ADVANCE SHEET – October 15, 2021

President's Letter

In order to limit its length, this issue contains only one document and no judicial opinion. The document is the chapter on The Position of Women in W. E. H. Lecky's *History of European Morals from Augustus to Charlemagne* (1869), which sheds light on many current controversies. A subsequent issue may contain the corresponding chapter in Lecky's *Rise and Influence of Rationalism in Europe* (1865) dealing with the Renaissance and Enlightenment. Lecky, who died in 1903, was one of the great 19th century nonacademic historians, along with Acton, Gibbon and Macaulay.

In a lighter vein, I must note that editing this magazine can lead down some amusing by-ways. When I asked Joe Bennett to include the opinion in *Ex Parte Milligan* in our latest issue, he sent me an email assuring me that the Mulligan case would be included, having confused the Indiana Copperhead with the Irishman whose first name is lost to history, and who as a hobo in late Victorian London, first compounded Mulligan Stew from ingredients stolen by his vagrant colleagues. The stew is commonly cooked in metal drums and served in tin cans, and is composed of various scrounged or stolen ingredients, usually with a beef or chicken base. The internet discloses various unappetizing recipes, most of them including carrots, potatoes and canned corn.

This led me to think of another plebian recipe not customarily served in the restaurant notoriously patronized by Governor Newsom of California, but compounded by a famous chef: the Woolton Pie, a staple of the British wartime diet.

An article concerning it is reproduced below:

"Woolton Pie

The recipe for Woolton Pie was the creation of Francis Ladry, the chef of the Savoy hotel and named after Lord Woolton, head of the Ministry of Food. Many people had their own interpretation of this recipe, but they always used carrots. Basically it is mixed vegetables, a sauce and a topping , which could be pastry or potatoes mashed or sliced. The Official recipe as reported in "The Times" on 26 April 1941 is shown below.

Introduced in May 1941, it continued to raise a hollow laugh throughout the war. In fact, Woolton Pie was far from being a laughing matter. Lord Woolton, Britain's wartime Minister of Food, charmed and cajoled the public into eating not only Woolton Pie but a 'National loaf' - baked as a 'Victory loaf'.

It was named after Frederick Marquis, Lord Woolton, the ex-managing director of a store chain called Lewis (mainly in the north of England) and ex-social worker, who was appointed Minister of Food in April 1940. Unglamorous his position may have been, but it was vital to the war effort. It says much for Woolton's personal charm that he was remarkably popular with the public, even when singing the praises of rissoles without beef, cakes without sugar and tea without tea leaves.

Much of Woolton's success was due to his business skill in budgeting specific items -- he only rationed items of which he was certain he had enough to go around, however small the quantities. This built up a sense of fairness and trust with those who were struggling with their own personal budget and the war effort itself. He also believed that the public should be educated and helped, not just instructed.

This he did by means of advertisements starring 'Dr Carrot' and 'Potato Pete', by broadcasts with

'Gert and Daisy' - the music hall artistes Elsie and Doris Walters, and by 'Kitchen Front' spots on the radio and 'Food Flashes' in the cinema. Lord Woolton was also involved with the promotion of Walt Disney Carrot Characters.

Apparently neither the pie or the loaf were liked, but by the end of the War, the country was fitter and healthier than it ever had been.

As a whole the population, was slimmer and healthier than it is today. People ate less fat, eggs, sugar and meat whilst eating many more vegetables.

Many people ate a better diet during rationing than before the war years and this had a marked effect on the health of the population - infant mortality declined and life expectancy increased.

It is now realised that the home population never ate so well as they did during and after the war. This was thanks to the strict rationing of shop-bought goods and the amount of fresh vegetables that people ate.

There is a simple message for the 21st Century's increasingly obese and under-exercised population. Take up vegetable gardening, grow carrots and take more walks.

The Official Recipe as reported in The UK Times 26 April 1941:

Woolton Pie

INGREDIENTS

Take 1Lb each of diced potatoes, cauliflower, swedes and carrots;

Three or four spring onions; one teaspoonful of vegetable extract and one teaspoonful of oatmeal.

METHOD

Cook all together for ten minutes with just enough water to cover.

Stir occasionally to prevent the mixture from sticking.

Allow to cool; put into a pie dish, sprinkle with chopped parsley and cover with a crust of potatoes or wholemeal pastry.

Bake in a moderate oven until the pastry is nicely brown and serve hot with brown gravy."

Whatever may be said of the Woolton Pie, it sounds more appetizing than the tofu, polenta, and quinoa concoctions currently in vogue among vegetarians. Perhaps our only vegetarian ex-Governor can be persuaded to devote his energies to a different sort of growth management than that involving land use: a crusade to persuade McDonald's to add the Woolton Pie to its menu.

George W. Liebmann

Who Was That Masked Man?

I was born in 1959, which means that for the first five or six years of my life, if I turned on a television, other than Saturday morning, more likely than not there was going to be a western on. From Bonanza to Gunsmoke to Rawhide, there was quite a lot of "git along little dogie" going on. For those of you who were not born in 1959, "little dogie" does not refer to a puppy, but rather a "runty or orphaned calf." (Thank you Wikipedia)

The line "who was that masked man" comes from an old western series "The Lone Ranger" that went off the air in 1957, but was around in reruns in 1959, as it is today.

Over the course of the past few years we have all become the Lone Ranger, although his mask, which did not cover his nose and mouth, allowed him to breathe a little easier, even when those ornery outlaws had him in a scrape that you just knew he wasn't going to get out of.

Although even as a kid I was not quite sure how smart it was to ride around the old west with a mask on, today we know that for what we are up against, it is in fact the most prudent thing to do. I suppose we all know that, and if someone doesn't by now, there is certainly nothing that I or anyone else can say to make it otherwise.

Other than my family, amongst my favorite faces over the years have been those that have come through the doors of the Library. They are people that I have gotten to know, they are people that have become my friends.

Even before the President of the Library's Board Mr. George Liebmann initiated various programs such as the lecture series and film series to bring the bench and bar together, to foster a sense of collegiality, the Library had been a place where people met and got to know each other a little better. To understand others, to communicate with them, is the basis for success in any endeavor. It is not something that can be accomplished through the utilization of a phone or a terminal.

Our door is open, our welcome mat is out, and we hope to see you soon. Even if we only get to see half of your face, I suppose it is analogous to that half filled glass. Cheers and take care.

Joe Bennett

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HISTORY OF
EUROPEAN MORALS
FROM AUGUSTUS TO CHARLEMAGNE

BY

WILLIAM EDWARD HARTPOLE LECKY, M. A.

THIRD EDITION, REVISED

IN TWO VOLUMES
VOL. II

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CHAPTER V.: THE POSITION OF WOMEN.

In the long series of moral revolutions that have been described in the foregoing chapters, I have more than once had occasion to refer to the position that was assigned to woman in the community, and to the virtues and vices that spring directly from the relations of the sexes. I have not, however, as yet discussed these questions with a fulness at all corresponding to their historical importance, and I propose, in

consequence, before concluding this volume, to devote a few pages to their examination. Of all the many questions that are treated in this work, there is none which I approach with so much hesitation, for there is probably none which it is so difficult to treat with clearness and impartiality, and at the same time without exciting any scandal or offence. The complexity of the problem, arising from the very large place which exceptional institutions or circumstances, and especially the influence of climate and race, have had on the chastity of nations, I have already noticed, and the extreme delicacy of the matters with which this branch of ethics is connected must be palpable to all. The first duty of an historian, however, is to truth; and it is absolutely impossible to present a true picture of the moral condition of different ages, and to form a true estimate of the moral effects of different religions, without adverting to the department of morals, which has exhibited most change, and has probably exercised most influence.

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It is natural that, in the period when men are still perfect barbarians, when their habits of life are still nomadic, and when, war and the chase, being their sole pursuits, the qualities that are required in these form their chief measure of excellence, the inferiority of women to men should be regarded as undoubted, and their position should be extremely degraded. In all those qualities which are then most prized, women are indisputably inferior. The social qualities in which they are especially fitted to excel have no sphere for their display. The ascendancy of beauty is very faint, and, even if it were otherwise, few traces of female beauty could survive the hardships of the savage life. Woman is looked upon merely as the slave of man, and as the minister to his passions. In the first capacity, her life is one of continual, abject, and unrequited toil. In the second capacity, she is exposed to all the violent revulsions of feeling that follow, among rude men, the gratification of the animal passions.

Even in this early stage, however, we may trace some rudiments of those moral sentiments which are destined at a later period to expand. The institution of marriage exists. The value of chastity is commonly in some degree felt, and appears in the indignation which is displayed against the adulterer. The duty of restraining the passions is largely recognised in the female, though the males are only restricted by the prohibition of adultery.

The first two steps which are taken towards the elevation of woman are probably the abandonment of the custom of purchasing wives, and the construction of the family on the basis of monogamy. In the earliest periods of civilisation, the marriage contract was arranged

between the bridegroom and the father of the bride, on the condition of a sum of money being paid by the former to the latter. This sum, which is known in the laws of the barbarians as the 'mundium,'1 [277] was in fact a payment to the father for the cession of his daughter, who thus became the bought slave of her husband. It is one of the most remarkable features of the ancient laws of India, that they forbade this gift, on the ground that the parent should not sell his child;1 but there can be little doubt that this sale was at one time the ordinary type of marriage. In the Jewish writings we find Jacob purchasing Leah and Rachel by certain services to their father; and this custom, which seems to have been at one time general in Judea,2 appears in the age of Homer to have been general in Greece. At an early period, however, of Greek history, the purchase-money was replaced by the dowry, or sum of money paid by the father of the bride for the use of his daughter;3 and this, although it passed into the hands of the husband, contributed to elevate the wife, in the first place, by the dignity it gave her, and, in the next place, by special laws, which both in Greece and Rome secured it to her in most cases of separation.4 The wife thus possessed a guarantee against ill-usage by her husband. She ceased to be his slave, and became in some degree a contracting party.

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Among the early Germans, a different and very remarkable custom existed. The bride did not bring any dowry to her husband, nor did the bridegroom give anything to the father of the bride; but he gave his gift to the bride herself, on the morning after the first night of marriage, and this, which was called the 'Morgengab,' or morning gift, was the origin of the jointure.1

Still more important than the foregoing was the institution of monogamy, by which, from its earliest days, the Greek civilisation proclaimed its superiority to the Asiatic civilisations that had preceded it. We may regard monogamy either in the light of our intuitive moral sentiment on the subject of purity, or in the light of the interests of society. In its Oriental or polygamous stage, marriage is regarded almost exclusively, in its lowest aspect, as a gratification of the passions; while in European marriages the mutual attachment and respect of the contracting parties, the formation of a household, and the long train of domestic feelings and duties that accompany it, have all their distinguished place among the motives of the contract, and the lower element has comparatively little prominence. In this way it may be intelligibly said, without any reference to utilitarian considerations, that monogamy is a higher state than polygamy. The utilitarian arguments in its defence are also extremely powerful, and

may be summed up in three sentences. Nature, by making the number of males and females nearly equal, indicates it as natural. In no other form of marriage can the government of the family, which is one of the chief ends of marriage, be so happily sustained, [279] and in no other does woman assume the position of the equal of man.

Monogamy was the general system in Greece, though there are said to have been slight and temporary deviations into the earlier system, after some great disasters, when an increase of population was ardently desired.1 A broad line must, however, be drawn between the legendary or poetical period, as reflected in Homer and perpetuated in the tragedians, and the later historical period. It is one of the most remarkable, and to some writers one of the most perplexing, facts in the moral history of Greece, that in the former and ruder period women had undoubtedly the highest place, and their type exhibited the highest perfection. Moral ideas, in a thousand forms, have been sublimated, enlarged, and changed, by advancing civilisation; but it may be fearlessly asserted that the types of female excellence which are contained in the Greek poems, while they are among the earliest, are also among the most perfect in the literature of mankind. The conjugal tenderness of Hector and Andromache; the unwearied fidelity of Penelope, awaiting through the long revolving years the return of her storm-tossed husband, who looked forward to her as to the crown of all his labours; the heroic love of Alcestis, voluntarily dying that her husband might live; the filial piety of Antigone; the majestic grandeur of the death of Polyxena; the more subdued and saintly resignation of Iphigenia, excusing with her last breath the father who had condemned her; the joyous, modest, and loving Nausicaa, whose figure shines like a perfect idyll among the tragedies of the Odyssey—all these are pictures of perennial beauty, which Rome and Christendom, chivalry and modern civilisation, have neither eclipsed nor transcended. Virgin modesty and conjugal fidelity, the [280] graces as well as the virtues of the most perfect womanhood, have never been more exquisitely pourtrayed. The femals figures stand out in the canvas almost as prominently as the male ones, and are surrounded by an almost equal reverence. The whole history of the Siege of Troy is a history of the catastrophes that followed a violation of the nuptial tie. Yet, at the same time, the position of women was in some respects a degraded one. The custom of purchase-money given to the father of the bride was general. The husbands appear to have indulged largely, and with little or no censure, in concubines.1 Female captives of the highest rank were treated with great harshness. The inferiority of women to men was strongly asserted, and it was illustrated and defended by a very

curious physiological notion, that the generative power belonged exclusively to men, women having only a very subordinate part in the production of their children.[2] The woman Pandora was said to have been the author of all human ills.

In the historical age of Greece, the legal position of women had in some respects slightly improved, but their moral condition had undergone a marked deterioration. Virtuous women lived a life of perfect seclusion. The foremost and most dazzling type of Ionic womanhood was the [281] courtesan, while, among the men, the latitude accorded by public opinion was almost unrestricted.

The facts in moral history, which it is at once most important and most difficult to appreciate, are what may be called the facts of feeling. It is much easier to show what men did or taught than to realise the state of mind that rendered possible such actions or teaching; and in the case before us we have to deal with a condition of feeling so extremely remote from that of our own day, that the difficulty is preeminently great. Very sensual, and at the same time very brilliant societies, have indeed repeatedly existed, and the histories of both France and Italy afford many examples of an artistic and intellectual enthusiasm encircling those who were morally most frail; but the peculiarity of Greek sensuality is, that it grew up, for the most part, uncensured, and indeed even encouraged under the eyes of some of the most illustrious of moralists. If we can imagine Ninon de l'Enclos at a time when the rank and splendour of Parisian society thronged her drawing-rooms, reckoning a Bossuet or a Fénelon among her followers—if we can imagine these prelates publicly advising her about the duties of her profession, and the means of attaching the affections of her lovers—we shall have conceived a relation scarcely more strange than that which existed between Socrates and the courtesan Theodota.

In order to reconstruct, as far as possible, the modes of feeling of the Greek moralists, it will be necessary in the first place to say a few words concerning one of the most delicate, but at the same time most important, problems with which the legislator and the moralist have to deal.

It was a favourite doctrine of the Christian Fathers, that concupiscence, or the sensual passion, was ‘the original sin’ of human nature; and it must be owned that the progress of knowledge, which is usually extremely opposed to the ascetic theory of life, concurs with the theological view, in showing [282] the natural force of this appetite to be far greater than the well-being of man requires. The writings of Malthus have proved, what the Greek moralists

appear in a considerable degree to have seen, that its normal and temperate exercise in the form of marriage, would produce, if universal, the utmost calamities to the world, and that, while nature seems in the most unequivocal manner to urge the human race to early marriages, the first condition of an advancing civilisation in populous countries is to restrain or diminish them. In no highly civilised society is marriage general on the first development of the passions, and the continual tendency of increasing knowledge is to render such marriages more rare. It is also an undoubted truth that, however much moralists may enforce the obligation of extra-matrimonial purity, this obligation has never been even approximately regarded; and in all nations, ages, and religions a vast mass of irregular indulgence has appeared, which has probably contributed more than any other single cause to the misery and the degradation of man.

There are two ends which a moralist, in dealing with this question, will especially regard—the natural duty of every man doing something for the support of the child he has called into existence, and the preservation of the domestic circle unassailed and unpolluted. The family is the centre and the archetype of the State, and the happiness and goodness of society are always in a very great degree dependent upon the purity of domestic life. The essentially exclusive nature of marital affection, and the natural desire of every man to be certain of the paternity of the child he supports, render the incursions of irregular passions within the domestic circle a cause of extreme suffering. Yet it would appear as if the excessive force of these passions would render such incursions both frequent and inevitable.

Under these circumstances, there has arisen in society a figure which is certainly the most mournful, and in some [283] respects the most awful, upon which the eye of the moralist can dwell. That unhappy being whose very name is a shame to speak; who counterfeits with a cold heart the transports of affection, and submits herself as the passive instrument of lust; who is scorned and insulted as the vilest of her sex, and doomed, for the most part, to discase and abject wretchedness and an early death, appears in every age as the perpetual symbol of the degradation and the sinfulness of man. Herself the supreme type of vice, she is ultimately the most efficient guardian of virtue. But for her, the unchallenged purity of countless happy homes would be polluted, and not a few who, in the pride of their untempted chastity, think of her with an indignant shudder, would have known the agony of remorse and of despair. On that one degraded and ignoble form are concentrated the passions that might have filled the world with shame. She remains, while creeds and

civilisations rise and fall, the eternal priestess of humanity, blasted for the sins of the people.

In dealing with this unhappy being, and with all of her sex who have violated the law of chastity, the public opinion of most Christian countries pronounces a sentence of extreme severity. In the Anglo-Saxon nations especially, a single fault of this kind is sufficient, at least in the upper and middle classes, to affix an indelible brand which no time, no virtues, no penitence can wholly efface. This sentence is probably, in the first instance, simply the expression of the religious feeling on the subject, but it is also sometimes defended by powerful arguments drawn from the interests of society. It is said that the preservation of domestic purity is a matter of such transcendent importance that it is right that the most crushing penalties should be attached to an act which the imagination can easily transfigure, which legal enactments can never efficiently control, and to which the most violent passions may prompt. It is said, too, that an anathema which drives into obscurity all evidences of sensual passions [284] is peculiarly fitted to restrict their operation; for, more than any other passions, they are dependent on the imagination, which is readily fired by the sight of evil. It is added, that the emphasis with which the vice is stigmatised produces a corresponding admiration for the opposite virtue, and that a feeling of the most delicate and scrupulous honour is thus formed among the female population, which not only preserves from gross sin, but also dignifies and ennobles the whole character.

In opposition to these views, several considerations of much weight have been urged. It is argued that, however persistently society may ignore this form of vice, it exists nevertheless, and on the most gigantic scale, and that evil rarely assumes such inveterate and perverting forms as when it is shrouded in obscurity and veiled by an hypocritical appearance of unconsciousness. The existence in England of certainly not less than fifty thousand unhappy women,[1] sunk in the very lowest depths of vice and misery, shows sufficiently what an appalling amount of moral evil is festering uncontrolled, undiscussed, and unalleviated, under the fair surface of a decorous society. In the eyes of every physician, and indeed in the eyes of most continental writers who have adverted to the subject, no other feature of English life appears so infamous as the fact that an epidemic, which is one of the most dreadful now existing among mankind, which communicates itself from the guilty husband to the innocent wife, and even transmits its taint to her offspring, and which the experience of other nations conclusively proves may be vastly

diminished, should be suffered to rage unchecked [285] because the Legislature refuses to take official cognisance of its existence, or proper sanitary measures for its repression.1 If the terrible censure which English public opinion passes upon every instance of female frailty in some degree diminishes the number, it does not prevent such instances from being extremely numerous, and it immeasurably aggravates the suffering they produce. Acts which in other European countries would excite only a slight and transient emotion, spread in England, over a wide circle, all the bitterness of unmitigated anguish. Acts which naturally neither imply nor produce a total subversion of the moral feelings, and which, in other countries, are often followed by happy, virtuous, and affectionate lives, in England almost invariably lead to absolute ruin. Infanticide is greatly multiplied, and a vast proportion of those whose reputations and lives have been blasted by one momentary sin, are hurled into the abyss of habitual prostitution—a condition which, owing to the sentence of public opinion and the neglect of legislators, is in no other European country so hopelessly vicious or so irrevocable.2

It is added, too, that the immense multitude who are thus doomed to the extremity of life-long wretchedness are not always, perhaps not generally, of those whose dispositions seem naturally incapable of virtue. The victims of [286] seduction are often led aside quite as much by the ardour of their affections, and by the vivacity of their intelligence, as by any vicious propensities.1 Even in the lowest grades, the most dispassionate observers have detected remains of higher feelings, which, in a different moral atmosphere, and under different moral husbandry, would have undoubtedly been developed.2 The statistics of prostitution show that a great proportion of those who have fallen into it have been impelled by the most extreme poverty, in many instances verging upon starvation.3

These opposing considerations, which I have very briefly indicated, and which I do not propose to discuss or to [287] estimate, will be sufficient to exhibit the magnitude of the problem. In the Greek civilisation, legislators and moralists endeavoured to meet it by the cordial recognition of two distinct orders of womanhood1—the wife, whose first duty was fidelity to her husband; the hetæra, or mistress, who subsisted by her fugitive attachments. The wives of the Greeks lived in almost absolute seclusion. They were usually married when very young. Their occupations were to weave, to spin, to embroider, to superintend the household, to care for their sick slaves. They lived in a special and retired part of the house. The more wealthy seldom went abroad, and never except when accompanied by a female slave; never attended the public spectacles; received no male visitors except

in the presence of their husbands, and had not even a seat at their own tables when male guests were there. Their pre-eminent virtue was fidelity, and it is probable that this was very strictly and very generally observed. Their remarkable freedom from temptations, the public opinion which strongly discouraged any attempt to seduce them, and the ample sphere for illicit pleasures that was accorded to the other sex, all contributed to protect it. On the other hand, living, as they did, almost exclusively among their female slaves, being deprived of all the educating influence of male society, and having no place at those public spectacles which were the chief means of Athenian culture, their minds must necessarily have been exceedingly contracted. Thucydides doubtless expressed the prevailing sentiment of his countrymen when he said that the highest merit of woman is not to be spoken of either for good or for [288] evil; and Phidias illustrated the same feeling when he represented the heavenly Aphrodite standing on a tortoise, typifying thereby the secluded life of a virtuous woman.1

In their own restricted sphere their lives were probably not unhappy. Education and custom rendered the purely domestic life that was assigned to them a second nature, and it must in most instances have reconciled them to the extra-matrimonial connections in which their husbands too frequently indulged. The prevailing manners were very gentle. Domestic oppression is scarcely ever spoken of; the husband lived chiefly in the public place; causes of jealousy and of dissension could seldom occur; and a feeling of warm affection, though not a feeling of equality, must doubtless have in most cases spontaneously arisen. In the writings of Xenophon we have a charming picture of a husband who had received into his arms his young wife of fifteen, absolutely ignorant of the world and of its ways. He speaks to her with extreme kindness, but in the language that would be used to a little child. Her task, he tells her, is to be like a queen bee, dwelling continually at home and superintending the work of her slaves. She must distribute to each their tasks, must economise the family income, and must take especial care that the house is strictly orderly —the shoes, the pots, and the clothes always in their places. It is also, he tells her, a part of her duty to tend her sick slaves; but here his wife interrupted him, exclaiming, ‘Nay, but that will indeed be the most agreeable of my offices, if such as I treat with kindness are likely to be grateful, and to love me more than before.’ With a very tender and delicate care to avoid everything resembling a reproach, the husband persuades his wife to give up the habits of wearing high-heeled boots, in order to appear tall, and of colouring her face with

vermilion and white lead. He promises her that if she faitfully [289] performs her duties he will himself be the first and most devoted of her slaves. He assured Socrates that when any domestic dispute arose he could extricate himself admirably, if he was in the right; but that, whenever he was in the wrong, he found it impossible to convince his wife that it was otherwise.1

We have another picture of Greek married life in the writings of Plutarch, but it represents the condition of the Greek mind at a later period than that of Xenophon. In Plutarch the wife is represented not as the mere housekeeper, or as the chief slave of her husband, but as his equal and his companion. He enforces, in the strongest terms, reciprocity of obligations, and desires that the minds of women should be cultivated to the highest point.2 His precepts of marriage, indeed, fall little if at all below any that have appeared in modern days. His letter of consolation to his wife, on the death of their child, breathes a spirit of the tenderest affection. It is recorded of him that, having had some dispute with the relations of his wife, she feared that it might impair their domestic happiness, and she accordingly persuaded her husband to accompany her on a pilgrimage to Mount Helicon, where they offered up together a sacrifice to Love, and prayed that their affection for one another might never be diminished.

In general, however, the position of the virtuous Greek woman was a very low one. She was under a perpetual tutelage: first of all to her parents, who disposed of her hand, then to her husband, and in her days of widowhood to her sons. In cases of inheritance her male relations were preferred to her. The privilege of divorce, which, in Athens, at least, she possessed as well as her husband, appears to have been practically almost nugatory, on account of the [290] shock which public declarations in the law court gave to the habits which education and public opinion had formed She brought with her, however, a dowry, and the recognisec necessity of endowing daughters was one of the causes of those frequent expositions which were perpetrated with so little blame. The Athenian law was also peculiarly careful and tender in dealing with the interests of female orphans.1 Plato had argued that women were equal to men; but the habits of the people were totally opposed to this theory. Marriage was regarded chiefly in a civic light, as the means of producing citizens, and in Sparta it was ordered that old or infirm husbands should cede their young wives to stronger men, who could produce vigorous soldiers for the State. The Lacedæmonian treatment of women, which differed in many respects from that which prevailed in the other Greek States, while it was utterly destructive of all delicacy of feeling or action, had undoubtedly the effect of producing a fierce and

masculine patriotism; and many fine examples are recorded of Spartan mothers devoting their sons on the altar of their country, rejoicing over their deaths when nobly won, and infusing their own heroic spirit into the armies of the people. For the most part, however, the names of virtuous women seldom appear in Greek history. The simple modesty which was evinced by Phocion's wife, in the period when her husband occupied the foremost position in Athens,[2] and a few instances of conjugal and filial affection, have been recorded; but in general the only women who attracted the notice of the people were the hetaeræ, or courtesans.[3]

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In order to understand the position which these last assumed in Greek life, we must transport ourselves in thought into a moral latitude totally different from our own The Greek conception of excellence was the full and perfect development of humanity in all its organs and functions, and without any tinge of asceticism. Some parts of human nature were recognised as higher than others; and to suffer any of the lower appetites to obscure the mind, restrain the will and engross the energies of life, was acknowledged to be disgracefully but the systematic repression of a natural appetite was totally foreign to Greek modes of thought. Legislators, moralists, and the general voice of the people, appear to have applied these principles almost unreservedly to intercourse between the sexes, and the most virtuous men habitually and openly entered into relations which would now be almost universally censured.

The experience, however, of many societies has shown that a public opinion may accord, in this respect, almost unlimited licence to one sex, without showing any corresponding indulgence to the other. But, in Greece, a concurrence of causes had conspired to bring a certain section of courtesans into a position they have in no other society attained. The voluptuous worship of Aphrodite gave a kind of religious sanction to their profession. Courtesans were the priestesses in her temples, and those of Corinth were believed by their prayers to have averted calamities from their city. Prostitution is said to have entered into the religious rites of Babylon, Biblis, Cyprus, and Corinth, and these as well as Miletus, Tenedos, Lesbos, and Abydos became famous for their schools of vice, which grew up under the shadow of the temples.[1]

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In the next place, the intense æsthetic enthusiasm that prevailed was eminently fitted to raise the most beautiful to honour. In a land and beneath a sky where natural beauty developed to the highest point, there arose a school of matchless artists both in painting and in

sculpture, and public games and contests were celebrated, in which supreme physical perfection was crowned by an assembled people. In no other period of the world's history was the admiration of beauty in all its forms so passionate or so universal. It coloured the whole moral teaching of the time, and led the chief moralists to regard virtue simply as the highest kind of supersensual beauty. It appeared in all literature, where the beauty of form and style was the first of studies. It supplied at once the inspiration and the rule of all Greek art. It led the Greek wife to pray, before all other prayers, for the beauty of her children. It surrounded the most beautiful with an aureole of admiring reverence. The courtesan was often the queen of beauty. She was the model of the statues of Aphrodite, that commanded the admiration of Greece. Praxiteles was accustomed to reproduce the form of Phryne, and her statue, carved in gold, stood in the temple of Apollo at Delphi; and when she was accused of corrupting the youth of Athens, her advocate, Hyperides, procured her acquittal by suddenly unveiling her charms before the dazzled eyes of the assembled judges. Apelles was at once the painter and the lover of Lais, and Alexander gave him, as the choicest gift, his own favourite concubine, of whom the painter had become enamoured while pourtraying her. The chief flower-painter of antiquity acquired his skill through his love of the flower-girl Glycera, whom he was accustomed to paint among her garlands. Pindar and Simonides sang the praises of courtesans, and [293] grave philosophers made pilgrimages to visit them, and then names were known in every city.1

It is not surprising that, in such a state of thought and feeling, many of the more ambitious and accomplished women should have betaken themselves to this career, nor yet that they should have attained the social position which the secluded existence and the enforced ignorance of the Greek wives had left vacant. The courtesan was the one free woman of Athens, and she often availed herself of her freedom to acquire a degree of knowledge which enabled her to add to her other charms an intense intellectual fascination. Gathering around her the most brilliant artists, poets, historians, and philosophers, she flung herself unreservedly into the intellectual and æsthetic enthusiasms of her time, and soon became the centre of a literary society of matchless splendour. Aspasia, who was as famous for her genius as for her beauty, won the passionate love of Pericles. She is said to have instructed him in eloquence, and to have composed some of his most famous orations; she was continually consulted on affairs of state; and Socrates, like other philosophers, attended her assemblies. Socrates himself has owned his deep obligations to the instructions of a courtesan named Diotima. The

courtesan Leontium was among the most ardent disciples of Epicurus.[2]

Another cause probably contributed indirectly to the elevation of this class, to which it is extremely difficult to allude in an English book, but which it is impossible altogether [294] to omit, evan in the most cursory survey of Greek morals. Irregular female connections were looked upon as ordinary and not disgraceful incidents in the life of a good man, for they were compared with that lower abyss of annatural love, which was the deepest and strangest taint of Greek civilisation. This vice, which never appears in the writings of Homer and Hesiod, doubtless arose under the influence of the public games, which, accustoming men to the contemplation of absolutely nude figures,[1] awoke an unnatural passion,[2] totally remote from all modern feelings, but which in Greece it was regarded as heroic to resist.[3] The popular religion in this, as in other cases, was made to bend to the new vice. Hebe, the cup-bearer of the gods, was replaced by Ganymede, and the worst vices of earth were transported to Olympus.[4] Artists sought to reflect the passion in their [295] Statute of the Hermaphrodite, of Bacchus, and the more affeminate Apollo; moralists were known to praise it as the bond of friendship, and it was spoken of as the inspiring enthusiasm of the beroic Theban legion of Epaminondas.[1] In general, however, it was stigmatised as unquestionably a vice, but it was treated with a levity we can now hardly conceive. We can scarcely have a better illustration of the extent to which moral ideas and feelings have changed, than the fact that the first two Greeks who were considered worthy of statues by their fellow-countrymen are said to have been Harmodius and Aristogeiton, who were united by an impure love, and who were glorified for a political assassination.[2]

It is probable that this cause conspired with the others to dissociate the class of courtesans from the idea of supreme depravity with which they have usually been connected. The great majority, however, were sunk in this, as in all other ages, in abject degradation;[3] comparatively few attained the condition of hetæræ, and even of these it is probable that the greater number exhibited the characteristics which in all ages have attached to their class. Faithlessness, extreme rapacity, and extravagant luxury, were common among them; but yet it is unquestionable that there were many exceptions. The excommunication of society did not press upon or degrade them; and though they were never regarded with the same honour as married women, it seems generally to have been believed that the wife and the courtesan had each her place and her

function in the world, and her own peculiar type of excellence. The courtesan Leæna, who was a friend of Harmodius died in torture rather than reveal [296] the conspiracy of her friend, and the Athenians, in allusion to her name, caused the statue of a tongueless lioness to be erected to commemorate her constancy.[1] The gentle manners and disinterested affection of a courtesan named Bacchis were especially recorded, and a very touching letter paints her character, and describes the regret that followed her to the tomb.[2] In one of the most remarkable of his pictures of Greek life, Xenophon describes how Socrates, having heard of the beauty of the courtesan Theodota, went with his disciples to ascertain for himself whether the report was true; how with a quiet humour he questioned her about the sources of the luxury of her dwelling, and how he proceeded to sketch for her the qualities she should cultivate in order to attach her lovers. She ought, he tells her, to shut the door against the insolent, to watch her lovers in sickness, to rejoice greatly when they succeed in anything honourable, to love tenderly those who love her. Having carried on a cheerful and perfectly unembarrassed conversation with her, with no kind of reproach on his part, either expressed or implied, and with no trace either of the timidity or effrontery of conscious guilt upon hers, the best and wisest of the Greeks left his hostess with a graceful compliment to her beauty.[3]

My task in describing this aspect of Greek life has been an eminently unpleasing one, and I should certainly not have entered upon even the baldest and most guarded disquisition on a subject so difficult, painful, and delicate, had it not been absolutely indispensable to a history of morals to give at least an outline of the progress that has [297] been effected in this sphere. What I have written will sufficiently explain why Greece, which was fertile, beyond all other lands, in great men, was so remarkably barren of great women. It will show, too, that while the Greek moralists recognised, like ourselves, the distinction between the higher and the lower sides of our nature, they differed very widely from modern public opinion in the standard of morals they enforced. The Christian doctrine, that it is criminal to gratify a powerful and a transient physical appetite, except under the condition of a lifelong contract, was altogether unknown. Strict duties were imposed upon Greek wives. Duties were imposed at a later period, though less strictly, upon the husband. Unnatural love was stigmatised, but with a levity of censure which to a modern mind appears inexpressibly revolting. Some slight legal disqualifications rested upon the whole class of hetæræ, and, though more admired, they were less respected than women who had adopted a domestic life; but a combination of circumstances had raised them, in actual

worth and in popular estimation, to an unexampled elevation, and an aversion to marriage became very general, and extra-matrimonial connections were formed with the most perfect frankness and publicity.

If we now turn to the Roman civilisation, we shall find that some important advances had been made in the condition of women. The virtue of chastity has, as I have shown, been regarded in two different ways. The utilitarian view, which commonly prevails in countries where a political spirit is more powerful than a religious spirit, regards marriage as the ideal state, and to promote the happiness, sanctity, and security of this state is the main object of all its precepts. The mystical view which rests upon the natural feeling of shame, and which, as history proves, has prevailed especially where political sentiment is very low, and religious sentiment very strong, regards virginity as its supreme type, and marriage as simply the most pardonable declension from [298] ideal purity. It is, I think, a very remarkable fact, that at the head of the religious system of Rome we find two sacerdotal bodies which appear respectively to typify these ideas. The Flamens of Jupiter and the Vestal Virgins were the two most sacred orders in Rome. The ministrations of each were believed to be vitally important to the State. Each could officiate only within the walls of Rome. Each was appointed with the most imposing ceremonies. Each was honoured with the most profound reverence. But in one important respect they differed. The Vestal was the type of virginity, and her purity was guarded by the most terrific penalties. The Flamen, on the other hand, was the representative of Roman marriage in its strictest and holiest form. He was necessarily married. His marriage was celebrated with the most solemn rites. It could only be dissolved by death. If his wife died, he was degraded from his office.[1]

Of these two orders, there can be no question that the Flamen was the most faithful expression of the Roman sentiments. The Roman religion was essentially domestic, and it was a main object of the legislator to surround marriage with every circumstance of dignity and solemnity. Monogamy was, from the earliest times, strictly enjoined; and it was one of the great benefits that have resulted from the expansion of Roman power, that it made this type dominant in Europe. In the legends of early Rome we have ample evidence both of the high moral estimate of women, and of their prominence in Roman life. The tragedies of Lucretis and of Virginia display a delicacy of honour, a sense of the supreme excellence of unsullied purity, which no Christian nation could surpass. The legends of the

Sabine women interceding between their parents and their husbands, and thus saving the infant republic, and of the mother of Coriolanus [299] averting by her prayers the ruin impending over her country, entitled women to claim their share in the patriotic glories of Rome. A temple of Venus Calva was associated with the legend of Roman ladies, who, in an hour of danger, out off their long tresses to make bowstrings for the soldiers.1 Another temple preserved to all posterity the memory of the filial piety of that Roman woman who, when her mother was condemned to be starved to death, obtained permission to visit her in her prison, and was discovered feeding her from her breast.2

The legal position, however, of the Roman wife was for a long period extremely low. The Roman family was constituted on the principle of the uncontrolled authority of its head, both over his wife and over his children, and he could repudiate the former at will. Neither the custom of gifts to the father of the bride, nor the custom of dowries, appears to have existed in the earliest period of Roman history; but the father disposed absolutely of the hand of his daughter, and sometimes even possessed the power of breaking off marriages that had been actually contracted.3 In the forms of marriage, however, which were usual in the earlier periods of Rome, the absolute power passed into the hands of the husband, and he had the right, in some cases, of putting her to death.4 Law and public opinion combined in making matrimonial purity most strict. For [300] five hundred and twenty years, it was said, there was no such thing as a divorce in Rome.1 Manners were so severe, that a senator was censured for indecency because he had kissed his wife in the presence of their daughter.2 It was considered in a high degree disgraceful for a Roman mother to delegate to a nurse the duty of suckling her child.3 Sumptuary laws regulated with the most minute severity all the details of domestic economy.4 The courtesan class, though probably numerous and certainly uncontrolled, were regarded with much contempt. The disgrace of publicly professing themselves members of it was believed to be a sufficient punishment;5 and an old law, which was probably intended to teach in symbol the duties of married life, enjoined that no such person should touch the altar of Juno.6 It was related of a certain ædile, that he failed to obtain redress for an assault which had been made upon him, because it had occurred in a house of ill-fame, in which it was disgraceful for a Roman magistrate to be found.7 The sanctity of female purity was believed to be attested by all nature. The most savage animals became tame before a virgin.8 When a woman walked naked round a field, caterpillars and all loathsome insects fell dead before her.9 It

was said that drowned men floated on their backs, and drowned women on their faces; and this, in the opinion of Roman naturalists, was due to the superior purity of the latter.[10]

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It was a remark of Aristotle, that the superiority of the Greeks to the barbarians was shown, among other things, in the fact that the Greeks did not, like other nations, regard their wives as slaves, but treated them as helpmates and companions. A Roman writer has appealed, on the whole with greater justice, to the treatment of wives by his fellow countrymen, as a proof of the superiority of Roman to Greek civilisation. He has observed that while the Greeks kept their wives in a special quarter in the interior of their houses, and never permitted them to sit at banquets except with their relatives, or to see any male except in the presence of a relative, no Roman ever hesitated to lead his wife with him to the feast, or to place the mother of the family at the head of his table.[1] Whether, in the period when wives were completely subject to the rule of their husbands, much domestic oppression occurred, it is now impossible to say. A temple dedicated to a goddess named Viriplaca, whose mission was to appease husbands, was worshipped by Roman women on the Palatine;[2] and a strange and improbable, if not incredible story, is related by Livy, of the discovery during the Republic, of a vast conspiracy by Roman wives to poison their husbands.[3] On the whole, however, it is probable that the Roman matron was from the earliest period a name of honour;[4] that the beautiful sentence of a jurisconsult of the Empire, who defined marriage as a lifelong fellowship of all divine and human rights,[5] expressed most faithfully the [302] feelings of the people, and that female virtue had in every age a considerable place in Roman biographies.[1]

I have already enumerated the chief causes of that complete dissolution of Roman morals which began shortly after the Pinic wars, which contributed very largely to the destruction of the Republic, and which attained its climax under the Cæsars. There are few examples in history of a revolution pervading so completely every sphere of religious, domestic, social, and political life. Philosophical scepticism corroded the ancient religions. An inundation of Eastern luxury and Eastern morals submerged all the old habits of austere simplicity. The civil wars and the Empire degraded the character of the people, and the exaggerated prudery of republican manners only served to make the rebound into vice the more irresistible. In the fierce outburst of ungovernable and almost frantic depravity that marked this evil period, the violations of female virtue were infamously prominent. The vast multiplication of slaves,

which is in every age peculiarly fatal to moral purity; the fact that a great proportion of those slaves were chosen from the most voluptuous provinces of the Empire; the games of Flora, in which races of naked courtesans were exhibited; the pantomimes, which derived their charms chiefly from the audacious indecencies of the actors; the influx of the Greek and Asiatio hetæræ who were attracted by the wealth of the metropolis; the licentious paintings which began to adorn every house; the rise of Baiæ, which rivalled the luxury and surpassed the beauty of the chief centres of Asiatic vice, combining with the intoxication of great wealth suddenly acquired, with the disruption, through many causes, of all the ancient habits and beliefs, and with the tendency to pleasure which the closing of the paths of honourable political ambition by the imperial [303] despotism, naturally produced, had all their part in preparing those orgies of vice which the writers of the Empire reveal. Most scholars will, I suppose, retain a vivid recollection of the new insight into the extent and wildness of human guilt which they obtained when they first opened the pages of Suetonius or Lampridius; and the sixth Satire of Juvenal paints with a fierce energy, though probably with the natural exaggeration of a satirist, the extent to which corruption had spread among the women. It was found necessary, under Tiberius, to make a special law prohibiting members of noble houses from enrolling themselves as prostitutes.1 The extreme coarseness of the Roman disposition prevented sensuality from assuming that æsthetic character which had made it in Greece the parent of Art, and had very profoundly modified its influence, while the passion for gladiatorial shows often allied it somewhat unnaturally with cruelty. There have certainly been many periods in history when virtue was more rare than under the Cæsars; but there has probably never been a period when vice was more extravagant or uncontrolled. Young emperors especially, who were surrounded by swarms of sycophants and panders, and who often lived in continual dread of assassination, plunged with the most reckless and feverish excitement into every variety of abnormal lust. The reticence which has always more or less characterised modern society and modern writers was unknown, and the unblushing, undisguised obscenity of the Epigrams of Martial, of the Romances of Apuleius and Petronius, and of some of the Dialogues of Lucian, reflected but too faithfully the spirit of their time.

There had arisen, too, partly through vicious causes, and partly, I suppose, through the unfavourable influence which the attraction of the public institutions exercised on domestic [304] life, a great and general indisposition towards marriage, which Augustus attempted in

vain to arrest by his laws against celibacy, and by conferring many privileges on the fathers of three children.[1] A singularly curious speech is preserved, which is said to have been delivered on this subject, shortly before the close of the Republic, by Metellus Numidicus, in order, if possible, to overcome this indisposition. 'If, Romans,' he said, 'we could live without wives, we should all keep free from that source of trouble; but since nature has ordained that men can neither live sufficiently agreeably with wives, nor at all without them, let us consider the perpetual endurance of our race rather than our own brief enjoyment.'[2]

In the midst of this torrent of corruption a great change was passing over the legal position of Roman women. They had at first been in a condition of absolute subjection or subordination to their relations. They arrived, during the Empire, at a point of freedom and dignity which they subsequently lost, and have never altogether regained. The Romans recognised two distinct classes of marriages: the stricter, and, in the eyes of the law, more honourable, forms, which placed the woman 'in the hand' of her husband and gave him an almost absolute authority over her person and her property; and a less strict form, which left her [305] legal position unchanged. The former, which were general during the Republic, were of three kinds—the 'confarreatio,' which was celebrated and could only be dissolved by the most solemn religious ceremonies, and was jealously restricted to patricians; the 'coemptio,' which was purely civil, and derived its name from a symbolical sale; and the 'nsus,' which was effected by the mere cohabitation of a woman with a man without interruption for the space of a year. Under the Empire, however, these kinds of marriage became almost wholly obsolete; a laxer form, resting upon a simple mutual agreement, without any religious or civil ceremony, was general, and it had this very important consequence, that the woman so married remained, in the eyes of the law, in the family of her father, and was under his guardianship, not under the guardianship of her husband. But the old *patria potestas* had become completely obsolete, and the practical effect of the general adoption of this form of marriage was the absolute legal independence of the wife. With the exception of her dowry, which passed into the hands of her husband, she held her property in her own right; she inherited her share of the wealth of her father, and she retained it altogether independently of her husband. A very considerable portion of Roman wealth thus passed into the uncontrolled possession of women. The private man of business of the wife was a favourite character with the comedians, and the tyranny exercised by rich wives over their

husbands—to whom it is said they sometimes lent money at high interest—a continual theme of satirists.[1]

A complete revolution had thus passed over the constitution [306] of the family. Instead of being constructed on the principle of autocracy, it was constructed on the principle of coequal partnership. The legal position of the wife had become one of complete independence, while her social position was one of great dignity. The more conservative spirits were naturally alarmed at the change, and two measures were taken to arrest it. The Oppian law was designed to restrain the luxury of women; but, in spite of the strenuous exertions of Cato, this law was speedily repealed.[1] A more important measure was the Voconian law, which restricted within very narrow limits the property which women might inherit; but public opinion never fully acquiesced in it, and by several legal subterfuges its operation was partially evaded.[2]

Another and a still more important consequence resulted from the changed form of marriage. Being looked upon merely as a civil contract, entered into for the happiness of the contracting parties, its continuance depended upon mutual consent. Either party might dissolve it at will, and the dissolution gave both parties a right to remarry. There can be no question that under this system the obligations of marriage were treated with extreme levity. We find Cicero repudiating his wife Terentia, because he desired a new dowry;[3] Augustus compelling the husband of Livia to repudiate her when she was already pregnant, that he might marry her himself;[4] Cato ceding his wife, with the consent of her father, to his friend Hortensius, and resuming her [307] after his death;[1] Mæcenas continually changing his wife;[2] Sempronius Sophus repudiating his wife, because she had once been to the public games without his knowledge;[3] Paulus Æmilius taking the same step without assigning any reason, and defending himself by saying, 'My shoes are new and well made, but no one knows where they pinch me.'[4] Nor did women show less alacrity in repudiating their husbands. Seneca denounced this evil with especial vehemence, declaring that divorce in Rome no longer brought with it any shame, and that there were women who reckoned their years rather by their husbands than by the consuls.[5] Christians and Pagans echoed the same complaint. According to Tertullian, 'divorce is the fruit of marriage.'[6] Martial speaks of a woman who had already arrived at her tenth husband;[7] Juvenal, of a woman having eight husbands in five years.[8] But the most extraordinary recorded instance of this kind is related by St. Jerome, who assures us that there existed at Rome a wife who was married to her twenty-third husband, she herself being his twenty-first wife.[9]

These are, no doubt, extreme cases; but it is unquestionable that the stability of married life was very seriously impaired. It would be easy, however, to exaggerate the influence of legal changes in affecting it. In a purer state of public opinion a very wide latitude of divorce might probably have been allowed to both parties, without any serious consequence. The right of repudiation, which the husband had always possessed, was, as we have seen, in the Republic never or very rarely exercised. Of those who scandalised good men by the rapid recurrence of their marriages, probably [308] most, if marriage had been indissoluble, would have refraine from entering into it, and would have contented themselves with many informal connections, or, if they had married, would have gratified their love of change by simple adultery. A vast wave of corruption had flowed in upon Rome, and under any system of law it would have penetrated into domestic life. Laws prohibiting all divorce have never secured the purity of married life in ages of great corruption, nor did the latitude which was accorded in imperial Rome prevent the existence of a very large amount of female virtue.

I have observed, in a former chapter, that the moral contrasts shown in ancient life surpass those of modern societies, in which we very rarely find clusters of heroic or illustrious men arising in nations that are in general very ignorant or very corrupt. I have endeavoured to account for this fact by showing that the moral agencies of antiquity were in general much more fitted to develop virtue than to repress vice, and that they raised noble natures to almost the highest conceivable point of excellence, while they entirely failed to coerce or to attenuate the corruption of the depraved. In the female life of Imperial Rome we find these contrasts vividly displayed. There can be no question that the moral tone of the sex was extremely low—lower, probably, than in France under the Regency, or in England under the Restoration—and it is also certain that frightful excesses of unnatural passion, of which the most corrupt of modern courts present no parallel, were perpetrated with but little concealment on the Palatine. Yet there is probably no period in which examples of conjugal heroism and fidelity appear more frequently than in this very age, in which marriage was most free and in which corruption was so general. Much simplicity of manners continued to co-exist with the excesses of an almost unbridled luxury. Augustus, we are told, used to make his daughters and granddaughters [309] weave and spin, and his wife and sister made most of the clothes he wore.[1] The skill of wives in domestic economy, and especially in spinning, was frequently noticed in their spitaphs.[2] Intellectual culture was much

diffused among them,[3] and we meet with several noble specimens, in the sex, of large and accomplished minds united with all the graceful ness of intense womanhood, and all the fidelity of the truest love. Such were Cornelia, the brilliant and devoted wife of Pompey,[4] Marcia, the friend, and Helvia, the mother of Seneca. The Northern Italian cities had in a great degree escaped the contamination of the times, and Padua and Brescia were especially noted for the virtue of their women.[5] In an age of extravagant sensuality a noble lady, named Mallonia, plunged her dagger in her heart rather than yield to the embraces of Tiberius.[6] To the period when the legal bond of marriage was most relaxed must be assigned most of those noble examples of the constancy of Roman wives, which have been for so many generations household tales among mankind. Who has not read with emotion of the tenderness and heroism of Porcia, claiming her right to share in the trouble which clouded her husband's brow; how, doubting her own courage, she did not venture to ask Brutus to reveal to her his enterprise till she had secretly tried her power of endurance by piercing her thigh with a knife; how once, and but once in his presence, her noble spirit failed, when, as she was about to separate from him for the last time, her eye chanced to fall upon a picture of the parting interview of Hector and Andromache?[7] Paulina, [310] the wife of Seneca, opened her own veins in order to accompany her nusband to the grave; when much blood had already flowed, her slaves and freedmen bound her wounds, and thus compelled her to live; but the Romans ever after observed with reverence the sacred pallor of her countenance—the memorial of her act.[1] When Pætus was condemned to die by his own hand, those who knew the love which his wife Arria bore him, and the heroic fervive of her character, predicted that she would not long survive him. Thrasea, who had married her daughter, endeavoured to dissuade her from suicide by saying, ‘If I am ever called upon to perish, would you wish your daughter to die with me?’ She answered, ‘Yes, if she will have then lived with you as long and as happily as I with Pætus.’ Her friends attempted, by carefully watching her, to secure her safety, but she dashed her head against the wall with such force that she fell upon the ground, and then, rising up, she said, ‘I told you I would find a hard way to death if you refuse me an easy way.’ All attempts to restrain her were then abandoned, and her death was perhaps the most majestic in antiquity. Pétus for a moment hesitated to strike the fatal blow; but his wife, taking the dagger, plunged it deeply into her own breast, and then, drawing it out, gave it, all reeking as it was, to her husband, exclaiming, with her dying breath, ‘My Pétus, it does not pain.’[2]

The form of the elder Arria towers grandly above her fellows, but many other Roman wives in the days of the early Caesars and of Domitian exhibited a very similar fidelity. Over the dark waters of the Euxine, into those unknown and inhospitable regions from which the Roman imagination recoiled with a peculiar horror, many noble ladies freely followed their husbands, and there were some wives who [311] refused to survive them.[1] The younger Arria was the faithful companion of Thrasea during his heroic life, and when he died she was only persuaded to live that she might bring up their daughters.[2] She spent the closing days of her life with Domitian in exile;[3] while her daughter, who was as remarkable for the gentleness as for the dignity of her character,[4] went twice into exile with her husband Helvidius, and was once banished, after his death, for defending his memory[5] Incidental notices in historians, and a few inscriptions which have happened to remain, show us that such instances were not uncommon, and in Roman epitaphs no feature is more remarkable than the deep and passionate expressions of conjugal love that continually occur.[6] It would be difficult to find a more touching image of that love, than the medallion which is so common on the Roman sarcophagi, in which husband and wife are represented together, each with an arm thrown fondly over the shoulder of the other, united in death as they had been in life, and meeting it with an aspect of perfect calm, because they were companions in the tomb.

In the latter days of the Pagan Empire some measures were taken to repress the profligacy that was so prevalent. Domitian enforced the old Scantinian law against unnatural love.[7] Vespasian moderated the luxury of the court; Macrinus caused those who had committed adultery to be bound together and burnt alive.[8] A practice of men and women bathing together was condemned by Hadrian, and afterwards by Alexander Severus, but was only finally suppressed [312] pressed by Constantine. Alexander Severus and Philip waged an energetic war against panders.[1] The extreme excesses of this, as of most forms of vice, were probably much diminished after the accession of the Antonines; but Rome continued to be a centre of very great corruption till the influence of Christianity, the removal of the court to Constantinople, and the impoverishment that followed the barbarian conquests, in a measure corrected the evil.

Among the moralists, however, some important steps were taken. One of the most important was a very clear assertion of the reciprocity of that obligation to fidelity in marriage which in the early stages of society had been imposed almost exclusively upon

wives.[2] The legends of Clytemnestra and of Medea reveal the feelings of fierce resentment which were sometimes produced among Greek wives by the almost unlimited indulgence that was accorded to their husbands;[3] and it is told of Andromache, as the supreme instance of her love of Hector, that she cared for his illegitimate children as much as for her own.[4] In early Rome, the obligations of husbands were never, I imagine, altogether unfelt; but they were rarely or never enforced, nor were they ever regarded as bearing any kind of equality to those imposed upon the wife. The term adultery, and all the legal penalties connected with it, were restricted to the infractions by a wife of the nuptial tie. Among the many instances of magnanimity recorded of Roman wives, few are more touching than that of Tertia Æmilia, the faithful wife of Scipio. She discovered that her husband had become [313] enamoured of one of her slaves; but she bore her pain in silence, and when he died she gave liberty to her captive, for she could not bear that she should remain in servitude whom her dear lord had loved.[1]

Aristotle had clearly asserted the duty of husbands to observe in marriage the same fidelity as they expected from their wives,[2] and at a later period both Plutarch and Seneca enforced this duty in the strongest and most unequivocal manner.[3] The degree to which, in theory at least, it won its way in Roman life is shown by its recognition as a legal maxim by Ulpian,[4] and by its appearance in a formal judgment of Antoninus Pius, who, while issuing, at the request of a husband, a condemnation for adultery against a guilty wife, appended to it this remarkable condition: 'Provided always it is established that by your life you gave her an example of fidelity. It would be unjust that a husband should exact a fidelity he does not himself keep.'[5]

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Another change, which may be dimly descried in the later Pagan society, was a tendency to regard purity rather in a mystical point of view, as essentially good, than in the utilitarian point of view. This change resulted chiefly from the rise of the Neoplatonic and Pythagorean philosophies, which concurred in regarding the body, with its passions, as essentially evil, and in representing all virtue as a purification from its taint. Its most important consequence was a somewhat stricter view of pre-nuptial unchastity, which in the case of men, and when it was not excessive, and did not take the form of adultery, had previously been uncensured, or was looked upon with a disapprobation so slight as scarcely to amount to censure. The elder Cato had expressly justified it;[1] and Cicero has left us an extremely curious judgment on the subject, which shows at a glance the feelings

of the people, and the vast revolution that, under the influence of Christianity, has been effected in, at least, the professions of mankind. 'If there be any one,' he says, 'who thinks that young men should be altogether restrained from the love of courtesans, he is indeed very severe. I am not prepared to deny his position; but he differs not only from the licence of our age, but also from the customs and allowances of our ancestors. When, indeed, was this not done? When was it blamed? When was it not allowed? When was that which is now lawful not lawful?'[2] Epictetus, who on most subjects was among the most austere of the Stoies, recommends his disciples to abstain [315] stain, 'as far as possible, from pre-nuptial connections, and at least from those which were adulterous and unlawful, but not to blame those who were less strict.[1] The feeling of the Romans is curiously exemplified in the life of Alexander Severus, who, of all the emperors, was probably the most enargetic in legislating against vice. When appointing a provincial governor, he was accustomed to provide him with horses and servants, and, if he was unmarried, with a concubine, 'because,' as the historian very gravely observes, 'it was impossible that he could exist without one.'[2]

What was written among the Pagans in opposition to these views was not much, but it is worthy of notice, as illustrating the tendency that had arisen. Musonius Rufus distinctly and emphatically asserted that no union of the sexes other than marriage was permissible.[3] Dion Chrysostom desired prostitution to be suppressed by law. The ascetic notion of the impurity even of marriage may be faintly traced. Apollonius of Tyana lived, on this ground, life of celibacy.[4] Zenobia refused to cohabit with her husband except so far as was necessary for the production of an heir.[5] Hypatia is said, like many Christian saints, to have maintained the position of a virgin wife.[6] The belief [316] in the impurity of all corporeal things, and in the duty of rising above them, was in the third century strenuously enforced.[1] Marcus Aurelius and Julian were both admirable representatives of the best Pagan spirit of their time. Each of them lost his wife early, each was eulogised by his biographer for the virtue he manifested after her death; but there is a curious and characteristic difference in the forms which that virtue assumed. Marcus Aurelius, we are told, did not wish to bring into his house a stepmother to rule over his children, and accordingly took a concubine.[2] Julian ever after lived in perfect continence.[3]

The foregoing facts, which I have given in the most condensed form, and almost unaccompanied by criticism or by comment, will be sufficient, I hope, to exhibit the state of feeling of the Romans on this

subject, and also the direction in which that feeling was being modified. Those who are familiar with this order of studies will readily understand that it is impossible to mark out with precision the chronology of a moral sentiment; but there can be no question that in the latter days of the Roman Empire the perceptions of men on this subject became more subtle and more refined than they had previously been, and it is equally certain that the Oriental philosophies which had superseded Stoicism largely influenced the change. Christianity soon constituted itself the representative of the new tendency. It regarded purity as the most important of all virtues, and it strained to the utmost all the vast agencies it possessed, to enforce it. In the legislation of the first Christian emperors we find many traces of a fiery zeal. Panders were condemned to have molten lead poured down their throats. In the case of rape, not only the ravisher, but even the injured person, if she consented to the act, was put to death.[4] A great service [317] was done to the cause both of purity and of philanthropy, by a law which permitted actresses, on receiving baptism, to abandon their profession, which had been made a form of slavery, and was virtually a slavery to vice.[1] Certain musical girls, who were accustomed to sing or play at the banquets of the rich, and who were regarded with extreme horror by the Fathers, were suppressed, and a very stringent law forbade the revival of the class.[2]

Side by side with the civil legislation, the penitential legislation of the Church was exerted in the same direction. Sins of unchastity probably occupy a larger place than any others in its enactments. The cases of unnatural love, and of mothers who had made their daughters courtesans, were punished by perpetual exclusion from communion, and a crowd of minor offences were severely visited. The ascetic passion increased the prominence of this branch of ethics, and the imaginations of men were soon fascinated by the pure and noble figures of the virgin martyrs of the Church, who on more than one occasion fully equalled the courage of men, while they sometimes mingled with their heroism traits of the most exquisite feminine gentleness. For the patient endurance of excruciating physical suffering, Christianity produced no more sublime figure than Blandina, the poor servant-girl who was martyred at Lyons; and it would be difficult to find in all history a more touching picture of natural purity than is contained in one simple incident of the martyrdom of St. Perpetua. It is related of that saint that she was condemned to be slaughtered by a wild bull, and, as she fell half dead from its horns upon the sand of the [318] arena, it was observed that

even in that awful moment her virgin modesty was supreme, and her first instinctive movement was to draw together her dress, which had been torn in the assault.[1]

A crowd of very curious popular legends also arose, which, though they are for the most part without much intrinsic excellence, have their importance in history, as showing the force with which the imaginations of men were turned in this direction, and the manner in which Christianity was regarded as the great enemy of the passions of the flesh. Thus, St. Jerome relates an incredible story of a young Christian, being, in the Diocletian persecution, bound with ribands of silk in the midst of a lovely garden, surrounded by everything that could charm the ear and the eye, while a beautiful courtesan assailed him with her blandishments, against which he protected himself by biting out his tongue and spitting it in her face.[2] Legends are recounted of young [319] Christian men assuming the garb and manners of libertines, that they might obtain access to maidens who had been condemned to vice, exchanging dresses with them, and thus enabling them to escape.[1] St. Agnes was said to have been stripped naked before the people, who all turned away their eyes except one young man, who instantly became blind.[2] The sister of St. Gregory of Nyssa was afflicted with a cancer in her breast, but could not bear that a surgeon should see it, and was rewarded for her modesty by a miraculous cure.[3] To the fabled zone of beauty the Christian saints opposed their zones of chastity, which extinguished the passion of the wearer, or would only meet around the pure.[4] Dæmons were said not unfrequently to have entered into the profligate. The garment of a girl who was possessed was brought to St. Pachomius, and he discovered from it that she had a lover.[5] A courtesan accused St. Gregory Thaumaturgus of having been her lover, and having refused to pay her what he had promised. He paid the required sum, but she was immediately possessed by a dæmon.[6] The efforts of the saints to reclaim courtesans from the path of vice created [320] a large class of legends. St. Mary Magdalene, St. Mary of Egypt, St. Afra, St. Pelagia, St. Thais, and St. Theodota, in the early Church, as well as St. Marguerite of Cortona, and Clara of Rimini, in the middle ages, had been courtesans.[1] St. Vitalius, it is said, was accustomed every night to visit the dens of vice in his neighbourhood, to give the inmates money to remain without sin for that night, and to offer up prayers for their conversion.[2] It is related of St. Serapion, that, as he was passing through a village in Egypt, a courtesan beckoned to him. He promised at a certain hour to visit her. He kept his appointment, but declared that there was a duty which his order imposed on him. He fell down on his knees and began repeating the Psalter,

concluding every psalm with a prayer for his hostess. The strangeness of the scene, and the solemnity of his tone and manner, overawed and fascinated her. Gradually her tears began to flow. She knelt beside him and began to join in his prayers. He heeded her not, but hour after hour continued in the same stern and solemn voice, without rest and without interruption, to repeat his alternate prayers and psalms, till her repentance rose to a paroxysm of terror, and, as the grey morning streaks began to illumine the horizon, she fell half dead at his feet, imploring him with broken sobs to lead her anywhere where she might expiate the sins of her past.[3]

But the services rendered by the ascetics in imprinting on the minds of men a profound and enduring conviction of the importance of chastity, though extremely great, were [321] seriously counterbalanced by their noxious influence upon marriage. Two or three beautiful descriptions of this institution have been culled out of the immense mass of the patristic writings;[1] but, in general, it would be difficult to conceive anything more coarse or more repulsive than the manner in which they regarded it.[2] The relation which nature has designed for the noble purpose of repairing the ravages of death, and which, as Linnæus has shown, extends even through the world of flowers, was invariably treated as a consequence of the fall of Adam, and marriage was regarded almost exclusively in its lowest aspect. The tender love which it elicits, the holy and beautiful domestic qualities that follow in its train, were almost absolutely omitted from consideration.[3] The object of the ascetic was to attract men to a life of virginity, and, as a necessary consequence, marriage was treated as an inferior state. It was regarded as being necessary, indeed, and therefore justifiable, for the propagation of the species, and to free men from greater evils; but still as a condition of degradation from which all who aspired to real sanctity should fly. To 'cut down by the axe of Virginity the wood of Marriage,' was, in the energetic language of St. Jerome, the end of the saint;[4] and if he [322] consented to praise marriage, it was merely because it produced virgins.[1] Even when the bond had been formed, the ascetic passion retained its sting. We have already seen how it embittered other relations of domestic life. Into this, the holiest of all, it infused a tenfold bitterness. Whenever any strong religious fervour fell upon a husband or a wife, its first effect was to make a happy union impossible. The more religious partner immediately desired to live a life of solitary asceticism, or at least, if no ostensible separation took place, an unnatural life of separation in marriage. The immense place this order of ideas occupies in the hortatory writings of the Fathers, and in the legends of the saints, must be familiar to all who

have any knowledge of this department of literature. Thus—to give but a very few examples—St. Nilus, when he had already two children, was seized with a longing for the prevailing asceticism, and his wife was persuaded, after many tears, to consent to their separation.[2] St. Ammon, on the night of his marriage, proceeded to greet his bride with an harangue upon the evils of the married state, and they agreed, in consequence, at once to separate.[3] St. Melania laboured long and earnestly to induce her husband to allow her to desert his bed, before he would consent.[4] St. Abraham ran away from his wife on the night of his marriage.[5] St. Alexis, according to a somewhat later legend, took the same step, but many years after returned from Jerusalem to his father's house, in which his wife was still lamenting her desertion, begged and received a lodging as an act of charity, and lived there unrecognised and unknown till his death.[6] St. Gregory of Nyssa—who was [323] so unfortunate as to be married—wrote a glowing eulogy of virginity, in the course of which he mournfully observed that this privileged state could never be his. He resembled, he assures us, an ox that was ploughing a field, the fruit of which he must never enjoy; or a thirsty man, who was gazing on a stream of which he never can drink; or a poor man, whose poverty seems the more bitter as he contemplates the wealth of his neighbours; and be proceeded to descant in feeling terms upon the troubles of matrimony.[1] Nominal marriages, in which the partners agreed to shun the marriage bed, became not uncommon. The emperor Henry II., Edward the Confessor, of England, and Alphonso II., of Spain, gave examples of it. A very famous and rather picturesque history of this kind is related by Gregory of Tours. A rich young Gaul, named Injuriosus, led to his home a young bride to whom he was passionately attached. That night, she confessed to him, with tears, that she had vowed to keep her virginity, and that she regretted bitterly the marriage into which her love for him had betrayed her. He told her that they should remain united, but that she should still observe her vow; and he fulfilled his promise. When, after several years, she died, her husband, in laying her in the tomb, declared, with great solemnity, that he restored her to God as immaculate as he had received her; and then a smile lit up the face of the dead woman, and she said, ‘Why do you tell that which no one asked you?’ The husband soon afterwards died, and his corpse, which had been laid in a distinct compartment from that of his wife in the tomb, was placed side by side with it by the angels.[2]

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The extreme disorders which such teaching produced in domestic life, and also the extravagances which grew up among some heretics,

naturally alarmed the more judicious leaders of the Church, and it was ordained that married persons should not enter into an ascetic life, except by mutual consent.[1] The ascetic ideal, however, remained unchanged. To abstain from marriage, or in marriage to abstain from a perfect union, was regarded as a proof of sanctity, and marriage was viewed in its coarsest and most degraded form. The notion of its impurity took many forms, and exercised for some centuries an extremely wide influence over the Church. Thus, it was the custom during the middle ages to abstain from the marriage bed during the night after the ceremony, in honour of the sacrament.[2] It was expressly enjoined that no married persons should participate in any of the great Church festivals if the night before they had lain together, and St. Gregory the Great tells of a young wife who was possessed by a dæmon, because she had taken part in a procession of St. Sebastian, without fulfilling this condition.[3] The extent to which the feeling on the subject was carried is shown by the famous vision of Alberic in the twelfth century, in which a special place of torture, consisting of a lake of mingled lead, pitch, and resin is represented as existing in hell for the punishment of married people who had lain together on Church festivals or fast days.[4]

Two other consequences of this way of regarding marriage were a very strong disapproval of second marriages, and a very strong desire to secure celibacy in the clergy. The first of these notions had existed, though in a very different form, and connected with very different motives, among the early Bomans, who were accustomed, we are told, to honour with [325] the crown of modesty those who were content with one marriage, and to regard many marriages as a sign of illegitimate intemperance.[1] This opinion appears to have chiefly grown out of a very delicate and touching feeling which had taken deep root in the Roman mind, that the affection a wife owes her husband is so profound and so pure that it must not cease even with his death; that it should guide and consecrate all her subsequent life, and that it never can be transferred to another object. Virgil, in very beautiful lines, puts this sentiment into the mouth of Dido;[2] and several examples are recorded of Roman wives, sometimes in the prime of youth and beauty, upon the death of their husbands, devoting the remainder of their lives to retirement and to the memory of the dead.[3] Tacitus held up the Germans as in this respect a model to his countrymen,[4] and the epithet ‘univiræ’ inscribed on many Roman tombs shows how this devotion was practised and valued.[5] The family of Camillus was especially honoured for the absence of second marriages among its members.[6] ‘To love a wife when living,’ said one of the latest Roman poets, ‘is a pleasure; to

love her when dead is an act of religion.'[7] In the case of men, the propriety of abstaining from second marriages was probably not felt so strongly as in the case of women, and what feeling on the subject existed was chiefly due to another motive—affection for the children, whose interests, it was thought, might be injured by a stepmother.[8]

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The sentiment which thus recoiled from second marriages passed with a vastly increased strength into ascetic Christianity, but it was based upon altogether different grounds. We find, in the first place, that an affectionate remembrance of the husband had altogether vanished from the motives of the abstinence. In the next place, we may remark that the ecclesiastical writers, in perfect conformity with the extreme coarseness of their views about the sexes, almost invariably assumed that the motive to second or third marriages must be simply the force of the animal passions. The Montanists and the Novatians absolutely condemned second marriages.[1] The orthodox pronounced them lawful, on account of the weakness of human nature, but they viewed them with the most emphatic disapproval,[2] partly because they considered them manifest signs of incontinence, and partly because they regarded them as inconsistent with their doctrine that marriage is an emblem of the union of Christ with the Church. The language of the Fathers on this subject appears to a modern mind most extraordinary, and, but for their distinct and reiterated assertion that they considered these marriages permissible,[3] would appear to amount to a peremptory condemnation. Thus—to give but a few samples—digamy, or second marriage, is described by Athenagoras as 'a decent adultery.'[4] 'Fornication,' according to Clement of Alexan dria, 'is a lapse from one marriage into many.'[5] 'The first Adam,' said St. Jerome, 'had one wife; the second Adam [327] had no wife. They who approve of digamy hold forth a third Adam, who was twice married, whom they follow.'[1] 'Consider,' he again says, 'that she who has been twice married, though she be an old, and decrepit, and poor woman, is not deemed worthy to receive the charity of the Church. But if the bread of charity is taken from her, how much more that bread which descends from heaven!'[2] 'Digamists,' according to Origen, 'are saved in the name of Christ, but are by no means crowned by him.'[3] 'By this text,' said St. Gregory Nazianzen, speaking of St. Paul's comparison of marriage to the union of Christ with the Church, 'second marriages seem to me to be reproved. If there are two Christs there may be two husbands or two wives. If there is but one Christ, one Head of the Church, there is but one flesh—a second is repelled. But if he forbids a second, what is to be said of third marriages? The

first is law, the second is pardon and indulgence, the third is iniquity; but he who exceeds this number is manifestly bestial.'[4] The collective judgment of the ecclesiastical authorities on this subject is shown by the rigid exclusion of digamists from the priesthood, and from all claim to the charity of the Church, and by the decrees of more than one Council, which imposed a period of penance upon all who married a second time, before they were admitted to communion.[5] One of the canons of the Council of Illiberis, in the beginning of the fourth century, while in general condemning baptism by laymen, permitted it in case of extreme necessity; but provided that even then it was indispensable that the officiating layman should not have been twice married.[6]

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Among the Greeks fourth marriages were at one time deemed absolutely unlawful, and much controversy was excited by the Emperor Leo the Wise, who, having had three wives, had taken a mistress, but afterwards, in defiance of the religious feelings of his people, determined to raise her to the position of a wife.[1]

The subject of the celibacy of the clergy, in which the ecclesiastical feelings about marriage were also shown, is an extremely large one, and I shall not attempt to deal witn it, except in a most cursory manner.[2] There are two facts connected with it which every candid student must admit. The first is, that in the earliest period of the Church, the privilege of marriage was accorded to the clergy. The second is, that a notion of the impurity of marriage existed, and that it was felt that the clergy, as pre-eminently the holy class, should have less licence than laymen. The first form this feeling took appears in the strong conviction that a second marriage of a priest, or the marriage of a priest with a widow, was unlawful and criminal.[3] This belief seems to [329] have existed from the earliest period of the Church, and was retained with great tenacity and unanimity through many centuries. In the next place, we find from an extremely early date an opinion, that it was an act of virtue, at a later period that it was an act of duty, for priests after ordination to abstain from cohabiting with their wives. The Council of Nice refrained, by the advice of Paphnutius, who was himself a scrupulous celibate, from imposing this last rule as a matter of necessity;[1] but in the course of the fourth century it was a recognised principle that clerical marriages were criminal. They were celebrated, however, habitually, and usually with the greatest openness. The various attitudes assumed by the ecclesiastical authorities in dealing with this subject form an extremely curious page of the history of morals, and supply the most crushing evidence of the evils which have been produced by the

system of celibacy. I can at present, however, only refer to the vast mass of evidence which has been collected on the subject, derived from the writings of Catholic divines and from the decrees of Catholic Councils during the space of many centuries. It is a popular illusion, which is especially common among writers who have little direct knowledge of the middle ages, that the atrocious immorality of monasteries, in the century before the Reformation, was a new fact, and that the ages when the faith of men was undisturbed, were ages of great moral purity. In fact, it appears, from the uniform testimony of the ecclesiastical writers, that ecclesiastical immorality in the eighth and three following centuries was little if at all less outrageous than in any other period, while the Papacy, during almost the whole of the tenth century, was held by men of [330] infamous lives. Simony was nearly universal.[1] Barberian chieftains married at an early age, and totally incapable of restraint, occupied the leading positions in the Church, and gross irregularities speedily became general. An Italian bishop of the tenth century epigrammatically described the morals of his time, when he declared, that if he were to enforce the canons against unchaste people administering ecclesiastical rites, no one would be left in the Church except the boys; and if he were to observe the canons against bastards, these also must be excluded.[2] The evil acquired such magnitude that a great feudal clergy, bequeathing the ecclesiastical benefices from father to son, appeared more than once likely to arise.[3] A tax called 'Culagium,' which was in fact a licence to clergymen to keep concubines, was during several centuries systematically levied by princes.[4] Sometimes the evil, by its very extension, corrected itself. Priestly marriages were looked upon as normal events not implying any guilt, and in the eleventh century several instances are recorded in which they were not regarded as any impediment to the power of working miracles.[5] But this was a rare exception. From the earliest period a long succession of Councils as well as such men as St. Boniface, St. Gregory the Great, St. Peter Damiani, St. Dunstan, St. Anselm, Hildebrand and his successors in the Popedom, denounced priestly marriage or concubinage as an atrocious crime, and the habitual life of the priests was, in theory at least, generally recognised as a life of sin.

It is not surprising that, having once broken their vows and begun to live what they deemed a life of habitual sin, [331] the clergy should soon have sunk far below the level of the laity. We may not lay much stress on such isolated instances of depravity as that of Pope John XXIII., who was condemned among many other crimes for incest, and for adultery;[1] or the abbot-elect of St. Augustine, at Canterbury,

who in 1171 was found, on investigation, to have seventeen illegitimate children in a single village;[2] or an abbot of St Pelayo, in Spain, who in 1130 was proved to have kept no less than seventy concubines;[3] or Henry III., Bishop of Liége, who was deposed in 1274 for having sixty-five illegitimate children;[4] but it is impossible to resist the evidence of a long chain of Councils and ecclesiastical writers, who conspire in depicting far greater evils than simple concubinage. It was observed that when the priests actually took wives the knowledge that these connections were illegal was peculiarly fatal to their fidelity, and bigamy and extreme mobility of attachments were especially common among them. The writers of the middle ages are full of accounts of nunneries that were like brothels, of the vast multitude of infanticides within their walls, and of that inveterate prevalence of incest among the clergy, which rendered it necessary again and again to issue the most stringent enactments that priests should not be permitted to live with their mothers or sisters. Unnatural love, which it had been one of the great services of Christianity almost to eradicate from the world, is more than once spoken of as lingering in the monasteries; and, shortly before the Reformation, complaints became loud and frequent of the employment of the confessional for the purposes of debauchery.[5] The measures taken on the subject were very numerous and severe. At first, the evil chiefly complained of was the clandestine [332] marriage of priests, and especially their intercourse with wives whom they had married previous to their ordination. Several Councils issued their anathemas against priests 'who had improper relations with their wives;' and rules were made that priests should always sleep in the presence of a subordinate clerk; and that they should only meet their wives in the open air and before at least two witnesses. Men were, however, by no means unanimous in their way of regarding this matter. Synesius, when elected to a bishopric, at first declined, boldly alleging as one of his reasons, that he had a wife whom he loved dearly, and who, he hoped, would bear him many sons, and that he did not mean to separate from her or visit her secretly as an adulterer.[1] A Bishop of Laon, at a later date, who was married to a niece of St. Rémy, and who remained with his wife till after he had a son and a daughter, quaintly expressed his penitence by naming them respectively Latro and Vulpecula.[2] St. Gregory the Great describes the virtue of a priest, who, through motives of piety, had discarded his wife. As he lay dying, she hastened to him to watch the bed which for forty years she had not been allowed to share, and, bending over what seemed the inanimate form of her husband, she tried to

ascertain whether any breath still remained, when the dying saint, collecting his last energies, exclaimed, 'Woman, begone; take away the straw; there is fire yet.'[3] The destruction of priestly marriage is chiefly due to Hildebrand, who pursued this object with the most untiring resolution. Finding that his appeals to the ecclesiastical authorities and to the civil rulers were insufficient, he boldly turned to the people, exhorted them, in defiance of all Church traditions, to withdraw their obedience from married priests, and [333] kindled among them a fierce fanaticism of asceticism, which speedily produced a fierce persecution of the offending pastors. Their wives, in immense numbers, were driven forth with hatred and with scorn; and many crimes, and much intolerable suffering, followed the disruption. The priests sometimes strenuously resisted. At Cambrai, in A.D. 1077, they burnt alive as a heretic a zealot who was maintaining the doctrines of Hildebrand. In England, half a century later, they succeeded in surprising a Papal legate in the arms of a courtesan, a few hours after he had delivered a fierce denunciation of clerical unchastity.[1] But Papal resolution supported by popular fanaticism won the victory. Pope Urban II. gave licence to the nobles to reduce to slavery the wives whom priests had obstinately refused to abandon, and after a few more acts of severity priestly marriage became obsolete. The extent, however, of the disorders that still existed, is shown by the mournful confessions of ecclesiastical writers, by the uniform and indignant testimony of the poets and prose satirists who preceded the Reformation, by the atrocious immoralities disclosed in the monasteries at the time of their suppression, and by the significant prudence of many lay Catholics, who were accustomed to insist that their priest should take a concubine for the protection of the families of his parishioners.[2]

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It is scarcely possible to conceive a more demoralising influence than a priesthood living such a life as I have described. In Protestant countries, where the marriage of the elergy is fully recognised, it has, indeed, been productive of the greatest and the most unequivocal benefits. Nowhere, it may be confidently asserted, does Christianity assume a more beneficial or a more winning form than in those gentle clerical households which stud our land, constituting, as Coleridge said, 'the one idyll of modern life,' the most perfect type of domestic peace, the centre of civilisation in the remotest village. Notwithstanding some class narrowness and professional bigotry, notwithstanding some unworthy, but half unconscious mannerism, which is often most unjustly stigmatised as hypocrisy, it would be difficult to find in any other quarter so much happiness at once

diffused and enjoyed, or so much virtue attained with so little tension or struggle. Combining with his sacred calling a warm sympathy with the intellectual, social, and political movements of his time possessing the enlarged practical knowledge of a father of a family, and entering with a keen zest into the occupations and the amusements of his parishioners, a good clergyman will rarely obtrude his religious convictions into secular spheres, but yet will make them apparent in all. They will be revealed by a higher and deeper moral tone, by a more scrupulous purity in word and action, by an all-pervasive gentleness, which refines, and softens, and mellows, and adds as much to the charm as to the excellence of the character [335] in which it is displayed. In visiting the sick, relieving the poor, instructing the young, and discharging a thousand delicate offices for which a woman's tact is especially needed, his wife finds a sphere of labour which is at once intensely active and intensely feminine, and her example is not less beneficial than her ministrations.

Among the Catholic priesthood, on the other hand, where the vow of celibacy is faithfully observed, a character of a different type is formed, which with very grave and deadly faults combines some of the noblest excellences to which humanity can attain. Separated from most of the ties and affections of earth, viewing life chiefly through the distorted medium of the casuist or the confessional, and deprived of those relationships which more than any others soften and expand the character, the Catholic priests have been but too often conspicuous for their fierce and sanguinary fanaticism, and for their indifference to all interests except those of their Church; while the narrow range of their sympathies, and the intellectual servitude they have accepted, render them peculiarly unfitted for the office of educating the young, which they so persistently claim, and which, to the great misfortune of the world, they were long permitted to monopolise. But, on the other hand, no other body of men have ever exhibited a more single minded and unworldly zeal, refracted by no personal interests, sacrificing to duty the dearest of earthly objects, and confronting with undaunted heroism every form of hardship, of suffering, and of death.

That the middle ages, even in their darkest periods, produced many good and great men of the latter type it would be unjust and absurd to deny. It can hardly, however, be questioned that the extreme frequency of illicit connections among the clergy tended during many centuries most actively to lower the moral tone of the laity, and to counteract the great services in the cause of purity which Christian teaching [336] had undoubtedly effected. The priestly connections were rarely so fully recognised as to enable the mistress to fill a

position like that which is now occupied by the wife of a elergyman, and the spectacle of the chief teachers and exemplars of morals living habitually in an intercourse which was acknowledged to be ambiguous or wrong, must have acted most injuriously upon every class of the community. Asceticism, proclaiming war upon human nature, produced a revulsion towards its extreme opposite, and even when it was observed it was frequently detrimental to purity of mind. The habit of continually looking upon marriage in its coarsest light, and of regarding the propagation of the species as its one legitimate end, exercised a peculiarly perverting influence upon the imagination. The exuberant piety of wives who desired to live apart from their husbands often drove the latter into serious irregularities.[1] The notion of sin was introduced into the dearest of relationships,[2] and the whole subject was distorted and degraded. It is one of the great benefits of Protestantism that it did much to banish these modes of thought and feeling from the world, and to restore marriage to its simplicity and its dignity. We have a gratifying illustration [337] of the extent to which an old superstition has declined, in the fact that when Goldsmith, in his great romance, desired to depict the harmless eccentricities of his simple-minded and unworldly vicar, he represented him as maintaining that opinion concerning the sinfulness of the second marriage of a clergyman which was for many centuries universal in the Church.

Another injurious consequence, resulting, in a great measure, from asceticism, was a tendency to depreciate extremely the character and the position of women. In this tendency we may detect in part the influence of the earlier Jewish writings, in which an impartial observer may find evident traces of the common Oriental depreciation of women. The custom of purchase-money to the father of the bride was admitted. Polygamy was authorised,[1] and practised by the wisest man on an enormous scale. A woman was regarded as the origin of human ills. A period of purification was appointed after the birth of every child; but. by a very significant provision, it was twice as long in the case of a female as of a male child.[2] ‘The badness of men,’ a Jewish writer emphatically declared, ‘is better than the goodness of women.’[3] The types of female excellence exhibited in the early period of Jewish history are in general of a low order, and certainly far inferior to those of Roman history or Greek poetry; and the warmest eulogy of a woman in the Old Testament is probably that which was bestowed upon her who, with circumstances of the most aggravated treachery, had murdered the sleeping fugitive who had taken refuge under her roof.

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The combined influence of the Jewish writings, and of that ascetic feeling which treated women as the chief source of temptation to man, was shown in those fierce invectives, which form so conspicuous and so grotesque a portion of the writings of the Fathers, and which contrast so curiously with the adulation bestowed upon particular members of the sex. Woman was represented as the door of hell, as the mother of all human ills. She should be ashamed at the very thought that she is a woman. She should live in continual penance, on account of the curses she has brought upon the world. She should be ashamed of her dress, for it is the memorial of her fall. She should be especially ashamed of her beauty, for it is the most potent instrument of the dæmon. Physical beauty was indeed perpetually the theme of ecclesiastical denunciations, though one singular exception seems to have been made; for it has been observed that in the middle ages the personal beauty of bishops was continually noticed upon their tombs.[1] Women were even forbidden by a provincial Council, in the sixth century, on account of their impurity, to receive the Eucharist into their naked hands.[2] Their essentially subordinate position was continually maintained.

It is probable that this teaching had its part in determining the principles of legislation concerning the sex. The Pagan laws during the Empire had been continually repealing the old disabilities of women, and the legislative movement in their favour continued with unabated force from Constantine to Justinian, and appeared also in some of the early laws of the barbarians.[3] But in the whole feudal legislation [339] women were placed in a much lower legal position than in the Pagan Empire.[1] In addition to the personal restrictions which grew necessarily out of the Catholic doctrines concerning divorce, and concerning the subordination of the weaker sex, we find numerous and stringent enactments, which rendered it impossible for women to succeed to any considerable amount of property, and which almost reduced them to the alternative of marriage or a nunnery.[2] The complete inferiority of the sex was continually maintained by the law; and that generous public opinion which in Rome had frequently revolted against the injustice done to girls, in depriving them of the greater part of the inheritance of their fathers, totally disappeared. Wherever the canon law has been the basis of legislation, we find laws of succession sacrificing the interests of daughters and of wives,[3] and a state of public opinion which has been formed and regulated by these laws; nor was any serious attempt made to abolish them till the [340] close of the last century. The French revolutionists, though rejecting the proposal of Siéyès and Condorcet to accord political emancipation to women, established at least an

equal succession of sons and daughters, and thus initiated a great reformation of both law and opinion, which sooner or later must traverse the world.

In their efforts to raise the standard of purity, the Christian teachers derived much assistance from the incursions and the conquests of the barbarians. The dissolution of vast retinues of slaves, the suspension of most public games, and the general impoverishment that followed the invasions, were all favourable to female virtue; and in this respect the various tribes of barbarians, however violent and lawless, were far superior to the more civilised community. Tacitus, in a very famous work, had long before pourtrayed in the most flattering colours the purity of the Germans. Adultery, he said, was very rare among them. The adulteress was driven from the house with shaven hair, and beaten ignominiously through the village. Neither youth, nor beauty, nor wealth could enable a woman who was known to have sinned to secure a husband. Polygamy was restricted to the princes, who looked upon a plurality of wives rather as a badge of dignity than as a gratification of the passions. Mothers invariably gave suck to their own children. Infanticide was forbidden. Widows were not allowed to re-marry. The men feared captivity, much more for their wives than for themselves; they believed that a sacred and prophetic gift resided in women; they consulted them as oracles, and followed their counsels.[1]

It is generally believed, and it is not improbable, that Tacitus in this work intended to reprove the dissolute habits of his fellow-countrymen, and considerably over-coloured the virtue of the barbarians. Of the substantial justice, however, [341] of his picture we have much evidence. Salvian, who, about three centuries later, witnessed and described the manners of the barbarians who had triumphed over the Empire, attested in the strongest language the contrast which their chastity presented to the vice of those whom they had subdued.[1] The Scandinavian mythology abounds in legends exhibiting the clear sentiment of the heathen tribes on the subject of purity, and the awful penalties threatened in the next world against the seducers.[2] The barbarian women were accustomed to practise medicine and to interpret dreams, and they also very frequently accompanied their husbands to battle, rallied their broken forces, and even themselves took part in the fight.[3] Augustus had discovered that it was useless to keep barbarian chiefs as hostages, and that the one way of securing the fidelity of traitors was by taking their wives, for these, at least, were never sacrificed. Instances of female heroism are said to have occurred among the conquered nations which might rival

the most splendid in Roman annals. When Marius had vanquished an army of the Teutons, their wives besought the conqueror to permit them to become the servants of the Vestal Virgins, in order that their honour, at least, might be secure in slavery. Their request was refused, and that night they all perished by their own hands.4 A powerful noble once solicited the hand of a Galatian lady named Camma, who, faithful to her husband, resisted all his entreaties. Resolved at any hazard to succeed, he caused her husband to be assassinated, and when she took refuge in the temple of Diana, and enrolled herself among the priestesses, he sent noble after noble to induce her to relent. After a time, he ventured himself into her presence. She feigned [342] a willingness to yield, but told him it was first necessary te make a libation to the goddess. She appeared as a priestess before the altar, bearing in her hand a cup of wine, which she had poisoned. She drank half of it herself, handed the remainder to her guilty lover, and when he had drained the cup to the dregs, burst into a fierce thanksgiving, that she had been permitted to avenge, and was soon to rejoin, her murdered husband.1 Another and still more remarkable instance of conjugal fidelity was furnished by a Gaulish woman named Epponina. Her husband, Julius Sabinus, had rebelled against Vespasian; he was conquered, and might easily have escaped to Germany, but could not bear to abandon his young wife. He retired to a villa of his own, concealed himself in subterranean cellars that were below it, and instructed a freedman to spread the report that he had committed suicide, while, to account for the disappearance of his body, he set fire to the villa. Epponina, hearing of the suicide, for three days lay prostrate on the ground without eating. At length the freedman came to her, and told her that the suicide was feigned. She continued her lamentations by day, but visited her husband by night. She became with child, but owing, it is said, to an ointment, she succeeded in concealing her state from her friends. When the hour of parturition was at hand, she went alone into the cellar, and without any assistance or attendance was delivered of twins, whom she brought up underground. For nine years she fulfilled her task, when Sabinus was discovered, and, to the lasting disgrace of Vespasian, was executed, in spite of the supplications of his wife, who made it her last request that she might be permitted to die with him.2

The moral purity of the barbarians was of a kind alto [343] gether different from that which the ascetic movement inculcated. It was concentrated exclusively upon marriage. It showed itself in a noble conjugal fidelity; but it was little fitted for a life of celibacy, and did not, as we have seen, prevent excessive disorders among the

priesthood. The practice of polygamy among the barbarian kings was also for some centuries unchecked, or at least unsuppressed, by Christianity. The kings Caribert and Chilperic had both many wives at the same time.[1] Clotaire married the sister of his first wife during the lifetime of the latter, who, on the intention of the king being announced, is reported to have said, 'Let my lord do what seemeth good in his sight, only let thy servant live in thy favour.'[2] Theodebert, whose general goodness of character is warmly extolled by the episcopal historian, abandoned his first wife on account of an atrocious crime which she had committed; took, during her lifetime, another, to whom he had previously been betrothed; and upon the death of this second wife, and while the first was still living, took a third, whom, however, at a later period he murdered.[3] St. Columbanus was expelled from Gaul chiefly on account of his denunciations of the polygumy of King Thierry.[4] Dagobert had three wives, as well as a multitude of concubines.[5] Charlemagne himself had at the same time two wives, and he indulged largely in concubines.[6] After this period examples of this nature became rare. The Popes and the bishops exercised a strict supervision over domestic morals, and strenuously, and in most cases successfully, opposed the attempts of kings and nobles to repudiate their wives.

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But, notwithstanding these startling facts, there can be no doubt that the general purity of the barbarians was from the first superior to that of the later Romans, and it appears in many of their laws. It has been very happily observed,[1] that the high value placed on this virtue is well illustrated by the fact that in the Salic code, while a charge of cowardice falsely brought against a man was only punished by a fine of three solidi, a charge of unchastity falsely brought against a woman was punished by a fine of forty-five. The Teutonic sentiment was shown in a very stern legislation against adultery and rape,[2] and curiously minute precautions were sometimes taken to guard against them. A law of the Spanish Visigoths prohibited surgeons from bleeding any free woman except in the presence of her husband, of her nearest relative, or at least of some properly appointed witness, and a Salic law imposed a fine of fifteen pieces of gold upon any one who improperly pressed her hand.[3]

Under the influence of Christianity, assisted by the barbarians, a vast change passed gradually over the world. The vice we are considering was probably more rare; it certainly assumed less extravagant forms, and it was screened from observation with a new modesty. The theory of morals had become clearer, and the practice was somewhat improved. The extreme grossness of literature had disappeared, and

the more glaring violations of marriage were always censured and often repressed. The penitential discipline, and the exhortations of the pulpit, diffused abroad an immeasurably higher sense of the importance of purity than Pagan antiquity had known. St. Gregory the Great, following in the steps of some Pagan philosophers,[4] strenuously urged upon [345] mothers the duty of themselves suckling their children; and many minute and stringent precepts were made against extravagances of dress and manners. The religious institutions of Greece and Asia Minor, which had almost consecrated prostitution, were for ever abolished, and the courtesan rank into a lower stage of degradation.

Besides these changes, the duty of reciprocal fidelity in marriage was enforced with a new earnestness. The contrast between the levity with which the frailty of men has in most ages been regarded, and the extreme severity with which women who have been guilty of the same offence have generally been treated, forms one of the most singular anomalies in moral history, and appears the more remarkable when we remember that the temptation usually springs from the sex which is so readily pardoned; that the sex which is visited with such crushing penalties is proverbially the most weak; and that, in the case of women, but not in the case of men, the vice is very commonly the result of the most abject misery and poverty. For this disparity of censure several reasons have been assigned. The offence can be more surely and easily detected, and therefore more certainly punished, in the case of women than of men; and, as the duty of providing for his children falls upon the father, the introduction into the family of children who are not his own is a special injury to him, while illegitimate children who do not spring from adultery will probably, on account of their father having entered into no compact to support them, ultimately become criminals or paupers, and therefore a burden to society.[1] It may be added, I think, that several causes render the observance of this virtue more difficult for one sex than for the other; that its violation, when every allowance has been made for the moral degradation which is a result of [346] the existing condition of public opinion, is naturally more profoundly prejudicial to the character of women than of men; and also that much of our feeling on these subjects is due to laws and moral systems which were formed by men, and were in the first instance intended for their own protection.

The passages in the Fathers, asserting the equality of the obligation imposed upon both sexes, are exceedingly unequivocal;[1] and although the doctrine itself had been anticipated by Seneca and Plutarch, it had probably never before, and it has never since, been so fully realised as in the early Church. It cannot, however, be said that

the conquest has been retained. At the present day, although the standard of morals is far higher than in Pagan Rome, it may be questioned whether the inequality of the censure which is bestowed upon the two sexes is not as great as in the days of Paganism, and that inequality is continually the cause of the most shameful and the most pitiable injustice. In one respect, indeed, a great retrogression resulted from chivalry, and long survived its decay. The character of the seducer, and especially of the passionless seducer who pursues his career simply as a kind of sport, and under the influence of no stronger motive than vanity or a spirit of adventure, has been glorified and idealised in the popular literature of Christendom in a manner to which we can find no parallel in antiquity. When we reflect that the object of such a man is by the coldest and most deliberate treachery to blast the [347] lives of innocent women; when we compare the levity of his motive with the irreparable injury he inflicts; and when we remember that he can only deceive his victim by persuading her to love him, and can only ruin her by persuading her to trust him, it must be owned that it would be difficult to conceive a cruelty more wanton and more heartless, or a character combining more numerous elements of infamy and of dishonour. That such a character should for many centuries have been the popular ideal of a considerable section of literature, and the boast of numbers who most plume themselves upon their honour, is assuredly one of the most mournful facts in history, and it represents a moral deflection certainly not less than was revealed in ancient Greece by the position that was assigned to the courtesan.

The fundamental truth, that the same act can never be at once venial for a man to demand, and infamous for a woman to accord, though nobly enforced by the early Christians, has not passed into the popular sentiment of Christendom. The mystical character, however, which the Church imparted to marriage has been extremely influential. Partly by raising it into a sacrament, and partly by representing it as, in some mysterious and not very definable sense, an image of the union of Christ with His Church, a feeling was fostered that a lifelong union of one man and one woman is, under all circumstances, the single form of intercourse between the sexes which is not illegitimate; and this conviction has acquired the force of a primal moral intuition.

There can, I think, be little doubt that, in the stringency with which it is usually laid down, it rests not upon the law of nature, but upon positive law, although unassisted nature is sufficient to lead men many steps in its direction. Considering the subject simply in the light

of unaided reason, two rules comprise the whole duty of man. He must abstain from whatever injures happiness or degrades character [348] Under the first head, he must include the more remote as well as the immediate consequences of his act. He must consider how his partner will be affected by the union, the light in which society will view the connection, the probable position of the children to be born, the effect of these births, and also the effect of his example upon the well-being of society at large. Some of the elements of this calculation vary in different stages of society. Thus, public opinion in one age will reprobate, and therefore punish, connections which, in another age, are fully sanctioned; and the probable position of the children, as well as the effect of the births upon society, will depend greatly upon particular and national circumstances.

Under the second head is comprised the influence of this intercourse in clouding or developing the moral feelings, lowering or elevating the tone of character, exciting or allaying the aberrations of the imagination, incapacitating men for pure affections or extending their range, making the animal part of our nature more or less predominant. We know, by the intuition of our moral nature, that this predominance is always a degraded, though it is not always an unhappy, condition. We also know that it is a law of our being, that powerful and beautiful affections, which had before been latent, are evoked in some particular forms of union, while other forms of union are peculiarly fitted to deaden the affections and to pervert the character.

In these considerations we have ample grounds for maintaining that the lifelong union of one man and of one woman should be the normal or dominant type of intercourse between the sexes. We can prove that it is on the whole most conducive to the happiness, and also to the moral elevation, of all parties. But beyond this point it would, I conceive, be impossible to advance, except by the assistance of a special revelation. It by no means follows that because this should be the dominant type it should be the only one, [349] or that the interests of society demand that all connections should be forced into the same die. Connections, which were confessedly only for a few years, have always subsisted side by side with permanent marriages; and in periods when public opinion, acquiescing in their propriety, inflicts no excomnunication on one or both of the partners, when these partners are not living the demoralising and degrading life which accompanies the consciousness of guilt, and when proper provision is made for the children who are born, it would be, I believe, impossible to prove, by the light of simple and unassisted

reason, that such connections should be invariably condemned. It is extremely important, both for the happiness and for the moral well-being of men, that lifelong unions should not be effected simply under the imperious prompting of a blind appetite. There are always multitudes who, in the period of their lives when their passions are most strong, are incapable of supporting children in their own social rank, and who would therefore injure society by marrying in it, but are nevertheless perfectly capable of securing an honourable career for their illegitimate children in the lower social sphere to which these would naturally belong. Under the conditions I have mentioned, these connections are not injurious, but beneficial, to the weaker partner; they soften the differences of rank, they stimulate social habits, and they do not produce upon character the degrading effect of promiscuous intercourse, or upon society the injurious effects of imprudent marriages, one or other of which will multiply in their absence. In the immense variety of circumstances and characters, cases will always appear in which, on utilitarian grounds, they might seem advisable.

It is necessary to dwell upon such considerations as these, if we would understand the legislation of the Pagan Empire or the changes that were effected by Christianity. The legislators of the Empire distinctly recognised these connections, [350] and made it a main object to authorise, dignify, and regulate them. The unlimited licence of divorce practically included them under the name of marriage, while that name sheltered them from stigma, and prevented many of the gravest evils of unauthorised unions. The word concubine also, which in the Republic had the same signification as among ourselves, represented in the Empire a strictly legal union—an innovation which was chiefly due to Augustus, and was doubtless intended as part of the legislation against celibacy, and also, it may be, as a corrective of the licentious habits that were general. This union was in essentials merely a form of marriage, for he who, having a concubine, took to himself either a wife or another concubine, was legally guilty of adultery. Like the commonest form of marriage, it was consummated without any ceremony, and was dissoluble at will. Its peculiarities were that it was contracted between men of patrician rank and freedwomen, who were forbidden by law to intermarry; that the concubine, though her position was perfectly recognised and honourable, did not share the rank of her partner, that she brought no dowry, and that her children followed her rank, and were excluded from the rank and the inheritance of their father.1

Against these notions Christianity declared a direct and implacable

warfare, which was imperfectly reflected in the civil legislation, but appeared unequivocally in the writings of the Fathers, and in most of the decrees of the Councils.[2] [351] It taught, as a religious dogma, invariable, inflexible, and independent of all utilitarian calculations, that all fornis of intercourse of the sexes, other than lifelong unions, were criminal. By teaching men to regard this doctrine as axiomatic, and therefore inflicting severe social penalties and deep degradation on transient connections, it has profoundly modified even their utilitarian aspect, and has rendered them in most countries furtive and disguised. There is probably no other branch of ethics which has been so largely determined by special dogmatic theology, and there is none which would be so deeply affected by its decay.

As a part of the same movement, the purely civil marriage of the later Pagan Empire was gradually replaced by religious marriages. There is a manifest propriety in invoking a divine benediction upon an act which forms so important an epoch in life, and the mingling of a religious ceremony impresses a deeper sense of the solemnity of the contract. The essentially religious and even mystical character imparted by Christianity to marriage rendered the consecration peculiarly natural, but it was only very gradually that it came to be looked upon as absolutely necessary. As I have already noticed, it was long dispensed with in the marriage of slaves; and even in the case of freemen, though generally performed, it was not made compulsory till the tenth century.[1] In addition to its primary object of sanctifying marriage, it became in time a powerful [352] instrument in securing the authority of the priesthood, who were able to compel men to submit to the conditions tney imposed in the formation of the most important contract of life; and the modern authorisation of civil marriages, by diminishing greatly the power of the Catholic priesthood over domestic life, has been one of the most severe blows ecclesiastical influence has undergone.

The absolute sinfulness of divorce was at the same time strenuously maintained by the Councils, which in this, as in many other points, differed widely from the civil law. Constantine restricted it to three cases of crime on the part of the husband, and three on the part of the wife; but the habits of the people were too strong for his enactments, and, after one or two changes in the law, the full latitude of divorce reappeared in the Justinian Code. The Fathers, on the other hand, though they hesitated a little about the case of a divorce which followed an act of adultery on the part of the wife,[1] had no hesitation whatever in pronouncing all other divorces to be criminal, and periods of penitential discipline were imposed upon Christians who availed themselves of the privileges of the civil law.[2] For many

centuries this duality of legislation continued. The barbarian laws restricted divorce by imposing severe fines on those who repudiated their wives. Charlemagne pronounced divorce to be criminal, but did not venture to make it penal, and he practised it himself. On the other hand, the Church threatened with excommunication, and in some cases actually launched its thunders against, those who were guilty of it. It was only in the twelfth century that the victory was [353] definitely achieved, and the civil law, adopting the principle of the canon law, prohibited all divorce.1

I do not propose in the present work to examine how far this total prohibition has been for the happiness or the moral well-being of men. I will simply observe that, though it is now often defended, it was not originally imposed in Christian nations, upon utilitarian grounds, but was based upon the sacramental character of marriage, upon the belief that marriage is the special symbol of the perpetual union of Christ with His Church, and upon a well-known passage in the Gospels. The stringency of the Catholic doctrine, which forbids the dissolution of marriage even in the case of adultery, has been considerably relaxed by modern legislation, and there can, I think, be little doubt that further steps will yet be taken in the same direction; but the vast change that was effected in both practice and theory since the unlimited licence of the Pagan Empire must be manifest to all.

It was essential, or at least very important, that a union which was so solemn and so irrevocable should be freely contracted. The sentiment of the Roman patriots towards the close of the Republic was that marriage should be regarded as a means of providing children for the State, and should be entered into as a matter of duty with that view, and the laws of Augustus had imposed many disqualifications on those who abstained from it. Both of these inducements to marriage passed away under the influence of Christianity. The popular sentiment disappeared with the decline of civic virtues. The laws were rescinded under the influence of the ascetic enthusiasm which made men regard the state of celibacy as pre-eminently holy.

There was still one other important condition to be attained by theologians in order to realise their ideal type of [354] marriage. It was to prevent the members of the Church from intermarrying with those whose religious opinions differed from their own. Mixed marriages, it has been truly said, may do more than almost any other influence to assuage the rancour and the asperity of sects, but it must be added that a considerable measure of tolerance must have been already attained before they become possible. In a union in which each partner believes and realises that the other is doomed to an eternity of

misery there can be no real happiness, no sympathy, no trust; and a domestic agreement that some of the children should be educated in one religion and some in the other would be impossible when each parent believed it to be an agreement that some children should be doomed to hell.

The domestic unhappiness arising from differences of belief was probably almost or altogether unknown in the world before the introduction of Christianity; for, although differences of opinion may have before existed, the same momentous consequences were not attached to them. It has been the especial bane of periods of great religious change, such as the conversion of the Roman Empire, or the Reformation, or our own day when far more serious questions than those which agitated the sixteenth century are occupying the attention of a large proportion of thinkers and scholars, and when the deep and widening chasm between the religious opinions of most highly educated men, and of the immense majority of women, is painfully apparent. While a multitude of scientific discoveries, critical and historical researches, and educational reforms have brought thinking men face to face with religious problems of extreme importance, women have been almost absolutely excluded from their influence. Their minds are usually by nature less capable than those of men of impartiality and suspense, and the almost complete omission from female education of those studies which most discipline and strengthen the intellect increases the difference, while al [355] the same time it has been usually made a main object to imbue them with a passionate faith in traditional opinions, and to preserve them from all contact with opposing views. But contracted knowledge and imperfect sympathy are not the sole fruits of this education. It has always been the peculiarity of a certain kind of theological teaching that it inverts all the normal principles of judgment, and absolutely destroys intellectual diffidence. On other subjects we find, if not a respect for honest conviction, at least some sense of the amount of knowledge that is requisite to entitle men to express an opinion on grave controversies. A complete ignorance of the subject-matter of a dispute restrains the confidence of dogmatism; and an ignorant person, who is aware that, by much reading and thinking in spheres of which he has himself no knowledge, his educated neighbour has modified or rejected opinions which that ignorant person had been taught, will, at least if he is a man of sense or modesty, abstain from compassionating the benighted condition of his more instructed friend. But on theological questions this has never been so. Unfaltering belief being taught as the first of duties, and all doubt being usually stigmatised as criminal or damnable, a state of mind is

formed to which we find no parallel in other fields. Many men and most women, though completely ignorant of the very rudiments of biblical criticism, historical research, or scientific discoveries, though they have never read a single page, or understood a single proposition of the writings of those whom they condemn, and have absolutely no rational knowledge either of the arguments by which their faith is defended, or of those by which it has been impugned, will nevertheless adjudicate with the utmost confidence upon every polemical question; denounce, hate, pity, or pray for the conversion of all who dissent from what they have been taught; assume, as a matter beyond the faintest possibility of doubt, that the opinions they have received without enquiry [356] must be true, and that the opinions which others have arrived at by enquiry must be false, and make it a main object of their lives to assail what they call heresy in every way in their power, except by examining the grounds on which it rests. It is probable that the great majority of voices that swoll the clamour against every book which is regarded as heretical are the voices of those who would deem it criminal even to open that book, or to enter into any real, searching, and impartial investigation of the subject to which it relates. Innumerable pulpits support this tone of thought, and represent, with a fervid rhetoric well fitted to excite the nerves and imaginations of women, the deplorable condition of all who deviate from a certain type of opinions or of emotions; a blind propagandism or a secret wretchedness penetrates into countless households, poisoning the peace of families, chilling the mutual confidence of husband and wife, adding immeasurably to the difficulties which every searcher into truth has to encounter, and diffusing far and wide intellectual timidity, disingenuousness, and hypocrisy.

These domestic divisions became very apparent in the period of the conversion of the Roman Empire; and a natural desire to guard intact the orthodoxy and zeal of the converts, and to prevent a continual discordance, stimulated the Fathers in their very vehement denunciations of all mixed marriages. We may also trace in these denunciations the outline of a very singular doctrine, which was afterwards suffered to fall into obscurity, but was revived in the last century in England in a curious and learned work of the nonjuror Dodwell.1 The union of Christ and His Church [357] had been represented as a marriage; and this image was not regarded as a mere metaphor or comparison, but as intimating a mysterious unity, which, though not susceptible of any very clear definition, was not on that account the loss real. Christians were the ‘limbs of Christ,’ and for them to join themselves in marriage with those who were not of the

Christian fold was literally, it was said, a species of adultery or fornication. The intermarriage of the Israelites, the chosen seed of the ancient world, with the Gentiles, had been described in the Old Testament as an act of impurity;[1] and in the opinion of some, at least, of the Fathers, the Christian community occupied towards the unbelievers a position analogous to that which the Jews had occupied towards the Gentiles. St. Cyprian denounced the crime of those ‘ who prostitute the limbs of Christ in marriage with the Gentiles.’[2] Tertullian described the intermarriage as fornication;[3] and after the triumph of the Church, the intermarriage of Jews and Christians was made a capital offence, and was stimatised by the law as adultery.[4] The civil law did not prohibit the orthodox from intermarrying with heretics, but many councils in strong terms denounced such marriages as criminal.

The extreme sanctity attributed to virginity, the absolute condemnation of all forms of sexual connection other than marriage, and the formation and gradual realisation of the Christian conception of marriage as a permanent union of a [358] man and woman of the same religious opinions, consecrated by solemn religious services, carrying with it a deep religious signification, and dissoluble only by death, were the most obvious signs of Christian influence in the sphere of ethics we are examining. Another very important result of the new religion was to raise to a far greater honour than they had previously possessed, the qualities in which women peculiarly excel.

There are few more curious subjects of enquiry than the distinctive differences between the sexes, and the manner in which those differences have affected the ideal types of different ages, nations, philosophies, and religions. Physically, men have the indisputable superiority in strength, and women in beauty. Intellectually, a certain inferiority of the female sex can hardly be denied when we remember how almost exclusively the foremost places in every department of science, literature, and art have been occupied by men, how infinitesimally small is the number of women who have shown in any form the very highest order of genius, how many of the greatest men have achieved their greatness in defiance of the most adverse circumstances, and how completely women have failed in obtaining the first position, even in music or painting, for the cultivation of which their circumstances would appear most propitious. It is as impossible to find a female Raphael, or a female Handel, as a female Shakspeare or Newton. Women are intellectually more desultory and volatile than men; they are more occupied with particular instances than with general principles; they judge rather by intuitive perceptions than by deliberate reasoning or past experience. They are,

however, usually superior to men in nimbleness and rapidity of thought, and in the gift of tact or the power of seizing speedily and faithfully the finer inflexions of feeling, and they have therefore often attained very great eminence in conversation, as letter writers, as actresses, and as novelists.

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Morally, the general superiority of women over men, is, I think, unquestionable. If we take the somewhat coarse and inadequate criterion of police statistics, we find that, while the male and female populations are nearly the same in number, the crimes committed by men are usually rather more than five times as numerous as those committed by women;1 and although it may be justly observed that men, as the stronger sex, and the sex upon whom the burden of supporting the family is thrown, have more temptations than women, it must be remembered, on the other hand, that extreme poverty which verges upon starvation is most common among women, whose means of livelihood are most restricted, and whose earnings are smallest and most precarious. Self-sacrifice is the most conspicuous element of a virtuous and religious character, and it is certainly far less common among men than among women, whose whole lives are usually spent in yielding to the will and consulting the pleasures of another. There are two great departments of virtue: the impulsive, or that which springs spontaneously from the emotions; and the deliberative, or that which is performed in obedience to the sense of duty; and in both of these I imagine women are superior to men. Their sensibility is greater, they are more chaste both in thought and act, more tender to the erring, more compassionate to the suffering, more affectionate to all about them. On the other hand, those who have traced the course of the wives of the poor, and of many who, though in narrow circumstances, [360] can hardly be called poor, will probably admit that in no other class do we so often find entire lives spent in daily persistent self-denial, in the patient endurance of countless trials, in the ceaseless and deliberate sacrifice of their own enjoyments to the well-being or the prospects of others. Women, however, though less prone than men to intemperance and brutality, are in general more addicted to the petty forms of vanity, jealousy, spitefulness, and ambition, and they are also inferior to men in active courage. In the courage of endurance they are commonly superior; but their passive courage is not so much fortitude which bears and defies, as resignation which bears and bends. In the ethics of intellect they are decidedly inferior. To repeat an expression I have already employed, women very rarely love truth, though they love passionately what they call ‘the truth,’ or opinions they have received

from others, and hate vehemently those who differ from them. They are little capable of impartiality or of doubt; their thinking is chiefly a mode of feeling; though very generous in their acts, they are rarely generous in their opinions or in their judgments. They persuade rather than convince, and value belief rather as a source of consolation than as a faithful expression of the reality of things. They are less capable than men of perceiving qualifying circumstances, of admitting the existence of elements of good in systems to which they are opposed, of distinguishing the personal character of an opponent from the opinions he maintains. Men lean most to justice and women to mercy. Men excel in energy, self-reliance, perseverance, and magnanimity; women in humility, gentleness, modesty, and endurance. The realising imagination which causes us to pity and to love is more sensitive in women than in men, and it is especially more capable of dwelling on the unseen. Their religious or devotional realisations are incontestably more vivid; and it is probable that, while a father is most moved by the death of a child in his presence, a mother [361] generally feels most the death of a child in some distant land. But, though more intense, the sympathies of women are commonly less wide than those of men. Their imaginations individualise more; their affections are, in consequence, concentrated rather on leaders than on causes; and if they care for a great cause, it is generally because it is represented by a great man, or connected with some one whom they love. In politics, their enthusiasm is more naturally loyalty than patriotism. In history, they are even more inclined than men to dwell exclusively upon biographical incidents or characteristics as distinguished from the march of general causes. In benevolence, they excel in charity, which alleviates individual suffering, rather than in philanthropy, which deals with large masses and is more frequently employed in preventing than in allaying calamity.

It was a remark of Winckelmann that ‘the supreme beauty of Greek art is rather male than female;’ and the justice of this remark has been amply corroborated by the greater knowledge we have of late years attained of the works of the Phidian period, in which art achieved its highest perfection, and in which, at the same time, force and freedom, and masculine grandeur, were its pre-eminent characteristics. A similar observation may be made of the moral ideal of which ancient art was simply the expression. In antiquity the virtues that were most admired were almost exclusively those which are distinctively masculine. Courage, self-assertion, magnanimity, and, above all, patriotism, were the leading features of the ideal type; and chastity, modesty, and charity, the gentler and the domestic virtues, which are

especially feminine, were greatly undervalued. With the single exception of conjugal fidelity, none of the virtues that were very highly prized were virtues distinctively or preeminently feminine. With this exception, nearly all the most illustrious women of antiquity were illustrious chiefly because they overcame the natural conditions of their sex [362] It is a characteristic fact that the favourite female ideal of the artists appears to have been the Amazon.1 We may admire the Spartan mother, and the mother of the Gracchi, repressing every sign of grief when their children were sacrificed upon the altar of their country, we may wonder at the majestic courage of a Porcia and an Arria; but we extol them chiefly because, being women, they emancipated themselves from the frailty of their sex, and displayed an heroic fortitude worthy of the strongest and the bravest of men. We may bestow an equal admiration upon the noble devotion and charity of a St. Elizabeth of Hungary, or of a Mrs. Fry, but we do not admire them because they displayed these virtues, although they were women, for we feel that their virtues were of the kind which the female nature is most fitted to produce. The change from the heroic to the saintly ideal, from the ideal of Paganism to the ideal of Christianity, was a change from a type which was essentially male to one which was essentially feminine. Of all the great schools of philosophy no other reflected so faithfully the Roman conception of moral excellence as Stoicism, and the greatest Roman exponent of Stoicism summed up its character in a single sentence when he pronounced it to be beyond all other sects the most emphatically masculine.2 On the other hand, an ideal type in which meekness, gentleness, patience, humility, faith, and love are the most prominent features, is not naturally male but female. A reason probably deeper than the historical ones which are commonly alleged, why sculpture has always been peculiarly Pagan and painting peculiarly Christian, may be found in the fact, that sculpture is especially suited to represent male beauty, or the beauty of strength, and painting female beauty, or the beauty of softness; [363] and that Pagan sentiment was chiefly a glorification of the masculine qualities of strength, and courage, and conscious virtue, while Christian sentiment is chiefly a glorification of the feminine qualities of gentleness, humility, and love. The painters whom the religious feeling of Christendom has recognised as the most faithful exponents of Christian sentiment have always been those who infused a large measure of feminine beauty even into their male characters; and we never, or scarcely ever, find that the same artist has been conspicuously successful in delineating both Christian and Pagan types. Michael Angelo, whose genius loved

to expatiate on the sublimity of strength and defiance, failed signally in his representations of the Christian ideal; and Perugino was equally unsuccessful when he sought to pourtray the features of the heroes of antiquity.1 The position that was gradually assigned to the Virgin as the female ideal in the belief and the devotion of Christendom, was a consecration or an expression of the new value that was attached to the feminine virtues.

The general superiority of women to men in the strength of their religious emotions, and their natural attraction to a religion which made personal attachment to its Founder its central duty, and which imparted an unprecedented dignity and afforded an unprecedented scope to their characteristic virtues, account for the very conspicuous position that female influence assumed in the great work of the conversion of the Roman Empire. In no other important movement of thought was it so powerful or so acknowledged. In the ages of [364] persecution female figures occupy many of the foremos places in the ranks of martyrdom, and Pagan and Christian writers alike attest the alacrity with which women flocked to the Church, and the influence they exercised in its favour over the male members of their families. The mothers of St. Augustine, St. Chrysostom, St. Basil, St. Gregory Nazianzen, and Theodoret, had all a leading part in the conversion of their sons. St. Helena, the mother of Constantine, Flacilla, the wife of Theodosius the Great, St. Pulcheria, the sister of Theodosius the Younger, and Placidia, the mother of Valentinian III., were among the most conspicuous defenders of the faith. In the heretical sects the same zeal was manifested, and Arius, Priscillian, and Montanus were all supported by troops of zealous female devotees. In the career of asceticism women took a part little if at all inferior to men, while in the organisation of the great work of charity they were pre-eminent. For no other field of active labour are women so admirably suited as for this; and although we may trace from the earliest period, in many creeds and ages, individual instances of their influence in allaying the sufferings of the distressed,1 it may [365] be truly said that their instinct and genius of charity had never before the dawn of Christianity obtained full scops for action. Fabiola, Paula, Melania, and a host of other noble ladies devoted their time and fortunes mainly to founding and extending vast institutions of charity, some of them of a kind before unknown in the world. The Empress Flacilla was accustomed to tend with her own hands the sick in the hospitals,1 and a readiness to discharge such offices was deemed the first duty of a Christian wife.2 From age to age the impulse thus communicated has been felt. There has been no period, however corrupt, there has been no Church, however superstitious,

that has not been adorned by many Christian women devoting their entire lives to assuaging the sufferings of men; and the mission of charity thus instituted has not been more efficacious in diminishing the sum of human wretchedness, than in promoting the moral dignity of those by whom it was conducted.

Among the Collyridian heretics, women were admitted to the priesthood. Among the orthodox, although this honour was not bestowed upon them, they received a religious consecration, and discharged some minor ecclesiastical functions under the name of deaconesses.[3] This order may be traced to the Apostolic period.[4] It consisted of elderly virgins, who were set apart by a formal ordination, and were employed in assisting as catechists and attendants at the baptism of women, in visiting the sick, ministering to martyrs [366] in prison, preserving order in the congregations, and so companying and presenting women who desired an interview with the bishop. It would appear, from the evidence of some councils, that abuses gradually crept into this institution, and the deaconesses at last faded into simple nuns, but they were still in existence in the East in the twelfth century Besides these, widows, when they had been but once married, were treated with peculiar honour, and were made the special recipients of the charity of the Church. Women advanced in years, who, either from their single life or from bereavement, have been left without any male protector in the world, have always been peculiarly deserving of commiseration. With less strength, and commonly with less means, and less knowledge of the world than men, they are liable to contract certain peculiarities of mind and manner to which an excessive amount of ridicule has been attached, and age in most cases furnishes them with very little to compensate for the charms of which it has deprived them. The weight and dignity of matured wisdom, which make the old age of one sex so venerable, are more rarely found in that of the other, and even physical beauty is more frequently the characteristic of an old man than of an old woman. The Church laboured steadily to cast a halo of reverence around this period of woman's life, and its religious exercises have done very much to console and to occupy it.

In accordance with these ideas, the Christian logislators contributed largely to improve the legal position of widows in respect to property,[1] and Justinian gave mothers the guardianship [367] of their children, destroying the Pagan rule that guardianship could only be legally exercised by men.[1] The usual subservience of the sex to ecclesiastical influence, the numerous instances of rich widows devoting their fortunes, and mothers their sons, to the Church, had no

doubt some influence in securing the advocacy of the clergy; but these measures had a manifest importance in elevating the position of women who have had, in Christian lands, a great, though not, I think, altogether a beneficial influence, in the early education of their sons.

Independently of all legal enactments, the simple change of the ideal type by bringing specially feminine virtues into the forefront was sufficient to elevate and ennoble the sex. The commanding position of the mediæval abbesses, the great number of female saints, and especially the reverence bestowed upon the Virgin, had a similar effect. It is remarkable that the Jews, who, of the three great nations of antiquity, certainly produced in history and poetry the smallest number of illustrious women, should have furnished the world with its supreme female ideal, and it is also a striking illustration of the qualities which prove most attractive in woman that one of whom we know nothing except her gentleness and her sorrow should have exercised a magnetic power upon the world incomparably greater than was exercised by the most majestic female patriots of Paganism. Whatever may be thought of its theological propriety, there can be little doubt that the Catholic reverence for the Virgin has done much to elevate and purify the ideal of woman, and to soften the manners of men. It has had an influence which the worship of the Pagan goddesses could never possess, for these had been almost destitute of moral beauty, and especially of that kind of moral beauty which is peculiarly feminine. [368] It supplied in a great measure the redeeming and ennobling element in that strange amalgam of religious, licentious, and military feeling which was formed around women in the age of chivalry, and which no succeeding change of habit or belief has wholly destroyed.

It can hardly, I think, be questioned that in the great religious convulsions of the sixteenth century the feminine type followed Catholicism, while Protestantism inclined more to the masculine type. Catholicism alone retained the Virgin worship, which at once reflected and sustained the first. The skill with which it acts upon the emotions by music, and painting, and solemn architecture, and imposing pageantry, its tendency to appeal to the imagination rather than to the reason, and to foster modes of feeling rather than modes of thought, its assertion of absolute and infallible certainty, above all, the manner in which it teaches its votary to throw himself perpetually on authority, all tended in the same direction. It is the part of a woman to lean, it is the part of a man to stand. A religion which prescribes to the distracted mind unreasoning faith in an infallible Church, and to the troubled conscience an implicit trust in an absolving priesthood, has ever had an especial attraction to a

feminine mind. A religion which recognises no authority between man and his Creator, which asserts at once the dignity and the duty of private judgment, and which, while deepening immeasurably the sense of individual responsibility, denudes religion of meretricious ornaments, and of most æsthetic aids, is pre-eminently a religion of men. Puritanism is the most masculine form that Christianity has yet assumed. Its most illustrious teachers differed from the Catholic saints as much in the moral type they displayed as in the system of doctrines they held. Catholicism commonly softens, while Protestantism strengthens, the character; but the softness of the first often degenerates into weakness, and the strength of the second into hardness. Sincerely Catholic nations are [369] distinguished for their reverence, for their habitual and vivid perceptions of religious things, for the warmth of their emotions, for a certain amiability of disposition, and a certain natural courtesy and refinement of manner that are inexpressibly winning. Sincerely Protestant nations are distinguished for their love of truth, for their firm sense of duty, for the strength and the dignity of their character. Loyalty and humility, which are especially feminine, flourish chiefly in the first; liberty and self-assertion in the second. The first are most prone to superstition, and the second to fanaticism. Protestantism, by purifying and dignifying marriage, conferred a great benefit upon women; but it must be owned that neither in its ideal type, nor in the general tenor of its doctrines or devotions, is it as congenial to their nature as the religion it superseded.

Its complete suppression of the conventual system was also, I think, very far from a benefit to women or to the world. It would be impossible to conceive any institution more needed than one which would furnish a shelter for the many women who, from poverty, or domestic unhappiness, or other causes, find themselves cast alone and unprotected into the battle of life, which would secure them from the temptations to gross vice, and from the extremities of suffering, and would convert them into agents of active, organised, and intelligent charity. Such an institution would be almost free from the objections that may justly be urged against monasteries, which withdraw strong men from manual labour, and it would largely mitigate the difficulty of providing labour and means of livelihood for single women, which is one of the most pressing, in our own day one of the most appalling, of social problems. Most unhappily for mankind, this noble conception was from the first perverted. Institutions that might have had an incalculable philanthropic value were based upon the principle of asceticism, which makes the sacrifice, not the promotion, of

earthly happiness its aim, and [370] binding vows produced much misery and not a little vice The convent became the perpetual prison of the daughter whom a father was disinclined to endow, or of young girls who, under the impulse of a transient enthusiasm, or of a transient sorrow, took a stop which they never could retrace, and useless penances and contemptible superstitions wasted the energies that might have been most beneficially employed. Still it is very doubtful whether, even in the most degraded period, the convents did not prevent more misery than they inflicted, and in the Sisters of Charity the religious orders of Catholicism have produced one of the most perfect of all the types of womanhood. There is, as I conceive, no fact in modern history more deeply to be deplored than that the Reformers, who in matters of doctrinal innovations were often so timid, should have levelled to the dust, instead of attempting to regenerate, the whole conventual system of Catholicism.

The course of these observations has led me to transgress the limits assigned to this history. It has been, however, my object through this entire work to exhibit not only the nature but also the significance of the moral facts I have recorded, by showing how they have affected the subsequent changes of society. I will conclude this chapter, and this work, by observing that of all the departments of ethics the questions concerning the relations of the sexes and the proper position of women are those upon the future of which there rests the greatest uncertainty. History tells us that, as civilisation advances, the charity of men becomes at once warmer and more expansive, their habitual conduct both more gentle and more temperate, and their love of truth more sincere; but it also warns us that in periods of great intellectual enlightenment, and of great social refinement, the relations of the sexes have often been most anarchical. It is impossible to deny that the form which these relations at present assume has been very largely affected by special [371] religious teaching, which, for good or for ill, is rapidly waning in the sphere of government, and also, that certain recent revolutions in economical opinion and industrial enterprise have a most profound bearing upon the subject. The belief that a rapid increase of population is always ominently beneficial, which was long accepted as an axiom by both statesmen and moralists, and was made the basis of a large part of the legislation of the first and of the decisions of the second, has now been replaced by the directly opposite doctrine, that the very highest interest of society is not to stimulate but to restrain multiplication, diminishing the number of marriages and of children. In consequence of this belief, and of the many factitious wants that accompany a luxmious civilisation, a very large and increasing proportion of

women are left to make their way in life without any male protector, and the difficulties they have to encounter through physical weakness have been most unnaturally and most fearfully aggravated by laws and customs which, resting on the old assumption that every woman should be a wife, habitually deprive them of the pecuniary and educational advantages of men, exclude them absolutely from very many of the employments in which they might earn a subsistence, encumber their course in others by a heartless ridicule or by a steady disapprobation, and consign, in consequence, many thousands to the most extreme and agonising poverty, and perhaps a still larger number to the paths of vice. At the same time a momentous revolution, the effects of which can as yet be but imperfectly descried, has taken place in the chief spheres of female industry that remain. The progress of machinery has destroyed its domestic character. The distaff has fallen from the hand. The needle is being rapidly superseded, and the work which, from the days of Homer to the present century, was accomplished in the centre of the family, has been transferred to the crowded manufactory.1

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The probable consequences of these things are among the most important questions that can occupy the moralist or the philanthropist, but they do not fall within the province of the historian. That the pursuits and education of women will be considerably altered, that these alterations will bring with them some modifications of the type of character, and that the prevailing moral notions concerning the relations of the sexes will be subjected in many quarters to a severe and hostile criticism, may safely be predicted. Many wild theories will doubtless be propounded. Some real ethical changes may perhaps be effected, but these, if I mistake not, can only be within definite and narrow limits. He who will seriously reflect upon our clear perceptions of the difference between purity and impurity, upon the laws that govern our affections, and upon the interests of the children who are born, may easily convince himself that in this, as in all other spheres, there are certain eternal moral landmarks which never can be removed.

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