there a firm and dignified stand. "Woman," he says, from this vantage ground—"woman was not made to meddle in politics." How he knows this one vaguely wonders. One wonders also if he has authentic information that man, on the other hand, *was* fashioned for that august purpose, and, if so, why he so frequently disappoints his Creator. One would be glad to ask, too, equally without hope of a reply, why a woman always *meddles* while a man *devotes* himself to politics, why a woman in so doing neglects her duties whilst a man sacrifices himself for his country. Perhaps it may be a different way of saying the same thing. At this moment especially we have all of us this question to consider—Whether, seeing that the representative system, such as it is, exists, its privileges should continue to remain the monopoly of men?

The real force, however, which prompts and underlies this protest is one of immense scope, increasing with every year—nay, with every month—that passes over our heads, and it covers all the smaller problems regarding the machinery of State influence as the ocean covers the little pools and hollows of the rocks at high tide. Women claim the vote, indeed, but they claim much more. They ask for a full concession of all rights, social and political, as these are now understood, in every country that calls itself free. It is no small demand, but who will say it is an unjust one? What Englishman, above all, with the history of his country behind him—the long struggle for freedom and self-government,—dare refuse to admit its justice? Englishwomen are the daughters and descendants of men who have sacrificed everything that they held dear for the sake of freedom. Are we to expect the inheritance of this liberty-loving spirit to descend in an eccentric zigzag, skipping over the women and making its home only in the hearts of men? To all this the reply generally is that these new claims are founded on a false conception of women and their functions, and that to concede them would be to pave the way to a general unbalancing of natural forces, throwing work on unfit organisms—work that can only be safely performed by those "naturally" adapted to it. This view is usually skilfully reinforced by pointing out the immense power already possessed by women in their homes, and "women's rights" are attractively represented as those of cherishing, soothing, cheering, and generally furthering, not *man* as a whole—that would possibly be too wide and general a motive to be quite "feminine,"—but *a* man, or even one or two men, for in default of a husband a woman would naturally cherish and soothe and further her nearest

male relatives. Supposing this to be true, that full freedom and citizenship for women would mean the disintegration of society, then we have frankly to admit that our social order is founded on an evident inequality and injustice, just as in the ancient world slavery was—according to the belief of the people, philosopher and peasant alike—the condition of its prosperity and even of its existence. If these contentions be true we can never aspire to a society in which every human being, as such, enjoys full and equal rights to the benefits of the national institutions. Upon some scapegoat must the sins of the nation be cast. In order to secure the continued existence of the State half its members must be content with the position of minors; they must remain under the shadow of the old *Patria potestas* without even the satisfaction of possessing the complete provision and protection which that ancient law accorded to the daughter, or to the wife, to whose husband her father transferred his arbitrary power upon her marriage. In short, in order to avoid one imagined calamity or danger to the State we must feed and foster another in its very heart. For in a State what is inequality of rights? Hindered movements, fettered intelligence, artificial determination of work through lack of choice. What is the motherhood of women unfitted to be educators, and the training by them of thousands of children, but a disease from whose effects we are all suffering at this moment in a hundred evils and sorrows, big and little, in a thousand subtle forms of distress for which we see no remedy, and place to the credit of an unknown Fate, or Nature, or God, according to the particular heading under which we are accustomed in our calculations of life to put down our *Sundries Omitted?*

Before long we shall regard these fears of ours to do justice as nightmares troubling a sleep that is past. We have only to visit countries where these questions are in stages more backward than in our own to realise that presently all men will smile and shrug their shoulders, as now they smile and shrug their shoulders at foreign perversity, when they remember how short a time ago one sex had the assurance to act for the other in all matters that affected the fate of the nation and the life of the people—men and women—composing it. Perhaps the smile may end with a sigh when it is further remembered that long after our country called itself *free* half its population had no choice of function in the State (for them existed practically but *one*), that their duties, their honour and dishonour, their hope, their very right and wrong, their heaven and hell, were dictated to them; that in this free country, with its unrivalled constitution, a woman was asked to obey laws that others made, to pay taxes that others spent, to bear burdens without accompanying rights, and to rear the up-growing generation—she who risked life and health, who endured torments and incurred penalties often lasting till death—without even an equal authority with the father to direct its destiny.

So far from giving safety and balance to the "natural forces", these time-honoured restrictions, springing from a narrow theory which took its rise in a pre-scientific age, are fraught with the gravest dangers, creating a perpetual struggle and unrest, filling society with the perturbations and morbid developments of powers that ought to be spending themselves freely and healthfully on their natural objects. Anyone who has looked a little below the surface of women's lives can testify to the general unrest and nervous exhaustion or *malaise* among them, although each would probably refer her suffering to some cause peculiar to herself and her circumstances, never dreaming that she was the victim of an evil that gnaws at the very heart of society, making of almost every woman the heroine of a silent tragedy. I think few keen observers will deny that it is almost always the women of placid temperament, with very little sensibility, who are happy and contented; those of more highly wrought nervous systems and imaginative faculty, who are nevertheless capable of far greater joy than their calmer sisters, in nine cases out of ten are secretly intensely miserable. And the cause of this is not eternal and unalterable. The nervously organised being is *not* created to be miserable; but when intense vital energy is thwarted and misdirected—so long as the energy lasts—there must be intense suffering. The pain is a sign of *health*. It is only when resignation sets in, when the ruling order convinces at last and tires out the rebel nerves and the keen intelligence, that we know that the living forces are defeated and that death has come to quiet the suffering. All this is waste of human force, and far worse than waste. History has taught us eloquently enough the awful perils of restraint and restriction, and it has shown us that the only safety for a State lies in its freedom.

When we have succeeded in learning that women form part of the State perhaps we may succeed also in realising that a free State implies a free womanhood.—I am, &c.,

MONA CAIRD.

---

1s. *per* 100 (*post free*), from  
MRS. WOLSTENHOLME ELMY, Congleton.

396-11A  
✓ (1)

# MR. FORSYTH, Q.C., M.P.

ON

## WOMEN'S SUFFRAGE.

---

WOMEN claimed to be represented because their interests were endangered and were being neglected. One characteristic of the present day, and it was likely to be still more a characteristic of the future, was the number of social questions as distinguished from questions of organic change that came before Parliament. He meant questions affecting the social well-being of the people. He referred, for example, to the law on the custody of infants. In regard to the law of guardianship, was it just or fair that by the law of England no woman could appoint a guardian? Did not the question of factory legislation and the hours during which adult women should work in mills immediately concern women, and was it not important that their opinion upon that subject should be expressed not merely by articles in newspapers and by platform speeches, but by the voice of women through their representatives in the House of Commons? Was it possible to say that men had a monopoly of interest in the question of education, or the management of reformatories, or in relieving the poor? But then it was said that if they allowed women the franchise, that they might be directly represented upon these and a multitude of other questions which he might name, they would be letting in the thin end of the wedge, and that there was looming in the distance a vast array of questions known as women's rights. It appeared to him to be a very unworthy argument to say that they were to refuse to concede what was right in itself because they might afterwards be called upon to refuse what was wrong. With regard to another argument, that politics did not constitute the natural sphere of woman, he said they might depend upon it that the time would come before very long when it would be thought just as absurd to say the natural sphere of woman was subjection and total abstention from taking a practical part in those questions which interested her fellow-citizens, as we now thought it absurd, illogical, and almost revolting to use the argument that the negro was destined by nature to be a slave.—*Speech at Manchester.*

# THE ENFRANCHISEMENT OF WOMEN AND MR. WOODALL'S BILL.

A Bill has been introduced into the House of Commons, and was read a second time on Thursday, 18th February, whose title declares it to be one "for extending the Parliamentary Franchise to Women." There are but two clauses to the Bill, and the first of these merely determines its title. The second and only enacting clause is described in the marginal note appended to it—"Women to have same voting rights as men." If this description were correct, the measure would be one to which every lover of justice could give a hearty support, and would, moreover, be in accordance with the stated object of the National Society for Women's Suffrage—which is promoting the Bill—namely, the obtaining of the suffrage for women on the same terms as it is, or may be, granted to men. But this marginal note is not a true statement of the contents of the second clause. Were that clause passed into law women would not be entitled to the exercise of the parliamentary franchise on the same conditions as men; for, after stating that "for all purposes of, and incidental to, the voting for members to serve in Parliament, women shall have the same rights as men, and all enactments relating to, or concerned in, such elections, shall be construed accordingly," the clause goes on to provide "that nothing in this Act contained shall enable women under coverture to be registered or to vote at such elections."

This proviso alters the whole character of the measure; which, while it affects to deal solely with electoral rights, and in such a manner as to remove the disability of sex, would really not remove that disability from women as such, but only from a particular class, and would incidentally create a new disability for married women. In this measure, which purports to be one for the enfranchisement of women, the law of coverture—perhaps the most oppressive, as it is certainly the most degrading, of the institutions of which women have to complain—is called up for the purpose of adding one more to the disabilities inflicted by it on the wives and mothers of the United Kingdom. As the law now stands, no woman incurs any forfeiture of electoral rights because she has entered into a relation which it can scarcely be the intention of Parliament to discourage; but, if this Bill become law, not only will a woman possessed of the Parliamentary franchise, when she marries, *ipso facto*, cease to have that right, but the strange spectacle will be presented of a British legislature recognising the right to representation in Parliament of women living in extra-legal unions with men, while denying that right to legally married women.

The plea that married women are now excluded from electoral rights, and that their position would be no worse if the Bill pass, will not bear examination. No such disability as that created by the proviso now attaches to married women, as such. It is distinctly a new disability which would attach to that position. It would strengthen and revivify the law of coverture just when that most undesirable judicial

anachronism had been left in a moribund condition by the blows dealt at it by the Married Women's Property Act. If, instead of "under coverture," the words in the proviso were, "born in Ireland," or "not of the Christian faith," no one would dispute that a new disability of birth or faith would be the result of such an enactment, though neither Irishwomen, nor women who are not Christian, can at present vote in the election of members of Parliament.

By far the best solution of the problem which Mr. Woodall's Bill essays to solve would be to enact that in all Acts of Parliament now or hereafter regulating the exercise of the Parliamentary franchise, and also in all Acts regulating the exercise of the municipal and other local franchises, all words importing the masculine gender shall be held to apply to women equally with men. This would sweep away the electoral disabilities of women; and, though but few married women would at present be entitled to vote under it in the election of members of Parliament, and their status as married women would be unaffected by the change, their position as women would be vastly improved. The lady who occupies the highest political position in this realm has exercised her functions during her maidenhood, her wifehood, and her widowhood; and there is no reason, either in nature or in equity, why marriage should deprive other women of one of the most elementary of political rights.

Petitions in the following or some similar form should be sent at the earliest possible moment:—

TO THE HONOURABLE THE COMMONS OF GREAT BRITAIN AND IRELAND  
IN PARLIAMENT ASSEMBLED.

*The Humble Petition of the undersigned*

*Respectfully Sheweth:*

That a Bill entitled "A Bill for extending the Parliamentary Franchise to Women," has been presented and read a second time by your Honourable House.

That the marginal note to the second and only enacting clause of that Bill states that its object is that women should "have same voting rights as men."

That the last two lines of that clause provide "that nothing in this Act contained shall enable women under coverture to be registered or to vote at such elections."

That this proviso would defeat the object stated in the marginal note, that it would be most unjust in its immediate operation, and that it would prejudicially affect the status of married women.

Wherefore your petitioners pray that your Honourable House will not consent to the final passing of this measure while containing the afore-said proviso.

---

VIGILANCE ASSOCIATION FOR THE DEFENCE OF PERSONAL RIGHTS,  
2, Westminster Chambers, Victoria Street, S.W.,  
22nd February, 1886.