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ON LIBERTY

This is two books in one.

THE SUBJECTION OF WOMEN

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BY

JOHN STUART MILL

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The grand, leading principle, towards which every argument unfolded in these pages directly converges, is the absolute and essential importance of human development in its richest diversity.—WILHELM VON HUMBOLDT: *Sphere and Duties of Government.*

TO the beloved and deplored memory of her who was the inspirer, and in part the author, of all that is best in my writings — the friend and wife whose exalted sense of truth and right was my strongest incitement, and whose approbation was my chief reward — I dedicate this volume. Like all that I have written for many years, it belongs as much to her as to me; but the work as it stands has had, in a very insufficient degree, the inestimable advantage of her revision; some of the most important portions having been reserved for a more careful reëxamination, which they are now never destined to receive. Were I but capable of interpreting to the world one half the great thoughts and noble feelings which are buried in her grave, I should be the medium of a greater benefit to it, than is ever likely to arise from anything that I can write, unprompted and unassisted by her all but unrivalled wisdom.

CONTENTS.

ON LIBERTY.

CHAPTER I.

INTRODUCTORY.

THE subject of this Essay is not the so-called Liberty of the Will, so unfortunately opposed to the misnamed doctrine of Philosophical Necessity; but Civil, or Social Liberty: the nature and limits of the power which can be legitimately exercised by society over the individual. A question seldom stated, and hardly ever discussed, in general terms, but which profoundly influences the practical controversies of the age by its latent presence, and is likely soon to make itself recognized as the vital question of the future. It is so far from being new, that, in a certain sense, it has divided mankind, almost from the remotest ages, but in the stage of progress into which the more civilized portions of the species have now entered, it presents itself under new conditions, and requires a different and more fundamental treatment.

The struggle between Liberty and Authority is the most conspicuous feature in the portions of history with which we are earliest

familiar, particularly in that of Greece, Rome, and England. But in old times this contest was between subjects, or some classes of subjects, and the government. By liberty, was meant protection against the tyranny of the political rulers. The rulers were conceived (except in some of the popular governments of Greece) as in a necessarily antagonistic position to the people whom they ruled. They consisted of a governing One, or a governing tribe or caste, who derived their authority from inheritance or conquest; who, at all events, did not hold it at the pleasure of the governed, and whose supremacy men did not venture, perhaps did not desire, to contest, whatever precautions might be taken against its oppressive exercise. Their power was regarded as necessary, but also as highly dangerous; as a weapon which they would attempt to use against their subjects, no less than against external enemies. To prevent the weaker members of the community from being preyed upon by innumerable vultures, it was needful that there should be an animal of prey stronger than the rest, commissioned to keep them down. But as the king of the vultures would be no less bent upon preying on the flock than any of the minor harpies, it was indispensable to be in a perpetual attitude of defence against his beak and claws. The aim, therefore, of patriots, was to set limits to the power which the ruler should be suffered to exercise over

the community; and this limitation was what they meant by liberty. It was attempted in two ways. First, by obtaining a recognition of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which, if he did infringe, specific resistance, or general rebellion, was held to be justifiable. A second, and generally a later expedient, was the establishment of constitutional checks; by which the consent of the community, or of a body of some sort supposed to represent its interests, was made a necessary condition to some of the more important acts of the governing power. To the first of these modes of limitation, the ruling power, in most European countries, was compelled, more or less, to submit. It was not so with the second; and to attain this, or when already in some degree possessed, to attain it more completely, became everywhere the principal object of the lovers of liberty. And so long as mankind were content to combat one enemy by another, and to be ruled by a master, on condition of being guaranteed more or less efficaciously against his tyranny, they did not carry their aspirations beyond this point.

A time, however, came, in the progress of human affairs, when men ceased to think it a necessity of nature that their governors should be an independent power, opposed in interest to themselves. It appeared to them much bet-

ter that the various magistrates of the State should be their tenants or delegates, revocable at their pleasure. In that way alone, it seemed, could they have complete security that the powers of government would never be abused to their disadvantage. By degrees, this new demand for elective and temporary rulers became the prominent object of the exertions of the popular party, wherever any such party existed; and superseded, to a considerable extent, the previous efforts to limit the power of rulers. As the struggle proceeded for making the ruling power emanate from the periodical choice of the ruled, some persons began to think that too much importance had been attached to the limitation of the power itself. *That* (it might seem) was a resource against rulers whose interests were habitually opposed to those of the people. What was now wanted was, that the rulers should be identified with the people; that their interest and will should be the interest and will of the nation. The nation did not need to be protected against its own will. There was no fear of its tyrannizing over itself. Let the rulers be effectually responsible to it, promptly removable by it, and it could afford to trust them with power of which it could itself dictate the use to be made. Their power was but the nation's own power, concentrated, and in a form convenient for exercise. This mode of thought, or rather perhaps of feeling, was

common among the last generation of European liberalism, in the Continental section of which, it still apparently predominates. Those who admit any limit to what a government may do, except in the case of such governments as they think ought not to exist, stand out as brilliant exceptions among the political thinkers of the Continent. A similar tone of sentiment might by this time have been prevalent in our own country, if the circumstances which for a time encouraged it had continued unaltered.

But, in political and philosophical theories, as well as in persons, success discloses faults and infirmities which failure might have concealed from observation. The notion, that the people have no need to limit their power over themselves, might seem axiomatic, when popular government was a thing only dreamed about, or read of as having existed at some distant period of the past. Neither was that notion necessarily disturbed by such temporary aberrations as those of the French Revolution, the worst of which were the work of an usurping few, and which, in any case, belonged, not to the permanent working of popular institutions, but to a sudden and convulsive outbreak against monarchical and aristocratic despotism. In time, however, a democratic republic came to occupy a large portion of the earth's surface, and made itself felt as one of the most powerful members of the community of

nations; and elective and responsible government became subject to the observations and criticisms which wait upon a great existing fact. It was now perceived that such phrases as "self-government," and "the power of the people over themselves," do not express the true state of the case. The "people" who exercise the power, are not always the same people with those over whom it is exercised, and the "self-government" spoken of, is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means, the will of the most numerous or the most active *part* of the people; the majority, or those who succeed in making themselves accepted as the majority: the people, consequently, *may* desire to oppress a part of their number; and precautions are as much needed against this, as against any other abuse of power. The limitation, therefore, of the power of government over individuals, loses none of its importance when the holders of power are regularly accountable to the community, that is, to the strongest party therein. This view of things, recommending itself equally to the intelligence of thinkers and to the inclination of those important classes in European society to whose real or supposed interests democracy is adverse, has had no difficulty in establishing itself; and in political speculations "the tyranny of the majority" is now generally included among the evils against which society requires to be on its guard.

Like other tyrannies, the tyranny of the majority was at first, and is still vulgarly, held in dread, chiefly as operating through the acts of the public authorities. But reflecting persons perceived that when society is itself the tyrant —society collectively, over the separate individuals who compose it — its means of tyrannizing are not restricted to the acts which it may do by the hands of its political functionaries. Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practises a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape penetrating much more deeply into the details of life, and enslaving the soul itself. Protection, therefore, against the tyranny of the magistrate is not enough; there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own. There is a limit to the legitimate interference of collective opinion with individual independence; and to find

that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs, as protection against political despotism.

But though this proposition is not likely to be contested in general terms, the practical question, where to place the limit — how to make the fitting adjustment between individual independence and social control — is a subject on which nearly everything remains to be done. All that makes existence valuable to any one, depends on the enforcement of restraints upon the actions of other people. Some rules of conduct, therefore, must be imposed, by law in the first place, and by opinion on many things which are not fit subjects for the operation of law. What these rules should be, is the principal question in human affairs; but if we except a few of the most obvious cases, it is one of those which least progress has been made in resolving. No two ages, and scarcely any two countries, have decided it alike; and the decision of one age or country is a wonder to another. Yet the people of any given age and country no more suspect any difficulty in it, than if it were a subject on which mankind had always been agreed. The rules which obtain among themselves appear to them self-evident and self-justifying. This all but universal illusion is one of the examples of the magical influence of custom, which is not only, as the proverb says,

a second nature, but is continually mistaken for the first. The effect of custom, in preventing any misgiving respecting the rules of conduct which mankind impose on one another, is all the more complete because the subject is one on which it is not generally considered necessary that reasons should be given, either by one person to others, or by each to himself. People are accustomed to believe, and have been encouraged in the belief by some who aspire to the character of philosophers, that their feelings, on subjects of this nature, are better than reasons, and render reasons unnecessary. The practical principle which guides them to their opinions on the regulation of human conduct, is the feeling in each person's mind that everybody should be required to act as he and those with whom he sympathizes, would like them to act. No one, indeed, acknowledges to himself that his standard of judgment is his own liking; but an opinion on a point of conduct, not supported by reasons, can only count as one person's preference; and if the reasons, when given, are a mere appeal to a similar preference felt by other people, it is still only many people's liking instead of one. To an ordinary man, however, his own preference, thus supported, is not only a perfectly satisfactory reason, but the only one he generally has for any of his notions of morality, taste, or propriety, which are not expressly written in his religious creed; and his chief guide in the interpretation even of that. Men's

opinions, accordingly, on what is laudable or blameable, are affected by all the multifarious causes which influence their wishes in regard to the conduct of others, and which are as numerous as those which determine their wishes on any other subject. Sometimes their reason — at other times their prejudices or superstitions: often their social affections, not seldom their antisocial ones, their envy or jealousy, their arrogance or contemptuousness: but most commonly, their desires or fears for themselves — their legitimate or illegitimate self-interest. Wherever there is an ascendant class, a large portion of the morality of the country emanates from its class interests, and its feelings of class superiority. The morality between Spartans and Helots, between planters and negroes, between princes and subjects, between nobles and roturiers, between men and women, has been for the most part the creation of these class interests and feelings: and the sentiments thus generated, react in turn upon the moral feelings of the members of the ascendant class, in their relations among themselves. Where, on the other hand, a class, formerly ascendant, has lost its ascendency, or where its ascendency is unpopular, the prevailing moral sentiments frequently bear the impress of an impatient dislike of superiority Another grand determining principle of the rules of conduct, both in act and forbearance which have been enforced by law or opinion, has

been the servility of mankind towards the supposed preferences or aversions of their temporal masters, or of their gods. This servility, though essentially selfish, is not hypocrisy; it gives rise to perfectly genuine sentiments of abhorrence; it made men burn magicians and heretics. Among so many baser influences, the general and obvious interests of society have of course had a share, and a large one, in the direction of the moral sentiments: less, however, as a matter of reason, and on their own account, than as a consequence of the sympathies and antipathies which grew out of them: and sympathies and antipathies which had little or nothing to do with the interests of society, have made themselves felt in the establishment of moralities with quite as great force.

The likings and dislikings of society, or of some powerful portion of it, are thus the main thing which has practically determined the rules laid down for general observance, under the penalties of law or opinion. And in general, those who have been in advance of society in thought and feeling, have left this condition of things unassailed in principle, however they may have come into conflict with it in some of its details. They have occupied themselves rather in inquiring what things society ought to like or dislike, than in questioning whether its likings or dislikings should be a law to individuals. They preferred endeavoring to alter the feelings of man-

kind on the particular points on which they were themselves heretical, rather than make common cause in defence of freedom, with heretics generally. The only case in which the higher ground has been taken on principle and maintained with consistency, by any but an individual here and there, is that of religious belief: a case instructive in many ways, and not least so as forming a most striking instance of the fallibility of what is called the moral sense: for the *odium theologicum*, in a sincere bigot, is one of the most unequivocal cases of moral feeling. Those who first broke the yoke of what called itself the Universal Church, were in general as little willing to permit difference of religious opinion as that church itself. But when the heat of the conflict was over, without giving a complete victory to any party, and each church or sect was reduced to limit its hopes to retaining possession of the ground it already occupied; minorities, seeing that they had no chance of becoming majorities, were under the necessity of pleading to those whom they could not convert, for permission to differ. It is accordingly on this battle-field, almost solely, that the rights of the individual against society have been asserted on broad grounds of principle, and the claim of society to exercise authority over dissentients openly controverted. The great writers to whom the world owes what religious liberty it possesses, have mostly asserted

freedom of conscience as an indefeasible right, and denied absolutely that a human being is accountable to others for his religious belief Yet so natural to mankind is intolerance in whatever they really care about, that religious freedom has hardly anywhere been practically realized, except where religious indifference, which dislikes to have its peace disturbed by theological quarrels, has added its weight to the scale. In the minds of almost all religious persons, even in the most tolerant countries, the duty of toleration is admitted with tacit reserves. One person will bear with dissent in matters of church government, but not of dogma; another can tolerate everybody, short of a Papist or an Unitarian; another, every one who believes in revealed religion; a few extend their charity a little further, but stop at the belief in a God and in a future state. Wherever the sentiment of the majority is still genuine and intense, it is found to have abated little of its claim to be obeyed.

In England, from the peculiar circumstances of our political history, though the yoke of opinion is perhaps heavier, that of law is lighter, than in most other countries of Europe; and there is considerable jealousy of direct interference, by the legislative or the executive power with private conduct; not so much from any just regard for the independence of the individual, as from the still subsisting habit of looking on the government as representing an

opposite interest to the public. The majority have not yet learnt to feel the power of the government their power, or its opinions their opinions. When they do so, individual liberty will probably be as much exposed to invasion from the government, as it already is from public opinion. But, as yet, there is a considerable amount of feeling ready to be called forth against any attempt of the law to control individuals in things in which they have not hitherto been accustomed to be controlled by it; and this with very little discrimination as to whether the matter is, or is not, within the legitimate sphere of legal control; insomuch that the feeling, highly salutary on the whole, is perhaps quite as often misplaced as well grounded in the particular instances of its application. There is, in fact, no recognized principle by which the propriety or impropriety of government interference is customarily tested. People decide according to their personal preferences. Some, whenever they see any good to be done, or evil to be remedied, would willingly instigate the government to undertake the business; while others prefer to bear almost any amount of social evil, rather than add one to the departments of human interests amenable to governmental control. And men range themselves on one or the other side in any particular case, according to this general direction of their sentiments; or according to the degree of interest which they feel in the particular

thing which it is proposed that the government should do; or according to the belief they entertain that the government would, or would not, do it in the manner they prefer; but very rarely on account of any opinion to which they consistently adhere, as to what things are fit to be done by a government. And it seems to me that, in consequence of this absence of rule or principle, one side is at present as often wrong as the other; the interference of government is, with about equal frequency, improperly *invoked* and *improperly condemned*.

The object of this Essay is to assert one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties, or the moral coercion of public opinion. That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right.

These are good reasons for remonstrating with him, or reasoning with him, or persuading him or entreating him, but not for compelling him, or visiting him with any evil, in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

It is, perhaps, hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties. We are *not speaking of children*, or of *young persons* below the age which the law may fix as that of manhood or womanhood. Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury. For the same reason, we may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage. The early difficulties in the way of spontaneous progress are so great, that there is seldom any choice of means for overcoming them; and a ruler full of the spirit of improvement is warranted in the use of any expedients that will attain an end, perhaps otherwise unattainable. Despotism is a legitimate mode of

government in dealing with barbarians, provided the end be their improvement, and the means justified by actually effecting that end. Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne, if they are so fortunate as to find one. But as soon as mankind have attained the capacity of being guided to their own improvement by conviction or persuasion (a period long since reached in all nations with whom we need here concern ourselves), compulsion, either in the direct form or in that of pains and penalties for non-compliance, is no longer admissible as a means to their own good, and justifiable only for the security of others.

It is proper to state that I forego any advantage which could be derived to my argument from the idea of abstract right, as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. Those interests, I contend, authorize the subjection of individual spontaneity to external control, only in respect to those actions of each, which concern the interest of other people. If any one does an act hurtful to others, there is a *primâ facie* case for

punishing him, by law, or, where legal penalties are not safely applicable, by general disapprobation. There are also many positive acts for the benefit of others, which he may rightfully be compelled to perform; such as, to give evidence in a court of justice; to bear his fair share in the common defence, or in any other joint work necessary to the interest of the society of which he enjoys the protection; and to perform certain acts of individual beneficence, such as saving a fellow creature's life, or interposing to protect the defenceless against ill-usage, things which whenever it is obviously a man's duty to do, he may rightfully be made responsible to society for not doing A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury. The latter case, it is true, requires a much more cautious exercise of compulsion than the former. To make any one answerable for doing evil to others, is the rule; to make him answerable for not preventing evil, is, comparatively speaking, the exception. Yet there are many cases clear enough and grave enough to justify that exception. In all things which regard the external relations of the individual, he is *de jure* amenable to those whose interests are concerned, and if need be, to society as their protector. There are often good reasons for not holding him to the responsibility; but these reasons must arise from

the special expediencies of the case: either because it is a kind of case in which he is on the whole likely to act better, when left to his own discretion, than when controlled in any way in which society have it in their power to control him; or because the attempt to exercise control would produce other evils, greater than those which it would prevent. When such reasons as these preclude the enforcement of responsibility, the conscience of the agent himself should step into the vacant judgment-seat, and protect those interests of others which have no external protection; judging himself all the more rigidly, because the case does not admit of his being made accountable to the judgment of his fellow-creatures.

But there is a sphere of action in which society, as distinguished from the individual, has, if any, only an indirect interest; comprehending all that portion of a person's life and conduct which affects only himself, or, if it also affects others, only with their free, voluntary, and undeceived consent and participation. When I say only himself, I mean directly, and in the first instance: for whatever affects himself, may affect others *through* himself; and the objection which may be grounded on this contingency, will receive consideration in the sequel. This, then, is the appropriate region of human liberty. It comprises, first, the inward domain of consciousness; demanding liberty of conscience, in the most comprehen-

sive sense; liberty of thought and feeling; absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral, or theological. The liberty of expressing and publishing opinions may seem to fall under a different principle, since it belongs to that part of the conduct of an individual which concerns other people; but, being almost of as much importance as the liberty of thought itself, and resting in great part on the same reasons, is practically inseparable from it. Secondly, the principle requires liberty of tastes and pursuits; of framing the plan of our life to suit our own character; of doing as we like, subject to such consequences as may follow; without impediment from our fellow-creatures, so long as what we do does not harm them, even though they should think our conduct foolish, perverse, or wrong. Thirdly, from this liberty of each individual, follows the liberty, within the same limits, of combination among individuals; freedom to unite, for any purpose not involving harm to others: the persons combining being supposed to be of full age, and not forced or deceived.

No society in which these liberties are not, on the whole, respected, is free, whatever may be its form of government; and none is completely free in which they do not exist absolute and unqualified. The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not

attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental and spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest.

Though this doctrine is anything but new, and, to some persons, may have the air of a truism, there is no doctrine which stands more directly opposed to the general tendency of existing opinion and practice. Society has expended fully as much effort in the attempt (according to its lights) to compel people to conform to its notions of personal, as of social excellence. The ancient commonwealths thought themselves entitled to practise, and the ancient philosophers countenanced, the regulation of every part of private conduct by public authority, on the ground that the State had a deep interest in the whole bodily and mental discipline of every one of its citizens; a mode of thinking which may have been admissible in small republics surrounded by powerful enemies, in constant peril of being subverted by foreign attack or internal commotion, and to which even a short interval of relaxed energy and self-command might so easily be fatal, that they could not afford to wait for the salutary permanent effects of freedom. In the modern world, the greater size of political communities, and above all, the

separation between the spiritual and temporal authority (which placed the direction of men's consciences in other hands than those which controlled their worldly affairs), prevented so great an interference by law in the details of private life; but the engines of moral repression have been wielded more strenuously against divergence from the reigning opinion in self-regarding, than even in social matters; religion, the most powerful of the elements which have entered into the formation of moral feeling, having almost always been governed either by the ambition of a hierarchy, seeking control over every department of human conduct, or by the spirit of Puritanism. And some of those modern reformers who have placed themselves in strongest opposition to the religions of the past, have been noway behind either churches or sects in their assertion of the right of spiritual domination: M. Comte, in particular, whose social system, as unfolded in his *Traité de Politique Positive*, aims at establishing (though by moral more than by legal appliances) a despotism of society over the individual, surpassing anything contemplated in the political ideal of the most rigid disciplinarian among the ancient philosophers.

Apart from the peculiar tenets of individual thinkers, there is also in the world at large an increasing inclination to stretch unduly the powers of society over the individual, both by

the force of opinion and even by that of legislation: and as the tendency of all the changes taking place in the world is to strengthen society, and diminish the power of the individual, this encroachment is not one of the evils which tend spontaneously to disappear, but, on the contrary, to grow more and more formidable. The disposition of mankind, whether as rulers or as fellow-citizens, to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and by some of the worst feelings incident to human nature, that it is hardly ever kept under restraint by anything but want of power; and as the power is not declining, but growing, unless a strong barrier of moral conviction can be raised against the mischief, we must expect, in the present circumstances of the world, to see it increase.

It will be convenient for the argument, if, instead of at once entering upon the general thesis, we confine ourselves in the first instance to a single branch of it, on which the principle here stated is, if not fully, yet to a certain point, recognized by the current opinions. This one branch is the Liberty of Thought: from which it is impossible to separate the cognate liberty of speaking and of writing. Although these liberties, to some considerable amount, form part of the political morality of all countries which profess religious toleration and free institutions, the grounds, both philo-

sophical and practical, on which they rest, are perhaps not so familiar to the general mind, nor so thoroughly appreciated by many even of the leaders of opinion, as might have been expected. Those grounds, when rightly understood, are of much wider application than to only one division of the subject, and a thorough consideration of this part of the question will be found the best introduction to the remainder. Those to whom nothing which I am about to say will be new, may therefore, I hope, excuse me, if on a subject which for now three centuries has been so often discussed, I venture on one discussion more.

CHAPTER II.

OF THE LIBERTY OF THOUGHT AND DISCUSSION.

THE time, it is to be hoped, is gone by when any defence would be necessary of the "liberty of the press" as one of the securities against corrupt or tyrannical government. No argument, we may suppose, can now be needed, against permitting a legislature or an executive, not identified in interest with the people, to prescribe opinions to them, and determine what doctrines or what arguments they shall be allowed to hear. This aspect of the question, besides, has been so often and so triumphantly enforced by preceding writers, that it needs not be specially insisted on in this place. Though the law of England, on the subject of the press, is as servile to this day as it was in the time of the Tudors, there is little danger of its being actually put in force against political discussion, except during some temporary panic, when fear of insurrection drives ministers and judges from their propriety;* and, speaking generally, it is not, in

* These words had scarcely been written, when, as if to give them an emphatic contradiction, occurred the Government Press

constitutional countries, to be apprehended, that the government, whether completely responsible to the people or not, will often attempt to control the expression of opinion, except when in doing so it makes itself the organ of the general intolerance of the public. Let us suppose, therefore, that the government is entirely at one with the people, and never thinks of exerting any power of coercion unless in agreement with what it conceives to be

Prosecutions of 1858. That ill-judged interference with the liberty of public discussion has not, however, induced me to alter a single word in the text, nor has it at all weakened my conviction that, moments of panic excepted, the era of pains and penalties for political discussion has, in our own country, passed away. For, in the first place, the prosecutions were not persisted in; and, in the second, they were never, properly speaking, political prosecutions. The offence charged was not that of criticizing institutions, or the acts or persons of rulers, but of circulating what was deemed an immoral doctrine, the lawfulness of Tyrannicide.

If the arguments of the present chapter are of any validity, there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered. It would, therefore, be irrelevant and out of place to examine here, whether the doctrine of Tyrannicide deserves that title. I shall content myself with saying, that the subject has been at all times one of the open questions of morals; that the act of a private citizen in striking down a criminal, who, by raising himself above the law, has placed himself beyond the reach of legal punishment or control, has been accounted by whole nations, and by some of the best and wisest of men, not a crime, but an act of exalted virtue; and that, right or wrong, it is not of the nature of assassination, but of civil war. As such, I hold that the instigation to it, in a specific case, may be a proper subject of punishment, but only if an overt act has followed, and at least a probable connection can be established between the act and the instigation. Even then, it is not a foreign government, but the very government assailed, which alone, in the exercise of self-defence can legitimately punish attacks directed against its own existence.

their voice. But I deny the right of the people to exercise such coercion, either by themselves or by their government. The power itself is illegitimate. The best government has no more title to it than the worst. It is as noxious, or more noxious, when exerted in accordance with public opinion, than when in opposition to it. If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind. Were an opinion a personal possession of no value except to the owner; if to be obstructed in the enjoyment of it were simply a private injury, it would make some difference whether the injury was inflicted only on a few persons or on many. But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.

It is necessary to consider separately these two hypotheses, each of which has a distinct branch of the argument corresponding to it. We can never be sure that the opinion we are

endeavoring to stifle is a false opinion; and if we were sure, stifling it would be an evil still

First: the opinion which it is attempted to suppress by authority may possibly be true. Those who desire to suppress it, of course deny its truth; but they are not infallible. They have no authority to decide the question for all mankind, and exclude every other person from the means of judging. To refuse a hearing to an opinion, because they are sure that it is false, is to assume that *their* certainty is the same thing as *absolute* certainty. All silencing of discussion is an assumption of infallibility. Its condemnation may be allowed to rest on this common argument, not the worse for being common.

Unfortunately for the good sense of mankind, the fact of their fallibility is far from carrying the weight in their practical judgment, which is always allowed to it in theory; for while every one well knows himself to be fallible, few think it necessary to take any precautions against their own fallibility, or admit the supposition that any opinion, of which they feel very certain, may be one of the examples of the error to which they acknowledge themselves to be liable. Absolute princes, or others who are accustomed to unlimited deference, usually feel this complete confidence in their own opinions on nearly all subjects. People more happily situated, who

sometimes hear their opinions disputed, and are not wholly unused to be set right when they are wrong, place the same unbounded reliance only on such of their opinions as are shared by all who surround them, or to whom they habitually defer: for in proportion to a man's want of confidence in his own solitary judgment, does he usually repose, with implicit trust, on the infallibilty of "the world" in general. And the world, to each individual, means the part of it with which he comes in contact; his party, his sect, his church, his class of society: the man may be called, by comparison, almost liberal and large-minded to whom it means anything so comprehensive as his own country or his own age. Nor is his faith in this collective authority at al shaken by his being aware that other ages, countries, sects, churches, classes, and parties have thought, and even now think, the exact reverse. He devolves upon his own world the responsibility of being in the right against the dissentient worlds of other people; and it never troubles him that mere accident has decided which of these numerous worlds is the object of his reliance, and that the same causes which make him a Churchman in London, would have made him a Buddhist or a Confucian in Pekin. Yet it is as evident in itself, as any amount of argument can make it, that ages are no more infallible than individuals; every age having held many opinions which subse-

quent ages have deemed not only false but absurd; and it is as certain that many opinions, now general, will be rejected by futur ages, as it is that many, once general, are rejected by the present.

The objection likely to be made to this argument, would probably take some such form as the following. There is no greater assumption of infallibility in forbidding the propagation of error, than in any other thing which is done by public authority on its own judgment and responsibility. Judgment is given to men that they may use it. Because it may be used erroneously, are men to be told that they ought not to use it at all? To prohibit what they think pernicious, is not claiming exemption from error, but fulfilling the duty incumbent on them, although fallible, of acting on their conscientious conviction. If we were never to act on our opinions, because those opinions may be wrong, we should leave all our interests uncared for, and all our duties unperformed. An objection which applies to all conduct, can be no valid objection to any conduct in particular. It is the duty of governments, and of individuals, to form the truest opinions they can; to form them carefully, and never impose them upon others unless they are quite sure of being right. But when they are sure (such reasoners may say), it is not conscientiousness but cowardice to shrink from acting on their opinions, and allow doctrines which they hon

estly think dangerous to the welfare of mankind, either in this life or in another, to be scattered abroad without restraint, because other people, in less enlightened times, have persecuted opinions now believed to be true. Let us take care, it may be said, not to make the same mistake: but governments and nations have made mistakes in other things, which are not denied to be fit subjects for the exercise of authority: they have laid on bad taxes, made unjust wars. Ought we therefore to lay on no taxes, and, under whatever provocation, make no wars? Men, and governments, must act to the best of their ability. There is no such thing as absolute certainty, but there is assurance sufficient for the purposes of human life. We may, and must, assume our opinion to be true for the guidance of our own conduct: and it is assuming no more when we forbid bad men to pervert society by the propagation of opinions which we regard as false and pernicious.

I answer, that it is assuming very much more. There is the greatest difference between presuming an opinion to be true, because, with every opportunity for contesting it, it has not been refuted, and assuming its truth for the purpose of not permitting its refutation. Complete liberty of contradicting and disproving our opinion, is the very condition which justifies us in assuming its truth for purposes of action; and on no other terms

can a being with human faculties have any rational assurance of being right.

When we consider either the history of opinion, or the ordinary conduct of human life, to what is it to be ascribed that the one and the other are no worse than they are? Not certainly to the inherent force of the human understanding; for, on any matter not self-evident, there are ninety-nine persons totally incapable of judging of it, for one who is capable; and the capacity of the hundredth person is only comparative; for the majority of the eminent men of every past generation held many opinions now known to be erroneous, and did or approved numerous things which no one will now justify. Why is it, then, that there is on the whole a preponderance among mankind of rational opinions and rational conduct? If there really is this preponderance — which there must be, unless human affairs are, and have always been, in an almost desperate state — it is owing to a quality of the human mind, the source of everything respectable in man either as an intellectual or as a moral being, namely, that his errors are corrigible. He is capable of rectifying his mistakes, by discussion and experience. Not by experience alone. There must be discussion, to show how experience is to be interpreted. Wrong opinions and practices gradually yield to fact and argument: but facts and arguments, to produce any effect on the mind, must be brought before

it. Very few facts are able to tell their own story, without comments to bring out their meaning. The whole strength and value, then, of human judgment, depending on the one property, that it can be set right when it is wrong, reliance can be placed on it only when the means of setting it right are kept constantly at hand. In the case of any person whose judgment is really deserving of confidence, how has it become so? Because he has kept his mind open to criticism of his opinions and conduct. Because it has been his practice to listen to all that could be said against him; to profit by as much of it as was just, and expound to himself, and upon occasion to others, the fallacy of what was fallacious. Because he has felt, that the only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion, and studying all modes in which it can be looked at by every character of mind. No wise man ever acquired his wisdom in any mode but this; nor is it in the nature of human intellect to become wise in any other manner. The steady habit of correcting and completing his own opinion by collating it with those of others, so far from causing doubt and hesitation in carrying it into practice, is the only stable foundation for a just reliance on it: for, being cognizant of all that can, at least obviously, be said against him, and having

taken up his position against all gainsayers knowing that he has sought for objections and difficulties, instead of avoiding them, and has shut out no light which can be thrown upon the subject from any quarter — he has a right to think his judgment better than that of any person, or any multitude, who have not gone through a similar process.

It is not too much to require that what the wisest of mankind, those who are best entitled to trust their own judgment, find necessary to warrant their relying on it, should be submitted to by that miscellaneous collection of a few wise and many foolish individuals, called the public. The most intolerant of churches, the Roman Catholic Church, even at the canonization of a saint, admits, and listens patiently to, a "devil's advocate." The holiest of men, it appears, cannot be admitted to posthumous honors, until all that the devil could say against him is known and weighed. If even the Newtonian philosophy were not permitted to be questioned, mankind could not feel as complete assurance of its truth as they now do. The beliefs which we have most warrant for, have no safeguard to rest on, but a standing invitation to the whole world to prove them unfounded. If the challenge is not accepted, or is accepted and the attempt fails, we are far enough from certainty still; but we have done the best that the existing state of human reason admits of; we have neglected nothing

that could give the truth a chance of reaching us: if the lists are kept open, we may hope that if there be a better truth, it will be found when the human mind is capable of receiving it; and in the mean time we may rely on having attained such approach to truth, as is possible in our own day. This is the amount of certainty attainable by a fallible being, and this the sole way of attaining it.

Strange it is, that men should admit the validity of the arguments for free discussion, but object to their being "pushed to an extreme;" not seeing that unless the reasons are good for an extreme case, they are not good for any case. Strange that they should imagine that they are not assuming infallibility, when they acknowledge that there should be free discussion on all subjects which can possibly be *doubtful*, but think that some particular principle or doctrine should be forbidden to be questioned because it is *so certain*, that is, because *they are certain* that it is certain. To call any proposition certain, while there is any one who would deny its certainty if permitted, but who is not permitted, is to assume that we ourselves, and those who agree with us, are the judges of certainty, and judges without hearing the other side.

In the present age — which has been described as "destitute of faith, but terrified at scepticism," — in which people feel sure, not so much that their opinions are true, as that

they should not know what to do without them — the claims of an opinion to be protected from public attack are rested not so much on its truth, as on its importance to society. There are, it is alleged, certain beliefs, so useful, not to say indispensable to well-being, that it is as much the duty of governments to uphold those beliefs, as to protect any other of the interests of society. In a case of such necessity, and so directly in the line of their duty, something less than infallibility may, it is maintained, warrant, and even bind, governments, to act on their own opinion, confirmed by the general opinion of mankind. It is also often argued, and still oftener thought, that none but bad men would desire to weaken these salutary beliefs; and there can be nothing wrong, it is thought, in restraining bad men, and prohibiting what only such men would wish to practise. This mode of thinking makes the justification of restraints on discussion not a question of the truth of doctrines, but of their usefulness; and flatters itself by that means to escape the responsibility of claiming to be an infallible judge of opinions. But those who thus satisfy themselves, do not perceive that the assumption of infallibility is merely shifted from one point to another. The usefulness of an opinion is itself matter of opinion: as disputable, as open to discussion and requiring discussion as much, as the opinion itself. There is the same need of an in-

fallible judge of opinions to decide an opinion to be noxious, as to decide it to be false, unless the opinion condemned has full opportunity of defending itself. And it will not do to say that the heretic may be allowed to maintain the utility or harmlessness of his opinion, though forbidden to maintain its truth. The truth of an opinion is part of its utility. If we would know whether or not it is desirable that a proposition should be believed, is it possible to exclude the consideration of whether or not it is true? In the opinion, not of bad men, but of the best men, no belief which is contrary to truth can be really useful: and can you prevent such men from urging that plea, when they are charged with culpability for denying some doctrine which they are told is useful, but which they believe to be false? Those who are on the side of received opinions, never fail to take all possible advantage of this plea; you do not find *them* handling the question of utility as if it could be completely abstracted from that of truth: on the contrary, it is, above all, because their doctrine is "the truth," that the knowledge or the belief of it is held to be so indispensable. There can be no fair discussion of the question of usefulness, when an argument so vital may be employed on one side, but not on the other. And in point of fact, when law or public feeling do not permit the truth of an opinion to be disputed, they are just as little tolerant of a

denial of its usefulness. The utmost they allow is an extenuation of its absolute necessity, or of the positive guilt of rejecting it.

In order more fully to illustrate the mischief of denying a hearing to opinions because we, in our own judgment, have condemned them, it will be desirable to fix down the discussion to a concrete case; and I choose, by preference, the cases which are least favorable to me —in which the argument against freedom of opinion, both on the score of truth and on that of utility, is considered the strongest. Let the opinions impugned be the belief in a God and in a future state, or any of the commonly received doctrines of morality. To fight the battle on such ground, gives a great advantage to an unfair antagonist; since he will be sure to say (and many who have no desire to be unfair will say it internally), Are these the doctrines which you do not deem sufficiently certain to be taken under the protection of law? Is the belief in a God one of the opinions, to feel sure of which, you hold to be assuming infallibility? But I must be permitted to observe, that it is not the feeling sure of a doctrine (be it what it may) which I call an assumption of infallibility. It is the undertaking to decide that question *for others*, without allowing them to hear what can be said on the contrary side. And I denounce and reprobate this pretension not the less, if put forth on the side of my most solemn convictions. How-

ever positive any one's persuasion may be, not only of the falsity, but of the pernicious consequences — not only of the pernicious consequences, but (to adopt expressions which I altogether condemn) the immorality and impiety of an opinion; yet if, in pursuance of that private judgment, though backed by the public judgment of his country or his cotemporaries, he prevents the opinion from being heard in its defence, he assumes infallibility. And so far from the assumption being less objectionable or less dangerous because the opinion is called immoral or impious, this is the case of all others in which it is most fatal. These are exactly the occasions on which the men of one generation commit those dreadful mistakes, which excite the astonishment and horror of posterity. It is among such that we find the instances memorable in history, when the arm of the law has been employed to root out the best men and the noblest doctrines; with deplorable success as to the men, though some of the doctrines have survived to be (as if in mockery) invoked, in defence of similar conduct towards those who dissent from *them*, or from their received interpretation.

Mankind can hardly be too often reminded, that there was once a man named Socrates, between whom and the legal authorities and public opinion of his time, there took place a memorable collision. Born in an age and country abounding in individual greatness, this man

has been handed down to us by those who best knew both him and the age, as the most virtuous man in it; while *we* know him as the head and prototype of all subsequent teachers of virtue, the source equally of the lofty inspiration of Plato and the judicious utilitarianism of Aristotle, "*i maëstri di color che sanno*," the two headsprings of ethical as of all other philosophy. This acknowledged master of all the eminent thinkers who have since lived — whose fame, still growing after more than two thousand years, all but outweighs the whole remainder of the names which make his native city illustrious — was put to death by his countrymen, after a judicial conviction, for impiety and immorality. Impiety, in denying the gods recognized by the State; indeed his accuser asserted (see the "Apologia") that he believed in no gods at all. Immorality, in being, by his doctrines and instructions, a "corruptor of youth." Of these charges the tribunal, there is every ground for believing, honestly found him guilty, and condemned the man who probably of all then born had deserved best of mankind, to be put to death as a criminal.

To pass from this to the only other instance of judicial iniquity, the mention of which, after the condemnation of Socrates, would not be an anti-climax: the event which took place on Calvary rather more than eighteen hundred years ago. The man who left on the memory

of those who witnessed his life and conversation, such an impression of his moral grandeur, that eighteen subsequent centuries have done homage to him as the Almighty in person, was ignominiously put to death, as what? As a blasphemer. Men did not merely mistake their benefactor; they mistook him for the exact contrary of what he was, and treated him as that prodigy of impiety, which they themselves are now held to be, for their treatment of him. The feelings with which mankind now regard these lamentable transactions, especially the later of the two, render them extremely unjust in their judgment of the unhappy actors. These were, to all appearance, not bad men — not worse than men commonly are, but rather the contrary; men who possessed in a full, or somewhat more than a full measure, the religious, moral, and patriotic feelings of their time and people: the very kind of men who, in all times, our own included, have every chance of passing through life blameless and respected. The high-priest who rent his garments when the words were pronounced, which, according to all the ideas of his country, constituted the blackest guilt, was in all probability quite as sincere in his horror and indignation, as the generality of respectable and pious men now are in the religious and moral sentiments they profess; and most of those who now shudder at his conduct, if they had lived in his time, and been born Jews, would have acted pre-

cisely as he did. Orthodox Christians who are tempted to think that those who stoned to death the first martyrs must have been worse men than they themselves are, ought to remember that one of those persecutors was Saint Paul.

Let us add one more example, the most striking of all, if the impressiveness of an error is measured by the wisdom and virtue of him who falls into it. If ever any one, possessed of power, had grounds for thinking himself the best and most enlightened among his cotemporaries, it was the Emperor Marcus Aurelius. Absolute monarch of the whole civilized world, he preserved through life not only the most unblemished justice, but what was less to be expected from his Stoical breeding, the tenderest heart. The few failings which are attributed to him, were all on the side of indulgence: while his writings, the highest ethical product of the ancient mind, differ scarcely perceptibly, if they differ at all, from the most characteristic teachings of Christ. This man, a better Christian in all but the dogmatic sense of the word, than almost any of the ostensibly Christian sovereigns who have since reigned, persecuted Christianity. Placed at the summit of all the previous attainments of humanity, with an open, unfettered intellect, and a character which led him of himself to embody in his moral writings the Christian ideal, he yet failed to see that Christianity was to be a good and not an evil to the world, with

his duties to which he was so deeply penetrated. Existing society he knew to be in a deplorable state. But such as it was, he saw or thought he saw, that it was held together and prevented from being worse, by belief and reverence of the received divinities. As a ruler of mankind, he deemed it his duty not to suffer society to fall in pieces; and saw not how, if its existing ties were removed, any others could be formed which could again knit it together. The new religion openly aimed at dissolving these ties: unless, therefore, it was his duty to adopt that religion, it seemed to be his duty to put it down. Inasmuch then as the theology of Christianity did not appear to him true or of divine origin; inasmuch as this strange history of a crucified God was not credible to him, and a system which purported to rest entirely upon a foundation to him so wholly unbelievable, could not be foreseen by him to be that renovating agency which, after all abatements, it has in fact proved to be; the gentlest and most amiable of philosophers and rulers, under a solemn sense of duty, authorized the persecution of Christianity. To my mind this is one of the most tragical facts in all history. It is a bitter thought, how different a thing the Christianity of the world might have been, if the Christian faith had been adopted as the religion of the empire under the auspices of Marcus Aurelius instead of those of Constantine. But it would be equally unjust to him

and false to truth, to deny, that no one plea which can be urged for punishing anti-Christian teaching, was wanting to Marcus Aurelius for punishing, as he did, the propagation of Christianity. No Christian more firmly believes that Atheism is false, and tends to the dissolution of society, than Marcus Aurelius believed the same things of Christianity; he who, of all men then living, might have been thought the most capable of appreciating it. Unless any one who approves of punishment for the promulgation of opinions, flatters himself that he is a wiser and better man than Marcus Aurelius — more deeply versed in the wisdom of his time, more elevated in his intellect above it — more earnest in his search for truth, or more single-minded in his devotion to it when found; — let him abstain from that assumption of the joint infallibility of himself and the multitude, which the great Antoninus made with so unfortunate a result.

Aware of the impossibility of defending the use of punishment for restraining irreligious opinions, by any argument which will not justify Marcus Antoninus, the enemies of religious freedom, when hard pressed, occasionally accept this consequence, and say, with Dr. Johnson, that the persecutors of Christianity were in the right; that persecution is an ordeal through which truth ought to pass, and always passes successfully, legal penalties being, in the end, powerless against truth, though sometimes

beneficially effective against mischievous errors. This is a form of the argument for religious intolerance, sufficiently remarkable not to be passed without notice.

A theory which maintains that truth may justifiably be persecuted because persecution cannot possibly do it any harm, cannot be charged with being intentionally hostile to the reception of new truths; but we cannot commend the generosity of its dealing with the persons to whom mankind are indebted for them. To discover to the world something which deeply concerns it, and of which it was previously ignorant; to prove to it that it had been mistaken on some vital point of temporal or spiritual interest, is as important a service as a human being can render to his fellow-creatures, and in certain cases, as in those of the early Christians and of the Reformers, those who think with Dr. Johnson believe it to have been the most precious gift which could be bestowed on mankind. That the authors of such splendid benefits should be requited by martyrdom; that their reward should be to be dealt with as the vilest of criminals, is not, upon this theory, a deplorable error and misfortune, for which humanity should mourn in sackcloth and ashes, but the normal and justifiable state of things. The propounder of a new truth, according to this doctrine, should stand, as stood, in the legislation of the Locrians, the proposer of a new law, with a halter round his

neck, to be instantly tightened if the public assembly did not, on hearing his reasons, then and there adopt his proposition. People who defend this mode of treating benefactors, cannot be supposed to set much value on the benefit; and I believe this view of the subject is mostly confined to the sort of persons who think that new truths may have been desirable once, but that we have had enough of them now.

But, indeed, the dictum that truth always triumphs over persecution, is one of those pleasant falsehoods which men repeat after one another till they pass into commonplaces, but which all experience refutes. History teems with instances of truth put down by persecution. If not suppressed forever, it may be thrown back for centuries. To speak only of religious opinions: the Reformation broke out at least twenty times before Luther, and was put down. Arnold of Brescia was put down Fra Dolcino was put down. Savonarola was put down. The Albigeois were put down. The Vaudois were put down. The Lollards were put down. The Hussites were put down. Even after the era of Luther, wherever persecution was persisted in, it was successful. In Spain, Italy, Flanders, the Austrian empire, Protestanism was rooted out; and, most likely, would have been so in England, had Queen Mary lived, or Queen Elizabeth died. Persecution has always succeeded, save where the

heretics were too strong a party to be effectually persecuted. No reasonable person can doubt that Christianity might have been extirpated in the Roman empire. It spread, and became predominant, because the persecutions were only occasional, lasting but a short time, and separated by long intervals of almost undisturbed propagandism. It is a piece of idle sentimentality that truth, merely as truth, has any inherent power denied to error, of prevailing against the dungeon and the stake. Men are not more zealous for truth than they often are for error, and a sufficient application of legal or even of social penalties will generally succeed in stopping the propagation of either. The real advantage which truth has, consists in this, that when an opinion is true, it may be extinguished once, twice, or many times, but in the course of ages there will generally be found persons to rediscover it, until some one of its reappearances falls on a time when from favorable circumstances it escapes persecution until it has made such head as to withstand all subsequent attempts to suppress it.

It will be said, that we do not now put to death the introducers of new opinions: we are not like our fathers who slew the prophets, we even build sepulchres to them. It is true we no longer put heretics to death; and the amount of penal infliction which modern feeling would probably tolerate, even against the most obnoxious opinions, is not sufficient to

extirpate them. But let us not flatter ourselves that we are yet free from the stain even of legal persecution. Penalties for opinion, or at least for its expression, still exist by law; and their enforcement is not, even in these times, so unexampled as to make it at all incredible that they may some day be revived in full force. In the year 1857, at the summer assizes of the county of Cornwall, an unfortunate man,* said to be of unexceptionable conduct in all relations of life, was sentenced to twenty-one months imprisonment, for uttering, and writing on a gate, some offensive words concerning Christianity. Within a month of the same time, at the Old Bailey, two persons, on two separate occasions,† were rejected as jurymen, and one of them grossly insulted by the judge and by one of the counsel, because they honestly declared that they had no theological belief; and a third, a foreigner,‡ for the same reason, was denied justice against a thief. This refusal of redress took place in virtue of the legal doctrine, that no person can be allowed to give evidence in a court of justice, who does not profess belief in a God (any god is sufficient) and in a future state; which is equivalent to declaring such persons to be out-

* Thomas Pooley, Bodmin Assizes, July 31, 1857. In December following, he received a free pardon from the Crown.

† George Jacob Holyoake, August 17, 1857; Edward Truelove, July, 1857.

‡ Baron de Gleichen, Marlborough Street Police Court, August 1, 1857.

laws, excluded from the protection of the tribunals; who may not only be robbed or assaulted with impunity, if no one but themselves, or persons of similar opinions, be present, but any one else may be robbed or assaulted with impunity, if the proof of the fact depends on their evidence. The assumption on which this is grounded, is that the oath is worthless, of a person who does not believe in a future state; a proposition which betokens much ignorance of history in those who assent to it (since it is historically true that a large proportion of infidels in all ages have been persons of distinguished integrity and honor); and would be maintained by no one who had the smallest conception how many of the persons in greatest repute with the world, both for virtues and for attainments, are well known, at least to their intimates, to be unbelievers. The rule, besides, is suicidal, and cuts away its own foundation. Under pretence that atheists must be liars, it admits the testimony of all atheists who are willing to lie, and rejects only those who brave the obloquy of publicly confessing a detested creed rather than affirm a falsehood. A rule thus self-convicted of absurdity so far as regards its professed purpose, can be kept in force only as a badge of hatred, a relic of persecution; a persecution, too, having the peculiarity, that the qualification for undergoing it, is the being clearly proved not to deserve it. The rule, and the theory it implies, are hardly

less insulting to believers than to infidels. For if he who does not believe in a future state, necessarily lies, it follows that they who do believe are only prevented from lying, if prevented they are, by the fear of hell. We will not do the authors and abettors of the rule the injury of supposing, that the conception which they have formed of Christian virtue is drawn from their own consciousness.

These, indeed, are but rags and remnants of persecution, and may be thought to be not so much an indication of the wish to persecute, as an example of that very frequent infirmity of English minds, which makes them take a preposterous pleasure in the assertion of a bad principle, when they are no longer bad enough to desire to carry it really into practice. But unhappily there is no security in the state of the public mind, that the suspension of worse forms of legal persecution, which has lasted for about the space of a generation, will continue. In this age the quiet surface of routine is as often ruffled by attempts to resuscitate past evils, as to introduce new benefits. What is boasted of at the present time as the revival of religion, is always, in narrow and uncultivated minds, at least as much the revival of bigotry; and where there is the strong permanent leaven of intolerance in the feelings of a people, which at all times abides in the middle classes of this country, it needs but little to provoke them into actively persecuting those

whom they have never ceased to think proper objects of persecution.* For it is this — it is the opinions men entertain, and the feelings they cherish, respecting those who disown the beliefs they deem important, which makes this country not a place of mental freedom. For a long time past, the chief mischief of the legal penalties is that they strengthen the social stigma. It is that stigma which is really effective, and so effective is it, that the profession of opinions which are under the ban of society

* Ample warning may be drawn from the large infusion of the passions of a persecutor, which mingled with the general display of the worst parts of our national character on the occasion of the Sepoy insurrection. The ravings of fanatics or charlatans from the pulpit may be unworthy of notice; but the heads of the Evangelical party have announced as their principle, for the government of Hindoos and Mahomedans, that no schools be supported by public money in which the Bible is not taught, and by necessary consequence that no public employment be given to any but real or pretended Christians. An Under-Secretary of State, in a speech delivered to his constituents on the 12th of November, 1857, is reported to have said: "Toleration of their faith" (the faith of a hundred millions of British subjects), "the superstition which they called religion, by the British Government, had had the effect of retarding the ascendency of the British name, and preventing the salutary growth of Christianity. . . . Toleration was the great corner-stone of the religious liberties of this country; but do not let them abuse that precious word toleration. As he understood it, it meant the complete liberty to all, freedom of worship, *among Christians, who worshipped upon the same foundation.* It meant toleration of all sects and denominations of *Christians who believed in the one mediation.*" I desire to call attention to the fact, that a man who has been deemed fit to fill a high office in the government of this country, under a liberal Ministry, maintains the doctrine that all who do not believe in the divinity of Christ are beyond the pale of toleration. Who, after this imbecile display can indulge the illusion that religious persecution has passed away never to return?

is much less common in England, than is, in many other countries, the avowal of those which incur risk of judicial punishment. In respect to all persons but those whose pecuniary circumstances make them independent of the good will of other people, opinion, on this subject, is as efficacious as law; men might as well be imprisoned, as excluded from the means of earning their bread. Those whose bread is already secured, and who desire no favors from men in power, or from bodies of men, or from the public, have nothing to fear from the open avowal of any opinions, but to be ill-thought of and ill-spoken of, and this it ought not to require a very heroic mould to enable them to bear. There is no room for any appeal *ad misericordiam* in behalf of such persons. But though we do not now inflict so much evil on those who think differently from us, as it was formerly our custom to do, it may be that we do ourselves as much evil as ever by our treatment of them. Socrates was put to death, but the Socratic philosophy rose like the sun in heaven, and spread its illumination over the whole intellectual firmament. Christians were cast to the lions, but the Christian Church grew up a stately and spreading tree, overtopping the older and less vigorous growths, and stifling them by its shade. Our merely social intolerance, kills no one, roots out no opinions, but induces men to disguise them, or to abstain

from any active effort for their diffusion. With us, heretical opinions do not perceptibly gain, or even lose, ground in each decade or genera tion; they never blaze out far and wide, but continue to smoulder in the narrow circles of thinking and studious persons among whom they originate, without ever lighting up the general affairs of mankind with either a true or a deceptive light. And thus is kept up a state of things very satisfactory to some minds, because, without the unpleasant proc- ess of fining or imprisoning anybody, it main- tains all prevailing opinions outwardly undis- turbed, while it does not absolutely interdict the exercise of reason by dissentients afflicted with the malady of thought. A convenient plan for having peace in the intellectual world, and keeping all things going on therein very much as they do already. But the price paid for this sort of intellectual pacification, is the sacrifice of the entire moral courage of the hu- man mind. A state of things in which a large portion of the most active and inquiring intel- lects find it advisable to keep the genuine prin- ciples and grounds of their convictions within their own breasts, and attempt, in what they address to the public, to fit as much as they can of their own conclusions to premises which they have internally renounced, cannot send forth the open, fearless characters, and logical, consistent intellects who once adorned the thinking world. The sort of men who can

be looked for under it, are either mere conformers to commonplace, or time-servers for truth whose arguments on all great subjects are meant for their hearers, and are not those which have convinced themselves. Those who avoid this alternative, do so by narrowing their thoughts and interest to things which can be spoken of without venturing within the region of principles, that is, to small practical matters, which would come right of themselves, if but the minds of mankind were strengthened and enlarged, and which will never be made effectually right until then; while that which would strengthen and enlarge men's minds, free and daring speculation on the highest subjects, is abandoned.

Those in whose eyes this reticence on the part of heretics is no evil, should consider in the first place, that in consequence of it there is never any fair and thorough discussion of heretical opinions; and that such of them as could not stand such a discussion, though they may be prevented from spreading, do not disappear. But it is not the minds of heretics that are deteriorated most, by the ban placed on all inquiry which does not end in the orthodox conclusions. The greatest harm done is to those who are not heretics, and whose whole mental development is cramped, and their reason cowed, by the fear of heresy. Who can compute what the world loses in the multitude of promising intellects combined with timid

characters, who dare not follow out any bold, vigorous, independent train of thought, lest it should land them in something which would admit of being considered irreligious or immoral? Among them we may occasionally see some man of deep conscientiousness, and subtile and refined understanding, who spends a life in sophisticating with an intellect which he cannot silence, and exhausts the resources of ingenuity in attempting to reconcile the promptings of his conscience and reason with orthodoxy, which yet he does not, perhaps, to the end succeed in doing. No one can be a great thinker who does not recognize, that as a thinker it is his first duty to follow his intellect to whatever conclusions it may lead. Truth gains more even by the errors of one who, with due study and preparation, thinks for himself, than by the true opinions of those who only hold them because they do not suffer themselves to think. Not that it is solely, or chiefly, to form great thinkers, that freedom of thinking is required. On the contrary, it is as much, and even more indispensable, to enable average human beings to attain the mental stature which they are capable of. There have been, and may again be, great individual thinkers, in a general atmosphere of mental slavery. But there never has been, nor ever will be, in that atmosphere, an intellectually active people. Where any people has made a temporary approach to such a character, it has been be-

cause the dread of heterodox speculation was for a time suspended. Where there is a tacit convention that principles are not to be disputed; where the discussion of the greatest questions which can occupy humanity is considered to be closed, we cannot hope to find that generally high scale of mental activity which has made some periods of history so remarkable. Never when controversy avoided the subjects which are large and important enough to kindle enthusiasm, was the mind of a people stirred up from its foundations, and the impulse given which raised even persons of the most ordinary intellect to something of the dignity of thinking beings. Of such we have had an example in the condition of Europe during the times immediately following the Reformation; another, though limited to the Continent and to a more cultivated class, in the speculative movement of the latter half of the eighteenth century; and a third, of still briefer duration, in the intellectual fermentation of Germany during the Goethian and Fichtean period. These periods differed widely in the particular opinions which they developed; but were alike in this, that during all three the yoke of authority was broken. In each, an old mental despotism had been thrown off, and no new one had yet taken its place. The impulse given at these three periods has made Europe what it now is. Every single improvement which has taken place either in

the human mind or in institutions, may be traced distinctly to one or other of them. Appearances have for some time indicated that all three impulses are well-nigh spent; and we can expect no fresh start, until we again assert our mental freedom.

Let us now pass to the second division of the argument, and dismissing the supposition that any of the received opinions may be false, let us assume them to be true, and examine into the worth of the manner in which they are likely to be held, when their truth is not freely and openly canvassed. However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth.

There is a class of persons (happily not quite so numerous as formerly) who think it enough if a person assents undoubtingly to what they think true, though he has no knowledge whatever of the grounds of the opinion, and could not make a tenable defence of it against the most superficial objections. Such persons, if they can once get their creed taught from authority, naturally think that no good, and some harm, comes of its being allowed to be questioned. Where their influence prevails, they make it nearly impossible for the received opinion to be rejected wisely and considerately,

*though it may still be rejected rashly and ig*norantly; for to shut out discussion entirely is seldom possible, and when it once gets in, beliefs not grounded on conviction are apt to give way before the slightest semblance of an argument. Waiving, however, this possibility — assuming that the true opinion abides in the mind, but abides as a prejudice, a belief independent of, and proof against, argument — this *is not the* way *in* which truth ought to be held by a rational being. This is not knowing the truth. Truth, thus held, is but one superstition the more, accidentally clinging to the words which enunciate a truth.

If the intellect and judgment of mankind ought to be cultivated, a thing which Protestants at least do not deny, on what can these faculties be more appropriately exercised by any one, than on the things which concern him so much that it is considered necessary for him to hold opinions on them? If the cultivation of the understanding consists in one thing more than in another, it is surely in learning the grounds of one's own opinions. Whatever people believe, on subjects on which it is of the first importance to believe rightly, they ought to be able to defend against at least the *common objections. But*, some one may say, "Let them be *taught* the grounds of their opinions. It does not follow that opinions must be merely parroted because they are never heard controverted. Persons who learn

geometry do not simply commit the theorems to memory, but understand and learn likewise the demonstrations; and it would be absurd to say that they remain ignorant of the grounds of geometrical truths, because they never hear any one deny, and attempt to disprove them." Undoubtedly: and such teaching suffices on a subject like mathematics, where there is nothing at all to be said on the wrong side of the question. The peculiarity of the evidence of mathematical truths is, that all the argument is on one side. There are no objections, and no answers to objections. But on every subject on which difference of opinion is possible, the truth depends on a balance to be struck between two sets of conflicting reasons. Even in natural philosophy, there is always some other explanation possible of the same facts; some geocentric theory instead of heliocentric, some phlogiston instead of oxygen; and it has to be shown why that other theory cannot be the true one: and until this is shown, and until we know how it is shown, we do not understand the grounds of our opinion. But when we turn to subjects infinitely more complicated, to morals, religion, politics, social relations, and the business of life, three-fourths of the arguments for every disputed opinion consist in dispelling the appearances which favor some opinion different from it. The greatest orator, save one, of antiquity, has left it on record that he always studied his

adversary's case with as great, if not with still greater, intensity than even his own. What Cicero practised as the means of forensic success, requires to be imitated by all who study any subject in order to arrive at the truth. He who knows only his own side of the case, knows little of that. His reasons may be good, and no one may have been able to refute them. But if he is equally unable to refute the reasons on the opposite side; if he does not so much as know what they are, he has no ground for preferring either opinion. The rational position for him would be suspension of judgment, and unless he contents himself with that, he is either led by authority, or adopts, like the generality of the world, the side to which he feels most inclination. Nor is it enough that he should hear the arguments of adversaries from his own teachers, presented as they state them, and accompanied by what they offer as refutations. That is not the way to do justice to the arguments, or bring them into real contact with his own mind. He must be able to hear them from persons who actually believe them; who defend them in earnest, and do their very utmost for them. He must know them in their most plausible and persuasive form; he must feel the whole force of the difficulty which the true view of the subject has to encounter and dispose of; else he will never really possess himself of the portion of truth which meets and removes that

difficulty. Ninety-nine in a hundred of what are called educated men are in this condition even of those who can argue fluently for their opinions. Their conclusion may be true, but it might be false for anything they know: they have never thrown themselves into the mental position of those who think differently from them, and considered what such persons may have to say; and consequently they do not, in any proper sense of the word, know the doctrine which they themselves profess. They do not know those parts of it which explain and justify the remainder; the considerations which show that a fact which seemingly conflicts with another is reconcilable with it, or that, of two apparently strong reasons, one and not the other ought to be preferred. All that part of the truth which turns the scale, and decides the judgment of a completely informed mind, they are strangers to; nor is it ever really known, but to those who have attended equally and impartially to both sides, and endeavored to see the reasons of both in the strongest light. So essential is this discipline to a real understanding of moral and human subjects, that if opponents of all important truths do not exist, it is indispensable to imagine them, and supply them with the strongest arguments which the most skilful devil's advocate can conjure up.

To abate the force of these considerations, an enemy of free discussion may be supposed

to say, that there is no necessity for mankind in general to know and understand all that can be said against or for their opinions by philosophers and theologians. That it is not needful for common men to be able to expose all the misstatements or fallacies of an ingenious opponent. That it is enough if there is always somebody capable of answering them, so that nothing likely to mislead uninstructed persons remains unrefuted. That simple minds, having been taught the obvious grounds of the truths inculcated on them, may trust to authority for the rest, and being aware that they have neither knowledge nor talent to resolve every difficulty which can be raised, may repose in the assurance that all those which have been raised have been or can be answered, by those who are specially trained to the task.

Conceding to this view of the subject the utmost that can be claimed for it by those most easily satisfied with the amount of understanding of truth which ought to accompany the belief of it; even so, the argument for free discussion is no way weakened. For even this doctrine acknowledges that mankind ought to have a rational assurance that all objections have been satisfactorily answered; and how are they to be answered if that which requires to be answered is not spoken? or how can the answer be known to be satisfactory, if the objectors have no opportunity of show-

ing that it is unsatisfactory? If not the public, at least the philosophers and theologians who are to resolve the difficulties, must make themselves familiar with those difficulties in their most puzzling form; and this cannot be accomplished unless they are freely stated, and placed in the most advantageous light which they admit of. The Catholic Church has its own way of dealing with this embarrassing problem. It makes a broad separation between those who can be permitted to receive its doctrines on conviction, and those who must accept them on trust. Neither, indeed, are allowed any choice as to what they will accept; but the clergy, such at least as can be fully confided in, may admissibly and meritoriously make themselves acquainted with the arguments of opponents, in order to answer them, and may, therefore, read heretical books; the laity, not unless by special permission, hard to be obtained. This discipline recognizes a knowledge of the enemy's case as beneficial to the teachers, but finds means, consistent with this, of denying it to the rest of the world: thus giving to the *élite* more mental culture, though not more mental freedom, than it allows to the mass. By this device it succeeds in obtaining the kind of mental superiority which its purposes require; for though culture without freedom never made a large and liberal mind, it can make a clever *nisi prius* advocate of a cause. But in countries

professing Protestantism, this resource is denied; since Protestants hold, at least in theory, that the responsibility for the choice of a religion must be borne by each for himself, and cannot be thrown off upon teachers. Besides, in the present state of the world, it is practically impossible that writings which are read by the instructed can be kept from the uninstructed. If the teachers of mankind are to be cognizant of all that they ought to know, everything must be free to be written and published without restraint.

If, however, the mischievous operation of the absence of free discussion, when the received opinions are true, were confined to leaving men ignorant of the grounds of those opinions, it might be thought that this, if an intellectual, is no moral evil, and does not affect the worth of the opinions, regarded in their influence on the character. The fact, however, is, that not only the grounds of the opinion are forgotten in the absence of discussion, but too often the meaning of the opinion itself. The words which convey it, cease to suggest ideas, or suggest only a small portion of those they were originally employed to communicate. Instead of a vivid conception and a living belief, there remain only a few phrases retained by rote; or, if any part, the shell and husk only of the meaning is retained, the finer essence being lost. The great chapter in human history which this fact occupies and

fills, cannot be too earnestly studied and meditated on.

It is illustrated in the experience of almost all ethical doctrines and religious creeds. They are all full of meaning and vitality to those who originate them, and to the direct disciples of the originators. Their meaning continues to be felt in undiminished strength, and is perhaps brought out into even fuller consciousness, so long as the struggle lasts to give the doctrine or creed an ascendency over other creeds. At last it either prevails, and becomes the general opinion, or its progress stops; it keeps possession of the ground it has gained, but ceases to spread further. When either of these results has become apparent, controversy on the subject flags, and gradually dies away. The doctrine has taken its place, if not as a received opinion, as one of the admitted sects or divisions of opinion: those who hold it have generally inherited, not adopted it; and conversion from one of these doctrines to another, being now an exceptional fact, occupies little place in the thoughts of their professors. Instead of being, as at first, constantly on the alert either to defend themselves against the world, or to bring the world over to them, they have subsided into acquiescence, and neither listen, when they can help it, to arguments against their creed, nor trouble dissentients (if there be such) with arguments in its favor. From this time may usually be dated the de-

cline in the living power of the doctrine. We often hear the teachers of all creeds lamenting the difficulty of keeping up in the minds of believers a lively apprehension of the truth which they nominally recognize, so that it may penetrate the feelings, and acquire a real mastery over the conduct. No such difficulty is complained of while the creed is still fighting for its existence: even the weaker combatants then know and feel what they are fighting for, and the difference between it and other doctrines; and in that period of every creed's existence, not a few persons may be found, who have realized its fundamental principles in all the forms of thought, have weighed and considered them in all their important bearings, and have experienced the full effect on the character, which belief in that creed ought to produce in a mind thoroughly imbued with it. But when it has come to be an hereditary creed, and to be received passively, not actively — when the mind is no longer compelled, in the same degree as at first, to exercise its vital powers on the questions which its belief presents to it, there is a progressive tendency to forget all of the belief except the formularies, or to give it a dull and torpid assent, as if accepting it on trust dispensed with the necessity of realizing it in consciousness, or testing it by personal experience; until it almost ceases to connect itself at all with the inner life of the human being. Then are seen the

cases, so frequent in this age of the world as almost to form the majority, in which the creed remains as it were outside the mind, encrusting and petrifying it against all other influences addressed to the higher parts of our nature; manifesting its power by not suffering any fresh and living conviction to get in, but itself doing nothing for the mind or heart, except standing sentinel over them to keep them vacant.

To what an extent doctrines intrinsically fitted to make the deepest impression upon the mind may remain in it as dead beliefs, without being ever realized in the imagination, the feelings, or the understanding, is exemplified by the manner in which the majority of believers hold the doctrines of Christianity. By Christianity I here mean what is accounted such by all churches and sects — the maxims and precepts contained in the New Testament. These are considered sacred, and accepted as laws, by all professing Christians. Yet it is scarcely too much to say that not one Christian in a thousand guides or tests his individual conduct by reference to those laws. The standard to which he does refer it, is the custom of his nation, his class, or his religious profession. He has thus, on the one hand, a collection of ethical maxims, which he believes to have been vouchsafed to him by infallible wisdom as rules for his government; and on the other, a set of every-day judgments and

practices, which go a certain length with some of those maxims, not so great a length with others, stand in direct opposition to some, and are, on the whole, a compromise between the Christian creed and the interests and suggestions of worldly life. To the first of these standards he gives his homage; to the other his real allegiance. All Christians believe that the blessed are the poor and humble, and those who are ill-used by the world; that it is easier for a camel to pass through the eye of a needle than for a rich man to enter the kingdom of heaven; that they should judge not, lest they be judged; that they should swear not at all; that they should love their neighbor as themselves; that if one take their cloak, they should give him their coat also; that they should take no thought for the morrow; that if they would be perfect, they should sell all that they have and give it to the poor. They are not insincere when they say that they believe these things. They do believe them, as people believe what they have always heard lauded and never discussed. But in the sense of that living belief which regulates conduct, they believe these doctrines just up to the point to which it is usual to act upon them. The doctrines in their integrity are serviceable to pelt adversaries with; and it is understood that they are to be put forward (when possible) as the reasons for whatever people do that they think laudable. But any one who reminded them

that the maxims require an infinity of things which they never even think of doing, would gain nothing but to be classed among those very unpopular characters who affect to be better than other people. The doctrines have no hold on ordinary believers — are not a power in their minds. They have an habitual respect for the sound of them, but no feeling which spreads from the words to the things signified, and forces the mind to take *them* in, and make them conform to the formula. Whenever conduct is concerned, they look round for Mr. A and B to direct them how far to go in obeying Christ.

Now we may be well assured that the case was not thus, but far otherwise, with the early Christians. Had it been thus, Christianity never would have expanded from an obscure sect of the despised Hebrews into the religion of the Roman empire. When their enemies said, "See how these Christians love one another" (a remark not likely to be made by anybody now), they assuredly had a much livelier feeling of the meaning of their creed than they have ever had since. And to this cause, probably, it is chiefly owing that Christianity now makes so little progress in extending its domain, and after eighteen centuries, is still nearly confined to Europeans and the descendants of Europeans. Even with the strictly religious, who are much in earnest about their doctrines, and attach a greater amount of meaning to

many of them than people in general, it commonly happens that the part which is thus comparatively active in their minds is that which was made by Calvin, or Knox, or some such person much nearer in character to themselves. The sayings of Christ coexist passively in their minds, producing hardly any effect beyond what is caused by mere listening to words so amiable and bland. There are many reasons, doubtless, why doctrines which are the badge of a sect retain more of their vitality than those common to all recognized sects, and why more pains are taken by teachers to keep their meaning alive; but one reason certainly is, that the peculiar doctrines are more questioned, and have to be oftener defended against open gainsayers. Both teachers and learners go to sleep at their post, as soon as there is no enemy in the field.

The same thing holds true, generally speaking, of all traditional doctrines — those of prudence and knowledge of life, as well as of morals or religion. All languages and literatures are full of general observations on life, both as to what it is, and how to conduct oneself in it; observations which everybody knows, which everybody repeats, or hears with acquiescence, which are received as truisms, yet of which most people first truly learn the meaning, when experience, generally of a painful kind, has made it a reality to them. How often, when smarting under some unforeseen

misfortune or disappointment, does a person call to mind some proverb or common saying, familiar to him all his life, the meaning of which, if he had ever before felt it as he does now, would have saved him from the calamity. There are indeed reasons for this, other than the absence of discussion: there are many truths of which the full meaning *cannot* be realized, until personal experience has brought it home. But much more of the meaning even of these would have been understood, and what was understood would have been far more deeply impressed on the mind, if the man had been accustomed to hear it argued *pro* and *con* by people who did understand it. The fatal tendency of mankind to leave off thinking about a thing when it is no longer doubtful, is the cause of half their errors. A cotemporary author has well spoken of "the deep slumber of a decided opinion."

But what! (it may be asked) Is the absence of unanimity an indispensable condition of true knowledge? Is it necessary that some part of mankind should persist in error, to enable any to realize the truth? Does a belief cease to be real and vital as soon as it is generally received — and is a proposition never thoroughly understood and felt unless some doubt of it remains? As soon as mankind have unanimously accepted a truth, does the truth perish within them? The highest aim and best result of improved intelligence, it has

hitherto been thought, is to unite mankind more and more in the acknowledgment of all important truths: and does the intelligence only last as long as it has not achieved its object? Do the fruits of conquest perish by the very completeness of the victory?

I affirm no such thing. As mankind improve, the number of doctrines which are no longer disputed or doubted will be constantly on the increase: and the well-being of mankind may almost be measured by the number and gravity of the truths which have reached the point of being uncontested. The cessation, on one question after another, of serious controversy, is one of the necessary incidents of the consolidation of opinion; a consolidation as salutary in the case of true opinions, as it is dangerous and noxious when the opinions are erroneous. But though this gradual narrowing of the bounds of diversity of opinion is necessary in both senses of the term, being at once inevitable and indispensable, we are not therefore obliged to conclude that all its consequences must be beneficial. The loss of so important an aid to the intelligent and living apprehension of a truth, as is afforded by the necessity of explaining it to, or defending it against, opponents, though not sufficient to outweigh, is no trifling drawback from, the benefit of its universal recognition. Where this advantage can no longer be had, I confess I should like to see the teachers of mankind

endeavoring to provide a substitute for it; some contrivance for making the difficulties of the question as present to the learner's consciousness, as if they were pressed upon him by a dissentient champion, eager for his conversion.

But instead of seeking contrivances for this purpose, they have lost those they formerly had The Socratic dialectics, so magnificently exemplified in the dialogues of Plato, were a contrivance of this description. They were essentially a negative discussion of the great questions of philosophy and life, directed with consummate skill to the purpose of convincing any one who had merely adopted the commonplaces of received opinion, that he did not understand the subject — that he as yet attached no definite meaning to the doctrines he professed; in order that, becoming aware of his ignorance, he might be put in the way to attain a stable belief, resting on a clear apprehension both of the meaning of doctrines and of their evidence. The school disputations of the Middle Ages had a somewhat similar object. They were intended to make sure that the pupil understood his own opinion, and (by necessary correlation) the opinion opposed to it, and could enforce the grounds of the one and confute those of the other. These last-mentioned contests had indeed the incurable defect, that the premises appealed to were taken from authority, not from reason; and, as a discipline

to the mind, they were in every respect inferior to the powerful dialectics which formed the intellects of the "Socratici viri:" but the modern mind owes far more to both than it is generally willing to admit, and the present modes of education contain nothing which in the smallest degree supplies the place either of the one or of the other. A person who derives all his instruction from teachers or books, even if he escape the besetting temptation of contenting himself with cram, is under no compulsion to hear both sides; accordingly it is far from a frequent accomplishment, even among thinkers, to know both sides; and the weakest part of what everybody says in defence of his opinion, is what he intends as a reply to antagonists. It is the fashion of the present time to disparage negative logic — that which points out weaknesses in theory or errors in practice, without establishing positive truths. Such negative criticism would indeed be poor enough as an ultimate result; but as a means to attaining any positive knowledge or conviction worthy the name, it cannot be valued too highly; and until people are again systematically trained to it, there will be few great thinkers, and a low general average of intellect, in any but the mathematical and physical departments of speculation. On any other subject no one's opinions deserve the name of knowledge, except so far as he has either had forced upon him by others, or gone through of him

self, the same mental process which would have been required of him in carrying on an active controversy with opponents. That, therefore, which when absent, it is so indispensable, but so difficult, to create, how worse than absurd is it to forego, when spontaneously offering itself! If there are any persons who contest a received opinion, or who will do so if law or opinion will let them, let us thank them for it, open our minds to listen to them, and rejoice that there is some one to do for us what we otherwise ought, if we have any regard for either the certainty or the vitality of our convictions, to do with much greater labor for ourselves.

It still remains to speak of one of the principal causes which make diversity of opinion advantageous, and will continue to do so until mankind shall have entered a stage of intellectual advancement which at present seems at an incalculable distance. We have hitherto considered only two possibilities: that the received opinion may be false, and some other opinion, consequently, true; or that, the received opinion being true, a conflict with the opposite error is essential to a clear apprehension and deep feeling of its truth. But there is a commoner case than either of these; when the conflicting doctrines, instead of being one true and the other false, share the truth between them; and the nonconforming opinion is need-

ed to supply the remainder of the truth, of which the received doctrine embodies only a part. Popular opinions, on subjects not palpable to sense, are often true, but seldom or never the whole truth. They are a part of the truth; sometimes a greater, sometimes a smaller part, but exaggerated, distorted, and disjoined from the truths by which they ought to be accompanied and limited. Heretical opinions, on the other hand, are generally some of these suppressed and neglected truths, bursting the bonds which kept them down, and either seeking reconciliation with the truth contained in the common opinion, or fronting it as enemies, and setting themselves up, with similar exclusiveness, as the whole truth. The latter case is hitherto the most frequent, as, in the human mind, one-sidedness has always been the rule, and many-sidedness the exception. Hence, even in revolutions of opinion, one part of the truth usually sets while another rises. Even progress, which ought to superadd, for the most part only substitutes one partial and incomplete truth for another; improvement consisting chiefly in this, that the new fragment of truth is more wanted, more adapted to the needs of the time, than that which it displaces. Such being the partial character of prevailing opinions, even when resting on a true foundation; every opinion which embodies somewhat of the portion of truth which the common opinion omits, ought to be considered precious,

with whatever amount of error and confusion that truth may be blended. No sober judge of human affairs will feel bound to be indignant because those who force on our notice truths which we should otherwise have overlooked, overlook some of those which we see. Rather, he will think that so long as popular truth is one-sided, it is more desirable than otherwise that unpopular truth should have one-sided asserters too; such being usually the most energetic, and the most likely to compel reluctant attention to the fragment of wisdom which they proclaim as if it were the whole.

Thus, in the eighteenth century, when nearly all the instructed, and all those of the uninstructed who were led by them, were lost in admiration of what is called civilization, and of the marvels of modern science, literature, and philosophy, and while greatly overrating the amount of unlikeness between the men of modern and those of ancient times, indulged the belief that the whole of the difference was in their own favor; with what a salutary shock did the paradoxes of Rousseau explode like bombshells in the midst, dislocating the compact mass of one-sided opinion, and forcing its elements to recombine in a better form and with additional ingredients. Not that the current opinions were on the whole farther from the truth than Rousseau's were; on the contrary, they were nearer to it; they contained more of positive truth, and very much less of

error. Nevertheless there lay in Rousseau's doctrine, and has floated down the stream of opinion along with it, a considerable amount of exactly those truths which the popular opinion wanted; and these are the deposit which was left behind when the flood subsided. The superior worth of simplicity of life, the enervating and demoralizing effect of the trammels and hypocrisies of artificial society, are ideas which have never been entirely absent from cultivated minds since Rousseau wrote; and they will in time produce their due effect, though at present needing to be asserted as much as ever, and to be asserted by deeds, for words, on this subject, have nearly exhausted their power.

In politics, again, it is almost a commonplace, that a party of order or stability, and a party of progress or reform, are both necessary elements of a healthy state of political life; until the one or the other shall have so enlarged its mental grasp as to be a party equally of order and of progress, knowing and distinguishing what is fit to be preserved from what ought to be swept away. Each of these modes of thinking derives its utility from the deficiencies of the other; but it is in a great measure the opposition of the other that keeps each within the limits of reason and sanity. Unless opinions favorable to democracy and to aristocracy, to property and to equality, to coöperation and to competition, to luxury and to ab-

stinence, to sociality and individuality, to liberty and discipline, and all the other standing antagonisms of practical life, are expressed with equal freedom, and enforced and defended with equal talent and energy, there is no chance of both elements obtaining their due; one scale is sure to go up, and the other down. Truth, in the great practical concerns of life, is so much a question of the reconciling and combining of opposites, that very few have minds sufficiently capacious and impartial to make the adjustment with an approach to correctness, and it has to be made by the rough process of a struggle between combatants fighting under hostile banners. On any of the great open questions just enumerated, if either of the two opinions has a better claim than the other, not merely to be tolerated, but to be encouraged and countenanced, it is the one which happens at the particular time and place to be in a minority. That is the opinion which, for the time being, represents the neglected interests, the side of human well-being which is in danger of obtaining less than its share. I am aware that there is not, in this country, any intolerance of differences of opinion on most of these topics. They are adduced to show, by admitted and multiplied examples, the universality of the fact, that only through diversity of opinion is there, in the existing state of human intellect, a chance of fair play to all sides of the truth. When

there are persons to be found, who form an exception to the apparent unanimity of the world on any subject, even if the world is in the right, it is always probable that dissentients have something worth hearing to say for themselves, and that truth would lose something by their silence.

It may be objected, "But *some* received principles, especially on the highest and most vital subjects, are more than half-truths. The Christian morality, for instance, is the whole truth on that subject, and if any one teaches a morality which varies from it, he is wholly in error." As this is of all cases the most important in practice, none can be fitter to test the general maxim. But before pronouncing what Christian morality is or is not, it would be desirable to decide what is meant by Christian morality. If it means the morality of the New Testament, I wonder that any one who derives his knowledge of this from the book itself, can suppose that it was announced, or intended, as a complete doctrine of morals. The Gospel always refers to a preëxisting morality, and confines its precepts to the particulars in which that morality was to be corrected, or superseded by a wider and higher; expressing itself, moreover, in terms most general, often impossible to be interpreted literally, and possessing rather the impressiveness of poetry or eloquence than the precision of legislation. To extract from it a body of ethical doctrine, has never

been possible without eking it out from the Old Testament, that is, from a system elaborate indeed, but in many respects barbarous, and intended only for a barbarous people. St. Paul, a declared enemy to this Judaical mode of interpreting the doctrine and filling up the scheme of his Master, equally assumes a preëxisting morality, namely, that of the Greeks and Romans; and his advice to Christians is in a great measure a system of accommodation to that; even to the extent of giving an apparent sanction to slavery. What is called Christian, but should rather be termed theological, morality, was not the work of Christ or the Apostles, but is of much later origin, having been gradually built up by the Catholic Church of the first five centuries, and though not implicitly adopted by moderns and Protestants, has been much less modified by them than might have been expected. For the most part, indeed, they have contented themselves with cutting off the additions which had been made to it in the Middle Ages, each sect supplying the place by fresh additions, adapted to its own character and tendencies. That mankind owe a great debt to this morality, and to its early teachers, I should be the last person to deny; but I do not scruple to say of it, that it is, in many important points, incomplete and one-sided, and that unless ideas and feelings, not sanctioned by it, had contributed to the formation of European life and character, hu-

man affairs would have been in a worse condition than they now are. Christian morality (so called) has all the characters of a reaction it is, in great part, a protest against Paganism. Its ideal is negative rather than positive; passive rather than active; Innocence rather than Nobleness; Abstinence from Evil, rather than energetic Pursuit of Good: in its precepts (as has been well said) "thou shalt not" predominates unduly over "thou shalt." In its horror of sensuality, it made an idol of asceticism, which has been gradually compromised away into one of legality. It holds out the hope of heaven and the threat of hell, as the appointed and appropriate motives to a virtuous life: in this falling far below the best of the ancients, and doing what lies in it to give to human morality an essentially selfish character, by disconnecting each man's feelings of duty from the interests of his fellow-creatures, except so far as a self-interested inducement is offered to him for consulting them. It is essentially a doctrine of passive obedience; it inculcates submission to all authorities found established; who indeed are not to be actively obeyed when they command what religion forbids, but who are not to be resisted, far less rebelled against, for any amount of wrong to ourselves. And while, in the morality of the best Pagan nations, duty to the State holds even a disproportionate place, infringing on the just liberty of the individual; in purely Christian ethics,

that grand department of duty is scarcely noticed or acknowledged. It is in the Koran, not the New Testament, that we read the maxim — "A ruler who appoints any man to an office, when there is in his dominions another man better qualified for it, sins against God and against the State." What little recognition the idea of obligation to the public obtains in modern morality, is derived from Greek and Roman sources, not from Christian; as, even in the morality of private life, whatever exists of magnanimity, high-mindedness, personal dignity, even the sense of honor, is derived from the purely human, not the religious part of our education, and never could have grown out of a standard of ethics in which the only worth, professedly recognized, is that of obedience.

I am as far as any one from pretending that these defects are necessarily inherent in the Christian ethics, in every manner in which it can be conceived, or that the many requisites of a complete moral doctrine which it does not contain, do not admit of being reconciled with it. Far less would I insinuate this of the doctrines and precepts of Christ himself. I believe that the sayings of Christ are all, that I can see any evidence of their having been intended to be; that they are irreconcilable with nothing which a comprehensive morality requires; that everything which is excellent in ethics may be brought within them, with no greater violence to their language than has

been done to it by all who have attempted to deduce from them any practical system of conduct whatever. But it is quite consistent with this, to believe that they contain, and were meant to contain, only a part of the truth; that many essential elements of the highest morality are among the things which are not provided for, nor intended to be provided for in the recorded deliverances of the Founder of Christianity, and which have been entirely thrown aside in the system of ethics erected on the basis of those deliverances by the Christian Church. And this being so, I think it a great error to persist in attempting to find in the Christian doctrine that complete rule for our guidance, which its author intended it to sanction and enforce, but only partially to provide. I believe, too, that this narrow theory is becoming a grave practical evil, detracting greatly from the value of the moral training and instruction, which so many well-meaning persons are now at length exerting themselves to promote. I much fear that by attempting to form the mind and feelings on an exclusively religious type, and discarding those secular standards (as for want of a better name they may be called) which heretofore coexisted with and supplemented the Christian ethics, receiving some of its spirit, and infusing into it some of theirs, there will result, and is even now resulting, a low, abject, servile type of character, which, submit itself as it may to

what it deems the Supreme Will, is incapable of rising to or sympathizing in the conception of Supreme Goodness. I believe that other ethics than any which can be evolved from exclusively Christian sources, must exist side by side with Christian ethics to produce the moral regeneration of mankind; and that the Christian system is no exception to the rule, that in an imperfect state of the human mind, the interests of truth require a diversity of opinions. It is not necessary that in ceasing to ignore the moral truths not contained in Christianity, men should ignore any of those which it does contain. Such prejudice, or oversight, when it occurs, is altogether an evil; but it is one from which we cannot hope to be always exempt, and must be regarded as the price paid for an inestimable good. The exclusive pretension made by a part of the truth to be the whole, must and ought to be protested against, and if a reactionary impulse should make the protestors unjust in their turn, this one-sidedness, like the other, may be lamented, but must be tolerated. If Christians would teach infidels to be just to Christianity, they should themselves be just to infidelity. It can do truth no service to blink the fact, known to all who have the most ordinary acquaintance with literary history, that a large portion of the noblest and most valuable moral teaching has been the work, not

only of men who did not know, but of men who knew and rejected, the Christian faith.

I do not pretend that the most unlimited use of the freedom of enunciating all possible opinions would put an end to the evils of religious or philosophical sectarianism. Every truth which men of narrow capacity are in earnest about, is sure to be asserted, inculcated, and in many ways even acted on, as if no other truth existed in the world, or at all events none that could limit or qualify the first. I acknowledge that the tendency of all opinions to become sectarian is not cured by the freest discussion, but is often heightened and exacerbated thereby; the truth which ought to have been, but was not, seen, being rejected all the more violently because proclaimed by persons regarded as opponents. But it is not on the impassioned partisan, it is on the calmer and more disinterested by-stander, that this collision of opinions works its salutary effect. Not the violent conflict between parts of the truth, but the quiet suppression of half of it, is the formidable evil: there is always hope when people are forced to listen to both sides; it is when they attend only to one that errors harden into prejudices, and truth itself ceases to have the effect of truth, by being exaggerated into falsehood. And since there are few mental attributes more rare than that judicial faculty which can sit in intelligent judgment between two sides of a question, of which only

one is represented by an advocate before it, truth has no chance but in proportion as every side of it, every opinion which embodies any fraction of the truth, not only finds advocates, but is so advocated as to be listened to.

We have now recognized the necessity to the mental well-being of mankind (on which all their other well-being depends) of freedom of opinion, and freedom of the expression of opinion, on four distinct grounds; which we will now briefly recapitulate.

First, if any opinion is compelled to silence, that opinion may, for aught we can certainly know, be true. To deny this is to assume our own infallibility.

Secondly, though the silenced opinion be an error, it may, and very commonly does, contain a portion of truth; and since the general or prevailing opinion on any subject is rarely or never the whole truth, it is only by the collision of adverse opinions that the remainder of the truth has any chance of being supplied.

Thirdly, even if the received opinion be not only true, but the whole truth; unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice, with little comprehension or feeling of its rational grounds. And not only this, but, fourthly, the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its vital effect on the

character and conduct: the dogma becoming a mere formal profession, inefficacious for good, but cumbering the ground, and preventing the growth of any real and heartfelt conviction, from reason or personal experience.

Before quitting the subject of freedom of opinion, it is fit to take some notice of those who say, that the free expression of all opinions should be permitted, on condition that the manner be temperate, and do not pass the bounds of fair discussion. Much might be said on the impossibility of fixing where these supposed bounds are to be placed; for if the test be offence to those whose opinion is attacked, I think experience testifies that this offence is given whenever the attack is telling and powerful, and that every opponent who pushes them hard, and whom they find it difficult to answer, appears to them, if he shows any strong feeling on the subject, an intemperate opponent. But this, though an important consideration in a practical point of view, merges in a more fundamental objection. Undoubtedly the manner of asserting an opinion, even though it be a true one, may be very objectionable, and may justly incur severe censure. But the principal offences of the kind are such as it is *mostly impossible, unless* by accidental self-betrayal, to bring home to conviction. The gravest of them is, to argue sophistically, to suppress facts or arguments, to misstate the elements of the case, or misrepre-

sent the opposite opinion. But all this, even to the most aggravated degree, is so continually done in perfect good faith, by persons who are not considered, and in many other respects may not deserve to be considered, ignorant or incompetent, that it is rarely possible on adequate grounds conscientiously to stamp the misrepresentation as morally culpable; and still less could law presume to interfere with this kind of controversial misconduct. With regard to what is commonly meant by intemperate discussion, namely, invective, sarcasm, personality, and the like, the denunciation of these weapons would deserve more sympathy if it were ever proposed to interdict them equally to both sides; but it is only desired to restrain the employment of them against the prevailing opinion: against the unprevailing they may not only be used without general disapproval, but will be likely to obtain for him who uses them the praise of honest zeal and righteous indignation. Yet whatever mischief arises from their use, is greatest when they are employed against the comparatively defenceless; and whatever unfair advantage can be derived by any opinion from this mode of asserting it, accrues almost exclusively to received opinions. The worst offence of this kind which can be committed by a polemic, is to stigmatize those who hold the contrary opinion as bad and immoral men. To calumny of this sort, those who hold any unpop-

ular opinion are peculiarly exposed, because they are in general few and uninfluential, and nobody but themselves feels much interest in seeing justice done them; but this weapon is, from the nature of the case, denied to those who attack a prevailing opinion: they can neither use it with safety to themselves, nor, if they could, would it do anything but recoil on their own cause. In general, opinions contrary to those commonly received can only obtain a hearing by studied moderation of language, and the most cautious avoidance of unnecessary offence, from which they hardly ever deviate even in a slight degree without losing ground: while unmeasured vituperation employed on the side of the prevailing opinion, really does deter people from professing contrary opinions, and from listening to those who profess them. For the interest, therefore, of truth and justice, it is far more important to restrain this employment of vituperative language than the other; and, for example, if it were necessary to choose, there would be much more need to discourage offensive attacks on infidelity, than on religion. It is, however, obvious that law and authority have no business with restraining either, while opinion ought, in every instance, to determine its verdict by the circumstances of the individual case; condemning every one, on whichever side of the argument he places himself, in whose mode of advocacy either want of candor, or malignity, bigotry,

or intolerance of feeling manifest themselves; but not inferring these vices from the side which a person takes, though it be the contrary side of the question to our own: and giving merited honor to every one, whatever opinion he may hold, who has calmness to see and honesty to state what his opponents and their opinions really are, exaggerating nothing to their discredit, keeping nothing back which tells, or can be supposed to tell, in their favor. This is the real morality of public discussion; and if often violated, I am happy to think that there are many controversialists who to a great extent observe it, and a still greater number who conscientiously strive towards it.

CHAPTER III.

OF INDIVIDUALITY, AS ONE OF THE ELEMENTS OF WELL-BEING.

SUCH being the reasons which make it imperative that human beings should be free to form opinions, and to express their opinions without reserve; and such the baneful consequences to the intellectual, and through that to the moral nature of man, unless this liberty is either conceded, or asserted in spite of prohibition; let us next examine whether the same reasons do not require that men should be free to act upon their opinions — to carry these out in their lives, without hindrance, either physical or moral, from their fellow-men, so long as it is at their own risk and peril. This last proviso is of course indispensable. No one pretends that actions should be as free as opinions. On the contrary, even opinions lose their immunity, when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. An opinion that corn-dealers are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may

justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about among the same mob in the form of a placard. Acts, of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavorable sentiments, and, when needful, by the active interference of mankind. The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people. But if he refrains from molesting others in what concerns them, and merely acts according to his own inclination and judgment in things which concern himself, the same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinions into practice at his own cost. That mankind are not infallible; that their truths, for the most part, are only half-truths; that unity of opinion, unless resulting from the fullest and freest comparison of opposite opinions, is not desirable, and diversity not an evil, but a good, until mankind are much more capable than at present of recognizing all sides of the truth, are principles applicable to men's modes of action, not less than to their opinions. As it is useful that while mankind are imperfect there should be different opinions, so is it that there should be different experiments of living; that free scope should

be given to varieties of character, short of injury to others; and that the worth of different modes of life should be proved practically, when any one thinks fit to try them. It is desirable, in short, that in things which do not primarily concern others, individuality should assert itself. Where, not the person's own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress.

In maintaining this principle, the greatest difficulty to be encountered does not lie in the appreciation of means towards an acknowledged end, but in the indifference of persons in general to the end itself. If it were felt that the free development of individuality is one of the leading essentials of well-being; that it is not only a coördinate element with all that is designated by the terms civilization, instruction, education, culture, but is itself a necessary part and condition of all those things; there would be no danger that liberty should be undervalued, and the adjustment of the boundaries between it and social control would present no extraordinary difficulty. But the evil is, that individual spontaneity is hardly recognized by the common modes of thinking as having any intrinsic worth, or deserving any regard on its own account. The majority, being satisfied with the ways of mankind as they

now are (for it is they who make them what they are), cannot comprehend why those ways should not be good enough for everybody; and what is more, spontaneity forms no part of the ideal of the majority of moral and social reformers, but is rather looked on with jealousy, as a troublesome and perhaps rebellious obstruction to the general acceptance of what these reformers, in their own judgment, think would be best for mankind. Few persons, out of Germany, even comprehend the meaning of the doctrine which Wilhelm von Humboldt, so eminent both as a *savant* and as a politician, made the text of a treatise — that "the end of man, or that which is prescribed by the eternal or immutable dictates of reason, and not suggested by vague and transient desires, is the highest and most harmonious development of his powers to a complete and consistent whole;" that, therefore, the object "towards which every human being must ceaselessly direct his efforts, and on which especially those who design to influence their fellow-men must ever keep their eyes, is the individuality of power and development;" that for this there are two requisites, "freedom, and a variety of situations;" and that from the union of these arise "individual vigor and manifold diversity," which combine themselves in "originality." *

Little, however, as people are accustomed to a doctrine like that of Von Humboldt, and

* *The Sphere and Duties of Government*, from the German of Baron Wilhelm von Humboldt, pp. 11–13.

surprising as it may be to them to find so high a value attached to individuality, the question, one must nevertheless think, can only be one of degree. No one's idea of excellence in conduct is that people should do absolutely nothing but copy one another. No one would assert that people ought not to put into their mode of life, and into the conduct of their concerns, any impress whatever of their own judgment, or of their own individual character. On the other hand, it would be absurd to pretend that people ought to live as if nothing whatever had been known in the world before they came into it; as if experience had as yet done nothing towards showing that one mode of existence, or of conduct, is preferable to another. Nobody denies that people should be so taught and trained in youth, as to know and benefit by the ascertained results of human experience. But it is the privilege and proper condition of a human being, arrived at the maturity of his faculties, to use and interpret experience in his own way. It is for him to find out what part of recorded experience is properly applicable to his own circumstances and character. The traditions and customs of other people are, to a certain extent, evidence of what their experience has taught *them;* presumptive evidence, and as such, have a claim to his deference: but, in the first place, their experience may be too narrow; or they may

not have interpreted it rightly. Secondly, their interpretation of experience may be correct but unsuitable to him. Customs are made for customary circumstances, and customary characters: and his circumstances or his character may be uncustomary. Thirdly, though the customs be both good as customs, and suitable to him, yet to conform to custom, merely *as* custom, does not educate or develop in him any of the qualities which are the distinctive endowment of a human being. The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice. He who does anything because it is the custom, makes no choice. He gains no practice either in discerning or in desiring what is best. The mental and moral, like the muscular powers, are improved only by being used. The faculties are called into no exercise by doing a thing merely because others do it, no more than by believing a thing only because others believe it. If the grounds of an opinion are not conclusive to the person's own reason, his reason cannot be strengthened, but is likely to be weakened by his adopting it: and if the inducements to an act are not such as are consentaneous to his own feelings and character (where affection, or the rights of others, are not concerned), it is so much done towards rendering his feelings and character inert and torpid, instead of active and energetic.

He who lets the world, or his own portion of it, choose his plan of life for him, has no need of any other faculty than the ape-like one of imitation. He who chooses his plan for himself, employs all his faculties. He must use observation to see, reasoning and judgment to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided, firmness and self-control to hold to his deliberate decision. And these qualities he requires and exercises exactly in proportion as the part of his conduct which he determines according to his own judgment and feelings is a large one. It is possible that he might be guided in some good path, and kept out of harm's way, without any of these things. But what will be his comparative worth as a human being? It really is of importance, not only what men do, but also what manner of men they are that do it. Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself. Supposing it were possible to get houses built, corn grown, battles fought, causes tried, and even churches erected and prayers said, by machinery — by automatons in human form — it would be a considerable loss to exchange for these automatons even the men and women who at present inhabit the more civilized parts of the world, and who assuredly are but starved specimens of what nature can and will produce. Human

nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing.

It will probably be conceded that it is desirable people should exercise their understandings, and that an intelligent following of custom, or even occasionally an intelligent deviation from custom, is better than a blind and simply mechanical adhesion to it. To a certain extent it is admitted, that our understanding should be our own: but there is not the same willingness to admit that our desires and impulses should be our own likewise; or that to possess impulses of our own, and of any strength, is anything but a peril and a snare. Yet desires and impulses are as much a part of a perfect human being, as beliefs and restraints: and strong impulses are only perilous when not properly balanced; when one set of aims and inclinations is developed into strength, while others, which ought to coexist with them, remain weak and inactive. It is not because men's desires are strong that they act ill; it is because their consciences are weak. There is no natural connection between strong impulses and a weak conscience. The natural connection is the other way. To say that one person's desires and feelings are stronger and more various than those of an-

other, is merely to say that he has more of the raw material of human nature, and is therefore capable, perhaps of more evil, but certainly of more good. Strong impulses are but another name for energy. Energy may be turned to bad uses; but more good may always be made of an energetic nature, than of an indolent and impassive one. Those who have most natural feeling, are always those whose cultivated feelings may be made the strongest. The same strong susceptibilities which make the personal impulses vivid and powerful, are also the source from whence are generated the most passionate love of virtue, and the sternest self-control. It is through the cultivation of these, that society both does its duty and protects its interests: not by rejecting the stuff of which heroes are made, because it knows not how to make them. A person whose desires and impulses are his own — are the expression of his own nature, as it has been developed and modified by his own culture — is said to have a character. One whose desires and impulses are not his own, has no character, no more than a steam-engine has a character. If, in addition to being his own, his impulses are strong, and are under the government of a strong will, he has an energetic character. Whoever thinks that individuality of desires and impulses should not be encouraged to unfold itself, must maintain that society has no need of strong natures

— is not the better for containing many persons who have much character — and that a high general average of energy is not desirable.

In some early states of society, these forces might be, and were, too much ahead of the power which society then possessed of disciplining and controlling them. There has been a time when the element of spontaneity and individuality was in excess, and the social principle had a hard struggle with it. The difficulty then was, to induce men of strong bodies or minds to pay obedience to any rules which required them to control their impulses. To overcome this difficulty, law and discipline, like the Popes struggling against the Emperors, asserted a power over the whole man, claiming to control all his life in order to control his character — which society had not found any other sufficient means of binding. But society has now fairly got the better of individuality; and the danger which threatens human nature is not the excess, but the deficiency, of personal impulses and preferences. Things are vastly changed, since the passions of those who were strong by station or by personal endowment were in a state of habitual rebellion against laws and ordinances, and required to be rigorously chained up to enable the persons within their reach to enjoy any particle of security. In our times, from the highest class of society down to the lowest,

every one lives as under the eye of a hostile and dreaded censorship. Not only in what concerns others, but in what concerns only themselves, the individual, or the family, do not ask themselves — what do I prefer? or, what would suit my character and disposition? or, what would allow the best and highest in me to have fair play, and enable it to grow and thrive? They ask themselves, what is suitable to my position? what is usually done by persons of my station and pecuniary circumstances? or (worse still) what is usually done by persons of a station and circumstances superior to mine? I do not mean that they choose what is customary, in preference to what suits their own inclination. It does not occur to them to have any inclination, except for what is customary. Thus the mind itself is bowed to the yoke: even in what people do for pleasure, conformity is the first thing thought of; they like in crowds; they exercise choice only among things commonly done: peculiarity of taste, eccentricity of conduct, are shunned equally with crimes: until by dint of not following their own nature, they have no nature to follow: their human capacities are withered and starved: they become incapable of any strong wishes or native pleasures, and are generally without either opinions or feelings of home growth, or properly their own. Now is this, or is it not, the desirable condition of human nature?

It is so, on the Calvinistic theory. According to that, the one great offence of man is Self-will. All the good of which humanity is capable, is comprised in Obedience. You have no choice; thus you must do, and no otherwise: "whatever is not a duty is a sin." Human nature being radically corrupt, there is no redemption for any one until human nature is killed within him. To one holding this theory of life, crushing out any of the human faculties, capacities, and susceptibilities, is no evil: man needs no capacity, but that of surrendering himself to the will of God: and if he uses any of his faculties for any other purpose but to do that supposed will more effectually, he is better without them. That is the theory of Calvinism; and it is held, in a mitigated form, by many who do not consider themselves Calvinists; the mitigation consisting in giving a less ascetic interpretation to the alleged will of God; asserting it to be his will that mankind should gratify some of their inclinations; of course not in the manner they themselves prefer, but in the way of obedience, that is, in a way prescribed to them by authority; and, therefore, by the necessary conditions of the case, the same for all.

In some such insidious form there is at present a strong tendency to this narrow theory of life, and to the pinched and hidebound type of human character which it patronizes. Many persons, no doubt, sincerely think that human

beings thus cramped and dwarfed, are as their Maker designed them to be; just as many have thought that trees are a much finer thing when clipped into pollards, or cut out into figures of animals, than as nature made them. But if it be any part of religion to believe that man was made by a good Being, it is more consistent with that faith to believe, that this Being gave all human faculties that they might be cultivated and unfolded, not rooted out and consumed, and that he takes delight in every nearer approach made by his creatures to the ideal conception embodied in them, every increase in any of their capabilities of comprehension, of action, or of enjoyment. There is a different type of human excellence from the Calvinistic; a conception of humanity as having its nature bestowed on it for other purposes than merely to be abnegated. "Pagan self-assertion" is one of the elements of human worth, as well as "Christian self-denial."* There is a Greek ideal of self-development, which the Platonic and Christian ideal of self-government blends with, but does not supersede. It may be better to be a John Knox than an Alcibiades, but it is better to be a Pericles than either; nor would a Pericles, if we had one in these days, be without anything good which belonged to John Knox.

It is not by wearing down into uniformity all that is individual in themselves, but by cul-

* Sterling's *Essays*.

tivating it and calling it forth, within the limits imposed by the rights and interests of others, that human beings become a noble and beautiful object of contemplation; and as the works partake the character of those who do them, by the same process human life also becomes rich, diversified, and animating, furnishing more abundant aliment to high thoughts and elevating feelings, and strengthening the tie which binds every individual to the race, by making the race infinitely better worth belonging to. In proportion to the development of his individuality, each person becomes more valuable to himself, and is therefore capable of being more valuable to others. There is a greater fulness of life about his own existence, and when there is more life in the units there is more in the mass which is composed of them. As much compression as is necessary to prevent the stronger specimens of human nature from encroaching on the rights of others, cannot be dispensed with; but for this there is ample compensation even in the point of view of human development. The means of development which the individual loses by being prevented from gratifying his inclinations to the injury of others, are chiefly obtained at the expense of the development of other people. And even to himself there is a full equivalent in the better development of the social part of his nature, rendered possible by the restraint put upon the selfish part. To be held to rigid

rules of justice for the sake of others, develops the feelings and capacities which have the good of others for their object. But to be restrained in things not affecting their good, by their mere displeasure, developes nothing valuable, except such force of character as may unfold itself in resisting the restraint. If acquiesced in, it dulls and blunts the whole nature. To give any fair play to the nature of each, it is essential that different persons should be allowed to lead different lives. In proportion as this latitude has been exercised in any age, has that age been noteworthy to posterity. Even despotism does not produce its worst effects, so long as Individuality exists under it; and whatever crushes individuality is despotism, by whatever name it may be called, and whether it professes to be enforcing the will of God or the injunctions of men.

Having said that Individuality is the same thing with development, and that it is only the cultivation of individuality which produces, or can produce, well-developed human beings, I might here close the argument: for what more or better can be said of any condition of human affairs, than that it brings human beings themselves nearer to the best thing they can be? or what worse can be said of any obstruction to good, than that it prevents this? Doubtless, however, these considerations will not suffice to convince those who most need

convincing; and it is necessary further to show, that these developed human beings are of some use to the undeveloped — to point out to those who do not desire liberty, and would not avail themselves of it, that they may be in some intelligible manner rewarded for allowing other people to make use of it without hindrance.

In the first place, then, I would suggest that they might possibly learn something from them. It will not be denied by anybody, that originality is a valuable element in human affairs. There is always need of persons not only to discover new truths, and point out when what were once truths are true no longer, but also to commence new practices, and set the example of more enlightened conduct, and better taste and sense in human life. This cannot well be gainsaid by anybody who does not believe that the world has already attained perfection in all its ways and practices. It is true that this benefit is not capable of being rendered by everybody alike: there are but few persons, in comparison with the whole of mankind, whose experiments, if adopted by others, would be likely to be any improvement on established practice. But these few are the salt of the earth; without them, human life would become a stagnant pool. Not only is it they who introduce good things which did not before exist; it is they who keep the life in those which already existed. If there were

nothing new to be done, would human intellect cease to be necessary? Would it be a reason why those who do the old things should forget why they are done, and do them like cattle, not like human beings? There is only too great a tendency in the best beliefs and practices to degenerate into the mechanical; and unless there were a succession of persons whose ever-recurring originality prevents the grounds of those beliefs and practices from becoming merely traditional, such dead matter would not resist the smallest shock from anything really alive, and there would be no reason why civilization should not die out, as in the Byzantine Empire. Persons of genius, it is true, are, and are always likely to be, a small minority; but in order to have them, it is necessary to preserve the soil in which they grow. Genius can only breathe freely in an *atmosphere* of freedom. Persons of genius are, *ex vi termini*, *more* individual than any other people — less capable, consequently, of fitting themselves, without hurtful compression, into any of the small number of moulds which society provides in order to save its members the trouble of forming their own character. If from timidity they consent to be forced into one of these moulds, and to let all that part of themselves which cannot expand under the pressure remain unexpanded, society will be little the better for their genius. If they are of a strong character, and break their fetters,

they become a mark for the society which has not succeeded in reducing them to commonplace, to point at with solemn warning as "wild," "erratic," and the like; much as if one should complain of the Niagara river for not flowing smoothly between its banks like a Dutch canal.

I insist thus emphatically on the importance of genius, and the necessity of allowing it to unfold itself freely both in thought and in practice, being well aware that no one will deny the position in theory, but knowing also that almost every one, in reality, is totally indifferent to it. People think genius a fine thing if it enables a man to write an exciting poem, or paint a picture. But in its true sense, that of originality in thought and action, though no one says that it is not a thing to be admired, nearly all, at heart, think that they can do very well without it. Unhappily this is too natural to be wondered at. Originality is the one thing which unoriginal minds cannot feel the use of. They cannot see what it is to do for them: how should they? If they could see what it would do for them, it would not be originality. The first service which originality has to render them, is that of opening their eyes: which being once fully done, they would have a chance of being themselves original. Meanwhile, recollecting that nothing was ever yet done which some one was not the first to do, and that all good things

which exist are the fruits of originality, let them be modest enough to believe that there is something still left for it to accomplish, and assure themselves that they are more in need of originality, the less they are conscious of the want.

In sober truth, whatever homage may be professed, or even paid, to real or supposed mental superiority, the general tendency of things throughout the world is to render mediocrity the ascendant power among mankind. In ancient history, in the Middle Ages, and in a diminishing degree through the long transition from feudality to the present time, the individual was a power in himself; and if he had either great talents or a high social position, he was a considerable power. At present individuals are lost in the crowd. In politics it is almost a triviality to say that public opinion now rules the world. The only power deserving the name is that of masses, and of governments while they make themselves the organ of the tendencies and instincts of masses. This is as true in the moral and social relations of private life as in public transactions. Those whose opinions go by the name of public opinion, are not always the same sort of public: in America, they are the whole white population; in England, chiefly the middle class. But they are always a mass, that is to say, collective mediocrity. And what is a still greater novelty, the mass do not now take their opinions from

dignitaries in Church or State, from ostensible leaders, or from books. Their thinking is done for them by men much like themselves, addressing them or speaking in their name, on the spur of the moment, through the newspapers. I am not complaining of all this. I do not assert that anything better is compatible, as a general rule, with the present low state of the human mind. But that does not hinder the government of mediocrity from being mediocre government. No government by a democracy or a numerous aristocracy, either in its political acts or in the opinions, qualities, and tone of mind which it fosters, ever did or could rise above mediocrity, except in so far as the sovereign Many have let themselves be guided (which in their best times they always have done) by the counsels and influence of a more highly gifted and instructed One or Few. The initiation of all wise or noble things, comes and must come from individuals; generally at first from some one individual. The honor and glory of the average man is that he is capable of following that initiative; that he can respond internally to wise and noble things, and be led to them with his eyes open. I am not countenancing the sort of "hero-worship" which applauds the strong man of genius for forcibly seizing on the government of the world and making it do his bidding in spite of itself. All he can claim is, freedom to point out the way. The power of compelling others

into it, is not only inconsistent with the freedom and development of all the rest, but corrupting to the strong man himself. It does seem, however, that when the opinions of masses of merely average men are everywhere become or becoming the dominant power, the counterpoise and corrective to that tendency would be, the more and more pronounced individuality of those who stand on the higher eminences of thought. It is in these circumstances most especially, that exceptional individuals, instead of being deterred, should be encouraged in acting differently from the mass. In other times there was no advantage in their doing so, unless they acted not only differently, but better. In this age the mere example of non-conformity, the mere refusal to bend the knee to custom, is itself a service. Precisely because the tyranny of opinion is such as to make eccentricity a reproach, it is desirable, in order to break through that tyranny, that people should be eccentric. Eccentricity has always abounded when and where strength of character has abounded; and the amount of eccentricity in a society has generally been proportional to the amount of genius, mental vigor, and moral courage which it contained. That so few now dare to be eccentric, marks the chief danger of the time.

I have said that it is important to give the freest scope possible to uncustomary things, in

order that it may in time appear which of these are fit to be converted into customs. But independence of action, and disregard of custom are not solely deserving of encouragement for the chance they afford that better modes of action, and customs more worthy of general adoption, may be struck out; nor is it only persons of decided mental superiority who have a just claim to carry on their lives in their own way. There is no reason that all human existences should be constructed on some one, or some small number of patterns. If a person possesses any tolerable amount of common sense and experience, his own mode of laying out his existence is the best, not because it is the best in itself, but because it is his own mode. Human beings are not like sheep; and even sheep are not undistinguishably alike. A man cannot get a coat or a pair of boots to fit him, unless they are either made to his measure, or he has a whole warehouseful to choose from: and is it easier to fit him with a life than with a coat, or are human beings more like one another in their whole physical and spiritual conformation than in the shape of their feet? If it were only that people have diversities of taste, that is reason enough for not attempting to shape them all after one model. But different persons also require different conditions for their spiritual development; and can no more exist healthily in the same moral, than all the variety of plants can in the same physi

cal, atmosphere and climate. The same things which are helps to one person towards the cultivation of his higher nature, are hindrances to another. The same mode of life is a healthy excitement to one, keeping all his faculties of action and enjoyment in their best order, while to another it is a distracting burden, which suspends or crushes all internal life. Such are the differences among human beings in their sources of pleasure, their susceptibilities of pain, and the operation on them of different physical and moral agencies, that unless there is a corresponding diversity in their modes of life, they neither obtain their fair share of happiness, nor grow up to the mental, moral, and æsthetic stature of which their nature is capable. Why then should tolerance, as far as the public sentiment is concerned, extend only to tastes and modes of life which extort acquiescence by the multitude of their adherents? Nowhere (except in some monastic institutions) is diversity of taste entirely unrecognized; a person may without blame, either like or dislike rowing, or smoking, or music, or athletic exercises, or chess, or cards, or study, because both those who like each of these things, and those who dislike them, are too numerous to be put down. But the man, and still more the woman, who can be accused either of doing "what nobody does," or of not doing "what everybody does," is the subject of as much depreciatory remark as if he or she had committed some grave

moral delinquency. Persons require to possess a title, or some other badge of rank, or the consideration of people of rank, to be able to indulge somewhat in the luxury of doing as they like without detriment to their estimation. To indulge somewhat, I repeat: for whoever allow themselves much of that indulgence, incur the risk of something worse than disparaging speeches — they are in peril of a commission *de lunatico*, and of having their property taken from them and given to their relations.*

* There is something both contemptible and frightful in the sort of evidence on which, of late years, any person can be judicially declared unfit for the management of his affairs; and after his death, his disposal of his property can be set aside, if there is enough of it to pay the expenses of litigation — which are charged on the property itself. All the minute details of his daily life are pried into, and whatever is found which, seen through the medium of the perceiving and describing faculties of the lowest of the low, bears an appearance unlike absolute commonplace, is laid before the jury as evidence of insanity, and often with success; the jurors being little, if at all, less vulgar and ignorant than the witnesses; while the judges, with that extraordinary want of knowledge of human nature and life which continually astonishes us in English lawyers, often help to mislead them. These trials speak volumes as to the state of feeling and opinion among the vulgar with regard to human liberty. So far from setting any value on individuality — so far from respecting the rights of each individual to act, in things indifferent, as seems good to his own judgment and inclinations, judges and juries cannot even conceive that a person in a state of sanity can desire such freedom. In former days, when it was proposed to burn atheists, charitable people used to suggest putting them in a madhouse instead: it would be nothing surprising now-a-days were we to see this done, and the doers applauding themselves, because, instead of persecuting for religion, they had adopted so humane and Christian a mode of treating these unfortunates, not without a silent satisfaction at their having thereby obtained their deserts.

There is one characteristic of the present direction of public opinion, peculiarly calculated to make it intolerant of any marked demonstration of individuality. The general average of mankind are not only moderate in intellect, but also moderate in inclinations: they have no tastes or wishes strong enough to incline them to do anything unusual, and they consequently do not understand those who have, and class all such with the wild and intemperate whom they are accustomed to look down upon. Now, in addition to this fact which is general, we have only to suppose that a strong movement has set in towards the improvement of morals, and it is evident what we have to expect. In these days such a movement has set in; much has actually been effected in the way of increased regularity of conduct, and discouragement of excesses; and there is a philanthropic spirit abroad, for the exercise of which there is no more inviting field than the moral and prudential improvement of our fellow-creatures. These tendencies of the times cause the public to be more disposed than at most former periods to prescribe general rules of conduct, and endeavor to make every one conform to the approved standard. And that standard, express or tacit, is to desire nothing strongly. Its ideal of character is to be without any marked character; to maim by compression, like a Chinese lady's foot, every part of human nature which stands out promi-

nently, and tends to make the person markedly dissimilar in outline to commonplace humanity.

As is usually the case with ideals which exclude one half of what is desirable, the present standard of approbation produces only an inferior imitation of the other half. Instead of great energies guided by vigorous reason, and strong feelings strongly controlled by a conscientious will, its result is weak feelings and weak energies, which therefore can be kept in outward conformity to rule without any strength either of will or of reason. Already energetic characters on any large scale are becoming merely traditional. There is now scarcely any outlet for energy in this country except business. The energy expended in that may still be regarded as considerable. What little is left from that employment, is expended on some hobby; which may be a useful, even a philanthropic hobby, but is always some one thing, and generally a thing of small dimensions. The greatness of England is now all collective: individually small, we only appear capable of anything great by our habit of combining; and with this our moral and religious philanthropists are perfectly contented. But it was men of another stamp than this that made England what it has been; and men of another stamp will be needed to prevent its decline.

The despotism of custom is everywhere the

standing hindrance to human advancement, being in unceasing antagonism to that disposition to aim at something better than customary, which is called, according to circumstances, the spirit of liberty, or that of progress or improvement. The spirit of improvement is not always a spirit of liberty, for it may aim at forcing improvements on an unwilling people; and the spirit of liberty, in so far as it resists such attempts, may ally itself locally and temporarily with the opponents of improvement; but the only unfailing and permanent source of improvement is liberty, since by it there are as many possible independent centres of improvement as there are individuals. The progressive principle, however, in either shape, whether as the love of liberty or of improvement, is antagonistic to the sway of Custom, involving at least emancipation from that yoke; and the contest between the two constitutes the chief interest of the history of mankind. The greater part of the world has, properly speaking, no history, because the despotism of Custom is complete. This is the case over the whole East. Custom is there, in all things, the final appeal; justice and right mean conformity to custom; the argument of custom no one, unless some tyrant intoxicated with power, thinks of resisting. And we see the result. Those nations must once have had originality; they did not start out of the ground populous, lettered, and versed in many of the arts of life

they made themselves all this, and were then the greatest and most powerful nations in the world. What are they now? The subjects or dependents of tribes whose forefathers wandered in the forests when theirs had magnificent palaces and gorgeous temples, but over whom custom exercised only a divided rule with liberty and progress. A people, it appears, may be progressive for a certain length of time, and then stop: when does it stop? When it ceases to possess individuality. If a similar change should befall the nations of Europe, it will not be in exactly the same shape: the despotism of custom with which these nations are threatened is not precisely stationariness. It proscribes singularity, but it does not preclude change, provided all change together. We have discarded the fixed costumes of our forefathers; every one must still dress like other people, but the fashion may change once or twice a year. We thus take care that when there is change, it shall be for change's sake, and not from any idea of beauty or convenience; for the same idea of beauty or convenience would not strike all the world at the same moment, and be simultaneously thrown aside by all at another moment. But we are progressive as well as changeable: we continually make new inventions in mechanical things, and keep them until they are again superseded by better; we are eager for improvement in politics, in education, even in morals, though

in this last our idea of improvement chiefly consists in persuading or forcing other people to be as good as ourselves. It is not progress that we object to; on the contrary, we flatter ourselves that we are the most progressive people who ever lived. It is individuality that we war against: we should think we had done wonders if we had made ourselves all alike; forgetting that the unlikeness of one person to another is generally the first thing which draws the attention of either to the imperfection of his own type, and the superiority of another, or the possibility, by combining the advantages of both, of producing something better than either. We have a warning example in China —a nation of much talent, and, in some respects, even wisdom, owing to the rare good fortune of having been provided at an early period with a particularly good set of customs, the work, in some measure, of men to whom even the most enlightened European must accord, under certain limitations, the title of sages and philosophers. They are remarkable, too, in the excellence of their apparatus for impressing, as far as possible, the best wisdom they possess upon every mind in the community, and securing that those who have appropriated most of it shall occupy the posts of honor and power. Surely the people who did this have discovered the secret of human progressiveness, and must have kept themselves steadily at the head of the movement of the

world. On the contrary, they have become stationary — have remained so for thousands of years; and if they are ever to be farther improved, it must be by foreigners. They have succeeded beyond all hope in what English philanthropists are so industriously working at — in making a people all alike, all governing their thoughts and conduct by the same maxims and rules; and these are the fruits. The modern *régime* of public opinion is, in an unorganized form, what the Chinese educational and political systems are in an organized; and unless individuality shall be able successfully to assert itself against this yoke, Europe, notwithstanding its noble antecedents and its professed Christianity, will tend to become another China.

What is it that has hitherto preserved Europe from this lot? What has made the European family of nations an improving, instead of a stationary portion of mankind? Not any superior excellence in them, which when it exists, exists as the effect, not as the cause; but their remarkable diversity of character and culture. Individuals, classes, nations, have been extremely unlike one another: they have struck out a great variety of paths, each leading to something valuable; and although at every period those who travelled in different paths have been intolerant of one another, and each would have thought it an excellent thing if all the rest could have been compelled to travel

his road, their attempts to thwart each other's development have rarely had any permanent success, and each has in time endured to receive the good which the others have offered. Europe is, in my judgment, wholly indebted to this plurality of paths for its progressive and many-sided development. But it already begins to possess this benefit in a considerably less degree. It is decidedly advancing towards the Chinese ideal of making all people alike. M. de Tocqueville, in his last important work, remarks how much more the Frenchmen of the present day resemble one another, than did those even of the last generation. The same remark might be made of Englishmen in a far greater degree. In a passage already quoted from Wilhelm von Humboldt, he points out two things as necessary conditions of human development, because necessary to render people unlike one another; namely, freedom, and variety of situations. The second of these two conditions is in this country every day diminishing. The circumstances which surround different classes and individuals, and shape their characters, are daily becoming more assimilated. Formerly, different ranks, different neighborhoods, different trades and professions, lived in what might be called different worlds at present, to a great degree in the same. Comparatively speaking, they now read the same things, listen to the same things, see the same things, go to the same places, have

their hopes and fears directed to the same objects, have the same rights and liberties, and the same means of asserting them. Great as are the differences of position which remain, they are nothing to those which have ceased. And the assimilation is still proceeding. All the political changes of the age promote it, since they all tend to raise the low and to lower the high. Every extension of education promotes it, because education brings people under common influences, and gives them access to the general stock of facts and sentiments. Improvements in the means of communication promote it, by bringing the inhabitants of distant places into personal contact, and keeping up a rapid flow of changes of residence between one place and another. The increase of commerce and manufactures promotes it, by diffusing more widely the advantages of easy circumstances, and opening all objects of ambition, even the highest, to general competition, whereby the desire of rising becomes no longer the character of a particular class, but of all classes. A more powerful agency than even all these, in bringing about a general similarity among mankind, is the complete establishment, in this and other free countries, of the ascendency of public opinion in the State. As the various social eminences which enabled persons entrenched on them to disregard the opinion of the multitude gradually become levelled; as the very idea of

resisting the will of the public, when it is positively known that they have a will, disappears more and more from the minds of practical politicians; there ceases to be any social support for non-conformity — any substantive power in society, which, itself opposed to the ascendancy of numbers, is interested in taking under its protection opinions and tendencies at variance with those of the public.

The combination of all these causes forms so great a mass of *influences* hostile to Individuality, that it is not easy to see how it can stand its ground. It will do so with increasing difficulty, unless the intelligent part of the public can be made to feel its value — to see that it is good there should be differences, even though not for the better, even though, as it may appear to them, some should be for the worse. If the claims of Individuality are ever to be asserted, the time is now, while much is still wanting to complete the enforced assimilation. It is only in the earlier stages that any stand can be successfully made against the encroachment. The demand that all other people shall resemble ourselves, grows by what it feeds on. If resistance waits till life is reduced *nearly* to one uniform type, all deviations from that type will come to be considered impious, immoral, even monstrous and contrary to nature. Mankind speedily become unable to conceive diversity, when they have been for some time unaccustomed to see it.

CHAPTER IV.

OF THE LIMITS TO THE AUTHORITY OF SOCIETY OVER THE INDIVIDUAL.

WHAT, then, is the rightful limit to the sovereignty of the individual over himself? Where does the authority of society begin? How much of human life should be assigned to individuality, and how much to society?

Each will receive its proper share, if each has that which more particularly concerns it. To individuality should belong the part of life in which it is chiefly the individual that is interested; to society, the part which chiefly interests society.

Though society is not founded on a contract, and though no good purpose is answered by inventing a contract in order to deduce social obligations from it, every one who receives the protection of society owes a return for the benefit, and the fact of living in society renders it indispensable that each should be bound to observe a certain line of conduct towards the rest. This conduct consists, first, in not injuring the interests of one another; or rather certain interests, which, either by express

legal provision or by tacit understanding, ought to be considered as rights; and secondly, in each person's bearing his share (to be fixed on some equitable principle) of the labors and sacrifices incurred for defending the society or its members from injury and molestation. These conditions society is justified in enforcing, at all costs to those who endeavor to withhold fulfilment. Nor is this all that society may do. The acts of an individual may be hurtful to others, or wanting in due consideration for their welfare, without going the length of violating any of their constituted rights. The offender may then be justly punished by opinion, though not by law. As soon as any part of a person's conduct affects prejudicially the interests of others, society has jurisdiction over it, and the question whether the general welfare will or will not be promoted by interfering with it, becomes open to discussion. But there is no room for entertaining any such question when a person's conduct affects the interests of no persons besides himself, or needs not affect them unless they like (all the persons concerned being of full age, and the ordinary amount of understanding). In all such cases there should be perfect freedom, legal and social, to do the action and stand the consequences.

It would be a great misunderstanding of this doctrine, to suppose that it is one of selfish indifference, which pretends that human

beings have no business with each other's conduct in life, and that they should not concern themselves about the well-doing or well-being of one another, unless their own interest is involved. Instead of any diminution, there is need of a great increase of disinterested exertion to promote the good of others. But disinterested benevolence can find other instruments to persuade people to their good, than whips and scourges, either of the literal or the metaphorical sort. I am the last person to undervalue the self-regarding virtues; they are only second in importance, if even second, to the social. It is equally the business of education to cultivate both. But even education works by conviction and persuasion as well as by compulsion, and it is by the former only that, when the period of education is past, the self-regarding virtues should be inculcated Human beings owe to each other help to distinguish the better from the worse, and encouragement to choose the former and avoid the latter. They should be forever stimulating each other to increased exercise of their higher faculties, and increased direction of their feelings and aims towards wise instead of foolish, elevating instead of degrading, objects and contemplations. But neither one person, nor any number of persons, is warranted in saying to another human creature of ripe years, that he shall not do with his life for his own benefit what he chooses to do with it. He is the

person most interested in his own well-being the interest which any other person, except in cases of strong personal attachment, can have in it, is trifling, compared with that which he himself has; the interest which society has in him individually (except as to his conduct to others) is fractional, and altogether indirect: while, with respect to his own feelings and circumstances, the most ordinary man or woman has means of knowledge immeasurably surpassing those that can be possessed by any one else. The interference of society to overrule his judgment and purposes in what only regards himself, must be grounded on general presumptions; which may be altogether wrong, and even if right, are as likely as not to be misapplied to individual cases, by persons no better acquainted with the circumstances of such cases than those are who look at them merely from without. In this department, therefore, of human affairs, Individuality has its proper field of action. In the conduct of human beings towards one another, it is necessary that general rules should for the most part be observed, in order that people may know what they have to expect; but in each person's own concerns, his individual spontaneity is entitled to free exercise. Considerations to aid his judgment, exhortations to strengthen his will, may be offered to him, even obtruded on him, by others; but he, himself, is the final judge. All errors which he is likely

to commit against advice and warning, are far outweighed by the evil of allowing others to constrain him to what they deem his good.

I do not mean that the feelings with which a person is regarded by others, ought not to be in any way affected by his self-regarding qualities or deficiencies. This is neither possible nor desirable. If he is eminent in any of the qualities which conduce to his own good, he is, so far, a proper object of admiration. He is so much the nearer to the ideal perfection of human nature. If he is grossly deficient in those qualities, a sentiment the opposite of admiration will follow. There is a degree of folly, and a degree of what may be called (though the phrase is not unobjectionable) lowness or depravation of taste, which, though it cannot justify doing harm to the person who manifests it, renders him necessarily and properly a subject of distaste, or, in extreme cases, even of contempt: a person could not have the opposite qualities in due strength without entertaining these feelings. Though doing no wrong to any one, a person may so act as to compel us to judge him, and feel to him, as a fool, or as a being of an inferior order: and since this judgment and feeling are a fact which he would prefer to avoid, it is doing him a service to warn him of it beforehand, as of any other disagreeable consequence to which he exposes himself. It would be well, indeed, if this good office were much more

freely rendered than the common notions of politeness at present permit, and if one person could honestly point out to another that he thinks him in fault, without being considered unmannerly or presuming. We have a right, also, in various ways, to act upon our unfavorable opinion of any one, not to the oppression of his individuality, but in the exercise of ours. We are not bound, for example, to seek his society; we have a right to avoid it (though not to parade the avoidance), for we have a right to choose the society most acceptable to us. We have a right, and it may be our duty to caution others against him, if we think his example or conversation likely to have a pernicious effect on those with whom he associates. We may give others a preference over him in optional good offices, except those which tend to his improvement. In these various modes a person may suffer very severe penalties at the hands of others, for faults which directly concern only himself; but he suffers these penalties only in so far as they are the natural, and, as it were, the spontaneous consequences of the faults themselves, not because they are purposely inflicted on him for the sake of punishment. A person who shows rashness, obstinacy, self-conceit — who cannot live within moderate means — who cannot restrain himself from hurtful indulgences — who pursues animal pleasures at the expense of those of feeling and intellect — must expect

to be lowered in the opinion of others, and to have a less share of their favorable sentiments, but of this he has no right to complain, unless he has merited their favor by special excellence in his social relations, and has thus established a title to their good offices, which is not affected by his demerits towards himself.

What I contend for is, that the inconveniences which are strictly inseparable from the unfavorable judgment of others, are the only ones to which a person should ever be subjected for that portion of his conduct and character which concerns his own good, but which does not affect the interests of others in their relations with him. Acts injurious to others require a totally different treatment. Encroachment on their rights; infliction on them of any loss or damage not justified by his own rights; falsehood or duplicity in dealing with them; unfair or ungenerous use of advantages over them; even selfish abstinence from defending them against injury — these are fit objects of moral reprobation, and, in grave cases, of moral retribution and punishment. And not only these acts, but the dispositions which lead to them, are properly immoral, and fit subjects of disapprobation which may rise to abhorrence. Cruelty of disposition; malice and ill-nature; that most anti-social and odious of all passions, envy; dissimulation and insincerity; irascibility on insufficient cause, and resentment disproportioned to the provocation; the

love of domineering over others; the desire to engross more than one's share of advantages (the πλεονεξία of the Greeks); the pride which derives gratification from the abasement of others; the egotism which thinks self and its concerns more important than everything else, and decides all doubtful questions in his own favor; — these are moral vices, and constitute a bad and odious moral character: unlike the self-regarding faults previously mentioned, which are not properly immoralities, and to whatever pitch they may be carried, do not constitute wickedness. They may be proofs of any amount of folly, or want of personal dignity and self-respect; but they are only a subject of moral reprobation when they involve a breach of duty to others, for whose sake the individual is bound to have care for himself. What are called duties to ourselves are not socially obligatory, unless circumstances render them at the same time duties to others. The term duty to oneself, when it means anything more than prudence, means self-respect or self-development; and for none of these is any one accountable to his fellow-creatures, because for none of them is it for the good of mankind that he be held accountable to them.

The distinction between the loss of consideration which a person may rightly incur by defect of prudence or of personal dignity, and the reprobation which is due to him for an offence against the rights of others, is not a

merely nominal distinction. It makes a vast difference both in our feelings and in our conduct towards him, whether he displeases us in things in which we think we have a right to control him, or in things in which we know that we have not. If he displeases us, we may express our distaste, and we may stand aloof from a person as well as from a thing that displeases us; but we shall not therefore feel called on to make his life uncomfortable. We shall reflect that he already bears, or will bear, the whole penalty of his error; if he spoils his life by mismanagement, we shall not, for that reason, desire to spoil it still further: instead of wishing to punish him, we shall rather endeavor to alleviate his punishment, by showing him how he may avoid or cure the evils his conduct tends to bring upon him. He may be to us an object of pity, perhaps of dislike, but not of anger or resentment; we shall not treat him like an enemy of society: the worst we shall think ourselves justified in doing is leaving him to himself, if we do not interfere benevolently by showing interest or concern for him. It is far otherwise if he has infringed the rules necessary for the protection of his fellow-creatures, individually or collectively. The evil consequences of his acts do not then fall on himself, but on others; and society, as the protector of all its members, must retaliate on him; must inflict pain on him for the express purpose of punishment, and must take care

that it be sufficiently severe. In the one case, he is an offender at our bar, and we are called on not only to sit in judgment on him, but, in one shape or another, to execute our own sentence: in the other case, it is not our part to inflict any suffering on him, except what may incidentally follow from our using the same liberty in the regulation of our own affairs, which we allow to him in his.

The distinction here pointed out between the part of a person's life which concerns only himself, and that which concerns others, many persons will refuse to admit. How (it may be asked) can any part of the conduct of a member of society be a matter of indifference to the other members? No person is an entirely isolated being; it is impossible for a person to do anything seriously or permanently hurtful to himself, without mischief reaching at least to his near connections, and often far beyond them. If he injures his property, he does harm to those who directly or indirectly derived support from it, and usually diminishes, by a greater or less amount, the general resources of the community. If he deteriorates his bodily or mental faculties, he not only brings evil upon all who depended on him for any portion of their happiness, but disqualifies himself for rendering the services which he owes to his fellow-creatures generally; perhaps becomes a burden on their affection or benevolence; and if such conduct were very frequent, hardly any

offence that is committed would detract more from the general sum of good. Finally, if by his vices or follies a person does no direct harm to others, he is nevertheless (it may be said) injurious by his example; and ought to be compelled to control himself, for the sake of those whom the sight or knowledge of his conduct might corrupt or mislead.

And even (it will be added) if the consequences of misconduct could be confined to the vicious or thoughtless individual, ought society to abandon to their own guidance those who are manifestly unfit for it? If protection against themselves is confessedly due to children and persons under age, is not society equally bound to afford it to persons of mature years who are equally incapable of self-government? If gambling, or drunkenness, or incontinence, or idleness, or uncleanliness, are as injurious to happiness, and as great a hindrance to improvement, as many or most of the acts prohibited by law, why (it may be asked) should not law, so far as is consistent with practicability and social convenience, endeavor to repress these also? And as a supplement to the unavoidable imperfections of law, ought not opinion at least to organize a powerful police against these vices, and visit rigidly with social penalties those who are known to practise them? There is no question here (it may be said) about restricting individuality, or impeding the trial of new and original experiments

in living. The only things it is sought to prevent are things which have been tried and condemned from the beginning of the world until now; things which experience has shown not to be useful or suitable to any person's individuality. There must be some length of time and amount of experience, after which a moral or prudential truth may be regarded as established: and it is merely desired to prevent generation after generation from falling over the same precipice which has been fatal to their predecessors.

I fully admit that the mischief which a person does to himself, may seriously affect, both through their sympathies and their interests, those nearly connected with him, and in a minor degree, society at large. When, by conduct of this sort, a person is led to violate a distinct and assignable obligation to any other person or persons, the case is taken out of the self-regarding class, and becomes amenable to moral disapprobation in the proper sense of the term. If, for example, a man, through intemperance or extravagance, becomes unable to pay his debts, or, having undertaken the moral responsibility of a family, becomes from the same cause incapable of supporting or educating them, he is deservedly reprobated, and might be justly punished; but it is for the breach of duty to his family or creditors, not for the extravagance. If the resources which ought to have been devoted to them, had been diverted from them for the most prudent in-

vestment, the moral culpability would have been the same. George Barnwell murdered his uncle to get money for his mistress, but if he had done it to set himself up in business, he would equally have been hanged. Again, in the frequent case of a man who causes grief to his family by addiction to bad habits, he deserves reproach for his unkindness or ingratitude; but so he may for cultivating habits not in themselves vicious, if they are painful to those with whom he passes his life, or who from personal ties are dependent on him for their comfort. Whoever fails in the consideration generally due to the interests and feelings of others, not being compelled by some more imperative duty, or justified by allowable self-preference, is a subject of moral disapprobation for that failure, but not for the cause of it, nor for the errors, merely personal to himself, which may have remotely led to it. In like manner, when a person disables himself, by conduct purely self-regarding, from the performance of some definite duty incumbent on him to the public, he is guilty of a social offence. No person ought to be punished simply for being drunk; but a soldier or a policeman should be punished for being drunk on duty. Whenever, in short, there is a definite damage, or a definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty, and placed in that of morality or law.

But with regard to the merely contingent, or, as it may be called, constructive injury which a person causes to society, by conduct which neither violates any specific duty to the public, nor occasions perceptible hurt to any assignable individual except himself; the inconvenience is one which society can afford to bear, for the sake of the greater good of human freedom. If grown persons are to be punished for not taking proper care of themselves, I would rather it were for their own sake, than under pretence of preventing them from impairing their capacity of rendering to society benefits which society does not pretend it has a right to exact. But I cannot consent to argue the point as if society had no means of bringing its weaker members up to its ordinary standard of rational conduct, except waiting till they do something irrational, and then punishing them, legally or morally, for it. Society has had absolute power over them during all the early portion of their existence: it has had the whole period of childhood and nonage in which to try whether it could make them capable of rational conduct in life. The existing generation is master both of the training and the entire circumstances of the generation to come; it cannot indeed make them perfectly wise and good, because it is itself so lamentably deficient in goodness and wisdom; and its best efforts are not always, in individual cases, its most successful ones; but it is

perfectly well able to make the rising generation, as a whole, as good as, and a little better than, itself. If society lets any considerable number of its members grow up mere children, incapable of being acted on by rational consideration of distant motives, society has itself to blame for the consequences. Armed not only with all the powers of education, but with the ascendency which the authority of a received opinion always exercises over the minds who are least fitted to judge for themselves; and aided by the *natural* penalties which cannot be prevented from falling on those who incur the distaste or the contempt of those who know them; let not society pretend that it needs, besides all this, the power to issue commands and enforce obedience in the personal concerns of individuals, in which, on all principles of justice and policy, the decision ought to rest with those who are to abide the consequences. Nor is there anything which tends more to discredit and frustrate the better means of influencing conduct, than a resort to the worse. If there be among those whom it is attempted to coerce into prudence or temperance, any of the material of which vigorous and independent characters are made, they will infallibly rebel against the yoke. No such person will ever feel that others have a right to control him in his concerns, such as they have to prevent him from injuring them in theirs; and it easily comes to

be considered a mark of spirit and courage to fly in the face of such usurped authority, and do with ostentation the exact opposite of what it enjoins; as in the fashion of grossness which succeeded, in the time of Charles II., to the fanatical moral intolerance of the Puritans With respect to what is said of the necessity of protecting society from the bad example set to others by the vicious or the self-indulgent; it is true that bad example may have a pernicious effect, especially the example of doing wrong to others with impunity to the wrong-doer. But we are now speaking of conduct which, while it does no wrong to others, is supposed to do great harm to the agent himself: and I do not see how those who believe this, can think otherwise than that the example, on the whole, must be more salutary than hurtful, since, if it displays the misconduct, it displays also the painful or degrading consequences which, if the conduct is justly censured, must be supposed to be in all or most cases attendant on it.

But the strongest of all the arguments against the interference of the public with purely personal conduct, is that when it does interfere, the odds are that it interferes wrongly, and in the wrong place. On questions of social morality, of duty to others, the opinion of the public, that is, of an overruling majority, though often wrong, is likely to be still oftener right; because on such questions they

are only required to judge of their own interests; of the manner in which some mode of conduct, if allowed to be practised, would affect themselves. But the opinion of a similar majority, imposed as a law on the minority, on questions of self-regarding conduct, is quite as likely to be wrong as right; for in these cases public opinion means, at the best, some people's opinion of what is good or bad for other people; while very often it does not even mean that; the public, with the most perfect indifference, passing over the pleasure or convenience of those whose conduct they censure, and considering only their own preference. There are many who consider as an injury to themselves any conduct which they have a distaste for, and resent it as an outrage to their feelings; as a religious bigot, when charged with disregarding the religious feelings of others, has been known to retort that they disregard his feelings, by persisting in their abominable worship or creed. But there is no parity between the feeling of a person for his own opinion, and the feeling of another who is offended at his holding it; no more than between the desire of a thief to take a purse, and the desire of the right owner to keep it. And a person's taste is as much his own peculiar concern as his opinion or his purse. It is easy for any one to imagine an ideal public, which leaves the freedom and choice of individuals in all uncertain matters

undisturbed, and only requires them to abstain from modes of conduct which universal experience has condemned. But where has there been seen a public which set any such limit to its censorship? or when does the public trouble itself about universal experience? In its interferences with personal conduct it is seldom thinking of anything but the enormity of acting or feeling differently from itself; and this standard of judgment, thinly disguised, is held up to mankind as the dictate of religion and philosophy, by nine tenths of all moralists and speculative writers. These teach that things are right because they are right; because we feel them to be so. They tell us to search in our own minds and hearts for laws of conduct binding on ourselves and on all others. What can the poor public do but apply these instructions, and make their own personal feelings of good and evil, if they are tolerably unanimous in them, obligatory on all the world?

The evil here pointed out is not one which exists only in theory; and it may perhaps be expected that I should specify the instances in which the public of this age and country improperly invests its own preferences with the character of moral laws. I am not writing an essay on the aberrations of existing moral feeling. That is too weighty a subject to be discussed parenthetically, and by way of illustration. Yet examples are necessary, to show that the principle I maintain is of seri

ous and practical moment, and that I am not endeavoring to erect a barrier against imaginary evils. And it is not difficult to show, by abundant instances, that to extend the bounds of what may be called moral police, until it encroaches on the most unquestionably legitimate liberty of the individual, is one of the most universal of all human propensities.

As a first instance, consider the antipathies which men cherish on no better grounds than that persons whose religious opinions are different from theirs, do not practise their religious observances, especially their religious abstinences. To cite a rather trivial example, nothing in the creed or practice of Christians does more to envenom the hatred of Mahomedans against them, than the fact of their eating pork. There are few acts which Christians and Europeans regard with more unaffected disgust, than Mussulmans regard this particular mode of satisfying hunger. It is, in the first place, an offence against their religion; but this circumstance by no means explains either the degree or the kind of their repugnance; for wine also is forbidden by their religion, and to partake of it is by all Mussulmans accounted wrong, but not disgusting. Their aversion to the flesh of the "unclean beast" is, on the contrary, of that peculiar character, resembling an instinctive antipathy, which the idea of uncleanness, when once it thoroughly sinks into the feelings, seems al

ways to excite even in those whose personal habits are anything but scrupulously cleanly, and of which the sentiment of religious impurity, so intense in the Hindoos, is a remarkable example. Suppose now that in a people, of whom the majority were Mussulmans, that majority should insist upon not permitting pork to be eaten within the limits of the country. This would be nothing new in Mahomedan countries.* Would it be a legitimate exercise of the moral authority of public opinion? and if not, why not? The practice is really revolting to such a public. They also sincerely think that it is forbidden and abhorred by the Deity. Neither could the prohibition be censured as religious persecution. It might be religious in its origin, but it would not be persecution for religion, since nobody's religion makes it a duty to eat pork. The only tenable ground of condemnation would be, that with the personal tastes and self-regarding concerns of individuals the public has no business to interfere.

* The case of the Bombay Parsees is a curious instance in point. When this industrious and enterprising tribe, the descendants of the Persian fire-worshippers, flying from their native country before the Caliphs, arrived in Western India, they were admitted to toleration by the Hindoo sovereigns, on condition of not eating beef. When those regions afterwards fell under the dominion of Mahomedan conquerors, the Parsees obtained from them a continuance of indulgence, on condition of refraining from pork. What was at first obedience to authority became a second nature, and the Parsees to this day abstain both from beef and pork. Though not required by their religion, the double abstinence has had time to grow into a custom of their tribe; and custom, in the East, is a religion.

To come somewhat nearer home: the majority of Spaniards consider it a gross impiety, offensive in the highest degree to the Supreme Being, to worship him in any other manner than the Roman Catholic; and no other public worship is lawful on Spanish soil. The people of all Southern Europe look upon a married clergy as not only irreligious, but unchaste, indecent, gross, disgusting. What do Protestants think of these perfectly sincere feelings, and of the attempt to enforce them against non-Catholics? Yet, if mankind are justified in interfering with each other's liberty in things which do not concern the interests of others, on what principle is it possible consistently to exclude these cases? or who can blame people for desiring to suppress what they regard as a scandal in the sight of God and man? No stronger case can be shown for prohibiting anything which is regarded as a personal immorality, than is made out for suppressing these practices in the eyes of those who regard them as impieties; and unless we are willing to adopt the logic of persecutors, and to say that we may persecute others because we are right, and that they must not persecute us because they are wrong, we must beware of admitting a principle of which we should resent as a gross injustice the application to ourselves.

The preceding instances may be objected to, although unreasonably, as drawn from contingencies impossible among us: opinion, in this

country, not being likely to enforce abstinence from meats, or to interfere with people for worshipping, and for either marrying or not marrying, according to their creed or inclination. The next example, however, shall be taken from an interference with liberty which we have by no means passed all danger of. Wherever the Puritans have been sufficiently powerful, as in New England, and in Great Britain at the time of the Commonwealth, they have endeavored, with considerable success, to put down all public, and nearly all private, amusements: especially music, dancing, public games, or other assemblages for purposes of diversion, and the theatre. There are still in this country large bodies of persons by whose notions of morality and religion these recreations are condemned; and those persons belonging chiefly to the middle class, who are the ascendant power in the present social and political condition of the kingdom, it is by no means impossible that persons of these sentiments may at some time or other command a majority in Parliament. How will the remaining portion of the community like to have the amusements that shall be permitted to them regulated by the religious and moral sentiments of the stricter Calvinists and Methodists? Would they not, with considerable peremptoriness, desire these intrusively pious members of society to mind their own business? This is precisely what should be said

to every government and every public, who have the pretension that no person shall enjoy any pleasure which they think wrong. But if the principle of the pretension be admitted, no one can reasonably object to its being acted on in the sense of the majority, or other preponderating power in the country; and all persons must be ready to conform to the idea of a Christian commonwealth, as understood by the early settlers in New England, if a religious profession similar to theirs should ever succeed in regaining its lost ground, as religions supposed to be declining have so often been known to do.

To imagine another contingency, perhaps more likely to be realized than the one last mentioned. There is confessedly a strong tendency in the modern world towards a democratic constitution of society, accompanied or not by popular political institutions. It is affirmed that in the country where this tendency is most completely realized — where both society and the government are most democratic — the United States — the feeling of the majority, to whom any appearance of a more showy or costly style of living than they can hope to rival is disagreeable, operates as a tolerably effectual sumptuary law, and that in many parts of the Union it is really difficult for a person possessing a very large income, to find any mode of spending it, which will not incur popular disapprobation. Though such

statements as these are doubtless much exaggerated as a representation of existing facts, the state of things they describe is not only a conceivable and possible, but a probable result of democratic feeling, combined with the notion that the public has a right to a veto on the manner in which individuals shall spend their incomes. We have only further to suppose a considerable diffusion of Socialist opinions, and it may become infamous in the eyes of the majority to possess more property than some very small amount, or any income not earned by manual labor. Opinions similar in principle to these, already prevail widely among the artisan class, and weigh oppressively on those who are amenable to the opinion chiefly of that class, namely, its own members. It is known that the bad workmen who form the majority of the operatives in many branches of industry, are decidedly of opinion that bad workmen ought to receive the same wages as good, and that no one ought to be allowed, through piecework or otherwise, to earn by superior skill or industry more than others can without it. And they employ a moral police, which occasionally becomes a physical one, to deter skilful workmen from receiving, and employers from giving, a larger remuneration for a more useful service. If the public have any jurisdiction over private concerns, I cannot see that these people are in fault, or that any individual's particular public can be blamed for as-

serting the same authority over his individual conduct, which the general public asserts over people in general.

But, without dwelling upon supposititious cases, there are, in our own day, gross usurpations upon the liberty of private life actually practised, and still greater ones threatened with some expectation of success, and opinions proposed which assert an unlimited right in the public not only to prohibit by law everything which it thinks wrong, but in order to get at what it thinks wrong, to prohibit any number of things which it admits to be innocent.

Under the name of preventing intemperance, the people of one English colony, and of nearly half the United States, have been interdicted by law from making any use whatever of fermented drinks, except for medical purposes: for prohibition of their sale is in fact, as it is intended to be, prohibition of their use. And though the impracticability of executing the law has caused its repeal in several of the States which had adopted it, including the one from which it derives its name, an attempt has notwithstanding been commenced, and is prosecuted with considerable zeal by many of the professed philanthropists, to agitate for a similar law in this country. The association, or "Alliance" as it terms itself, which has been formed for this purpose, has acquired some notoriety through the publicity given to a correspondence between its Secretary and one of

the very few English public men who hold that a politician's opinions ought to be founded on principles. Lord Stanley's share in this correspondence is calculated to strengthen the hopes already built on him, by those who know how rare such qualities as are manifested in some of his public appearances, unhappily are among those who figure in political life. The organ of the Alliance, who would "deeply deplore the recognition of any principle which could be wrested to justify bigotry and persecution," undertakes to point out the "broad and impassable barrier" which divides such principles from those of the association. "All matters relating to thought, opinion, conscience, appear to me," he says, "to be without the sphere of legislation; all pertaining to social act, habit, relation, subject only to a discretionary power vested in the State itself, and not in the individual, to be within it." No mention is made of a third class, different from either of these, viz., acts and habits which are not social, but individual; although it is to this class, surely, that the act of drinking fermented liquors belongs. Selling fermented liquors, however, is trading, and trading is a social act. But the infringement complained of is not on the liberty of the seller, but on that of the buyer and consumer; since the State might just as well forbid him to drink wine, as purposely make it impossible for him to obtain it. The Secretary, however, says, "I

claim, as a citizen, a right to legislate whenever my social rights are invaded by the social act of another." And now for the definition of these "social rights." "If anything invades my social rights, certainly the traffic in strong drink does. It destroys my primary right of security, by constantly creating and stimulating social disorder. It invades my right of equality, by deriving a profit from the creation of a misery, I am taxed to support. It impedes my right to free moral and intellectual development, by surrounding my path with dangers, and by weakening and demoralizing society, from which I have a right to claim mutual aid and intercourse." A theory of "social rights," the like of which probably never before found its way into distinct language — being nothing short of this — that it is the absolute social right of every individual, that every other individual shall act in every respect exactly as he ought; that whosoever fails thereof in the smallest particular, violates my social right, and entitles me to demand from the legislature the removal of the grievance. So monstrous a principle is far more dangerous than any single interference with liberty; there is no violation of liberty which it would not justify; it acknowledges no right to any freedom whatever, except perhaps to that of holding opinions in secret, without ever disclosing them: for the moment an opinion which I consider noxious, passes any one's lips, it invades all

the "social rights" attributed to me by the Alliance. The doctrine ascribes to all mankind a vested interest in each other's moral, intellectual, and even physical perfection, to be defined by each claimant according to his own standard.

Another important example of illegitimate interference with the rightful liberty of the individual, not simply threatened, but long since carried into triumphant effect, is Sabbatarian legislation. Without doubt, abstinence on one day in the week, so far as the exigencies of life permit, from the usual daily occupation, though in no respect religiously binding on any except Jews, is a highly beneficial custom. And inasmuch as this custom cannot be observed without a general consent to that effect among the industrious classes, therefore, in so far as some persons by working may impose the same necessity on others, it may be allowable and right that the law should guarantee to each, the observance by others of the custom, by suspending the greater operations of industry on a particular day. But this justification, grounded on the direct interest which others have in each individual's observance of the practice, does not apply to the self-chosen occupations in which a person may think fit to employ his leisure; nor does it hold good, in the smallest degree, for legal restrictions on amusements. It is true that the amusement of some is the day's work of others; but the

pleasure, not to say the useful recreation, of many, is worth the labor of a few, provided the occupation is freely chosen, and can be freely resigned. The operatives are perfectly right in thinking that if all worked on Sunday seven days' work would have to be given for six days' wages: but so long as the great mass of employments are suspended, the small number who for the enjoyment of others must still work, obtain a proportional increase of earnings; and they are not obliged to follow those occupations, if they prefer leisure to emolument. If a further remedy is sought, it might be found in the establishment by custom of a holiday on some other day of the week for those particular classes of persons. The only ground, therefore, on which restrictions on Sunday amusements can be defended, must be that they are religiously wrong; a motive of legislation which never can be too earnestly protested against. "Deorum injuriæ Diis curæ." It remains to be proved that society or any of its officers holds a commission from on high to avenge any supposed offence to Omnipotence, which is not also a wrong to our fellow-creatures. The notion that it is one man's duty that another should be religious, was the foundation of all the religious persecutions ever perpetrated, and if admitted, would fully justify them. Though the feeling which breaks out in the repeated attempts to stop railway travelling on Sunday, in the re-

sistance to the opening of Museums, and the like, has not the cruelty of the old persecutors, the state of mind indicated by it is fundamentally the same. It is a determination not to tolerate others in doing what is permitted by their religion, because it is not permitted by the persecutor's religion. It is a belief that God not only abominates the act of the misbeliever, but will not hold us guiltless if we leave him unmolested.

I cannot refrain from adding to these examples of the little account commonly made of human liberty, the language of downright persecution which breaks out from the press of this country, whenever it feels called on to notice the remarkable phenomenon of Mormonism. Much might be said on the unexpected and instructive fact, that an alleged new revelation, and a religion founded on it, the product of palpable imposture, not even supported by the *prestige* of extraordinary qualities in its founder, is believed by hundreds of thousands, and has been made the foundation of a society, in the age of newspapers, railways, and the electric telegraph. What here concerns us is, that this religion, like other and better religions, has its martys; that its prophet and founder was, for his teaching, put to death by a mob; that others of its adherents lost their lives by the same lawless violence; that they were forcibly expelled, in a body, from the country in which they first

grew up; while, now that they have been chased into a solitary recess in the midst of a desert, many in this country openly declare that it would be right (only that it is not convenient) to send an expedition against them, and compel them by force to conform to the opinions of other people. The article of the Mormonite doctrine which is the chief provocative to the antipathy which thus breaks through the ordinary restraints of religious tolerance, is its sanction of polygamy; which, though permitted to Mahomedans, and Hindoos, and Chinese, seems to excite unquenchable animosity when practised by persons who speak English, and profess to be a kind of Christians. No one has a deeper disapprobation than I have of this Mormon institution; both for other reasons, and because, far from being in any way countenanced by the principle of liberty, it is a direct infraction of that principle, being a mere riveting of the chains of one half of the community, and an emancipation of the other from reciprocity of obligation towards them. Still, it must be remembered that this relation is as much voluntary on the part of the women concerned in it, and who may be deemed the sufferers by it, as is the case with any other form of the marriage institution; and however surprising this fact may appear, it has its explanation in the common ideas and customs of the world, which teaching women to think marriage the one

thing needful, make it intelligible that many a woman should prefer being one of several wives, to not being a wife at all. Other countries are not asked to recognize such unions, or release any portion of their inhabitants from their own laws on the score of Mormonite opinions. But when the dissentients have conceded to the hostile sentiments of others, far more than could justly be demanded; when they have left the countries to which their doctrines were unacceptable, and established themselves in a remote corner of the earth, which they have been the first to render habitable to human beings; it is difficult to see on what principles but those of tyranny they can be prevented from living there under what laws they please, provided they commit no aggression on other nations, and allow perfect freedom of departure to those who are dissatisfied with their ways. A recent writer, in some respects of considerable merit, proposes (to use his own words,) not a crusade, but a *civilizade*, against this polygamous community, to put an end to what seems to him a retrograde step in civilization. It also appears so to me, but I am not aware that any community has a right to force another to be civilized. So long as the sufferers by the bad law do not invoke assistance from other communities, I cannot admit that persons entirely unconnected with them ought to step in and require that a condition of things with which

all who are directly interested appear to be satisfied, should be put an end to because it is a scandal to persons some thousands of miles distant, who have no part or concern in it. Let them send missionaries, if they please, to preach against it; and let them, by any fair means (of which silencing the teachers is not one,) oppose the progress of similar doctrines among their own people. If civilization has got the better of barbarism when barbarism had the world to itself, it is too much to profess to be afraid lest barbarism, after having been fairly got under, should revive and conquer civilization. A civilization that can thus succumb to its vanquished enemy must first have become so degenerate, that neither its appointed priests and teachers, nor anybody else, has the capacity, or will take the trouble, to stand up for it. If this be so, the sooner such a civilization receives notice to quit, the better. It can only go on from bad to worse, until destroyed and regenerated (like the Western Empire) by energetic barbarians.

CHAPTER V.

APPLICATIONS.

THE principles asserted in these pages must be more generally admitted as the basis for discussion of details, before a consistent application of them to all the various departments of government and morals can be attempted with any prospect of advantage. The few observations I propose to make on questions of detail, are designed to illustrate the principles, rather than to follow them out to their consequences. I offer, not so much applications, as specimens of application; which may serve to bring into greater clearness the meaning and limits of the two maxims which together form the entire doctrine of this Essay, and to assist the judgment in holding the balance between them, in the cases where it appears doubtful which of them is applicable to the case.

The maxims are, first, that the individual is not accountable to society for his actions, in so far as these concern the interests of no person but himself. Advice, instruction, persuasion, and avoidance by other people, if thought necessary by them for their own good, are the only measures by which society can justifiably

express its dislike or disapprobation of his conduct. Secondly, that for such actions as are prejudicial to the interests of others, the individual is accountable, and may be subjected either to social or to legal punishments, if society is of opinion that the one or the other is requisite for its protection.

In the first place, it must by no means be supposed, because damage, or probability of damage, to the interests of others, can alone justify the interference of society, that therefore it always does justify such interference. In many cases, an individual, in pursuing a legitimate object, necessarily and therefore legitimately causes pain or loss to others, or intercepts a good which they had a reasonable hope of obtaining. Such oppositions of interest between individuals often arise from bad social institutions, but are unavoidable while those institutions last; and some would be unavoidable under any institutions. Whoever succeeds in an overcrowded profession, or in a competitive examination; whoever is preferred to another in any contest for an object which both desire, reaps benefit from the loss of others, from their wasted exertion and their disappointment. But it is, by common admission, better for the general interest of mankind, that persons should pursue their objects undeterred by this sort of consequences. In other words, society admits no right, either legal or moral, in the disappointed competitors, to immunity from

this kind of suffering; and feels called on to interfere, only when means of success have been employed which it is contrary to the general interest to permit — namely, fraud or treachery, and force.

Again, trade is a social act. Whoever undertakes to sell any description of goods to the public, does what affects the interest of other persons, and of society in general; and thus his conduct, in principle, comes within the jurisdiction of society: accordingly, it was once held to be the duty of governments, in all cases which were considered of importance, to fix prices, and regulate the processes of manufacture. But it is now recognized, though not till after a long struggle, that both the cheapness and the good quality of commodities are most effectually provided for by leaving the producers and sellers perfectly free, under the sole check of equal freedom to the buyers for supplying themselves elsewhere. This is the so-called doctrine of Free Trade, which rests on grounds different from, though equally solid with, the principle of individual liberty asserted in this Essay. Restrictions on trade, or on production for purposes of trade, are indeed restraints; and all restraint, *qua* restraint, is an evil: but the restraints in question affect only that part of conduct which society is competent to restrain, and are wrong solely because they do not really produce the results which it is desired to produce by them. As the principle of

individual liberty is not involved in the doctrine of Free Trade, so neither is it in most of the questions which arise respecting the limits of that doctrine: as for example, what amount of public control is admissible for the prevention of fraud by adulteration; how far sanitary precautions, or arrangements to protect workpeople employed in dangerous occupations, should be enforced on employers. Such questions involve considerations of liberty, only in so far as leaving people to themselves is always better, *cæteris paribus*, than controlling them: but that they may be legitimately controlled for these ends, is in principle undeniable. On the other hand, there are questions relating to interference with trade, which are essentially questions of liberty; such as the Maine Law, already touched upon; the prohibition of the importation of opium into China; the restriction of the sale of poisons; all cases, in short, where the object of the interference is to make it impossible or difficult to obtain a particular commodity. These interferences are objectionable, not as infringements on the liberty of the producer or seller, but on that of the buyer.

One of these examples, that of the sale of poisons, opens a new question; the proper limits of what may be called the functions of police; how far liberty may legitimately be invaded for the prevention of crime, or of accident. It is one of the undisputed functions of government to take precautions against crime

before it has been committed, as well as to detect and punish it afterwards. The preventive function of government, however, is far more liable to be abused, to the prejudice of liberty, than the punitory function; for there is hardly any part of the legitimate freedom of action of a human being which would not admit of being represented, and fairly too, as increasing the facilities for some form or other of delinquency. Nevertheless, if a public authority, or even a private person, sees any one evidently preparing to commit a crime, they are not bound to look on inactive until the crime is committed, but may interfere to prevent it. If poisons were never bought or used for any purpose except the commission of murder, it would be right to prohibit their manufacture and sale They may, however, be wanted not only for innocent but for useful purposes, and restrictions cannot be imposed in the one case without operating in the other. Again, it is a proper office of public authority to guard against accidents. If either a public officer or any one else saw a person attempting to cross a bridge which had been ascertained to be unsafe, and there were no time to warn him of his danger, they might seize him and turn him back, without any real infringement of his liberty; for liberty consists in doing what one desires, and he does not desire to fall into the river. Nevertheless, when there is not a certainty, but only a danger of mischief, no one

but the person himself can judge of the sufficiency of the motive which may prompt him to incur the risk: in this case, therefore, (unless he is a child, or delirious, or in some state of excitement or absorption incompatible with the full use of the reflecting faculty), he ought, I conceive, to be only warned of the danger; not forcibly prevented from exposing himself to it. Similar considerations, applied to such a question as the sale of poisons, may enable us to decide which among the possible modes of regulation are or are not contrary to principle. Such a precaution, for example, as that of labelling the drug with some word expressive of its dangerous character, may be enforced without violation of liberty: the buyer cannot wish not to know that the thing he possesses has poisonous qualities. But to require in all cases the certificate of a medical practitioner, would make it sometimes impossible, always expensive, to obtain the article for legitimate uses. The only mode apparent to me, in which difficulties may be thrown in the way of crime committed through this means, without any infringement, worth taking into account, upon the liberty of those who desire the poisonous substance for other purposes, consists in providing what, in the apt language of Bentham, is called "preappointed evidence." This provision is familiar to every one in the case of contracts. It is usual and right that the law, when a contract is entered into, should require

as the condition of its enforcing performance that certain formalities should be observed, such as signatures, attestation of witnesses, and the like, in order that in case of subsequent dispute, there may be evidence to prove that the contract was really entered into, and that there was nothing in the circumstances to render it legally invalid: the effect being, to throw great obstacles in the way of fictitious contracts, or contracts made in circumstances which, if known, would destroy their validity. Precautions of a similar nature might be enforced in the sale of articles adapted to be instruments of crime. The seller, for example, might be required to enter in a register the exact time of the transaction, the name and address of the buyer, the precise quality and quantity sold; to ask the purpose for which it was wanted, and record the answer he received. When there was no medical prescription, the presence of some third person might be required, to bring home the fact to the purchaser, in case there should afterwards be reason to believe that the article had been applied to criminal purposes. Such regulations would in general be no material impediment to obtaining the article, but a very considerable one to making an improper use of it without detection.

The right inherent in society, to ward off crimes against itself by antecedent precautions, suggests the obvious limitations to the maxim,

that purely self-regarding misconduct cannot properly be meddled with in the way of prevention or punishment. Drunkenness, for example, in ordinary cases, is not a fit subject for legislative interference; but I should deem it perfectly legitimate that a person, who had once been convicted of any act of violence to others under the influence of drink, should be placed under a special legal restriction, personal to himself; that if he were afterwards found drunk, he should be liable to a penalty, and that if when in that state he committed another offence, the punishment to which he would be liable for that other offence should be increased in severity. The making himself drunk, in a person whom drunkenness excites to do harm to others, is a crime against others. So, again, idleness, except in a person receiving support from the public, or except when it constitutes a breach of contract, cannot without tyranny be made a subject of legal punishment; but if either from idleness or from any other avoidable cause, a man fails to perform his legal duties to others, as for instance to support his children, it is no tyranny to force him to fulfil that obligation, by compulsory labor, if no other means are available.

Again, there are many acts which, being directly injurious only to the agents themselves, ought not to be legally interdicted, but which, if done publicly, are a violation of good manners, and coming thus within the category

of offences against others, may rightfully be prohibited. Of this kind are offences against decency; on which it is unnecessary to dwell, the rather as they are only connected indirectly with our subject, the objection to publicity being equally strong in the case of many actions not in themselves condemnable, nor supposed to be so.

There is another question to which an answer must be found, consistent with the principles which have been laid down. In cases of personal conduct supposed to be blameable, but which respect for liberty precludes society from preventing or punishing, because the evil directly resulting falls wholly on the agent; what the agent is free to do, ought other persons to be equally free to counsel or instigate? This question is not free from difficulty. The case of a person who solicits another to do an act, is not strictly a case of self-regarding conduct. To give advice or offer inducements to any one, is a social act, and may therefore, like actions in general which affect others, be supposed amenable to social control. But a little reflection corrects the first impression, by showing that if the case is not strictly within the definition of individual liberty, yet the reasons on which the principle of individual liberty is grounded, are applicable to it. If people must be allowed, in whatever concerns only themselves, to act as seems best to themselves at their own peril, they must equally be

free to consult with one another about what is fit to be so done; to exchange opinions, and give and receive suggestions. Whatever it is permitted to do, it must be permitted to advise to do. The question is doubtful, only when the instigator derives a personal benefit from his advice; when he makes it his occupation, for subsistence or pecuniary gain, to promote what society and the State consider to be an evil. Then, indeed, a new element of complication is introduced; namely, the existence of classes of persons with an interest opposed to what is considered as the public weal, and whose mode of living is grounded on the counteraction of it. Ought this to be interfered with, or not? Fornication, for example, must be tolerated, and so must gambling; but should a person be free to be a pimp, or to keep a gambling-house? The case is one of those which lie on the exact boundary line between two principles, and it is not at once apparent to which of the two it properly belongs. There are arguments on both sides. On the side of toleration it may be said, that the fact of following anything as an occupation, and living or profiting by the practice of it, cannot make that criminal which would otherwise be admissible; that the act should either be consistently permitted or consistently prohibited; that if the principles which we have hitherto defended are true, society has no business, *as* society, to decide anything to

be wrong which concerns only the individual; that it cannot go beyond dissuasion, and that one person should be as free to persuade, as another to dissuade. In opposition to this it may be contended, that although the public, or the State, are not warranted in authoritatively deciding, for purposes of repression or punishment, that such or such conduct affecting only the interests of the individual is good or bad, they are fully justified in assuming, if they regard it as bad, that its being so or not is at least a disputable question: That, this being supposed, they cannot be acting wrongly in endeavoring to exclude the influence of solicitations which are not disinterested, of instigators who cannot possibly be impartial — who have a direct personal interest on one side, and that side the one which the State believes to be wrong, and who confessedly promote it for personal objects only. There can surely, it may be urged, be nothing lost, no sacrifice of good, by so ordering matters that persons shall make their election, either wisely or foolishly, on their own prompting, as free as possible from the arts of persons who stimulate their inclinations for interested purposes of their own. Thus (it may be said) though the statutes respecting unlawful games are utterly indefensible — though all persons should be free to gamble in their own or each other's houses, or in any place of meeting established by their own subscriptions, and open only to

the members and their visitors — yet public gambling-houses should not be permitted. It is true that the prohibition is never effectual, and that whatever amount of tyrannical power is given to the police, gambling-houses can always be maintained under other pretences: but they may be compelled to conduct their operations with a certain degree of secrecy and mystery, so that nobody knows anything about them but those who seek them; and more than this, society ought not to aim at. There is considerable force in these arguments. I will not venture to decide whether they are sufficient to justify the moral anomaly of punishing the accessary, when the principal is (and must be) allowed to go free; of fining or imprisoning the procurer, but not the fornicator, the gambling-house keeper, but not the gambler. Still less ought the common operations of buying and selling to be interfered with on analogous grounds. Almost every article which is bought and sold may used in excess, and the sellers have a pecuniary interest in encouraging that excess; but no argument can be founded on this, in favor, for instance, of the Maine Law; because the class of dealers in strong drinks, though interested in their abuse, are indispensably required for the sake of their legitimate use. The interest however, of these dealers in promoting intemperance is a real evil, and justifies the State in imposing restrictions and requiring guarantees,

which but for that justification would be infringements of legitimate liberty.

A further question is, whether the State, while it permits, should nevertheless indirectly discourage conduct which it deems contrary to the best interests of the agent; whether, for example, it should take measures to render the means of drunkenness more costly, or add to the difficulty of procuring them, by limiting the number of the places of sale. On this as on most other practical questions, many distinctions require to be made. To tax stimulants for the sole purpose of making them more difficult to be obtained, is a measure differing only in degree from their entire prohibition; and would be justifiable only if that were justifiable. Every increase of cost is a prohibition, to those whose means do not come up to the augmented price; and to those who do, it is a penalty laid on them for gratifying a particular taste. Their choice of pleasures, and their mode of expending their income, after satisfying their legal and moral obligations to the State and to individuals, are their own concern, and must rest with their own judgment. These considerations may seem at first sight to condemn the selection of stimulants as special subjects of taxation for purposes of revenue. But it must be remembered that taxation for fiscal purposes is absolutely inevitable; that in most countries it is necessary that a considerable part of that taxation should be indirect; that the State,

therefore, cannot help imposing penalties, which to some persons may be prohibitory, on the use of some articles of consumption. It is hence the duty of the State to consider, in the imposition of taxes, what commodities the consumers can best spare; and *à fortiori*, to select in preference those of which it deems the use, beyond a very moderate quantity, to be positively injurious. Taxation, therefore, of stimulants, up to the point which produces the largest amount of revenue (supposing that the State needs all the revenue which it yields) is not only admissible, but to be approved of.

The question of making the sale of these commodities a more or less exclusive privilege, must be answered differently, according to the purposes to which the restriction is intended to be subservient. All places of public resort require the restraint of a police, and places of this kind peculiarly, because offences against society are especially apt to originate there. It is, therefore, fit to confine the power of selling these commodities (at least for consumption on the spot) to persons of known or vouched-for respectability of conduct; to make such regulations respecting hours of opening and closing as may be requisite for public surveillance, and to withdraw the license if breaches of the peace repeatedly take place through the connivance or incapacity of the keeper of the house, or if it becomes a rendezvous for concocting and preparing offences against the law

Any further restriction I do not conceive to be, in principle, justifiable. The limitation in number, for instance, of beer and spirit-houses, for the express purpose of rendering them more difficult of access, and diminishing the occasions of temptation, not only exposes all to an inconvenience because there are some by whom the facility would be abused, but is suited only to a state of society in which the laboring classes are avowedly treated as children or savages, and placed under an education of restraint, to fit them for future admission to the privileges of freedom. This is not the principle on which the laboring classes are professedly governed in any free country; and no person who sets due value on freedom will give his adhesion to their being so governed, unless after all efforts have been exhausted to educate them for freedom and govern them as freemen, and it has been definitively proved that they can only be governed as children. The bare statement of the alternative shows the absurdity of supposing that such efforts have been made in any case which needs be considered here. It is only because the institutions of this country are a mass of inconsistencies, that things find admittance into our practice which belong to the system of despotic, or what is called paternal, government, while the general freedom of our institutions precludes the exercise of the amount of con-

trol necessary to render the restraint of any real efficacy as a moral education.

It was pointed out in an early part of this Essay that the liberty of the individual, in things wherein the individual is alone concerned implies a corresponding liberty in any number of individuals to regulate by mutual agreement such things as regard them jointly, and regard no persons but themselves. This question presents no difficulty, so long as the will of all the persons implicated remains unaltered; but since that will may change, it is often necessary, even in things in which they alone are concerned, that they should enter into engagements with one another; and when they do, it is fit, as a general rule, that those engagements should be kept. Yet in the laws, probably, of every country, this general rule has some exceptions. Not only persons are not held to engagements which violate the rights of third parties, but it is sometimes considered a sufficient reason for releasing them from an engagement, that it is injurious to themselves. In this and most other civilized countries, for example, an engagement by which a person should sell himself, or allow himself to be sold, as a slave, would be null and void; neither enforced by law nor by opinion. The ground for thus limiting his power of voluntarily disposing of his own lot in life, is apparent, and is very clearly seen in this extreme case. The reason for not interfering,

unless for the sake of others, with a person's voluntary acts, is consideration for his liberty. His voluntary choice is evidence that what he so chooses is desirable, or at the least endurable, to him, and his good is on the whole best provided for by allowing him to take his own means of pursuing it. But by selling himself for a slave, he abdicates his liberty; he foregoes any future use of it, beyond that single act. He therefore defeats, in his own case, the very purpose which is the justification of allowing him to dispose of himself. He is no longer free; but is thenceforth in a position which has no longer the presumption in its favor, that would be afforded by his voluntarily remaining in it. The principle of freedom cannot require that he should be free not to be free. It is not freedom, to be allowed to alienate his freedom. These reasons, the force of which is so conspicuous in this peculiar case, are evidently of far wider application; yet a limit is everywhere set to them by the necessities of life, which continually require, not indeed that we should resign our freedom, but that we should consent to this and the other limitation of it. The principle, however, which demands uncontrolled freedom of action in all that concerns only the agents themselves, requires that those who have become bound to one another, in things which concern no third party, should be able to release one another from the engagement: and even with-

out such voluntary release, there are perhaps no contracts or engagements, except those that relate to money or money's worth, of which one can venture to say that there ought to be no liberty whatever of retractation. Baron Wilhelm von Humboldt, in the excellent Essay from which I have already quoted, states it as his conviction, that engagements which involve personal relations or services, should never be legally binding beyond a limited duration of time; and that the most important of these engagements, marriage, having the peculiarity that its objects are frustrated unless the feelings of both the parties are in harmony with it, should require nothing more than the declared will of either party to dissolve it. This subject is too important, and too complicated, to be discussed in a parenthesis, and I touch on it only so far as is necessary for purposes of illustration. If the conciseness and generality of Baron Humboldt's dissertation had not obliged him in this instance to content himself with enunciating his conclusion without discussing the premises, he would doubtless have recognized that the question cannot be decided on grounds so simple as those to which he confines himself. When a person, either by express promise or by conduct, has encouraged another to rely upon his continuing to act in a certain way — to build expectations and calculations, and stake any part of his plan of life upon that supposition, a new series of moral

obligations arises on his part towards that person, which may possibly be overruled, but cannot be ignored. And again, if the relation between two contracting parties has been followed by consequences to others; if it has placed third parties in any peculiar position, or, as in the case of marriage, has even called third parties into existence, obligations arise on the part of both the contracting parties towards those third persons, the fulfilment of which, or at all events the mode of fulfilment, must be greatly affected by the continuance or disruption of the relation between the original parties to the contract. It does not follow, nor can I admit, that these obligations extend to requiring the fulfilment of the contract at all costs to the happiness of the reluctant party; but they are a necessary element in the question; and even if, as Von Humboldt maintains, they ought to make no difference in the *legal* freedom of the parties to release themselves from the engagement (and I also hold that they ought not to make *much* difference), they necessarily make a great difference in the *moral* freedom. A person is bound to take all these circumstances into account, before resolving on a step which may affect such important interests of others; and if he does not allow proper weight to those interests, he is morally responsible for the wrong. I have made these obvious remarks for the better illustration of the general principle of liberty, and not be-

cause they are at all needed on the particular question, which, on the contrary, is usually discussed as if the interest of children was everything, and that of grown persons nothing.

I have already observed that, owing to the absence of any recognized general principles, liberty is often granted where it should be withheld, as well as withheld where it should be granted; and one of the cases in which, in the modern European world, the sentiment of liberty is the strongest, is a case where, in my view, it is altogether misplaced. A person should be free to do as he likes in his own concerns; but he ought not to be free to do as he likes in acting for another under the pretext that the affairs of another are his own affairs. The State, while it respects the liberty of each in what specially regards himself, is bound to maintain a vigilant control over his exercise of any power which it allows him to possess over others. This obligation is almost entirely disregarded in the case of the family relations, a case, in its direct influence on human happiness, more important than all others taken together. The almost despotic power of husbands over wives needs not be enlarged upon here, because nothing more is needed for the complete removal of the evil, than that wives should have the same rights, and should receive the protection of law in the same manner, as all other persons; and because, on this subject,

the defenders of established injustice do not avail themselves of the plea of liberty, but stand forth openly as the champions of power. It is in the case of children, that misapplied notions of liberty are a real obstacle to the fulfilment by the State of its duties. One would almost think that a man's children were supposed to be literally, and not metaphorically, a part of himself, so jealous is opinion of the smallest interference of law with his absolute and exclusive control over them; more jealous than of almost any interference with his own freedom of action: so much less do the generality of mankind value liberty than power. Consider, for example, the case of education. Is it not almost a self-evident axiom, that the State should require and compel the education, up to a certain standard, of every human being who is born its citizen? Yet who is there that is not afraid to recognize and assert this truth? Hardly any one indeed will deny that it is one of the most sacred duties of the parents (or, as law and usage now stand, the father), after summoning a human being into the world, to give to that being an education fitting him to perform his part well in life towards others and towards himself. But while this is unanimously declared to be the father's duty, scarcely anybody, in this country, will bear to hear of obliging him to perform it. Instead of his being required to make any exertion or sacrifice for securing education to the

child, it is left to his choice to accept it or not when it is provided gratis! It still remains unrecognized, that to bring a child into existence without a fair prospect of being able, not only to provide food for its body, but instruction and training for its mind, is a moral crime, both against the unfortunate offspring and against society; and that if the parent does not fulfil this obligation, the State ought to see it fulfilled at the charge, as far as possible, of the parent.

Were the duty of enforcing universal education once admitted, there would be an end to the difficulties about what the State should teach, and how it should teach, which now convert the subject into a mere battle-field for sects and parties, causing the time and labor which should have been spent in educating, to be wasted in quarrelling about education. If the government would make up its mind to *require* for every child a good education, it might save itself the trouble of *providing* one. It might leave to parents to obtain the education where and how they pleased, and content itself with helping to pay the school fees of the poorer classes of children, and defraying the entire school expenses of those who have no one else to pay for them. The objections which are urged with reason against State education, do not apply to the enforcement of education by the State, but to the State's taking upon itself to direct that education: which

is a totally different thing. That the whole or any large part of the education of the people should be in State hands, I go as far as any one in deprecating. All that has been said of the importance of individuality of character, and diversity in opinions and modes of conduct, involves, as of the same unspeakable importance, diversity of education. A general State education is a mere contrivance for moulding people to be exactly like one another: and as the mould in which it casts them is that which pleases the predominant power in the government, whether this be a monarch, a priesthood, an aristocracy, or the majority of the existing generation, in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body. An education established and controlled by the State, should only exist, if it exist at all, as one among many competing experiments, carried on for the purpose of example and stimulus, to keep the others up to a certain standard of excellence. Unless, indeed, when society in general is in so backward a state that it could not or would not provide for itself any proper institutions of education, unless the government undertook the task; then, indeed, the government may, as the less of two great evils, take upon itself the business of schools and universities, as it may that of joint-stock companies, when private enterprise, in a shape fit

ted for undertaking great works of industry does not exist in the country. But in general, if the country contains a sufficient number of persons qualified to provide education under government auspices, the same persons would be able and willing to give an equally good education on the voluntary principle, under the assurance of remuneration afforded by a law rendering education compulsory, combined with State aid to those unable to defray the expense.

The instrument for enforcing the law could be no other than public examinations, extending to all children, and beginning at an early age. An age might be fixed at which every child must be examined, to ascertain if he (or she) is able to read. If a child proves unable, the father, unless he has some sufficient ground of excuse, might be subjected to a moderate fine, to be worked out, if necessary, by his labor, and the child might be put to school at his expense. Once in every year the examination should be renewed, with a gradually extending range of subjects, so as to make the universal acquisition, and what is more, retention, of a certain minimum of general knowledge, virtually compulsory. Beyond that minimum, there should be voluntary examinations on all subjects, at which all who come up to a certain standard of proficiency might claim a certificate. To prevent the State from exercising through these arrangements, an improper

influence over opinion, the knowledge required for passing an examination (beyond the merely instrumental parts of knowledge, such as languages and their use) should, even in the higher class of examinations, be confined to facts and positive science exclusively. The examinations on religion, politics, or other disputed topics, should not turn on the truth or falsehood of opinions, but on the matter of fact that such and such an opinion is held, on such grounds, by such authors, or schools, or churches. Under this system, the rising generation would be no worse off in regard to all disputed truths, than they are at present; they would be brought up either churchmen or dissenters as they now are, the State merely taking care that they should be instructed churchmen, or instructed dissenters. There would be nothing to hinder them from being taught religion, if their parents chose, at the same schools where they were taught other things. All attempts by the State to bias the conclusions of its citizens on disputed subjects, are evil; but it may very properly offer to ascertain and certify that a person possesses the knowledge, requisite to make his conclusions, on any given subject, worth attending to. A student of philosophy would be the better for being able to stand an examination both in Locke and in Kant, whichever of the two he takes up with, or even if with neither: and there is no reasonable objection to examining

an atheist in the evidences of Christianity, provided he is not required to profess a belief in them. The examinations, however, in the higher branches of knowledge should, I conceive, be entirely voluntary. It would be giving too dangerous a power to governments, were they allowed to exclude any one from professions, even from the profession of teacher, for alleged deficiency of qualifications: and I think, with Wilhelm von Humboldt, that degrees, or other public certificates of scientific or professional acquirements, should be given to all who present themselves for examination, and stand the test; but that such certificates should confer no advantage over competitors, other than the weight which may be attached to their testimony by public opinion.

It is not in the matter of education only, that misplaced notions of liberty prevent moral obligations on the part of parents from being recognized, and legal obligations from being imposed, where there are the strongest grounds for the former always, and in many cases for the latter also. The fact itself, of causing the existence of a human being, is one of the most responsible actions in the range of human life. To undertake this responsibility — to bestow a life which may be either a curse or a blessing — unless the being on whom it is to be bestowed will have at least the ordinary chances of a desirable existence, is a crime against that being. And in a country either over-peopled,

or threatened with being so, to produce children, beyond a very small number, with the effect of reducing the reward of labor by their competition, is a serious offence against all who live by the remuneration of their labor. The laws which, in many countries on the Continent, forbid marriage unless the parties can show that they have the means of supporting a family, do not exceed the legitimate powers of the State: and whether such laws be expedient or not (a question mainly dependent on local circumstances and feelings), they are not objectionable as violations of liberty. Such laws are interferences of the State to prohibit a mischievous act — an act injurious to others, which ought to be a subject of reprobation, and social stigma, even when it is not deemed expedient to superadd legal punishment. Yet the current ideas of liberty, which bend so easily to real infringements of the freedom of the individual, in things which concern only himself, would repel the attempt to put any restraint upon his inclinations when the consequence of their indulgence is a life, or lives, of wretchedness and depravity to the offspring, with manifold evils to those sufficiently within reach to be in any way affected by their actions. When we compare the strange respect of mankind for liberty, with their strange want of respect for it, we might imagine that a man had an indispensable right to do harm to others, and no right at

all to please himself without giving pain to any one.

I have reserved for the last place a large class of questions respecting the limits of government interference, which, though closely connected with the subject of this Essay, do not, in strictness, belong to it. These are cases in which the reasons against interference do not turn upon the principle of liberty: the question is not about restraining the actions of individuals, but about helping them: it is asked whether the government should do, or cause to be done, something for their benefit, instead of leaving it to be done by themselves, individually, or in voluntary combination.

The objections to government interference, when it is not such as to involve infringement of liberty, may be of three kinds.

The first is, when the thing to be done is likely to be better done by individuals than by the government. Speaking generally, there is no one so fit to conduct any business, or to determine how or by whom it shall be conducted, as those who are personally interested in it. This principle condemns the interferences, once so common, of the legislature, or the officers of government, with the ordinary processes of industry. But this part of the subject has been sufficiently enlarged upon by political economists, and is not particularly related to the principles of this Essay.

The second objection is more nearly allied to

our subject. In many cases, though individuals may not do the particular thing so well, on the average, as the officers of government, it is nevertheless desirable that it should be done by them, rather than by the government, as a means to their own mental education—a mode of strengthening their active faculties, exercising their judgment, and giving them a familiar knowledge of the subjects with which they are thus left to deal. This is a principal, though not the sole, recommendation of jury trial (in cases not political); of free and popular local and municipal institutions; of the conduct of industrial and philanthropic enterprises by voluntary associations. These are not questions of liberty, and are connected with that subject only by remote tendencies; but they are questions of development. It belongs to a different occasion from the present to dwell on these things as parts of national education; as being, in truth, the peculiar training of a citizen, the practical part of the political education of a free people, taking them out of the narrow circle of personal and family selfishness, and accustoming them to the comprehension of joint interests, the management of joint concerns—habituating them to act from public or semi-public motives, and guide their conduct by aims which unite instead of isolating them from one another. Without these habits and powers, a free constitution can neither be worked nor preserved, as is exemplified by the

too-often transitory nature of political freedom in countries where it does not rest upon a sufficient basis of local liberties. The management of purely local business by the localities, and of the great enterprises of industry by the union of those who voluntarily supply the pecuniary means, is further recommended by all the advantages which have been set forth in this Essay as belonging to individuality of development, and diversity of modes of action. Government operations tend to be everywhere alike. With individuals and voluntary associations, on the contrary, there are varied experiments, and endless diversity of experience. What the State can usefully do, is to make itself a central depository, and active circulator and diffuser, of the experience resulting from many trials. Its business is to enable each experimentalist to benefit by the experiments of others, instead of tolerating no experiments but its own.

The third, and most cogent reason for restricting the interference of government, is the great evil of adding unnecessarily to its power. Every function superadded to those already exercised by the government, causes its influence over hopes and fears to be more widely diffused, and converts, more and more, the active and ambitious part of the public into hangers-on of the government, or of some party which aims at becoming the government. If the roads, the railways, the banks, the insurance

offices, the great joint-stock companies, the universities, and the public charities, were all of them branches of the government; if, in addition, the municipal corporations and local boards, with all that now devolves on them, became departments of the central administration; if the employés of all these different enterprises were appointed and paid by the government, and looked to the government for every rise in life; not all the freedom of the press and popular constitution of the legislature would make this or any other country free otherwise than in name. And the evil would be greater, the more efficiently and scientifically the administrative machinery was constructed — the more skilful the arrangements for obtaining the best qualified hands and heads with which to work it. In England it has of late been proposed that all the members of the civil service of government should be selected by competitive examination, to obtain for those employments the most intelligent and instructed persons procurable; and much has been said and written for and against this proposal. One of the arguments most insisted on by its opponents, is that the occupation of a permanent official servant of the State does not hold out sufficient prospects of emolument and importance to attract the highest talents, which will always be able to find a more inviting career in the professions, or in the service of companies and other public bodies. One would not have been

surprised if this argument had been used by the friends of the proposition, as an answer to its principal difficulty. Coming from the opponents it is strange enough. What is urged as an objection is the safety-valve of the proposed system. If indeed all the high talent of the country *could* be drawn into the service of the government, a proposal tending to bring about that result might well inspire uneasiness. If every part of the business of society which required organized concert, or large and comprehensive views, were in the hands of the government, and if government offices were universally filled by the ablest men, all the enlarged culture and practised intelligence in the country, except the purely speculative, would be concentrated in a numerous bureaucracy, to whom alone the rest of the community would look for all things: the multitude for direction and dictation in all they had to do; the able and aspiring for personal advancement. To be admitted into the ranks of this bureaucracy, and when admitted, to rise therein, would be the sole objects of ambition. Under this régime, not only is the outside public ill-qualified, for want of practical experience, to criticize or check the mode of operation of the bureaucracy, but even if the accidents of despotic or the natural working of popular institutions occasionally raise to the summit a ruler or rulers of reforming inclinations, no reform can be effected which is contrary to the interest of

the bureaucracy. Such is the melancholy condition of the Russian empire, as is shown in the accounts of those who have had sufficient opportunity of observation. The Czar himself is powerless against the bureaucratic body; he can send any one of them to Siberia, but he cannot govern without them, or against their will. On every decree of his they have a tacit veto, by merely refraining from carrying it into effect. In countries of more advanced civilization and of a more insurrectionary spirit, the public, accustomed to expect everything to be done for them by the State, or at least to do nothing for themselves without asking from the State not only leave to do it, but even how it is to be done, naturally hold the State responsible for all evil which befalls them, and when the evil exceeds their amount of patience, they rise against the government and make what is called a revolution; whereupon somebody else, with or without legitimate authority from the nation, vaults into the seat, issues his orders to the bureaucracy, and everything goes on much as it did before; the bureaucracy being unchanged, and nobody else being capable of taking their place.

A very different spectacle is exhibited among a people accustomed to transact their own business. In France, a large part of the people having been engaged in military service, many of whom have held at least the rank of non-commissioned officers, there are in every pop-

ular insurrection several persons compe ent to take the lead, and improvise some tolerable plan of action. What the French are in military affairs, the Americans are in every kind of civil business; let them be left without a government, every body of Americans is able to improvise one, and to carry on that or any other public business with a sufficient amount of intelligence, order, and decision. This is what every free people ought to be: and a people capable of this is certain to be free; it will never let itself be enslaved by any man or body of men because these are able to seize and pull the reins of the central administration. No bureaucracy can hope to make such a people as this do or undergo anything that they do not like. But where everything is done through the bureaucracy, nothing to which the bureaucracy is really adverse can be done at all. The constitution of such countries is an organization of the experience and practical ability of the nation, into a disciplined body for the purpose of governing the rest; and the more perfect that organization is in itself, the more successful in drawing to itself and educating for itself the persons of greatest capacity from all ranks of the community, the more complete is the bondage of all, the members of the bureaucracy included. For the governors are as much the slaves of their organization and discipline, as the governed are of the governors. A Chinese mandarin is as much the tool and

creature of a despotism as the humblest cultivator. An individual Jesuit is to the utmost degree of abasement the slave of his order though the order itself exists for the collective power and importance of its members.

It is not, also, to be forgotten, that the absorption of all the principal ability of the country into the governing body is fatal, sooner or later, to the mental activity and progressiveness of the body itself. Banded together as they are — working a system which, like all systems, necessarily proceeds in a great measure by fixed rules — the official body are under the constant temptation of sinking into indolent routine, or, if they now and then desert that mill-horse round, of rushing into some half-examined crudity which has struck the fancy of some leading member of the corps: and the sole check to these closely allied, though seemingly opposite, tendencies, the only stimulus which can keep the ability of the body itself up to a high standard, is liability to the watchful criticism of equal ability outside the body. It is indispensable, therefore, that the means should exist, independently of the government, of forming such ability, and furnishing it with the opportunities and experience necessary for a correct judgment of great practical affairs. If we would possess permanently a skilful and efficient body of functionaries — above all, a body able to originate and willing to adopt improvements; if we would not have our bu-

reaucracy degenerate into a pedantocracy, this body must not engross all the occupations which form and cultivate the faculties required for the government of mankind.

To determine the point at which evils, so formidable to human freedom and advancement, begin, or rather at which they begin to predominate over the benefits attending the collective application of the force of society, under its recognized chiefs, for the removal of the obstacles which stand in the way of its well-being, to secure as much of the advantages of centralized power and intelligence, as can be had without turning into governmental channels too great a proportion of the general activity, is one of the most difficult and complicated questions in the art of government. It is, in a great measure, a question of detail, in which many and various considerations must be kept in view, and no absolute rule can be laid down. But I believe that the practical principle in which safety resides, the ideal to be kept in view, the standard by which to test all arrangements intended for overcoming the difficulty, may be conveyed in these words: the greatest dissemination of power consistent with efficiency; but the greatest possible centralization of information, and diffusion of it from the centre. Thus, in municipal administration, there would be, as in the New England States, a very minute division among separate officers, chosen by the

localities, of all business which is not better left to the persons directly interested; but besides this, there would be, in each department of local affairs, a central superintendence, forming a branch of the general government. The organ of this superintendence would concentrate, as in a focus, the variety of information and experience derived from the conduct of that branch of public business in all the localities, from everything analogous which is done in foreign countries, and from the general principles of political science. This central organ should have a right to know all that is done, and its special duty should be that of making the knowledge acquired in one place available for others. Emancipated from the petty prejudices and narrow views of a locality by its elevated position and comprehensive sphere of observation, its advice would naturally carry much authority; but its actual power, as a permanent institution, should, I conceive, be limited to compelling the local officers to obey the laws laid down for their guidance. In all things not provided for by general rules, those officers should be left to their own judgment, under responsibility to their constituents. For the violation of rules, they should be responsible to law, and the rules themselves should be laid down by the legislature; the central administrative authority only watching over their execution, and if they were not properly carried into effect, appealing, according to the nature

of the case, to the tribunal to enforce the law, or to the constituencies to dismiss the functionaries who had not executed it according to its spirit. Such, in its general conception, is the central superintendence which the Poor Law Board is intended to exercise over the administrators of the Poor Rate throughout the country. Whatever powers the Board exercises beyond this limit, were right and necessary in that peculiar case, for the cure of rooted habits of mal-administration in matters deeply affecting not the localities merely, but the whole community; since no locality has a moral right to make itself by mismanagement a nest of pauperism, necessarily overflowing into other localities, and impairing the moral and physical condition of the whole laboring community. The powers of administrative coercion and subordinate legislation possessed by the Poor Law Board (but which, owing to the state of opinion on the subject, are very scantily exercised by them), though perfectly justifiable in a case of a first-rate national interest, would be wholly out of place in the superintendence of interests purely local. But a central organ of information and instruction for all the localities, would be equally valuable in all departments of administration. A government cannot have too much of the kind of activity which does not impede, but aids and stimulates, individual exertion and development. The mischief begins when, instead of calling forth the activity

and powers of individuals and bodies, it substitutes its own activity for theirs; when, instead of informing, advising, and, upon occasion, denouncing, it makes them work in fetters, or bids them stand aside and does their work instead of them. The worth of a State, in the long run, is the worth of the individuals composing it; and a State which postpones the interests of *their* mental expansion and elevation, to a little more of administrative skill, or that semblance of it which practice gives, in the details of business; a State which dwarfs its men, in order that they may be more docile instruments in its hands even for beneficial purposes, will find that with small men no great thing can really be accomplished; and that the perfection of machinery to which it has sacrificed everything, will in the end avail it nothing, for want of the vital power which, in order that the machine might work more smoothly, it has preferred to banish.

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CHAPTER I.

THE object of this Essay is to explain as clearly as I am able, the grounds of an opinion which I have held from the very earliest period when I had formed any opinions at all on social or political matters, and which, instead of being weakened or modified, has been constantly growing stronger by the progress of reflection and the experience of life: That the principle which regulates the existing social relations between the two sexes—the legal subordination of one sex to the other—is wrong in itself, and now one of the chief hindrances to human improvement; and that it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other.

The very words necessary to express the task I have undertaken, show how arduous it is. But it would be a mistake to suppose that the difficulty of the case must lie in the insufficiency or obscurity of the grounds of reason on which

my conviction rests. The difficulty is that which exists in all cases in which there is a mass of feeling to be contended against. So long as an opinion is strongly rooted in the feelings, it gains rather than loses in stability by having a preponderating weight of argument against it. For if it were accepted as a result of argument, the refutation of the argument might shake the solidity of the conviction; but when it rests solely on feeling, the worse it fares in argumentative contest, the more persuaded its adherents are that their feeling must have some deeper ground, which the arguments do not reach; and while the feeling remains, it is always throwing up fresh intrenchments of argument to repair any breach made in the old. And there are so many causes tending to make the feelings connected with this subject the most intense and most deeply-rooted of all those which gather round and protect old institutions and customs, that we need not wonder to find them as yet less undermined and loosened than any of the rest by the progress of the great modern spiritual and social transition; nor suppose that the barbarisms to which men cling longest must be less barbarisms than those which they earlier shake off.

In every respect the burthen is hard on those who attack an almost universal opinion. They must be very fortunate as well as unusually

capable if they obtain a hearing at all. They have more difficulty in obtaining a trial, than any other litigants have in getting a verdict. If they do extort a hearing, they are subjected to a set of logical requirements totally different from those exacted from other people. In all other cases, the burthen of proof is supposed to lie with the affirmative. If a person is charged with a murder, it rests with those who accuse him to give proof of his guilt, not with himself to prove his innocence. If there is a difference of opinion about the reality of any alleged historical event, in which the feelings of men in general are not much interested, as the Siege of Troy for example, those who maintain that the event took place are expected to produce their proofs, before those who take the other side can be required to say anything; and at no time are these required to do more than show that the evidence produced by the others is of no value. Again, in practical matters, the burthen of proof is supposed to be with those who are against liberty; who contend for any restriction or prohibition; either any limitation of the general freedom of human action, or any disqualification or disparity of privilege affecting one person or kind of persons, as compared with others. The *à priori* presumption is in favour of freedom and impartiality. It is held that there should

be no restraint not required by the general good, and that the law should be no respecter of persons, but should treat all alike, save where dissimilarity of treatment is required by positive reasons, either of justice or of policy. But of none of these rules of evidence will the benefit be allowed to those who maintain the opinion I profess. It is useless for me to say that those who maintain the doctrine that men have a right to command and women are under an obligation to obey, or that men are fit for government and women unfit, are on the affirmative side of the question, and that they are bound to show positive evidence for the assertions, or submit to their rejection. It is equally unavailing for me to say that those who deny to women any freedom or privilege rightly allowed to men, having the double presumption against them that they are opposing freedom and recommending partiality, must be held to the strictest proof of their case, and unless their success be such as to exclude all doubt, the judgment ought to go against them. These would be thought good pleas in any common case; but they will not be thought so in this instance. Before I could hope to make any impression, I should be expected not only to answer all that has ever been said by those who take the other side of the question, but to imagine all that could be said by them—to find them

in reasons, as well as answer all I find: and besides refuting all arguments for the affirmative, I shall be called upon for invincible positive arguments to prove a negative. And even if I could do all this, and leave the opposite party with a host of unanswered arguments against them, and not a single unrefuted one on their side, I should be thought to have done little; for a cause supported on the one hand by universal usage, and on the other by so great a preponderance of popular sentiment, is supposed to have a presumption in its favour, superior to any conviction which an appeal to reason has power to produce in any intellects but those of a high class.

I do not mention these difficulties to complain of them; first, because it would be useless; they are inseparable from having to contend through people's understandings against the hostility of their feelings and practical tendencies: and truly the understandings of the majority of mankind would need to be much better cultivated than has ever yet been the case, before they can be asked to place such reliance in their own power of estimating arguments, as to give up practical principles in which they have been born and bred and which are the basis of much of the existing order of the world, at the first argumentative attack which they are not capable of logically resisting. I do not therefore quarrel with them

for having too little faith in argument, but for having too much faith in custom and the general feeling. It is one of the characteristic prejudices of the reaction of the nineteenth century against the eighteenth, to accord to the unreasoning elements in human nature the infallibility which the eighteenth century is supposed to have ascribed to the reasoning elements. For the apotheosis of Reason we have substituted that of Instinct; and we call everything instinct which we find in ourselves and for which we cannot trace any rational foundation. This idolatry, infinitely more degrading than the other, and the most pernicious of the false worships of the present day, of all of which it is now the main support, will probably hold its ground until it gives way before a sound psychology, laying bare the real root of much that is bowed down to as the intention of Nature and the ordinance of God. As regards the present question, I am willing to accept the unfavourable conditions which the prejudice assigns to me. I consent that established custom, and the general feeling, should be deemed conclusive against me, unless that custom and feeling from age to age can be shown to have owed their existence to other causes than their soundness, and to have derived their power from the worse rather than the better parts of human nature. I am willing that judg-

ment should go against me, unless I can show that my judge has been tampered with. The concession is not so great as it might appear; for to prove this, is by far the easiest portion of my task.

The generality of a practice is in some cases a strong presumption that it is, or at all events once was, conducive to laudable ends. This is the case, when the practice was first adopted, or afterwards kept up, as a means to such ends, and was grounded on experience of the mode in which they could be most effectually attained. If the authority of men over women, when first established, had been the result of a conscientious comparison between different modes of constituting the government of society; if, after trying various other modes of social organization—the government of women over men, equality between the two, and such mixed and divided modes of government as might be invented—it had been decided, on the testimony of experience, that the mode in which women are wholly under the rule of men, having no share at all in public concerns, and each in private being under the legal obligation of obedience to the man with whom she has associated her destiny, was the arrangement most conducive to the happiness and well being of both; its general adoption might then be fairly thought to be some evidence that, at the time when it was adopted, it was the best: though even

then the considerations which recommended it may, like so many other primeval social facts of the greatest importance, have subsequently, in the course of ages, ceased to exist. But the state of the case is in every respect the reverse of this. In the first place, the opinion in favour of the present system, which entirely subordinates the weaker sex to the stronger, rests upon theory only; for there never has been trial made of any other: so that experience, in the sense in which it is vulgarly opposed to theory, cannot be pretended to have pronounced any verdict. And in the second place, the adoption of this system of inequality never was the result of deliberation, or forethought, or any social ideas, or any notion whatever of what conduced to the benefit of humanity or the good order of society. It arose simply from the fact that from the very earliest twilight of human society, every woman (owing to the value attached to her by men, combined with her inferiority in muscular strength) was found in a state of bondage to some man. Laws and systems of polity always begin by recognising the relations they find already existing between individuals. They convert what was a mere physical fact into a legal right, give it the sanction of society, and principally aim at the substitution of public and organized means of asserting and protecting these rights, instead

of the irregular and lawless conflict of physical strength. Those who had already been compelled to obedience became in this manner legally bound to it. Slavery, from being a mere affair of force between the master and the slave, became regularized and a matter of compact among the masters, who, binding themselves to one another for common protection, guaranteed by their collective strength the private possessions of each, including his slaves. In early times, the great majority of the male sex were slaves, as well as the whole of the female. And many ages elapsed, some of them ages of high cultivation, before any thinker was bold enough to question the rightfulness, and the absolute social necessity, either of the one slavery or of the other. By degrees such thinkers did arise: and (the general progress of society assisting) the slavery of the male sex has, in all the countries of Christian Europe at least (though, in one of them, only within the last few years) been at length abolished, and that of the female sex has been gradually changed into a milder form of dependence. But this dependence, as it exists at present, is not an original institution, taking a fresh start from considerations of justice and social expediency—it is the primitive state of slavery lasting on, through successive mitigations and modifications occasioned by the same causes

which have softened the general manners, and brought all human relations more under the control of justice and the influence of humanity. It has not lost the taint of its brutal origin. No presumption in its favour, therefore, can be drawn from the fact of its existence. The only such presumption which it could be supposed to have, must be grounded on its having lasted till now, when so many other things which came down from the same odious source have been done away with. And this, indeed, is what makes it strange to ordinary ears, to hear it asserted that the inequality of rights between men and women has no other source than the law of the strongest.

That this statement should have the effect of a paradox, is in some respects creditable to the progress of civilization, and the improvement of the moral sentiments of mankind. We now live —that is to say, one or two of the most advanced nations of the world now live—in a state in which the law of the strongest seems to be entirely abandoned as the regulating principle of the world's affairs: nobody professes it, and, as regards most of the relations between human beings, nobody is permitted to practise it. When any one succeeds in doing so, it is under cover of some pretext which gives him the semblance of having some general social interest on his side.

This being the ostensible state of things, people flatter themselves that the rule of mere force is ended; that the law of the strongest cannot be the reason of existence of anything which has remained in full operation down to the present time. However any of our present institutions may have begun, it can only, they think, have been preserved to this period of advanced civilization by a well-grounded feeling of its adaptation to human nature, and conduciveness to the general good. They do not understand the great vitality and durability of institutions which place right on the side of might; how intensely they are clung to; how the good as well as the bad propensities and sentiments of those who have power in their hands, become identified with retaining it; how slowly these bad institutions give way, one at a time, the weakest first, beginning with those which are least interwoven with the daily habits of life; and how very rarely those who have obtained legal power because they first had physical, have ever lost their hold of it until the physical power had passed over to the other side. Such shifting of the physical force not having taken place in the case of women; this fact, combined with all the peculiar and characteristic features of the particular case, made it certain from the first that this branch of the system of right founded on might, though softened in its most atrocious features at an

earlier period than several of the others, would be the very last to disappear. It was inevitable that this one case of a social relation grounded on force, would survive through generations of institutions grounded on equal justice, an almost solitary exception to the general character of their laws and customs; but which, so long as it does not proclaim its own origin, and as discussion has not brought out its true character, is not felt to jar with modern civilization, any more than domestic slavery among the Greeks jarred with their notion of themselves as a free people.

The truth is, that people of the present and the last two or three generations have lost all practical sense of the primitive condition of humanity; and only the few who have studied history accurately, or have much frequented the parts of the world occupied by the living representatives of ages long past, are able to form any mental picture of what society then was. People are not aware how entirely, in former ages, the law of superior strength was the rule of life; how publicly and openly it was avowed, I do not say cynically or shamelessly—for these words imply a feeling that there was something in it to be ashamed of, and no such notion could find a place in the faculties of any person in those ages, except a philosopher or a saint. History gives a cruel experience of human nature, in shewing

how exactly the regard due to the life, possessions, and entire earthly happiness of any class of persons, was measured by what they had the power of enforcing; how all who made any resistance to authorities that had arms in their hands, however dreadful might be the provocation, had not only the law of force but all other laws, and all the notions of social obligation against them; and in the eyes of those whom they resisted, were not only guilty of crime, but of the worst of all crimes, deserving the most cruel chastisement which human beings could inflict. The first small vestige of a feeling of obligation in a superior to acknowledge any right in inferiors, began when he had been induced, for convenience, to make some promise to them. Though these promises, even when sanctioned by the most solemn oaths, were for many ages revoked or violated on the most trifling provocation or temptation, it is probable that this, except by persons of still worse than the average morality, was seldom done without some twinges of conscience. The ancient republics, being mostly grounded from the first upon some kind of mutual compact, or at any rate formed by an union of persons not very unequal in strength, afforded, in consequence, the first instance of a portion of human relations fenced round, and placed under the dominion of another law than

that of force. And though the original law of force remained in full operation between them and their slaves, and also (except so far as limited by express compact) between a commonwealth and its subjects, or other independent commonwealths; the banishment of that primitive law even from so narrow a field, commenced the regeneration of human nature, by giving birth to sentiments of which experience soon demonstrated the immense value even for material interests, and which thenceforward only required to be enlarged, not created. Though slaves were no part of the commonwealth, it was in the free states that slaves were first felt to have rights as human beings. The Stoics were, I believe, the first (except so far as the Jewish law constitutes an exception) who taught as a part of morality that men were bound by moral obligations to their slaves. No one, after Christianity became ascendant, could ever again have been a stranger to this belief, in theory; nor, after the rise of the Catholic Church, was it ever without persons to stand up for it. Yet to enforce it was the most arduous task which Christianity ever had to perform. For more than a thousand years the Church kept up the contest, with hardly any perceptible success. It was not for want of power over men's minds. Its power was prodigious. It could make kings and nobles resign their most

valued possessions to enrich the Church. It could make thousands, in the prime of life and the height of worldly advantages, shut themselves up in convents to work out their salvation by poverty, fasting, and prayer. It could send hundreds of thousands across land and sea, Europe and Asia, to give their lives for the deliverance of the Holy Sepulchre. It could make kings relinquish wives who were the object of their passionate attachment, because the Church declared that they were within the seventh (by our calculation the fourteenth) degree of relationship. All this it did; but it could not make men fight less with one another, nor tyrannize less cruelly over the serfs, and when they were able, over burgesses. It could not make them renounce either of the applications of force; force militant, or force triumphant. This they could never be induced to do until they were themselves in their turn compelled by superior force. Only by the growing power of kings was an end put to fighting except between kings, or competitors for kingship; only by the growth of a wealthy and warlike bourgeoisie in the fortified towns, and of a plebeian infantry which proved more powerful in the field than the undisciplined chivalry, was the insolent tyranny of the nobles over the bourgeoisie and peasantry brought within some bounds. It was persisted in not only until, but long after,

the oppressed had obtained a power enabling them often to take conspicuous vengeance; and on the Continent much of it continued to the time of the French Revolution, though in England the earlier and better organization of the democratic classes put an end to it sooner, by establishing equal laws and free national institutions.

If people are mostly so little aware how completely, during the greater part of the duration of our species, the law of force was the avowed rule of general conduct, any other being only a special and exceptional consequence of peculiar ties—and from how very recent a date it is that the affairs of society in general have been even pretended to be regulated according to any moral law; as little do people remember or consider, how institutions and customs which never had any ground but the law of force, last on into ages and states of general opinion which never would have permitted their first establishment. Less than forty years ago, Englishmen might still by law hold human beings in bondage as saleable property: within the present century they might kidnap them and carry them off, and work them literally to death. This absolutely extreme case of the law of force, condemned by those who can tolerate almost every other form of arbitrary power, and which, of all others, presents features the most revolting to the feelings

of all who look at it from an impartial position, was the law of civilized and Christian England within the memory of persons now living: and in one half of Anglo-Saxon America three or four years ago, not only did slavery exist, but the slave trade, and the breeding of slaves expressly for it, was a general practice between slave states. Yet not only was there a greater strength of sentiment against it, but, in England at least, a less amount either of feeling or of interest in favour of it, than of any other of the customary abuses of force: for its motive was the love of gain, unmixed and undisguised; and those who profited by it were a very small numerical fraction of the country, while the natural feeling of all who were not personally interested in it, was unmitigated abhorrence. So extreme an instance makes it almost superfluous to refer to any other: but consider the long duration of absolute monarchy. In England at present it is the almost universal conviction that military despotism is a case of the law of force, having no other origin or justification. Yet in all the great nations of Europe except England it either still exists, or has only just ceased to exist, and has even now a strong party favourable to it in all ranks of the people, especially among persons of station and consequence. Such is the power of an established system, even when far from

universal; when not only in almost every period of history there have been great and well-known examples of the contrary system, but these have almost invariably been afforded by the most illustrious and most prosperous communities. In this case, too, the possessor of the undue power, the person directly interested in it, is only one person, while those who are subject to it and suffer from it are literally all the rest. The yoke is naturally and necessarily humiliating to all persons, except the one who is on the throne, together with, at most, the one who expects to succeed to it. How different are these cases from that of the power of men over women! I am not now prejudging the question of its justifiableness. I am showing how vastly more permanent it could not but be, even if not justifiable, than these other dominations which have nevertheless lasted down to our own time. Whatever gratification of pride there is in the possession of power, and whatever personal interest in its exercise, is in this case not confined to a limited class, but common to the whole male sex. Instead of being, to most of its supporters, a thing desirable chiefly in the abstract, or, like the political ends usually contended for by factious, of little private importance to any but the leaders; it comes home to the person and hearth of every male head of a family, and of every one

who looks forward to being so. The clodhopper exercises, or is to exercise, his share of the power equally with the highest nobleman. And the case is that in which the desire of power is the strongest: for every one who desires power, desires it most over those who are nearest to him, with whom his life is passed, with whom he has most concerns in common, and in whom any independence of his authority is oftenest likely to interfere with his individual preferences. If, in the other cases specified, powers manifestly grounded only on force, and having so much less to support them, are so slowly and with so much difficulty got rid of, much more must it be so with this, even if it rests on no better foundation than those. We must consider, too, that the possessors of the power have facilities in this case, greater than in any other, to prevent any uprising against it. Every one of the subjects lives under the very eye, and almost, it may be said, in the hands, of one of the masters—in closer intimacy with him than with any of her fellow-subjects; with no means of combining against him, no power of even locally overmastering him, and, on the other hand, with the strongest motives for seeking his favour and avoiding to give him offence. In struggles for political emancipation, everybody knows how often its champions are bought off by bribes, or daunted

by terrors. In the case of women, each individual of the subject-class is in a chronic state of bribery and intimidation combined. In setting up the standard of resistance, a large number of the leaders, and still more of the followers, must make an almost complete sacrifice of the pleasures or the alleviations of their own individual lot. If ever any system of privilege and enforced subjection had its yoke tightly riveted on the necks of those who are kept down by it, this has. I have not yet shown that it is a wrong system: but every one who is capable of thinking on the subject must see that even if it is, it was certain to outlast all other forms of unjust authority. And when some of the grossest of the other forms still exist in many civilized countries, and have only recently been got rid of in others, it would be strange if that which is so much the deepest-rooted had yet been perceptibly shaken anywhere. There is more reason to wonder that the protests and testimonies against it should have been so numerous and so weighty as they are.

Some will object, that a comparison cannot fairly be made between the government of the male sex and the forms of unjust power which I have adduced in illustration of it, since these are arbitrary, and the effect of mere usurpation, while it on the contrary is natural. But was

there ever any domination which did not appear natural to those who possessed it? There was a time when the division of mankind into two classes, a small one of masters and a numerous one of slaves, appeared, even to the most cultivated minds, to be a natural, and the only natural, condition of the human race. No less an intellect, and one which contributed no less to the progress of human thought, than Aristotle, held this opinion without doubt or misgiving; and rested it on the same premises on which the same assertion in regard to the dominion of men over women is usually based, namely that there are different natures among mankind, free natures, and slave natures; that the Greeks were of a free nature, the barbarian races of Thracians and Asiatics of a slave nature. But why need I go back to Aristotle? Did not the slaveowners of the Southern United States maintain the same doctrine, with all the fanaticism with which men cling to the theories that justify their passions and legitimate their personal interests? Did they not call heaven and earth to witness that the dominion of the white man over the black is natural, that the black race is by nature incapable of freedom, and marked out for slavery? some even going so far as to say that the freedom of manual labourers is an unnatural order of things anywhere. Again, the theorists of abso-

lute monarchy have always affirmed it to be the only natural form of government; issuing from the patriarchal, which was the primitive and spontaneous form of society, framed on the model of the paternal, which is anterior to society itself, and, as they contend, the most natural authority of all. Nay, for that matter, the law of force itself, to those who could not plead any other, has always seemed the most natural of all grounds for the exercise of authority. Conquering races hold it to be Nature's own dictate that the conquered should obey the conquerors, or, as they euphoniously paraphrase it, that the feebler and more unwarlike races should submit to the braver and manlier. The smallest acquaintance with human life in the middle ages, shows how supremely natural the dominion of the feudal nobility over men of low condition appeared to the nobility themselves, and how unnatural the conception seemed, of a person of the inferior class claiming equality with them, or exercising authority over them. It hardly seemed less so to the class held in subjection. The emancipated serfs and burgesses, even in their most vigorous struggles, never made any pretension to a share of authority; they only demanded more or less of limitation to the power of tyrannizing over them. So true is it that unnatural generally means only uncustomary, and that every-

thing which is usual appears natural. The subjection of women to men being a universal custom, any departure from it quite naturally appears unnatural. But how entirely, even in this case, the feeling is dependent on custom, appears by ample experience. Nothing so much astonishes the people of distant parts of the world, when they first learn anything about England, as to be told that it is under a queen: the thing seems to them so unnatural as to be almost incredible. To Englishmen this does not seem in the least degree unnatural, because they are used to it; but they do feel it unnatural that women should be soldiers or members of parliament. In the feudal ages, on the contrary, war and politics were not thought unnatural to women, because not unusual; it seemed natural that women of the privileged classes should be of manly character, inferior in nothing but bodily strength to their husbands and fathers. The independence of women seemed rather less unnatural to the Greeks than to other ancients, on account of the fabulous Amazons (whom they believed to be historical), and the partial example afforded by the Spartan women; who, though no less subordinate by law than in other Greek states, were more free in fact, and being trained to bodily exercises in the same manner with men, gave ample proof that they were not natu-

rally disqualified for them. There can be little doubt that Spartan experience suggested to Plato, among many other of his doctrines, that of the social and political equality of the two sexes.

But, it will be said, the rule of men over women differs from all these others in not being a rule of force: it is accepted voluntarily; women make no complaint, and are consenting parties to it. In the first place, a great number of women do not accept it. Ever since there have been women able to make their sentiments known by their writings (the only mode of publicity which society permits to them), an increasing number of them have recorded protests against their present social condition: and recently many thousands of them, headed by the most eminent women known to the public, have petitioned Parliament for their admission to the Parliamentary Suffrage. The claim of women to be educated as solidly, and in the same branches of knowledge, as men, is urged with growing intensity, and with a great prospect of success; while the demand for their admission into professions and occupations hitherto closed against them, becomes every year more urgent. Though there are not in this country, as there are in the United States, periodical Conventions and an organized party to agitate for the Rights of Women, there is a numerous and active Society organized and managed by women, for the more

limited object of obtaining the political franchise. Nor is it only in our own country and in America that women are beginning to protest more or less collectively, against the disabilities under which they labour. France, and Italy, and Switzerland, and Russia now afford examples of the same thing. How many more women there are who silently cherish similar aspirations, no one can possibly know; but there are abundant tokens how many *would* cherish them, were they not so strenuously taught to repress them as contrary to the proprieties of their sex. It must be remembered, also, that no enslaved class ever asked for complete liberty at once. When Simon de Montfort called the deputies of the commons to sit for the first time in Parliament, did any of them dream of demanding that an assembly, elected by their constituents, should make and destroy ministries, and dictate to the king in affairs of state? No such thought entered into the imagination of the most ambitious of them. The nobility had already these pretensions; the commons pretended to nothing but to be exempt from arbitrary taxation, and from the gross individual oppression of the king's officers. It is a political law of nature that those who are under any power of ancient origin, never begin by complaining of the power itself, but only of its oppressive exercise. There is never any want of

women who complain of ill usage by their husbands. There would be infinitely more, if complaint were not the greatest of all provocatives to a repetition and increase of the ill usage. It is this which frustrates all attempts to maintain the power but protect the woman against its abuses. In no other case (except that of a child) is the person who has been proved judicially to have suffered an injury, replaced under the physical power of the culprit who inflicted it. Accordingly wives, even in the most extreme and protracted cases of bodily ill usage, hardly ever dare avail themselves of the laws made for their protection: and if, in a moment of irrepressible indignation, or by the interference of neighbours, they are induced to do so, their whole effort afterwards is to disclose as little as they can, and to beg off their tyrant from his merited chastisement.

All causes, social and natural, combine to make it unlikely that women should be collectively rebellious to the power of men. They are so far in a position different from all other subject classes, that their masters require something more from them than actual service. Men do not want solely the obedience of women, they want their sentiments. All men, except the most brutish, desire to have, in the woman most nearly connected with them, not a forced slave but a willing one, not a slave merely, but a favourite.

They have therefore put everything in practice to enslave their minds. The masters of all other slaves rely, for maintaining obedience, on fear; either fear of themselves, or religious fears. The masters of women wanted more than simple obedience, and they turned the whole force of education to effect their purpose. All women are brought up from the very earliest years in the belief that their ideal of character is the very opposite to that of men; not self-will, and government by self-control, but submission, and yielding to the control of others. All the moralities tell them that it is the duty of women, and all the current sentimentalities that it is their nature, to live for others; to make complete abnegation of themselves, and to have no life but in their affections. And by their affections are meant the only ones they are allowed to have—those to the men with whom they are connected, or to the children who constitute an additional and indefeasible tie between them and a man. When we put together three things—first, the natural attraction between opposite sexes; secondly, the wife's entire dependence on the husband, every privilege or pleasure she has being either his gift, or depending entirely on his will; and lastly, that the principal object of human pursuit, consideration, and all objects of social ambition, can in general be sought or obtained by her only through

him, it would be a miracle if the object of being attractive to men had not become the polar star of feminine education and formation of character. And, this great means of influence over the minds of women having been acquired, an instinct of selfishness made men avail themselves of it to the utmost as a means of holding women in subjection, by representing to them meekness, submissiveness, and resignation of all individual will into the hands of a man, as an essential part of sexual attractiveness. Can it be doubted that any of the other yokes which mankind have succeeded in breaking, would have subsisted till now if the same means had existed, and had been as sedulously used, to bow down their minds to it? If it had been made the object of the life of every young plebeian to find personal favour in the eyes of some patrician, of every young serf with some seigneur; if domestication with him, and a share of his personal affections, had been held out as the prize which they all should look out for, the most gifted and aspiring being able to reckon on the most desirable prizes; and if, when this prize had been obtained, they had been shut out by a wall of brass from all interests not centering in him, all feelings and desires but those which he shared or inculcated; would not serfs and seigneurs, plebeians and patricians, have been as broadly distinguished at this day as men

and women are? and would not all but a thinker here and there, have believed the distinction to be a fundamental and unalterable fact in human nature?

The preceding considerations are amply sufficient to show that custom, however universal it may be, affords in this case no presumption, and ought not to create any prejudice, in favour of the arrangements which place women in social and political subjection to men. But I may go farther, and maintain that the course of history, and the tendencies of progressive human society, afford not only no presumption in favour of this system of inequality of rights, but a strong one against it; and that, so far as the whole course of human improvement up to this time, the whole stream of modern tendencies, warrants any inference on the subject, it is, that this relic of the past is discordant with the future, and must necessarily disappear.

For, what is the peculiar character of the modern world—the difference which chiefly distinguishes modern institutions, modern social ideas, modern life itself, from those of times long past? It is, that human beings are no longer born to their place in life, and chained down by an inexorable bond to the place they are born to, but are free to employ their faculties, and such favourable chances as offer, to achieve the lot which

may appear to them most desirable. Human society of old was constituted on a very different principle. All were born to a fixed social position, and were mostly kept in it by law, or interdicted from any means by which they could emerge from it. As some men are born white and others black, so some were born slaves and others freemen and citizens; some were born patricians, others plebeians; some were born feudal nobles, others commoners and *roturiers*. A slave or serf could never make himself free, nor, except by the will of his master, become so. In most European countries it was not till towards the close of the middle ages, and as a consequence of the growth of regal power, that commoners could be ennobled. Even among nobles, the eldest son was born the exclusive heir to the paternal possessions, and a long time elapsed before it was fully established that the father could disinherit him. Among the industrious classes, only those who were born members of a guild, or were admitted into it by its members, could lawfully practise their calling within its local limits; and nobody could practise any calling deemed important, in any but the legal manner—by processes authoritatively prescribed. Manufacturers have stood in the pillory for presuming to carry on their business by new and improved methods. In modern Europe, and most in those parts of

it which have participated most largely in all other modern improvements, diametrically opposite doctrines now prevail. Law and government do not undertake to prescribe by whom any social or industrial operation shall or shall not be conducted, or what modes of conducting them shall be lawful. These things are left to the unfettered choice of individuals. Even the laws which required that workmen should serve an apprenticeship, have in this country been repealed: there being ample assurance that in all cases in which an apprenticeship is necessary, its necessity will suffice to enforce it. The old theory was, that the least possible should be left to the choice of the individual agent; that all he had to do should, as far as practicable, be laid down for him by superior wisdom. Left to himself he was sure to go wrong. The modern conviction, the fruit of a thousand years of experience, is, that things in which the individual is the person directly interested, never go right but as they are left to his own discretion; and that any regulation of them by authority, except to protect the rights of others, is sure to be mischievous. This conclusion, slowly arrived at, and not adopted until almost every possible application of the contrary theory had been made with disastrous result, now (in the industrial department) prevails universally in the most advanced

countries, almost universally in all that have pretensions to any sort of advancement. It is not that all processes are supposed to be equally good, or all persons to be equally qualified for everything; but that freedom of individual choice is now known to be the only thing which procures the adoption of the best processes, and throws each operation into the hands of those who are best qualified for it. Nobody thinks it necessary to make a law that only a strong-armed man shall be a blacksmith. Freedom and competition suffice to make blacksmiths strong-armed men, because the weak-armed can earn more by engaging in occupations for which they are more fit. In consonance with this doctrine, it is felt to be an overstepping of the proper bounds of authority to fix beforehand, on some general presumption, that certain persons are not fit to do certain things. It is now thoroughly known and admitted that if some such presumptions exist, no such presumption is infallible. Even if it be well grounded in a majority of cases, which it is very likely not to be, there will be a minority of exceptional cases in which it does not hold: and in those it is both an injustice to the individuals, and a detriment to society, to place barriers in the way of their using their faculties for their own benefit and for that of others. In the cases,

on the other hand, in which the unfitness is real, the ordinary motives of human conduct will on the whole suffice to prevent the incompetent person from making, or from persisting in, the attempt.

If this general principle of social and economical science is not true; if individuals, with such help as they can derive from the opinion of those who know them, are not better judges than the law and the government, of their own capacities and vocation; the world cannot too soon abandon this principle, and return to the old system of regulations and disabilities. But if the principle is true, we ought to act as if we believed it, and not to ordain that to be born a girl instead of a boy, any more than to be born black instead of white, or a commoner instead of a nobleman, shall decide the person's position through all life — shall interdict people from all the more elevated social positions, and from all, except a few, respectable occupations. Even were we to admit the utmost that is ever pretended as to the superior fitness of men for all the functions now reserved to them, the same argument applies which forbids a legal qualification for members of Parliament. If only once in a dozen years the conditions of eligibility exclude a fit person, there is a real loss, while the exclusion of thou-

sands of unfit persons is no gain; for if the constitution of the electoral body disposes them to choose unfit persons, there are always plenty of such persons to choose from. In all things of any difficulty and importance, those who can do them well are fewer than the need, even with the most unrestricted latitude of choice: and any limitation of the field of selection deprives society of some chances of being served by the competent, without ever saving it from the incompetent.

At present, in the more improved countries, the disabilities of women are the only case, save one, in which laws and institutions take persons at their birth, and ordain that they shall never in all their lives be allowed to compete for certain things. The one exception is that of royalty. Persons still are born to the throne; no one, not of the reigning family, can ever occupy it, and no one even of that family can, by any means but the course of hereditary succession, attain it. All other dignities and social advantages are open to the whole male sex: many indeed are only attainable by wealth, but wealth may be striven for by any one, and is actually obtained by many men of the very humblest origin. The difficulties, to the majority, are indeed insuperable without the aid of fortunate accidents; but no male human being is under any legal ban: neither law nor opinion superadd artificial obstacles to

the natural ones. Royalty, as I have said, is excepted: but in this case every one feels it to be an exception—an anomaly in the modern world, in marked opposition to its customs and principles, and to be justified only by extraordinary special expediencies, which, though individuals and nations differ in estimating their weight, unquestionably do in fact exist. But in this exceptional case, in which a high social function is, for important reasons, bestowed on birth instead of being put up to competition, all free nations contrive to adhere in substance to the principle from which they nominally derogate; for they circumscribe this high function by conditions avowedly intended to prevent the person to whom it ostensibly belongs from really performing it; while the person by whom it is performed, the responsible minister, does obtain the post by a competition from which no full-grown citizen of the male sex is legally excluded. The disabilities, therefore, to which women are subject from the mere fact of their birth, are the solitary examples of the kind in modern legislation. In no instance except this, which comprehends half the human race, are the higher social functions closed against any one by a fatality of birth which no exertions, and no change of circumstances, can overcome; for even religious disabilities (besides that in England and in Europe they

have practically almost ceased to exist) do not close any career to the disqualified person in case of conversion.

The social subordination of women thus stands out an isolated fact in modern social institutions; a solitary breach of what has become their fundamental law; a single relic of an old world of thought and practice exploded in everything else, but retained in the one thing of most universal interest; as if a gigantic dolmen, or a vast temple of Jupiter Olympius, occupied the site of St. Paul's and received daily worship, while the surrounding Christian churches were only resorted to on fasts and festivals. This entire discrepancy between one social fact and all those which accompany it, and the radical opposition between its nature and the progressive movement which is the boast of the modern world, and which has successively swept away everything else of an analogous character, surely affords, to a conscientious observer of human tendencies, serious matter for reflection. It raises a primâ facie presumption on the unfavourable side, far outweighing any which custom and usage could in such circumstances create on the favourable; and should at least suffice to make this, like the choice between republicanism and royalty, a balanced question.

The least that can be demanded is, that the

question should not be considered as prejudged by existing fact and existing opinion, but open to discussion on its merits, as a question of justice and expediency: the decision on this, as on any of the other social arrangements of mankind, depending on what an enlightened estimate of tendencies and consequences may show to be most advantageous to humanity in general, without distinction of sex. And the discussion must be a real discussion, descending to foundations, and not resting satisfied with vague and general assertions. It will not do, for instance, to assert in general terms, that the experience of mankind has pronounced in favour of the existing system. Experience cannot possibly have decided between two courses, so long as there has only been experience of one. If it be said that the doctrine of the equality of the sexes rests only on theory, it must be remembered that the contrary doctrine also has only theory to rest upon. All that is proved in its favour by direct experience, is that mankind have been able to exist under it, and to attain the degree of improvement and prosperity which we now see; but whether that prosperity has been attained sooner, or is now greater, than it would have been under the other system, experience does not say. On the other hand, experience does say, that every step in improvement has been so invariably accompanied by a step

made in raising the social position of women, that historians and philosophers have been led to adopt their elevation or debasement as on the whole the surest test and most correct measure of the civilization of a people or an age. Through all the progessive period of human history, the condition of women has been approaching nearer to equality with men. This does not of itself prove that the assimilation must go on to complete equality; but it assuredly affords some presumption that such is the case.

Neither does it avail anything to say that the *nature* of the two sexes adapts them to their present functions and position, and renders these appropriate to them. Standing on the ground of common sense and the constitution of the human mind, I deny that any one knows, or can know, the nature of the two sexes, as long as they have only been seen in their present relation to one another. If men had ever been found in society without women, or women without men, or if there had been a society of men and women in which the women were not under the control of the men, something might have been positively known about the mental and moral differences which may be inherent in the nature of each. What is now called the nature of women is an eminently artificial thing—the result of forced repression in some directions, unnatural stimula-

tion in others. It may be asserted without scruple, that no other class of dependents have had their character so entirely distorted from its natural proportions by their relation with their masters; for, if conquered and slave races have been, in some respects, more forcibly repressed, whatever in them has not been crushed down by an iron heel has generally been let alone, and if left with any liberty of development, it has developed itself according to its own laws; but in the case of women, a hot-house and stove cultivation has always been carried on of some of the capabilities of their nature, for the benefit and pleasure of their masters. Then, because certain products of the general vital force sprout luxuriantly and reach a great development in this heated atmosphere and under this active nurture and watering, while other shoots from the same root, which are left outside in the wintry air, with ice purposely heaped all round them, have a stunted growth, and some are burnt off with fire and disappear; men, with that inability to recognise their own work which distinguishes the unanalytic mind, indolently believe that the tree grows of itself in the way they have made it grow, and that it would die if one half of it were not kept in a vapour bath and the other half in the snow.

Of all difficulties which impede the progress

of thought, and the formation of well-grounded opinions on life and social arrangements, the greatest is now the unspeakable ignorance and inattention of mankind in respect to the influences which form human character. Whatever any portion of the human species now are, or seem to be, such, it is supposed, they have a natural tendency to be: even when the most elementary knowledge of the circumstances in which they have been placed, clearly points out the causes that made them what they are. Because a cottier deeply in arrears to his landlord is not industrious, there are people who think that the Irish are naturally idle. Because constitutions can be overthrown when the authorities appointed to execute them turn their arms against them, there are people who think the French incapable of free government. Because the Greeks cheated the Turks, and the Turks only plundered the Greeks, there are persons who think that the Turks are naturally more sincere: and because women, as is often said, care nothing about politics except their personalities, it is supposed that the general good is naturally less interesting to women than to men. History, which is now so much better understood than formerly, teaches another lesson: if only by showing the extraordinary susceptibility of human nature to external influences, and the extreme

variableness of those of its manifestations which are supposed to be most universal and uniform. But in history, as in travelling, men usually see only what they already had in their own minds; and few learn much from history, who do not bring much with them to its study.

Hence, in regard to that most difficult question, what are the natural differences between the two sexes—a subject on which it is impossible in the present state of society to obtain complete and correct knowledge—while almost everybody dogmatizes upon it, almost all neglect and make light of the only means by which any partial insight can be obtained into it. This is, an analytic study of the most important department of psychology, the laws of the influence of circumstances on character. For, however great and apparently ineradicable the moral and intellectual differences between men and women might be, the evidence of their being natural differences could only be negative. Those only could be inferred to be natural which could not possibly be artificial—the residuum, after deducting every characteristic of either sex which can admit of being explained from education or external circumstances. The profoundest knowledge of the laws of the formation of character is indispensable to entitle any one to affirm even that there is any difference, much more what

the difference is, between the two sexes considered as moral and rational beings; and since no one, as yet, has that knowledge, (for there is hardly any subject which, in proportion to its importance, has been so little studied), no one is thus far entitled to any positive opinion on the subject. Conjectures are all that can at present be made; conjectures more or less probable, according as more or less authorized by such knowledge as we yet have of the laws of psychology, as applied to the formation of character.

Even the preliminary knowledge, what the differences between the sexes now are, apart from all question as to how they are made what they are, is still in the crudest and most incomplete state. Medical practitioners and physiologists have ascertained, to some extent, the differences in bodily constitution; and this is an important element to the psychologist: but hardly any medical practitioner is a psychologist. Respecting the mental characteristics of women; their observations are of no more worth than those of common men. It is a subject on which nothing final can be known, so long as those who alone can really know it, women themselves, have given but little testimony, and that little, mostly suborned. It is easy to know stupid women. Stupidity is much the same all the world over. A stupid person's notions and feel-

ings may confidently be inferred from those which prevail in the circle by which the person is surrounded. Not so with those whose opinions and feelings are an emanation from their own nature and faculties. It is only a man here and there who has any tolerable knowledge of the character even of the women of his own family. I do not mean, of their capabilities; these nobody knows, not even themselves, because most of them have never been called out. I mean their actually existing thoughts and feelings. Many a man thinks he perfectly understands women, because he has had amatory relations with several, perhaps with many of them. If he is a good observer, and his experience extends to quality as well as quantity, he may have learnt something of one narrow department of their nature—an important department, no doubt. But of all the rest of it, few persons are generally more ignorant, because there are few from whom it is so carefully hidden. The most favourable case which a man can generally have for studying the character of a woman, is that of his own wife: for the opportunities are greater, and the cases of complete sympathy not so unspeakably rare. And in fact, this is the source from which any knowledge worth having on the subject has, I believe, generally come. But most men have not had the opportunity of studying in

this way more than a single case: accordingly one can, to an almost laughable degree, infer what a man's wife is like, from his opinions about women in general. To make even this one case yield any result, the woman must be worth knowing, and the man not only a competent judge, but of a character so sympathetic in itself, and so well adapted to hers, that he can either read her mind by sympathetic intuition, or has nothing in himself which makes her shy of disclosing it. Hardly anything, I believe, can be more rare than this conjunction. It often happens that there is the most complete unity of feeling and community of interests as to all external things, yet the one has as little admission into the internal life of the other as if they were common acquaintance. Even with true affection, authority on the one side and subordination on the other prevent perfect confidence. Though nothing may be intentionally withheld, much is not shown. In the analogous relation of parent and child, the corresponding phenomenon must have been in the observation of every one. As between father and son, how many are the cases in which the father, in spite of real affection on both sides, obviously to all the world does not know, nor suspect, parts of the son's character familiar to his companions and equals. The truth is, that the position of

looking up to another is extremely unpropitious to complete sincerity and openness with him. The fear of losing ground in his opinion or in his feelings is so strong, that even in an upright character, there is an unconscious tendency to show only the best side, or the side which, though not the best, is that which he most likes to see: and it may be confidently said that thorough knowledge of one another hardly ever exists, but between persons who, besides being intimates, are equals. How much more true, then, must all this be, when the one is not only under the authority of the other, but has it inculcated on her as a duty to reckon everything else subordinate to his comfort and pleasure, and to let him neither see nor feel anything coming from her, except what is agreeable to him. All these difficulties stand in the way of a man's obtaining any thorough knowledge even of the one woman whom alone, in general, he has sufficient opportunity of studying. When we further consider that to understand one woman is not necessarily to understand any other woman; that even if he could study many women of one rank, or of one country, he would not thereby understand women of other ranks or countries; and even if he did, they are still only the women of a single period of history; we may safely assert that the knowledge which men can acquire of women, even as they have

been and are, without reference to what they might be, is wretchedly imperfect and superficial, and always will be so, until women themselves have told all that they have to tell.

And this time has not come; nor will it come otherwise than gradually. It is but of yesterday that women have either been qualified by literary accomplishments, or permitted by society, to tell anything to the general public. As yet very few of them dare tell anything, which men, on whom their literary success depends, are unwilling to hear. Let us remember in what manner, up to a very recent time, the expression, even by a male author, of uncustomary opinions, or what are deemed eccentric feelings, usually was, and in some degree still is, received; and we may form some faint conception under what impediments a woman, who is brought up to think custom and opinion her sovereign rule, attempts to express in books anything drawn from the depths of her own nature. The greatest woman who has left writings behind her sufficient to give her an eminent rank in the literature of her country, thought it necessary to prefix as a motto to her boldest work, "Un homme peut braver l'opinion; une femme doit s'y soumettre."* The greater part of what women write about women is mere sycophancy to men. In the case of an-

* Title-page of Mme. de Stael's "Delphine."

married women, much of it seems only intended to increase their chance of a husband. Many, both married and unmarried, overstep the mark, and inculcate a servility beyond what is desired or relished by any man, except the very vulgarest. But this is not so often the case as, even at a quite late period, it still was. Literary women are becoming more freespoken, and more willing to express their real sentiments. Unfortunately, in this country especially, they are themselves such artificial products, that their sentiments are compounded of a small element of individual observation and consciousness, and a very large one of acquired associations. This will be less and less the case, but it will remain true to a great extent, as long as social institutions do not admit the same free development of originality in women which is possible to men. When that time comes, and not before, we shall see, and not merely hear, as much as it is necessary to know of the nature of women, and the adaptation of other things to it.

I have dwelt so much on the difficulties which at present obstruct any real knowledge by men of the true nature of women, because in this as in so many other things "opinio copiæ inter maximas causas inopiæ est;" and there is little chance of reasonable thinking on the matter, while people flatter themselves that they perfectly

understand a subject of which most men know absolutely nothing, and of which it is at present impossible that any man, or all men taken together, should have knowledge which can qualify them to lay down the law to women as to what is, or is not, their vocation. Happily, no such knowledge is necessary for any practical purpose connected with the position of women in relation to society and life. For, according to all the principles involved in modern society, the question rests with women themselves—to be decided by their own experience, and by the use of their own faculties. There are no means of finding what either one person or many can do, but by trying—and no means by which any one else can discover for them what it is for their happiness to do or leave undone.

One thing we may be certain of—that what is contrary to women's nature to do, they never will be made to do by simply giving their nature free play. The anxiety of mankind to interfere in behalf of nature, for fear lest nature should not succeed in effecting its purpose, is an altogether unnecessary solicitude. What women by nature cannot do, it is quite superfluous to forbid them from doing. What they can do, but not so well as the men who are their competitors, competition suffices to exclude them from; since nobody asks for protective duties and bounties

in favour of women; it is only asked that the present bounties and protective duties in favour of men should be recalled. If women have a greater natural inclination for some things than for others, there is no need of laws or social inculcation to make the majority of them do the former in preference to the latter. Whatever women's services are most wanted for, the free play of competition will hold out the strongest inducements to them to undertake. And, as the words imply, they are most wanted for the things for which they are most fit; by the apportionment of which to them, the collective faculties of the two sexes can be applied on the whole with the greatest sum of valuable result.

The general opinion of men is supposed to be, that the natural vocation of a woman is that of a wife and mother. I say, is supposed to be, because, judging from acts—from the whole of the present constitution of society—one might infer that their opinion was the direct contrary. They might be supposed to think that the alleged natural vocation of women was of all things the most repugnant to their nature; insomuch that if they are free to do anything else—if any other means of living, or occupation of their time and faculties, is open, which has any chance of appearing desirable to them—there

will not be enough of them who will be willing to accept the condition said to be natural to them. If this is the real opinion of men in general, it would be well that it should be spoken out. I should like to hear somebody openly enunciating the doctrine (it is already implied in much that is written on the subject)—"It is necessary to society that women should marry and produce children. They will not do so unless they are compelled. Therefore it is necessary to compel them." The merits of the case would then be clearly defined. It would be exactly that of the slaveholders of South Carolina and Louisiana. "It is necessary that cotton and sugar should be grown. White men cannot produce them. Negroes will not, for any wages which we choose to give. *Ergo* they must be compelled." An illustration still closer to the point is that of impressment. Sailors must absolutely be had to defend the country. It often happens that they will not voluntarily enlist. Therefore there must be the power of forcing them. How often has this logic been used! and, but for one flaw in it, without doubt it would have been successful up to this day. But it is open to the retort—First pay the sailors the honest value of their labour. When you have made it as well worth their while to serve you, as to work for

other employers, you will have no more difficulty than others have in obtaining their services. To this there is no logical answer except "I will not:" and as people are now not only ashamed, but are not desirous, to rob the labourer of his hire, impressment is no longer advocated. Those who attempt to force women into marriage by closing all other doors against them, lay themselves open to a similar retort. If they mean what they say, their opinion must evidently be, that men do not render the married condition so desirable to women, as to induce them to accept it for its own recommendations. It is not a sign of one's thinking the boon one offers very attractive, when one allows only Hobson's choice, "that or none." And here, I believe, is the clue to the feelings of those men, who have a real antipathy to the equal freedom of women. I believe they are afraid, not lest women should be unwilling to marry, for I do not think that any one in reality has that apprehension; but lest they should insist that marriage should be on equal conditions; lest all women of spirit and capacity should prefer doing almost anything else, not in their own eyes degrading, rather than marry, when marrying is giving themselves a master, and a master too of all their earthly possessions. And truly, if this consequence were necessarily incident to

marriage, I think that the apprehension would be very well founded. I agree in thinking it probable that few women, capable of anything else, would, unless under an irresistible *entrainement*, rendering them for the time insensible to anything but itself, choose such a lot, when any other means were open to them of filling a conventionally honourable place in life: and if men are determined that the law of marriage shall be a law of despotism, they are quite right, in point of mere policy, in leaving to women only Hobson's choice. But, in that case, all that has been done in the modern world to relax the chain on the minds of women, has been a mistake. They never should have been allowed to receive a literary education. Women who read, much more women who write, are, in the existing constitution of things, a contradiction and a disturbing element: and it was wrong to bring women up with any acquirements but those of an odalisque, or of a domestic servant.

CHAPTER II.

IT will be well to commence the detailed discussion of the subject by the particular branch of it to which the course of our observations has led us: the conditions which the laws of this and all other countries annex to the marriage contract. Marriage being the destination appointed by society for women, the prospect they are brought up to, and the object which it is intended should be sought by all of them, except those who are too little attractive to be chosen by any man as his companion; one might have supposed that everything would have been done to make this condition as eligible to them as possible, that they might have no cause to regret being denied the option of any other. Society, however, both in this, and, at first, in all other cases, has preferred to attain its object by foul rather than fair means: but this is the only case in which it has substantially persisted in them even to the present day. Originally women were taken by force, or regularly sold by their father to the husband. Until a late period in

European history, the father had the power to dispose of his daughter in marriage at his own will and pleasure, without any regard to hers. The Church, indeed, was so far faithful to a better morality as to require a formal "yes" from the woman at the marriage ceremony; but there was nothing to shew that the consent was other than compulsory; and it was practically impossible for the girl to refuse compliance if the father persevered, except perhaps when she might obtain the protection of religion by a determined resolution to take monastic vows. After marriage, the man had anciently (but this was anterior to Christianity) the power of life and death over his wife. She could invoke no law against him; he was her sole tribunal and law. For a long time he could repudiate her, but she had no corresponding power in regard to him. By the old laws of England, the husband was called the *lord* of the wife; he was literally regarded as her sovereign, inasmuch that the murder of a man by his wife was called treason (*petty* as distinguished from *high* treason), and was more cruelly avenged than was usually the case with high treason, for the penalty was burning to death. Because these various enormities have fallen into disuse (for most of them were never formally abolished, or not until they had long ceased to be practised) men suppose that all is now as it

should be in regard to the marriage contract; and we are continually told that civilization and Christianity have restored to the woman her just rights. Meanwhile the wife is the actual bond-servant of her husband: no less so, as far as legal obligation goes, than slaves commonly so called. She vows a lifelong obedience to him at the altar, and is held to it all through her life by law. Casuists may say that the obligation of obedience stops short of participation in crime, but it certainly extends to everything else. She can do no act whatever but by his permission, at least tacit. She can acquire no property but for him; the instant it becomes hers, even if by inheritance, it becomes *ipso facto* his. In this respect the wife's position under the common law of England is worse than that of slaves in the laws of many countries: by the Roman law, for example, a slave might have his peculium, which to a certain extent the law guaranteed to him for his exclusive use. The higher classes in this country have given an analogous advantage to their women, through special contracts setting aside the law, by conditions of pin-money, &c.: since parental feeling being stronger with fathers than the class feeling of their own sex, a father generally prefers his own daughter to a son-in-law who is a stranger to him. By means of settlements, the rich usually contrive to with-

draw the whole or part of the inherited property of the wife from the absolute control of the husband: but they do not succeed in keeping it under her own control; the utmost they can do only prevents the husband from squandering it, at the same time debarring the rightful owner from its use. The property itself is out of the reach of both; and as to the income derived from it, the form of settlement most favourable to the wife (that called "to her separate use") only precludes the husband from receiving it instead of her: it must pass through her hands, but if he takes it from her by personal violence as soon as she receives it, he can neither be punished, nor compelled to restitution. This is the amount of the protection which, under the laws of this country, the most powerful nobleman can give to his own daughter as respects her husband. In the immense majority of cases there is no settlement: and the absorption of all rights, all property, as well as all freedom of action, is complete. The two are called "one person in law," for the purpose of inferring that whatever is hers is his, but the parallel inference is never drawn that whatever is his is hers; the maxim is not applied against the man, except to make him responsible to third parties for her acts, as a master is for the acts of his slaves or of his cattle. I am far from pretending that wives are in

general no better treated than slaves; but no slave is a slave to the same lengths, and in so full a sense of the word, as a wife is. Hardly any slave, except one immediately attached to the master's person, is a slave at all hours and all minutes; in general he has, like a soldier, his fixed task, and when it is done, or when he is off duty, he disposes, within certain limits, of his own time, and has a family life into which the master rarely intrudes. "Uncle Tom" under his first master had his own life in his "cabin," almost as much as any man whose work takes him away from home, is able to have in his own family. But it cannot be so with the wife. Above all, a female slave has (in Christian countries) an admitted right, and is considered under a moral obligation, to refuse to her master the last familiarity. Not so the wife: however brutal a tyrant she may unfortunately be chained to—though she may know that he hates her, though it may be his daily pleasure to torture her, and though she may feel it impossible not to loathe him—he can claim from her and enforce the lowest degradation of a human being, that of being made the instrument of an animal function contrary to her inclinations. While she is held in this worst description of slavery as to her own person, what is her position in regard to the children in whom she and her master have a joint interest?

They are by law *his* children. He alone has any legal rights over them. Not one act can she do towards or in relation to them, except by delegation from him. Even after he is dead she is not their legal guardian, unless he by will has made her so. He could even send them away from her, and deprive her of the means of seeing or corresponding with them, until this power was in some degree restricted by Serjeant Talfourd's Act. This is her legal state. And from this state she has no means of withdrawing herself. If she leaves her husband, she can take nothing with her, neither her children nor anything which is rightfully her own. If he chooses, he can compel her to return, by law, or by physical force; or he may content himself with seizing for his own use anything which she may earn, or which may be given to her by her relations. It is only legal separation by a decree of a court of justice, which entitles her to live apart, without being forced back into the custody of an exasperated jailer—or which empowers her to apply any earnings to her own use, without fear that a man whom perhaps she has not seen for twenty years will pounce upon her some day and carry all off. This legal separation, until lately, the courts of justice would only give at an expense which made it inaccessible to any one out of the higher ranks. Even now it is only given in cases of desertion, or of

the extreme of cruelty; and yet complaints are made every day that it is granted too easily. Surely, if a woman is denied any lot in life but that of being the personal body-servant of a despot, and is dependent for everything upon the chance of finding one who may be disposed to make a favourite of her instead of merely a drudge, it is a very cruel aggravation of her fate that she should be allowed to try this chance only once. The natural sequel and corollary from this state of things would be, that since her all in life depends upon obtaining a good master, she should be allowed to change again and again until she finds one. I am not saying that she ought to be allowed this privilege. That is a totally different consideration. The question of divorce, in the sense involving liberty of remarriage, is one into which it is foreign to my purpose to enter. All I now say is, that to those to whom nothing but servitude is allowed, the free choice of servitude is the only, though a most insufficient, alleviation. Its refusal completes the assimilation of the wife to the slave—and the slave under not the mildest form of slavery: for in some slave codes the slave could, under certain circumstances of ill usage, legally compel the master to sell him. But no amount of ill usage, without adultery superadded, will in England free a wife from her tormentor.

I have no desire to exaggerate, nor does the case stand in any need of exaggeration. I have described the wife's legal position, not her actual treatment. The laws of most countries are far worse than the people who execute them, and many of them are only able to remain laws by being seldom or never carried into effect. If married life were all that it might be expected to be, looking to the laws alone, society would be a hell upon earth. Happily there are both feelings and interests which in many men exclude, and in most, greatly temper, the impulses and propensities which lead to tyranny: and of those feelings, the tie which connects a man with his wife affords, in a normal state of things, incomparably the strongest example. The only tie which at all approaches to it, that between him and his children, tends, in all save exceptional cases, to strengthen, instead of conflicting with, the first. Because this is true; because men in general do not inflict, nor women suffer, all the misery which could be inflicted and suffered if the full power of tyranny with which the man is legally invested were acted on; the defenders of the existing form of the institution think that all its iniquity is justified, and that any complaint is merely quarrelling with the evil which is the price paid for every great good. But the miti-

gations in practice, which are compatible with maintaining in full legal force this or any other kind of tyranny, instead of being any apology for despotism, only serve to prove what power human nature possesses of reacting against the vilest institutions, and with what vitality the seeds of good as well as those of evil in human character diffuse and propagate themselves. Not a word can be said for despotism in the family which cannot be said for political despotism. Every absolute king does not sit at his window to enjoy the groans of his tortured subjects, nor strips them of their last rag and turns them out to shiver in the road. The despotism of Louis XVI. was not the despotism of Philippe le Bel, or of Nadir Shah, or of Caligula; but it was bad enough to justify the French Revolution, and to palliate even its horrors. If an appeal be made to the intense attachments which exist between wives and their husbands, exactly as much may be said of domestic slavery. It was quite an ordinary fact in Greece and Rome for slaves to submit to death by torture rather than betray their masters. In the proscriptions of the Roman civil wars it was remarked that wives and slaves were heroically faithful, sons very commonly treacherous. Yet we know how cruelly many Romans treated their slaves. But in truth these intense in-

dividual feelings nowhere rise to such a luxuriant height as under the most atrocious institutions. It is part of the irony of life, that the strongest feelings of devoted gratitude of which human nature seems to be susceptible, are called forth in human beings towards those who, having the power entirely to crush their earthly existence, voluntarily refrain from using that power. How great a place in most men this sentiment fills, even in religious devotion, it would be cruel to inquire. We daily see how much their gratitude to Heaven appears to be stimulated by the contemplation of fellow-creatures to whom God has not been so merciful as he has to themselves.

Whether the institution to be defended is slavery, political absolutism, or the absolutism of the head of a family, we are always expected to judge of it from its best instances; and we are presented with pictures of loving exercise of authority on one side, loving submission to it on the other—superior wisdom ordering all things for the greatest good of the dependents, and surrounded by their smiles and benedictions. All this would be very much to the purpose if any one pretended that there are no such things as good men. Who doubts that there may be great goodness, and great happiness, and great affection, under the absolute government of a good man? Meanwhile, laws and institutions require to be

adapted, not to good men, but to bad. Marriage is not an institution designed for a select few. Men are not required, as a preliminary to the marriage ceremony, to prove by testimonials that they are fit to be trusted with the exercise of absolute power. The tie of affection and obligation to a wife and children is very strong with those whose general social feelings are strong, and with many who are little sensible to any other social ties; but there are all degrees of sensibility and insensibility to it, as there are all grades of goodness and wickedness in men, down to those whom no ties will bind, and on whom society has no action but through its *ultima ratio*, the penalties of the law. In every grade of this descending scale are men to whom are committed all the legal powers of a husband. The vilest malefactor has some wretched woman tied to him, against whom he can commit any atrocity except killing her, and, if tolerably cautious, can do that without much danger of the legal penalty. And how many thousands are there among the lowest classes in every country, who, without being in a legal sense malefactors in any other respect, because in every other quarter their aggressions meet with resistance, indulge the utmost habitual excesses of bodily violence towards the unhappy wife, who alone, at least o grown persons, can neither repel nor escape from

their brutality; and towards whom the excess of dependence inspires their mean and savage natures, not with a generous forbearance, and a point of honour to behave well to one whose lot in life is trusted entirely to their kindness, but on the contrary with a notion that the law has delivered her to them as their thing, to be used at their pleasure, and that they are not expected to practise the consideration towards her which is required from them towards everybody else. The law, which till lately left even these atrocious extremes of domestic oppression practically unpunished, has within these few years made some feeble attempts to repress them. But its attempts have done little, and cannot be expected to do much, because it is contrary to reason and experience to suppose that there can be any real check to brutality, consistent with leaving the victim still in the power of the executioner. Until a conviction for personal violence, or at all events a repetition of it after a first conviction, entitles the woman *ipso facto* to a divorce, or at least to a judicial separation, the attempt to repress these "aggravated assaults" by legal penalties will break down for want of a prosecutor, or for want of a witness.

When we consider how vast is the number of men, in any great country, who are little higher than brutes, and that this never prevents them

from being able, through the law of marriage, to obtain a victim, the breadth and depth of human misery caused in this shape alone by the abuse of the institution swells to something appalling. Yet these are only the extreme cases. They are the lowest abysses, but there is a sad succession of depth after depth before reaching them. In domestic as in political tyranny, the case of absolute monsters chiefly illustrates the institution by showing that there is scarcely any horror which may not occur under it if the despot pleases, and thus setting in a strong light what must be the terrible frequency of things only a little less atrocious. Absolute fiends are as rare as angels, perhaps rarer: ferocious savages, with occasional touches of humanity, are however very frequent: and in the wide interval which separates these from any worthy representatives of the human species, how many are the forms and gradations of animalism and selfishness, often under an outward varnish of civilization and even cultivation, living at peace with the law, maintaining a creditable appearance to all who are not under their power, yet sufficient often to make the lives of all who are so, a torment and a burthen to them! It would be tiresome to repeat the commonplaces about the unfitness of men in general for power, which, after the political discussions of centuries, every

one knows by heart, were it not that hardly any one thinks of applying these maxims to the case in which above all others they are applicable, that of power, not placed in the hands of a man here and there, but offered to every adult male, down to the basest and most ferocious. It is not because a man is not known to have broken any of the Ten Commandments, or because he maintains a respectable character in his dealings with those whom he cannot compel to have intercourse with him, or because he does not fly out into violent bursts of ill-temper against those who are not obliged to bear with him, that it is possible to surmise of what sort his conduct will be in the unrestraint of home. Even the commonest men reserve the violent, the sulky, the undisguisedly selfish side of their character for those who have no power to withstand it. The relation of superiors to dependents is the nursery of these vices of character, which, wherever else they exist, are an overflowing from that source. A man who is morose or violent to his equals, is sure to be one who has lived among inferiors, whom he could frighten or worry into submission. If the family in its best forms is, as it is often said to be, a school of sympathy, tenderness, and loving forgetfulness of self, it is still oftener, as respects its chief, a school of wilfulness, overbearingness, unbounded self-indulgence, and a

double-dyed and idealized selfishness, of which sacrifice itself is only a particular form: the care for the wife and children being only care for them as parts of the man's own interests and belongings, and their individual happiness being immolated in every shape to his smallest preferences. What better is to be looked for under the existing form of the institution? We know that the bad propensities of human nature are only kept within bounds when they are allowed no scope for their indulgence. We know that from impulse and habit, when not from deliberate purpose, almost every one to whom others yield, goes on encroaching upon them, until a point is reached at which they are compelled to resist. Such being the common tendency of human nature; the almost unlimited power which present social institutions give to the man over at least one human being—the one with whom he resides, and whom he has always present—this power seeks out and evokes the latent germs of selfishness in the remotest corners of his nature—fans its faintest sparks and smouldering embers—offers to him a license for the indulgence of those points of his original character which in all other relations he would have found it necessary to repress and conceal, and the repression of which would in time have become a second nature. I know that there is another side to

the question. I grant that the wife, if she cannot effectually resist, can at least retaliate; she, too, can make the man's life extremely uncomfortable, and by that power is able to carry many points which she ought, and many which she ought not, to prevail in. But this instrument of self-protection—which may be called the power of the scold, or the shrewish sanction—has the fatal defect, that it avails most against the least tyrannical superiors, and in favour of the least deserving dependents. It is the weapon of irritable and self-willed women; of those who would make the worst use of power if they themselves had it, and who generally turn this power to a bad use. The amiable cannot use such an instrument, the highminded disdain it. And on the other hand, the husbands against whom it is used most effectively are the gentler and more inoffensive; those who cannot be induced, even by provocation, to resort to any very harsh exercise of authority. The wife's power of being disagreeable generally only establishes a counter-tyranny, and makes victims in their turn chiefly of those husbands who are least inclined to be tyrants.

What is it, then, which really tempers the corrupting effects of the power, and makes it compatible with such amount of good as we actually see? Mere feminine blandishments,

though of great effect in individual instances, have very little effect in modifying the general tendencies of the situation; for their power only lasts while the woman is young and attractive, often only while her charm is new, and not dimmed by familiarity; and on many men they have not much influence at any time. The real mitigating causes are, the personal affection which is the growth of time, in so far as the man's nature is susceptible of it, and the woman's character sufficiently congenial with his to excite it; their common interests as regards the children, and their general community of interest as concerns third persons (to which however there are very great limitations); the real importance of the wife to his daily comforts and enjoyments, and the value he consequently attaches to her on his personal account, which, in a man capable of feeling for others, lays the foundation of caring for her on her own; and lastly, the influence naturally acquired over almost all human beings by those near to their persons (if not actually disagreeable to them): who, both by their direct entreaties, and by the insensible contagion of their feelings and dispositions, are often able, unless counteracted by some equally strong personal influence, to obtain a degree of command over the conduct of the superior, altogether excessive and unreasonable. Through these various means, the

wife frequently exercises even too much power over the man; she is able to affect his conduct in things in which she may not be qualified to influence it for good—in which her influence may be not only unenlightened, but employed on the morally wrong side; and in which he would act better if left to his own prompting. But neither in the affairs of families nor in those of states is power a compensation for the loss of freedom. Her power often gives her what she has no right to, but does not enable her to assert her own rights. A Sultan's favourite slave has slaves under her, over whom she tyrannizes; but the desirable thing would be that she should neither have slaves nor be a slave. By entirely sinking her own existence in her husband; by having no will (or persuading him that she has no will) but his, in anything which regards their joint relation, and by making it the business of her life to work upon his sentiments, a wife may gratify herself by influencing, and very probably perverting, his conduct, in those of his external relations which she has never qualified herself to judge of, or in which she is herself wholly influenced by some personal or other partiality or prejudice. Accordingly, as things now are, those who act most kindly to their wives, are quite as often made worse, as better, by the wife's influence, in respect to all interests extending

beyond the family. She is taught that she has no business with things out of that sphere; and accordingly she seldom has any honest and conscientious opinion on them; and therefore hardly ever meddles with them for any legitimate purpose, but generally for an interested one. She neither knows nor cares which is the right side in politics, but she knows what will bring in money or invitations, give her husband a title, her son a place, or her daughter a good marriage.

But how, it will be asked, can any society exist without government? In a family, as in a state, some one person must be the ultimate ruler. Who shall decide when married people differ in opinion? Both cannot have their way, yet a decision one way or the other must be come to.

It is not true that in all voluntary association between two people, one of them must be absolute master: still less that the law must determine which of them it shall be. The most frequent case of voluntary association, next to marriage, is partnership in business: and it is not found or thought necessary to enact that in every partnership, one partner shall have entire control over the concern, and the others shall be bound to obey his orders. No one would enter into partnership on terms which would subject him to the responsibilities of a principal, with only the

powers and privileges of a clerk or agent. If the law dealt with other contracts as it does with marriage, it would ordain that one partner should administer the common business as if it was his private concern; that the others should have only delegated powers; and that this one should be designated by some general presumption of law, for example as being the eldest. The law never does this: nor does experience show it to be necessary that any theoretical inequality of power should exist between the partners, or that the partnership should have any other conditions than what they may themselves appoint by their articles of agreement. Yet it might seem that the exclusive power might be conceded with less danger to the rights and interests of the inferior, in the case of partnership than in that of marriage, since he is free to cancel the power by withdrawing from the connexion. The wife has no such power, and even if she had, it is almost always desirable that she should try all measures before resorting to it.

It is quite true that things which have to be decided every day, and cannot adjust themselves gradually, or wait for a compromise, ought to depend on one will: one person must have their sole control. But it does not follow that this should always be the same person. The natural arrangement is a division of powers

between the two; each being absolute in the executive branch of their own department, and any change of system and principle requiring the consent of both. The division neither can nor should be pre-established by the law, since it must depend on individual capacities and suitabilities. If the two persons chose, they might pre-appoint it by the marriage contract, as pecuniary arrangements are now often pre-appointed. There would seldom be any difficulty in deciding such things by mutual consent, unless the marriage was one of those unhappy ones in which all other things, as well as this, become subjects of bickering and dispute. The division of rights would naturally follow the division of duties and functions; and that is already made by consent, or at all events not by law, but by general custom, modified and modifiable at the pleasure of the persons concerned.

The real practical decision of affairs, to whichever may be given the legal authority, will greatly depend, as it even now does, upon comparative qualifications. The mere fact that he is usually the eldest, will in most cases give the preponderance to the man; at least until they both attain a time of life at which the difference in their years is of no importance. There will naturally also be a more potential voice on the side, whichever it is, that brings the means of

support. Inequality from this source does not depend on the law of marriage, but on the general conditions of human society, as now constituted. The influence of mental superiority, either general or special, and of superior decision of character, will necessarily tell for much. It always does so at present. And this fact shows how little foundation there is for the apprehension that the powers and responsibilities of partners in life (as of partners in business), cannot be satisfactorily apportioned by agreement between themselves. They always are so apportioned, except in cases in which the marriage institution is a failure. Things never come to an issue of downright power on one side, and obedience on the other, except where the connexion altogether has been a mistake, and it would be a blessing to both parties to be relieved from it. Some may say that the very thing by which an amicable settlement of differences becomes possible, is the power of legal compulsion known to be in reserve; as people submit to an arbitration because there is a court of law in the background, which they know that they can be forced to obey. But to make the cases parallel, we must suppose that the rule of the court of law was, not to try the cause, but to give judgment always for the same side, suppose the defendant. If so,

the amenability to it would be a motive with the plaintiff to agree to almost any arbitration, but it would be just the reverse with the defendant. The despotic power which the law gives to the husband may be a reason to make the wife assent to any compromise by which power is practically shared between the two, but it cannot be the reason why the husband does. That there is always among decently conducted people a practical compromise, though one of them at least is under no physical or moral necessity of making it, shows that the natural motives which lead to a voluntary adjustment of the united life of two persons in a manner acceptable to both, do on the whole, except in unfavourable cases, prevail. The matter is certainly not improved by laying down as an ordinance of law, that the superstructure of free government shall be raised upon a legal basis of despotism on one side and subjection on the other, and that every concession which the despot makes may, at his mere pleasure, and without any warning, be recalled. Besides that no freedom is worth much when held on so precarious a tenure, its conditions are not likely to be the most equitable when the law throws so prodigious a weight into one scale; when the adjustment rests between two persons one of whom is declared to be entitled to

everything, the other not only entitled to nothing except during the good pleasure of the first, but under the strongest moral and religious obligation not to rebel under any excess of oppression.

A pertinacious adversary, pushed to extremities, may say, that husbands indeed are willing to be reasonable, and to make fair concessions to their partners without being compelled to it, but that wives are not: that if allowed any rights of their own, they will acknowledge no rights at all in any one else, and never will yield in anything, unless they can be compelled, by the man's mere authority, to yield in everything. This would have been said by many persons some generations ago, when satires on women were in vogue, and men thought it a clever thing to insult women for being what men made them. But it will be said by no one now who is worth replying to. It is not the doctrine of the present day that women are less susceptible of good feeling, and consideration for those with whom they are united by the strongest ties, than men are. On the contrary, we are perpetually told that women are better than men, by those who are totally opposed to treating them as if they were as good; so that the saying has passed into a piece of tiresome cant, intended to put a complimentary face upon an injury, and resembling

those celebrations of royal clemency which, according to Gulliver, the king of Lilliput always prefixed to his most sanguinary decrees. If women are better than men in anything, it surely is in individual self-sacrifice for those of their own family. But I lay little stress on this, so long as they are universally taught that they are born and created for self-sacrifice. I believe that equality of rights would abate the exaggerated self-abnegation which is the present artificial ideal of feminine character, and that a good woman would not be more self-sacrificing than the best man: but on the other hand, men would be much more unselfish and self-sacrificing than at present, because they would no longer be taught to worship their own will as such a grand thing that it is actually the law for another rational being. There is nothing which men so easily learn as this self-worship: all privileged persons, and all privileged classes, have had it. The more we descend in the scale of humanity, the intenser it is; and most of all in those who are not, and can never expect to be, raised above any one except an unfortunate wife and children. The honourable exceptions are proportionally fewer than in the case of almost any other human infirmity. Philosophy and religion, instead of keeping it in check, are generally suborned to defend it; and nothing controls it but that

practical feeling of the equality of human beings, which is the theory of Christianity, but which Christianity will never practically teach, while it sanctions institutions grounded on an arbitrary preference of one human being over another.

There are, no doubt, women, as there are men, whom equality of consideration will not satisfy; with whom there is no peace while any will or wish is regarded but their own. Such persons are a proper subject for the law of divorce. They are only fit to live alone, and no human beings ought to be compelled to associate their lives with them. But the legal subordination tends to make such characters among women more, rather than less, frequent. If the man exerts his whole power, the woman is of course crushed: but if she is treated with indulgence, and permitted to assume power, there is no rule to set limits to her encroachments. The law, not determining her rights, but theoretically allowing her none at all, practically declares that the measure of what she has a right to, is what she can contrive to get.

The equality of married persons before the law, is not only the sole mode in which that particular relation can be made consistent with justice to both sides, and conducive to the happiness of both, but it is the only means of rendering the daily life of mankind, in any

high sense, a school of moral cultivation. Though the truth may not be felt or generally acknowledged for generations to come, the only school of genuine moral sentiment is society between equals. The moral education of mankind has hitherto emanated chiefly from the law of force, and is adapted almost solely to the relations which force creates. In the less advanced states of society, people hardly recognise any relation with their equals. To be an equal is to be an enemy. Society, from its highest place to its lowest, is one long chain, or rather ladder, where every individual is either above or below his nearest neighbour, and wherever he does not command he must obey. Existing moralities, accordingly, are mainly fitted to a relation of command and obedience. Yet command and obedience are but unfortunate necessities of human life: society in equality is its normal state. Already in modern life, and more and more as it progressively improves, command and obedience become exceptional facts in life, equal association its general rule. The morality of the first ages rested on the obligation to submit to power; that of the ages next following, on the right of the weak to the forbearance and protection of the strong. How much longer is one form of society and life to content itself with the morality made for another? We have had

the morality of submission, and the morality of chivalry and generosity; the time is now come for the morality of justice. Whenever, in former ages, any approach has been made to society in equality, Justice has asserted its claims as the foundation of virtue. It was thus in the free republics of antiquity. But even in the best of these, the equals were limited to the free male citizens; slaves, women, and the unenfranchised residents were under the law of force. The joint influence of Roman civilization and of Christianity obliterated these distinctions, and in theory (if only partially in practice) declared the claims of the human being, as such, to be paramount to those of sex, class, or social position. The barriers which had begun to be levelled were raised again by the northern conquests; and the whole of modern history consists of the slow process by which they have since been wearing away. We are entering into an order of things in which justice will again be the primary virtue; grounded as before on equal, but now also on sympathetic association; having its root no longer in the instinct of equals for self-protection, but in a cultivated sympathy between them; and no one being now left out, but an equal measure being extended to all. It is no novelty that mankind do not distinctly foresee their own changes,

and that their sentiments are adapted to past, not to coming ages. To see the futurity of the species has always been the privilege of the intellectual élite, or of those who have learnt from them; to have the feelings of that futurity has been the distinction, and usually the martyrdom, of a still rarer élite. Institutions, books, education, society, all go on training human beings for the old, long after the new has come; much more when it is only coming. But the true virtue of human beings is fitness to live together as equals; claiming nothing for themselves but what they as freely concede to every one else; regarding command of any kind as an exceptional necessity, and in all cases a temporary one; and preferring, whenever possible, the society of those with whom leading and following can be alternate and reciprocal. To these virtues, nothing in life as at present constituted gives cultivation by exercise. The family is a school of despotism, in which the virtues of despotism, but also its vices, are largely nourished. Citizenship, in free countries, is partly a school of society in equality; but citizenship fills only a small place in modern life, and does not come near the daily habits or inmost sentiments. The family, justly constituted, would be the real school of the virtues of freedom. It is sure to be a sufficient one of everything else. It will

always be a school of obedience for the children, of command for the parents. What is needed is, that it should be a school of sympathy in equality, of living together in love, without power on one side or obedience on the other. This it ought to be between the parents. It would then be an exercise of those virtues which each requires to fit them for all other association, and a model to the children of the feelings and conduct which their temporary training by means of obedience is designed to render habitual, and therefore natural, to them. The moral training of mankind will never be adapted to the conditions of the life for which all other human progress is a preparation, until they practise in the family the same moral rule which is adapted to the normal constitution of human society. Any sentiment of freedom which can exist in a man whose nearest and dearest intimacies are with those of whom he is absolute master, is not the genuine or Christian love of freedom, but, what the love of freedom generally was in the ancients and in the middle ages—an intense feeling of the dignity and importance of his own personality; making him disdain a yoke for himself, of which he has no abhorrence whatever in the abstract, but which he is abundantly ready to impose on others for his own interest or glorification.

I readily admit (and it is the very foundation of my hopes) that numbers of married people even under the present law, (in the higher classes of England probably a great majority,) live in the spirit of a just law of equality. Laws never would be improved, if there were not numerous persons whose moral sentiments are better than the existing laws. Such persons ought to support the principles here advocated; of which the only object is to make all other married couples similar to what these are now. But persons even of considerable moral worth, unless they are also thinkers, are very ready to believe that laws or practices, the evils of which they have not personally experienced, do not produce any evils, but (if seeming to be generally approved of) probably do good, and that it is wrong to object to them. It would, however, be a great mistake in such married people to suppose, because the legal conditions of the tie which unites them do not occur to their thoughts once in a twelvemonth, and because they live and feel in all respects as if they were legally equals, that the same is the case with all other married couples, wherever the husband is not a notorious ruffian. To suppose this, would be to show equal ignorance of human nature and of fact. The less fit a man is for the possession of power—the less likely to be allowed to exercise

it over any person with that person's voluntary consent—the more does he hug himself in the consciousness of the power the law gives him, exact its legal rights to the utmost point which custom (the custom of men like himself) will tolerate, and take pleasure in using the power, merely to enliven the agreeable sense of possessing it. What is more, in the most naturally brutal and morally uneducated part of the lower classes, the legal slavery of the woman, and something in the merely physical subjection to their will as an instrument, causes them to feel a sort of disrespect and contempt towards their own wife which they do not feel towards any other woman, or any other human being, with whom they come in contact; and which makes her seem to them an appropriate subject for any kind of indignity. Let an acute observer of the signs of feeling, who has the requisite opportunities, judge for himself whether this is not the case: and if he finds that it is, let him not wonder at any amount of disgust and indignation that can be felt against institutions which lead naturally to this depraved state of the human mind.

We shall be told, perhaps, that religion imposes the duty of obedience; as every established fact which is too bad to admit of any other defence, is always presented to us as an injunction of religion. The Church, it is very true, enjoins it

in her formularies, but it would be difficult to derive any such injunction from Christianity. We are told that St. Paul said, "Wives, obey your husbands:" but he also said, "Slaves, obey your masters." It was not St. Paul's business, nor was it consistent with his object, the propagation of Christianity, to incite any one to rebellion against existing laws. The apostle's acceptance of all social institutions as he found them, is no more to be construed as a disapproval of attempts to improve them at the proper time, than his declaration, "The powers that be are ordained of God," gives his sanction to military despotism, and to that alone, as the Christian form of political government, or commands passive obedience to it. To pretend that Christianity was intended to stereotype existing forms of government and society, and protect them against change, is to reduce it to the level of Islamism or of Brahminism. It is precisely because Christianity has not done this, that it has been the religion of the progressive portion of mankind, and Islamism, Brahminism, &c., have been those of the stationary portions; or rather (for there is no such thing as a really stationary society) of the declining portions. There have been abundance of people, in all ages of Christianity, who tried to make it something of the same kind; to convert us into a sort of Christian

Mussulmans, with the Bible for a Koran, prohibiting all improvement: and great has been their power, and many have had to sacrifice their lives in resisting them. But they have been resisted, and the resistance has made us what we are, and will yet make us what we are to be.

After what has been said respecting the obligation of obedience, it is almost superfluous to say anything concerning the more special point included in the general one—a woman's right to her own property; for I need not hope that this treatise can make any impression upon those who need anything to convince them that a woman's inheritance or gains ought to be as much her own after marriage as before. The rule is simple: whatever would be the husband's or wife's if they were not married, should be under their exclusive control during marriage; which need not interfere with the power to tie up property by settlement, in order to preserve it for children. Some people are sentimentally shocked at the idea of a separate interest in money matters, as inconsistent with the ideal fusion of two lives into one. For my own part, I am one of the strongest supporters of community of goods, when resulting from an entire unity of feeling in the owners, which makes all things common between them. But I have no relish for a community of goods resting on the doc-

trine, that what is mine is yours but what is yours is not mine; and I should prefer to decline entering into such a compact with any one, though I were myself the person to profit by it.

This particular injustice and oppression to women, which is, to common apprehensions, more obvious than all the rest, admits of remedy without interfering with any other mischiefs: and there can be little doubt that it will be one of the earliest remedied. Already, in many of the new and several of the old States of the American Confederation, provisions have been inserted even in the written Constitutions, securing to women equality of rights in this respect: and thereby improving materially the position, in the marriage relation, of those women at least who have property, by leaving them one instrument of power which they have not signed away; and preventing also the scandalous abuse of the marriage institution, which is perpetrated when a man entraps a girl into marrying him without a settlement, for the sole purpose of getting possession of her money. When the support of the family depends, not on property, but on earnings, the common arrangement, by which the man earns the income and the wife superintends the domestic expenditure, seems to me in general the most suitable division of

labour between the two persons. If, in addition to the physical suffering of bearing children, and the whole responsibility of their care and education in early years, the wife undertakes the careful and economical application of the husband's earnings to the general comfort of the family; she takes not only her fair share, but usually the larger share, of the bodily and mental exertion required by their joint existence. If she undertakes any additional portion, it seldom relieves her from this, but only prevents her from performing it properly. The care which she is herself disabled from taking of the children and the household, nobody else takes; those of the children who do not die, grow up as they best can, and the management of the household is likely to be so bad, as even in point of economy to be a great drawback from the value of the wife's earnings. In an otherwise just state of things, it is not, therefore, I think, a desirable custom, that the wife should contribute by her labour to the income of the family. In an unjust state of things, her doing so may be useful to her, by making her of more value in the eyes of the man who is legally her master; but, on the other hand, it enables him still farther to abuse his power, by forcing her to work, and leaving the support of the family to her exertions, while he spends most of his time in drink-

ing and idleness. The *power* of earning is essential to the dignity of a woman, if she has not independent property. But if marriage were an equal contract, not implying the obligation of obedience; if the connexion were no longer enforced to the oppression of those to whom it is purely a mischief, but a separation, on just terms (I do not now speak of a divorce), could be obtained by any woman who was morally entitled to it; and if she would then find all honourable employments as freely open to her as to men; it would not be necessary for her protection, that during marriage she should make this particular use of her faculties. Like a man when he chooses a profession, so, when a woman marries, it may in general be understood that she makes choice of the management of a household, and the bringing up of a family, as the first call upon her exertions, during as many years of her life as may be required for the purpose; and that she renounces, not all other objects and occupations, but all which are not consistent with the requirements of this. The actual exercise, in a habitual or systematic manner, of outdoor occupations, or such as cannot be carried on at home, would by this principle be practically interdicted to the greater number of married women. But the utmost latitude ought to exist for the adaptation of

general rules to individual suitabilities; and there ought to be nothing to prevent faculties exceptionally adapted to any other pursuit, from obeying their vocation notwithstanding marriage: due provision being made for supplying otherwise any falling-short which might become inevitable, in her full performance of the ordinary functions of mistress of a family. These things, if once opinion were rightly directed on the subject, might with perfect safety be left to be regulated by opinion, without any interfenence of law.

CHAPTER III.

ON the other point which is involved in the just equality of women, their admissibility to all the functions and occupations hitherto retained as the monopoly of the stronger sex, I should anticipate no difficulty in convincing any one who has gone with me on the subject of the equality of women in the family. I believe that their disabilities elsewhere are only clung to in order to maintain their subordination in domestic life; because the generality of the male sex cannot yet tolerate the idea of living with an equal. Were it not for that, I think that almost every one, in the existing state of opinion in politics and political economy, would admit the injustice of excluding half the human race from the greater number of lucrative occupations, and from almost all high social functions; ordaining from their birth either that they are not, and cannot by any possibility become, fit for employments which are legally open to the stupidest and basest of the other sex, or else that however fit they may be, those employments shall

be interdicted to them, in order to be preserved for the exclusive benefit of males. In the last two centuries, when (which was seldom the case) any reason beyond the mere existence of the fact was thought to be required to justify the disabilities of women, people seldom assigned as a reason their inferior mental capacity; which, in times when there was a real trial of personal faculties (from which all women were not excluded) in the struggles of public life, no one really believed in. The reason given in those days was not women's unfitness, but the interest of society, by which was meant the interest of men: just as the *raison d'état*, meaning the convenience of the government, and the support of existing authority, was deemed a sufficient explanation and excuse for the most flagitious crimes. In the present day, power holds a smoother language, and whomsoever it oppresses, always pretends to do so for their own good: accordingly, when anything is forbidden to women, it is thought necessary to say, and desirable to believe, that they are incapable of doing it, and that they depart from their real path of success and happiness when they aspire to it. But to make this reason plausible (I do not say valid), those by whom it is urged must be prepared to carry it to a much greater length than any one ventures to do in the face of present experience. It is not sufficient to maintain that women on

the average are less gifted than men on the average, with certain of the higher mental faculties, or that a smaller number of women than of men are fit for occupations and functions of the highest intellectual character. It is necessary to maintain that no women at all are fit for them, and that the most eminent women are inferior in mental faculties to the most mediocre of the men on whom those functions at present devolve. For if the performance of the function is decided either by competition, or by any mode of choice which secures regard to the public interest, there needs be no apprehension that any important employments will fall into the hands of women inferior to average men, or to the average of their male competitors. The only result would be that there would be fewer women than men in such employments; a result certain to happen in any case, if only from the preference always likely to be felt by the majority of women for the one vocation in which there is nobody to compete with them. Now, the most determined depreciator of women will not venture to deny, that when we add the experience of recent times to that of ages past, women, and not a few merely, but many women, have proved themselves capable of everything, perhaps without a single exception, which is done by men, and of doing it successfully and creditably. The utmost that can be

said is, that there are many things which none of them have succeeded in doing as well as they have been done by some men—many in which they have not reached the very highest rank. But there are extremely few, dependent only on mental faculties, in which they have not attained the rank next to the highest. Is not this enough, and much more than enough, to make it a tyranny to them, and a detriment to society, that they should not be allowed to compete with men for the exercise of these functions? Is it not a mere truism to say, that such functions are often filled by men far less fit for them than numbers of women, and who would be beaten by women in any fair field of competition? What difference does it make that there may be men somewhere, fully employed about other things, who may be still better qualified for the things in question than these women? Does not this take place in all competitions? Is there so great a superfluity of men fit for high duties, that society can afford to reject the service of any competent person? Are we so certain of always finding a man made to our hands for any duty or function of social importance which falls vacant, that we lose nothing by putting a ban upon one-half of mankind, and refusing beforehand to make their faculties available, however distinguished they may be? And even if we could do without

them, would it be consistent with justice to refuse to them their fair share of honour and distinction, or to deny to them the equal moral right of all human beings to choose their occupation (short of injury to others) according to their own preferences, at their own risk? Nor is the injustice confined to them: it is shared by those who are in a position to benefit by their services. To ordain that any kind of persons shall not be physicians, or shall not be advocates, or shall not be members of parliament, is to injure not them only, but all who employ physicians or advocates, or elect members of parliament, and who are deprived of the stimulating effect of greater competition on the exertions of the competitors, as well as restricted to a narrower range of individual choice.

It will perhaps be sufficient if I confine myself, in the details of my argument, to functions of a public nature: since, if I am successful as to those, it probably will be readily granted that women should be admissible to all other occupations to which it is at all material whether they are admitted or not. And here let me begin by marking out one function, broadly distinguished from all others, their right to which is entirely independent of any question which can be raised concerning their faculties. I mean the suffrage, both parliamentary and municipal. The

right to share in the choice of those who are to exercise a public trust, is altogether a distinct thing from that of competing for the trust itself. If no one could vote for a member of parliament who was not fit to be a candidate, the government would be a narrow oligarchy indeed. To have a voice in choosing those by whom one is to be governed, is a means of self-protection due to every one, though he were to remain for ever excluded from the function of governing: and that women are considered fit to have such a choice, may be presumed from the fact, that the law already gives it to women in the most important of all cases to themselves: for the choice of the man who is to govern a woman to the end of life, is always supposed to be voluntarily made by herself. In the case of election to public trusts, it is the business of constitutional law to surround the right of suffrage with all needful securities and limitations; but whatever securities are sufficient in the case of the male sex, no others need be required in the case of women. Under whatever conditions, and within whatever limits, men are admitted to the suffrage, there is not a shadow of justification for not admitting women under the same. The majority of the women of any class are not likely to differ in political opinion from the majority of the men of the same class, unless

the question be one in which the interests of women, as such, are in some way involved; and if they are so, women require the suffrage, as their guarantee of just and equal consideration. This ought to be obvious even to those who coincide in no other of the doctrines for which I contend. Even if every woman were a wife, and if every wife ought to be a slave, all the more would these slaves stand in need of legal protection: and we know what legal protection the slaves have, where the laws are made by their masters.

With regard to the fitness of women, not only to participate in elections, but themselves to hold offices or practise professions involving important public responsibilities; I have already observed that this consideration is not essential to the practical question in dispute: since any woman, who succeeds in an open profession, proves by that very fact that she is qualified for it. And in the case of public offices, if the political system of the country is such as to exclude unfit men, it will equally exclude unfit women: while if it is not, there is no additional evil in the fact that the unfit persons whom it admits may be either women or men. As long therefore as it is acknowledged that even a few women may be fit for these duties, the laws which shut the door on those exceptions cannot be justified by any opinion which can be held respecting the

capacities of women in general. But, though this last consideration is not essential, it is far from being irrelevant. An unprejudiced view of it gives additional strength to the arguments against the disabilities of women, and reinforces them by high considerations of practical utility.

Let us at first make entire abstraction of all psychological considerations tending to show, that any of the mental differences supposed to exist between women and men are but the natural effect of the differences in their education and circumstances, and indicate no radical difference, far less radical inferiority, of nature. Let us consider women only as they already are, or as they are known to have been; and the capacities which they have already practically shown. What they have done, that at least, if nothing else, it is proved that they can do. When we consider how sedulously they are all trained away from, instead of being trained towards, any of the occupations or objects reserved for men, it is evident that I am taking a very humble ground for them, when I rest their case on what they have actually achieved. For, in this case, negative evidence is worth little, while any positive evidence is conclusive. It cannot be inferred to be impossible that a woman should be a Homer, or an Aristotle, or a Michael Angelo, or a Beethoven, because no woman has yet actually pro-

duced works comparable to theirs in any of those lines of excellence. This negative fact at most leaves the question uncertain, and open to psychological discussion. But it is quite certain that a woman can be a Queen Elizabeth, or a Deborah, or a Joan of Arc, since this is not inference, but fact. Now it is a curious consideration, that the only things which the existing law excludes women from doing, are the things which they have proved that they are able to do. There is no law to prevent a woman from having written all the plays of Shakspeare, or composed all the operas of Mozart. But Queen Elizabeth or Queen Victoria, had they not inherited the throne, could not have been intrusted with the smallest of the political duties, of which the former showed herself equal to the greatest.

If anything conclusive could be inferred from experience, without psychological analysis, it would be that the things which women are not allowed to do are the very ones for which they are peculiarly qualified; since their vocation for government has made its way, and become conspicuous, through the very few opportunities which have been given; while in the lines of distinction which apparently were freely open to them, they have by no means so eminently distinguished themselves. We know how small a number of reigning queens history presents, in

comparison with that of kings. Of this smaller number a far larger proportion have shown talents for rule; though many of them have occupied the throne in difficult periods. It is remarkable, too, that they have, in a great number of instances, been distinguished by merits the most opposite to the imaginary and conventional character of women: they have been as much remarked for the firmness and vigour of their rule, as for its intelligence. When, to queens and empresses, we add regents, and viceroys of provinces, the list of women who have been eminent rulers of mankind swells to a great length.* This fact is so undeniable, that some one, long ago, tried to retort the argument, and turned the admitted truth into an additional insult, by saying that queens are better than

* Especially is this true if we take into consideration Asia as well as Europe. If a Hindoo principality is strongly, vigilantly, and economically governed; if order is preserved without oppression; if cultivation is extending, and the people prosperous, in three cases out of four that principality is under a woman's rule. This fact, to me an entirely unexpected one, I have collected from a long official knowledge of Hindoo governments. There are many such instances: for though, by Hindoo institutions, a woman cannot reign, she is the legal regent of a kingdom during the minority of the heir; and minorities are frequent, the lives of the male rulers being so often prematurely terminated through the effect of inactivity and sensual excesses. When we consider that these princesses have never been seen in public, have never conversed with any man not of their own family except from behind a curtain, that they do not read, and if they did, there is no book in their languages which can give them the smallest instruction on political affairs; the example they afford of the natural capacity of women for government is very striking.

kings, because under kings women govern, but under queens, men.

It may seem a waste of reasoning to argue against a bad joke; but such things do affect people's minds; and I have heard men quote this saying, with an air as if they thought that there was something in it. At any rate, it will serve as well as anything else for a starting point in discussion. I say, then, that it is not true that under kings, women govern. Such cases are entirely exceptional: and weak kings have quite as often governed ill through the influence of male favourites, as of female. When a king is governed by a woman merely through his amatory propensities, good government is not probable, though even then there are exceptions. But French history counts two kings who have voluntarily given the direction of affairs during many years, the one to his mother, the other to his sister: one of them, Charles VIII., was a mere boy, but in doing so he followed the intentions of his father Louis XI., the ablest monarch of his age. The other, Saint Louis, was the best, and one of the most vigorous rulers, since the time of Charlemagne. Both these princesses ruled in a manner hardly equalled by any prince among their cotemporaries. The emperor Charles the Fifth, the most politic prince of his time, who had as great a number of able men in

his service as a ruler ever had, and was one of the least likely of all sovereigns to sacrifice his interest to personal feelings, made two princesses of his family successively Governors of the Netherlands, and kept one or other of them in that post during his whole life, (they were afterwards succeeded by a third). Both ruled very successfully, and one of them, Margaret of Austria, was one of the ablest politicians of the age. So much for one side of the question. Now as to the other. When it is said that under queens men govern, is the same meaning to be understood as when kings are said to be governed by women? Is it meant that queens choose as their instruments of government, the associates of their personal pleasures? The case is rare even with those who are as unscrupulous on the latter point as Catherine II.: and it is not in these cases that the good government, alleged to arise from male influence, is to be found. If it be true, then, that the administration is in the hands of better men under a queen than under an average king, it must be that queens have a superior capacity for choosing them; and women must be better qualified than men both for the position of sovereign, and for that of chief minister; for the principal business of a prime minister is not to govern in person, but to find the fittest persons to conduct every department of public affairs.

The more rapid insight into character, which is one of the admitted points of superiority in women over men, must certainly make them, with anything like parity of qualifications in other respects, more apt than men in that choice of instruments, which is nearly the most important business of every one who has to do with governing mankind. Even the unprincipled Catherine de' Medici could feel the value of a Chancellor de l'Hôpital. But it is also true that most great queens have been great by their own talents for government, and have been well served precisely for that reason. They retained the supreme direction of affairs in their own hands: and if they listened to good advisers, they gave by that fact the strongest proof that their judgment fitted them for dealing with the great questions of government.

Is it reasonable to think that those who are fit for the greater functions of politics, are incapable of qualifying themselves for the less? Is there any reason in the nature of things, that the wives and sisters of princes should, whenever called on, be found as competent as the princes themselves to *their* business, but that the wives and sisters of statesmen, and administrators, and directors of companies, and managers of public institutions, should be unable to do what is done by their brothers and husbands? The real

reason is plain enough; it is that princesses, being more raised above the generality of men by their rank than placed below them by their sex, have never been taught that it was improper for them to concern themselves with politics; but have been allowed to feel the liberal interest natural to any cultivated human being, in the great transactions which took place around them, and in which they might be called on to take a part. The ladies of reigning families are the only women who are allowed the same range of interests and freedom of development as men; and it is precisely in their case that there is not found to be any inferiority. Exactly where and in proportion as women's capacities for government have been tried, in that proportion have they been found adequate.

This fact is in accordance with the best general conclusions which the world's imperfect experience seems as yet to suggest, concerning the peculiar tendencies and aptitudes characteristic of women, as women have hitherto been. I do not say, as they will continue to be; for, as I have already said more than once, I consider it presumption in any one to pretend to decide what women are or are not, can or cannot be, by natural constitution. They have always hitherto been kept, as far as regards spontaneous development, in so unnatural a state, that their nature

cannot but have been greatly distorted and disguised; and no one can safely pronounce that if women's nature were left to choose its direction as freely as men's, and if no artificial bent were attempted to be given to it except that required by the conditions of human society, and given to both sexes alike, there would be any material difference, or perhaps any difference at all, in the character and capacities which would unfold themselves. I shall presently show, that even the least contestable of the differences which now exist, are such as may very well have been produced merely by circumstances, without any difference of natural capacity. But, looking at women as they are known in experience, it may be said of them, with more truth than belongs to most other generalizations on the subject, that the general bent of their talents is towards the practical. This statement is conformable to all the public history of women, in the present and the past. It is no less borne out by common and daily experience. Let us consider the special nature of the mental capacities most characteristic of a woman of talent. They are all of a kind which fits them for practice, and makes them tend towards it. What is meant by a woman's capacity of intuitive perception? It means, a rapid and correct insight into present fact. It has nothing to do with general prin-

ciples. Nobody ever perceived a scientific law of nature by intuition, nor arrived at a general rule of duty or prudence by it. These are results of slow and careful collection and comparison of experience; and neither the men nor the women of intuition usually shine in this department, unless, indeed, the experience necessary is such as they can acquire by themselves. For what is called their intuitive sagacity makes them peculiarly apt in gathering such general truths as can be collected from their individual means of observation. When, consequently, they chance to be as well provided as men are with the results of other people's experience, by reading and education, (I use the word chance advisedly, for, in respect to the knowledge that tends to fit them for the greater concerns of life, the only educated women are the self-educated) they are better furnished than men in general with the essential requisites of skilful and successful practice. Men who have been much taught, are apt to be deficient in the sense of present fact; they do not see, in the facts which they are called upon to deal with, what is really there, but what they have been taught to expect. This is seldom the case with women of any ability. Their capacity of "intuition" preserves them from it. With equality of experience and of general faculties, a woman

usually sees much more than a man of what is immediately before her. Now this sensibility to the present, is the main quality on which the capacity for practice, as distinguished from theory, depends. To discover general principles, belongs to the speculative faculty: to discern and discriminate the particular cases in which they are and are not applicable, constitutes practical talent: and for this, women as they now are have a peculiar aptitude. I admit that there can be no good practice without principles, and that the predominant place which quickness of observation holds among a woman's faculties, makes her particularly apt to build over-hasty generalizations upon her own observation; though at the same time no less ready in rectifying those generalizations, as her observation takes a wider range. But the corrective to this defect, is access to the experience of the human race; general knowledge—exactly the thing which education can best supply. A woman's mistakes are specifically those of a clever self-educated man, who often sees what men trained in routine do not see, but falls into errors for want of knowing things which have long been known. Of course he has acquired much of the pre-existing knowledge, or he could not have got on at all; but what he knows of it he has picked up in fragments and at random, as women do.

But this gravitation of women's minds to the present, to the real, to actual fact, while in its exclusiveness it is a source of errors, is also a most useful counteractive of the contrary error. The principal and most characteristic aberration of speculative minds as such, consists precisely in the deficiency of this lively perception and ever-present sense of objective fact. For want of this, they often not only overlook the contradiction which outward facts oppose to their theories, but lose sight of the legitimate purpose of speculation altogether, and let their speculative faculties go astray into regions not peopled with real beings, animate or inanimate, even idealized, but with personified shadows created by the illusions of metaphysics or by the mere entanglement of words, and think these shadows the proper objects of the highest, the most transcendant, philosophy. Hardly anything can be of greater value to a man of theory and speculation who employs himself not in collecting materials of knowledge by observation, but in working them up by processes of thought into comprehensive truths of science and laws of conduct, than to carry on his speculations in the companionship, and under the criticism, of a really superior woman. There is nothing comparable to it for keeping his thoughts within the limits of real things, and the actual facts of nature.

A woman seldom runs wild after an abstraction. The habitual direction of her mind to dealing with things as individuals rather than in groups, and (what is closely connected with it) her more lively interest in the present feelings of persons, which makes her consider first of all, in anything which claims to be applied to practice, in what manner persons will be affected by it—these two things make her extremely unlikely to put faith in any speculation which loses sight of individuals, and deals with things as if they existed for the benefit of some imaginary entity, some mere creation of the mind, not resolvable into the feelings of living beings. Women's thoughts are thus as useful in giving reality to those of thinking men, as men's thoughts in giving width and largeness to those of women. In depth, as distinguished from breadth, I greatly doubt if even now, women, compared with men, are at any disadvantage.

If the existing mental characteristics of women are thus valuable even in aid of speculation, they are still more important, when speculation has done its work, for carrying out the results of speculation into practice. For the reasons already given, women are comparatively unlikely to fall into the common error of men, that of sticking to their rules in a case whose specialities either take it out of the class to which the rules are

applicable, or require a special adaptation of them. Let us now consider another of the admitted superiorities of clever women, greater quickness of apprehension. Is not this pre-eminently a quality which fits a person for practice? In action, everything continually depends upon deciding promptly. In speculation, nothing does. A mere thinker can wait, can take time to consider, can collect additional evidence; he is not obliged to complete his philosophy at once, lest the opportunity should go by. The power of drawing the best conclusion possible from insufficient data is not indeed useless in philosophy; the construction of a provisional hypothesis consistent with all known facts is often the needful basis for further inquiry. But this faculty is rather serviceable in philosophy, than the main qualification for it: and, for the auxiliary as well as for the main operation, the philosopher can allow himself any time he pleases. He is in no need of the capacity of doing rapidly what he does; what he rather needs is patience, to work on slowly until imperfect lights have become perfect, and a conjecture has ripened into a theorem. For those, on the contrary, whose business is with the fugitive and perishable—with individual facts, not kinds of facts—rapidity of thought is a qualification next only in importance to the power of thought itself.

He who has not his faculties under immediate command, in the contingencies of action, might as well not have them at all. He may be fit to criticize, but he is not fit to act. Now it is in this that women, and the men who are most like women, confessedly excel. The other sort of man, however pre-eminent may be his faculties, arrives slowly at complete command of them: rapidity of judgment and promptitude of judicious action, even in the things he knows best, are the gradual and late result of strenuous effort grown into habit.

It will be said, perhaps, that the greater nervous susceptibility of women is a disqualification for practice, in anything but domestic life, by rendering them mobile, changeable, too vehemently under the influence of the moment, incapable of dogged perseverance, unequal and uncertain in the power of using their faculties. I think that these phrases sum up the greater part of the objections commonly made to the fitness of women for the higher class of serious business. Much of all this is the mere overflow of nervous energy run to waste, and would cease when the energy was directed to a definite end. Much is also the result of conscious or unconscious cultivation; as we see by the almost total disappearance of "hysterics" and fainting fits, since they have gone out of fashion. More-

over, when people are brought up, like many women of the higher classes (though less so in our own country than in any other) a kind of hot-house plants, shielded from the wholesome vicissitudes of air and temperature, and untrained in any of the occupations and exercises which give stimulus and development to the circulatory and muscular system, while their nervous system, especially in its emotional department, is kept in unnaturally active play; it is no wonder if those of them who do not die of consumption, grow up with constitutions liable to derangement from slight causes, both internal and external, and without stamina to support any task, physical or mental, requiring continuity of effort. But women brought up to work for their livelihood show none of these morbid characteristics, unless indeed they are chained to an excess of sedentary work in confined and unhealthy rooms. Women who in their early years have shared in the healthful physical education and bodily freedom of their brothers, and who obtain a sufficiency of pure air and exercise in after-life, very rarely have any excessive susceptibility of nerves which can disqualify them for active pursuits. There is indeed a certain proportion of persons, in both sexes, in whom an unusual degree of nervous sensibility is constitutional, and of so marked a character as to be the feature of their

organization which exercises the greatest influence over the whole character of the vital phenomena. This constitution, like other physical conformations, is hereditary, and is transmitted to sons as well as daughters; but it is possible, and probable, that the nervous temperament (as it is called) is inherited by a greater number of women than of men. We will assume this as a fact: and let me then ask, are men of nervous temperament found to be unfit for the duties and pursuits usually followed by men? If not, why should women of the same temperament be unfit for them? The peculiarities of the temperament are, no doubt, within certain limits, an obstacle to success in some employments, though an aid to it in others. But when the occupation is suitable to the temperament, and sometimes even when it is unsuitable, the most brilliant examples of success are continually given by the men of high nervous sensibility. They are distinguished in their practical manifestations chiefly by this, that being susceptible of a higher degree of excitement than those of another physical constitution, their powers when excited differ more than in the case of other people, from those shown in their ordinary state: they are raised, as it were, above themselves, and do things with ease which they are wholly incapable of at other times. But this lofty excitement is not, except in weak bodily constitutions,

a mere flash, which passes away immediately, leaving no permanent traces, and incompatible with persistent and steady pursuit of an object. It is the character of the nervous temperament to be capable of *sustained* excitement, holding out through long continued efforts. It is what is meant by *spirit*. It is what makes the high-bred racehorse run without slackening speed till he drops down dead. It is what has enabled so many delicate women to maintain the most sublime constancy not only at the stake, but through a long preliminary succession of mental and bodily tortures. It is evident that people of this temperament are particularly apt for what may be called the executive department of the leadership of mankind. They are the material of great orators, great preachers, impressive diffusers of moral influences. Their constitution might be deemed less favourable to the qualities required from a statesman in the cabinet, or from a judge. It would be so, if the consequence necessarily followed that because people are excitable they must always be in a state of excitement. But this is wholly a question of training. Strong feeling is the instrument and element of strong self-control: but it requires to be cultivated in that direction. When it is, it forms not the heroes of impulse only, but those also of self-conquest. History and experience prove that

the most passionate characters are the most fanatically rigid in their feelings of duty, when their passion has been trained to act in that direction. The judge who gives a just decision in a case where his feelings are intensely interested on the other side, derives from that same strength of feeling the determined sense of the obligation of justice, which enables him to achieve this victory over himself. The capability of that lofty enthusiasm which takes the human being out of his every-day character, reacts upon the daily character itself. His aspirations and powers when he is in this exceptional state, become the type with which he compares, and by which he estimates, his sentiments and proceedings at other times: and his habitual purposes assume a character moulded by and assimilated to the moments of lofty excitement, although those, from the physical nature of a human being, can only be transient. Experience of races, as well as of individuals, does not show those of excitable temperament to be less fit, on the average, either for speculation or practice, than the more unexcitable. The French, and the Italians, are undoubtedly by nature more nervously excitable than the Teutonic races, and, compared at least with the English, they have a much greater habitual and daily emotional life: but have they been less great in science, in public business, in

legal and judicial eminence, or in war? There is abundant evidence that the Greeks were of old, as their descendants and successors still are, one of the most excitable of the races of mankind. It is superfluous to ask, what among the achievements of men they did not excel in. The Romans, probably, as an equally southern people, had the same original temperament: but the stern character of their national discipline, like that of the Spartans, made them an example of the opposite type of national character; the greater strength of their natural feelings being chiefly apparent in the intensity which the same original temperament made it possible to give to the artificial. If these cases exemplify what a naturally excitable people may be made, the Irish Celts afford one of the aptest examples of what they are when left to themselves; (if those can be said to be left to themselves who have been for centuries under the indirect influence of bad government, and the direct training of a Catholic hierarchy and of a sincere belief in the Catholic religion.) The Irish character must be considered, therefore, as an unfavourable case: yet, whenever the circumstances of the individual have been at all favourable, what people have shown greater capacity for the most varied and multifarious individual eminence? Like the French compared with the English, the Irish with the Swiss, the

Greeks or Italians compared with the German races, so women compared with men may be found, on the average, to do the same things with some variety in the particular kind of excellence. But, that they would do them fully as well on the whole, if their education and cultivation were adapted to correcting instead of aggravating the infirmities incident to their temperament, I see not the smallest reason to doubt.

Supposing it, however, to be true that women's minds are by nature more mobile than those of men, less capable of persisting long in the same continuous effort, more fitted for dividing their faculties among many things than for travelling in any one path to the highest point which can be reached by it: this may be true of women as they now are (though not without great and numerous exceptions), and may account for their having remained behind the highest order of men in precisely the things in which this absorption of the whole mind in one set of ideas and occupations may seem to be most requisite. Still, this difference is one which can only affect the kind of excellence, not the excellence itself, or its practical worth: and it remains to be shown whether this exclusive working of a part of the mind, this absorption of the whole thinking faculty in a single subject, and concentration of it on a single work, is the

normal and healthful condition of the human faculties, even for speculative uses. I believe that what is gained in special development by this concentration, is lost in the capacity of the mind for the other purposes of life; and even in abstract thought, it is my decided opinion that the mind does more by frequently returning to a difficult problem, than by sticking to it without interruption. For the purposes, at all events, of practice, from its highest to its humblest departments, the capacity of passing promptly from one subject of consideration to another, without letting the active spring of the intellect run down between the two, is a power far more valuable; and this power women pre-eminently possess, by virtue of the very mobility of which they are accused. They perhaps have it from nature, but they certainly have it by training and education; for nearly the whole of the occupations of women consist in the management of small but multitudinous details, on each of which the mind cannot dwell even for a minute, but must pass on to other things, and if anything requires longer thought, must steal time at odd moments for thinking of it. The capacity indeed which women show for doing their thinking in circumstances and at times which almost any man would make an excuse to himself for not attempting it, has often been noticed: and a

woman's mind, though it may be occupied only with small things, can hardly ever permit itself to be vacant, as a man's so often is when not engaged in what he chooses to consider the business of his life. The business of a woman's ordinary life is things in general, and can as little cease to go on as the world to go round.

But (it is said) there is anatomical evidence of the superior mental capacity of men compared with women: they have a larger brain. I reply, that in the first place the fact itself is doubtful. It is by no means established that the brain of a woman is smaller than that of a man. If it is inferred merely because a woman's bodily frame generally is of less dimensions than a man's, this criterion would lead to strange consequences. A tall and large-boned man must on this showing be wonderfully superior in intelligence to a small man, and an elephant or a whale must prodigiously excel mankind. The size of the brain in human beings, anatomists say, varies much less than the size of the body, or even of the head, and the one cannot be at all inferred from the other. It is certain that some women have as large a brain as any man. It is within my knowledge that a man who had weighed many human brains, said that the heaviest he knew of, heavier even than Cuvier's (the heaviest pre-

viously recorded,) was that of a woman. Next, I must observe that the precise relation which exists between the brain and the intellectual powers is not yet well understood, but is a subject of great dispute. That there is a very close relation we cannot doubt. The brain is certainly the material organ of thought and feeling: and (making abstraction of the great unsettled controversy respecting the appropriation of different parts of the brain to different mental faculties) I admit that it would be an anomaly, and an exception to all we know of the general laws of life and organization, if the size of the organ were wholly indifferent to the function; if no accession of power were derived from the greater magnitude of the instrument. But the exception and the anomaly would be fully as great if the organ exercised influence by its magnitude *only*. In all the more delicate operations of nature—of which those of the animated creation are the most delicate, and those of the nervous system by far the most delicate of these—differences in the effect depend as much on differences of quality in the physical agents, as on their quantity: and if the quality of an instrument is to be tested by the nicety and delicacy of the work it can do, the indications point to a greater average fineness of quality in the brain and nervous system of women than of men.

Dismissing abstract difference of quality, a thing difficult to verify, the efficiency of an organ is known to depend not solely on its size but on its activity: and of this we have an approximate measure in the energy with which the blood circulates through it, both the stimulus and the reparative force being mainly dependent on the circulation. It would not be surprising—it is indeed an hypothesis which accords well with the differences actually observed between the mental operations of the two sexes—if men on the average should have the advantage in the size of the brain, and women in activity of cerebral circulation. The results which conjecture, founded on analogy, would lead us to expect from this difference of organization, would correspond to some of those which we most commonly see. In the first place, the mental operations of men might be expected to be slower. They would neither be so prompt as women in thinking, nor so quick to feel. Large bodies take more time to get into full action. On the other hand, when once got thoroughly into play, men's brain would bear more work. It would be more persistent in the line first taken; it would have more difficulty in changing from one mode of action to another, but, in the one thing it was doing, it could go on longer without loss of power or sense of fatigue. And do we not find that

the things in which men most excel women are those which require most plodding and long hammering at a single thought, while women do best what must be done rapidly? A woman's brain is sooner fatigued, sooner exhausted; but given the degree of exhaustion, we should expect to find that it would recover itself sooner. I repeat that this speculation is entirely hypothetical; it pretends to no more than to suggest a line of enquiry. I have before repudiated the notion of its being yet certainly known that there is any natural difference at all in the average strength or direction of the mental capacities of the two sexes, much less what that difference is. Nor is it possible that this should be known, so long as the psychological laws of the formation of character have been so little studied, even in a general way, and in the particular case never scientifically applied at all; so long as the most obvious external causes of difference of character are habitually disregarded—left unnoticed by the observer, and looked down upon with a kind of supercilious contempt by the prevalent schools both of natural history and of mental philosophy: who, whether they look for the source of what mainly distinguishes human beings from one another, in the world of matter or in that of spirit, agree in running down those who prefer to explain these differences by the

different relations of human beings to society and life.

To so ridiculous an extent are the notions formed of the nature of women, mere empirical generalizations, framed, without philosophy or analysis, upon the first instances which present themselves, that the popular idea of it is different in different countries, according as the opinions and social circumstances of the country have given to the women living in it any speciality of development or non-development. An Oriental thinks that women are by nature peculiarly voluptuous; see the violent abuse of them on this ground in Hindoo writings. An Englishman usually thinks that they are by nature cold. The sayings about women's fickleness are mostly of French origin; from the famous distich of Francis the First, upward and downward. In England it is a common remark, how much more constant women are than men. Inconstancy has been longer reckoned discreditable to a woman, in England than in France; and Englishwomen are besides, in their inmost nature, much more subdued to opinion. It may be remarked by the way, that Englishmen are in peculiarly unfavourable circumstances for attempting to judge what is or is not natural, not merely to women, but to men, or to human beings altogether, at least if they have only English experience to go upon: because there is no place where

human nature shows so little of its original lineaments. Both in a good and a bad sense, the English are farther from a state of nature than any other modern people. They are, more than any other people, a product of civilization and discipline. England is the country in which social discipline has most succeeded, not so much in conquering, as in suppressing, whatever is liable to conflict with it. The English, more than any other people, not only act but feel according to rule. In other countries, the taught opinion, or the requirement of society, may be the stronger power, but the promptings of the individual nature are always visible under it, and often resisting it: rule may be stronger than nature, but nature is still there. In England, rule has to a great degree substituted itself for nature. The greater part of life is carried on, not by following inclination under the control of rule, but by having no inclination but that of following a rule. Now this has its good side doubtless, though it has also a wretchedly bad one; but it must render an Englishman peculiarly ill-qualified to pass a judgment on the original tendencies of human nature from his own experience. The errors to which observers elsewhere are liable on the subject, are of a different character. An Englishman is ignorant respecting human nature, a Frenchman is prejudiced. An Englishman's errors are negative, a Frenchman's

positive. An Englishman fancies that things do not exist, because he never sees them; a Frenchman thinks they must always and necessarily exist, because he does see them. An Englishman does not know nature, because he has had no opportunity of observing it; a Frenchman generally knows a great deal of it, but often mistakes it, because he has only seen it sophisticated and distorted. For the artificial state superinduced by society disguises the natural tendencies of the thing which is the subject of observation, in two different ways: by extinguishing the nature, or by transforming it. In the one case there is but a starved residuum of nature remaining to be studied; in the other case there is much, but it may have expanded in any direction rather than that in which it would spontaneously grow.

I have said that it cannot now be known how much of the existing mental differences between men and women is natural, and how much artificial; whether there are any natural differences at all; or, supposing all artificial causes of difference to be withdrawn, what natural character would be revealed. I am not about to attempt what I have pronounced impossible: but doubt does not forbid conjecture, and where certainty is unattainable, there may yet be the means of arriving at some degree of probability. The first point, the origin of the differences actually

observed, is the one most accessible to speculation; and I shall attempt to approach it, by the only path by which it can be reached; by tracing the mental consequences of external influences. We cannot isolate a human being from the circumstances of his condition, so as to ascertain experimentally what he would have been by nature; but we can consider what he is, and what his circumstances have been, and whether the one would have been capable of producing the other.

Let us take, then, the only marked case which observation affords, of apparent inferiority of women to men, if we except the merely physical one of bodily strength. No production in philosophy, science, or art, entitled to the first rank, has been the work of a woman. Is there any mode of accounting for this, without supposing that women are naturally incapable of producing them?

In the first place, we may fairly question whether experience has afforded sufficient grounds for an induction. It is scarcely three generations since women, saving very rare exceptions, have begun to try their capacity in philosophy, science, or art. It is only in the present generation that their attempts have been at all numerous; and they are even now extremely few, everywhere but in England and France. It is a relevant question, whether a mind possessing the requisites of

first-rate eminence in speculation or creative art could have been expected, on the mere calculation of chances, to turn up during that lapse of time, among the women whose tastes and personal position admitted of their devoting themselves to these pursuits. In all things which there has yet been time for—in all but the very highest grades in the scale of excellence, especially in the department in which they have been longest engaged, literature (both prose and poetry)—women have done quite as much, have obtained fully as high prizes and as many of them, as could be expected from the length of time and the number of competitors. If we go back to the earlier period when very few women made the attempt, yet some of those few made it with distinguished success. The Greeks always accounted Sappho among their great poets; and we may well suppose that Myrtis, said to have been the teacher of Pindar, and Corinna, who five times bore away from him the prize of poetry, must at least have had sufficient merit to admit of being compared with that great name. Aspasia did not leave any philosophical writings; but it is an admitted fact that Socrates resorted to her for instruction, and avowed himself to have obtained it.

If we consider the works of women in modern times, and contrast them with those of men, either in the literary or the artistic department,

such inferiority as may be observed resolves itself essentially into one thing: but that is a most material one; deficiency of originality. Not total deficiency; for every production of mind which is of any substantive value, has an originality of its own—is a conception of the mind itself, not a copy of something else. Thoughts original, in the sense of being unborrowed—of being derived from the thinker's own observations or intellectual processes—are abundant in the writings of women. But they have not yet produced any of those great and luminous new ideas which form an era in thought, nor those fundamentally new conceptions in art, which open a vista of possible effects not before thought of, and found a new school. Their compositions are mostly grounded on the existing fund of thought, and their creations do not deviate widely from existing types. This is the sort of inferiority which their works manifest: for in point of execution, in the detailed application of thought, and the perfection of style, there is no inferiority. Our best novelists in point of composition, and of the management of detail, have mostly been women; and there is not in all modern literature a more eloquent vehicle of thought than the style of Madame de Stael, nor, as a specimen of purely artistic excellence, anything superior to the prose of Madame Sand, whose style acts upon the

nervous system like a symphony of Haydn or Mozart. High originality of conception is, as I have said, what is chiefly wanting. And now to examine if there is any manner in which this deficiency can be accounted for.

Let us remember, then, so far as regards mere thought, that during all that period in the world's existence, and in the progress of cultivation, in which great and fruitful new truths could be arrived at by mere force of genius, with little previous study and accumulation of knowledge—during all that time women did not concern themselves with speculation at all. From the days of Hypatia to those of the Reformation, the illustrious Heloisa is almost the only woman to whom any such achievement might have been possible; and we know not how great a capacity of speculation in her may have been lost to mankind by the misfortunes of her life. Never since any considerable number of women have began to cultivate serious thought, has originality been possible on easy terms. Nearly all the thoughts which can be reached by mere strength of original faculties, have long since been arrived at; and originality, in any high sense of the word, is now scarcely ever attained but by minds which have undergone elaborate discipline, and are deeply versed in the results of previous thinking. It is Mr. Maurice, I think,

who has remarked on the present age, that its most original thinkers are those who have known most thoroughly what had been thought by their predecessors: and this will always henceforth be the case. Every fresh stone in the edifice has now to be placed on the top of so many others, that a long process of climbing, and of carrying up materials, has to be gone through by whoever aspires to take a share in the present stage of the work. How many women are there who have gone through any such process? Mrs. Somerville, alone perhaps of women, knows as much of mathematics as is now needful for making any considerable mathematical discovery: is it any proof of inferiority in women, that she has not happened to be one of the two or three persons who in her lifetime have associated their names with some striking advancement of the science? Two women, since political economy has been made a science, have known enough of it to write usefully on the subject: of how many of the innumerable men who have written on it during the same time, is it possible with truth to say more? If no woman has hitherto been a great historian, what woman has had the necessary erudition? If no woman is a great philologist, what woman has studied Sanscrit and Slavonic, the Gothic of Ulphila and the Persic of the Zendavesta? Even in practical matters

we all know what is the value of the originality of untaught geniuses. It means, inventing over again in its rudimentary form something already invented and improved upon by many successive inventors. When women have had the preparation which all men now require to be eminently original, it will be time enough to begin judging by experience of their capacity for originality.

It no doubt often happens that a person, who has not widely and accurately studied the thoughts of others on a subject, has by natural sagacity a happy intuition, which he can suggest, but cannot prove, which yet when matured may be an important addition to knowledge: but even then, no justice can be done to it until some other person, who does possess the previous acquirements, takes it in hand, tests it, gives it a scientific or practical form, and fits it into its place among the existing truths of philosophy or science. Is it supposed that such felicitous thoughts do not occur to women? They occur by hundreds to every woman of intellect. But they are mostly lost, for want of a husband or friend who has the other knowledge which can enable him to estimate them properly and bring them before the world: and even when they are brought before it, they generally appear as his ideas, not their real author's. Who can tell how many of the most

original thoughts put forth by male writers, belong to a woman by suggestion, to themselves only by verifying and working out? If I may judge by my own case, a very large proportion indeed.

If we turn from pure speculation to literature in the narrow sense of the term, and the fine arts, there is a very obvious reason why women's literature is, in its general conception and in its main features, an imitation of men's. Why is the Roman literature, as critics proclaim to satiety, not original, but an imitation of the Greek? Simply because the Greeks came first. If women lived in a different country from men, and had never read any of their writings, they would have had a literature of their own. As it is, they have not created one, because they found a highly advanced literature already created. If there had been no suspension of the knowledge of antiquity, or if the Renaissance had occurred before the Gothic cathedrals were built, they never would have been built. We see that, in France and Italy, imitation of the ancient literature stopped the original development even after it had commenced. All women who write are pupils of the great male writers. A painter's early pictures, even if he be a Raffaelle, are undistinguishable in style from those of his master. Even a Mozart does not display his powerful originality in his

earliest pieces. What years are to a gifted individual, generations are to a mass. If women's literature is destined to have a different collective character from that of men, depending on any difference of natural tendencies, much longer time is necessary than has yet elapsed, before it can emancipate itself from the influence of accepted models, and guide itself by its own impulses. But if, as I believe, there will not prove to be any natural tendencies common to women, and distinguishing their genius from that of men, yet every individual writer among them has her individual tendencies, which at present are still subdued by the influence of precedent and example: and it will require generations more, before their individuality is sufficiently developed to make head against that influence.

It is in the fine arts, properly so called, that the *primâ facie* evidence of inferior original powers in women at first sight appears the strongest: since opinion (it may be said) does not exclude them from these, but rather encourages them, and their education, instead of passing over this department, is in the affluent classes mainly composed of it. Yet in this line of exertion they have fallen still more short than in many others, of the highest eminence attained by men. This shortcoming, however, needs no other explanation than the familiar fact, more universally true

in the fine arts than in anything else; the vast superiority of professional persons over amateurs. Women in the educated classes are almost universally taught more or less of some branch or other of the fine arts, but not that they may gain their living or their social consequence by it. Women artists are all amateurs. The exceptions are only of the kind which confirm the general truth. Women are taught music, but not for the purpose of composing, only of executing it: and accordingly it is only as composers, that men, in music, are superior to women. The only one of the fine arts which women do follow, to any extent, as a profession, and an occupation for life, is the histrionic; and in that they are confessedly equal, if not superior, to men. To make the comparison fair, it should be made between the productions of women in any branch of art, and those of men not following it as a profession. In musical composition, for example, women surely have produced fully as good things as have ever been produced by male amateurs. There are now a few women, a very few, who practise painting as a profession, and these are already beginning to show quite as much talent as could be expected. Even male painters (*pace* Mr. Ruskin) have not made any very remarkable figure these last centuries, and it will be long before they do so. The reason why the old painters

were so greatly superior to the modern, is that a greatly superior class of men applied themselves to the art. In the fourteenth and fifteenth centuries the Italian painters were the most accomplished men of their age. The greatest of them were men of encyclopædical acquirements and powers, like the great men of Greece. But in their times fine art was, to men's feelings and conceptions, among the grandest things in which a human being could excel; and by it men were made, what only political or military distinction now makes them, the companions of sovereigns, and the equals of the highest nobility. In the present age, men of anything like similar calibre find something more important to do for their own fame and the uses of the modern world, than painting: and it is only now and then that a Reynolds or a Turner (of whose relative rank among eminent men I do not pretend to an opinion) applies himself to that art. Music belongs to a different order of things; it does not require the same general powers of mind, but seems more dependant on a natural gift: and it may be thought surprising that no one of the great musical composers has been a woman. But even this natural gift, to be made available for great creations, requires study, and professional devotion to the pursuit. The only countries which have produced first-rate composers, even of the male sex, are Germany and Italy—

countries in which, both in point of special and of general cultivation, women have remained far behind France and England, being generally (it may be said without exaggeration) very little educated, and having scarcely cultivated at all any of the higher faculties of mind. And in those countries the men who are acquainted with the principles of musical composition must be counted by hundreds, or more probably by thousands, the women barely by scores: so that here again, on the doctrine of averages, we cannot reasonably expect to see more than one eminent woman to fifty eminent men; and the last three centuries have not produced fifty eminent male composers either in Germany or in Italy.

There are other reasons, besides those which we have now given, that help to explain why women remain behind men, even in the pursuits which are open to both. For one thing, very few women have time for them. This may seem a paradox; it is an undoubted social fact. The time and thoughts of every woman have to satisfy great previous demands on them for things practical. There is, first, the superintendence of the family and the domestic expenditure, which occupies at least one woman in every family, generally the one of mature years and acquired experience; unless the family is so rich as to admit of delegating that task to hired agency, and submitting to all the

waste and malversation inseparable from that mode of conducting it. The superintendence of a household, even when not in other respects laborious, is extremely onerous to the thoughts; it requires incessant vigilance, an eye which no detail escapes, and presents questions for consideration and solution, foreseen and unforeseen, at every hour of the day, from which the person responsible for them can hardly ever shake herself free. If a woman is of a rank and circumstances which relieve her in a measure from these cares, she has still devolving on her the management for the whole family of its intercourse with others—of what is called society, and the less the call made on her by the former duty, the greater is always the development of the latter: the dinner parties, concerts, evening parties, morning visits, letter writing, and all that goes with them. All this is over and above the engrossing duty which society imposes exclusively on women, of making themselves charming. A clever woman of the higher ranks finds nearly a sufficient employment of her talents in cultivating the graces of manner and the arts of conversation. To look only at the outward side of the subject: the great and continual exercise of thought which all women who attach any value to dressing well (I do not mean expensively, but with taste, and perception of natural and of artificial *convenance*) must bestow upon their own dress, perhaps also upon

that of their daughters, would alone go a great way towards achieving respectable results in art, or science, or literature, and does actually exhaust much of the time and mental power they might have to spare for either.* If it were possible that all this number of little practical interests (which are made great to them) should leave them either much leisure, or much energy and freedom of mind, to be devoted to art or speculation, they must have a much greater original supply of active faculty than the vast majority of men. But this is not all. Independently of the regular offices of life which devolve upon a woman, she is expected to have her time and faculties always at the disposal of everybody. If a man has not a profession to exempt him from such demands, still, if he has a pursuit, he offends nobody by devoting his time to it; occupation is

* "It appears to be the same right turn of mind which enables a man to acquire the *truth*, or the just idea of what is right, in the ornaments, as in the more stable principles of art. It has still the same centre of perfection, though it is the centre of a smaller circle.—To illustrate this by the fashion of dress, in which there is allowed to be a good or bad taste. The component parts of dress are continually changing from great to little, from short to long; but the general form still remains: it is still the same general dress which is comparatively fixed, though on a very slender foundation; but it is on this which fashion must rest. He who invents with the most success, or dresses in the best taste, would probably, from the same sagacity employed to greater purposes, have discovered equal skill, or have formed the same correct taste, in the highest labours of art."—*Sir Joshua Reynolds' Discourses*, Disc. vii.

received as a valid excuse for his not answering to every casual demand which may be made on him. Are a woman's occupations, especially her chosen and voluntary ones, ever regarded as excusing her from any of what are termed the calls of society? Scarcely are her most necessary and recognised duties allowed as an exemption. It requires an illness in the family, or something else out of the common way, to entitle her to give her own business the precedence over other people's amusement. She must always be at the beck and call of somebody, generally of everybody. If she has a study or a pursuit, she must snatch any short interval which accidentally occurs to be employed in it. A celebrated woman, in a work which I hope will some day be published, remarks truly that everything a woman does is done at odd times. Is it wonderful, then, if she does not attain the highest eminence in things which require consecutive attention, and the concentration on them of the chief interest of life? Such is philosophy, and such, above all, is art, in which, besides the devotion of the thoughts and feelings, the hand also must be kept in constant exercise to attain high skill.

There is another consideration to be added to all these. In the various arts and intellectual occupations, there is a degree of proficiency sufficient for living by it, and there is a higher

degree on which depend the great productions which immortalize a name. To the attainment of the former, there are adequate motives in the case of all who follow the pursuit professionally: the other is hardly ever attained where there is not, or where there has not been at some period of life, an ardent desire of celebrity. Nothing less is commonly a sufficient stimulus to undergo the long and patient drudgery, which, in the case even of the greatest natural gifts, is absolutely required for great eminence in pursuits in which we already possess so many splendid memorials of the highest genius. Now, whether the cause be natural or artificial, women seldom have this eagerness for fame. Their ambition is generally confined within narrower bounds. The influence they seek is over those who immediately surround them. Their desire is to be liked, loved, or admired, by those whom they see with their eyes: and the proficiency in knowledge, arts, and accomplishments, which is sufficient for that, almost always contents them. This is a trait of character which cannot be left out of the account in judging of women as they are. I do not at all believe that it is inherent in women. It is only the natural result of their circumstances. The love of fame in men is encouraged by education and opinion: to "scorn delights and live laborious days" for its sake, is accounted the part

of "noble minds," even if spoken of as their "last infirmity," and is stimulated by the access which fame gives to all objects of ambition, including even the favour of women; while to women themselves all these objects are closed, and the desire of fame itself considered daring and unfeminine. Besides, how could it be that a woman's interests should not be all concentrated upon the impressions made on those who come into her daily life, when society has ordained that all her duties should be to them, and has contrived that all her comforts should depend on them? The natural desire of consideration from our fellow creatures is as strong in a woman as in a man; but society has so ordered things that public consideration is, in all ordinary cases, only attainable by her through the consideration of her husband or of her male relations, while her private consideration is forfeited by making herself individually prominent, or appearing in any other character than that of an appendage to men. Whoever is in the least capable of estimating the influence on the mind of the entire domestic and social position and the whole habit of a life, must easily recognise in that influence a complete explanation of nearly all the apparent differences between women and men, including the whole of those which imply any inferiority.

As for moral differences, considered as distinguished from intellectual, the distinction commonly drawn is to the advantage of women. They are declared to be better than men; an empty compliment, which must provoke a bitter smile from every woman of spirit, since there is no other situation in life in which it is the established order, and considered quite natural and suitable, that the better should obey the worse. If this piece of idle talk is good for anything, it is only as an admission by men, of the corrupting influence of power; for that is certainly the only truth which the fact, if it be a fact, either proves or illustrates. And it *is* true that servitude, except when it actually brutalizes, though corrupting to both, is less so to the slaves than to the slave-masters. It is wholesomer for the moral nature to be restrained, even by arbitrary power, than to be allowed to exercise arbitrary power without restraint. Women, it is said, seldomer fall under the penal law—contribute a much smaller number of offenders to the criminal calendar, than men. I doubt not that the same thing may be said, with the same truth, of negro slaves. Those who are under the control of others cannot often commit crimes, unless at the command and for the purposes of their masters. I do not know a more signal instance of the blindness with which the world, including the

herd of studious men, ignore and pass over all the influences of social circumstances, than their silly depreciation of the intellectual, and silly panegyrics on the moral, nature of women.

The complimentary dictum about women's superior moral goodness may be allowed to pair off with the disparaging one respecting their greater liability to moral bias. Women, we are told, are not capable of resisting their personal partialities: their judgment in grave affairs is warped by their sympathies and antipathies. Assuming it to be so, it is still to be proved that women are oftener misled by their personal feelings than men by their personal interests. The chief difference would seem in that case to be, that men are led from the course of duty and the public interest by their regard for themselves, women (not being allowed to have private interests of their own) by their regard for somebody else. It is also to be considered, that all the education which women receive from society inculcates on them the feeling that the individuals connected with them are the only ones to whom they owe any duty—the only ones whose interest they are called upon to care for; while, as far as education is concerned, they are left strangers even to the elementary ideas which are presupposed in any intelligent regard for larger interests or higher moral objects. The complaint

against them resolves itself merely into this, that they fulfil only too faithfully the sole duty which they are taught, and almost the only one which they are permitted to practise.

The concessions of the privileged to the unprivileged are so seldom brought about by any better motive than the power of the unprivileged to extort them, that any arguments against the prerogative of sex are likely to be little attended to by the generality, as long as they are able to say to themselves that women do not complain of it. That fact certainly enables men to retain the unjust privilege some time longer; but does not render it less unjust. Exactly the same thing may be said of the women in the harem of an Oriental: they do not complain of not being allowed the freedom of European women. They think our women insufferably bold and unfeminine. How rarely it is that even men complain of the general order of society; and how much rarer still would such complaint be, if they did not know of any different order existing anywhere else. Women do not complain of the general lot of women; or rather they do, for plaintive elegies on it are very common in the writings of women, and were still more so as long as the lamentations could not be suspected of having any practical object. Their complaints are like the complaints which men make of the

general unsatisfactoriness of human life; they are not meant to imply blame, or to plead for any change. But though women do not complain of the power of husbands, each complains of her own husband, or of the husbands of her friends. It is the same in all other cases of servitude, at least in the commencement of the emancipatory movement. The serfs did not at first complain of the power of their lords, but only of their tyranny. The Commons began by claiming a few municipal privileges; they next asked an exemption for themselves from being taxed without their own consent; but they would at that time have thought it a great presumption to claim any share in the king's sovereign authority. The case of women is now the only case in which to rebel against established rules is still looked upon with the same eyes as was formerly a subject's claim to the right of rebelling against his king. A woman who joins in any movement which her husband disapproves, makes herself a martyr, without even being able to be an apostle, for the husband can legally put a stop to her apostleship. Women cannot be expected to devote themselves to the emancipation of women, until men in considerable number are prepared to join with them in the undertaking.

CHAPTER IV.

THERE remains a question, not of less importance than those already discussed, and which will be asked the most importunately by those opponents whose conviction is somewhat shaken on the main point. What good are we to expect from the changes proposed in our customs and institutions? Would mankind be at all better off if women were free? If not, why disturb their minds, and attempt to make a social revolution in the name of an abstract right?

It is hardly to be expected that this question will be asked in respect to the change proposed in the condition of women in marriage. The sufferings, immoralities, evils of all sorts, produced in innumerable cases by the subjection of individual women to individual men, are far too terrible to be overlooked. Unthinking or uncandid persons, counting those cases alone which are extreme, or which attain publicity, may say that the evils are exceptional; but no one can be blind to their existence, nor, in many cases,

to their intensity. And it is perfectly obvious that the abuse of the power cannot be very much checked while the power remains. It is a power given, or offered, not to good men, or to decently respectable men, but to all men; the most brutal, and the most criminal. There is no check but that of opinion, and such men are in general within the reach of no opinion but that of men like themselves. If such men did not brutally tyrannize over the one human being whom the law compels to bear everything from them, society must already have reached a paradisiacal state. There could be no need any longer of laws to curb men's vicious propensities. Astræa must not only have returned to earth, but the heart of the worst man must have become her temple. The law of servitude in marriage is a monstrous contradiction to all the principles of the modern world, and to all the experience through which those principles have been slowly and painfully worked out. It is the sole case, now that negro slavery has been abolished, in which a human being in the plenitude of every faculty is delivered up to the tender mercies of another human being, in the hope forsooth that this other will use the power solely for the good of the person subjected to it. Marriage is the only actual bondage known to our law. There remain no legal slaves, except the mistress of every house.

It is not, therefore, on this part of the subject, that the question is likely to be asked, *Cui bono?* We may be told that the evil would outweigh the good, but the reality of the good admits of no dispute. In regard, however, to the larger question, the removal of women's disabilities—their recognition as the equals of men in all that belongs to citizenship—the opening to them of all honourable employments, and of the training and education which qualifies for those employments—there are many persons for whom it is not enough that the inequality has no just or legitimate defence; they require to be told what express advantage would be obtained by abolishing it.

To which let me first answer, the advantage of having the most universal and pervading of all human relations regulated by justice instead of injustice. The vast amount of this gain to human nature, it is hardly possible, by any explanation or illustration, to place in a stronger light than it is placed by the bare statement, to any one who attaches a moral meaning to words. All the selfish propensities, the self-worship, the unjust self-preference, which exist among mankind, have their source and root in, and derive their principal nourishment from, the present constitution of the relation between men and women. Think what it is to a boy, to grow up to manhood in the

belief that without any merit or any exertion of his own, though he may be the most frivolous and empty or the most ignorant and stolid of mankind, by the mere fact of being born a male he is by right the superior of all and every one of an entire half of the human race: including probably some whose real superiority to himself he has daily or hourly occasion to feel; but even if in his whole conduct he habitually follows a woman's guidance, still, if he is a fool, she thinks that of course she is not, and cannot be, equal in ability and judgment to himself; and if he is not a fool, he does worse—he sees that she is superior to him, and believes that, notwithstanding her superiority, he is entitled to command and she is bound to obey. What must be the effect on his character, of this lesson? And men of the cultivated classes are often not aware how deeply it sinks into the immense majority of male minds. For, among right-feeling and well-bred people, the inequality is kept as much as possible out of sight; above all, out of sight of the children. As much obedience is required from boys to their mother as to their father: they are not permitted to domineer over their sisters, nor are they accustomed to see these postponed to them, but the contrary; the compensations of the chivalrous feeling being made prominent, while the servitude which requires them is kept in the background.

Well brought-up youths in the higher classes thus often escape the bad influences of the situation in their early years, and only experience them when, arrived at manhood, they fall under the dominion of facts as they really exist. Such people are little aware, when a boy is differently brought up, how early the notion of his inherent superiority to a girl arises in his mind; how it grows with his growth and strengthens with his strength; how it is inoculated by one schoolboy upon another; how early the youth thinks himself superior to his mother, owing her perhaps forbearance, but no real respect; and how sublime and sultan-like a sense of superiority he feels, above all, over the woman whom he honours by admitting her to a partnership of his life. Is it imagined that all this does not pervert the whole manner of existence of the man, both as an individual and as a social being? It is an exact parallel to the feeling of a hereditary king that he is excellent above others by being born a king, or a noble by being born a noble. The relation between husband and wife is very like that between lord and vassal, except that the wife is held to more unlimited obedience than the vassal was. However the vassal's character may have been affected, for better and for worse, by his subordination, who can help seeing that the lord's was affected greatly for the worse? whether he was

led to believe that his vassals were really superior to himself, or to feel that he was placed in command over people as good as himself, for no merits or labours of his own, but merely for having, as Figaro says, taken the trouble to be born. The self-worship of the monarch, or of the feudal superior, is matched by the self-worship of the male. Human beings do not grow up from childhood in the possession of unearned distinctions, without pluming themselves upon them. Those whom privileges not acquired by their merit, and which they feel to be disproportioned to it, inspire with additional humility, are always the few, and the best few. The rest are only inspired with pride, and the worst sort of pride, that which values itself upon accidental advantages, not of its own achieving. Above all, when the feeling of being raised above the whole of the other sex is combined with personal authority over one individual among them; the situation, if a school of conscientious and affectionate forbearance to those whose strongest points of character are conscience and affection, is to men of another quality a regularly constituted Academy or Gymnasium for training them in arrogance and overbearingness; which vices, if curbed by the certainty of resistance in their intercourse with other men, their equals, break out towards all who are in a position to be obliged to tolerate them, and often revenge them-

selves upon the unfortunate wife for the involuntary restraint which they are obliged to submit to elsewhere.

The example afforded, and the education given to the sentiments, by laying the foundation of domestic existence upon a relation contradictory to the first principles of social justice, must, from the very nature of man, have a perverting influence of such magnitude, that it is hardly possible with our present experience to raise our imaginations to the conception of so great a change for the better as would be made by its removal. All that education and civilization are doing to efface the influences on character of the law of force, and replace them by those of justice, remains merely on the surface, as long as the citadel of the enemy is not attacked. The principle of the modern movement in morals and politics, is that conduct, and conduct alone, entitles to respect: that not what men are, but what they do, constitutes their claim to deference; that, above all, merit, and not birth, is the only rightful claim to power and authority. If no authority, not in its nature temporary, were allowed to one human being over another, society would not be employed in building up propensities with one hand which it has to curb with the other. The child would really, for the first time in man's existence on earth, be trained in the way he should go, and

when he was old there would be a chance that he would not depart from it. But so long as the right of the strong to power over the weak rules in the very heart of society, the attempt to make the equal right of the weak the principle of its outward actions will always be an uphill struggle; for the law of justice, which is also that of Christianity, will never get possession of men's inmost sentiments; they will be working against it, even when bending to it.

The second benefit to be expected from giving to women the free use of their faculties, by leaving them the free choice of their employments, and opening to them the same field of occupation and the same prizes and encouragements as to other human beings, would be that of doubling the mass of mental faculties available for the higher service of humanity. Where there is now one person qualified to benefit mankind and promote the general improvement, as a public teacher, or an administrator of some branch of public or social affairs, there would then be a chance of two. Mental superiority of any kind is at present everywhere so much below the demand; there is such a deficiency of persons competent to do excellently anything which it requires any considerable amount of ability to do; that the loss to the world, by refusing to make use of one-half of the whole quantity of talent it possesses, is

extremely serious. It is true that this amount of mental power is not totally lost. Much of it is employed, and would in any case be employed, in domestic management, and in the few other occupations open to women; and from the remainder indirect benefit is in many individual cases obtained, through the personal influence of individual women over individual men. But these benefits are partial; their range is extremely circumscribed; and if they must be admitted, on the one hand, as a deduction from the amount of fresh social power that would be acquired by giving freedom to one-half of the whole sum of human intellect, there must be added, on the other, the benefit of the stimulus that would be given to the intellect of men by the competition; or (to use a more true expression) by the necessity that would be imposed on them of deserving precedency before they could expect to obtain it.

This great accession to the intellectual power of the species, and to the amount of intellect available for the good management of its affairs, would be obtained, partly, through the better and more complete intellectual education of women, which would then improve *pari passu* with that of men. Women in general would be brought up equally capable of understanding business, public affairs, and the higher matters of speculation, with men in the same class of society; and the select

few of the one as well as of the other sex, who were qualified not only to comprehend what is done or thought by others, but to think or do something considerable themselves, would meet with the same facilities for improving and training their capacities in the one sex as in the other. In this way, the widening of the sphere of action for women would operate for good, by raising their education to the level of that of men, and making the one participate in all improvements made in the other. But independently of this, the mere breaking down of the barrier would of itself have an educational virtue of the highest worth. The mere getting rid of the idea that all the wider subjects of thought and action, all the things which are of general and not solely of private interest, are men's business, from which women are to be warned off—positively interdicted from most of it, coldly tolerated in the little which is allowed them—the mere consciousness a woman would then have of being a human being like any other, entitled to choose her pursuits, urged or invited by the same inducements as any one else to interest herself in whatever is interesting to human beings, entitled to exert the share of influence on all human concerns which belongs to an individual opinion, whether she attempted actual participation in them or not—this alone would effect an immense expansion of

the faculties of women, as well as enlargement of the range of their moral sentiments.

Besides the addition to the amount of individual talent available for the conduct of human affairs, which certainly are not at present so abundantly provided in that respect that they can afford to dispense with one-half of what nature proffers; the opinion of women would then possess a more beneficial, rather than a greater, influence upon the general mass of human belief and sentiment. I say a more beneficial, rather than a greater influence; for the influence of women over the general tone of opinion has always, or at least from the earliest known period, been very considerable. The influence of mothers on the early character of their sons, and the desire of young men to recommend themselves to young women, have in all recorded times been important agencies in the formation of character, and have determined some of the chief steps in the progress of civilization. Even in the Homeric age, αἰδὼς towards the Τρωάδας ἑλκεσιπέπλους is an acknowledged and powerful motive of action in the great Hector. The moral influence of women has had two modes of operation. First, it has been a softening influence. Those who were most liable to be the victims of violence, have naturally tended as much as they could towards limiting its sphere and mitigating

its excesses. Those who were not taught to fight, have naturally inclined in favour of any other mode of settling differences rather than that of fighting. In general, those who have been the greatest sufferers by the indulgence of selfish passion, have been the most earnest supporters of any moral law which offered a means of bridling passion. Women were powerfully instrumental in inducing the northern conquerors to adopt the creed of Christianity, a creed so much more favourable to women than any that preceded it. The conversion of the Anglo-Saxons and of the Franks may be said to have been begun by the wives of Ethelbert and Clovis. The other mode in which the effect of women's opinion has been conspicuous, is by giving a powerful stimulus to those qualities in men, which, not being themselves trained in, it was necessary for them that they should find in their protectors. Courage, and the military virtues generally, have at all times been greatly indebted to the desire which men felt of being admired by women: and the stimulus reaches far beyond this one class of eminent qualities, since, by a very natural effect of their position, the best passport to the admiration and favour of women has always been to be thought highly of by men. From the combination of the two kinds of moral influence thus exercised by women, arose the spirit

of chivalry: the peculiarity of which is, to aim at combining the highest standard of the warlike qualities with the cultivation of a totally different class of virtues—those of gentleness, generosity, and self-abnegation, towards the non-military and defenceless classes generally, and a special submission and worship directed towards women; who were distinguished from the other defenceless classes by the high rewards which they had it in their power voluntarily to bestow on those who endeavoured to earn their favour, instead of extorting their subjection. Though the practice of chivalry fell even more sadly short of its theoretic standard than practice generally falls below theory, it remains one of the most precious monuments of the moral history of our race; as a remarkable instance of a concerted and organized attempt by a most disorganized and distracted society, to raise up and carry into practice a moral ideal greatly in advance of its social condition and institutions; so much so as to have been completely frustrated in the main object, yet never entirely inefficacious, and which has left a most sensible, and for the most part a highly valuable impress on the ideas and feelings of all subsequent times.

The chivalrous ideal is the acme of the influence of women's sentiments on the moral cultivation of mankind: and if women are to remain in their subordinate situation, it were

greatly to be lamented that the chivalrous standard should have passed away, for it is the only one at all capable of mitigating the demoralizing influences of that position. But the changes in the general state of the species rendered inevitable the substitution of a totally different ideal of morality for the chivalrous one. Chivalry was the attempt to infuse moral elements into a state of society in which everything depended for good or evil on individual prowess, under the softening influences of individual delicacy and generosity. In modern societies, all things, even in the military department of affairs, are decided, not by individual effort, but by the combined operations of numbers; while the main occupation of society has changed from fighting to business, from military to industrial life. The exigencies of the new life are no more exclusive of the virtues of generosity than those of the old, but it no longer entirely depends on them. The main foundations of the moral life of modern times must be justice and prudence; the respect of each for the rights of every other, and the ability of each to take care of himself. Chivalry left without legal check all forms of wrong which reigned unpunished throughout society; it only encouraged a few to do right in preference to wrong, by the direction it gave to the instruments of praise and admiration. But the real depen-

dence of morality must always be upon its penal sanctions—its power to deter from evil. The security of society cannot rest on merely rendering honour to right, a motive so comparatively weak in all but a few, and which on very many does not operate at all. Modern society is able to repress wrong through all departments of life, by a fit exertion of the superior strength which civilization has given it, and thus to render the existence of the weaker members of society (no longer defenceless but protected by law) tolerable to them, without reliance on the chivalrous feelings of those who are in a position to tyrannize. The beauties and graces of the chivalrous character are still what they were, but the rights of the weak, and the general comfort of human life, now rest on a far surer and steadier support; or rather, they do so in every relation of life except the conjugal.

At present the moral influence of women is no less real, but it is no longer of so marked and definite a character: it has more nearly merged in the general influence of public opinion. Both through the contagion of sympathy, and through the desire of men to shine in the eyes of women, their feelings have great effect in keeping alive what remains of the chivalrous ideal—in fostering the sentiments and continuing the traditions of spirit and generosity. In these

points of character, their standard is higher than that of men; in the quality of justice, somewhat lower. As regards the relations of private life it may be said generally, that their influence is, on the whole, encouraging to the softer virtues, discouraging to the sterner: though the statement must be taken with all the modifications dependent on individual character. In the chief of the greater trials to which virtue is subject in the concerns of life—the conflict between interest and principle—the tendency of women's influence is of a very mixed character. When the principle involved happens to be one of the very few which the course of their religious or moral education has strongly impressed upon themselves, they are potent auxiliaries to virtue: and their husbands and sons are often prompted by them to acts of abnegation which they never would have been capable of without that stimulus. But, with the present education and position of women, the moral principles which have been impressed on them cover but a comparatively small part of the field of virtue, and are, moreover, principally negative; forbidding particular acts, but having little to do with the general direction of the thoughts and purposes. I am afraid it must be said, that disinterestedness in the general conduct of life—the devotion of the energies to purposes which hold

out no promise of private advantages to the family—is very seldom encouraged or supported by women's influence. It is small blame to them that they discourage objects of which they have not learnt to see the advantage, and which withdraw their men from them, and from the interests of the family. But the consequence is that women's influence is often anything but favourable to public virtue.

Women have, however, some share of influence in giving the tone to public moralities since their sphere of action has been a little widened, and since a considerable number of them have occupied themselves practically in the promotion of objects reaching beyond their own family and household. The influence of women counts for a great deal in two of the most marked features of modern European life—its aversion to war, and its addiction to philanthropy. Excellent characteristics both; but unhappily, if the influence of women is valuable in the encouragement it gives to these feelings in general, in the particular applications the direction it gives to them is at least as often mischievous as useful. In the philanthropic department more particularly, the two provinces chiefly cultivated by women are religious proselytism and charity. Religious proselytism at home, is but another word for embittering of religious animosities: abroad, it is usually a

blind running at an object, without either knowing or heeding the fatal mischiefs—fatal to the religious object itself as well as to all other desirable objects—which may be produced by the means employed. As for charity, it is a matter in which the immediate effect on the persons directly concerned, and the ultimate consequence to the general good, are apt to be at complete war with one another: while the education given to women—an education of the sentiments rather than of the understanding—and the habit inculcated by their whole life, of looking to immediate effects on persons, and not to remote effects on classes of persons—make them both unable to see, and unwilling to admit, the ultimate evil tendency of any form of charity or philanthropy which commends itself to their sympathetic feelings. The great and continually increasing mass of unenlightened and shortsighted benevolence, which, taking the care of people's lives out of their own hands, and relieving them from the disagreeable consequences of their own acts, saps the very foundations of the self-respect, self-help, and self-control which are the essential conditions both of individual prosperity and of social virtue—this waste of resources and of benevolent feelings in doing harm instead of good, is immensely swelled by women's contributions, and stimulated by their influence. Not that this is

a mistake likely to be made by women, where they have actually the practical management of schemes of beneficence. It sometimes happens that women who administer public charities—with that insight into present fact, and especially into the minds and feelings of those with whom they are in immediate contact, in which women generally excel men—recognise in the clearest manner the demoralizing influence of the alms given or the help afforded, and could give lessons on the subject to many a male political economist. But women who only give their money, and are not brought face to face with the effects it produces, how can they be expected to foresee them? A woman born to the present lot of women, and content with it, how should she appreciate the value of self-dependence? She is not self-dependent; she is not taught self-dependence; her destiny is to receive everything from others, and why should what is good enough for her be bad for the poor? Her familiar notions of good are of blessings descending from a superior. She forgets that she is not free, and that the poor are; that if what they need is given to them unearned, they cannot be compelled to earn it: that everybody cannot be taken care of by everybody, but there must be some motive to induce people to take care of themselves; and that to be helped to help themselves, if they are physically capable

of it, is the only charity which proves to be charity in the end.

These considerations shew how usefully the part which women take in the formation of general opinion, would be modified for the better by that more enlarged instruction, and practical conversancy with the things which their opinions influence, that would necessarily arise from their social and political emancipation. But the improvement it would work through the influence they exercise, each in her own family, would be still more remarkable.

It is often said that in the classes most exposed to temptation, a man's wife and children tend to keep him honest and respectable, both by the wife's direct influence, and by the concern he feels for their future welfare. This may be so, and no doubt often is so, with those who are more weak than wicked; and this beneficial influence would be preserved and strengthened under equal laws; it does not depend on the woman's servitude, but is, on the contrary, diminished by the disrespect which the inferior class of men always at heart feel towards those who are subject to their power. But when we ascend higher in the scale, we come among a totally different set of moving forces. The wife's influence tends, as far as it goes, to prevent the husband from falling below the common standard

of approbation of the country. It tends quite as strongly to hinder him from rising above it. The wife is the auxiliary of the common public opinion. A man who is married to a woman his inferior in intelligence, finds her a perpetual dead weight, or, worse than a dead weight, a drag, upon every aspiration of his to be better than public opinion requires him to be. It is hardly possible for one who is in these bonds, to attain exalted virtue. If he differs in his opinion from the mass—if he sees truths which have not yet dawned upon them, or if, feeling in his heart truths which they nominally recognise, he would like to act up to those truths more conscientiously than the generality of mankind—to all such thoughts and desires, marriage is the heaviest of drawbacks, unless he be so fortunate as to have a wife as much above the common level as he himself is.

For, in the first place, there is always some sacrifice of personal interest required; either of social consequence, or of pecuniary means; perhaps the risk of even the means of subsistence. These sacrifices and risks he may be willing to encounter for himself; but he will pause before he imposes them on his family. And his family in this case means his wife and daughters; for he always hopes that his sons will feel as he feels himself, and that what he can do without, they

will do without, willingly, in the same cause. But his daughters—their marriage may depend upon it: and his wife, who is unable to enter into or understand the objects for which these sacrifices are made—who, if she thought them worth any sacrifice, would think so on trust, and solely for his sake—who can participate in none of the enthusiasm or the self-approbation he himself may feel, while the things which he is disposed to sacrifice are all in all to her; will not the best and most unselfish man hesitate the longest before bringing on her this consequence? If it be not the comforts of life, but only social consideration, that is at stake, the burthen upon his conscience and feelings is still very severe. Whoever has a wife and children has given hostages to Mrs. Grundy. The approbation of that potentate may be a matter of indifference to him, but it is of great importance to his wife. The man himself may be above opinion, or may find sufficient compensation in the opinion of those of his own way of thinking. But to the women connected with him, he can offer no compensation. The almost invariable tendency of the wife to place her influence in the same scale with social consideration, is sometimes made a reproach to women, and represented as a peculiar trait of feebleness and childishness of character in them: surely with great injustice.

Society makes the whole life of a woman, in the easy classes, a continued self-sacrifice; it exacts from her an unremitting restraint of the whole of her natural inclinations, and the sole return it makes to her for what often deserves the name of a martyrdom, is consideration. Her consideration is inseparably connected with that of her husband, and after paying the full price for it, she finds that she is to lose it, for no reason of which she can feel the cogency. She has sacrificed her whole life to it, and her husband will not sacrifice to it a whim, a freak, an eccentricity; something not recognised or allowed for by the world, and which the world will agree with her in thinking a folly, if it thinks no worse! The dilemma is hardest upon that very meritorious class of men, who, without possessing talents which qualify them to make a figure among those with whom they agree in opinion, hold their opinion from conviction, and feel bound in honour and conscience to serve it, by making profession of their belief, and giving their time, labour, and means, to anything undertaken in its behalf. The worst case of all is when such men happen to be of a rank and position which of itself neither gives them, nor excludes them from, what is considered the best society; when their admission to it depends mainly on what is thought of them personally—and however unex-

ceptionable their breeding and habits, their being identified with opinions and public conduct unacceptable to those who give the tone to society would operate as an effectual exclusion. Many a woman flatters herself (nine times out of ten quite erroneously) that nothing prevents her and her husband from moving in the highest society of her neighbourhood—society in which others well known to her, and in the same class of life, mix freely—except that her husband is unfortunately a Dissenter, or has the reputation of mingling in low radical politics. That it is, she thinks, which hinders George from getting a commission or a place, Caroline from making an advantageous match, and prevents her and her husband from obtaining invitations, perhaps honours, which, for aught she sees, they are as well entitled to as some folks. With such an influence in every house, either exerted actively, or operating all the more powerfully for not being asserted, is it any wonder that people in general are kept down in that mediocrity of respectability which is becoming a marked characteristic of modern times?

There is another very injurious aspect in which the effect, not of women's disabilities directly, but of the broad line of difference which those disabilities create between the education and character of a woman and that of a man, requires to

be considered. Nothing can be more unfavourable to that union of thoughts and inclinations which is the ideal of married life. Intimate society between people radically dissimilar to one another, is an idle dream. Unlikeness may attract, but it is likeness which retains; and in proportion to the likeness is the suitability of the individuals to give each other a happy life. While women are so unlike men, it is not wonderful that selfish men should feel the need of arbitrary power in their own hands, to arrest *in limine* the life-long conflict of inclinations, by deciding every question on the side of their own preference. When people are extremely unlike, there can be no real identity of interest. Very often there is conscientious difference of opinion between married people, on the highest points of duty. Is there any reality in the marriage union where this takes place? Yet it is not uncommon anywhere, when the woman has any earnestness of character; and it is a very general case indeed in Catholic countries, when she is supported in her dissent by the only other authority to which she is taught to bow, the priest. With the usual barefacedness of power not accustomed to find itself disputed, the influence of priests over women is attacked by Protestant and Liberal writers, less for being bad in itself, than because it is a rival authority to the husband, and raises up a revolt against his infal-

libility. In England, similar differences occasionally exist when an Evangelical wife has allied herself with a husband of a different quality; but in general this source at least of dissension is got rid of, by reducing the minds of women to such a nullity, that they have no opinions but those of Mrs. Grundy, or those which the husband tells them to have. When there is no difference of opinion, differences merely of taste may be sufficient to detract greatly from the happiness of married life. And though it may stimulate the amatory propensities of men, it does not conduce to married happiness, to exaggerate by differences of education whatever may be the native differences of the sexes. If the married pair are well-bred and well-behaved people, they tolerate each other's tastes; but is mutual toleration what people look forward to, when they enter into marriage? These differences of inclination will naturally make their wishes different, if not restrained by affection or duty, as to almost all domestic questions which arise. What a difference there must be in the society which the two persons will wish to frequent, or be frequented by! Each will desire associates who share their own tastes: the persons agreeable to one, will be indifferent or positively disagreeable to the other; yet there can be none who are not common to both, for married people do not now live in dif-

ferent parts of the house and have totally different visiting lists, as in the reign of Louis XV. They cannot help having different wishes as to the bringing up of the children: each will wish to see reproduced in them their own tastes and sentiments: and there is either a compromise, and only a half-satisfaction to either, or the wife has to yield—often with bitter suffering; and, with or without intention, her occult influence continues to counterwork the husband's purposes.

It would of course be extreme folly to suppose that these differences of feeling and inclination only exist because women are brought up differently from men, and that there would not be differences of taste under any imaginable circumstances. But there is nothing beyond the mark in saying that the distinction in bringing-up immensely aggravates those differences, and renders them wholly inevitable. While women are brought up as they are, a man and a woman will but rarely find in one another real agreement of tastes and wishes as to daily life. They will generally have to give it up as hopeless, and renounce the attempt to have, in the intimate associate of their daily life, that *idem velle, idem nolle*, which is the recognised bond of any society that is really such: or if the man succeeds in obtaining it, he does so by choosing a woman who is so complete a nullity that she has no

velle or *nolle* at all, and is as ready to comply with one thing as another if anybody tells her to do so. Even this calculation is apt to fail; dulness and want of spirit are not always a guarantee of the submission which is so confidently expected from them. But if they were, is this the ideal of marriage? What, in this case, does the man obtain by it, except an upper servant, a nurse, or a mistress? On the contrary, when each of two persons, instead of being a nothing, is a something; when they are attached to one another, and are not too much unlike to begin with; the constant partaking in the same things, assisted by their sympathy, draws out the latent capacities of each for being interested in the things which were at first interesting only to the other; and works a gradual assimilation of the tastes and characters to one another, partly by the insensible modification of each, but more by a real enriching of the two natures, each acquiring the tastes and capacities of the other in addition to its own. This often happens between two friends of the same sex, who are much associated in their daily life: and it would be a common, if not the commonest, case in marriage, did not the totally different bringing-up of the two sexes make it next to an impossibility to form a really well-assorted union. Were this remedied, whatever differences there might still

be in individual tastes, there would at least be, as a general rule, complete unity and unanimity as to the great objects of life. When the two persons both care for great objects, and are a help and encouragement to each other in whatever regards these, the minor matters on which their tastes may differ are not all-important to them; and there is a foundation for solid friendship, of an enduring character, more likely than anything else to make it, through the whole of life, a greater pleasure to each to give pleasure to the other, than to receive it.

I have considered, thus far, the effects on the pleasures and benefits of the marriage union which depend on the mere unlikeness between the wife and the husband: but the evil tendency is prodigiously aggravated when the unlikeness is inferiority. Mere unlikeness, when it only means difference of good qualities, may be more a benefit in the way of mutual improvement, than a drawback from comfort. When each emulates, and desires and endeavours to acquire, the other's peculiar qualities, the difference does not produce diversity of interest, but increased identity of it, and makes each still more valuable to the other. But when one is much the inferior of the two in mental ability and cultivation, and is not actively attempting by the other's aid to rise to the other's level, the whole influence of the connexion upon

the development of the superior of the two is deteriorating: and still more so in a tolerably happy marriage than in an unhappy one. It is not with impunity that the superior in intellect shuts himself up with an inferior, and elects that inferior for his chosen, and sole completely intimate, associate. Any society which is not improving, is deteriorating: and the more so, the closer and more familiar it is. Even a really superior man almost always begins to deteriorate when he is habitually (as the phrase is) king of his company: and in his most habitual company the husband who has a wife inferior to him is always so. While his self-satisfaction is incessantly ministered to on the one hand, on the other he insensibly imbibes the modes of feeling, and of looking at things, which belong to a more vulgar or a more limited mind than his own. This evil differs from many of those which have hitherto been dwelt on, by being an increasing one. The association of men with women in daily life is much closer and more complete than it ever was before. Men's life is more domestic. Formerly, their pleasures and chosen occupations were among men, and in men's company: their wives had but a fragment of their lives. At the present time, the progress of civilization, and the turn of opinion against the rough amusements and convivial excesses which formerly occupied most men

in their hours of relaxation—together with (it must be said) the improved tone of modern feeling as to the reciprocity of duty which binds the husband towards the wife—have thrown the man very much more upon home and its inmates, for his personal and social pleasures: while the kind and degree of improvement which has been made in women's education, has made them in some degree capable of being his companions in ideas and mental tastes, while leaving them, in most cases, still hopelessly inferior to him. His desire of mental communion is thus in general satisfied by a communion from which he learns nothing. An unimproving and unstimulating companionship is substituted for (what he might otherwise have been obliged to seek) the society of his equals in powers and his fellows in the higher pursuits. We see, accordingly, that young men of the greatest promise generally cease to improve as soon as they marry, and, not improving, inevitably degenerate. If the wife does not push the husband forward, she always holds him back. He ceases to care for what she does not care for; he no longer desires, and ends by disliking and shunning, society congenial to his former aspirations, and which would now shame his falling-off from them; his higher faculties both of mind and heart cease to be called into activity. And this change coinciding with the new and

selfish interests which are created by the family, after a few years he differs in no material respect from those who have never had wishes for anything but the common vanities and the common pecuniary objects.

What marriage may be in the case of two persons of cultivated faculties, identical in opinions and purposes, between whom there exists that best kind of equality, similarity of powers and capacities with reciprocal superiority in them —so that each can enjoy the luxury of looking up to the other, and can have alternately the pleasure of leading and of being led in the path of development—I will not attempt to describe. To those who can conceive it, there is no need; to those who cannot, it would appear the dream of an enthusiast. But I maintain, with the profoundest conviction, that this, and this only, is the ideal of marriage; and that all opinions, customs, and institutions which favour any other notion of it, or turn the conceptions and aspirations connected with it into any other direction, by whatever pretences they may be coloured, are relics of primitive barbarism. The moral regeneration of mankind will only really commence, when the most fundamental of the social relations is placed under the rule of equal justice, and when human beings learn to cultivate their strongest sympathy with an equal in rights and in cultivation.

Thus far, the benefits which it has appeared that the world would gain by ceasing to make sex a disqualification for privileges and a badge of subjection, are social rather than individual; consisting in an increase of the general fund of thinking and acting power, and an improvement in the general conditions of the association of men with women. But it would be a grievous understatement of the case to omit the most direct benefit of all, the unspeakable gain in private happiness to the liberated half of the species; the difference to them between a life of subjection to the will of others, and a life of rational freedom. After the primary necessities of food and raiment, freedom is the first and strongest want of human nature. While mankind are lawless, their desire is for lawless freedom. When they have learnt to understand the meaning of duty and the value of reason, they incline more and more to be guided and restrained by these in the exercise of their freedom; but they do not therefore desire freedom less; they do not become disposed to accept the will of other people as the representative and interpreter of those guiding principles. On the contrary, the communities in which the reason has been most cultivated, and in which the idea of social duty has been most powerful, are those which have most strongly asserted the freedom

of action of the individual—the liberty of each to govern his conduct by his own feelings of duty, and by such laws and social restraints as his own conscience can subscribe to.

He who would rightly appreciate the worth of personal independence as an element of happiness, should consider the value he himself puts upon it as an ingredient of his own. There is no subject on which there is a greater habitual difference of judgment between a man judging for himself, and the same man judging for other people. When he hears others complaining that they are not allowed freedom of action—that their own will has not sufficient influence in the regulation of their affairs—his inclination is, to ask, what are their grievances? what positive damage they sustain? and in what respect they consider their affairs to be mismanaged? and if they fail to make out, in answer to these questions, what appears to him a sufficient case, he turns a deaf ear, and regards their complaint as the fanciful querulousness of people whom nothing reasonable will satisfy. But he has a quite different standard of judgment when he is deciding for himself. Then, the most unexceptionable administration of his interests by a tutor set over him, does not satisfy his feelings: his personal exclusion from the deciding authority appears itself the greatest grievance of all, rendering it superfluous even to

enter into the question of mismanagement. It is the same with nations. What citizen of a free country would listen to any offers of good and skilful administration, in return for the abdication of freedom? Even if he could believe that good and skilful administration can exist among a people ruled by a will not their own, would not the consciousness of working out their own destiny under their own moral responsibility be a compensation to his feelings for great rudeness and imperfection in the details of public affairs? Let him rest assured that whatever he feels on this point, women feel in a fully equal degree. Whatever has been said or written, from the time of Herodotus to the present, of the ennobling influence of free government—the nerve and spring which it gives to all the faculties, the larger and higher objects which it presents to the intellect and feelings, the more unselfish public spirit, and calmer and broader views of duty, that it engenders, and the generally loftier platform on which it elevates the individual as a moral, spiritual, and social being — is every particle as true of women as of men. Are these things no important part of individual happiness? Let any man call to mind what he himself felt on emerging from boyhood—from the tutelage and control of even loved and affectionate elders—and entering upon the responsibilities of manhood.

Was it not like the physical effect of taking off a heavy weight, or releasing him from obstructive, even if not otherwise painful, bonds? Did he not feel twice as much alive, twice as much a human being, as before? And does he imagine that women have none of these feelings? But it is a striking fact, that the satisfactions and mortifications of personal pride, though all in all to most men when the case is their own, have less allowance made for them in the case of other people, and are less listened to as a ground or a justification of conduct, than any other natural human feelings; perhaps because men compliment them in their own case with the names of so many other qualities, that they are seldom conscious how mighty an influence these feelings exercise in their own lives. No less large and powerful is their part, we may assure ourselves, in the lives and feelings of women. Women are schooled into suppressing them in their most natural and most healthy direction, but the internal principle remains, in a different outward form. An active and energetic mind, if denied liberty, will seek for power: refused the command of itself, it will assert its personality by attempting to control others. To allow to any human beings no existence of their own but what depends on others, is giving far too high a premium on bending others to their pur-

poses. Where liberty cannot be hoped for, and power can, power becomes the grand object of human desire; those to whom others will not leave the undisturbed management of their own affairs, will compensate themselves, if they can, by meddling for their own purposes with the affairs of others. Hence also women's passion for personal beauty, and dress and display; and all the evils that flow from it, in the way of mischievous luxury and social immorality. The love of power and the love of liberty are in eternal antagonism. Where there is least liberty, the passion for power is the most ardent and unscrupulous. The desire of power over others can only cease to be a depraving agency among mankind, when each of them individually is able to do without it: which can only be where respect for liberty in the personal concerns of each is an established principle.

But it is not only through the sentiment of personal dignity, that the free direction and disposal of their own faculties is a source of individual happiness, and to be fettered and restricted in it, a source of unhappiness, to human beings, and not least to women. There is nothing, after disease, indigence, and guilt, so fatal to the pleasurable enjoyment of life as the want of a worthy outlet for the active faculties. Women who have the cares of a family, and while they have the cares of a family, have this outlet, and it generally

suffices for them: but what of the greatly increasing number of women, who have had no opportunity of exercising the vocation which they are mocked by telling them is their proper one? What of the women whose children have been lost to them by death or distance, or have grown up, married, and formed homes of their own? There are abundant examples of men who, after a life engrossed by business, retire with a competency to the enjoyment, as they hope, of rest, but to whom, as they are unable to acquire new interests and excitements that can replace the old, the change to a life of inactivity brings ennui, melancholy, and premature death. Yet no one thinks of the parallel case of so many worthy and devoted women, who, having paid what they are told is their debt to society—having brought up a family blamelessly to manhood and womanhood—having kept a house as long as they had a house needing to be kept—are deserted by the sole occupation for which they have fitted themselves; and remain with undiminished activity but with no employment for it, unless perhaps a daughter or daughter-in-law is willing to abdicate in their favour the discharge of the same functions in her younger household. Surely a hard lot for the old age of those who have worthily discharged, as long as it was given to them to discharge, what the world accounts their only

social duty. Of such women, and of those others to whom this duty has not been committed at all—many of whom pine through life with the consciousness of thwarted vocations, and activities which are not suffered to expand—the only resources, speaking generally, are religion and charity. But their religion, though it may be one of feeling, and of ceremonial observance, cannot be a religion of action, unless in the form of charity. For charity many of them are by nature admirably fitted; but to practise it usefully, or even without doing mischief, requires the education, the manifold preparation, the knowledge and the thinking powers, of a skilful administrator. There are few of the administrative functions of government for which a person would not be fit, who is fit to bestow charity usefully. In this as in other cases (pre-eminently in that of the education of children), the duties permitted to women cannot be performed properly, without their being trained for duties which, to the great loss of society, are not permitted to them. And here let me notice the singular way in which the question of women's disabilities is frequently presented to view, by those who find it easier to draw a ludicrous picture of what they do not like, than to answer the arguments for it. When it is suggested that women's executive capacities and prudent counsels might sometimes

be found valuable in affairs of state, these lovers of fun hold up to the ridicule of the world, as sitting in parliament or in the cabinet, girls in their teens, or young wives of two or three and twenty, transported bodily, exactly as they are, from the drawing-room to the House of Commons. They forget that males are not usually selected at this early age for a seat in Parliament, or for responsible political functions. Common sense would tell them that if such trusts were confided to women, it would be to such as having no special vocation for married life, or preferring another employment of their faculties (as many women even now prefer to marriage some of the few honourable occupations within their reach), have spent the best years of their youth in attempting to qualify themselves for the pursuits in which they desire to engage; or still more frequently perhaps, widows or wives of forty or fifty, by whom the knowledge of life and faculty of government which they have acquired in their families, could by the aid of appropriate studies be made available on a less contracted scale. There is no country of Europe in which the ablest men have not frequently experienced, and keenly appreciated, the value of the advice and help of clever and experienced women of the world, in the attainment both of private and of public objects; and

there are important matters of public administration to which few men are equally competent with such women; among others, the detailed control of expenditure. But what we are now discussing is not the need which society has of the services of women in public business, but the dull and hopeless life to which it so often condemns them, by forbidding them to exercise the practical abilities which many of them are conscious of, in any wider field than one which to some of them never was, and to others is no longer, open. If there is anything vitally important to the happiness of human beings, it is that they should relish their habitual pursuit. This requisite of an enjoyable life is very imperfectly granted, or altogether denied, to a large part of mankind; and by its absence many a life is a failure, which is provided, in appearance, with every requisite of success. But if circumstances which society is not yet skilful enough to overcome, render such failures often for the present inevitable, society need not itself inflict them. The injudiciousness of parents, a youth's own inexperience, or the absence of external opportunities for the congenial vocation, and their presence for an uncongenial, condemn numbers of men to pass their lives in doing one thing reluctantly and ill, when there are other things which they could have done well and happily. But on

women this sentence is imposed by actual law, and by customs equivalent to law. What, in unenlightened societies, colour, race, religion, or in the case of a conquered country, nationality, are to some men, sex is to all women; a peremptory exclusion from almost all honourable occupations, but either such as cannot be fulfilled by others, or such as those others do not think worthy of their acceptance. Sufferings arising from causes of this nature usually meet with so little sympathy, that few persons are aware of the great amount of unhappiness even now produced by the feeling of a wasted life. The case will be even more frequent, as increased cultivation creates a greater and greater disproportion between the ideas and faculties of women, and the scope which society allows to their activity.

When we consider the positive evil caused to the disqualified half of the human race by their disqualification—first in the loss of the most inspiriting and elevating kind of personal enjoyment, and next in the weariness, disappointment, and profound dissatisfaction with life, which are so often the substitute for it; one feels that among all the lessons which men require for carrying on the struggle against the inevitable imperfections of their lot on earth, there is no lesson which they more need, than not to add to the evils which nature inflicts, by their jealous

and prejudiced restrictions on one another. Their vain fears only substitute other and worse evils for those which they are idly apprehensive of: while every restraint on the freedom of conduct of any of their human fellow creatures, (otherwise than by making them responsible for any evil actually caused by it), dries up *pro tanto* the principal fountain of human happiness, and leaves the species less rich, to an inappreciable degree, in all that makes life valuable to the individual human being.

THE END.