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FRENCH MORALITY  
UNDER THE  
REGULATION SYSTEM

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TRANSLATED FROM THE FRENCH OF MADLLE. J. DAUBIE.

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LONDON :

TRÜBNER & CO., 8, AND 60, PATERNOSTER ROW.

LIVERPOOL :

THOMAS BRAKELL, 7, COOK STREET.

1870.

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## P R E F A C E.

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MADemoiselle JULIE DAUBIÉ has published a book in three volumes, entitled *La Femme pauvre au dix-neuvième Siècle*.\* This work is the result of many years of careful research, accompanied by self-denying labours among the poor, and the outcasts of society.

The following pages are a translation of those chapters of her book which bear upon the state of the most unhappy of her countrywomen. In granting permission for the publication of these chapters, Mad'lle Daubié writes as follows:—

“ PARIS, January 18th, 1870.

“ Our new Parliament has made an emphatic declaration that it has in view a great moral reform, which fills us with hope. Our eyes are turned towards your Parliament, the wisdom of which is boasted everywhere. It is assuredly not the English Parliament which will make a law to tolerate (that is to say to encourage) prostitution; for such an infamy as this is not yet inscribed in any Code of any civilised or Christian nation. Even in France, prostitution is regulated by an article of the *Penal Code*, which refers this question to the police. Our Civil Code has not yet had the impudence to proclaim the immunities of profligate men to be a civil right; and the expenses of this department are municipal.

“ But if it be true that provocations in the public thoroughfares are so frequent in the towns of England, and that places of ill fame are not watched, &c., your Parliament has left much undone, and has much to do for the repression of vice.

“ The principal means for this appear to me to be good laws for the punishment of seduction, measures for making women independent through a sufficiency of wages, the severest prohibition of all provo-

\* Published by Ernest Thorin, 7, Rue de Médicis, Paris, 1869.

cations in the public way, and the right of the police to enter infamous houses, and to exercise the same powers against the men as against the women who frequent them; (an impartiality exercised in France in gambling houses.)

“But we must abhor and reject all those odious measures which treat woman as an impure being for debauchery to profit by. Scorn all the advice which may be given you, on this subject, by timid or corrupt men, who can see nothing beyond that which actually exists! The progress of prostitution in France is frightful, and the number of public women is said to be doubled even since the Great Exhibition. Every day new houses of infamy are opened, authorised by the *Chef*, who replies to any one who remonstrates, ‘*It is because they are necessary, &c., &c.*’

“We shall do well, I think, in our International League, to give ourselves especially to questions of justice and of human dignity in connexion with the relations of the sexes, and to endeavour to bring all the nations of Europe to the adoption of uniformly just laws on this subject—a subject on which it is not permitted to cherish with impunity false sentiments or unjust laws.”

Who shall dare to prophesy for the future of England, if, at such a crisis as the present, when the eyes of France—of Europe, it may be said—are upon us, the Parliament whose wisdom is vaunted on the Continent, should endorse, and not repudiate, the policy of a clique who have succeeded in gaining a footing in our country for a system which elsewhere has been tried and condemned?

JOSEPHINE E. BUTLER,

Hon. Secretary to the Ladies' National Association for the  
Repeal of the Contagious Diseases Acts.



# FRENCH MORALITY,

UNDER

## THE REGULATION SYSTEM.

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### I.

#### INFAMY AS KNOWN TO THE LAW AND SECRET INFAMY ; PANDERS AND COURTESANS.

“There are so many drawbacks attached to the loss of virtue in women; this principal point being taken away is the cause of so many others falling with it, that public unchastity may be looked upon as the greatest of misfortunes.”—*Montesquieu*.

“Woman is the embodiment of evil when evil exists about her: she is the impersonation of evil when society must be ruined through evil.”—*Pierre Leroux*.

PUBLIC immorality has pushed its excesses so far as to cause the poor woman to become a nuisance which has neither a name nor a right in our code. I have undertaken the painful duty of considering with attention the profligate portion of the community, which is controlled by the police authorities; I shall not flinch from my sorrowful task—one that will not, in any way, afford the lovers of scandal cause for laughter. . . .

Is it my fault, indeed, if, after having gone back to Eden itself for woman as created in God's image, I must pick the infected vase out of the gutter and look into it for woman as made in man's image?

Social injustice causes the greater part of the young women of the lower orders both to fall into and to remain enslaved in the sink of prostitution: the writers of their history agree in calling them the victims of destitution, ignorance and seduction. The insufficiency of the city-workwoman's earnings sometimes forces

her, even in a season of industrial prosperity, to supplement her means by the sale of her person; that is termed the fifth quarter of the working day. When employment fails, this species of right to labour makes up the entire day's earnings. In different towns, according to the evidence of the inspectors of the department of morals, women who have not totally lost every sentiment of modesty are driven to ignominy by the want of the means of support.

In our manufacturing towns, even children serve as food for profligacy. Generally, the destitution of these women is such, that out of 6000 registered in Paris, only two had any other resource. One woman might be instanced who struggled for three days with the pangs of hunger before yielding. Two young girls, through having recoiled from this horrid expedient, dropped down, in an hospital, half dead from want of nourishment. Ignorance is another so fruitful cause of ruin for these women, that, of 4000 natives of Paris, hardly a hundred were able to sign their name. In other towns facts as sad are borne witness to. The privileges enjoyed by seducers are often their original cause, for these privileges are the cause of women without resources being borne down by the burden of maternity, and of illegitimate daughters being left in destitution. These, moreover, constitute the fourth part of the total number of the inmates of the recognised brothels, completed partly by the victims of seduction.\* These latter have followed men, who, after having promised them marriage, have cruelly deserted them in the towns where they were without the means of support. Others, incurring the disgrace and curse of a first fall, find no refuge but in profligacy. Girl-mothers are also to be met with, who are forced to become

\* One of our salaried seducers learned that destitution was reducing one of his illegitimate daughters to have herself registered at the office of the department of morals. A friend of his urged him to claim her, so as to save her from this disgrace:—"If," said he, "I were obliged to help all my daughters, my income would not be sufficient to do it."

prostitutes to bring up their children. Often, says one of their historians, cases very embarrassing to the Administration are brought under notice; young girls not wholly corrupted evince penitence, can be reclaimed, and wish to return to their homes, but their parents disown them, *and they are obliged to be registered*. Others, forsaken from their very birth, have been brought up by themselves; they know neither their father nor mother, their age nor name. What is to be done? They are forced to be admitted. No path opens before them; the Administration offers a passport gratuitously, and, *sometimes*, a pair of shoes, to the young female under age, without profession, shelter, clothes, or food, and sends her back to her native place. One of our depraved men, in whom genius kept alive some ray of feeling, sometimes experienced a profound pity for these victims whom destitution gives over to debauchery; he confesses that they often conjured him, with tears, not to withdraw his unhappy protection from them. One of these suppliants assured him that if he abandoned her he would be the cause of herself and mother dying of hunger.\* By the side of the liberty which girls of 15 have to become prostitutes, is placed that of parent-procurers. The weakening of family ties among us often causes these monstrous transactions to occur, on account of which women have been known to commit suicide. The moral sense is, moreover, perverted to such a degree, in our rural districts, that you there hear of mothers congratulating themselves on living by the proceeds of their daughters' dishonour. Apart from the cynicism of the concubine-keepers who sell their unacknowledged daughters, workmen are met with who marry with the object of enslaving their wives; one such person assaulted his to make her go on the streets, saying to her: "Don't think you deserve to eat, if you do not per-

\* Alfred de Musset—"Confessions d'un enfant du siècle."

form the only work you can make lucrative for me—I want money.”\*

The foregoing facts belong to *legal* prostitution, which is always conjoined with that carried on clandestinely; it is certain that the *toleration-certificate* of procuresses is nothing but a permit for all sorts of infamy. Agents for intercourse with certain women of fashion, they likewise carry on, almost without impediment, negotiations respecting girls under age.

An author of the 15th century, estimating the number of “girls of the town” in Paris at 5000, attributes this enormous figure, unknown before, to the war which had affected the earnings of women, and to the culpable indifference of the provost, Ambroise de Loré. Statistics do not supply us, nevertheless, with reliable indications of the progress of the evil earlier than from the close of the year A.D. 1812. In Paris, less than a third of the fallen girls belong to prostitution as known to the law; the rest haunt the permitted houses, drive a profitable trade at the singing-saloons, public-houses, lodging-houses, and taverns. More than 25,000 of them are supported by a number of immoral men who, in their turn, are the support of a great many places of public resort, where both soul and body are lost through drunkenness and profligacy. In our different towns,† secret prostitution works the same kind of ravages. It is generally noticed

\* To turn, for a moment, from these horrors, let us say they horrify the moral working-men who have undertaken the responsibilities of the family without selfish ideas conceived previously. These men generally give proof of a sentiment of honour, too often extinguished in the upper classes; but what is their state of mind when they are not able to guard their wives and daughters against a disgrace which is the daily bread of an insufficient labour-market? Their faces are then stern, their eyes vindictive; their heads droop, but they cherish in their hearts, against the peace of society, a profound hatred and projects of vengeance which are only too inveterate. Ah! let us dread the storms we are collecting over our heads, in a gloomy future; if we have not the energy to put down profligacy from a love of virtue, let us, at least, do it from considerations of its cost.

† Clandestine prostitution invariably increases wherever the system of registration and police regulation exist,

that the destitution of women gives a great increase to it during industrial "crises." Our soldiers and colonists have likewise carried into Algeria morals previously unknown to the Arab polygamy. So great was the horror the Mussulmans had for prostitution, that at Algiers, as recently as the 17th century, prostitutes were thrown into the sea. In the present day, women who go to get employment in our colony ordinarily find their livelihood only in debauchery and concubinage; "unfortunates" subjected to the brutalities of our soldiery, are bartered, like beasts of burden, at every change of garrison, and our army may be followed by the track of the infection it leaves in even the smallest villages. After the conquest (of Algeria) the daughters of the original possessors of the soil had not even the means of living except by shame.\* This sketch suffices to show how unfitted we are to colonise a people which, on the evidence of every high and competent authority, has adopted our vices without acquiring any of our good qualities.† In fact, the Mussulman code, the Jewish religion and morals, permit, upon the African soil, polygamy, divorce, and repudiation, with the obligation, on the father's part, of supporting all his children, and the prohibition of repudiating a woman without providing for her; these duties rendered manifold marriages a privilege of wealth. The "senatus-consultum" which governs, on the model of our code, the Arabs who are naturalised French, changes nothing of the influence exerted on them by climate, religion, education, and manners. Thus, by abjuring every duty to wives with whom, otherwise, they are free to maintain relations, uncurbed and uncontrolled, under the title of concubines; by leaving their unacknowledged children to die of destitution,

\* E. A. Duchesne—"De la prostitution dans la ville d'Alger, depuis la conquête, 1853."

† Letter from the Bishop of Algiers to the Governor-General of Algeria, May 1868.

they obtain the title of French citizen, which should be to them the reward of virtue and honour.

In that frightful famine when the brutality of the strong to the weak was so monstrous, in which Religion and Charity had not arms wide enough to enfold the legions of repudiated women, and of children without fathers, the conviction might force itself that our code is more deadly for Algeria than are its noxious animals.\* Our legislation for morals is an active cause of our want of success in colonizing; for our moral responsibility being able to bring nothing but intermixture to the races in our colonies, degenerated by polygamy or slavery, the young negresses, seduced and abandoned, knowing none of the duties of the family and of maternity, are living in the most deplorable degradation.

In France, the police authorities entrust the lucrative estate (*fermé*) of profligacy (which private persons are not authorised to farm out) to brothel-keepers who represent a considerable capital. At Paris, where their business connexion is sometimes transferred at prices as high as those of solicitors' and notaries' practices, the moveable effects of one of them have been appraised as high as 100,000 francs (£4,000). The sums invested compel the brothel-proprietresses to hunt up buyers incessantly, and God knows how they perform their

\* I shall better still define the respective condition of the Mussulman and French morals and laws by recalling to recollection that Emir who went about Paris displaying, in a triumphal manner, two girls under age purchased under the title of wives. If we take the oneness and the sacred nature of our indissoluble marriage-institution as the measure of this outrage on the dignity of humanity, we see in it a defiance to our civilisation. It is, nevertheless, a fact that Abdel Kader could have been supplied with human flesh on the Parisian market on much easier terms; if he repudiates his Circassians, he must provide for them, while he would have been free, on his departure, to turn Parisians out into the street. In the investigation of our scandalous morals, we shall meet, among our officials, with types of degradation which would make the Grand Chief Mussulman blush. If, therefore, from our lawful monogamy to the Arab polygamy, the distance from heaven to earth be measured, there is between our irresponsible profligacy and that polygamy all the interval from earth to hell. Before our time, the children born in the harem belonged to the father; in our time, those born out of it belong to the mother. The economical results of this state of things, in a country where woman has no means of support, can be calculated.

task. It would be difficult to form an idea of the corruption they sow in our boroughs, in our villages even, by sending to them detachments of girls whom authority tolerates as soon as they place themselves under the government regulations. France is no longer anything but a vast field of prostitution, since railways have brought this traffic within reach of our rural districts. The brothel-keeper, whose receipts are enormous, has agents who accustom the workman and the female domestic servant to look upon her house as an institution for the deserving.

The procuress, having full authority for mixed education, takes further upon herself the social education of the young men living away from home in our towns: she puts herself on the track of students, collects from the *Botin Almanac* the address of certain known men, sends them ambiguous letters by gold-laced lacqueys, whose business it is to supplement the intimations. For the negotiations about girls under age, the brothel-keeper goes out herself from apartments fitted up in princely style, steps into her carriage, has herself announced by her footman, introduces herself into aristocratic drawing rooms, has a perfumed note delivered on a silver salver, announcing to such and such an important personage the purpose which brings her there. It is asserted that the inefficiency of our laws is so great as not to admit of the guilty being reached once in a thousand times, and never effectually represses them, as we shall see from the sequel of this investigation.\*

Apart from this traffic, the brothel-keepers are found to be protected by the police authorities, who leave the registered

\* Some years since, a wealthy foreigner offered a brothel-proprietress 10,000 francs (£400) for a young girl. She bought her from a greedy mother, who was to receive half the price of the sale, but the procuress disappeared after delivery of the girl, and receiving payment for her. The mother, disappointed of the part she agreed for, went to a lawyer with her case, but he declined to have anything to do with this unsavoury affair.

girl dependent upon them: they send clothes to the half-naked workwoman and domestic servant on their leaving the hospital or the prison, to get them into their power through debt, and trade on the ignorance and poverty of unfortunate creatures, wretched to the extent of being obliged to hire from them clothing in which to present themselves for sanitary inspection. In the event of subterfuge, the brothel-keeper brings a charge of taking away with intent to defraud, and our law courts place her victims in her power. If we did not know the debasement of the girls of the lower orders, we should, perhaps, be astonished that hunger should give over to these procuresses, women who, getting none of the money for which they are sold, will finish by rotting in the street into which they are thrust like refuse, when they can no longer bring profit. Their destitution and degradation then become extreme. They live in filthy lodgings, or take shelter under doorways and under carriages. Those women whom our troops bring in from all parts are crowded in narrow and dark caverns, take refuge in plaster-kilns, in partially built houses, in cells as narrow as graves, in which they pass the night upon horrible truckle-beds full of filth and vermin, receiving as their only food some ration-bread which the soldiers throw in the mud to them; they have thus come to look upon prison as a retreat, and often to beg in vain the favour of admission to institutions for beggars.\* Does the brothel-keeper who has worked their youth for her profit at least share their disgrace? No! from the moment that she makes choice of the evil—that she makes a gain by it, *she* is no more dishonoured by it than the man who pays the price of it. The unjust assumption of the most respectable titles—the names alone of *lady*, *mistress of the house*, or of *matron*, attest the progress of this woman in general consideration. A burgess in

\* At the July Revolution, the gates of St. Lazare were opened for them, but they declined to go out from it.



the fullest sense of the term, she dowers and marries her daughters honourably, sometimes to legionaries, and to *agents of the police for morals*. Then as a woman of independent means, *retired from business*, she lives in the country, attracts notice there for her wealth, her devoutness, and her prayer book at the parish mass every Sunday. I do not know if such an ending would appear moral in romance, or whether it would not, on the stage, startle, however little, the indulgent conservators who look upon the tolerated house as a necessary evil, without reflecting that if men guilty of the trade in Blacks are punished with death, the trade in Whites ought not to be made an institution protected by the public power.

By the side of this in importance in society is placed that of the *avowed kept women* (*femmes lancées*), who are sought after like a race-horse or dog of high breed—a numerous family which daily reckons new varieties. Here still the original cause of the evil lies in the want of independence for the woman, who, after having been supported by a father or a brother, is reduced, in the absence of such props, to have recourse to a lover. When this fragile reed comes to be broken, she remains at the mercy of the first comer who gives her the means of livelihood. The impossibility of getting a competence and distinction in the liberal professions plunges into this gulf even women like the exhibitioners of St. Denis; in the same way certain young women of the working classes have connected themselves with manufacturers, famous bankers, wealthy public officials, who, living on family property or pension, give up to them the ten, twenty, or thirty thousand francs lopped from our budget; these goddesses in the hey-day of their spring-time are floating on the surface of perdition. The short-lived favours of their prostitutes have stifled their natural qualities; they show themselves very proud of mortgagee lovers, while rejecting mortgager ones; but all despicable as they seem, they are far from being so

much so as their supporters, who, possessing a competency, wealth, social appointments, and honours, sacrifice the most sacred duties to their passion for degrading gratifications. The woman trampled on by these attachments of a day is often she who knows how to cherish and preserve constancy in love, she, in short, who might possibly have become a faithful spouse and tender mother; while the harlot at the zenith of her avocation is she who can stoop to the degree of the corruption of her purchasers.

The luxuriousness, the sensation, the independence, the very borrowed honour which, in the present day, encircles the name of a certain mistress of an exalted personage, the remembrancers which the public compete for at the sale of her effects, are the saddest indications of our decay. Formerly, prostitution, which had no name in respectable language, was confined to particular streets with a stigma of infamy which forbade its breathing the common air; in our time it gives the tinge of hope to its peculiar type admitted into good society; if there still exist accursed abodes where human beings are shut up like lepers, they belong to the hives of the working classes which are tasked to the utmost to create wonders. Who does not recall the economist Blanqui's heart-rending stories of the streets of Lille, those catacombs of people having no property? Who does not remember those of the "*Bassesse*" and of the "*Cloaque*" at Rouen, where families of working-men, deprived of air and space, seemed buried alive in their underground dwellings?

Everywhere, however, in our most luxurious districts, splendid mansions, palaces indeed, are built for high-class and fastidious prostitution, where it is loaded with gems and perfumes, and receives the respectful attentions of tradespeople, ambitious people and hangers-on. Without speaking of the monuments erected to it by art; without pointing to the stairs of marble and porphyry which it walks on in the

temples of its glory, it may be asserted that, in general, our women of doubtful position are lodged in rooms which the respectable woman could not pay for with the fruits of her industry nor of her talent, however exceptional that might be. My personal inquiries have shewn me in Paris a number of kept women, whose rent rises from 800 to 4,000, 5,000, and 10,000 francs yearly.

The moral reaction which took place in 1848 caused the scale on which these women's pay for what they do is based, to be lowered temporarily; but they very quickly regained their professional connection and their accustomed following when the pyramid was resettled on its base. There are houses where the porters even prefer the kept-woman to every other lodger, for her proverbial donations and prodigality, and whose virtues they vie in extolling.\*

The courtesan preserves in society the importance which attaches to her in her private apartments. Photographs of her decorate our streets; her memoirs enrich our literature; her showy personality sets off our public platforms (*trétaux*); she often displays it, moreover, at the theatres and the public baths; she cuts a figure on the fashionable promenades, in the most gorgeous equipages of the higher classes. When she finds herself at her own disposal, instead of beating the air and space, with the illustrious lover who glories in being as infatuated as herself, on returning from the races, the concubine remains in her chariot, where a long row of carriages with their contents are for hire in this novel market for prostitution. Amateurs of all classes pass in review this living corruption; they address these women in a loud tone, with their hats on, their riding whip in hand, and debate the

\* A Parisian tenant was complaining that the house which he thought was well-tenanted should lodge women of doubtful reputation and be the theatre for riotous and scandalous orgies. The porter replied: "These women, who pay for their occupancy as you do, are more generous than yourself; if you are not satisfied with the neighbourhood you can look for a better—in any event, *their money is worth as much as yours.*"

conditions of purchase and sale which are made for them, as for horses, to the highest applicant and richest outbidder.

In the presence of this corruption, which has never had a precedent except on the eve of the downfall of kingdoms and empires, certain short-sighted moralists are exclaiming: "It is the passions of concubines that are dragging us into a bottomless abyss." I could point out that the passions of rich women have not the social consequences of the necessities of poor ones, and that there is a deplorable legislative fault wherever man pays woman to corrupt her, while she must pay the man for trying to reform him by marriage; but I shall say, "Misfortune, a thousand times misfortune upon civilizations which fear the passions because they do not know how to direct them." Suppress this source of devotedness and progress, and there will no longer be either vices or virtues, and the facility, the satiety of profligacy, will hurry society on to an irremediable fall.

## II.—PENITENT GIRLS.

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“The harlots enter into the kingdom of heaven before you.”

—*Gospel according to St. Matthew.*

IF we recall the causes which force women into the sewer of prostitution,—if we remember the humiliations of registered and non-registered girls,—we shall not be at all astonished that common prostitutes often feel all the horror of their lot, and we shall understand the talent of observation presented by certain types rendered familiar by literature.

Apart from romance and the drama, the authors who have, at Paris, studied this subject with such scrupulous accuracy, declare to us in like manner, that a great number of these “unfortunates” are conscious of their degradation, and hasten to quit their infamous means of living when they find normal means of livelihood. Unhappily this recovery is but an exceptional fact; the brothel-keeper, who collects the proceeds of their sale, makes them giddy by intoxication to dissemble from them the horror of their degradation. Their mirthfulness is often but a mere external display, provoked by the impure jokes of those who support them. Among those confined in the St. Lazare, too, are found instincts of shame, united to the sentiments of motherly love. Most of them impose heavy sacrifices upon themselves to bring up their child, the only creature, say they, who will *not at all despise them*.

A few words of sympathy astonish them. A young female foundling, whom want had caused to take to bad ways, was admitted into the “Bon Pasteur” institution: the fulness of her joy made her shed tears abundantly, because it was the first time, she said, that any one had spoken kindly to her.

The horror of this condition has many a time been the cause of mental aberration and suicide.\* The consciousness of their degraded condition has been apparent even in the queens of fashion who have become famous in backstairs society. Théroigne de Méricourt one day recognised, in Paris, the gentleman who had deceived her; she darted so vindictive a look at him that he perceived how dangerous his position was becoming, at a time when the lower orders were exercising such an implacable justice against crimes unpunished till then, and he dared to ask forgiveness of her. "My forgiveness!" she replied, "and with what price could you pay for it? My innocence betrayed, my honour lost, that of my family sullied, my brothers and sisters pursued in their native place by the sarcasms of their neighbours; my father's curse; my exile from my native land; my enrolment in the infamous casté of courtesans; the blood with which I stain and shall stain my hands; my memory execrated among men; that immortality of virtue which you have taught me to doubt—this is what you wish to redeem! Let us see: do you know a price on earth able to pay me for all that?"† Théroigne not believing that the guilty man's blood was too precious or too pure to wipe out her shame, allowed, or caused, him to perish in the September massacres.‡

At periods of religious revival especially, the courtesan has a consciousness of her debasement. Under the influence of gospel enlightenment the most abandoned women were reformed to the length of hastening to martyrdom, in order to wipe out the stains of their life in this baptism of blood. When the age of persecution was past, the church tried to reinstate fallen women; councils granted a dispensation from canonical penance to those who gave up their evil ways, and

\* Brière de Boismont has made out a list of seventeen suicides, in ten years among the girls registered in Paris.

† Lamartine—History of the Girondins.

‡ According to Lairtullier, she stabbed him herself with a dagger.

granted forgiveness of their sins to the men who should marry them.\* Different societies were formed with the design of raising a dower for them. The middle age opened numerous asylums to them: St. Louis had a large refuge built for them, and gave them the name of "Filles-Dieu."—"And caused," says Joinville, "a great number of women to be put in a refuge, who from poverty were made to sin by the luxurious, and gave them 400 livres annually to live upon." This dotation (endowment), enormous for the age, was higher than that of the "Quinze-Vingts," which received only 300 livres.† Louis IX. also helped them with his advice, or founded with his money several similar institutions, as places affiliated to the "Filles-Dieu." "The King," says Joinville further, "caused houses of nuns to be instituted in several places of his kingdom, and gave them incomes to live upon, and recommended that they should be admitted into them who were willing to resolve (*ferre contenance*) to live in chastity."

The Duke of Orleans, afterwards Louis XII., collected in a part of his "hotel" two hundred penitent girls, whom destitution and licentiousness had perverted during war; but France was then so ruined, and existence was so rough for modest women, that several of them became prostitutes with the design of getting admission. The Corporation of Paris also supplied penitent women with money-aids, which are found entered thus in a bill of the 16th century:—"To poor penitent girls, six *livres parisis* for charity and alms, to get bread, of which they stand in great need."

Louis XIV. founded the Madeleine asylum; he granted his patronage to that of the Bon Pasteur, which a widow founded,

\* "He who takes a prostitute for his wife," says Innocent III., "performs an act of piety, for he rescues her from the road to ruin, and obtains forgiveness of his sins."

† The livre was worth about 10½d.

‡ A basis of comparison may be formed by remembering that Joinville, one of the richest noblemen of that age, who went to the crusade with troops equipped at his own charges, had an income of 1,500 livres.

and to Sainte Pélagie, the work of Madame de Miramion. Paris built, in the 18th century, four more establishments of this kind, under the titles of the Saviour, St. Valerius, St. Theodore, and St. Michael. These refuges, so richly endowed by royal or private munificence, had numerous subsidiary institutions in the provinces; the letters-patent of our Kings, even the bulls of the Popes, gave authority for making them permanent.

Other societies reinstated fallen women by affiancing them to Christ.

After the revolution had destroyed these rich and numerous places of refuge, the Consulate re-established the house of St. Michael; the City of Paris and the Ministry for charitable institutions also founded that of the Bon Pasteur in 1821; but the inadequacy of the sums placed at their disposal did not admit of these institutions fulfilling their original purpose. There was the same poverty of resources in all France. This state of things seemed deplorable, whether it be regarded in reference to the wealth of the spoliated refuges, or be compared with the stability and the opulence of those other social institutions that are called toleration-houses, and to the sums absorbed in the interest of profligacy upon the pretext of public health and security. An effect of our moral impoverishment, and of certain economical doctrines which have gone to the extent of making the refuges guilty of the progress of prostitution, may be seen in that. Without doubt, there is immorality in the efforts made to *take away from vice the consequences which nature has attached to it*; but this consideration can only be applied to individuals who choose it voluntarily. In going back to the causes of the downfall of the greater number of women, we can but bless the hand which tries to raise them up, though tardily. Every measure which relates to them is, however, but a powerless palliative of an evil which must be attacked in its causes, by putting down the profligacy of the man.



### III.—LAWS FOR REPRESSION.

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“He was convinced that good could only flow, in a State, through the chanoel of the laws; that the way to make a benefit lasting was by practising the virtue of following them; that the way to make an evil lasting was by practising the vice of hindering their effect; that the duties of princes did not less consist in defending the laws against the passions of others than against their own personal ones.”—*Montesquieu, Arsace et Isménie.*

“The liberty which shows favour to the passions and licentiousness is a fatal license, a fresh yoke, a shameful slavery; and the rule of good morals is the leading principle of the happiness of empires.”—*Massillon.*

If woman too frequently acquiesces in depravity, man makes choice of it; it is against this active agent of corruption, therefore, that societies for the maintenance of the integrity of their original laws should fortify themselves beforehand; we moreover see ancient and purer civilisations ward off decay by prosecuting those who pay for prostitution, and by involving the accomplices of a common sin in a common punishment.

The best ages of Greece and Rome exhibit to us an extreme severity against breaches of good morals. So long as the body of laws framed by Lycurgus remained in force at Sparta, prostitution was unknown there. The laws of Solon followed up immoral men with an inexorable rigour, by requiring a public examination into the morals of those who were looking forward to public appointments; they degraded public officials of every rank discovered in a brothel, and declared the citizen who had been seen there a single time unworthy to serve his country. Independently of the archon commissioned to try these matters, every Athenian had the right and the obligation of prosecuting for the prostitution of a woman or of a child; in certain cases the criminals were put to death. Prostitutes,

banished from society, wore a peculiar uniform. We observe similar regulations existing in the Roman republic, where the censor of morals degraded dissolute functionaries, and branded the citizen with disgrace who made prostitutes of his slaves or freed women-servants. Panders could not make over their property, nor sue in law, nor be sworn, nor retain legal authority over their children. Every harbourer and accomplice of a prostitute was condemned to the same punishment as herself. This wise legislation did not survive the ruin of liberty, and profligacy was the fruit of the system of governing which substituted the informer for the censor.

When the world-wide Roman empire had perished through excess of sensual gratification, Christianity caused the old laws to be resuscitated; and Constantine, Theodosius, and Justinian put them in practice in Gaul; the last-mentioned ruler put panders to death. These measures corresponded in other things, for Gaul, to the mind of the Germans who, after dragging through a horse-pond *men* convicted of prostitution, threw a hurdle on their bodies and sunk them to the bottom of the slough.\* With the same penalties, Charlemagne subsequently punished prostitutes, their accomplices and harbourers, who were all whipped together. Our parliaments condemned those who paid for prostitution to a whipping, to temporary transportation, to the galleys, to fine, to confiscation of their property, and to the iron collar. St. Louis, who had shielded the *destitution* of women against profligacy, had incorrigible girls and *the gentlemen, their accomplices*, publicly flogged *with the same whip*. Philip the Bold, following up his father's work, assigned to prostitution specific districts within which it was to be strictly confined. Charles V. likewise contributed to the moral amelioration of the nation; but, in the following reign, the precarious position of women, the

\* Tacitus: *Manners of the Germans*—XII.

effect of the war, and the excesses of the troops, again plunged France into serious profligacy.

The totality of our old legislation exhibits everywhere a considerable degree of severity against procurers and libertines; the decrees of our parliaments, and the proclamations of the provosts of Paris, often branded the former with disgrace, and condemned them to death; they had them even buried alive when they had cajoled women by flatteries or presents. A bill of the 15th century gives the cost of a dozen *new brooms* used at the execution of some procuresses, who had their ears cropt, were put in the pillory, whipped, and afterwards burnt.

At other times the brothel-keeper was led through the town, mounted on an ass, with her face to the animal's tail; afterwards the executioner branded her with a hot-iron and expelled her from the locality. In the 18th century several examples of this kind of punishment occur, and it was inflicted in Paris as recently as A.D. 1756.

Every one conspired to punish the mother infamous enough to procure her daughter's prostitution; the spectators beat her with rods, and the executioner cut off her nose.

The agents of profligacy were, in like manner, punished if they lent clothes or money to a woman of ill-fame, with the design of encouraging her profligacy; the things supplied could not be legally re-demanded, and if an attempt were made to regain them by force from the woman to whom they had been lent, or to take others in way of compensation, they were prosecuted as thieves.

How far were our ancestors from this modern progress, which gives us, in the case of procuresses of infamy, *ladies of the house* sufficiently respected and sufficiently respectable to find husbands, and legionaries for sons-in-law! Oh, honour! Oh, my country!

These vile creatures, the objects of the just severity of laws,

were marked out for public contempt by infamous designations; we may judge of that by the vehement indignation of old authors against this disgusting traffic, which was formerly looked upon, in France, and with so much reason, as the most horrible of crimes.

“What else do the procurers, if not restore, in their entirety, all the detestable slaveries abolished by law—to effect better than before the sale of men?”

“As for panders and procuresses,” exclaims another writer, “they are quite insufferable as enemies to respectability, betrayers of matronly and maidenly modesty, assassins of holy human society, traitors to the lawful succession of true heirs, firebrands of hell, and faithful interpreters of the filthy mind.”

This severity did not extend to the *victim* of loose morals, to whom the path of re-instatement was ever open.\* If we did not know how much unreasonableness and cruelty there are in a corrupt nation, we might learn it in the fact that France began to treat the common prostitute with severity at the close of the 15th century, when the Hundred Years' War had ruined the country, and when the excesses of the troops and the profligacy of the Court were beginning to extinguish the national morality; then, the birth of a free class developing personal responsibility, called for the means of livelihood for the friendless woman, who was getting them by the sale of her person; for the writers of that age attribute the progress of public corruption to the difficulty which women found in living by respectable means.

The *Journal du Bourgeois de Paris*, 1445, thus expresses itself:—“At that time, when everyone learned how to earn, wages were so bad that respectable women, who had learned how to earn five or six *blancs* a day, were willingly letting themselves out for two, and living on them.”

\* A decree of February 13th, 1424, is made the protector of public girls against the dissolute men who beat them.

This sad picture sufficiently resembles that of the *fifth quarter of the working day*, which disgraces our time. Let it be observed, however, that instead of trying to ameliorate woman's position by work, she was punished for not finding any at all. The edicts of the time overwhelm her by extending indulgence to her purchasers, who, beginning from that period, acquired new prerogatives daily. A writer on morals is, with reason, astonished at the cruelty of the 16th century in this respect. "It is," he says, "truly remarkable, that never were royal and municipal enactments against public women more frequent or severe than during this period of disorder. No pity was shown to public prostitutes at a period when decency and shame seemed banished from morals.\*

This brutality is ever in the direct ratio to social profligacy. When the French people, wallowing at a later period in the unchastity of royalty and nobility, had caused the goddess of love to be enthroned on its altars, it offered, on the revolutionary scaffold, the innocence, beauty, and attractions of women who were slaughtered by hecatombs; then the guillotine gathered its harvest from the young girls of Verdun, as the scythe cuts off a basket of lilies.

Nevertheless, in its moral debasement hitherto, France had made profligacy a privilege and not *a right*. If the nobles had freed themselves from the curb, if the middle class was irritated by it, the lower orders still endured it, and, up to the Revolution, the prison of St. Lazare tried to reform immoral men, over whom the Government reserved a discretionary power. Young people of dissolute morals, under 25, picked up by the police, were confined at La Salpêtrière, and at Bicêtre; severe penalties were also attached to the prostituting of modest girls. In order the better to appreciate our decline since that period, let us recall the enactment of 6th

\* P. Dufour: History of Prostitution—Vol. IV.

November, 1778, which prohibits provoking to debauchery in the public street,\* and enjoins upon tavern and lodging-house proprietors, under the penalty of a fine of 200 to 500 livres, to keep a register of the names of all the persons they admit. The police, who made a strict inspection of these houses, brought into court the tavern and the lodging-house keepers guilty of harbouring women of doubtful character, and, in the event of their transgressing a second time, had their houses closed. When the Revolution abolished the old regulations, and expressed a formal purpose of establishing fresh ones, the lower orders, in their *saturnalia*, again became violators of women—a crime which, after having destroyed the aristocracy, was ruining the middle class. The Convention, alarmed at excesses which were threatening the very foundations of social order, thought to nip the evil in the bud, by enacting the distant deportation of abandoned women; but the instability of its short-lived powers did not admit the application of this measure.

Notwithstanding that, the feverish activity of the nation, its sacrifices during the wars of the Republic and the Empire, greatly restricted, in the beginning of the century, prostitution, which Napoleon I. regarded with horror.† M. M. Pasquier and D'Anglés subsequently made a demand, but vainly, for effectual measures for extirpating this social canker; in presence of its rapid progress, honest magistrates and upright counsellors felt the necessity of having the old enactments put again in force. Tavern-keepers, harbourers of prostitutes were, at the instance of the public ministry, often brought before the Court of Correctional Police, and condemned to a fine, by the application to them of the enactment

\* Art. 1st—Women and girl prostitutes are forbidden to do fancy work (to crochet) on the quays, in the squares, public walks, boulevards, &c.

† One of the noblest and most constant subjects of interest to the Emperor at St. Helena was the discovery of effectual means for guarding against profligacy in towns.

of 6th November, 1778. The Court of Cassation had quashed these verdicts but three times up to the year 1866, when the before-mentioned enactment received its last application from the Correctional Court of the Seine, which expressed the wish to see the laws of former times again put in force in modern legislation. Since that period, our judges, alleging their limited powers, declare that the fact of the tavern-keepers admitting prostitutes is only a breach of police-regulations, satisfied by a fine fixed at five francs, by the application of the article 471, No. 15, of the Penal Code.\* It is useless to say that this fresh moral weakness, by rendering the most cynical impunity in these immoralities certain, permits young men freely to indulge in illicit intercourse. Our Code referring all the means for repression to the *police*, it remains to be seen how this discretionary power acts with respect to the pander who procures the debauchery, to the man who pays for it, and to the woman who is the subject of it.

The brothel-keeper, as we know, acquires a right, even a monopoly, by becoming the mistress of a licensed brothel; her privileges are sacred to the degree that no one may meddle with them as regards that matter. I have no longer to touch upon the respect we owe to the *ladies of the house*, and I pass over that infamy. As for the individual sufficiently degraded to seek for the gratification of his brutal appetite in debauchery, he is under the very special protection of the public power, which keeps watch, night and day, to sanction his rights. The police by the Vagrants' Act, it is true, strike down in the lower classes a few debauchees among respectable people, but for every man who has a home there is no curb; the "magistrate for morals" goes so far even as to object to the tears and supplications of a mother who implores him to take pity on the soul of her son, losing his health, money, and honour in brothels.

\* Law of November 19th, 1866.

Far from keeping the young man at a distance from the sin by a three-fold fear, our society even tries to take that fear away from him by using the utmost solicitude to set him free from every duty in contriving, if possible, to rid him of those selfish subjects of prior interest for him, which might have proved his safe-guard upon the brink of ruin. The sanitary visits and the imprisonment of women guilty of not having kept the debauchee unharmed, cost nearly half a million in Paris. Let an approximate calculation be made for our other towns, and it will be apparent how valuable a citizen, in the interests of public order, is the frequenter of permitted brothels. His cynicism will have victims, above all among those women who have no material independence, and no moral development. We know the fate of the common prostitutes who, formerly kept down by laws applied equally to their accomplices, are now accounted for nothing in the eye of the law, for the profit of these same accomplices.\* The girl of the town is no longer a person, she is a *thing* in the eye of a species of roving commission, which gives its stamp of security to the bargain; prostitution is no longer an unspeakable infamy, it is a social want, as necessary as, more imperious even, than nutriment in the opinion of the legislator, since he does not permit a theft which might even be the sole means of appeasing a devouring hunger, whilst he is destroying human dignity and social justice in the interest of debauchery. The lower class girl becomes as the sweepings of the streets, will be imprisoned therefore, not for her immoral way of getting a living, but for not complying with the law after the markets are closed, or for want of customers; because, from the moment she accepts an offer, she escapes from the control of

\* For the tendency of similar legislation in England, see *Saturday Review*, January 8th, 1870:—"The law accepts the fact of a contagious disease which happens to exist in a human subject only as the law accepts the fact of a bad drain or an unhealthy factory, and deals with it accordingly. In neither case is either the woman or the nuisance treated as a moral agent, but as a physical fact."—[EDITOR.]



the police. Our unsavoury raids upon the haunts of debauchery are termed service of morals ; they are usually made by old soldiers—models, doubtlessly of chastity—in a military spirit, who have the right to treat, without ceremony, every woman *guilty of walking about*, and who will be looked upon as prostituted if she has no relatives to claim her. An absolute judge gives his sentence, without any appeal, for condemning this one to be registered, that to be imprisoned ; if, week by week, they do not present themselves for detestable investigations, they will be imprisoned as persons guilty of *intended* prostitution. Twelve verdicts of guilty of this kind are, on an average, pronounced daily at Paris, to the gain of profligacy. In our seaports, the police, established for the security of evil, intrude even upon domestic privacy to oblige female servants to be enrolled.

The intense nausea this system has lately caused France may make apparent to what kind of despotism it gives up self-dependent women. Moreover, if a head official is continued in power after the mistakes which are the necessary consequence of his orders, it is a crying injustice ; if he is deprived, it is as great an injustice, since this victim is sacrificed for having done what he considered his duty. Our machinery for morals will remain for ever an evidence of the degree of barbarity which depraved communities may attain to ; let us not expect anything more humane from them, and if we have forgotten the history of prostitution in ancient France, let us recall that when slavery had developed in the Roman Empire those excesses which are consistent with the right of citizenship among ourselves, Tiberius was compelled to put down the incontinence of women, and Domitian issued sumptuary edicts against women of loose morals. *The protection accorded to the immoralities of the man is the cause of the incessant persecution of the girl of the town ; she alone is followed up in furnished rooms*

and hotels, which are likewise the refuge of the work-woman, the female-servant, and the art-worker without employment, who, when there, find themselves the subjects of the harsh misconstructions of the police, who are invested with the right of intruding upon, and of arresting them at any minute. Immorality has, from this motive, gone to the length of driving women from our boarding-houses who were trying to get a respectable living. In 1845, the Prefect of the Seine, acting on the express order of the Minister of Public Instruction, issued a regulation prohibiting mistresses of boarding-houses and *secular* institutions from receiving women-lodgers as boarders, and ordered them, under the penalty of a prompt closing of their establishments, to turn out of doors, without delay or exception, those then residing with them. As a consequence of this severe measure, the modest woman, often not knowing where to rest her head, sees herself obliged to submit to the discretionary discipline of public girls. The convents, it is true, not being included in the regulation cited above, admit women very far advanced in pregnancy, who are presented to them by an ecclesiastic.

The young woman endowed with youth and beauty cannot show her face alone in our streets without being exposed to insulting looks and words; if she accept a situation behind a counter, in a spirit dealer's establishment, she will, by the laws of 1861, fall under the action of the police, as *guilty of corrupting young people*.

To finish on the subject of this despotic law, it must be added, that a large number of places of public resort, of promenades, cannot be frequented by unaccompanied women, and that a quite recent regulation forbids every *unaccompanied woman* to enter any of our cafés on the boulevards. Formerly, public places of resort were forbidden to prostitution; at present, having obtained the wall-side there, it drives respectable people away from them.

The anxiety of the Administration for the debauchee might, however, leave him some monetary miscalculations; but legislative enactment and legal exposition are on the watch, in their turn, like anxious mothers, that mistresses should not be too expensive. Every day our courts of law sanction the rights of prostitution by annulling his presents and debts, and issuing orders like this: "*It exists as a principle in jurisprudence, that the individual who has excited to debauchery to gratify his own passions is by no means looked upon as guilty by our legislation.\**"

This solemn charter is confirmed in all the specific applications. Formerly our law-courts, refusing their countenance to men whom they looked upon, and with justice, as the greatest disturbers of social order, refused to entertain any of their suits whatever, upon the ground of this old maxim of law: "*Nemo auditur turpitudinem suam allegans.*"† Practically, those who support courtesans never appear before the judges except as complainants to claim protection, if these women owe or get money from them unfairly, or continue to use the name which they themselves had inscribed upon their crests. °

Let us judge of the complicity of the courts of law by some facts recorded in our judicial annals, which constantly corroborate the same principles in similar occurrences. A clerk, convicted of having stolen 45,000 francs, which he had sent to his mistress, was sentenced to two years' imprisonment, while the woman had to undergo five years of the same kind of punishment.‡

Justice sometimes goes so far as to punish the woman for the theft committed by him who keeps her. A young man of 20, after having freely prostituted himself with a courtesan,

\* Correctional Court of Niort, *re* Plassiart—Sitting of Dec. 7, 1861.

† No one is permitted to come into court who must avow his own shame.

‡ Assize Court of the Seine—Sitting of May 12, 1868.

robbed his mother. The judge, by an inquisitorial examination, tried to make the thief acknowledge complicity on the part of the woman he was cohabiting with. He affirmed, on the contrary, that he left her in the belief that the money expended with her was part of the salary attached to his appointment. The court, however, let this precocious debauchee off, and sentenced the courtesan to 8 months' imprisonment.\*

The young man who has not attained his majority thus meets with a special protection in corrupting himself; for, while our law courts, upon the pretence that it is swindling, annul the pecuniary engagements made with courtesans by men of all ages, they keep the young man under 21 especially safe. When robbery occurs, the fact of prostitution brings the two principles of family and property face to face, but the former is, in this matter, always sacrificed to the latter.

Military men, even officers, bring before the law courts the robbery of their epaulettes, which has been effected in a brothel; and, without any blame, without any penalty against these family destroyers, the Government or Magistrate, after imprisoning the woman inculpated, replaces the symbol of official honour on the shoulders of her accomplice in profligacy.

Has not the student, too, the privilege of declaring to our judges that he claims the repayment of 30, 40 francs, &c., pilfered by women with whom *he was cohabiting*; not only does the court not pronounce him guilty, it by no means seeks to know if this youth, the hope of his country, has been the cause of a wrong, irreparable, perchance, to society, by allying himself with abandoned women and outlawed youths, whom his irresponsibility in wickedness has urged on to commit larceny. It neither condemns this rebel against society

\* Law of October 25, 1864.

to a fine nor to disgrace as a citizen, and, by imprisoning the woman, it proclaims the man's right to be dissolute.

A well-known courtesan who lived in a splendid town-house in one of our wealthiest districts, was there receiving, every year, from her admirers, an income of about 100,000 francs. Carriages, liveries well known in the official world, were shamelessly standing at her door. In those orgies, which are only to be compared to the Babylonian nights, she boasted of having *the particular charge of training young people*. The police, forcing an entrance into her house, accused her of illegal gambling. It is unnecessary to say that the court did not sentence—did not even name, any of her high-placed accomplices; certain organs of the periodical press gave an account of this affair, and spoke of the courtesan under the appellation of *amiable hostess, well-known in the fashionable world of Paris for the choice suppers she gave*. Our jurisprudence is still the zealous protectress of these men who manifest an equal shamelessness in tricking out the courtesan with their heraldic name, and taking it from her when they are in search of the marriage-portion necessary to restore their fortune impaired by profligacy. With an unfeeling barbarity they then set to work to drag their discarded mistress before the courts of law, to take her ducal coronet from her, to efface the coats-of-arms they had themselves engraven upon her carriage, and, at length, to have her sentenced for usurping the titles of the aristocracy.

The seducer unpunished, (what do I say,) protected, encouraged! is not even prosecuted for the purchase of girls under age; for our code only recognises guilt where this traffic is made a *regular calling*. As to the seller bungling enough to fulfil all the required conditions, he renders himself liable to an imprisonment of from one month to five years, and to a fine of from 50 to 500 francs; but the full extent of the punishment being never imposed, the risk is small, the

advantage certain from the time that the sale of a young girl can fetch from 1,500 to 10,000 francs. No search for, no mention even is made in any case of these monsters with a human face, who have a constant right to the produce of this horrible traffic; no indemnification is granted to the wretched parents from whom the victims have been carried off by stratagem. I have already cited the solemn right which the spirit of our laws acknowledges for those who procure debauchery on their own account. Different decrees declare that Article 334 of the Penal Code, relating to the exciting to debauchery, is not applicable to this kind of crimes. Even when there has been systematic persuasion, cleverly exercised by a man of ripe years upon a girl under age hurried away from a respectable way of life, our courts acknowledge that they have no means of bringing the guilty person to justice.

To the privileges I have just enumerated, prostitution on the part of the man adds that of honour intact. Every time a punishment loses anything in its degree of publicity, or is no longer available for an act that is blameable and hurtful to society, the cry of public opinion is stifled; its isolated manifestations remain powerless, especially when they are looked upon as a crime. Then indignation, no longer finding a free course, a tacit acquiescence, which may be thought a voluntary one, gives daily, new force to the reign of vice, and a great confusion of principle exists between good and evil. It must be confessed, with sorrow, never did civilization in this matter protect evil with more effrontery than ours does. Respect for the man of dissolute morals is, among ourselves, imposed by a system of vicious laws which furnish him with an impenetrable breast-plate; he is able to brave, and he does brave, honour and duty, beneath the shield of the interdiction of investigation to discover the father of illegitimate children, and by the law which refuses to admit proof in cases of libel, and forbids the making known any act of private life. If he

is in the service of the State or of his country, his irresponsibility will be still greater; his freedom from annoyance will follow him even in death, for society has further provided that his vices may sleep in the grave with him. Sullied by baseness, he will even receive distinctions that will enrol him in the list of those chosen for official rewards. Do not let us be any longer surprised, then, at the discredit into which these rewards are falling; for, if the cross of honour is given to a man who has deserved well of his country, it will lose its value if a man who has done nothing remarkable obtains it also; it will fall into contempt if a despicable man can get it. Hence result the indifference and disdain which, in depraved societies, certain men profess for official honours, whose symbols which might serve as a safeguard against infamy, they sometimes refuse to wear.

The study of our present subject has shown us a thorough absence of discretionary measures and of penal laws against prostitution in men—a fact unheard of, I think, in the history of civilizations *based on the principle of the family*.

Is this culpable toleration the effect of a general relaxation of morals? Is it possible to reform our laws? This is what every serious mind must ask itself in view of such a rapid downward course.

This consideration is so much the more important that, in its economical aspect, it is connected with the European balance of power. The relative strength of the powers especially consists, it will not be denied, in the manner, more or less effectual, which they adopt in order to maintain, together with the dignity of the man and the woman, the vigour of the child and the honour of the family. We see, in fact, that those nations only which sanction the principle of moral responsibility, have been able to preserve themselves from the decay which prostitution brings in its train. England,\* Sweden,

\* The authoress, when she wrote these pages, had not heard the fact that the *Contagious Diseases Acts* had become law in England.—[EDITOR.]

Switzerland, Prussia, Saxony, the United States, &c., permit, as France in former times did, the private initiative in the closing of the places for debauchery; they refuse to allow the accomplices of prostitutes to bring any action for debt, and impose penalties for the immoralities which we both condone and surround with outward signs of splendour.\* On the contrary, we see the greatest slavery—that of the passions—among peoples which, having the likeness of liberty, are governed according to the French code. Thus Belgium, suffering from the like social wounds with ourselves, gives the title *conversational drawing-room* (salons de conversation), to places where young girls are to be bought, and where important personages go to be supplied.

Without pausing here upon all the economic consequences of debauchery, I shall draw attention to the fact that it enervates, enfeebles, and diminishes population, accumulating and scattering, besides, riches got without labour; and devoting to orgies food obtained by pinching the poor, it creates a pauperised community in the midst of one of sybarites.†

The European nation which shall most imperfectly put down this vice will therefore be the weakest, the most unstable, and, consequently, the ripest for downfall. Experience teaches that this truth applies alike to ancient and modern civilizations.

\* In the United States the Constitution thus establishes the principle of responsibility:—"The president, vice-president, and all civil functionaries, shall be liable to be turned out of their places if, after being accused, they are convicted of treason, the waste of public money, or other offences, and of *libertinism*." In the same way, every elector, before voting, must give proof of his morality. The Prussian laws sentence the pander who allures women, even those above age, by artifice, to ten years' hard labour, and have him flogged when he is sent to, and when discharged from, prison. They deprive fathers, mothers, masters, patrons, tutors, &c., of their rights, if they abuse, merely by licentious words, those placed in their care. Russia whips debauchees with the knout. Spain has partly kept up her old laws, which were severe only on the purveyors of profligacy and the frequenters of places of infamy, by declaring that "*The shame proceeds from him who pays for debauchery, and not from her who sells it and receives its price.*" Public prostitutes there, who engage maid-servants under 40, are sentenced to one year's transportation, and a fine of 2000 maravedi, &c.

† In one of our towns of 100,000 inhabitants, the brothels receive about 1,200,000 francs yearly.



Moral responsibility, interpreted in Egypt, by the duty which the lawgiver imposed upon fathers and mothers of providing for their illegitimate children, and by their custom of passing judgment on the dead, had fashioned that granite people which will continue to be the wonder and admiration of all ages. So long as Greece and Rome preserved this Egyptian policy, whose light had been introduced among them by severe lawgivers, they were in a position to defy, in like manner, all external enemies; but, from the time that the absolutism of profligacy *towards their slaves* had hurried them along the downward path to ruin, they refused to submit to those wise laws, which had constituted their strength, and ensured a hopeful future. What vigour, what energy, did this unceasing control bestow upon the administrator! Despite the depravity which found its way into Greece, in the age of Pericles, still what a noble spectacle there is in the struggles of Æschines and of Demosthenes—in that immortal discourse upon the crown in which we perceive the heart of a free people throb in the reciprocal responsibility of the public man and his accusers!

It is, on the other hand, sad to consider the work of absolutism, not so much in the pyramids formed out of human carcasses by the Genghis Khans and the Tamerlanes, as in the civilized systems, polished like the Roman Empire, that of the Low Countries and of France, in which are observed the highest development of material and intellectual progress side by side with moral decline.

Certes, reformers, moralists and satirists, were not wanting in the Roman empire. Honest men, saddened and indignant at the depravity of their age, tried to stem the muddy torrent which was hurrying it in the direction of degrading gratifications. What noble efforts we see, whether among the Catos, the Tacituses, and the Juvenals; or among the Origenes, the Tertullians, and the Justins! What moral energy among

the Stoics, who took for their maxim *endurance* and *self-denial!* What grandeur of soul among those obscure Christians, whose performance of the moral obligations which are based upon respect for the dignity of humanity, caused spiritual development to be carried to such a high degree! Did not this reformation, seated upon the throne itself, produce the admirable epoch of the Antonines!\*

Individual virtues were unable, notwithstanding, to save the empire, ruined as it was from the day when the rule of morals no longer found a place in either *law* or *authority*; from the moment when there were no longer either tribunes to denounce abuses, or censors to repress them. Yes, the Roman empire received its death-warrant at the inconsistent epoch in which Cæsar erected his vices into laws; in which Augustus destroyed, by his example, the morality he preached by his precepts; in which that *censor of morals*, who issued severe edicts against an unmarried seducer, who caused the consecrated fire to be maintained by the virgins on the altar of Vesta, being personally affected by the contagion of the period, secretly introduced the courtesan at home, by paying public and hypocritical honours to Livia. It is all over with that power which shall have for its moral law nothing more than the individual temperament of those who wield it, and Juvenal shall very soon utter his prophetic warning:—

“*Sæviior armis*

“*Luxuria incubuit, victumque ulciscitur orbem.*”†

Rome shall drink the poisoned cup by copious draughts; when the queen of the world shall have emptied the fatal

\* Marcus Aurelius, who understood all the importance of moral perfection, thanks the gods for having had a youth of chastity. How few sovereigns can say with him: “Men want a head as flocks do a leader. This head is not above the laws, his life separated from the body of society would be a factious one. . . . A sovereign cannot do his duty if he does not find advisers to point it out to him,” &c.

† Luxuriousness, more ruthless than war, overmastered us, and avenges the world (we have) conquered.

beverage, God shall make a sign to the barbarians, and the Northern hordes shall arise. A thousand times unhappy should we be, similarly, if, by scandalous privileges, we continued to attract the dregs of the entire world which will sacrifice France's future by corrupting her youth and her women. Before pointing out the remedies which the evil calls for, let us, however, see to what degree of horror its too great freedoms have brought the prostitution of the man.

IV.—MALE PROSTITUTION, AND PARTICULARLY THAT OF  
THE STUDENT, THE OFFICIAL, AND THE SOLDIER.

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“ May the unworthy man perish who makes a market of the heart,  
“ and renders love mercenary ! He it is who covers the earth  
“ with the crimes that debauchery causes to be committed in it.  
“ How should she not be always for sale who has allowed herself  
“ to be bought once ? And, in the ignominy into which she soon  
“ falls, who is the author of her wretchedness—the brute who  
“ ill-treats her in a place of bad repute, or the seducer who drags  
“ her there, by being the first to put a price on her favours.”—  
*J. J. Rousseau.*

“ By refusing virtue the right of being the matter of primary  
“ importance, you have granted to vice the right of being  
“ so.”—*M. Alex. Dumas, fils.*

“ There are bad examples worse than crimes ; and more States have  
“ perished from violated morals than from infringed laws.”—  
*Montesquieu.*

The legislative impunity, the administrative and judicial protection granted to the excesses of the man, must take away from them the stigma of infamy, and, by making them universal, cause them to be lost sight of even to the very odiousness of their name. Every vice which forms part of a nation's life is disguised under an honourable term. Thus prostitution is called *gallantry*, and to live in those bonds which degrade woman, suppress the child before or after its birth, and hurry society to ruin, is to *divert one's self, to be a man of pleasure, an agreeable companion, a captivating knight, &c.* The facility with which young men can procure instruments of vice, wherever they go, the guardian-hand of the administration which goes with them for protection into the very haunts of profligacy have caused them to lose their moral sense to such a degree that their passions, nursed by habitual gratification, no longer acknowledge any check. Who has not heard those Societies spoken of which give their candidates

formal banquets, to which every member, married or not, repairs, accompanied by one of his mistresses? Our towns are honoured by a crowd of illustrious "gaudins," who call themselves *followers-up of workwomen*; of celebrated foreigners, earls and viscounts, &c.; hunting-dogs more or less clever at following up the track of hunger and destitution. Upon our boulevards, in our coffee-houses, at races, clubs, theatres, they riot and box for these women, whose champions they glory in being. Fathers, eldest sons, generals, literary men, bankers, &c., even dare to set themselves up as supporters of registered girls. They sign, without any shame, the letters they address to them, and have the assurance to go to the office of the commissioner of police to give themselves out as their lovers, and there to claim them.

Elsewhere such and such a man acknowledges that he is looking for a fortune by marriage to repair the inroads made on his heritage, by more than a *hundred* women he has kept. Young masters of establishments, where many workpeople are employed, are seen, moreover, reserving to themselves the right of choosing their mistresses in the workroom, and exacting that the mother of the work-girl, who is the sport of their whims, should keep a constant watch over her, and give her up to them herself. Certain fashionable foreigners look out in the "Petites Affiches" the addresses of women out of work, whom they engage under the title of servants, governesses, needlewomen, &c., and afterwards hand over to the public streets those who, having neither means of their own, nor savings, have been put in their power by hunger.\*

\* A young debauchee used to get women into a house for base purposes. After debauching his victims he deserted them in the darkness of night in the middle of winter, among the intricacies of a house unknown to them. When, half dead from cold, they dragged themselves in the morning to the doorstep to complain of this barbarity, the young man, questioned by the porter, feigned surprise. At other times, he made sport, impudently, of recriminations he knew to be unable to reach him, and commonly boasted of the privileges of irresponsibility which convert marriage into a profession of trickery. This guardian of our social morality was decorated, in 1848, for having, in the June days, fought in defence of public tranquillity.

In all classes we meet these men, whose polygamy, simultaneous or successive, has no other limits than the caprices of unbridled passion. This process of making licentiousness common, imparts to it, in the present day, an instability unknown even to the corruption of the 18th century, in which the courtesan was, so far as the aristocracy and the rich among the middle classes were concerned, a woman of inferior rank, with an assured *status*, like that of the legitimate wife; in practice, our dissipated men, rich and poor, allow their *mistresses of a day* to pass through every successive step in degradation. Such and such a youth writes down among the records of his life, the possession of a girl whom he was able to pay for three months or three days when he left college. Thus the debauchee, not rich enough to keep a mistress, obtains unlawful gratification on a species of five-per-cent. principle; it is the fact of the existence of these morals that gave occasion to the writing of this:—

“Impuissants a porter un vice tout entier  
 “Ils sont amants, joueurs, libertins par quartier.”\*

But, in order to appreciate better an evil which is sapping society in its very foundations, let us especially consider those who symbolize truth, justice, law and national defence; that is to say, the student, the public official, and the soldier—the soldier who, previously enlisted to defend his country, seems to be no longer kept in pay but in order to corrupt her.

The young man's course of depravity begins at college; the pestiferous atmosphere in which we are living causes bad books to find their way into our schools, where children are often detected reading the memoirs of our dancing and singing celebrities, to get acquainted with the details of their lives and that of their illustrious lovers; the greater part of them

\* The purport of this couplet may be thus freely rendered:—

“Denied of one fat vice to take their fill,  
 Morsels of several serve them for a meal.”

conceive the hope of following their elders in backstairs society, and their young imagination places its beau-ideal in the wealth acquired by corruption and for corruption.

The sayings of young men have been collected, of whom one claimed that the unlimited use of the horse, the cigar, and the mistress, should follow upon a course of philosophy; whilst another affirmed that it might be substituted for it with advantage. In fact, we have rhetoricians who fight duels on account of harlots. It is this type of libertine which affects a supreme contempt for modest women, rejects the advice of his elder sisters, the wise counsel of his mother, and would fear to be ridiculed among his fellow-students for his respectful conduct towards her. The manners of some of them are such that they glory in smoking in a carriage, in the presence of women, who seem to them too timid to remind them of the bye-laws.

Religion and the family oppose but a feeble obstacle to the profligacy of youths during the period of secondary instruction; but in that of the higher grade, the young man shaking off this uncomfortable check, inaugurates his life as a citizen by procuring a degraded mistress, who initiates him into every sort of wickedness.\*

The student away from home often lives in those social circles which are the most corrupting. It is incredible to what extent the guests at these social gatherings dread the company of respectable people. They give themselves out as '*bored*' if they have to make their appearance at a *family* dinner, try to escape from a ball in good society, shun a drawing-room where they must observe some proprieties of behaviour, and curse every atmosphere which keeps them away

\* The protection of the student is insufficient, even in the special schools which have pupil-boarders. They are, it is true, supposed to have guardians, but, in reality, left to themselves twice a week, and on some days, as extra holidays, when they come back, they proceed to get a certificate of good behaviour signed by a guardian, who, busied with his own affairs, cannot have known how they spend their time.

from their cigar, their beer, the racket of the billiard-table, the public-house and the orgie where their nights are spent. Far from being ashamed of this kind of life, they have, as we can testify, the impudence to appear in our law-courts as complainants, if the women with whom they are cohabiting rob them of a few francs. Students of law, medicine, &c., often picked up drunk in the streets, at two and three o'clock in the morning, are brought up for creating a disturbance at night. "You have," the judge tells them, "ill-used women with whom you are cohabiting; but the fact of notorious profligacy is not an object of legal repression or even of censure." A law student twice attempted to stab with a poinard one of his rivals who was seated at a table of the *Eldorado café*. The prosecution proved that this assassin had for four years been living with prostitutes in the most unrestrained debauchery.\* By an odd coincidence, the newspapers were giving a report of this degradation of a young man entrusted to our society, by an honourable family, for the sake of his education, viz., for the elevation of his mind and heart, on the very day that the Senate, after having approved of the irresponsibility of public officials, was adding a peroration to an address, to celebrate the principles of *loyalty and morality* in which we are bringing up the young. Let us look a little more closely at the language of facts, and we shall understand the unhappiness of parents compelled to have their sons brought up amidst circumstances in which the principles of *loyalty and morality* may be trampled under foot with a cynicism of this character. "There is no longer such a thing as youth," some one exclaims with sadness, in taking notice of morals of this description. There is no longer a fatherland, one might rejoin. Are the domestic virtues, then, no longer the school for civil ones? If any guardianship, or disciplinary regimen, is exercised over students, apart

\* Assize Court of the Seine, sitting of February 4, 1866.



from acts which do not fall within the penal law, is it logical to make them out to be so rigorous in discourses read to foreigners while shutting our eyes to the crimes I am enumerating? Should not tutors that have charge of the heart, from the time they stand in place of the absent family, take care of and be anxious about the morality and higher nature of these youths, who are the advance-guard of the future, and have been confided by France to their care? And yet this corruption, all odious though it be, is not to be placed by the side of the fierce selfishness of those students who, with a calculating heartlessness, seduce workwomen, artless girls who become attached to them. In order to show the connection between seduction and prostitution, I instance the following among those which abound on this melancholy subject:—

A rich foreign student, whose parents used to send him 600 to 700 francs monthly for his personal expenses, became acquainted with a young shopwoman living away from home in Paris. After keeping her for some time, he deserted her when she had told him she expected to become a mother. This woman in the most frightful poverty, reduced to bring forth her child in the street, was conveyed to the hospital. Despite the student's unfeeling conduct to herself, she was hoping he would provide for the daughter she had given birth to; but he proceeded to take away from her her last hope, and informed her, when sending her 30 francs, that if she had the audacity to annoy him, French police and French law would very soon set all that to rights. Stunned by this last blow, the young girl never again arose from her bed of sorrow. Let us say, for the honour of human nature, that there was a general feeling of indignation among those who knew about this odious action; they did not know how to brand this selfish debauchee who imagined he could, with 30 francs, atone for the murder of a woman and the sacrifice of a

child. I, however, consider he was generous, this student. The laws of his own country, sentencing him to allow the deserted child and agonised mother a means of support in proportion to his fortune, might, it is true, have imposed upon him a sufficient fine ; but, as he was living under the personal advantage of a code of laws he had been wise enough to call in to his aid, as a protection for his profligacy, and as he was the sole judge of the reparation, he gave 30 francs too much. Perhaps he denied himself an orgie ; he showed himself superior to a code which, to preserve the prerogatives of debauchery inviolable, does not condescend to grant the consideration to the human soul which it bestows upon broken glass. The French legislator has said to us, in effect: "*I forbid* you to interfere with this man ; he is my chosen one, my anointed, the apple of my eye ; I pronounce him inviolable. Let him cause ruin, let him make victims, I applaud ; it is his right, it is my principle of the education of youth."\*

These poor girls are also seen to commit suicide from despair. One of them threw herself out of her window on hearing of the marriage of a law-student who had just deserted her. Another was seized with asphyxia in the room of the medical student who was leaving her. Have we not reason to shudder, then, in reflecting that these assassins, seated one day on the bench, will be the interpreters of the fundamental law which regulates the relations of the sexes ?

In directing special attention to such monsters, let us consider youth away from home, entering life with the most generous aspirations—with the healthiest impulses with respect to individual rights and social obligations. Well, these students, not being more than about 25 to 30 years old —not having the social position which will admit of their mar-

\* When we reflect that foreign youths learn such manners in France, we are no longer surprised that the profligate, and, too often, the governing portion of Europe, should consider the investigation to discover the father of disowned children inconvenient.

rying—meet with numerous obstacles in the path of honour. In their minority for lawful wedlock or for reparation, they are in their majority for error and crime. Their conscience speaks in vain; society, fashion, speak louder still, and stifle this voice. Minority, the issue at the termination of their student career, the demands of their future profession, are insuperable obstacles. Custom and prejudice superadding their barriers, give the names of heedlessness, and senseless marriage, to the fulfilment of a duty from the non-fulfilment of which an honest man would recoil. In proportion as the student lives in this deadly atmosphere, the depravity of his heart vitiating his judgment, impels him, without remorse, to sacrifice mothers and children as a holocaust to profligacy. The lower-class girl is no longer anything but the sport of his passions. It is all over with him. He proceeds from seduction to prostitution; provides himself with victims without name, by the intervention of the agents of human merchandise, the hucksters of shame; and France has lost a man. This is the history of numbers of young men fixed in our towns for years, between their duty, the abstract idea of good, and the social current of example, and the allurements of the senses. They had promised marriage to a woman they had seduced; their promise was a sincere one; they even attempted to get rid of the material obstacles which were opposing either their lawful union or the legitimation of their children. But as their promise did not receive the sanction of the law, they made themselves familiar with perjury. Time, absence, satiety made them forget their former engagements. They then, no longer as novices, but with deliberate design, made false oaths to other women, and constancy foresworn in regard to one will be so in reference to a thousand.

A celebrated novel has made the names of *Tholomyés* and of *Marius* familiar to many. The former personifies the

student with base passions, the hero of the day, whose morals I have sketched—who becomes an important personage, a member of parliament, all the while he is continuing to be, without control, the cause of ruin to women and children. The second pictures the young student, true to a first love, which keeps alive in him noble and elevated feelings, and confers happiness on him through marriage. Men affecting to be serious, have, in this matter, accused the author of exaggeration and falsehood. It may, nevertheless, be asserted that our higher course of instruction reckons, among those who are its objects, many more of the *Tholomyés* than the *Marius* type, and that it is even organised in a way to nourish these profligate men. Who does not know that on the appearance of the *Misérables* our *Tholomyés* of the *quartier latin* were making sport of their mistresses by styling them *Fautine*?

If we wish to leave the domain of fiction, let a careful inquiry be made into the number of young men away from home in our towns without becoming depraved in them; let this investigation be made among the fifteen and twenty thousand students living in Paris, far from their families, and let us be informed how many *Tholomyés* seduce *Fautines*, and how many *Mariuses* marry, or can marry, their sweethearts. For myself, I am endeavouring to base my assertions upon conscientious investigation: I have questioned many families having relations with students who are recommended to them from the provincial towns. All have assured me, sadly, that they have not been able to save *one* of them from vice. A respectable woman, among others, after keeping in view twenty young men, had seen some who had remained one year, others two or three years, without contracting vicious habits; but all of them, before their departure from Paris, had finished by, more or less, losing their innocence in the fumes of excess, and were giving themselves up to those debasing

pleasures, which, by corrupting the individual, destroy all social-ties. It is young men like these who, baptised in luxuriousness, make, as it were, a distinctive livery of it; for the rest, it is not a question of knowing if good or evil is the exception here, but of demonstrating all the odiousness there is in the impunity of a possible vice while the student is being initiated into the duties of the citizen.

In the face of the actual state of things, let us no longer ask why our system of advanced training produces so few superior men, and let us deplore the mistake of the instructors of youth, who do not pay sufficient attention to moral culture—to the elevation and dignity of the feelings of man—to the enquiry whether the youth entrusted to their care has not been guilty of any of these stolen-marches upon justice which confuse the harmonious relations indispensable to the maintenance of all social order. For ourselves, conscious of the worth of a human soul, we weep over the unhappiness of France, which, year by year, is losing its vigour. I shall have to speak of the antagonism in society which results from male irresponsibility. Let us follow, for a moment, those young men prepared for filling the part of public officials by acts of violence against the institution of the family, and which would deprive them of the rights of citizenship in a state of society sufficiently logical to regulate its morals by its principles.

It is among these that we meet with those selfish and avaricious men who, having a host of ruinous wants, contract mercenary marriages. It is in their ranks that we include those intending husbands, dragged into marriage by their families, and by certain conveniences of position, which impose it upon them as a means of purgation; they have had pointed out to them a young lady disposed to place in their power a large fortune, attractions of person and heart by relatives who must decide about them. The marriage is, neverthe-

less, arranged without their being consulted; everything around them is going forward for the nuptials; nothing is wanting but their affection. Eventually the marriage takes place; they make as few and short calls as possible; in the midst of the heartiness of their family connexions, they alone remain abstracted, bored, awkward and unpolite, absorbed as they are in regrets for the seduction of the lower-class girl for which they had not to answer, and for the courtesan's drawing-room. Restrained for a very short time by the life of the domestic circle, they are ill at ease while kept at a distance from their ideal, all the while looking forward to be released on the very first opportunity.\*

To get at the origin of these immoralities, so widely spread in the present day, we must put royalty itself upon the culprit's stool, and exhibit it on the scaffold where it expiated the guilty inconsistency which made it defy those moral laws, the observance of which was its most sacred title to the veneration of subjects. When the dynasty of the Mérovingians was implanted in our soil, a conquest to Rome, civilization, and Christianity, the Gallican bishops, it is true, made the haughty Sicambrians bow their heads to regenerate them in the water of baptism. But these men of the sword and blood did not leave all their pollutions there, because their moral sense was not sufficiently developed to understand the purity of practice, the holiness of the Christian teaching. The Church tolerated in these barbarous kings and their enervated sons, the Roman system of concubinage which, be it observed, by determining the lot of the woman and the child, guarded against the crimes resulting from irresponsible profligacy.

Nevertheless, absolute power would have brought its custo-

\* One of our well-known courtesans, in her memoirs, brings to mind one of her former supporters, who was then a public official in a provincial town, and who is sending her stolen expressions of regret, and looking upon his appointment as a post of insupportable banishment, far from the social circle in which he lived with her.

mary abuses in its train if, in the Church, it had not found a moderator invested with the noble mission of giving a sanction to justice by making the principle of marriage triumph for the protection of the weak against the brutal caprices of the strong; history ought to bless those pontifical fulminations which hovered constantly over the head of royal culprits from the moment they had taken their passions as their rule of conduct.\*

But restraint irritated these kings, these princes and great ones, senseless enough not to understand that they were ruining themselves, together with respect for authority, by teaching the people contempt for the moral law. The age of the "Renaissance" was, from this point of view, perhaps the most fatal era of our old monarchy. Paganism, when it left Constantinople, proceeded to take possession of the papacy, and, being infiltrated into all the pores of our society, dominated in literature, art and morals. In the "saturnalia" of debauchery, Rome lost her empire over the souls of men; the Reformation carrying with it the principle of vitality, substituted the authority of conscience for that of divine right; but France, corrupted to the extent of having abbots like Brantôme, had not recuperative force sufficient to regenerate her morals, and, pagan in her customs, she was yet illogical enough to believe she was Christian and profess herself Catholic. Her kings, putting themselves out of the page—that is, ceasing to be guided by common sense or reason, wallowed with impunity in the most monstrous debauchery. Sending to execution those who reproved them,† they

\* Bishops asserted the Church's right of deposing adulterous princes, fornicators, &c., and of absolving their subjects from every oath of fidelity to them. (See M. Guizot, "History of Civilization in Europe.")

† Then (under Henri II) Anne du Bourg thus expresses herself:—But what! crimes worthy of death, blasphemies, adulteries, horrible debauches, perjuries are committed, with impunity, in the face of heaven, and every day new punishments are invented against men whose only crime is having made, owing to the teachings of Holy Scripture, the discovery of the Roman baseness, and having called for its wholesome reform." The Councillor du Four, in his turn, exclaims: "We must understand well who they are that trouble the Church, lest that should happen that Elijah told king Ahab, 'It is you who trouble Israel.'"

paid honour to their *morganatic queens* (queen-mistresses.) From this period, moreover, every principle of respect was destroyed by these great violators of the social compact, henceforward in no fear from judges; it is in this way that France experienced the humiliation of sullyng her history by the disgraces of the court during the dynasty of the Valois, and by the scandals and infamies of that of the Bourbons.

The example afforded by royalty having roused the courtiers and nobles to emulate it, they vied with each other in deserting their duty of making their estates productive and enlightening their vassals. Wholly taken up in the gratification of their selfish passions, they gradually lost their long kept honour in the ostentatious idleness of Versailles, and communicated their corruption, more and more closely, to the rich of the middle class. Still, however, the law, which was no longer anything but a dead-letter for royalty and the aristocracy, continuing to exercise authority over the masses, the condition of morals at the close of the 18th century may be thus summed up: the nobles paraded their mistresses, the middle-class concealed them, the lower orders coveted them. But peace to these *Manes*, since rivers of blood have cleansed these *Augean* stables.\*

\* Saint Simon, endeavouring to have an illicit intimacy of the Duke of Orleans broken off, showed him the opinion existing against him. "There is," said he, "a general estrangement, which has the complexion of rage, because *no one* can endure in a grandson of France, at the age of 35, an outrage upon good morals which the magistrate and the police would long ago have punished in any one who might not have been high enough in rank to be shielded from censure." He puts before him the distinction and honours that attach to the moral men from amongst whom Louis XIV has chosen his generals and advisers, whilst noblemen of high birth are deprived of the distinctions of their class, debased in their profligate habits, unknown or despised at court, left to their own shame and to wretchedness, expelled from the meanest societies, objects of the public blame and contempt, and reduced to find themselves too despicable for the blows people disdain to inflict upon them. Elsewhere, St. Simon further caused the reception of Villars by the parliament to be looked upon as an enormity, because, he said, "*against the most common practice*, no peer was taken as a witness of his life and manners, which will afford cause for public dissertation; had he so acted from respect or from shame, or from a fear of being rejected? I was pained," he adds, "to find myself at so humiliating a ceremonial."



It is not useless to compare this period of decline with our present morals. *Then the debauchee infringed the laws—he keeps them now*; the corruption which was at the head of the nation has affected its heart; *the privilege of the few has become the right of all.*"

"Obscur, on l'eût flétri d'une mort légitime,  
Il est puissant, les lois ont ignoré son crime : " \*

was then the poet's indignant protest. In the present day, the highest functionary prostitutes himself with prerogatives as princely as those of the Duke of Orleans. There is even no longer any magisterial authority for exercising a wholesome restraint, in this direction, upon *the governing class*.

Every debauchee is an absolute sovereign, not after the manner of our former monarchs who robbed God through his representatives, but like the Tiberiuses and the Neros, whose only law was their own passions.

The scandals of the uncontrolled conduct of certain officials set at defiance all sense of rectitude and indignant feeling. The blows they deal at the rights of the family are so public, so deplorable, and so numerous, that the State might be thought partial to debauchees if we did not know in what an atmosphere the greater part of the men entrusted with high-office for the purpose of directing us are prepared for their work, if we did not especially note their emulation in, and boasting of, the lax morals which obtain among the upper classes.

If I specified a few of these offences, our law for libel would consider me guilty—to such a degree does it pay respect to immorality. Let us merely say that no government whose aim might be the destruction of the institution of the family could find either better servants or a better state of affairs by which to accomplish its ends than that of France.

\* Freely rendered thus :—

"The crime that rightly costs the hind his blood,  
For peers condoned, by *partial* justice viewed,"

Let us speak at least of one of these men whose morals are no longer under the protection of the law.—Reynaud who, in 1861, came up before the Isire Assize Court\* under the law for the prevention of assassination, was a former public official, that is to say, *a guardian of religion, the family, and propriety*; he had even been foreman of the jury in this court some years previously. As the proceedings at the trial proved, the successive registry-receivers in that district were causing scandal and demoralising it by their illicit intimacies. Reynaud, the murderer of his daughter in a fit of jealous anger against the Registrar, whose mistress she was, was convicted of having committed every kind of outrage upon the family institution. A husband and father, he incessantly solicited his female domestics, day-labourers, and the farmers' daughters &c., on his estates, never letting them alone; he forced them by threats of killing those who were proof against his terrifying intimidations, to the extent that several women lost their health through fear. A farmer gave evidence at the trial that, in one year, three poor servants had been obliged to submit to the monstrous desires of Reynaud, and that others, in a more independent position, had saved themselves from it by flight. A friend of his daughter, overcome by him, was also obliged to yield to solicitations which, in the defence, were toned down into partial violence. Reynaud had, moreover, seduced an idiot, and cruelly left her in great destitution while she was pregnant; he drove her away with blows with a stick when she came with her mother to ask him for some assistance for the child. This ex-official, who understood the law as applicable to his own case, even boasted at the trial of having bought as many women of the labouring classes as he wished for, by throwing them a five-franc piece as an inducement. "*That is how those things are done,*" he added sardonically, with a consciousness of his right. So far

\* Sittings of March 22, 23, and 24.

it was well, and the cup would never have been full if he had confined himself to this species of crimes, for none of the facts I have just recounted constituted the smallest delinquency, nor even the slightest responsibility in the eye of our legislation, which, at the same time, discountenances divorce as *an outrage on the family institution*. After the recital of these horrors, the President could say to the accused, "*You have been an honourable man to the verge of the criminal code.*"

At this trial, the judges, without respect for public decency, put upon the stool of repentance all the women whom the respectable citizen and upright functionary Reynaud had bought for five sous or five francs. Let these female domestics and day labourers, whose honour is worth a few francs, pass in review, and let girls belonging to the wages-earning class be fastened to the pillory! The court did not blush to compromise even a wife and mother who had had dealings with Reynaud: it violated the sanctity of the domestic circle in summoning this woman to give her evidence. The unhappy creature seeking, as in a barbarous age, an asylum at the foot of the altar, knelt down for a whole day in a church, in the hope of escaping the shame of this trial, at which she was questioned, in inquisitorial language, in presence of the public, about the most minute details of her illicit connection with the accused man. After in this way sacrificing the weak, the judges manifested particular leniency to the officials, the lovers of the daughters assassinated by Reynaud, as necessary to the proceedings as the women who figured at them; inviolability, the protectress of their profligacy, prevented justice from summoning them, and even uttering their names; their "*honorabilité*," kept safe by the letter "h," suffers them to continue preaching social morality in our departments, and leading the people back to healthy notions of law and duty!

To understand the immense mischief which a single pro-

fligate man can do, we must refer to our multitudes of Reynauds who have neither killed nor stolen, but who, submitting like himself to the yoke of unbridled passions, sow death wherever they go without being punished for it.\*

In the face of an irresponsibility of such a nature, instead of lamenting lest morality should no longer exist, we should rather wonder that there is any to be found.

I am aware that with our dissolute officials we might place in contrast noble types of moral qualities in other public functionaries, who are honourable and devoted to the public welfare; but this contrast would be a fresh condemnation of the society which despises the family to the extent of not making any distinction between these and those whose morals I have sketched. Did not this confusion of principles already exist in the Roman Empire at the period in which Corneille depicts it in his "*Polyeucte*"?

To the profligacy of the student and the public official, let us add that of the soldier:—

We should look into history in vain for a method of defending our native country, more opposed to its true interests than is our peace-army. Conformably to a memorandum of the Council of State (December 21st, 1808) declaring that it is for the good order of the army and the interest of society *that military men should not be able to contract inconvenient marriages, susceptible of altering the consideration due to their character*, the generals and colonels on active service and liable to be called out, half-pay officers, and reserve-conscripts, must obtain a special authorisation to marry, under penalty of being left unprovided for, of being reduced in rank, and of the loss of all rights and titles. We know that the marriages of *convenience* con-

\* Madlle. Daubié, in a private letter elsewhere, points out the terrible social results which attend the absence of laws against seducers in England, which, if joined with a system of regulated prostitution, must bring us as low as France.

sist in the settling the minimum of the marriage portion ; but, in spite of these conditions, the official permission being only given to the heads, marriage is very exceptional in the army, and still more so in the imperial guard. Hence follow prostitution in towns, seduction and concubinage in the rural districts, and female degradation and the sacrifice of infant life everywhere. The government had, in this matter, even lost the sense of economy to the extent of almost requiring, after a five years' active service, three years in the reserves *without marrying*. If the "Corps législatif" has, by its energetic opposition, procured three years reserve *with power to marry*, we must not congratulate ourselves too much upon this victory, for the relative advantage the man finds in irregularity of life, and the prospect of being again called out for active service, will keep him in those injurious bonds which banish family duties in the interests of the rights of profligacy.

As to the military man on active service, he must, on that account, reject a poor girl who would gain an honorable livelihood by working ; if a marriage contract with her is signed, the minister of war intervenes to punish the delinquent and the notary guilty of this (so-considered) discreditable transaction.\* The same prohibition is enforced by the commanders of the army against making reparation for a wrong to a seduced woman who might not have any marriage portion whatever ; consequently, according to the reports of the societies of St. Vincent de Paul and François Régis, the formal opposition of superiors to the legitimation of soldiers' natural children.

It is impossible to estimate the lax morality which results from this. Independently of the scandals caused by particular leading military men, it has been noticed that illegitimate births increase, in towns, in direct proportion to the presence

\* *Moniteur de l'armée*, November, 1862.

and increase of garrisons, which have also carried prostitution into out-townships till then preserved from this pest.

Of this, an opinion may be formed from the fact that our soldiers defile themselves to the extent of maintaining a third of the common prostitutes; that uniform which should only be met with on the field of honour, even serves to enable soldiers to obtain a reduction of one half the payment in brothels. It is incredible how far the license of knights who wear the colours of the famous women of our streets extends; their *military honour* is the negation of the virtues which make the good citizen.

Idleness, provocations, contests with non-military power, drunken and degrading brawls, in which the name of *father of a family* is thrown in the teeth of the moral soldier by way of insult,—such is the life of a great number of troopers who have never been in action. Base gratifications have so perverted their moral sense, that brothers carry off from sisters who have not enough to live upon, the fruit of their earnings; insensible even to the distress of indigent parents, they frequently spend their pay in a few days' orgie. These are the veterans who, adopting the manners of courtesans, spend their time, as *they* do, in tightening their waists, arranging their hair, and loading themselves with perfumes. An automaton-like precision and instincts of *slaughter*, will be powerful enough, nevertheless, to make them deserve the distinctions to which the terms *country* and *honour* are attached.

The license and brutality of the soldiery in reference to women, the distorted gallant attentions, the unhappy complicity of the commanders in breaches of morals, become incomprehensible if they are contrasted with the rigid discipline which sometimes punishes with death the least rebellion against a superior, and condemns to loss of rank, to long years of confinement, the theft of a pair of officer's gloves.

Just minds are expressing the opinion that France will only escape ruin by a more healthy recognition of social obligations, which may cause her, at length, to understand that the honour of the woman of the masses, the future of her children, the personal dignity of the man, should have more value in the eye of the military code than a pair of officer's gloves, or than the demands of shop-keepers.

In the face of promises violated, of prospects blighted, the garrison nevertheless goes away, insulting occasionally with a cruel irony, the tears of mothers, and the lamentations of families. The commanders, faithful to the laws of French honour, have caused the tobacco and drink supplied by too confiding hands to be respected. This kind of integrity satisfied, the bugle sounds, the trumpets re-echo, the drum beats, the ensign is unfurled, France marches to glory, advancing in her onward path over the bodies of children and women sacrificed by our soldiers.

These profligate habits, hawked from town to town by our garrisons, appear especially lamentable in small localities. Uproarious orgies which, from morning to evening, sadden the passer by, issue from public-houses termed officers' "cafés."

There, men who wish for nothing in life beyond sensual gratifications, spend their entire day, glass or billiard cue in hand, cigar in mouth, and make themselves conspicuous by the brutality of their manners. One understands that, with these notions of morals, our courts-martial sometimes treat rape as a pastime, hardly within the jurisdiction of the police-court, if they do not give it triumphant acquittal, and that their verdicts often condemn to a few days' imprisonment, public outrages on modesty. To give an idea of the spirit of this legislation, I shall make reference to the case of Léandri.\*

\* Criminal Justice, First Court-Martial of Paris, Sittings of the 15th to the 20th April, 1857.

That officer was brought before a military tribunal, under the law for preventing rape. A large body of soldiers escorted him with a defiant and threatening attitude that had the air of setting justice and morality at naught. Léandri's counsel went so far as to make his frequenting the "quartier Bréda" meritorious in him: "*He has mistresses,*" said he, "*is not that the common practice?*"

The imperial commissioner interfered, in his turn, to reproach the accused for having dressed himself in the character of a Joseph. Why was he ashamed to acknowledge that he was a jovial pleasure-seeker? He could not be blamed for that. The acquittal of this valiant defender of France permitted him to protect us by his good morals, until the theft of a cash-box caused him to be sentenced. His wrong was not having been rich enough to pay for his mistresses with his small coin, otherwise he would be still a brave fellow, resembling many others, for the army reckons thousands of men of honour of this description, whose particular talent is the theft of women and not of cash-boxes. Certain courts-martial have, through it, even come to look upon rape as an extenuating circumstance in a case of assassination. A Vincennes artillery-man was convicted, on the inferences of doctor Tardieu, of having violated a child of seven years with the most revolting atrocity, and then of assassinating her with seventeen stabs of his poinard. Out of seven judges of this monstrous occurrence, three voted for the acquittal of the culprit, who escaped through having a minority favourable to him.\*

These rakes, returning again to their native district, after being liberated, spread corruption even to our smallest villages, where they constitute themselves instructors in vice for the young of both sexes. Let not these plain-spoken truths, however, cause it to be thought that I confound the real men

\* Second Court-Martial of Paris, October 1865.



of honour of our army with these numerous supporters of taverns and brothels. Besides, I am not so much attacking the persons as the institutions which are the causes of the evil, like our peace-army, hateful in all its bearings; the negation of the moral law, and, consequently, of civil order, which is order in the intellect and not in the street. In order to raise a revolt against this state of things, it should suffice to point out that it keeps no account of the soldier's respectability of morals, and even degrades from official honour the courageous man who sets himself determinedly to practise natural morality in despite of social.\* For the rest, if this evil should spread generally, it is the downfall of society; if it check itself, the reaction will beat back the leaders who endure or exact it.

This investigation has shown us that prostitution does not bring dishonour, among us, upon the man who is defiled by it, and does not shut against him the road to any public appointment. We may be convinced that, in France, these prerogatives have caused the principle of the family to fall into the contempt in which that of property is in the East.

Theft does not there disgrace public officials, because its immediate advantages often triumph over a dilatory repression, uncertain, and always ineffectual. If our criminals, our robbers, were sheltered from the public vengeance, we should, in the same way, have to be resigned to the evil of an unchecked brigandage.

Our social arrangements, therefore, by going against nature, in the physical, intellectual, and moral consequences she attaches to crime, offers to the vicious man the advantages of a robber who, sure of impunity, should see patrols

\* The applications of the law which forbids the marrying a victim of seduction are sometimes greivous. Thus, an officer lost his post for making the offer of reparation to a young girl, whom moral tortures and the pangs of child-birth were putting in danger. This noble deserter from an infamous military honour, hastened to tell her of the military disgrace which would attend his marrying, and led her to the nuptial altar, where she died heart-broken with emotion.

watching over his safe-keeping, and racking their brains to perfect the instruments he wants for his midnight burglaries. Moreover, they have taken away every security from the victims of the wrong, in order to extend them to its promoters. Hence results the extent of the canker which is gnawing us; we have to endure even vanity of vices become fashionable, against which nothing can defend us, whilst we ought to be armed against the unpunished evil-doer. Prostitution, apart from marriage, has brought contagion to marriage itself. Take away from it the mercenary character of the contract, and none of these men will clog themselves with a permanent tie. Meanwhile, as they have one foot in respectable and the other in doubtful society, they have established the link of connection between the two hemispheres, and exact that their wives should adopt the courtesan's manners, or make the courtesan adopt them by the imitation of theirs. But still the progress is not fully realised; for, if the so-called respectable man must obtain his civilian education in the haunts of profligacy, these haunts cannot be any longer closed to our modest girls, and we ought to think it as moral to admit into respectable society the daughters, sisters, wives and mothers, who go to the public thoroughfare to get lovers, as the sons, brothers, husbands and fathers who go there to get fresh mistresses. If we shudder at these logical consequences, they may, at least, teach us where we are in respect to them from the stand-point of law, natural morality and justice, for conjugal union is only possible where there exists, in those united, conformity of education and morals.

Society, like the family, finds itself afflicted by this profligacy, which, in relation to marriage, further destroys the proportionate balance of the births of each sex. It takes for granted a hundred, and even a thousand times, more male than female debauchees, and corresponds to an equal number of modest girls who are living in discomfort or poverty, since

wherever a hundred men can run after one woman for the purpose of prostitution, it follows that a hundred women ought to run after one man for the purpose of marrying him.

When the evil has reached these proportions, the fall of the arts and literature follows the corruption of morals. This is the cause of those debased talents, those obscenities which bring discredit upon art, and which, instead of the severely chaste creations of the Poussins and the Lesueurs, present for our contemplation the orgies of artistes falling, when overcome by drunkenness, into the courtesan's arms; the impurities displayed in our monuments, in our public squares, is the result of a like cause.

In literature, the corruption of particular authors inspiring their writings, keeps them floating by the motive power of their unchaste wishes; and we should not, I imagine, look for noble creations from these young authorlings who, not blushing to sell themselves to old mistresses, by whom they are paid, desert them as soon as they meet with the favours of another who pays them better. Their code of morals must be that of the contemporaries of Plautus, claiming that rich women should choose their lovers, but that poor ones must love the man rich enough to buy them. This absence of true and deep seated feelings, this mercenary species of love, gives birth to a mass of scribblers without principles—of would-be poets of the affections, who, being neither poets nor in love, prostitute their pen to every subject, as they do their person to every harlot.

What shall we expect, moreover, from the art of observation? Why should our numerous "Messieurs aux camélias" after what they call their term of youthful folly, and when they have become faithful husbands, tender fathers, upholders by conviction of the family institution, become indignant at seeing an abandoned woman attain to their own nobleness of sentiment? Why should not the stage have the right to exhibit

for us these fellows, just liberated from college restraint, who get up *women's parties*? Why should it spare those far-seeing fathers, who take as much pains to procure modest mistresses for their sons as to buy them pure-bred horses? Art and literature, let it not be forgotten, are the reflections of the state of society; let not sweet-smelling odours be looked for from an atmosphere loaded with infection.

Let us no longer behave as insensates, who, after breaking a mirror that shows them uglier than they are, credit themselves with as many more attractions as they see fewer. The theatre, which is the mirror of our manners, ought even to go so far as to produce, on the stage, the courtesan in person, and to have her applauded in those "tableaux vivants" of which she is the heroine.

## V.

“ In short, the truth must be spoken. Woe to those who speak  
“ it not, and woe to you if you are not worthy of hearing it.”

*Letter from Fénelon to Louis XIV.*

The investigation of this melancholy subject has placed before us the progress of the evil, through the destitution and dependence of the young women of the lower classes ; and the impunity, and even the protection, of the agents and accomplices of profligacy. This too clear and a thousand times attested degradation of the woman by discomfort and poverty, this glut in the supply of prostitution on the market in seasons of dearth of employment, enables us to understand the error of certain anti-economical doctrines representing that the man, who is the bread-winner for *four*, is ever his wife's and mother's and child's protector at his fireside.\*

The sad eloquence of facts too often shews us the possessors of income, fortune and wealth corrupting those suffering from destitution and hunger. We must in a measure base the regeneration of France upon material independence, the source of woman's dignity ; and, consequently, we call for a widely extended system of professional instruction, of liberty of action which may, if possible, introduce into the laws of wages the equality which obtains in those of real estate.

With reference to the impunity and protection of the immoral man, they are condemned by sound reason bearing testimony that every society disloyal to the laws that maintain its vitality, must perish by continually-increasing degeneracy. The purpose of human existence is moral perfection, not

\* Man, the sole support of his family, assuming an average of but two children by marriage, should always earn enough for *four* and spend for one ; which assumes that there would be no one counting for nothing—no bachelor among men : moreover the logic of this system would be either marriage or death—fidelity in marriage or death ; the certainty for the husband and the father of never having any sickness, and of assuredly surviving his wife and his children under age, &c. O logicians of the absurd !

happiness, much less those vulgar, coarse, and fatal pleasures which, by lowering man to the level of the brute, destroy the institution of marriage, together with the domestic virtues and the rights of the weak. Let us then reject the sophisms of erring and depraved intellects, which represent that paths must be opened to profligacy if we would have the sanctuary of the family-institution respected. In the slough of the Roman empire, the rights and necessities of *passions not to be resisted* were already being talked of, when Christianity replied by raising man and woman to the same moral perfection.

Let us further remind our self-satisfied people of the prosperity of the family principle among nations which put down prostitution, and of its decline among those who permitted it: perhaps they will, at length, understand the value of the argument from facts.

Be it, in the first place, remarked that the irresponsibility of the father of children born out of wedlock, which gives him every advantage in going after prostitutes, is the most fruitful cause of profligacy. I would, then, make other repressive measures subordinate to the effort to make the father responsible. After placing this corner-stone of social law in such a position as to act with rigour against prostitution, we shall scarcely need to inquire if that evil can be restrained.

Human dignity and civil equality are opposed to penal measures against the common prostitute as such. This is the point from which to start on the effort to discover a just measure for checking prostitution. Ancient France was ignorant alike of registration and the frightful "surveillance" it necessitates. We know that modern nations governed by the laws of true honour have maintained justice enough to be horrified at this utter destruction of the human soul for the benefit of debauchery. The nations that are seized with the desire of emulating our system for the regulation of morals

have, on the contrary, fallen to an unspeakable degree of degradation.\*

What deep-seated corruption does the unrestricted haunting of places of ill-repute by beings endowed with that threefold bridle of the passions—reason, intelligence, and liberty—take for granted! Prostitution is an irreparable ill for young men who, by it, lose the pure source of the moral affections. We must therefore, at any cost, snatch them from this infamy, make them feel its horror, and, above all, not make use of the threefold complicity of government, legislation, and jurisprudence, to promise the safe-keeping of their health, their money, and their secret in their profligate courses.

I have, previously, made apparent the immorality which this organization indicates; for physical, intellectual, and moral penalties are, let us repeat, society's only safeguard against vicious persons. It is everywhere attested, by experience, that the certainty, the hope merely, of escaping punishment, multiplies vicious habits; thus, when the Government does not watch over the debauchee with so paternal a solicitude, a first step in vice is frequently—on account of the misery, disgrace, maladies and mental incapacity it entails—a living lesson for the young, who imbibe the feeling of discretion by making a comparison between the gratification and its consequences. It is a stringent duty of morality and logic, then, to take away from human merchandise the official impress, in order that the buyer, acting at his own risk and peril, may become more circumspect; so that, trained to imbibe a horror of profligacy, individuals should not persist in feeding on the poison, and should catch some sense of self-respect by at least the feeling of responsibility, added to the interposition of other subjects of interest. Certain men would perhaps be

\* The United States, Sweden, Prussia, England, Switzerland, &c., reject this organization: Austria, Belgium, and Italy imitate it. Let us see in which direction the path of the future lies.

ashamed to haunt places which, if left unprotected in their infamy, would no longer be looked upon as necessary institutions. Let us then deplore the infatuation of those communities which talk of the teaching of morality while they protect the debauchee; as if a part of the teaching of morality did not consist in causing the good and bad consequences of human action to be apparent; as if moralists could have authority in circumstances where vice is compulsorily invested with rights, while virtue is clogged by penalties.

I go on to add, that our immorality is *cruel*. If it be a folly to preserve certain men from the natural contagion consequent on their vices, it is a crime to multiply opportunities for vice, so as to decoy the individuals who, after disgracing themselves on the faith of what society holds out to them as safe, bequeath to us a heritage of curses when they are on the brink of the grave prematurely dug by their own profligacy. It is a crime of treason against the nation to send carcasses, whether dead or living, back to families needing citizens and regulators of social education. Let us, then, get rid of all the frightful tolerations which set prostitution free from the rebuking and regenerating influences of a personal initiative. At all events, as the dens of infamy would not exist if there were not proprietresses to keep them, and men to frequent them, measures of repression brought to bear on girls only must be ineffective, since they do not reach the source of the evil. The same action should be brought to bear by the police on these houses as on gambling-houses. This practicable and greatly-needed reform would inevitably be followed by the making every excitement to debauchery in the public street illegal, and by the right of complaint for every man accosted by a woman to whom he is not known, as for every woman addressed by a man with whom she was not previously acquainted. What a shame it is that, owing to debauchery, a civilization should tolerate, at particular hours,



in these human flesh-markets, the suspension of God's laws, which is the cause of ruin for thousands of young men who would never have become acquainted with profligacy if it had not been offered to them daily with such persistency, and who are unable to take a step, in our towns, without meeting with it.\*

We have been enabled to see what a mistake it is to pretend that our Government toleration is *necessary for the protection of modest women*. If that were the case, we may be sure they would reject this annihilation of their sisters for their benefit; but it is proved, on the contrary, that *the insecurity of every woman* results from the prerogatives granted to vice in France. Are we not aware, that nations which have not our monstrous measures of preservation, permit the girl to go out, to travel, and live by herself, for the purpose of either the secondary or the higher course of instruction; whilst in Paris more than 100,000 regulars and soldiers of the national guard, and a numerous body of police, fail to inspire the young woman of the middle class with sufficient confidence to allow her to venture a single step without a protector, or the lower-class young woman with a security sufficient to keep her from being made a merchantable article? Without even leaving our territory, any one may be convinced, by comparison, that the unprotected woman is so much the more respected in proportion as profligacy has less of license. Charts of France have been made, coloured more or less black according to the degree of instruction in each of our "departments." It would be easy to make such an one for morality. It would demonstrate that the departments in which *the machinery for morals* is the most active, the most inquisitorial towards the registered girl, are those in which a young girl who should have committed the offence of walking out "unprotected" is no longer marriageable.

\* Among a group of college students who were treating for a girl in the public thoroughfare, one of twelve years old at most was noticed.

Debauchery, driven from the street, would also be driven from cafés, hotels, &c., otherwise than by laughter-moving and arbitrary regulations against the "unprotected" woman. In this matter, then, we must further substitute, for police rule, a general law to reach the real doers of the evil, in the persons of those lodging-house keepers, tavern-keepers, coffee-house proprietors, &c., who, by the greediest complicity, make vice a matter of trade. But, alas! the law promulgated in 1778 alone remained to us for dealing a blow at this abuse, and, after applying it during the former half of the century, we declare it to be inapplicable in the latter, without finding a substitute for it. Shall we profess ourselves too much depraved to go back in this matter even to the measures adopted by a reforming Government at the period of the greatest decay of morals in our former monarchy?

The offence of treating for girls under age also demands a more severe law. The uncertainty of the penalty, the feeble attempts to put down the evil, as they appear when viewed with reference to the certainty of immediate advantages to be gained by it, do not stop the agents of procuration. The impunity assured to the person for whom the sale is effected also gives to this kind of offences a deplorable frequency and daring, in a country that punishes for a triple complicity, and by civic degradation, the printer, author, and editor of writings whose offence has sometimes been disseminating useful truths.

Profligacy driven from the public thoroughfares in this way, and from establishments frequented by men without a home, the honour of the girl under age being efficiently cared for, inexperienced youth will no longer fall into the inextricable pitfalls of prostitution; no one but the depraved man will, with the utmost caution, go into these sties of infamy, to gratify a vicious propensity which would be left to its natural consequences.

A community which sanctions the family-principle should, further, spare us the scandal of actions for debt and theft brought by the prostituer against the prostituted. When our courts of law intervene to annul the engagements which those above or those under age have contracted with courtesans, it follows that these corrupters or these corrupted ones have procured for themselves, by false pretences, on credit or for a specific period, a gratification which the judge, as they have reason for knowing, will take upon himself to make a gratuitous one, and that their disgrace, which ought to close the ear of justice to their suits, finds such privileges as to permit them to do a wrong to the tradesmen who supply them with goods. Sound views will recognise the validity of these debts, or, in annulling them, punish the complainant for the fact of having prostituted himself; it is, above all, for cases such as these that article 60 of our Criminal Code should be declared applicable, thereby punishing *every individual who incites to profligacy by presents*. Very much to the contrary, the application of the law becomes deplorable in this matter; Lovelaces aged from 15 to 20, precocious Don Juans, become villains with impunity by the assistance of the law's protection—spend some hundreds of thousands of francs in orgies, with the certainty of committing robbery; they promise, give their signatures, subscribe documents, and the court declares them white as snow, provided they do not pay anything; and this is the education by which we prepare young people for their life as citizens! What! is it to be supposed that these young men, who to-morrow will be electors, citizens, public officials, judges, magistrates perhaps, are not capable, at the age of 19 and 20 years, of a greater moral responsibility than the infant in long-clothes? Cancel their debts, if you like; but at least brand them for their cynical attacks on the fundamental laws of public propriety.

We must get rid of our confusion of principles with respect to those young people who, separated from their family by their profession, are entrusted to society. In the first place, in what has reference to the soldier, patriotism and a feeling of true honour, would not give him up to be corrupted by long years of inaction in garrison, and would not permit any man to lead the life of a pig under cover of the flag of France. Now that we are threatened with the corporal-instructor, we ought, I think, to be permitted to know that his certificate of good conduct has not compelled him to disavow his illegitimate children, nor to denounce and imprison the victim guilty of having aimed a blow against his security in debauchery.

As for that numerous body of civilian youths fighting on the battle-field of life in schools, in public offices, workshops, commerce and so forth, shall we leave them without a guide, to succumb to the degradation of the companions of Ulysses? No; they must henceforward do themselves honour by putting a curb on their passions and mastering their excesses. It is the duty of us all to shew them, from the commencement of their course, marked distinctions between the road to honour and that to infamy by imposing obligatory limits to stop them in bad courses. It is the right of moral families to know that the member they wish to unite to them by marriage is a man, and not a living carcase, sullied with all sorts of profligacy.

Let us then establish courts of honour to separate goodness from evil—great associations which will confer distinction on themselves by the morality they exact from their candidates and those whom they employ, putting us thus upon the road of reformation.

Each of us has, in this matter, his work to accomplish, and we shall succeed if we know how to be united in a common feeling. The law for outrage on public morals would autho-

size us in a rebellion against our administrative toleration of vice; all men of courage, claiming the emancipation of destitution sold to profligacy, must likewise denounce the shamelessness of those men who would, with one hand, punish the freedom of the press while protecting the obscenity of the streets with the other; who ill-use free-thinkers while they grant charters to free livers. In what has reference to legislative repression Art. 334 of our Criminal Law, joined to Art. 60, of which I have spoken, would be sufficient for putting down the evil, if applied to direct profligacy, especially in actions for debt and theft which debauchees bring against their accomplices.

It is, nevertheless, to Art. 340 of our Civil Code that the guilty complaisance of our interpretation of the law for profligate morals must be attributed. The license into which the irresponsibility there laid down hurries a great number of law students, greatly contributes to warp their judgment in these suits, and to take from vice its last restraint. Alas! shall we have the energy necessary for a real reform? We have astonishingly perfected the physical sciences, and developed material civilization; but we have so little advanced in the science of the law and the duty which govern our connexions in society, our ambition is so little excited for the development of human dignity, that we put our frightful complaisance for debauchery under the patronage of St. Augustine and St. Louis. Should we be willing to retrograde to such an extent in the arts and mechanical processes—we who, in morals, dare to take our ideal in pagan and barbarian society? When our Senate, some years ago, discussed this grave question, it did not put the inquiry to itself, whether seduction and irresponsible debauchery are the great highways of public infamy; still less did it examine if despotic centralization, which arbitrarily deprives the young girl of professional in-

struction, and the woman of an honourable income, does not at all contribute to her ruin. This Senate, *the guardian of morals*, refrained from looking round within its own precincts, to see if it were not, in any way, harbouring members whose example might weaken the authority of its precepts; it did not seem to suspect that a courtesan is the effect of a debauchee who pays for her, and it did not at all wish to know if its sons were contributing to the evil: laying it wholly upon the *luxuriousness of women*, it contented itself with some pleasantries, and, far from opposing strong means of resistance to profligacy, declared that Art. 484 of our Criminal Code sufficed for putting down vice.\* Almost immediately after this discussion, the Asiatic pest, raging around us, threatened our physical existence. Oh! then we became the champions of progress; we knew how to attack the evil in its very source; our civilizing efforts were proposing to purify the Ganges itself—the home of the epidemic: ordering inquiries, putting sixteen questions to the meeting of the international conference at Constantinople, we made an appeal to the enlightened intelligence of the whole world. Why then does our energy fail in view of the plague of public profligacy, more fatal to the moral life of a nation than is the cholera-epidemic to its material life? Since we know the causes of the evil, we deserve to be execrated if we do not look for wholesome means of reaction—if authorities established to put it down continue to protect it. The measures I am proposing, if they are examined by the prismatic glass of history, reason, national and personal rights, are the conditions of liberty and public decency. They will confine the evil to the dregs of society.

\* The sole measure of a serious character proposed by the Senate was the prohibition of provocation in a public thoroughfare; the Government, it appears, has not even condescended to take notice of this vote. As to Article 484 of the Code, it declares, we know, that it did not regulate this matter.

When we are governed by a moral Code, the Family institution grounded on morality and labour, will be able, without aid, to tread down the hydra of debauchery, wallowing in the mire of idleness and licentiousness. But, if justice and honour do not come out victorious from the present struggle, woe, a thousand times woe, to the vanquished !









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