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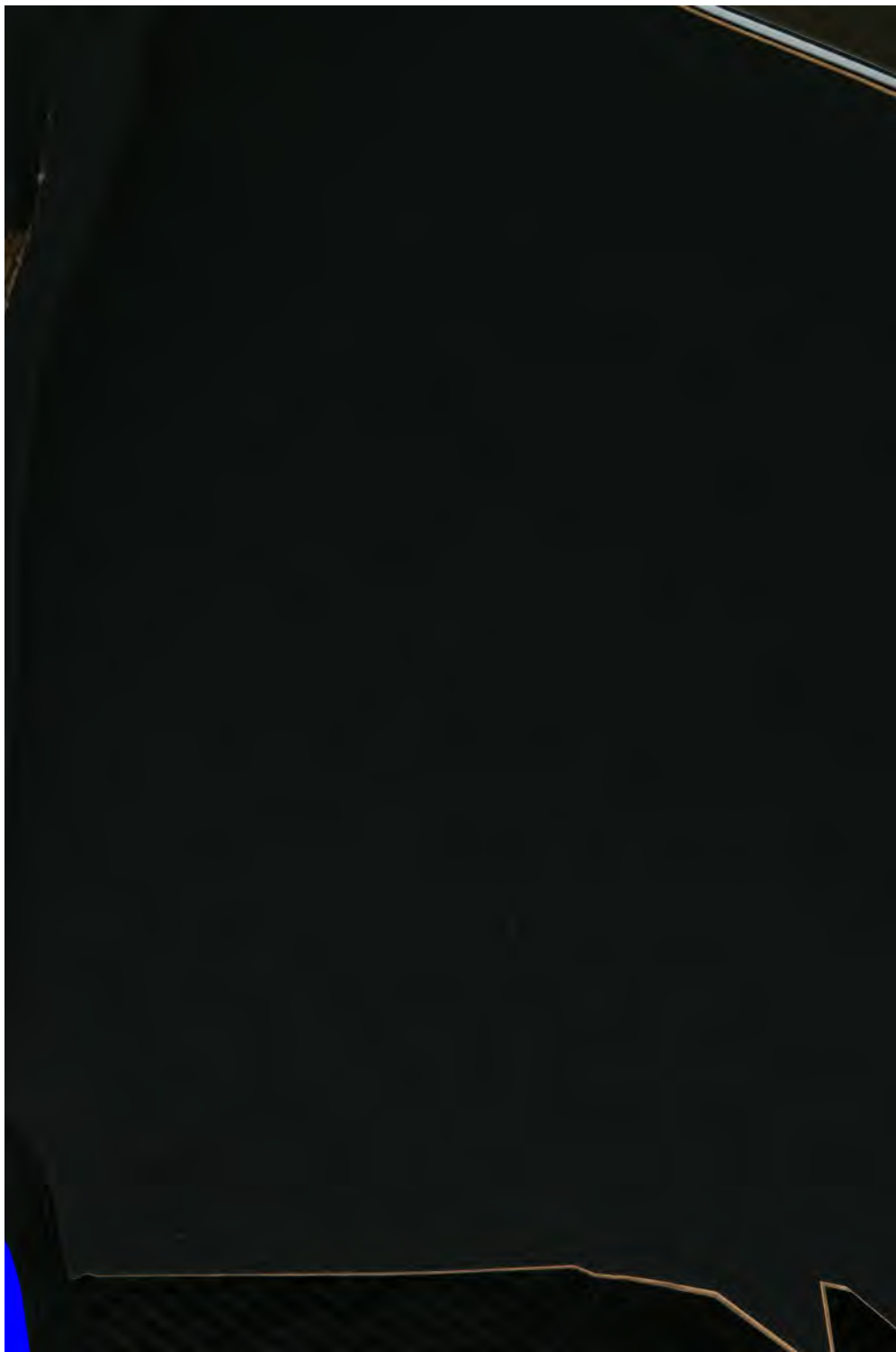
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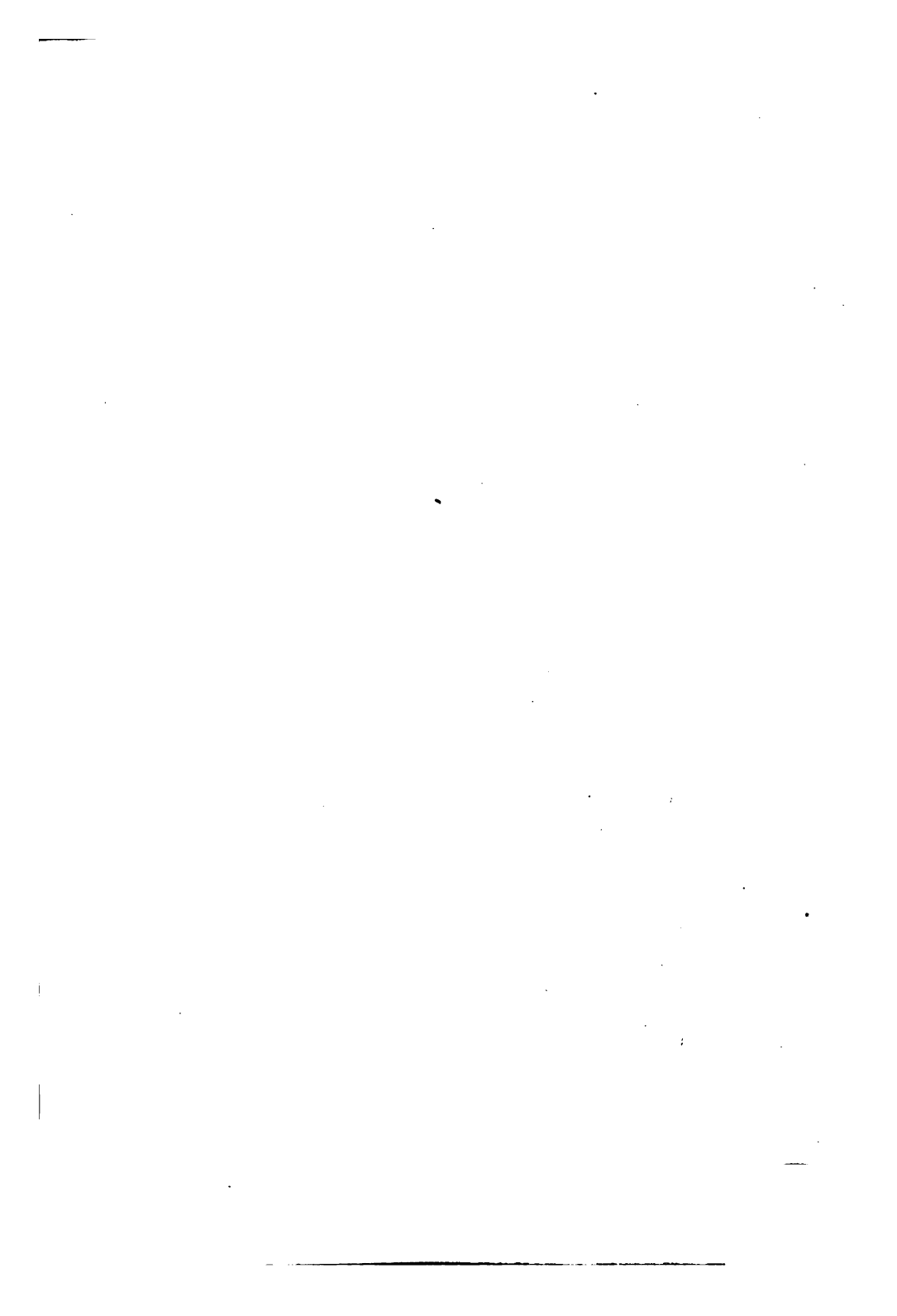


THE GIFT OF

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Books by Helen H. Gardener

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The broad philosophical spirit which pervades her work is very marked. One feels that the author is a deep student of sociology and psychology; that she is a true philosopher as well as a true historian. Indeed, the reader will look in vain, from cover to cover, for evidence of a partisan bias. She is great enough to be humane and just.—B. O. FLOWER in *The Arena*.

Few writers handle in a lifetime so many grave topics as Helen Gardener has already taken up in her comparatively brief career. No writer has ever been more thorough and more clear than she has been in every subject she has studied. For instance, the forces of heredity had constituted an occult science up to the time that she gave the subject a practical application in her lecture on Woman's Duty to the Unborn.

When she delivered that lecture before the woman's congress at Chicago last year I went to hear her, but the crowd was so large about the door that I could not get within 100 feet of it. Of all the works she has written not one has failed of more than ordinary success. She is doing more than any other writer of this day to demolish the narrow theory that the novel is a mere sensual affair and must not be designed to do more than entertain. This theory, good enough from the aspect that a novel is nothing unless entertaining, becomes senseless when applied to novels that are intensely entertaining and at the same time instructive and elevating. The giving of wholesome fact and thought, physical, sociological, and ethical, in such a way as to be not only widely read but deeply impressed, is a high art, and few are capable of it. Helen Gardener can do that, and in doing it is playing havoc with the fond theory which novelists who cannot be instructive without being dull, nor deal in morals without becoming maudlin, have set up in their own defence.

She is a doctor in ethics who sugar-coats her pills with fiction, and while taking nothing from their power makes them irresistibly palatable. Many a young man—and old one, too—morally ill without realizing it, is unconsciously cured by this treatment while under the delusion that he is getting only amusement out of his reading.—CHARLES GRANT MILLER, *Cleveland Plain Dealer*.

Helen Gardener is one of the most thoughtful of modern writers.—*Chicago Herald*.

A literary light in the person of a southern woman is attracting the attention of the thinkers of the world. . . . She has entered a path almost untrodden, and gives evidence that she is one of the greatest students of sociological and psychological problems. She wields the strong pen of a true philosopher and an impartial historian. . . . Her last is a war story, but told on sociological grounds and entirely above all partisan bias. . . . Generous and just enough to deal with a great topic greatly. . . . One of the most instructive and fascinating writers of our time.—*Louisville Courier-Journal*.

Helen Gardener has made for herself within a few years an enviable fame for the strength and sincerity of her writing on some of the most important phases of modern social questions.—*Chicago Times*.

THIRD EDITION

FACTS AND FICTIONS OF LIFE

BY

HELEN H. GARDENER

"But something may be done, that we will not:
And sometimes we are devils to ourselves,
When we will tempt the frailty of our powers,
Presuming on their changeful potency."
—*Shakespeare.*



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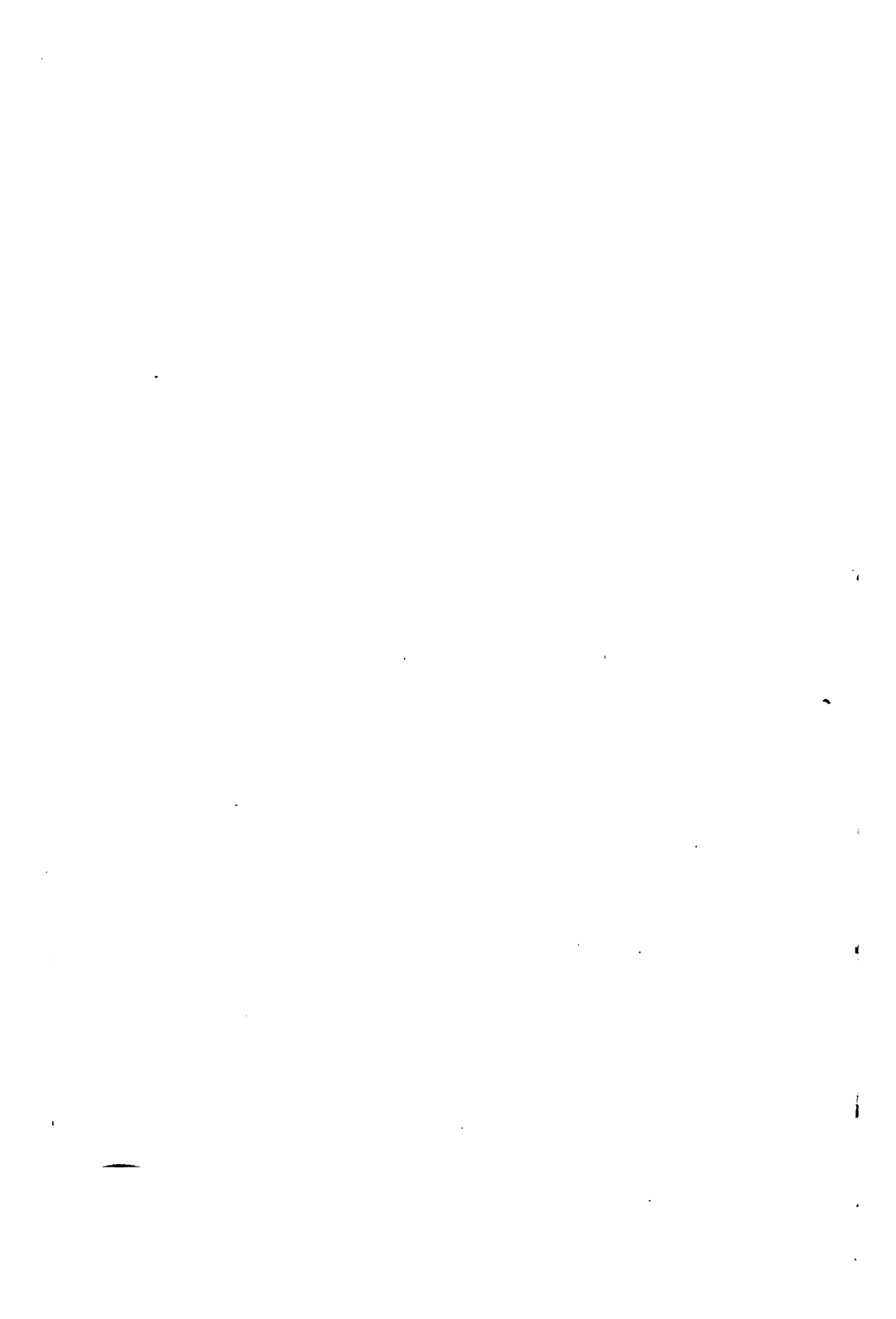
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Preface



Preface



There are at least two sides to every question. Usually there are several times two sides; or at least there are several phases in which the question has a different aspect.

I am led to state these seemingly unnecessary truisms because I have been confronted by hearers or readers who assumed, since I had presented a certain phase or manifestation of heredity in a given article or lecture, that I was intending to argue that a fixed rule of transmission would necessarily follow the line I had then and there drawn.

Nothing could be farther from my idea of the workings of the law of heredity.

Nothing could be more absurdly inadequate to the solution and comprehension of a great basic principle.

Again; an auditor or critic remarks that "We must not forget that we, also, get our heredity from God;" which is much as if one were to say, in teaching the multiplication table, "Remember that three times three is nine except, only, the times when God makes it fifteen." So absolute a misconception of the very meaning of the word heredity could

hardly be illustrated in any other way as in the idea of "getting it from God."

Scientific terms and facts of this nature cannot be confounded with metaphysical and religious speculation without hopeless confusion as to ideas, and absolute worthlessness as to the results of the investigation.

The very foundation principle of Evolution, itself, depends upon the persistence of the laws of hereditary traits, habits and conditions, modified and diversified by environment and by the introduction of other hereditary strains from other lines of ancestry.

Of course, there are people who do not believe that Evolution evolves with any greater degree of regularity and persistence than is consistent with the idea of a Deity who is liable to change his plans to meet the prayers or complaints of aspiration or repentance of those who chance to beg or demand of him certain immunities from the workings of the laws of nature. But with this type of mentality—with this grade of intellectual grasp—it were fruitless to pause to argue. They must be left to an education and an evolution of a less emotional and imaginative cast before they will be able to take part intelligently in a scientific discussion even where the merest alphabet of the science is touched, as is the case in these essays. They must

learn a method of thought which keeps inside of what is, or can be, known and demonstrated, and cease to vitiate the very basic premises by injecting into them what is merely hoped or prayed for. The two phases of thought are quite distinct and totally dissimilar in method.

The essays here collected, which do not deal directly with heredity and its possibilities, have been included in the book because of the repeated calls for them upon the different magazines in which they appeared and because they are rightly classed among the facts and fictions of life with which we wish here to deal.

That most of them touch chiefly the dark side of the topics discussed is due to the fact that they were one and all written for a purpose in which that method of handling seemed most effective. That there is a brighter side goes without saying; but when a physician is writing a lecture upon cholera or consumption he does not devote his time and space to pointing out the indubitable fact that many of us have not, and are not likely to contract, either one.

In pointing out and commenting upon certain social and hereditary conditions and evils, which it is desirable to correct or to guard against, and which it is all-important we shall first recognize as existing and as in need of improvement, I have, it

is true, dwelt chiefly upon the evil possibilities contained in these conditions. I am not, therefore, a pessimist. I do not fail to recognize the fact that both men and conditions are undoubtedly evolving into better and higher states than of old. If one may so express it these essays are the expressions of a pessimistic optimist,—one who is pessimistic upon certain phases of the present for the present, and optimistic as to and for the future. Let me illustrate: The housewife who does not have the house cleaned because it stirs up a dust to do it, is in the position of those critics who insist that it is all wrong to call attention to abuses because abuses are not pleasant things to have held up to public gaze. Or like a physician who would say: "For heaven's sake don't remove that bandage from the broken skull to dress the wound or you will see something even uglier than this soiled and ill-arranged cloth. Trust to luck. Some people have recovered from even worse conditions than this without intelligent care and treatment. Let him do it."

I have often been asked how and why I ever chanced to think or to write upon these topics. "How can a woman in your station and of your type know about them?" It is always difficult to say just how or why one mind *does* and another does *not* grasp any given thing.

When I was a very young girl I heard a famous

Judge read and discuss a series of papers which were then appearing in the *Popular Science Monthly*, and which were called "The Relations Of Women To Crime." I was the only person admitted to the Club, where the consideration of the papers took place, who was not mature in years and connected with one of the learned professions. I was admitted because I begged the privilege as the guest of the family of the Judge at whose house the Club met. More than any other one thing, perhaps, the thoughts and suggestions that came to me—a silent and unnoticed child—while listening to the discussions of those papers which hinted at the various possibilities of inherited criminal tendencies—hearing the lawyers comment upon it from the point of view furnished by their court-room experiences, and the medical men from their side of the topic, as practitioners upon those who had inherited mental or physical diseases, and the educators from their outlook and experience with children and youths who had not yet begun an open criminal course but who showed in their tendencies the need of intelligent training to modify or correct their faulty inheritance,—more than any other one thing, perhaps, this experience of my childhood led me into the study of anthropology and heredity. That other people have been interested in what I have written from time to time upon this subject, and that I was, for this reason, asked

to present certain phases of it at the recent World's Congress of Representative Women, accounts for the publication of this book at this time. I presume it will be said that it is not "pleasant reading for the summer season." It is not intended for that purpose. It has been asked for by many teachers, college professors, students and medical practitioners, the latter of whom have shown extraordinary interest in its early issue and wide circulation, and for whose kind encouragement and aid I am glad to offer here renewed thanks.

I had intended to elaborate and enlarge and republish in book form "SEX IN BRAIN," but since there have been hundreds of calls made for it and since I have not yet found the time to combine, verify and arrange the large amount of additional material which I have been steadily collecting through correspondence with leading Anthropologists and brain Anatomists in England, Scotland, Germany, France and the United States and other countries, ever since they received, with such cordial and kindly recognition, the within printed essay, which they have had translated into several languages, I have concluded to include it with these, leaving it as it was abridged and delivered before the International Council in Washington in 1888.

Later on I hope to find time to arrange and verify

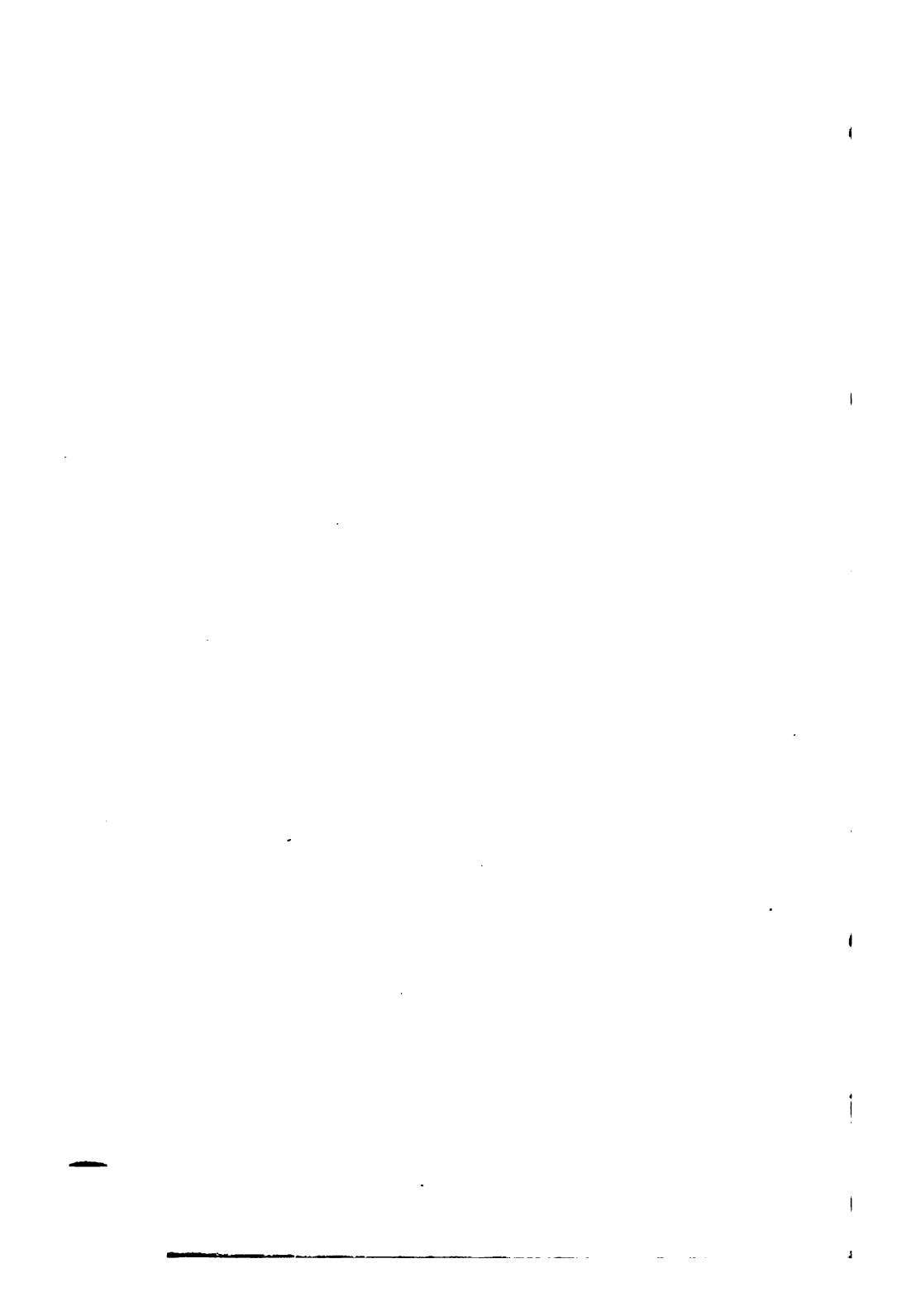
and issue the new material on the subject. It has grown in confirmatory evidence as it has grown in bulk, with steady and assuring regularity.

HELEN HAMILTON GARDENER.



The Fictions of Fiction

Reprinted from *The Open Court*



The Fictions of Fiction



I read—on a recent railway journey—a popular magazine. Its leading story was labeled as a "story for girls." In it the traditional gentleman of reduced fortunes continued to still further deplete the family-resources by speculation, and the three daughters who figure in most such stories went through the regular paces, so to speak.

One taught music; one painted well and sold her bits of canvas for ten dollars each; but the third girl had no talent except that of a cheerful temperament and the ability to drape curtains and arrange furniture attractively. These girls talked over the fact, that they were now reduced to their last ten dollars and the pantry was empty, father ill, and mother—not counted. They joked a little, wept a few tears, and prayed devoutly. Then the talentless one received an invitation in the very nick of time to visit the richest lady in town (a cripple with a grand house). She went, she saw, and, of course, she conquered—earned money by giving ar-

tistic touches to the houses of all the rich people in town, and eight months later married the nephew of the opulent cripple. No more mention is made of the empty pantry, the sick father, and the two talented girls whose labor did not previously keep the wolf from the door. But it is only fair to suppose that the new husband was to be henceforth the head of the entire establishment—surely a warning to most young men contemplating matrimony under such trying circumstances. All is supposed to move on well, however, and every hapless girl who reads such a story, is led to believe that *she* is the household fairy who will meet the prince and somehow (not stated) redeem her father's family from want and despair. For it is the object of such stories to convey the impression that everything is quite comfortable and settled after the wedding. The young girl who reads these stories looks out upon life through the absurd spectacle thus furnished her. She sees nothing as it is. Such little plans as she can make, are based upon wholly incorrect data. Her whole existence is unconsciously made to bend to the idea of matrimony as a means of salvation for herself and such persons as may be in any way objects of care to her.

Indeed, what are commonly known as "safe stories for girls," are made up of just such rubbish, which if it were only rubbish, might be tolerated;

but the harm all this sort of thing does can hardly be estimated. I do not now refer to the harm of a more vicious sort that is sometimes spoken of as the result of story reading. I am not considering the deliberately scheming nor the consciously self-sacrificing girl who struts her day on the stage and in fiction marries to save the farm or her father or any one else. I am thinking of the every-day girl, who is simply led to see life exactly as it is likely *not* to be, and is therefore disarmed at the outset. She is filled with all sorts of dreamy ideas of rescue by prayer or by means of some suddenly developed—previously undreamed-of—rich relation or lover or, I had almost said—fairy. And why not? Literature used to bristle with these intangible aids to the helpless or stranded author. The name is changed now, it is true, but the fairy business goes bravely on at the old stand, and the young are fed with views of life, and of what they will be called upon to meet, which are none the less harmful and visionary because of the changed nomenclature.

A gentleman of middle age said to me not long ago: "I grew up with the idea that people were like those I met in books. I went out into life with that belief. I measured myself by those standards, and I have spent much time in my later years re-adjusting myself to fit the facts. It placed me at a great disadvantage. I saw people and deeds

as they were not—as they are never likely to be in this world—and I could not believe that my own case was not wholly exceptional. I began to look at myself as quite out of the ordinary. My experiences were such as belied my reading, and it was a very long time and after serious struggle, that I discovered that it was my false standards, derived from reading popular fiction, that had deceived me and that, after all, life had to be met upon very different lines from the ones laid down by the ordinary writers of fiction. I really believe I was unfitted for life as I found it, more by the fictions of fiction than by any other one influence."

Another gentleman—a writer of renown—said to me: "We may not 'hold the mirror up to nature' as nature is. The critics will not have it. We must hold it up to what we are led to think nature *ought* to be."

Now that would be all very well, no doubt, if the picture were labeled to fit the facts. If it were distinctly understood by the reader that in ninety-nine cases out of a hundred the outcome of real life would be wholly different, that the right man would not turn up, in the nick of time, to point out to the defenseless widow that there was a flaw in the deed; if the reader was warned that honest effort often precedes failure; that virtue and vice not only may, but do, walk hand in hand down many a

life-long path and sometimes get the boundary lines quite obliterated between them; if he understood that in life the biggest scoundrel often wears the most benign countenance and does not go about with a leer and a scowl that labels him, all might be well.

A prominent woman, an authority on social topics, who is also a writer, a short time ago announced to her audience of ladies who gave the smiling response of a thoughtless yes, that "no one ever committed a despicable act with the head erect and the chest well out." "A dishonest man, a criminal, a mean woman," she said, always carry themselves so and so!

If that were true—if it bore only the relationship of probability to truth—courts of law to determine upon questions of guilt or innocence, would be quite unnecessary. A photograph and an anatomical expert would do the business. The doing of a wrong act would become impossible to a gymnast, and the graceful "bareback lady" in the circus would be farther removed from all meanness of soul than any other woman living.

Yet some such idea—stated a little less absurdly—runs through fiction, the drama, and poetry.

Ferdinand Ward or Carlyle Harris would figure in orthodox fiction with "furtive eyes," "a hunted look," and with very hard and repellant features,

indeed; yet those who knew them well never discovered any such expressions. Jesse James would look like a ruffian and treat his old mother like a brute. But in life he was a mild, quiet, fair-appearing man who adored his mother, and was shot in the back (while tenderly wiping the dust from her picture) by a despicable wretch who was living upon his bounty at the time and accepted a bribe to murder him. Young girls do not need to be warned against "mother Frouchards." No girl of fair sense would require such warning; but the plausible, good-looking, and often nobly-acting man or woman who lapses from rectitude in one path while carefully treading the straight and narrow way in all earnestness and with honest intent in others are the ones for whom the fictions of fiction leave us unprepared.

In short the people who do not exist—the villain who is consistently and invariably villainous, the woman who is an angel, the people who never make mistakes, or who are able and wise enough to rectify them nobly, and all the endless brood are familiar enough. We know all of them, and are prepared for them when we meet them—which we never do. But for the real people we are not prepared. For the exigencies of life that come; for the decisions and judgments we are called upon to make, the fictions of fiction have contributed to

disarm us. We are hampered. There is no precedent. We feel ourselves imposed upon; we are face to face, so we believe—with a condition that no one ever met before. We are dazed; we wait for the orthodox denouement. It does not come. We pray. There is no angel visitant who cools our fevered brow with gentle wings and lulls our fears with promise of help from other than human agencies—which promises are straightway fulfilled, of course, in fiction. We sit down and wait but no rich relation dies and leaves us a legacy, nor does the prince appear and wed us. Nothing is orthodox, but we have lost much valuable time, and strength, and hope in waiting for it to be so. We have failed to adjust ourselves to life as it is. We do not measure ourselves nor others by standards that have a par value. We are discouraged and we are at sea.

A short time ago I read a story of the late war. The burden of it was that, if a soldier had been brave and loyal, he could also be depended upon to be honest. I happened to read the story while under the same roof with an old soldier who was at that time a judge on the bench. He had served faithfully while in the army; he was brave and he, no doubt, deserved the honorable discharge he received, and yet while he sat on the bench, he applied for a pension on the ground of incurable dis-

ease "contracted in active service." While those papers were being investigated and one doctor was examining him for his pension, he also applied and was examined for life insurance as a perfectly sound man and healthy risk, *and he got both.*

The fact is, human nature is very much mixed. Good and bad is not divided by classes but is pretty well distributed in the same individual. Weakness and strength, wisdom and ignorance, impulse and reason, play their part in the same life with all the other attributes, passions, and conditions, and the literature which makes any individual the personification of good or of evil leads astray its confiding readers. Woman has been represented in literature as emotion culminating in self-sacrifice and matrimony. That was all. And even unto this day many persons can conceive of her in no other light. The idea has always been productive of infinite misery to woman whose whole book of life was read by these pages only, as well as to man who had carefully to spell out the other pages in the characters of wife or daughter when it was too late for him to learn new lessons, or to develop a taste for an unknown language.

Man has been known as pure reason touched with chivalry and devotion, or else as a dangerous animal who preys upon his kind. There may be—in some other life or world—representatives of both

of these classes, but they are not the men with whom we live, and, therefore, whose acquaintance it is desirable we should make as early as possible.

That a large family is a crown of glory to the parents and an inestimable boon to the state, is an idea running through literature. Is it a fact or is it one of the fictions of fiction which it were well to stimulate and galvanize into life less persistently? What is the answer from reform schools and penal institutions, filled by ignorance and passion held in bondage by poverty; from cemeteries where mothers and babies of the poor and ill-nurtured are strewn like leaves; from the homes of the educated and well to do where small families are the rule—large ones the deplored exception? What is the logical reply in countries whose sociological students sigh over the struggle for existence and a scarcity of supplies; "over population" and desperate emigration? Misery and vice bearing strict proportion to density of population and poverty, surely offer a hint that at least one of the fictions of fiction has gone far to do a serious injury to mankind.

But the fiction of fictions which has done more real harm to the human race than any other, perhaps, is the one which dominates it—the idea that woman was created for the benefit and pleasure of man, while man exists for and because of himself.

Fiction has utilized even her hours of leisure and amusement to sap the self-respect of womanhood while it helped very greatly to brutalize and lower man by keeping—in this insidious form—the thought ever before him that woman is a function only and not a person, and that even in this limited sphere she is and should be proud to be man's subject. "He for God only, she for God in him."

It is true that since the advent of women writers fiction has shown a tendency to modify, to a limited extent, this previously universal dictum, but the thought still dominates literature greatly to the detriment of morals and of the dignity of both men and women.

"The woman who has no history is the woman to be envied," says literature—and yet people do not envy her any more than they do the man of like inconspicuous position. No one wishes that she might go down to history, if one may so express it, as historyless. No one points with pride to Jane Smith as his illustrious ancestor any more than if Jane had chanced to be John. To have been a Mary Somerville, or an Elizabeth Barrett Browning, or a George Eliot, most historyless women would be willing to change places even now, and as for "those who come after," can there be a question as to which would give more pride or pleasure to man or woman, to say—"I am the son, or the brother, or

the niece of Mrs. Browning," or to say, "Jane Smith, of Amityville, is my most famous relative?"

I have my suspicions that even * Mr. Fitzgerald would waver in favor of Elizabeth in case both women were his cousins. In public, at least, he would mention Jane less frequently and with less of a touch of pride. Personally he might like her quite as well. That is aside from the question. I have no doubt that he might like John Smith as well as Shakespeare, personally, too, and John may have led a happier life than William, but is a man with no history to be envied for that reason? The application is obvious.

One of the most insidious fictions of fiction, which it seems to me is harmful, is the theory that the good are so because they resist temptation, while the bad are vicious because they yield easily—make a poor fight.

Leaving out heredity and its tremendous power, it is likely that you would have yielded under as strong pressure as it took to carry your neighbor down. I say as strong pressure—not the *same* pressure—for your tastes not being the same, your temptations will take different forms. † If you had been born of similar parents and on Cherry Hill;

* Fitzgerald "thanked God" when Mrs. Browning died. See reply by Robert Browning in *Athenaeum*.

† "Our lives progress on the lines of least resistance."

—VAN DER WARKER, M. D.

if you had been one of a family of ten; if you had been stunted in mind and in body by want of nourishment; if you had been given little or no education; if you had helped to get bread for the family almost from the time you could remember; your record in the police court would not differ very greatly from that of those about you. In nine cases out of ten you would be where you sent that convict last year. Your pretty daughter would be the associate of toughs. She might be pure—in the sense in which the word is applied to women—but she would have a mind muddy and foul with the murk and odors of a life fit only for swine. She would marry a brute who honestly believes that so soon as the words of a priest or a magistrate are said over them, she belongs to him to abuse if he sees fit, to impose upon, lie to, or to let down into the valley of death for his pleasure whenever he sees fit, and quite without regard to her opinions or desires in the matter. She would be an old and broken woman at thirty, ugly, misshapen, and hopeless, with hungry-faced children about her, whose next meal would be a piece of bread, whose next word would be too foul to repeat, whose next act would disgrace a wolf.

In turn they would perpetuate their kind in much the same fashion, and some of your grandchildren would be in the poor-house, some in prison, some

in houses of ill-repute, and perchance some doing honest work—sweeping the streets or making shirts for forty cents a dozen for the patrons of a literature that goes on promoting the theory that the chief duty of the poor is to irresponsibly bring more children into the world—to work for them as cheaply as possible. To the end that they may restrict their own families to smaller limits and—by means of cheaper labor caused largely by over-population from below—clothe their loved ones in purple and build untaxed temples of worship, where poverty and crime is taught to believe in that other fiction of fictions—the “providence” that places us where we deserve to be and where a loving God wishes us to be content.

Indeed, this supernatural finger in literature has gone farther, perhaps, to place and keep fiction where it is, as a misleading picture of life and reality, than has any other influence. It has dominated talent and either starved or broken the pen of genius. “Oh, if I might be allowed to draw a man as he is!” exclaims Thackeray, as he leaves the office of his publisher, with downcast eyes and bowed head. He goes home and “cuts out most of his facts,” and returns the manuscript which is acceptable now, because it is *not* true to life!

Because it is now fiction based upon other fiction and has eliminated from it the elements of proba-

bility which might have been educative or stimulating or prophetic. Now, Thackeray was not a man who would have mistaken preachments for novels if he had been left to his own judgment; neither would he have painted vice with a hand that made it attractive, but he chafed under the dictum that he must not hold the mirror up to the face of nature, but must adjust it carefully so as to reflect a steel engraving of a water color from a copy of the "old masters."

It might be well if silver dollars grew on trees and if each person could step out and gather them at his pleasure; but since they do not, what good purpose could it serve if fiction were to iterate and reiterate that such is the case, until people believed that it was their trees which were at fault and not their fiction?

It might be a good idea, too, if babies were born with a knowledge of Latin and Mathematics, but to convince young people that such is the case and that they are pitiful exceptions to a general rule, is to place them at a humiliating disadvantage from the outset.

It is one of the most firmly rooted of these fictions of fiction, that such tales as I have mentioned above are "good reading—safe, clean literature" for girls. Nothing could be farther from the facts. Indeed, the outcry about girls not being allowed

to read this or that, because it deals with some topic "unfit" for the girls' ears, is another fiction of fiction which robs the girl of her most important armor—the armor of truth and the ability to adjust it to life.

A famous man once said in my presence—"The theory that to keep a girl pure you must keep her ignorant of life—of real life—is based upon a belief degrading to her and false as to facts. Some people appear to believe that if they keep girls entirely ignorant of all truth, they will necessarily become devotees of truth, and if you could succeed in finding a girl who is a perfect idiot, you would find one who is also a perfect angel."

"We are a variegated lot at best and worst," said a lady to me the other day, when discussing the character of a man who is in the public eye, "I know a different side of his character. The side I know I like. The side the public knows is so different." But in fiction he would be all one way. He would be a scamp and know it, or he would be a saint—and know that too. The fact is he is neither; and we *are* a variegated set at best and worst. Why not out with it in fiction and be armed and equipped for character and life as it is?

There is a school of critics who will say this is not the province of fiction. Fiction is to entertain, not to instruct. With this I do not agree—only in

part. But accepting the standard for the moment, I am sure that a picture of life as it is, is far more entertaining than is that shadowy and vague photograph of ghosts taken by moonlight, which "safe stories for the young" generally present.

But to enumerate the fictions of fiction would be to undertake an arduous task—to comment upon them all would be impossible.

How much remorse—how many heartbreaks—have been caused by the one of these which may be indicated briefly in a sentence thus—"Stolen pleasures are always the sweetest."

"She sullied *his* honor," "He avenged his sullied honor," and all the brood of ideas that follows in this line have built up theories and caused more useless bloodshed and sorrow than most others. No wife can stain the honor of her husband. He, only, can do that, and it is interesting to note the fact that he who struts through fiction with a broken heart and a drawn sword "avenging" said honor (in the sense in which the word is used), seldom had any to avenge, having quite effectively divested himself of it before his wife had the chance.

"She begged him to make an honest woman of her." What fiction of fiction (and, alas, of law) could be more degrading to womanhood—and hence to humanity—than the thought here presented? The whole chain of ideas linked here is vicious and

vicious only. Why sustain the fiction that a woman can be elevated by making her the permanent victim of one who has already abused her confidence, and now holds himself—because of his own perfidy—as in a position to confer honor upon his victim? He who is not possessed of honor cannot confer it upon another. "The purity of family life" is another fiction of fiction which never did and never can exist, while based upon a double standard of morals. That there ever was or ever will be a "union of souls" in a family where a double standard holds sway, or that women are truthful or frank with men upon whom they are dependent, are fictions which it were time to face and controvert with facts. Dependence and frankness never co-existed in this world in an adult brain—whether it were the dependence of the serf or of the wife or daughter, the result is ever the same. The elements of character which tend to self-respect and hence to open and truthful natures, are not possible in a dependent—or in a social or political inferior. Do the peasants tell the lord exactly what they think of him, or do they tell him what they know he wishes them to think?

Did the black men, while yet slaves, give to the master their own unbiased opinion of the institution of slavery? Not with any degree of frequency. The application is obvious.

Another of the fictions of fiction upon which the vicious build, and which has disarmed thousands before the battle, is the insistency with which the idea is presented that a man (or woman) who is honestly and truly and conscientiously religious, is therefore necessarily moral or honorable; that he is a hypocrite in his religion if he is a knave in his life. Observation and history and logic are all against the theory. Some of the most exaltedly religious men have been the most wholly immoral. It was honest religion that burned Servetus and Bruno. They were not hypocrites who hunted witches. It is not hypocrisy that draws its skirts aside from a "fallen" sister, and immorally marries her companion in illicit love to purity and innocence. Do you know any religious father (or many mothers) in this world who would refuse to allow their son, whom they know to be of bad character, to marry a girl who is as pure and spotless and suspicionless as a flower? "She will reform him," they say. "It will be good for him to marry such a girl." And how will it be for her? Does the religious man or woman not take this view of morals? Has right and wrong, sex? Is honor and truthfulness toward others limited in application? Have you a right to deceive certain people for the pleasure or benefit of other people? If so where is the boundary line? Would the girl marry you or your son

if she knew the exact truth—if she were to see with her own and not with your eyes—*all* of your life? Would you be willing to take her with you, or for her to go unknown to you, through *all* the experiences of your past and present? No? Would you be willing to marry her if she had exactly your record? No? You truly believe then that she is worthy of less than you are? Honor does not demand as much of you for her as it does of her for you? You would think she had a right—you would not resent it if her life had been exactly what yours was and is, and if she had deceived you? Is that which is coarse or low for women not so for men? Why is it that men will not submit to, if it comes from women, that which they impose upon women whom they “adore” and “truly respect?”

Would women accept this sort of respect and adoration if they were not dependents? Does literature throw a true or a fictitious light on such questions as these?

To whose advantage is it to sustain such fictitious standard of morals, of justice, of love, of right, of manliness, of honor, of womanly dignity and worth? To whose advantage is it to teach by all the arts of fiction that contentment with one's lot—whatever the lot may be—is a virtue? Yet it is one of the fictions of fiction that the contented man or woman is the admirable person. All progress proves the

contrary. To whose advantage is it to insist that virtue is always rewarded—vice punished? We know it is not true. Is it not bad enough to have been virtuous and still have failed, without having also the stigma which this failure implies under such a code? We all know that vicious success is common—that often vice and success are partners for life and that in death they are not divided; that the wicked flourish like a green bay-tree—why blink it in fiction? Why add suspicion to failure and misfortune, and gloss success with the added glory that it is necessarily the result of virtue? To those who know how false the theory is, it is a bad lesson—to those who do not know it, it is a disarmament against imposition.

Some of the fictions of fiction have their droll side in their naïve contradictions of each other. These examples occur to me:

"Women are timid and secretive." "They can't keep a secret." "They are the custodians of virtue." "They are the 'frailer' sex." "Frailty, thy name is woman." "With the passionate purity of woman."

"Abstract justice is an attribute of the masculine mind." "Man's inhumanity to man makes countless thousands mourn."

"No class was ever able to be just to—to do justly by another class—hence the need of popular representation." "Women should take no part in politics."

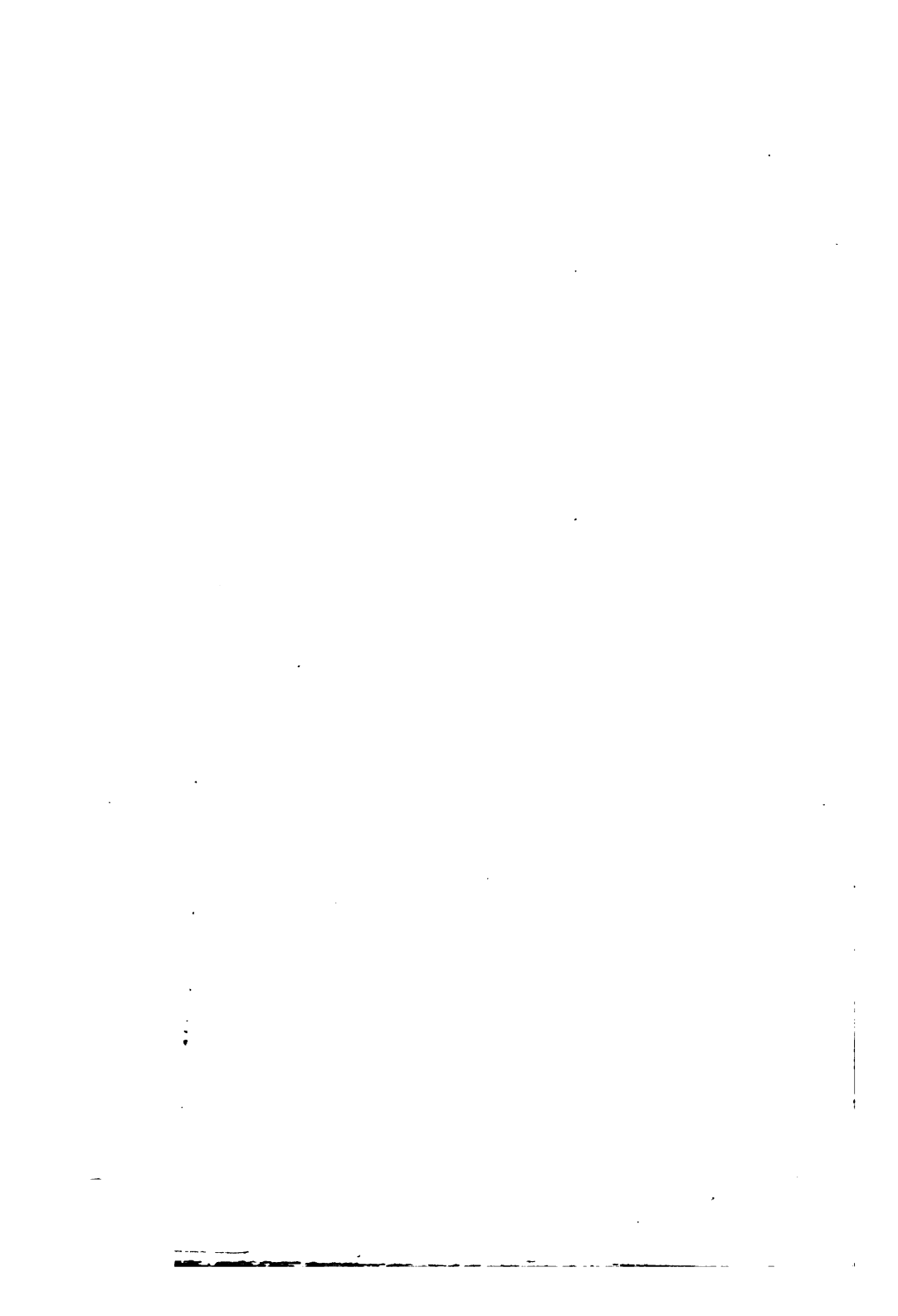
"Women are harder upon women than men are."

"He disgraced his honored name by actually marrying his paramour."

"We are happy if we are good."

"He was one of the best and therefore one of the saddest of men."

But why multiply examples. Many—and different ones—will occur to every thinking mind, while illustrations of the particular fictions of fiction, which have gone farthest to cripple you or your neighbor, will present themselves without more suggestions.



A Day in Court

Reprinted from *The Arena*



A Day in Court



I. CRIMINAL COURT.

To those accustomed to the atmosphere and tone of a court room, it is doubtful if its message is impressive. To one who spends a day in a criminal court for the first time after reaching an age of thoughtfulness, it is more than impressive; it is a revelation not easily forgotten. The message conveyed to such an observer arouses questions, and suggests thoughts which may be of interest to thousands to whom a criminal court room is merely a name. I went early. I was told by the officer at the door that it was the summing up of a homicide case. "Are you a witness?" he asked when I inquired if I was at liberty to enter. "Were you subpoenaed?"

"No," I replied, "I simply wish to listen, if I may, to the court proceedings. I am told that I am at liberty to do so."

He eyed me closely, but opened the door. Just as I was about to pass in he bent forward and asked quickly:

"Friend of the prisoner?"

"No."

He said something to another officer and I was taken to an enclosed space (around which was a low railing) and given a chair. I afterward learned that it was in this place the witnesses were seated. He had evidently not believed what I said.

There was a hum of quiet talk in the room, which was ill-ventilated and filled with men and boys and a few women. Of the latter there were but two who were not of the lower grades of life. But there were all grades of men and boys. The boys appeared to look upon it as a sort of matinee to which they had gained free admission.

The trial was one of unusual interest. It had been going on for several days. The man on trial (who was twenty-four years of age and of a well-to-do laboring class,) had shot and killed his rival in the affections of a girl of fourteen. Some months previous, he had been cut in the face, and one eye destroyed, by the man he afterward killed, who was at the time of the killing out on bail for this offense. I had learned these points from the scraps of conversation outside the court room, and from the court officer. This was the last day of the trial. There was to be the summing up of the defense, the speech of the prosecutor, the charge of the judge, and the verdict of the jury.

The prisoner sat near the jury box, pale and

stolid looking. The spectators laughed and joked. Court officers and lawyers moved about and chaffed one another. There was nothing solemn, nothing dignified, nothing to suggest the awful fact that here was a man on trial for his life, who, if found guilty, was to be deliberately killed by the State after days of inquiry, even as his victim had been killed, in the heat of passion and jealousy, by him.

The State was proposing to take this man's life to teach other men *not* to commit murder.

"Hats off!"

The door near the Judge's dais had been opened by an officer, who had shouted the command as a rotund and pleasant-faced gentleman, with decidedly Hibernian features, entered.

He took his seat on the raised platform beneath a red canopy. The buzz of voices had ceased when the order to remove hats was given. It now began again in more subdued tones. In a few moments the prisoner's lawyer—one of the prominent men of the bar—began his review of the case. He pointed out the provocation, the jealousy, the previous assault—the results of which were the ghastly marks and the sightless eye of the face before them. He plead self defense and said over and over again, "If I had been tried as he was, if I had been disfigured for life, if I had had the girl I loved taken from me, I'd have killed the man who did it, *long*

ago! We can only wonder at this man's forbearance!"

I think from a study of the faces that there was not a boy in the room who did not agree with that sentiment—and there were boys present who were not over thirteen years of age.

The lawyer dwelt, too, upon the fact that the prosecutor would say this or that against his client. "He will try to befog this case. He will tell you this and he will try to make you think that; but every man on this jury knows full well that *he* would have done what my client did under the same conditions." "The prosecutor told you the other day so and so. He lied and he knew it." The defender warmed to his work and shook his finger threateningly at the prosecutor. Every one in the room appeared to think it an excellent bit of acting and a thoroughly good joke. No one seemed to think it at all serious, and when he closed and the State's attorney arose to reply there was a smile and rustle of quiet satisfaction as if the audience had said:

"Now the fur will fly. Look out! It is going to be pretty lively for he has to pay off several hard thrusts."

There was a life at stake; but to all appearances no one was controlled by a trifle like that when so much more important a thing was risked also—the

professional pride of two gentlemen of the bar. In the speech which followed, it did not dawn upon the State's attorney—if one may judge from his words—that he was "attorney for the people," and that the prisoner was one of "the people." It did not appear in his attitude if he realized that the State does not elect him to convict its citizens, but to see that they are properly protected and represented.

Surely the State is not desirous of convicting its citizens of crime. It does not employ an attorney upon that theory; but is this not the theory upon which the prosecutor invariably conducts his cases? Does he not labor first of all to secure every scrap of evidence against the accused and to make light of or cover up anything in his favor? Is not the State quite as anxious that he—its representative—find citizens guiltless, if they are so, as that he convict them if they are offenders against the law? Is not the prosecutor offending against the law of the land as well as against that of ordinary humanity when he bends all the vast machinery of his office to collect evidence against and refuses to admit—tries to rule out—evidence in favor of one of "the people" whose employee he is?

These questions came forcibly to my mind as I listened to the prosecutor in the trial for homicide. He not only presented the facts as they were, but he drew inferences, twisted meanings, asserted that

the case had but one side; that the defendant was a dangerous animal to be at large; that his witnesses had all lied; that his lawyer was a notorious special pleader and had wilfully distorted every fact in the case. He waxed wroth and shook his fist in the face of his antagonist and appealed to every prejudice and sentiment of the jury which might be played upon to the disadvantage of the accused. He sat down mopping his face and flashing his eyes. The Judge gave his charge, which, to my mind, was clearly indicative of the fact that he, at least, felt that there were two very serious sides to the case. The audience which had so relished the two preceding speeches, found the Judge tame, and when the jury filed out, half of the audience went also. Most of them were laughing, highly amused by "the way the prosecutor gave it to him" as I heard one lad of seventeen say. The moment the Judge left the stand there was great chaffing amongst the lawyers, and much merry-making. The prisoner and his friends sat still. The prosecutor smilingly poked his late legal adversary under the ribs and asked 'in a tone perfectly audible to the prisoner, "Lied, did I? Well, I rather think I singed your bird a little, didn't I?" When he reached the door, he called back over his shoulder—making a motion of a pendant body—"Down goes McGinty!" Everyone laughed. That is to say,

everyone except the white-faced prisoner and his mother. He turned a shade paler and she raised a handkerchief to her eyes. Several boys walked past him and stopped to examine him closely. One of them said, so that the prisoner could not fail to hear, "He done just right. I'd 'a done it long before, just like his lawyer said."

"Me too. You bet," came from several other lads—all under twenty years of age.

And still we waited for the jury to return. The prisoner grew restless and was taken away by an officer to the pen. There was great laughter and joking going on in the room. Several were eating luncheons abstracted from convenient pockets. I turned to an officer, and asked:

"Do you not think all this is bad training for boys? It must show them very clearly that it is a mere game of chance between the lawyers with a life for stakes. The best player wins. They must lose all sense of the seriousness of crime to see it treated in this way."

"Upon the other hand," said he, "they learn, if they stay about criminal courts much, that not one in ten who is brought here escapes conviction, and not one in ten who is once convicted, fails to be convicted and sent up over and over again. Once a criminal, always a criminal. If they get fetched here once they might as well throw up the sponge."

"Is it so bad as that?" I asked. He nodded. "Is there not something wrong with the penal institutions then?" I queried.

"How?"

"You told me a while ago," I explained, "that almost all first crimes or convictions were of boys under seventeen years of age. Now you say that not one in ten brought here, accused, escapes conviction, and not one in ten of these fails to be convicted over and over again. Now it seems to me that a boy of that age ought not to be a hopeless case even if he has been guilty of one crime; yet practically he is convicted for life if found guilty of larceny, we will say. Is there not food for reflection in that?"

"I do' know," he responded, "mebby. If anybody wanted to reflect. I guess most boys that hang around here don't spend none too much time reflectin' though—till *after* they get sent up. They get more time for it then," he added, dryly.

"Another thing that impresses me as strange," I went on, "is the apparent determination of the prosecutor to convict even where there is a very wide question as to the degree of guilt."

"I don't see anything queer in that. He's human. He likes to beat the other lawyer. Why, did you know that the prosecutor you heard just now is cousin to a lord? His first cousin married Lord ———."

This was said with a good deal of pride and a sort of proprietary interest in both the lord and the fortunate prosecutor. I failed to grasp just its connection with the question in point to which I returned.

"But the public prosecutor is not, as I understand it, hired to convict but to represent the 'people,' one of whom is the accused. Now, is the State interested in convictions only—does it employ a man to see that its citizens are found guilty of crime, or is it to see that justice is done and the facts arrived at in the interest of *all* the people, including the accused?"

"I guess that is about the theory of the State," he replied, laughing as he started for the door, "but the practice of the prosecuting attorney is to convict every time if he can, and don't you forget it."

I have not forgotten that nor several other things, more or less important to the public, since my day in a Criminal Court.

It may be interesting to the reader to know that the jury in the case cited, disagreed. At a new trial the accused was acquitted on the grounds of self defense and the prosecutor no doubt felt that he was in very poor luck, indeed: "For," as I was told by a court officer, "he has lost his three last homicide cases and he's bound to convict the next time in spite of everything, or he won't be elected

again. I wouldn't like to be the next fellow indicted for murder if he prosecutes the case, even if I was as innocent as a spring lamb," said he succinctly.

Nor should I.

But aside from this thought of the strangely anomalous attitude of the State's attorney; aside from the thought of the possible influence of such court room scenes upon the boys who flock there—who are largely of the class easily led into, and surrounded by, temptation; aside from the suggestions contained in the officer's statement—which I cannot but feel to be somewhat too sweeping, but none the less illustrative, that only one in ten brought before the Criminal Court escapes conviction, and only one in that ten fails to be reconvicted until it becomes practically a conviction for life to be once sent to a penal institution; aside from all this, there is much food for thought furnished by a day in a Criminal Court room. A study of the jury, and of the judge, is perhaps as productive of mental questions that reach far and mean much, as are those which I have briefly mentioned; for I am assured by those who are old in criminal court practice, that my day in court might be duplicated by a thousand days in a thousand courts and that in this day there were, alas, no unusual features. One suggestive feature was this. When the jury

—an unusually intelligent looking body of men—was sworn for the next case, seven took the oath on the Bible and five refused to do so, simply affirming. This impressed me as a large proportion who declined to go through the ordinary form; but since it created no comment in the court room, I inferred that it was not sufficiently rare to attract attention, while only a few years ago, so I was told, it would have created a sensation. There appeared to be a growing feeling, too, against capital punishment. Quite a number of the talesmen were excused from serving on the jury on the ground of unalterable objection to this method of dealing with murderers. They would not hang a man, they said, no matter what his crime.

"Do you see any relation between the refusal to take the old form of oath, and the growth of a sentiment or conscientious scruple against hanging as a method of punishment"? I inquired of the officer.

"I do' know. Never thought of that. They're both a growin'; but I don't see as they've got anything to do with each other."

But I thought possibly they had.

II. IN THE POLICE COURT.

The next week I concluded to visit two of the Police Courts. I reached court at nine o'clock,

but it had been in session for half an hour or more then, and I was informed that "the best of it was over." I asked at what time it opened. The replies varied "Usually about this time." "Some where around nine o'clock as a rule." "Any time after seven," etc. I got no more definite replies than these, although I asked policemen, doorkeeper, court officer, and Justice. Of one Justice I asked, "What time do you close?"

"Any time when the cases for the day are run through," he replied. "To-day I want to get off early and I think we can clear the calendar by 10:30 this morning. There is very little beside excise cases to-day and they are simply held over with \$100 bail to answer to a higher court for keeping their public houses open on Sunday. Monday morning hardly ever has much else in this court."

I was seated on the "bench" beside the Judge. At this juncture a police officer stepped in front of the desk with his prisoner, and the Justice turned to him.

"Do you swear to tell the truth, the whole tr—'n—g b tr'th—selp y' God. Kissthebook."

The policeman had lifted the greasy volume, and with more regard for his health than for the form of oath, had carried it in the neighborhood of his left cheek and as quickly replaced it on the desk.

"What is the charge?" inquired the Justice.

"Open on Sunday," replied the officer succinctly.

"See him selling anything?"

"No. I asked for a drink an' he told me he was only lighting up for the night and wasn't sellin' nothing."

"Anybody inside?"

"Only him an' me."

"You understand that you are entitled to counsel at every stage of this proceeding," said the Justice to the accused man. "What have you to say for yourself?"

"Your Honor, I have a dye house, and a small saloon in the corner. I always light the gas at night in both and have it turned low. I had on these clothes. I was not dressed for work. I went in to light up and he followed me in, and arrested me and I have been in jail all night. I sold nothing."

"Is that so, officer?" asked the Justice.

"Yes, your Honor, it is so far as I know. I seen him in there lighting the gas, an' I went in an' asked for a drink, an' he said he wasn't selling an' I arrested him."

"Give the record to the clerk. Discharged," said the Justice, and then turning to me he explained: "You see he had to arrest the man for his own protection. If a police officer goes into a saloon and is seen coming out, and doesn't make some sort of

an arrest, he'll get into trouble; so, for his protection he had to arrest the man after he once went in, and I have to require that record, by the clerk, to show why, after he was brought before me, I discharged him. That is for my protection."

"What is for the man's protection?" I asked. "He has been in jail all night. He has been dragged here as a criminal to-day, and he has a court record of arrest against him all because he lighted his own gas in his own house. That seems a little hard, don't you think so?"

The Judge smiled.

"So it does, but he ought to have locked the door when he went in to light up. Perhaps he was afraid to go in a dark room and lock his door behind him before he struck a light, but that was his mistake and this is his punishment. Next!"

Most of the cases were like this or not so favorable for the accused. In the latter instance they were held in bail to answer to a higher court. Two or three were accused of being what the officer called "plain drunks" and as many more of being "fighting drunks" or "concealed weapon drunks." In these cases the charge was made by the officer who had arrested them. There was no suggestion that "you are entitled to counsel," etc., and a fine of from "\$10 or ten days" to "\$100 or three months" or both was usually imposed.

A pitiful sight was a woman, sick, and old, and hungry. "What is the charge against her, officer?" inquired the Justice.

"Nothing, your Honor. She wants to be sent to the workhouse. She has no home, her feet are so swollen she can't work, and—"

"Six months," said the Justice, and turned to me. "Now she will go to the workhouse, from there to the hospital, and from there to the dissecting table. Next."

I shuddered, and the door closed on the poor wretch who, asking the city for a home, only, even if that home were among criminals, received a free pass to three of the public institutions sustained to receive such as she—at least so said the Justice to whom such cases were not rare enough to arouse the train of suggestions that came unbidden to me. He impressed me as a kind-hearted man, and one who tried to be a Justice in fact as well as in name. He told me that it was not particularly unusual for him to be called from his bed at midnight, go to court, light up, send for his clerk and hold a short session on one case of immediate importance—such as the commitment of a lunatic or the bailing of some important prisoner who declined to spend a night in jail while only a charge and not a conviction hung over him.

"I have never committed anyone without seeing

him personally," he explained. "Some judges do; but I never have. Only last night a man's brother and sister and two doctors tried to have me commit him as a lunatic, but I insisted on being taken to where he was. They begged me not to go in as he was dangerous; but I did, and one glance was all I needed. He was a maniac, but I would not take even such strong evidence as his relations and two doctors afforded without seeing him personally."

"And some judges do, you say?" I inquired.

"Oh yes. Next."

"Next" had been waiting before the desk for some time. The officer went through the same form of oath. I did not see a policeman or court officer actually "kiss the book" during the two days which I spent in the Police Courts. Some witnesses did kiss it in fact and not only in theory. A loud resounding smack frequently prefaced the most patent perjury. Indeed in two cases after swearing to one set of lies and kissing the Bible in token of good faith, the accused changed their pleas from not guilty to guilty and accepted a sentence without trial.

These facts did not appear to shake the confidence in the efficacy of such oaths and the onlookers in the court did not seem either surprised or shocked. Certainly the court officials were not, and yet the

swearing went on. That it was a farce to the swearers who were quite willing to say they believed they would "go to hell" if they did not tell the truth and were equally willing to run the risk, looked to me like a very strong argument for a form of oath which should carry its punishment for perjury with it to be applied in a world more immediate and tangible.

The afternoon found me in a more crowded Police Court. The Justice was rushing business. I stood outside the railing in front of which the accused were ranged. The charges were made by the police officer who faced the Judge. The accused stood almost directly behind the policemen something like four feet away. I was by the officer's side and so near as to touch his sleeve, and yet I can truly say that I was wholly unable to hear one-half of the charges made; most of them appeared to relate to intoxication, fighting, quarreling in the street, breaking windows and similar misdeeds.

Some of the "cases" took less than a minute and the accused did not hear one word of the charge made. What he did hear in most cases and *all* he could possibly hear was something like one of these:

"Ten dollars or ten days." "Three months."
"Ever been here before?"

"No, your Honor."

"Ten days."

"Officer says you were quarreling in a hallway with this woman. Say for yourself?"

"Well, your Honor, I was a little full and I got in the wrong hall and she tried to put me out and—"

"Ten dollars."

"Your Honor, I'll lose my place and I've got a wife and—" The officer led him away. Ten dollars meant ten days in prison to him and the loss of his situation. What it may have meant to his family did not transpire.

To the next "case" which was of a similar nature, the fine meant the going down into a well-filled pocket, a laugh with the clerk and the police officer who took the proffered cigar and touched his hat to the object of his arrest, who, having slept off his "plain drunk," was in a rather merry mood. Many of the accused did not hear the charges made against them by the officer; in but few cases were they told that they had a right to counsel; almost all were fined and at least two-thirds of the fines meant imprisonment. A little more care was taken, a little more time spent if the face or clothing of the accused indicated that he was of the well-to-do or educated class. Indeed I left this court feeling that the inequality of the administration of justice as applied by the system of fines was carried to its

farthest limit, and that it would be perfectly possible—easy indeed—to find a man (if he chanced to be poor and somewhat common looking) behind prison walls without his knowing even upon what charge he had been put there and without having made the slightest defense. If he were frightened, or ill, or unused to courts, and through uncertainty or slowness of speech, or not knowing what the various steps meant, had suddenly heard the Judge say "Ten dollars," and had realized that so far as he was concerned it might as well have been ten thousand; it was quite possible, I say, for such a man to find himself a convict before he knew or realized what it meant or with what he was charged.

I wondered if all this was necessary, or if attention were called to it from the outside if it might not set people to thinking and if the thought might not result in action that would lead to better things.

I wondered if a rapid picture of a boy of sixteen arrested for fighting, shot through this court into association with criminals for ten days, being found in their company afterward and sent by the criminal court to prison for three months for larceny, and afterward appearing and re-appearing as a long or short term criminal, would suggest to others what the idea suggested to me? I wondered, in short, if there were less machinery for the production and punishment of crime and more for its pre-

vention, if life might not be made less of a battlefield and hospital for the poor or unfortunate. I wondered if the farce of oaths, the flippancy of trials, the passion of the prosecutor for conviction and all the train of evils growing out of these were necessary; and if they were not, I wondered if the vast non-court-attending public might not suggest a remedy if its attention were called to certain of the many suggestive features of our courts that presented themselves to me during my first two days as an observer of the legal machinery that grinds out our criminal population.

Thrown in With the City's Dead

Reprinted from *The Arena*

Thrown in With the City's Dead



I read that headline in a newspaper one morning. Then I asked myself: Why should the city's dead be "thrown in?"

Where and how are they "thrown in?" Why are they *thrown* in?

Why, in a civilized land, should such an expression as that arouse no surprise—be taken as a matter of course? What is its full meaning? Are others as little informed upon the subject as I? Would the city's dead continue to be "thrown in" if the public stopped to think; if it understood the meaning of that single, obscure headline? Believing that the power of a free and fearless press is the greatest power for good that has yet been devised; and believing most sincerely, that wrongs grow greatest where silence is imposed or ignorance of the facts stands between the wrong doer, or the wrong deed, and enlightened public opinion, I decided to learn and to tell just the meaning—*all* of the meaning—of those six sadly and shockingly suggestive words.

Suppose you chanced to be very poor and to die

in New York; or suppose, unknown to you, your mother, a stranger passing through the city, were to die suddenly. Suppose, in either case, no money were forthcoming to bury the body, would it be treated as well, with as humane and civilized consideration as if the question of money were not in the case? We are fond of talking about giving "tender Christian burial," and of showing horror and disgust for those who may wilfully observe other methods. We are fond of saying that death levels all distinctions. Let us see whether these are facts or fictions of life.

The island where the "city's dead" are buried—that is, all the friendless and poor or unidentified, who are not cared for by some church or society—is a mere scrap of land, from almost any point of which you easily overlook it all, with its marshy border and desolate, unkempt surface. It contains, as the officer in charge told me, about seventy-nine acres at low tide. At high tide much of the border is submerged. Upon this scrap of land—about one mile long and less than half a mile wide at its *widest* point—is concentrated so much of misery and human sorrow and anguish, that it is difficult to either grasp the idea one's self or convey it to others.

There are three classes of dead sent here by the city. Those who are imbecile or insane—dead to

thought or reason; those who are dead to society and hope—medium term criminals; and those whom want, and sorrow, and pain, and wrong can touch no more after the last indignity is stamped upon their dishonored clay. I will deal first with these happier ones who have reached the end of the journey which the other two classes sit waiting for. Or, perhaps some of them stand somewhat defiantly as they look on what they know is to be their own last home, and recognize the estimate placed upon them by civilized, Christian society.

Upon this scrap of land there are already buried—or “thrown in”—over seventy thousand bodies. Stop and think what that means. It is a large city. We have but few larger in this country. Remember that this island is about one mile long and less than a half mile wide at the widest point. In places it is not much wider than Broadway.

The spot on which those seventy thousand are “thrown in” is but a small part of this miniature island. This is laid off in plots with paths between. These sections are forty-five feet by fifteen, and are dug out seven feet deep. Again, stop and picture that. It looks like the beginning of a cellar for a small city house. But in that little cellar are buried *one hundred and fifty bodies, packed three deep*. Remembering the depth of a coffin, and remembering that a layer of earth is put on each,

it is easy to estimate about how near the surface of the earth lie festering seventy thousand bodies. They are not in metallic cases, as may well be imagined; but I need only add that I could distinctly see the corpse through wide cracks in almost every rough board box, for you to understand that sickening odors and deadly gases are nowhere absent.

But there is one thing more to add before this picture can be grasped. Three of these trenches are kept constantly open. This means that something like four hundred bodies, dead from three days to two weeks, lie in open pine boxes almost on the surface of the earth.

You will say, "That is bad, but the island is far away and is for the dead only. They cannot injure each other." If that were true, a part of the ghastly horror would be removed, but, as I have said, the city sends two other classes of dead here. Two classes who are beyond hope, perhaps, but surely not beyond injury and a right to consideration by those who claim to be civilized.

Standing near the "general" or Protestant trench—for while Christian society permits its poor and unknown to be buried in trenches three deep; while it forces its other poor and friendless to dig the trenches and "throw in" their brother unfortunates; while it condemns its imbeciles and lunatics to the sights, and sounds, and odors, and poisoned air and

earth of this island, it cannot permit the Catholic and Protestant dead to lie in the same trenches!—standing near the general trench, in air too foul to describe, where five "short term men" were working to lower their brothers, the officer explained.

"We have to keep three trenches open all the time, because the Catholics have to go in consecrated ground and they don't allow the 'generals' and Protestants in there. Then the other trench is for dissected bodies from hospitals and the like."

"Are not many, indeed most of those, also, Catholics?" I asked.

"Yes, I guess so; but they don't go in consecrated ground, because they aint whole." This with no sense of levity.

"Are not many of the unknown likely to be Catholics, too?"

"Yes, But when we find that out afterward, we dig them out if they were not suicides, and put them in the other trench. If they were suicides, of course, they have to stay with the generals. You see, we number each section; then we number each box, and begin at one end with number one and lay them right along, so a record is kept and you can dig any one out at any time."

"Then this earth—if we may call it so—is constantly being dug into and opened up?" I queried.

"I should think it would kill the men who work, and the insane and imbecile who must live here."

"Well," he replied, smiling, "prisoners have to do what they are told to, whether it kills 'em or not, and I guess it don't hurt the idiots and lunatics none. They're past hurting. They're incurables. They never leave here."

"I should think not," I replied. "And if by any chance they were not wholly incurable when they came, I should suppose it would not be long before they would be. Where does the drinking water come from?"

"Drive wells, and—"

"What!" I exclaimed, in spite of my determination when I went that I would show surprise at nothing.

He looked at me in wonder.

"Yes, it is easy to drive wells here. Get water easy."

This time I remained silent. I did not wish to frighten away any farther confidences which he might feel like imparting.

There is one road from end to end of the island. The houses for the male lunatics and imbeciles are on the highest point overlooking at all times the trenches and at all times within hearing of whatever goes on there. The odors are everywhere so that night and day, every one who is on the island

breathes nothing else but this polluted air, except as a strong wind blows it, at times, from one direction over another. The women's quarters—much larger and better houses—are at the other end of the island. Not all of these overlook the trenches.

Every fair day all these wretched creatures are taken out to walk. Where? Along this one road; back and forth, back and forth, beside the "dead trenches." To step aside is to walk on "graves" for about half the way. We sometime smile over the old joke that the Blue Laws allowed nothing more cheerful than a walk to the cemetery on Sunday. All days are Sundays to these wretches who depend on the "civilized" charity of our city. All laws are very, very blue; all walks lead through what can by only the wildest abandon of charity be called by so happy a name as a "cemetery," and even the air and water the city gives them is neither air nor water; it is pollution.

A gentleman by my side watched the long procession of helpless creatures walk past. One man waved his hand to me and mumbled something and smiled—then he called back, "Wie geht's? Wie geht's?" and smiled again. Several of the wretched creatures laughed at him; but when I smiled and bowed, nearly half of the line of three hundred, turned and joined in his salutation. They filed past four times (the whole walk is so short), and

they did not fail each time to recognize me and bid for recognition. If they know me as a stranger, I thought, they know enough to understand something of all this ghastliness. The line of women was a long, long line. I was told that in all there were fourteen hundred women, and nearly five hundred men on the island. The line of women broke now and then as some poor creature would run out on the grass and pluck a weed or flower, and hold it gayly up or hide it in her skirts. One waved her hand at us, and said in tones that indicated that she was trying to assume the voice and manner of a public speaker: "The Lord deserteth not His chosen!" I did not know whether in her poor brain, they or we represented the chosen who were not to be deserted. Another said gayly and in an assumed lisp and voice of a little girl (although she must have been past fifty), "There's papa, oh, papa, papa, papa! My papa!" This to the gentleman who stood beside me. He smiled and waved his hand to her. Then he said, between his teeth:

"Civilized savages! To have them *here*!"

"It don't hurt 'em," said the officer beside us. "They're incurables. They won't any of 'em remember what they saw for ten minutes. People don't understand crazy folks and idiots. They're the easiest cowed people in the world. Long as

they know they're watched, they'll do whatever you tell them—this kind will. They're harmless."

"But why have them here?" I insisted. "If they are to be poisoned, why not do it more quickly and—"

"Poisoned!" he exclaimed, astonished. "Why, if one of the attendants was caught even striking one, he'd be dismissed quick. They get treated well. Only it is hard to keep attendants. We can't get 'em to stay here more than a month or so—just till they get paid. We have to go to the raw immigrants to get them even then. Nobody else will come."

"Naturally," remarked the gentleman beside me.

"Yes, it's kind of natural. This kind of folks are hard to work with, and the men attendants get only about seventeen to twenty dollars a month, and the women from ten to twelve dollars."

"So the attendants of these helpless creatures are raw immigrants," I said; "who, perhaps, do not speak English, who are constantly changing. The water they get is from driven wells, the sights and exercise are obtained from and in and by the dead trenches. The air they breathe is like this, night and day, you say, and no one ever leaves alive when once sent here."

"No one."

"Who does the work—the digging, the burying,

the handling of the dead, the carting, and the work for the insane?"

"Medium term prisoners. All these are from one to six months men," waving his hand over the men working below us in the horrible trench.

"Do you think they leave here with an admiration for our system of caring for the city's dead—whether the death be social, mental, or physical? Do they go back with a desire to reform and become like those who devise and conduct this sort of thing?"

He laughed.

"Why, it's just a picnic for them to come up here. You can't hardly keep 'em away with a club. Of course, the same ones don't work right *here* long; but when a fellow gets sent up to *any* of these places, he comes over and over until he gets ambitious to go to Sing Sing and be higher toned."

I thought of the same information given me at the Police and Criminal Courts a little while ago. I wondered if there might not be some flaw somewhere in the whole reformatory and punitive system. From the time a fourteen-year-old boy is taken up for breaking a window; sent to the reform school, where he is herded with older and worse boys, until he passes through the police court again,—let us say at sixteen, as a "ten-day drunk,"—to herd again in a windowless prison van, packed

close with fifteen hardened criminals (as I saw a messenger boy of fifteen on my way to the island), and taken where for ten days he enjoys the society of the most abandoned; returns to town the companion of thieves; and goes the next time for three or six months for petit larceny, then for some graver crime, on and up. At last, when he has no more to learn or to teach, he is given a cell or room alone until the State relieves him of the necessity of following the course which has been mapped out for and steadily followed by so many. He knows when he is a three months' man where he is going at last. Has he not helped to dig the trenches for the men who looked so hard and vile to him when he broke that window and stood in the Police Court by their sides?

Perhaps you will ask: "Why did he not take the warning, and follow a better course, turn the other way?"

Perchance it might be asked on the other hand—since court, and morgue, and cemetery officials unite in the assertion that the above record is almost universal, and that our present methods not only do not reform, but actually prevent the reform of offenders—why this system is still followed by the State, and if the warning has not been ample and severe here, also.

Are we to expect greater wisdom, more far-seeing

judgment and a loftier aim in these unfortunates of society than is developed in those who control them?

Since it is all such a dismal failure, why not plan a better way? Why not begin at the other end of the line to keep offenders apart? Why herd them—good, bad, and indifferent—together, in the stage of their career when there is hope for some, at least, to reform; and begin to separate them only when the last mile of the road is reached?

Why, if the city *must* bury its dead in trenches and under the conditions only half described above (because much of it is too sickening to present), why, if cremation or some better mode of burial is not possible—and certainly I think it is—why, at least, need the awful, the ghastly, the inhuman combination be made of burying together medium term criminals, imbeciles, lunatics, and thousands of corpses all on one mere scrap of land? If a seven-foot mass of corruption exhaling through the air and percolating through land and water must be devoted to the dead poor of a great city, why in the name of all that is civilized or humane, permit any living thing to be detained and poisoned on the same bit of earth?

I saw a woman who had come to visit her mother who was one of these poor, insane creatures. "I can't afford to keep her at home," she said, "and

then at times she gets 'snags' and acts so that people are afraid of her, so I had to let her come here. It is kind of awful, ain't it?"

I thought it was "kind of awful," for more reasons than the poor woman could realize, for she was so used to foul air and knew so little of sanitary conditions that she was mercifully spared certain thoughts that seem to have escaped the authorities also.

"It is her birthday and I brought her this," she said, showing me a colored cookie. "She will like it. We can visit here one day each month if we have friends."

* * * * *

"How many bodies do you carry each week?" I asked of the captain of the city boat.

"About fifty," he said. But later on both he and the official on the Island told me that there were six thousand buried here yearly, so it will be seen that his estimate per week was less than half what it should have been.

I looked at the stack of pine boxes, the ends of which showed from beneath a tarpaulin on the deck.

They were stacked five deep. There were seven wee ones, hardly larger than would be filled by a good-sized kitten.

I said: "They are so *very* small. I don't see how a baby was put inside."

The man to whom I spoke—a deck hand who was a “ten-day-self-committed,” so the captain told me later—smiled a grim, sly smile and said:

“I reckon you’re allowin’ fer trimmin’s. This kind don’t get pillers and satin linin’s. It don’t take much room for a baby with no trimmin’s an’ mighty little clothes.”

“Why are two of them dark wood and all the rest light?” I asked of the same man.

“I reckon the folks of them two had a few cents to pay fer gittin’ their baby’s box stained. It kind of looks nicer to them, and when they get a little more money, they’ll come and get it dug up and put it in a grave by itself or some other place. It seems kind of awful to some folks to have their little baby put in amongst such a lot.”

He said it all quite simply, quite apologetically, as if I might think it rather unreasonable—this feeling that it was “kind of awful to think of the baby in amongst such a lot.”

At that time, I did not know that he was a prisoner. He showed me a number of things about the boxes and spoke of the open cracks and knot holes through which one could see what was inside. I declined to look after the first glance.

“You don’t mind it very much after you’re used to it,” he said. “Of course, *you* would, but I mean *us*.”

I began to understand that he was a prisoner.

"When you're a prisoner, you get used to a good deal," he said, later on, when they were unloading the bodies and some of the men looked white and sick. "They're new to it," he explained to me. "It makes them sick and scared; but it won't after a while."

"Why are most of them here?" I asked. "Most of them look honest—and—"

"Honest!" he exclaimed, with the first show he had made of rebellion or resentment. "Honest! Of course most of us are honest. It is liquor does it mostly. None of *us* are thieves—yet!"

I noticed the "us," but still evaded putting him in with the rest.

"Why do they not let liquor alone, after such a hard lesson?"

He laughed. He had a red, bloated, but not a bad face. He was an Englishman.

"Some of us can't. Some don't want to, and some—some—it is about all some can get."

Later on, I was told that this man was honest, a good worker, and that he was "self-committed to get the liquor out of him. He's been here before. When he gets out, he will be drunk before he gets three blocks away from the dock, and he'll be sent here again—or to the Island!"

"And has this system gone on for a hundred

years," I asked, "without finding some remedy?"

"Well, since the women began to take a hand, some little has been done," the officer replied. "They built a coffee and lodging house right near the landing, and take returning prisoners there, and give them a chance to work if they want to—in a broom factory they built. Some get a start that way and if they work and are honest, they get a letter saying so when they find places. It is only a drop in the bucket, but it helps a few."

"It looks a little as though, if women were to take a hand in public, municipal, or governmental affairs, that reform, and not punishment, might be made the object of imprisonment if imprisonment became necessary, doesn't it?"

He laughed.

"Politics is no place for women. This they are doing is charity. That is all very well, but they got no business meddling with city government, and courts, and prisoners only *as* charity."

"Yet you say that, for a hundred years, those who look after the criminal population, thought very little of helping the men who came out, much less did they think of beginning at the other end and trying to keep them from going in. Women have been allowed to devise public charities, even, for only a few years past. They had no experience in building manufactories and conducting coffee and

lodging houses; they have but little money of their own to put into such things and yet they have betought them to start, in embryo, right here where the returning convict lands, what appears to have vast possibilities as you say. Now if this effort for the prevention of crime and want were at the other end of the line in municipal government, don't you think it might go even nearer the root of the matter and do more good?"

"How would you like to be a ward politician and a heeler?" he inquired, wiping a smile away and looking at my gloves.

"I should not like it at all."

"Well, now, look at that! Of course no lady would, so—"

"Do you think it possible that the world might get on fairly comfortably without having 'heelers' and 'ward politicians'—in the sense you mean—in municipal or state government? And that it might be better without such crime producers?" I added, as he began to laugh.

"You women are always visionary. Never practical. You—"

"I thought you said that the one and only really practical measure yet taken to reduce the criminal population as it returns from the Islands was invented and is conducted by women and—"

"You can just make up your mind that in every

family of six there'll be one hypocrite and one fool, either one of which is liable to be a criminal, too, and the State has got to take care of 'em somehow. But the prisons *are* getting too full and the Alms-houses and Insane Asylums *are* growing very large. But there is the Two Brothers' Island. I've got to attend to my business now. Take the trip with me again some time."

But it seems to me, I shall not need to go again, and that no judge or legislator would need to take the journey more than once, unless, perchance, he took it in the person of either the hypocrite or the fool of his family; which, let us hope, no judge and no legislator is in a position to do.

An Irresponsible Educated Class

Reprinted from *The Arena*

An Irresponsible Educated Class



Education, using the word in its restricted scholastic sense, is always productive of restlessness and discontent, unless education, in its practical relations to life, furnishes an outlet and safety valve for the whetted and strengthened faculties. Mere mental gymnastics are unsatisfactory after the first flush of pleasurable excitement produced in the mind newly awakened to its own capabilities.

There seems to be something within us which demands that our knowledge be in some way applied, and that the logic of thought find fruition in the logic of events. The moment the laborers of the country found time and opportunity to whet their minds, they also developed a vast and persistent unrest—a dissatisfaction with the order of things which gave to them the tools with which to carve a fuller, broader life, but had not yet furnished them the material upon which they might work. Their plane of thought was raised, their outlook was expanded, their possibilities multiplied; but the materials to work with remained the

same. Their status and condition clashed with their new hopes and needs. This state of things produced what we call "labor troubles," with all their complications. Capital and labor had no contest until labor became (to a degree) educated.

If—"in those good old days"—labor was not satisfied, it did not know how to make the fact very clearly understood. Capital smiled and patronized labor, and labor smiled and said it was quite content to work for so kind a master. It was safer to do that way—in those good old days. Then, too, so long as labor's wits had not been sharpened, so long as the laborer had not learned the relative values of things, perhaps he was content. Certainly he was far more so than he is to-day.

It is well that, in his present state of angry unrest, he feels that he has but to organize and elect his own representatives to help enact just and repeal unjust laws as they bear upon his own immediate needs. But for this outlet to his feelings, and this hope for his own future, the labor troubles would be troubles indeed, and every additional book read by labor, every new schoolhouse built for labor, would but add flame to fire. But education brings with it—when taken into practical life—a certain sense of the responsibilities of life and of the relations of things.

The laborer begins to argue, "Am not I partly

responsible for my own condition? Is not my salvation in my own hands and in the hands of my fellows? We are units in our own government. We are in the majority numerically, and we are, therefore, at least partially responsible for not only what we do, but for that which is done to us."

It is this feeling that sobers and steadies while it inspires the so-called working classes to-day.

If, with their present enlightenment, ambitions, and needs, laboring men felt themselves wholly irresponsible for the present or future legislation, riots and lawlessness would be the inevitable result. A sense of responsibility alone makes educational development safe either in individuals or in classes.

Witness the truth of this in the lives of the "gilded youths" of all countries whose sharpened wits are not steadied by, or applied in, any useful occupation. The results are disastrous to themselves and to those who fall under their sway or influence.

Broadened ambitions, sharpened mental capacities, developed intellectuality, demand corresponding outlets and responsibilities. Lacking these, education is but an added danger. Especially is this true in a Republic where the theory of legal and political equality is held. At the present time there are but two wholly irresponsible classes in our republic—Indians and women.

I place the Indians first because it has recently been decided in South Dakota that if an Indian (male) will "accept land in severalty," he thereby becomes a sovereign, and is henceforth presumed to have sufficient interest in the welfare of his government and the stability of affairs in general to entitle him to be looked upon as a desirable citizen, capable of legislating and desiring to legislate wisely for the public weal.

Since the government has not yet come to believe that any amount of land in severalty entitles women to so much confidence, and since the lack of responsibility develops in woman, as in man, a reckless and wanton spirit, we have the spectacle of this irresponsible element taking property laws into its own hands, and proudly destroying in public the belongings of other people where those belongings chanced to be in the form of beverages which these women disapproved of as articles of merchandise and use. And we have seen, farther, the grave spectacle of courts of law which will not or dare not enforce the law for their punishment.

The due recognition of property rights is one of the earliest developments of personal, legal, and political responsibility. The negro notoriously disregarded these when his own human rights and individual responsibility were unrecognized. His desires were likely to be the measure of your loss.

He is not the light-fingered being that he was. Mine and thine have a new meaning for him since—for the first time in his life—"thine" has any meaning to his one-time master.

He is also beginning to look to his ballot for his safety and to himself to work out his future status, whereas one day his legs were his sole dependence when trickery or blandishment failed him. Woman still depends—where she wishes to compass an end—upon blandishment, deception, or a type of force which she believes will not or cannot be resented in the way it would unquestionably be resented if offered by men. A body of respectable men in a quiet community do not calmly walk into another man's business house, and without process of law destroy his property. Their sense of personal and legal and political responsibility is a most effective police force; and no matter how rabid a prohibitionist John Smith is, he does not collect a band of otherwise respectable men about him and proceed to destroy—with praise and prayer as an accompaniment—the belongings of his neighbor.

No; he goes to a legal infant and a political non-existent, and gets her to do it if it is to be done. He knows that to her the limit of responsibility is the verge of her desires on this question. He knows that she recognizes no right of property in a beverage she does not approve and a traffic she hopes

to destroy. He knows that her sense of helplessness within the law—where she has no voice—gives her that reckless spirit of the political non-existent of all classes, which finds its revenge in lawlessness so long as it may not hope to have a voice in lawfulness. While woman was uneducated and wholly a dependent, there was little danger from her. She had too much at stake, in a purely physical sense. Then, too, she had not reasoned out the logical sequence between the pretension that a Republic of political equals before the law exists, while in fact one-half of that Republic has no political status whatever and no voice in the laws they obey. Uneducated and wholly dependent as woman was, this was safe enough. Educated, and to a degree financially independent, as she now is, she is a menace to social order so long as she stands without legal responsibility or political outlet for the expression of her opinions and desires in matters of government.

So long as her only means of expression on the subject of the liquor traffic is a hatchet and prayer, she will use both, and we will have the shocking spectacle, witnessed a little over a year ago, of a court refusing to even fine those who committed as clear and wanton an outrage on property rights as often finds record.

The steady sense of personal and mental responsibility can develop only under the exercise of

such responsibility. Man passed through the stage of regulative and prohibitive thought, and learned the true significance and value of Liberty only by its possession. By being responsible he learned the folly and danger of undue restrictive legislation, and the utter futility of the attempt to legislate taste, moral sense and lofty ideals (*i. e.*, his personal taste and ideals) into his neighbors.

He also learned the futility and danger of lawless raids upon those who were not of his way of thinking as to what they should eat or drink, or wherewithal they should be clothed. Woman will have to learn the same important lesson in the same way. She will abuse the personal rights and liberties of others who disagree with her (now that she is educated and has the power) unless she is steadied, given legal and political responsibility, and held to the same account for her acts as are her brothers. Being helpless within the law—having no means of expression nor of making her will and opinions felt, having no voice in municipal or governmental management—she has begun to find lawless outlet for her newly acquired talents and intellectual activity. She is playing the part of border "regulator" and lobbyist—two very dangerous and degrading rôles in any case but doubly so in the hands of an educated but unrepresented class.

It has been argued, by men who are otherwise

favorable to woman suffrage, that to grant the ballot to woman would be to yield up, upon the altar of fanaticism and narrow personal desires, much of the liberty for which man has fought and struggled. They argue that women do not stop to consider whether they have the right to interfere with what others do, but that they only ask whether they like the thing done.

The argument goes further and asserts that women only want the ballot that they may restrict the liberty of other people, pass prohibitory, sumptuary, and religious laws; and that the ballot in the hands of woman means a return to a union of church and state, and the meddlesome, personal legislation of the type known to us as Blue Laws.

It is no doubt true that there are many half-developed thinkers among women who demand the ballot, who desire political power for these petty reasons. It is also undoubtedly true that many of these would travel the same road trod by their fathers before them, and learn political wisdom slowly and only after a struggle with their own narrow ideas of liberty, which means their own liberty to restrict and regulate the liberty of other people.

It may be readily admitted, I say, that woman will make some of the same mistakes, political, religious, and sociological, that have been made by men in the reach after a better way. But what has

taught thoughtful men wisdom? What has broadened the conception of political liberty? What taught men the danger and folly of religious and restrictive (sumptuary) legislation? What but experience and responsibility?

Nothing so steadies the hasty and narrow judgment as power, coupled with the recognition that responsibility for the use of that power is sure to be demanded.

Many a man will advise, as secret lobbyist, what he would not do in open legislature. Many a man in private life asserts that "If I were judge or president," or what not, so and so should not be done. When the power and responsibility once rests upon him, his outlook is broadened, and he recognizes that he would endanger a far more sacred principle were he to adhere to his plan.

This holds true with woman. With her newly acquired intellectual and financial power she is seeking an outlet for her capacities. She sees certain municipal and governmental ills. Having no direct power of expression, no legal, political status in a country which claims to have no political classes, she does what all disqualified, irresponsible, dissatisfied classes of men have done before her when deprived of equal opportunity with their fellows; she seeks by subterfuge (indirection) or lawlessness to compass that which she may not attempt

lawfully and which, had she the steadying influence and discipline of responsibility and power, she would not do.

Inexperience, coupled with irresponsibility and a lax sense of the rights of others, always did and always will produce tyrants.

Unite this naturally produced and inevitable social and political condition and outlook with the developed mental capacities and consequent restless, undirected, and unabsorbed ambition of the women of to-day, and we have a dangerous lobby—working in secret by indirection and without open responsibility for their words, deed, or influence—to handle in our Republic.

Sex in Brain

Read before the International Council of Women in Washington.

1888

Mrs. Elizabeth Cady Stanton, in introducing the speaker said: "The first speaker of the evening is Helen Gardener, who is to give us an address on the Brain. You know the last stronghold of the enemy is scientific. Men have decided that we must not enter the colleges and study very hard; must not have the responsibility of government laid on our heads, because our brains weigh much less than the brains of men. Dr. Hammond, of New York, has published several very elaborate articles in the *Popular Science Monthly* to prove this fact. But Helen Gardener has spent about fourteen months in investigation, and has conferred with twenty able specialists upon the subject, and will give us to-night the result of her investigation. She will show to us that it is impossible to prove any of the positions that Dr. Hammond has maintained.

Sex in Brain



Ladies and Gentlemen:—The political conditions of woman are very greatly influenced to-day by what is taught to her and about her by those two conservative moulders of public opinion—clergymen and physicians. Our law-makers have long since ceased to merely sneer at the simple claim of human rights by one-half of humanity, and for refuge they have flown to priest and practitioner, who do not fail them in this their hour of great tribulation. It is true that men, most of whom never enter a church, have grown somewhat ashamed to press the theological arguments against the equality of the sexes, and to these the medical argument has become an ever-present help in their time of trouble.

In the early days woman was under the absolute sway of club and fist. Then came censer and gown, swinging hell in the perfumed depths of the one and hiding in the folds of the other, thumb-screw and fagot for the woman who dared to think. At last the theory of the primal curse upon her head has grown weaker. Mankind struggles to be less brutal and more just. Manly men are beginning to

blush when they hear repeated the well-worn fable of the fall of man through woman's crime and her inferiority of position and opportunity, justified by priest and pleader, because of legends inherited from barbarians—mental deformities worthy of their parentage.

When religious influence and dogma began to lose their terrors, legal enactments were slowly modified in woman's favor and hell went out of fashion. Then Conservatism, Ignorance, and Egoism, in dismay and terror, took counsel together and called in medical science, still in its infancy, to aid in staying the march of progress which is inevitable to civilization and so necessary to anything like a real Republic. Equality of opportunity began to be denied to woman, for the first time, upon natural and so-called scientific grounds. She was pronounced physically and mentally incapable, because of certain anatomical conditions, and she must be prevented—for her own good and that of the race *here*—from competition with her mental and physical superiors.

It was no longer her soul, but her body, that needed saving from herself. Her thirst for knowledge the clergy declared had already damned the souls of a very large majority of mankind—in a hereafter known only to them. The same vicious tendency, the doctors echoed, will be the ruin of

the physical bodies of the race in this world, as we are prepared to prove. The case began to look hopeless again. Opportunity must be denied, these doctors say, because capacity does not exist. Where capacity seems to exist, it is, it must be, at the expense of individual health and future maternal capabilities.

As a person, she has no status with these consistent believers in "equal rights to all mankind." As a potential mother only, can she hope for consideration either by religious or medical theorist. This has been a difficult combination to meet. Few who cared to contest their verdict, possessed the bravery to fearlessly face the religious dictators, and fewer still had the anatomical and anthropological information to risk a fight on a field which assumed to be held by those who based all of their arguments upon scientific facts, collected by microscope and scales and reduced to unanswerable statistics.

The priest, reinforced by the doctor, promised a long and bitter struggle, on new grounds, to those who fought for simple justice to the individual, aside from her sex relations; who wished for neither malediction nor mercy; those who claim only the right of a unit to enjoy the common heritage untrammelled by superstition and artificial difficulties. They do not ask to be helped—only not to be hin-

dered. They had hailed science as their friend and ally; and behold, pseudo-science adopted theories, invented statistics, and published personal prejudices as demonstrated fact. All this has done a vast deal of harm to the cause of woman.

Educators, theorists, and politicians readily accept the data and statistics of prominent physicians, and, in good faith, make them a basis of action, while the victims of their misinformation have been helpless. It is, therefore, very important to learn, if possible, just how far medical science and anthropology have really discovered demonstrable natural sex differences in the brains of men and women, and how far the usual theories advanced are gratuitous assumptions, founded upon legend and fed by mental habit and personal egotism.

I began an investigation into this matter a little while ago by questioning the arguments and logic of the medical pseudo-scientists from their own basis of facts. I ended by questioning the facts themselves, upon the evidence furnished me by leading members of the profession, some of whom are known in this country and abroad as leaders in original investigation as brain students and anatomists. None of these gentlemen knew the aim or motive of my inquiries, and they gave me all the information to be had on this subject without bias and quite freely. The specialists and brain students

to whom my questions were submitted, were of widely different religious beliefs, which beliefs, of course, colored their theories as well as their motives, either consciously or unconsciously.

But the profession has reason to be proud of the ability of the most of these men, no less than of their sincerity and willingness to confess to ignorance of facts where proof was lacking. The abler the man the more willing was he to do this. One or two tried to explain, and, as it seemed to me, to force an agreement between scientific facts which they did possess, and their inherited belief in "revelation." Others, who did not themselves recognize it, performed the same mental gymnastics from mere force of habit, and gave a black eye to their facts in preserving a blind eye to their faith. But in the following results are to be found the opinions of eminent medical men, some of whom are Roman Catholic, some Protestant, and some of the negative systems of religion. So far as I know, not one is a believer in "Woman Suffrage," nor even in the more radical but less comprehensive measures for her development. Not one, who touched directly upon the subject, believed in sex equality in its entirety or had not personal prejudice and long-cherished sentiments opposed to it, if his reason approved. By some of them this was frankly stated, even while giving facts in her favor. Not

more than one, so far as I know, is "agnostic" in religion or a believer in evolution in its entirety.

I have mentioned these latter points, because I found in this line of investigation, as in all others, that a man's religious leanings inevitably color and modify all of his opinions, and govern his entire mental outlook. They even add bitterness to his "jalop" and fizz in his "seltzer". If he absolutely believe in the "Garden of Eden" story he deals with "Adam" as a creature after "God's own heart and in his image," and therefore capable and deserving of all opportunity and development for and because of himself, and to promote his own happiness. "Eve," of course, receives due attention as a physical, anatomical specimen, "with intuitions"—a mere bone or rib of contention, as it were, between man and man. The more orthodox the man the bonier the rib. The more literal and consistent his faith the less likely is he to deal with woman as an intellectual being, capable of and entitled to the same or as liberal, mental, social, and financial opportunities or rights as are universally conceded in this country to be the birthright of man, and quite beyond farther controversy in his case. Evidence in her favor which cannot be evaded, must be overwhelming, indeed, then, if an investigator starts out handicapped with the theory of "revelation" as a part of his mental equipment,

and with the "sphere of woman" formulated for him by the ancient Hebrews.

I went to the men whom the doctors themselves told me were the best authority to be found on the subject of brain anatomy and microscopy. One of these men, Dr. E. C. Spitzka, of New York, was referred to by physicians of all schools of practice as undoubtedly the best informed man in America, and second to none in the world, in this branch of the profession. They, one and all, told me that what he could not tell me himself on this subject, or could not tell me where to find, could not be of the slightest importance.

I have been asked to tell you just what I started out to learn, and how far I succeeded. But before I do this it may not be out of place to tell you an anecdote of my experience in this undertaking: I went personally with my questions to about twenty of the leading physicians of New York. [I had them submitted in other ways to many more in this and other cities. I got written communications from the Old World as well as the New.] Nearly every one of these twenty, after very kindly telling me what he himself knew and what he believed on the subject, referred me to the same man as the final appeal; but not one of them was willing to introduce me to him. They would introduce me to anybody and everybody else, but they did not

like to risk sending me to him. He was, they said, utterly impatient of ignorance, and might treat me with scant courtesy. He would very likely tell me flatly that he could not waste time on so trivial a matter—that I and everybody else ought to know all about "sex in brain."

Now, this is a secret—I would not have it get out for a good deal. It took me a long while to get my courage up to go to that man without an introduction—a thing I did not do with any of the others. I finally, with fear and trembling, made up my mind to learn what he knew on this subject or perish in the attempt. So I took my life in my hands, put on my best gown—I had previously discovered that even brain anatomists are subject to the spell of good clothes—and went. I fully expected to be reduced to mere pulp before I left; but he listened quite patiently, asked me a few questions as to why I had come to him; told me to read him my questions; asked me sharply, "Who wrote those questions?" I said meekly, "I did." He looked at me critically, wrote something on a card, and dismissed me. I was uncertain whether, he had been so kind in his manner, because he considered me a harmless lunatic or not. Once in the street I read the card. I was to call again when he could give me more time.

I went not once, but many times. I devoted

some months to brain anatomy and anthropology. In his laboratory he had brains from those of a mouse to those of the largest whale on record. He showed me the peculiarities of brains as shown by microscope and scales. He looked up points in foreign journals to which I had not access. In short, he did all he could to aid me; and he said that no such investigation as I was trying to learn about had ever yet been made, although no fair record of the difference of sex in brain, of which we hear so much, could possibly be made without it. He was delightfully frank, earnest, and thoroughly honest. He knew—and, what is better, he was willing to tell—where knowledge stopped and guessing began; a point sadly confused, I found, by even prominent members of the profession. "I do not know," was a hard sentence to get from a doctor so long as he was under the impression that others of his profession would know. "I do not know; nobody knows," came freely enough from the man who was sure of the boundaries of investigation, who recognized the vast difference between theories and proof. From him, and through him, I collected material that is of intense interest and importance to woman in this stage of the movement for her elevation.

It is only right that I say here that I am of opinion that he does not himself believe in the

equality of the sexes, but he is too thoroughly scientific to allow his hereditary bias to color his statements of facts on this or any subject. In the hands of a man who has arrived at that point of mental poise and dignity, our case is safe, no matter what his sentiments may be. Such men do not go to their emotions for premises when it comes to a statement of scientific facts. There are writers on this subject who do.

As you all know, any statement calmly and persistently made is reasonably sure to be accepted as true, even by its victims. Frequency of iteration passes as proof. Even thoughtful men, after spending years of time in trying to explain why a thing is true, often end with the discovery that it is not true, after all. We are all familiar with the story of the wrangle of the philosophers as to why a vessel containing water weighed no more with a fish weighing a pound in it than it did after the fish was removed. After long and acrimonious debate over the principle of philosophy involved, some one bethought him to weigh it, and, of course, discovered that no unfamiliar principle was involved, since it was a simple mis-statement as to facts.

The assumptions of "divine rights" by kings and priests stood as unquestioned facts for centuries by those who were the victims of both. The "divine right" of men rests still on the same bare-faced

fraud, and is simply the last of this interesting trinity to die, and it naturally dies hard, as its fellows did. If a charlatan loudly asserts that he can do a certain thing, no matter how unlikely that thing is, if he insists that he has done it often, he will find many believers who will spend much time in an attempt to explain how he does it, while only the few will think to question first if he does it.

Upon this basis of calm assumption on the one side, and credulous acceptance on the other, has grown up a very general belief that there are great and well-defined natural anatomical differences between the brains of the sexes of the human race; that these differences are well known to the medical practitioner or anatomist, and that they plainly indicate inferiority of capacity in the female brain, which is structural, while, strangely enough, no one argues that this is the case in the lower animals. It therefore occurred to me to question—admitting that the microscope and scales really do show the differences to exist in adults—whether it would not be fair to assume, at least, that they are not natural and necessary sex differences, but that they are due to difference of opportunity and environment, and, under like conditions, would be produced between members of the same sex; that since this superiority of brain in the male sex is said to appear in the human race only, where alone, in all

nature, superior opportunities and environments are held as a sex right and condition by the males, that the so-called "superiority of structure" is simply better development of the equally capable but restricted brain of the other sex.

I proposed to test this by an appeal to the brains of infants. And my assumption although not new, appeared to be borne out by the accepted, though unproven theory, that the brains of the men and women are nearer alike the lower we go into the human scale. This assumption is clearly based upon the idea that where the mental opportunities of the men and women are nearer equal the physical results are also similar. Indeed, Topinard plainly states this fact in his *Anthropology*. He says: "The reason that the brain of woman is lighter than that of man is that she has less cerebral activity to exercise in her sphere of duty. In former times it was relatively larger in the department of Lozère, because then the woman and man mutually shared the burdens of the daily labor. The truth is that the weight of the brain increases with the use we make of it." Since women are not given diversified and stimulating mental employment, they can not be expected to show the results of such training on the brain itself.

"Of the physiology of the brain comparatively little is known," says Dr. McDonald, author of "*Criminology*."

I was started on my work in this matter by several articles written by the boldest of the medical men in this country, who is the leader of the medical party which claims to be opposed to the educational and political advancement of women because of the inevitable injury to her physical constitution. The writings of such a man, aided by the circulation and prestige of the leading journals of the country, which publish them as authoritative, must inevitably influence school directors, voters, and legislators, and go far to crystalize the belief that facts are well known to the medical profession, with which it would be dangerous to trifle, when the truth is that the positive knowledge on the subject is not sufficient at this moment to form even an intelligent guess upon. In spite of this fact the well-known physician of whom I speak, Dr. Wm. A. Hammond, reiterates in these articles all of the old, and adds one or two new arguments to prove that woman should not be allowed to develop what brain she has, because she possesses very little and even that little is of inferior quality.

Professor Romanes, who is said by many to stand second only to Herbert Spencer in his branch of science, has also recently published a very extensive paper on mental differences of the sexes and the proper education of woman, which is, unfortunately, but most likely honestly, based upon this

same assumption, under the belief that it was a demonstrated fact. His paper has been very widely copied in spite of its extreme length, and the fact that the same journals "absolutely can not find space" for even a moderately long one on the other side. The editors say, "The public is not interested in it"—that is, in its correction. I mention these two men not because they are peculiar in, but because they are honored representatives of, the so-called scientific school of objectors to human equality, and claim to base the right of male supremacy upon important scientific facts.

Of course all this is an old assumption and as such has been dealt with before. But Dr. Hammond now boldly asserts that these differences are easily discoverable by microscope and scale, and that they are natural, necessary sex differences. He claims: (1.) That woman's brain is inferior to man's in size and quality, and, therefore, in possibility. (2.) That these marks of inferiority are natural and potential, and not produced by environment. (3.) That they are easily recognizable in the brain mass itself. (4.) That in consequence of these natural organic and fundamental differences the female brain is incapable of, first, accuracy; second, sustained or abstract thought; third, unbiased judgment (judicial fairness); fourth, the accomplishment of any really first-class or original work in the

fields of science, art, politics, invention, or even literature. He points out the great danger to woman herself, and to the race, as her children, if she is allowed to attempt those things for which the structure of her brain shows her to be incapacitated.

From this outlook it is easy to see that the non-professional voter, the school director, and the legislator might really feel it to be his duty to protect woman against her own ambition. It is in this way that the assertions of such men can, and do, cause the greatest injury to women. There are a number of other indictments; but for the present let us examine these. First, in the matter of size, the doctor concedes that the relative size and weight of the brain in the sexes is about the same, slightly in woman's favor, which he says does not count; although, when he finds this same difference between men, as between higher and lower races, he argues that it does count for a great deal. But in the dilemma to which this seemed to reduce him in proving his case, he says: "Numerous observations show beyond doubt that the intellectual power does not depend upon the weight of the brain relative to that of the body so much as it depends upon absolute brain weight." Now, if this were the case, an elephant would out-think any of us, and the whale, whose intellectual achievements have never been looked upon as absolutely incen-

diary (if we except Jonah's friend), would rank the greatest man on record, and have brain enough left to furnish material for a fair-sized female seminary.

The average human male brain is said to weigh from 1,300 to 1,400 grammes, and even a very young whale furnishes 2,312 grammes of "intellect-producing substance," as the doctor felicitously terms it, while the brain of a large whale weighed in 1883 tipped the beam at 6,700 grammes. Truly, then, if absolute brain weight and not relative weight is the test, here was a "mute inglorious Milton," indeed. Almost any elephant is several Cuviers in disguise, or perhaps an entire medical faculty.

The doctor says: "The female brain, however, is not only smaller than that of man, but it is different in structure, and this fact involves much more as regards the character of the mental faculties than does the element of size." Again he says: "Thus accurate measurements show that the anterior portion of the brain, comprising the frontal lobes, in which the highest intellectual faculties reside, is much more developed in man than in woman, and this not only as regards its size, but its convolutions also. Now, the part of the brain which is especially concerned in the evolution of mind is the gray matter, and this is increased or

diminished in accordance with the number and complexity of the convolutions. The frontal lobes contain a greater amount of gray cortical matter than any other part of the brain, and they are, as we have seen, larger in man than in woman."

Accepting these sweeping statements for the moment—although many of them are questioned by the highest authority—would it not be fair to test the case as to whether this difference in adults is fundamental and pre-natal, or whether it is the result of outside artificial influences, by an appeal to the brain of infants. If the brains of one hundred infants (each child weighing ten pounds) were examined, would the brains of the fifty males be distinguishable from those of the fifty females? In other words, when the weight of the body, the age, and other conditions are the same as to health, parentage, etc., and before the artificial means of development, educational stimulus and opportunity are applied to the one and withheld from the other, could the sex be determined by the difference in brain, weight, shape, size, quality, or convolutions? That would be the test, although it would not allow for the ages of hereditary dwarfage of the one, and healthy exercise of the brains of the other sex; but, as an opening, I was willing to stand on that test. It was in pursuance of this idea that I caused the following questions to be submitted to a large

number of the leading brain students of America, went myself somewhat into the study of anthropology, and collected from several countries certain bits of information as to just how much basis there is for all this cry about the difference in men's and women's brains. Being a matter of heads, I wanted to know how much was "cry" and how much was "wool."

These are the questions submitted to the doctors, brain anatomists and microscopists at the outset of my task: (1.) Is it known to the medical profession whether in infants (of the same age, size, health, and inheritance at birth) the quantity, quality, and specific gravity of the gray matter differs in the sexes? Does the relative amount of gray matter differ? (2.) Do the convolutions? Form? Actual amount of gray matter, differ? (3.) Given the brain, only, of a number of infants of the same age, weight, etc., could the sex be determined by the difference in shape, quantity, quality, and convolutions? (4.) If so, are the differences more or less marked in infants than in adults? Is the frontal region of the brain larger and more developed in male than in female infants? Is the difference as marked as in adults? (5.) Does use, training, etc., develop gray matter, change texture, size, shape, etc., of the brain mass, or are these determined and fixed at birth? The same as to convolu-

tions? (6.) Does use have to do with the location of the fissure of Rolando, or is that fixed at birth? In an uneducated man would there be as much of the brain in front of this fissure as in a man of trained and developed mind? (7.) Does use or development of the mental powers change the specific gravity of the brain mass? Would it be the same in a great scholar as in a common laborer of the same general size and health? (8.) Is there unanimity of opinion on these questions? Are the facts known or only conjectured? (9.) If ten boys of the same weight, health, and general inheritance were taken in infancy and five of them subjected for fifty years to the conditions of a street or farm laborer, while the other five received all the advantages of the life of a scholar, would the ten brains present the same relative likenesses at death as at birth? Would opportunity and mental exercise make a change in the brains of the five students that would be discoverable by microscope and scales?

In reply to the last question, the universal opinion was that it would be fair to assume that such difference would be perceptible. But one of the replies was that these points must necessarily remain only conjectural, since we can not do as the Scotch villager who shows to a wondering public the remains of a famous criminal, with this bit of

history: "This is the skull and brain of a man who was hanged, at the age of forty, for murdering his entire family. This is the skull and brain of the same man at the age of seven. You can readily trace in the boy the man that was to be." Since it might be looked upon with disfavor if we were to attempt to brain people from time to time in an effort to discover the effects of culture upon the fissure of Rolando, we must base all such arguments upon reason and analogy. Is it not a fair presumption, since reason and analogy lead to this universally accepted theory as between man and man, that the same causes would produce the same results when applied between man and woman? Strangely enough, this is not held to be the case by these acute reasoners against sex equality in brain.

But to illustrate once more the necessity of questioning facts first and the reasons for them afterward, I am assured by the most profound and capable students of these branches of science, that if such differences exist in the brains of infants as are indicated by my questions, it is not known to those who make a specialty of brain study; but, upon the contrary, the differences between individuals of the same sex—in adults, at least—are known to be much more marked than any that are known to exist between the sexes. Take the brains of the

two poets, Byron and Dante. Byron's weighed 1,807 grms., while Dante's weighed only 1,320 grms., a difference of 487 grms. ; or take two statesmen, Cromwell and Gambetta. Cromwell's brain weighed 2,210 grms., which, by the way, is the greatest healthy brain on record—although Cuvier's is usually quoted as the largest, a part of the weight of his was due to disease, and if a diseased or abnormal brain is to be taken as the standard, then the greatest on record is that of a negro, criminal idiot—while Gambetta's was only 1,241 grms., a difference of 969 grms. Surely it would not be held because of this, that Gambetta and Dante should have been denied the educational and other advantages which were the natural right of Byron and Cromwell. Yet it is upon this very ground, by this very system of reasoning, that it is proposed to deny women equal advantages and opportunities, although the difference in brain weight between man and woman is claimed to be only 100 grms., and even this does not allow for difference in body weight, and is based upon a system of averages, which is neither complete nor accurate. There is, then, not only no proof that the sex of infants could be distinguished by their brains, but all of the evidence which does exist on this subject is wholly against the assumption.

Up to this point in my investigation I learned

only what I had fully expected to learn. At the next step, and in connection with it, I met with information which seems to me to offer an opportunity for reflection upon the matter of mental—not to say verbal—accuracy in the sex which does not wear “bangs.” In the papers referred to, Dr. Hammond asserted, and no male voice or pen has seen fit to publicly correct him, that “it is only necessary to compare an average male with an average female brain to perceive at once how numerous and striking are the differences existing between them.” He then submits a formidable list of striking differences which include these: “The male brain is larger, its vertical and transverse diameters are greater proportionately, the shape is quite different, the convolutions are more intricate, the sulci deeper, the secondary fissures more numerous, and the gray matter of the corresponding parts of the brain decidedly thicker.”

But as if all these were not enough to enable the merest novice to distinguish the one from the other, even if he were near-sighted, he offers these reinforcements: “It is quite certain, as the observations of the writer show, that the specific gravity of both the white and gray matter of the brain is greater in man than in woman.” This would seem to leave woman without a reef to hang to; for if by any chance her brain did not fall short in gray matter,

the specific gravity of the rest of it would enable the doctor to ticket her as accurately as though she were to appear with ear-rings and train in a ball-room. Of this point this is what the leading brain anatomist in America wrote me: "The only article recognized by the profession as important and of recent date which takes this theory as a working basis is by Morselli, and he is compelled to make the sinister admission, while asserting that the specific gravity is less in the female, that with old age and with insanity the specific gravity increases." If this is the case, I don't know that women need sigh over their short-coming in the item of specific gravity. There appear to be two very simple methods open to them by which they may emulate their brothers in the matter of specific gravity if they so desire. One of these is certain, if they live long enough, and the other—well, there is no protective tariff on insanity. But to finally clinch his argument, Dr. Hammond continues: "The question is, therefore, not so much that of quantity" (which appears to collide with his statement that it was the "absolute brain weight" which was the sublime test, and drops my whale into the water again), "as it is of quality. The brain of woman is different from that of man in structure."

Again I applied my test. Does all this difference of structure and quality appear in the infant or only

in the adult brains? Since it is held that these very differences are the ones produced by education and properly diversified mental stimulus—as between man and man—is it not fair to assume that like causes produce like results as between man and woman? Since woman has never had the advantages of these brain-developing processes, is it not fair to assume, if all these differences do exist, that it is less a matter of natural and characteristic inferiority than of environment and opportunity, unless it exists in the same ratio in infants? That would be the test as to whether these are natural, necessary, pre-natal sex characteristics, or whether they are developed by external circumstances and environment. The physical sex characteristics, which are natural, are as readily distinguished at birth as at maturity.

But after a woman's waist and brain are put into tight laces and shaped to fit the fashion, it is rather a poor time to judge of her natural figure, either physical or mental. There was but one reply to my questions. It was this:

"No such test has ever been made with the brains of infants, and the wildest imagination could only stand appalled at the effort. It would be impossible to distinguish the male from the female child by these 'radical, natural, easily-discovered sex differences' in brain." I held, then, that the

inference was perfectly legitimate that the great and numerous differences in the brains of adults, in so far as that was not, also, a mere flight of fancy, was not natural, pre-natal, and necessary, but that it was certainly fair to assume it to be produceable, by outside measures or environment, and that it could be no more natural nor desirable, for the digestive organs and the brain of one sex to be decreased and deformed by pressure, than it is for those of the other.

But I confess I was wholly unprepared for the final result of my last question and argument. I discovered that these differences are not only not known to exist in infants, but that in spite of all the talk, the pathetic warnings, and the absolute statements to the contrary, that in a like number of adult brains such differences are not only not to be "perceived at once," but that if Dr. Hammond or anybody else will agree to allow me to furnish him with twenty well-preserved adult brains to be marked in cipher, so that he will not have his information before he makes his test, he will find that his "numerous, striking, and easily perceived" differences will not appear with any relation to sex, so far as is known at the present time. I made this offer to him through the *Popular Science Monthly* some six months ago. Up to date the twenty brains I offered him to try on have not been called for.

Upon the contrary there will be found greater difference between individuals of the same sex than any known to exist between the sexes in any and all of these test characteristics; that, in the main, since women weigh less than men, it would be pretty safe to guess that most of the lighter brains belonged to the women, but that this test would prove wrong in many cases, and that the others would fail utterly.

I asked them why they did not correct the general impression which men of their profession had given out in this matter. They said they did not see the use of it; what difference did it make, anyhow? And then it was a good enough working theory. I said, "But suppose it worked the other way, do you think that you would say that it made no difference, and that a working theory that worked all one way was a safe or an honest one to put forth as an established fact?"

"Well, we are willing to tell you the truth about it," they said; "the fact is, it is all theory as yet; there has not been a sufficient number of tests made to warrant the least dogmatism in the matter; what more can you ask of us than that?"

What indeed?

I made another discovery; it was this: The brain of no remarkable woman has ever been examined! Woman is ticketed to fit the hospital subjects and

tramps, the unfortunates whose brains fall into the hands of the profession, as it were, by mere accident; while man is represented by the brains of the Cromwells, Cuviers, Byrons and Spurzheims. By this method the average of men's brains is carried to its highest level in the matter of weight and texture; while that of women is kept at its lowest, and even then there is only claimed 100 grammes difference! It is with such statistics as these, it is with such dissimilar material, that they and we are judged.

Finally, I discovered that there is absolutely no definite information on the subject now in the hands of the medical profession which can justify the least show of dogmatism in the matter; or that, if it were on the other side, would not be explained entirely away in five minutes, and there would not be the least question as to the desirability of the explanation, either. They told me not only that they did not know, but that no one could possibly know upon the statistics and with the instruments in the hands of the profession to-day.

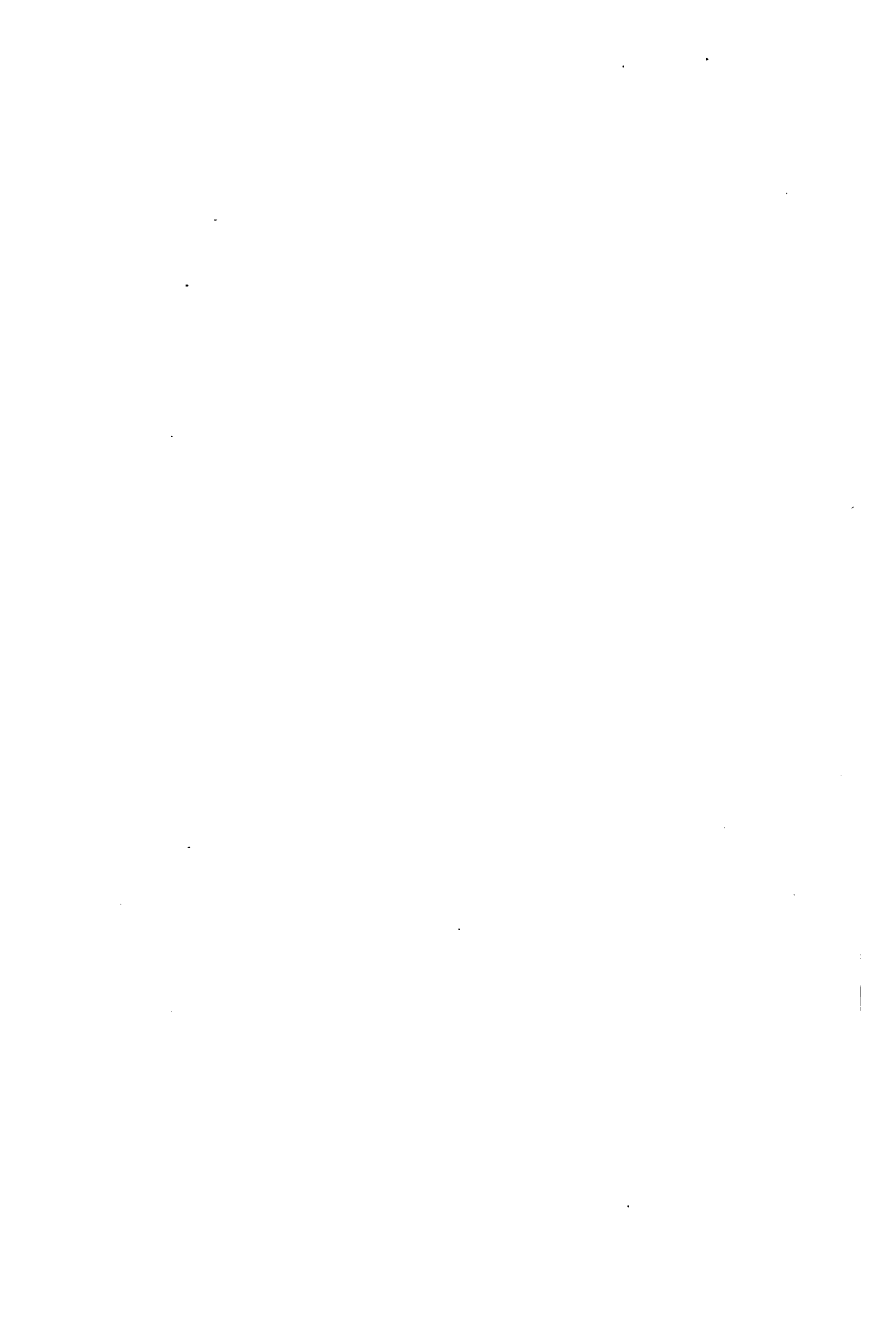
This being the case, perhaps it will be just as well for women themselves to take a hand in the future investigations and statements, and I sincerely hope that the brains of some of our able women may be preserved and examined by honest brain students, so that we may hereafter have our Cuviers and Web

sters and Cromwells. And I think I know where some of them can be found without a search-warrant—when Miss Anthony, Mrs. Stanton, and some others I have the honor to know, are done with theirs. Until that is done, no honest or fair comparison is possible. At present there is too great a desire on the part of these large-brained gentlemen, like Dr. Hammond, to look upon themselves and their brains as "infant industries," entitled to and in need of a very high protective tariff, to prevent anything like a fair and equal competition with the feminine product.

But the fact is that we have heard so much on the one side about woman's physical and mental short-comings, and on the other side, from our prohibition friends and others, so much of the moral delinquencies of men, that it seems to me that we are in danger of believing both. And I, for one, am beginning to feel a good deal like Mark Twain's Irishman, whenever I hear either one discussed. He had been having a controversy with another man, and, as a final "clincher" to his side of the argument, said, with emphasis: "Now, I don't want to hear anything more from you on that subject but silence—and mighty little of that."

Allow me to read the closing paragraph of a letter to me from Dr. E. C. Spitzka, the celebrated New York brain specialist, to whom I am greatly indebted for much valuable information:

"You may hold me responsible for the following declaration: That any statement to the effect that an observer can tell by looking at a brain, or examining it microscopically, whether it belonged to a female or a male subject, is not founded on carefully-observed facts. The balance and the compasses show slight differences; the weight of the male brain being greater, and the angle formed by the sulcus of Rolando, forming a larger expansion of the frontal lobes; but both these points of differences have been determined by the method of averages. They do not necessarily apply to the individual brain and hence can not be utilized to determine the sex of a single brain, except by those who are willing to take the chances of guessing. The assertion that the microscope reveals definite characteristic points of difference between the male and female brain is utterly incorrect. No such difference has ever been demonstrated, nor do I think it will be by more elaborate methods than those we now possess. Numerous female brains exceed numerous male brains in absolute weight, in complexity of convolutions, and in what brain anatomists would call the nobler proportions. So that he who takes these as his criteria of the male brain may be grievously mistaken in attempting to assert the sex of a brain dogmatically. If I had one hundred female brains and one hundred male brains together, I should select the one hundred containing the largest and best developed brains as probably containing fewer female brains than the remaining one hundred. More than this no cautious, experienced brain anatomist would venture to declare."



Woman as an Annex

Read before the World's Congress of Representative Women,
Chicago, 1893

Woman as an Annex



Ladies and Gentlemen:—If it were not often tragic and always humiliating, it would be exceedingly amusing to observe the results of a method of thought and a civilization which has proceeded always upon the idea that man is the race and that woman is merely an annex to him and because of his desires, needs and dictum.

Strangely enough, the bigotry or sex bias and pride does not carry this theory below the human animal. Among scientists and evolutionists, and, indeed, even among the various religious explanations of the source and cause of things, the male and female of all species of animals, birds and insects come into life and tread its paths together and as equals. The male tiger does not assume to teach his mate what her "sphere" is, and the female hippopotamus is supposed to have sufficient brain power of her own to enable her to live her own life and plan her own occupations, decide upon her own needs and generally regulate her own existence, without being compelled to call upon the gentleman of her family in particular, and all of the gentlemen of her

species in general, to decide for her when she is doing the proper thing. The laws of their species are not made and executed by one sex for the other, and the same food, sun, covering, educational and general conduct and opportunities of life which open to the one sex are equally open and free for the other. No protective tariff is put upon masculine prerogative to enable him to control all the necessities of life for both sexes, to assure to him all the best opportunities, occupations, education and results of achievement; which is the common need of their kind. In short, the female is in no way his subordinate.

In captivity it is the female which has been, as a rule, most prized, best cared for and preserved. In the barnyard, field and stable alike, it is deemed wise to sell or kill most of the males. They are looked upon as good food, so to speak, but not as useful citizens. What they add to the world is not thought so much of—their capacities for the future are less valued than are those of the other sex. Even the man-made, religious legends bring all of these animals into life in pairs. Neither has precedence of the other. Neither is subject to the other.

But when it comes to the human animal—the final blossom of creative thought, as religionists word it, or of universal energy, as scientists put it—the male, for the first time, becomes the whole idea.

A helpmate for him is an after-thought, and according to man's teaching up to the present time, an after-thought only half matured and very badly executed. In spite of all the practice on other pairs—one of each sex—it remained for the Almighty, or nature, to make the mistake (for the first time) of creating the human race with one of its halves a mere "annex" to the other. A subject. A subordinate. Without brains to do its own thinking, without judgment to be its own guide. This blunder is not made with any other pair. In the case of all other animals each sex has its own brain power with which it directs its own affairs, makes its own laws of conduct, and so preserves its own individuality, its personal liberty, its freedom of action and of development.

I am not ignorant of, nor do I forget, the scientific fact that in nature among ants, birds and beasts there are tribes and communities where some are slaves or are subject to others; but what I do assert is this, that this is not a sex distinction or degradation. It is not infrequently the males who are the subjects in these communities where liberty is not equal and where, therefore, the very basic principal of equality is impossible or unknown. And did it ever occur to you that a community or a people which recognizes in its fundamental laws and customs—in its very forms of expression—that

it is right to preserve inequality of opportunity, of education, of emolument and of conduct has yet to learn the meaning of the words "liberty" and "justice?"

Nowhere in all nature is the mere fact of sex—and that the race-producing sex—made a reason for fixed inequality of liberty, of subjugation, of subordination and of determined inferiority of opportunity in education, in acquirement, in position—in a word, in freedom. Nowhere until we reach man!

Here, where for the first time in nature there enter artificial social conditions and needs, these artificial demands coupled with the great fact of maternity (everywhere else in nature absolutely under its own control), maternity under sex subjection, linked with financial dependence upon the one not so burdened, has fixed this subordinate status upon that part of the race which is the producer of the race. This fact alone is enough to account for the slow, the distorted, the diseased and the criminal progress of humanity.

Subordinates cannot give lofty character. Servile temperaments cannot blossom into liberty-loving, liberty-giving descendants. Many of the lower animals destroy their young if they are born in captivity. They demand that maternity shall be free. Free from man's conditions or captivity, as

it always has been free from the tyranny of sex control in their own species. *

It is the fashion in this country now-a-days to say that women are treated as equals. Some of the most progressive and best of men truly believe what they say in this regard. One of our leading daily papers, which insists that this is true, and even goes so far as to say that American gentlemen be-

*While reading the proof for this book this corroborative and interesting illustration appeared in the *New York World* of date June 24:

The tragedy which has been expected to occur any time at the Zoo was enacted yesterday, when Alice, the lioness who gave birth to three whelps on Wednesday morning, ate one and killed another. The third was only rescued by strategy. Animals never kill their young in their wild state, except the male lion, from whom the female hides the young. In captivity it's a common thing.

Keeper Downey first discovered the deed, and when the Director arrived Alice was just finishing one of her offspring. Another lay dead in the corner and the third had crawled away and was crying pitifully. Director Smith had the door raised which leads into another cage and Alice was coaxed inside. Then the door was let down and Keepers Downey and Snyder caught the only survivor and secured the body of the other. It was a dangerous proceeding, as Alice was terribly angry and beat her great body against the thick iron bars.

The dead cub was sent to the Museum of Natural History, and after a good deal of skirmishing around by Keepers Downey and Shannon a Newfoundland dog belonging to an employee of Clausen's Brewery, on East Fifty-fifth street, who yesterday morning gave birth to eight pups, was found, and last evening the survivor of the triplets was taken to the brewery.

The Director will pay the owner of the dog \$3 per week for the baby's board and lodging, and, to the credit of the generous-hearted mother dog, she has taken the little lioness to her breast without so much as a questioning look. She licked it and snuggled it as she did her own and caressed it into nursing. After it is a few weeks old and is strong it can be taken away from the dog and, with little trouble, can be brought up on a bottle.

lieve in and act upon the theory that their mothers and daughters are of a superior quality—and are always of the very first consideration to and by men—recently had an editorial headlined "Universal Suffrage the Birthright of the Free Born." I read it through, and if you will believe me, the writer had so large a bump of sex arrogance that he never once thought of one-half of humanity in the entire course of an elaborate and eloquent two-column article! "Universal" suffrage did not touch but one sex. There was but one sex "free born." There was but one which was born with "rights." The words "persons," "citizens," "residents of the state" and all similar terms were used quite freely, but not once did it dawn upon the mind of the writer that every one of those words, every argument for freedom, every plea for liberty and justice, equality and right, applied to the human race and not merely to one-half of that race.

Sex bias, sex arrogance, sex pride, sex assumption is so ingrained that it simply does not occur to the male logicians, scientists, philosophers and politicians that there is a humanity. They see, think of and argue for and about only a sex of man—with an annex to him—woman. They call this the race; but they do not mean the race—they mean men. They write and talk of "human beings;" of their needs, their education, their capacity and develop-

ment; but they are not thinking of humanity at all. They are thinking of, planning for and executing plans which subordinate the race—the human entity—to a subdivision, the mark and sign of which is the lowest and most universal possession of male nature—the mere procreative instinct and possibility. And this has grown to be the habit of thought until in science, in philosophy, in religion, in law, in politics—one and all—we must translate all language into other terms than those used. For the word “universal we must read “male;” for the “people,” the “nation,” we must read “men.” The “will of the majority—majority rule”—really means the larger number of masculine citizens. And so with all our common language, it is in a false tense. It is mere democratic verbal gymnastics, clothing the same old monarchial, aristocratic mental beliefs, with man now the “divine right” ruler and with woman his subject and perquisite. Its gender is misstated and its import multiplied by two. It does not mean what it says, and it does not say what it means.

Our thoughts are adjusted to false verbal forms, and so the thoughts do not ring true. They are merely hereditary forms of speech. All masculine thought and expression up to the present time has been in the language of sex, and not in the language of race; and so it has come about that the music

of humanity has been set in one key and played on one chord.

It has been well said that an Englishman cannot speak French correctly until he has learned to think in French. It is far more true that no one can speak or write the language of human liberty and equality until he has learned to think in that language, and to feel without stopping to argue with himself, that right is not masculine only and that justice knows no sex. Were the claim to superior opportunity, status and position based upon capacity, character or wealth, upon perfection of form or grace of bearing, one could understand, if not accept, the reasonableness of the position, for it would then rest upon some sort of recognized superiority, but while it is based upon sex—a mere accident of form carrying with it a brute instinct, which is not even glorified by the capacity to produce, and seldom throughout nature, to suffer for and protect the blossom of that instinct—surely no lower, less vital or more degraded a basis could possibly be chosen.

Not long ago a heated argument arose here in Chicago over the teaching of German in the public schools. This argument was used by one of the leading contestants in one of the leading journals:

"The whole amount of education that 95 per cent. of our public school pupils receive is lamentably small. It is far less than we could wish it to be.

Most of these children, who are to be the citizens, and by their ballots the rulers of this nation, can often remain but a few years in the schoolroom. For the average American citizen who is not a professional man, or who is not destined for diplomatic service abroad, English can afford all the mental and intellectual pabulum needed."

Now here is an amusing and also a humiliating illustration of the way these matters are handled, and it is for that reason, only, that I have used a local question here. "Ninety-five per cent. of our public school pupils," etc., "by their ballots are to be rulers of the nation," etc., "future citizens," forsooth! Now it simply did not occur to the gentleman who wrote this, and to the hundreds who so write and speak daily, that the most of those 95 per cent have no ballots, do not "rule," are not "future citizens," but that they belong to the proscribed sex, have committed the crime of being girls, even before they entered the public schools, and so have permanently outlawed themselves for citizenship in this glorious republic of "equals." But his entire argument (made upon so large a per cent) really rests upon a much smaller number. But the girls made good ballast for the argument. They answered to fill in the "awful example," but they are not allowed the justice of real citizenship, nor to be the future "rulers" for and

because of whom the whole argument is made, for whose educational rights and needs, alone, because of their future ballots, he cares so tenderly. It will not do to attempt to avoid this issue by the hackneyed plea. "The hand that rocks the cradle rules the world." Every one knows that this is not true in the sense in which it is used. It is true, alas! in a sense never dreamed of by politician and publican.

It is true that the degraded status of maternity has ruled and does rule the world, in that it has been, and is, the most potent power to keep the race from lofty achievement. Subject mothers never did, and subject mothers never will, produce a race of free, well poised, liberty-loving, justice-practicing children. Maternity is an awful power. It blindly strikes back at injustice with a force that is a fearful menace to mankind. And the race which is born of mothers who are harassed, bullied, subordinated and made the victims of blind passion or power, or of mothers who are simply too petty and self-debased to feel their subject status, cannot fail to continue to give the horrible spectacles we have always had of war, of crime, of vice, of trickery, of double-dealing, of pretense, of lying, of arrogance, of subserviency, of incompetence, of brutality, and, alas! of insanity, idiocy and disease added to a fearful and unnecessary mortality.

To a student of anthropology and heredity it requires no great brain power to trace these results to causes. We need only remember that the mental, as well as the physical conditions, capacities and potentialities are inherited, to understand how the dead level of hopeless mediocrity must be preserved as the rule of the race so long as the potentialities of that race must be filtered always through and take its impetus from a mere annex to man's power, ambition, desires and opinions.

Let me respond right here to those who will—who always do—insist that woman is not so held to-day at least in England and America. That her present status is a dignified, an equal or even a superior one. I will illustrate: In a recent speech by the Hon. William E. Gladstone he pleaded most eloquently and earnestly for the right of Irishmen to rule and govern themselves. Among many other things he said: "The principal weapons of the opposition are bold assertion, persistent exaggeration, constant misconstruction and copious, arbitrary and baseless prophecies. True there are conflicting financial arrangements to be dealt with, but among the difficulties nothing exists which ought to abash or terrify men desirous to accomplish a great object. For the first time in ninety years the bill will secure the supremacy of parliament as founded upon right as well as backed by power."

Had these remarks been made with an eye single to the "woman question," they could not have been more exactly descriptive of the facts in the case; but with Irishmen only on his mind he continued thus: "The persistent distrust of the Irish people, despite all they can do, comes simply to this, that they are to be pressed below the level of civilized mankind. When the boon of self government is given to the British colonies is Ireland alone to be excepted from its blessings? To deny Ireland home rule is to say that she lacks the ordinary faculties of humanity."

He said "Irish people," but he meant Irish men only. But see to what his argument leads. He says it is "pressing them below the level of civilized mankind" to deny them the right to stand erect, to use their own brains and wills in their own government; and a great party in his own country and a great party in this country echo with mad enthusiasm his opinions—for men! They call it "mankind." They mean one-half of mankind only, for not even Mr. Gladstone is able to rise high enough above his sex bias to see that the denial of all self-government, all representation in the making of the laws she is to obey "presses woman below the level of civilized mankind." Words cease to have a par value even with the stickler for verbal accuracy the instant their own arguments are applied to the

other sex. Eloquently men can and do portray the wrongs, the outrages, the abuses which always have arisen, which always must arise from class legislation—from that condition which makes it impossible for one class or condition of citizens of a country to make their needs, desires, preferences and opinions felt in the organic law of their country on an equal and level footing with their fellows. Men have needed no great ability to enable them to prove that tyranny unspeakable always did and always will follow unlimited power over others so long as their arguments applied between man and man, but the instant the identical arguments are used to apply between man and woman that instant their whole attitude changes.

That instant words lose all par value. That instant all men, including those who have but just waxed eloquent over the injustice and the real danger of permitting inequality before the law, become aristocrats. Claiming to be the logical sex, man throws logic to the winds. Claiming to have fought and bled to enthrone "liberty," he forgets its very name! Asserting that in his own hand alone can the scales of justice be held level, he makes of justice, of liberty and of equality a mockery and a pretense! He has so far read all of those words in the masculine gender only. He has not yet learned to think them in a universal language. He stulti-

fies his every utterance and makes of his mind a jailer, and of his laws slave drivers, for all who cannot by physical force wrench from him the right to their own liberty and to their human status of equality of opportunity.

Men have everywhere grown to believe that they have been born and that they rule women by divine right. Woman is a mere annex to and for his glory. She exists for him to rule, to think for, to adore, to tolerate or to abuse as he sees fit, or as is his type or nature. Her appeal must not be to an equal standard of justice which she has helped to frame, administer and live by; but it must be to his generosity, his tenderness, his toleration or his chivalry—in short, to his absolute power over her. "No people can be free without an equal legal footing for all of its citizens!" exclaims the statesman, and drums beat and trumpets blare and men march and countermarch in enthusiastic response to the sentiment. "We must have a government of the people, by the people, for the people" is cheered to the echo whenever heard, and nobody realizes that what is meant always is a government of men, by men, for men, with woman as an annex.

Only three weeks ago all of our papers had leaders, editorials and cablegrams to announce that "universal suffrage has been granted in Belgium." They all grew enthusiastic over it. One of our lead-

ing New York editors said (and I use his editorial simply because it is a very good example of what almost all of our important journals said):

"The triumph of the Belgian democracy is an event of the first significance. The masses had long appealed in vain for a removal of the property qualification which restricted the right of suffrage to 140,000 persons out of a population of over 6,000,000 but the chambers, dominated by the wealthy classes, resolutely refused to comply with the demand until a dangerous revolution was inaugurated.

"Even now the change in the constitution granting universal suffrage is coupled with the right of plural voting by the property-owners, but it is quite certain that this obnoxious feature will be soon abandoned by the chambers and universal suffrage will prevail, as in the adjoining nations of France and Germany.

"When these newly enfranchised electors choose the next legislature important changes may be expected in the laws applicable to the employment of labor, which have hitherto been framed solely in the interest of the mine-owners and the manufacturers. Fortunately for the king, he seems to be in sympathy with this effort of the masses to acquire a fair representation in the government. In the recent riots the hostility of the people was directed against the assembly rather than against the crown. It is very evident that the democratic spirit is gaining ground throughout Europe. Its influence is manifest in the home rule movement in England, in the hostility to the army bill in Germany, and in the rapid changes of the ministers of France. It steadily advances in every direction and never loses

ground once acquired. It progresses peacefully if it can, but forcibly if it must. Its triumph in Belgium is one of the signs of the times in the old world."

"The people" are all male in Belgium, in France, Germany and America, or else all of these statements are mere figures of speech, are wholly untrue, for the women of Belgium, of France, of Germany—and, alas! of democratic America, were not even thought of when the words "people," "citizens," "masses," "laborers," etc., were used. They are counted in the estimates of the population as all of these. They are used to fill vacancies, to swell estimates, to round out statistics, but in the result of these arguments and statistics, in the victories won for liberty to the individual, woman has no part. She is the one outlaw in human progress. In a recent magazine this passage occurs:

"Austria.—On April 2 Dr. Victor Adler, a socialist leader, spoke to about 4,000 workingmen in favor of universal suffrage. He said that two-thirds of the adult men had not the suffrage. Only half-civilized countries, like Russia and Spain, now placed their citizens in such inequality before the law. The workingmen of Austria had never before this winter suffered such hardships, and now in Vienna 26,000 workmen were without shelter."

Yet there is no report that Dr. Adler nor the editor of the magazine, who waxed eloquent over it, saw any special "hardship" or "inequality" in a de-

graded status for all women. "Universal suffrage," indeed! And has Austria no women citizens? Were the working women who have not the ballot, better sheltered than the men? Or do they need no shelter? Another editor says: "Don't talk about a free ballot while the bread of the masses is in the giving of the classes."

Yet, had a venturesome girl type-setter made it read, "Don't talk about a free ballot, a democracy or freedom while the bread of women is in the giving of men," the editor would have said: "She is insane, and besides that, she is talking unwomanly nonsense."

It is the same in science, in literature, in religion. All estimates are made on and for the "human race," "the people of a country," etc. The "will of the people" is spoken of; we are told all about the brain size and capacity and convolutions, etc., of the different "peoples"; we hear learned discourses about it all, and when you sift them, woman—one-half of the race talked about—is used always simply and only as ballast, as filling to make a point in man's favor. She does not figure in the benefits. He is the race—she his annex.

Not long ago an amusing illustration of this came to my knowledge. As you may perhaps know, there is more money invested in life insurance than in any other great financial enterprise in the world.

This is the way insurance experts look at the woman question. The estimates of longevity, desirability of risk, etc., are based upon male standards. This is not in itself unnatural or unreasonable, since men have been the chief insurers, but few companies, indeed, being willing to insure women at all. But not long ago a lady applied for a policy on her life in a first-class company. She had three little children for whom she wished to provide in case of her death. She believed that she could properly support them so long as she lived. To her surprise she was told that the rate at which she must pay was \$5 on each \$1,000 more than her brother had to pay at the same age. She asked the actuary—a very profound man—why this was so. He told her that women had been found to be not so good risks as men, since they were subject to more dangers of death than were men, and that to make the companies safe it had been found necessary to charge women a higher rate.

She had heard much and eloquently all her life long of the dangers of men's lives; of the shielded, sheltered state of feminine humanity, and she had never dreamed that it was—from a mortuary point of view—"extra hazardous" to be a woman. She assumed, however, that it must be so and paid her extra hazardous premium, just as if she belonged to the army or was a blaster or miner or "contem-

plated going up in a balloon." A short time afterward her mother, an elderly lady, had some money to invest. She did not wish to care for it herself, as she had never had the least business experience. She applied to the same actuary to know how much of an annual income or annuity she could buy for the sum she had. He figured on it for a while and told her. It was a good deal less than a man could get for the same amount. She had the temerity to ask why.

"Well," said the actuary, gazing benignly over his glasses at her in a congratulatory fashion, "you see women live longer than men do—"

"But you told my daughter that they did not live so long, and so she pays at a higher rate on insurance to make you safe lest she should die too young. Now you charge me more for an annuity on the theory that a woman lives longer than a man."

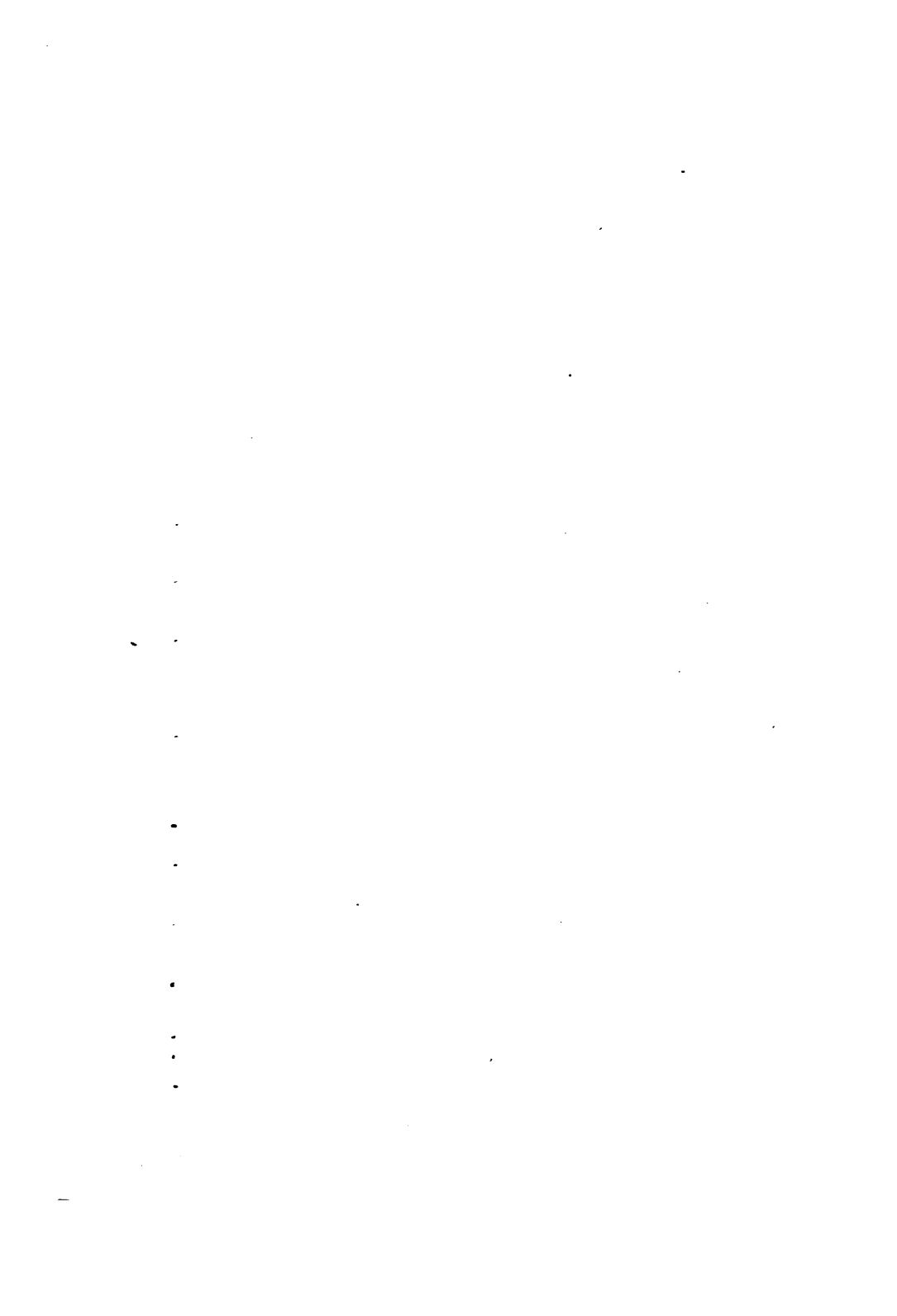
"Well," said he, readjusting his glasses and going carefully over the mortuary table again, "that does seem to be the fact. If a woman assures her life she beats the company by dying sooner than a man and if she takes an annuity she beats us by living longer than he would. Don't know how it happens, but we charge extra to cover the facts as we find 'em."

Such is masculine logic upon feminine perversity even in death.

Yet men say that they understand us and our needs so much better than we do ourselves that they abandon all of their reasoning, logic, enthusiasm and beliefs on the great fundamental principles of justice, equality, liberty and law the moment their own arguments are applied to women instead of to "labor," the "Irish question" or to any other phase of class legislation as applied between man and man. The fact is simply and only this, that the arrogance of sex power and perversion is now so thoroughly ingrained that man really believes himself to be—by divine right—the human race and that woman is his perquisite. He has no universal language. He thinks in the language of sex. But more than this, and worse than this, he insists upon no one else being allowed to think in the language of humanity, and to translate that thought into action.

**The Moral Responsibility of Woman
in Heredity**

**Read before the World's Congress of Representative Women,
Chicago, 1893**



The Moral Responsibility of Woman in Heredity



LADIES AND GENTLEMEN:—Poets, statesmen, novelists, and artists have for ages untold striven to eclipse each other in the eulogies of motherhood. On the stage nothing is so sure of rapturous applause as is some touching bit of sacrifice which has reached its climax in a mother's love wherein she has yielded all to shield, to protect, or to better the condition of husband or child. From the crude topical songs which advise the son to "Stick to your mother when her hair turns gray," through the various phases of maternal love and devotion or sacrifice in the "Camille" type of thought, on up to the loftiest touches in art and literature, there is alike the effort to celebrate the power, the potentiality and the beauty of motherhood and to stimulate the sentiments of gratitude and love and of admiration for and emulation of the ideal depicted. But through it all, in the building and nurturing of the ideal, there runs—ever and always—the thread of thought that self-sacrifice, self-abnegation, self-effacement, are the grandest attributes of maternity. That in

order to be a perfect, an ideal wife and mother, the woman must be sunk, the individual immolated, the ego subjugated. To a degree and in a sense, that is, of course, true. For the willingness to go down to the gates of death; to face its possibility for long, weary months; to know that suffering, and to fear that death, stands as a sure and inevitable host at the end of a long journey—to know this and to be willing to face it for the sake of others is a heroism, a bravery, a self-abnegation so infinitely above and beyond the small heroism of camp or battlefield that comparison is almost sacrilege.

The condemned man, upon whom the death watch has been set, who cannot hope for executive clemency, who is helpless in the hands of absolute power, still knows that, although death may be sure, physical suffering is unlikely or at the worst will be but brief; but he alone stands in the position to know—even to a degree—the nervous strain, the mental anguish, the unthinking but uncontrollable panics of flesh and blood and nerve which woman faces at the behests of love and maternity and, alas, that it can be true, at the behests of sex power and financial dependence!

But when we study anthropology and heredity we come to realize the indisputable facts that her love, her physical heroism and her bravery, linked with her political and financial subject status, has cast

a physical blight, a moral shadow and a mental threat upon the world, we cease to clap quite so vigorously at the theater and our tears or smiles are mingled with mental reservations and a sigh for a loftier ideal of the meaning and purpose of maternity than the merely physical one that man has depicted as material sacrifice to the child and self-abnegation and subjection to him. We begin to wonder if much of the vice, the crime, the wrong, the insanity, the disease, the incompetence and the woe of the world is not the direct lineal descendant of this very self-debasement of the individual character of woman in maternity!

We wonder if an unwilling, a forced or supinely yielding (and not self-controlled), a subject motherhood, in short, is not responsible to the race for the weak, the deformed, the depraved, the double dealing, pretense-soaked natures which curse the world with failure, with disease, with war, with insanity and with crime. We wonder if the awful power with which nature clothes maternity in heredity does not strike blindly back at the race for man's artificial and cruel requirements at the hands of the producer of the race. We wonder if mothers do not owe a higher duty to their offspring than that of mere nurse. We wonder if she has the moral right to give her children the inheritance that accident and subserviency stamps upon body and

mind. We wonder how she dares face her child and know that she did not fit herself by self-development and by direct, sincere, firm and thorough qualifications for maternity before she dared to assume its responsibilities. We wonder that man has been so slow in learning to read the message that nature has telegraphed to him in letters of fire and photographed with a terrible persistency upon the distorted, diseased bodies and minds of his children and upon the moral imbeciles she has set before him as an answer to his message of sex domination.*

Self-abnegation, subserviency to man—whether he be father, lover, or husband—is the most dangerous that can be taught to, or forced upon her, whose character shall mould the next generation! She has no right to transmit a nature and a character that is subservient, subject, inefficient, undeveloped—in short, a slavish character, which is either blindly obedient or blindly rebellious and is therefore set, as is a time-lock, to prey or to be preyed upon by society in the future!

If woman is not brave enough personally to demand, and to obtain, absolute personal liberty of

*"Alienists hold, in general, that a large proportion of mental diseases is the result of degeneracy; that is, they are the offspring of drunken, insane, syphilitic and consumptive parents, and suffer from the action of heredity."—Dr. MACDONALD; author of *Criminology*.

"Who has sinned, this man or his parents that he was blind?"
Bible.

action, equality of status and entire control of her great and race-endowing function of maternity, she has no right to dare to stamp upon a child, and to curse a race with the descendants of a servile, a dwarfed, a time-and-master-serving character.

We have been taught that it is an awful thing to commit murder—to take a human life. There are students of anthropology and heredity who think that it is a far more awful thing to thrust, unasked, upon a human being a life that is handicapped before he gets it. It is a far more solemn responsibility to give than to take a human life! In the one case you invade personal liberty and put a stop to an existence more or less valuable and happy, but at least all pain is over for that invaded individuality. In the other case—in giving life—you invade the liberty of infinite oblivion and thrust into an inhospitable world another human entity to struggle, to sink, to swim, to suffer or to enjoy. Whether the one or the other no mortal knows, but surely knows it must contend not only with its environment but with its heredity—with itself.

Not long ago a great man, who is successful beyond most human units, who is wealthy, socially to be envied, who enjoys almost ideal family relations, who is in all regards a man of broad intellect, of large heart, who is beloved, successful and powerful—not long ago this man said to me, when talking of life

and its chances, its joys and its burdens and wrongs :

"Well, the more I think of it all, the more I know, the more I delve into philosophy and science, the more I understand life as it is and as it must be for long years to come, if not forever, the more I wonder at the sturdy bravery of those who are less fortunate than I. Does it pay me to live? Would I choose to be born again? Were I to-day unborn, could I be asked for my vote, knowing all I do of life, would I vote to come into this world? Taking life at its best estate are we not assuming a tremendous risk to thrust it unasked upon those who are at least safe from its pitfalls? I ask myself these questions very often," he said, and then hesitatingly, "I sometimes think it pays after all. Of course, since I am here I am bound to make the best of it, but for all that I am not sure how I would vote on my birth if I had the chance to try it—not quite sure."

"If you are so impressed with life for yourself—you, a fortunate, healthy, wealthy, happily married, successful man," said I, "don't you think it is a pretty serious thing to assume the right to cast that vote for another human pawn, who could hardly conceivably stand your chances in the world?"

"Serious," he exclaimed. "Serious! With the world's conditions what they are to-day, with the physical, moral and mental chances to run, with

woman, the character-forming producer of the race a half-educated subordinate to masculine domination, it is little short of madness; it is not far from a crime. It is a crime unless the mother is a physically healthy, a mentally developed and comprehending, morally clear, strong, vigorous entity who knows her personal responsibility in maternity and, knowing, dares maintain it.

It has been the fashion to hold that the mothers of the race should not be the thinkers of the race. Indeed, in commenting upon this Congress of Representative Women, the most widely read newspaper on this continent last week said editorially:

"There is to be a great series of women's congresses held at Chicago during the Fair. The purpose is to illustrate and celebrate the progress of women. Accordingly there will be sessions to discuss the achievements of women in art, authorship, business, science, histrionic endeavor, law, medicine and a variety of other activities.

"But so far as the published programmes enable us to judge not one thing is to be done to show the progress of women as women. There will be no showing made of any increased capacity on their part to make homes happier, to make their husbands stronger for their work in the world, to encourage high endeavors, to maintain the best standards of honor and duty, to stimulate, encourage, uplift—which—from the beginning of civilization—has been the supreme feminine function. Nothing it appears, is to be done at the congresses to show that a higher education and a larger intellectual

advancement has enabled women to bear healthier children or to bring them up in a manner more surely tending to make this a better world to live in, the noblest of all work that can be done by women.

"We need no congress to show us that women are more thoroughly educated than they once were, or that they can successfully do things once forbidden to them. But have wider culture and wider opportunities made them better wives and mothers? A congress which should show that would make all men advocates of still larger endeavors for woman's advancement. A congress, on the other hand, which assumes that the only thing to be celebrated is an increased capacity to win fame or money will teach a disastrously false and dangerous lesson to our growing girls."

This fatal blunder as to woman's development as woman—quite aside from her home relations, which the editor confuses with it—has retarded the real civilization and caused to be transmitted—unnecessarily transmitted—the characteristics which have gone far to make insanity, disease and deformity of mind and body, the heritage of well-nigh every family in the land.

A great medical expert said to me not long ago, "There is not more than one family in ten who can show a clean bill of health, mental and physical—aye, and moral—from hereditary taints that are serious in threat and almost certain of development in one form or another.

Now, if a man with a contagious disease enters a community he is quarantined for the benefit of his fellows, who might never take it if he were not restrained and isolated. But if a man with a hereditary or transmittible disorder, which is certain, enters a community, he is allowed to marry and transmit it to the helpless unborn—to establish a line of posterity—who are far more directly his victims than would be those who were exposed to a cholera contagion by a lack of quarantine. Fathers, physicians, society, and all educational and economic conditions have conspired to keep mothers ignorant of all the facts of life of which mothers should know everything; and so it has come about that the race is the victim of the narrow and dangerous doctrine of sex domination and sex restriction, and of selfish reckless indulgence. If not one family in ten can show a clean bill of heredity, is it not more than time that the mothers learn why, learn where, and in what they are responsible, and that they cease "to close the doors of mercy on mankind?"

Maternity, its duties, needs and responsibilities has been exploited in all ages and climes; in all phases and spheres, from one point of view only—the point of view of the male owner. If you think that this statement is extreme I beg of you to read "The Evolution of Marriage" by Letourneau. Read it all. Read it with care. It is the production of a man

of profound learning and research, a man who sees the light of the future dawning, although even he sometimes lapses from a universal language of humanity into hereditary forms of speech, hedged in by sex bias.

But in all the past arguments maternity with its duties to itself; maternity with its duties to the race, has never been more than merely touched upon, and even then it has been chiefly from the side of the present, and not with the tremendous search-light of heredity and of future generations turned upon it. It has been ever and always in its relations to the desires, opinions and prejudices of the present man power which controls it.

Some time ago a famous doctor in New York took up the cudgel against higher education for women, and under the heading of "Education and Maternity; Woman's Proper Sphere; the Dangers Which Threaten Intellectual and Society Women;" wrote in favor of ignorant wives and a larger number of children. A great journal published his article without protest, thus giving added prestige to the opinions expressed. This, too, in spite of the fact that at that very time the same journal was appealing for alms, for free nurses, for volunteer doctors and for a fresh-air fund to enable the ignorant mothers of the crime-infested, disease-polluted, over populated tenements of the city to get

even a breath of fresh air by the sea, which is only two miles from its doors! In spite of the fact, too, that Lombroso, Ricardo, Mendel, Spitzka, MacDonald and other famous anthropologists and experts have pointed out so plainly in their criminal, insane, imbecile and mortuary statistics the all-pervading evil of rapid, ill advised, irresponsible parentage.

Professor Edward S. Morse, in a recent paper called "Natural Selection in Crime," which he courteously sent to me, said: "To one at all familiar with the external aspects of insanity in its various forms it seems incredible that its physical nature was not sooner realized. Had the laws of heredity been earlier understood it would have been seen that mental derangements, like physical diseases and tendencies, were transmitted."

Of late years there has sprung into existence a school of criminal anthropology, with societies, journals, and a rapidly increasing literature. A most admirable summary of the work thus far accomplished has recently been given by Dr. Robert Fletcher in his address as retiring president of the Anthropological Society of Washington. In his opening paragraphs Dr. Fletcher thus graphically portrays the scourge of the criminal and his rapid increase:

"In the cities, towns and villages of the civilized

world every year thousands of unoffending men and women are slaughtered; millions of money, the product of honest toil and careful saving, are carried away by the conqueror, and incendiary fires light his pathway of destruction. Who is this devastator, this modern "scourge of God," whose deeds are not recorded in history? The criminal! Statistics unusually trustworthy show that if the carnage yearly produced by him could be brought together at one time and place it would excel the horrors of many a well-contested field of battle. In nine great countries of the world, including our own favored land, in one year, 10,380 cases of homicide were recorded, and in the six years extending from 1884 to 1889, in the United States alone, 14,770 murders came under cognizance of the law.

"And what has society done to protect itself against this aggressor? True, there are criminal codes, courts of law, and that surprising survival of the unfittest, trial by jury. Vast edifices have been built as prisons and reformatories, and philanthropic persons have formed societies for the instruction of the criminal and to care for him when his prison gates are opened. But, in spite of it all, the criminal becomes more numerous. He breeds criminals; the taint is in the blood, and there is no royal touch can expel it."

Commenting on this Professor Morse says: "Cer-

tain results of the modern school of anthropology, as presented by Dr. Fletcher, may be briefly summed up by stating broadly that in studying the criminal classes from the standpoint of anatomy, physiology, external appearance, even to the minuter shades of difference in the form of the skull and facial proportions, the criminal is a marked man. His abnormalities are characteristic, and are to be diagnosed in only one way. That these propositions are being rapidly established there can be no doubt. As an emphatic evidence of their truth, the criminal is able to transmit his criminal propensities even beyond the number of generations allotted to inheritance by Scripture."

And where do all these lunatics and criminals come from? From educated mothers? from mothers who are in even a small and limited sense allowed to own themselves, to think for themselves, control their own lives? Not at all. They are the mothers whose lives belong to their men, as this learned doctor, who objects to the higher education of women, argues that all wives should.

Maternity is an awful power, and I repeat that it strikes back at the race, with a blind, fierce, far-reaching force, in revenge for its subject status. Dr. Arthur MacDonald, in his "Criminology," says: "The intellectual physiognomy shows an inferiority in criminals, and when in an exceptional way there

is a superiority, it is rather in the nature of cunning and shrewdness. . . . Poverty, misery and organic debility are not infrequently the cause of crime."

Who is likely to transmit "organic debility?" The mother of many children or of few? Who is likely to stamp a child with low intellectual physiognomy? The mother who is educated or she who is the willing or unwilling subordinate in life's benefits?

Again he says: "Every asymmetry is not necessarily a defect of cerebral development, for, as suggested above, under the influence of education defects of function can be corrected, covered up or eradicated." Can this be true of criminals and not of normal women?

Again he says: "When we consider the early surroundings, unhygienic conditions, alcoholic parents, etc., of the criminal, where he may begin vice as soon as consciousness awakes, malformation, due to neglect and rough treatment, are not surprising. Yet the criminal malformations may be frequently due to osteological conditions. But here still hereditary influence and surrounding conditions in early life exert their power." Benedikt says: "To suppose that an atypically constructed brain can function normally is out of the question."

So long as motherhood is kept ignorant, dependent

and subject in status just that long will heredity avenge the outrage upon her womanhood, upon her personality, upon her individual right to a dignified, personal, equal human status, by striking telling blows on the race.

But let me return to the arguments of the author of "Higher Education and Woman's Sphere," since he represents all the reactionary thought on this topic and because he ignores utterly, as do all of his fellows, woman's duty to herself and her awful power for good or evil upon the race, according as she makes herself a dignified, developed, educated and independent individuality first and a function of maternity second. It seems to me that in discussing no other question in life is there so little logical reasoning and so much arbitrary dogmatism as in the ones which are usually embraced under "woman's sphere." In the first place, it is assumed that because women are mothers they are nothing else; that because this is her sphere she can have, should have, no other.

Men are fathers. That is their sphere, therefore they should not be mentally developed, legally and politically emancipated, socially civilized or economically independent. This would appear to most men, doubtless, as a somewhat absurd proposition. It appears so to me, but it is not one whit less absurd when applied to women. Yet this is con-

stantly done. Because women are mothers is the very reason why they should be developed mentally and physically and socially to their highest possible capacity. The old theory that a teacher was good enough for a primary class if she knew the "A B C's" and little else has long since been exploded. A high degree of intellectual capacity and a broad mental grasp are more important in those who have the training and molding of small children than if the children were older. The younger the mind the less capable it is to guide itself intelligently and therefore the more important is it that the guide be both wise and well informed. In a college, if the professor is only a little wiser than his class it does not make so much difference. In a post-graduate course it makes even less, for here all are supposed to be somewhat mature. Each has within himself an intelligent guide, a reasoner, a questioner and one to answer questions.

With little children the one who has them in charge most closely must be all this and more. She must understand the proportions and relations of things and wherein they touch—the bearing and trend of mental and physical phenomena. She must furnish self-poise to the nervous child and stimulus to the phlegmatic one. She must be able to read signs and interpret indications in the mental and moral, as well as in the physical being of those within her

care. All this she must be able to do readily and with apparent unconsciousness if she is best fitted to deal with and develop small children. More than this, she must be not only able to detect wants but have the wisdom to guide, to stimulate, to restrain, to develop the plastic creature in her keeping. If she had the wisdom of the fabled gods and the self-poise of the Milo she would not be too well equipped for bearing and educating the race in her keeping.

But more than this the ideal mother should know and be. She must have love too loyal and sense of obligation too profound to recklessly bring into the world children she cannot properly endow or care for. It does not appear to occur to the physicians and politicians who discuss this question that it may be due to other causes than incapacity that the educated women are the mothers of fewer children than are the "ideal wives and mothers" of whom they speak in their arguments against her higher education—the squaws of the Kaffirs and Black-foot Indian women, who "devote but a few hours to the completion of this act of nature," as our doctor felicitously expresses it. It is no doubt true that habits of civilization do tend to make the dangers of motherhood greater. So do they tend to render men less sturdy—less perfect animals. A Kaffir or an Indian buck would not find it necessary to stay at home from his office, for example, because of a

broken arm, or a gun shot wound in the leg. He would tramp sturdily through the forest, and sleep in the jungle with an arrow imbedded in his flesh. He would sit stolidly down on a log and cut it out of himself with a scalping-knife. Yet nobody would think it a desirable thing for a member of the Union League club to stop on his way up Fifth avenue and attend to his own surgery on the sidewalk. They would expect him to faint, and to be "carried tenderly into the nearest drug store" and a doctor would be sent for. He would be put under the influence of an anæsthetic drug during the operation, and carefully nursed for weeks afterward by his devoted wife, and intelligent physician. Then if he pulled through it would be heralded far and wide as because of his "magnificent physique, his pluck and the excellent treatment he received."

Well now, is he a less "manly man" than is the Kaffir or the Indian buck? Is he a less desirable husband and father? Is he "deteriorating in his sphere?" The fact is, the more sensitive men have become to pain, whether it be mental or physical, the more manly have they grown, the more nearly fitted to be the fathers of a race of men and women who are not mere brutes. The race does not need the brute type any longer. It has already too many mere human animals to deal with—in its asylums, almshouses, prisons and impoverished districts.

This world is in no danger of suffering from a lack of children, the cry has always been "over population" and even in our new country the wail has begun. Not more children, but a better kind of children is what is needed. Who will be likely to furnish these? The ideal "squaw wife" or the educated woman, who knows that her obligation to her child begins before it is born, and does not end even with her death, for she must leave it the heritage of a good name, an earnest life, a noble example, even after she is gone.

If by "being unfitted for the sphere of wife and mother" it is meant that this sphere is truly that of a mere animal—a healthy animal—if in order to be an ideal wife to civilized man, woman should remain a savage; if to be a mother to an intellectually advancing race she need not even comprehend the advance, then truly are these arguments against her higher education and intellectual development logical.

But even then they are not fair. Why? Simply because she has not been consulted as to her choice in the matter. The argument is still based on the tremendous assumption that man's happiness, man's desires, man's wishes, man's rights, are the sum total of all desire, all right, all freedom, all happiness and all justice. It omits two tremendous equations—that of the woman herself and that of

her offspring, who will have a right to demand of her how she dared equip him so badly for the life into which she has taken the liberty to bring him. To demand of her how she dared equip herself so ill for her self-imposed task of creator of a human soul!

Up to the present time woman's moral responsibility in heredity has been below the point of zero, for the reason that she has had no voice in her own control nor in that of her children. With the present knowledge of heredity she who permits herself to become a mother without having demanded and obtained (1) her own freedom from sex dominion and (2) fair and free conditions of development for herself and her child, will commit a crime against herself, against her child and against the race.

But the learned doctor deplores the fact that educated women are bringing fewer children into the world, and argues that, this being the case, it shows that education is not within woman's sphere. Now, if a man does not choose to become the father of ten or twelve children nobody on earth feels called upon to criticise him as not properly filling his sphere—as out of his proper sphere—in case he prefers to spend more of his time on mental development and progress than upon irresponsible physical indulgence and paternity. If he makes up his mind that he cannot or does not wish to become

responsible for the mental and physical endowment and well-being of more than one or two children, or of none, nobody says that his "college training unfitted him for the holy position of husband and father, which is his sphere." Perhaps the college training may have a good deal to do with it in the sense that with his developed mind and wider information, his sense of right and of personal obligation to the unborn has tended in that direction. We do not often notice a vast degree of self discipline of this nature in the uneducated, whether it be man or woman, but is this a reason for deprecating intellectual training for our boys? Why then for the girls? It appears to me that it is one of the greatest possible arguments in favor of higher education for women, unless, indeed, it is desirable to be mere Kaffirs, both male and female, which has its strong points. Kaffirs are healthier, hardier, more irresponsibly, happily brutal. They have few nervous moments, I fancy, over the future good of wife or child or friend. Their sense of obligation does not keep them awake nights. They are neither afraid nor ashamed to create helpless human beings simply to furnish targets for another tribe. They have not even a glimmer of the thought—still embryonic, indeed, in civilized man—that the woman whose life is risked, and the child upon whom life is thrust unasked, are of the least con-

sideration in the matter. These have no rights which the Kaffir lord is bound to respect. I fancy if he were asked a question on the subject he would look at you in stupid, silent wonder, if he did not ask: "What have they got to do with it? I am the race. What she and my children are for is to look after me, to make me comfortable, to be my inferiors, for my glory." Most likely he would be so stupidly unequal to even the shadow of a thought not purely egotistic that he could not even formulate such preposterous questions and self-evident statements as these. But his civilized brother does it for him—so why complain?*

Now, suppose a woman would prefer to enjoy her mental capabilities to the full and develop these rather than to be the mother of a large brood; suppose she thinks she should be a developed woman first before daring to become a mother, whose right is it to object? If men prefer Kaffir wives there is a large assortment on hand. Squaws, both white and red, are to be had for the asking.

* The report of the marriage of another educated and refined white woman to a full-blooded Sioux Indian shows the species of lunacy that attacks those who make a hobby of Indian education. The woman who has cast in her lot with an Indian, whose savagery is only veneered with civilized manners, will repent of her act, as all her sisters in misery have done before her. As a husband the American Indian is not a model, for even long training among white people fails to uproot his native idea that a woman is simply provided to bear him children and to do hard work which is beneath his dignity.—*N. Y. Press. June, 1893.*

Whose right is it to decide that all women shall be squaws in mental development, in social position, in legal status and in political and economic relations, if all women do not choose to be such? Has a woman not the right to be a human being and count one in the economy of life before she is a mother—quite aside from her maternal capabilities? If not, when and where did she forfeit that right? When and where did *man* get his? Every man has and maintains the right to be a man first—a unit, a responsible human being; after that—aside from it—he may, if he choose, become also a husband and a father. Is it not more than possible that the whole human race has been dwarfed and retarded and hampered in its upward struggle because of this unaccountable effort to climb one side at a time, because brute force and phenomenal egotism have always refused to place humanity on terms of equal opportunity and leave nature alone?

We are constantly informed that those who insist on equal opportunities, on equal status before the law for women are making an effort to subvert nature; that nature has done this and that and the other thing with and for women. Well if she has, then she will take care of the results in an open field. She does not need special, restrictive laws placed on the sex that she has already put under the ban of inferiority. If the superior sex cannot

still more than hold its own without putting a high protective tariff on itself then how can it claim to be the superior sex? Nature has managed very well with the lower animals, giving them equal surroundings and opportunities. That nature is not allowed to manage for women is the very point we object to. Men have made all sorts of laws for and about women that are not made for and about men. Why not make laws and make them apply to the human being, leaving the sex of that human being out of the question? It is the special, restrictive, unnatural sex provisions in the laws and in the conditions of life that are objected to. No woman objects to nature's decree that she is a potential mother any more than men object to her decree that they are potential fathers.

It is the fact that men insist that women are this and nothing more—which nature did not say—to which women object. Nowhere else in nature does the male claim all of the other avenues of life as his special sex privilege, except alone the one which he cannot perform—that of maternity. The sexes stand on an exact equality as to opportunity until we come to man. The brain of each is developed to the extent of its capacity. The freedom and opportunity for food and pleasure are enjoyed by the sexes alike. When the desire for maternity is strong upon her is the only time that the female

brute animal ever becomes a mother. She decides when she is a mere mother, and when she is an animal with all the rights and privileges of her genus. With the human race alone is one-half governed upon the theory, and its opportunities fitted to the idea, that the female is never a unit, never a human being, never a person, but that she is simply, solely and only a potential mother, whose one "sphere" even then is to be controlled and regulated as to time, place and conditions—not by nature, not by herself, as with the lower animals, but by the other half of the race, which holds itself as first human, individual, and with rights, duties, privileges and ambitions pertaining to him as such. His sex relation, his potential paternity, is truly his "sphere" also, but that it is his whole sphere he has never dreamed. There are women who look at life the same way, for the other half of humanity, and decline to read nature's teachings—are unable to read them—in any other way.

But aside from all this the doctor first claims that it is the intellectual development which cripples maternal capabilities and then he proceeds to give the reasons for the poor health of girls, which turn out to be bad ventilation in their schools, unwholesome sanitary conditions, injudicious or insufficient nourishment or physical and mental habits, and a lack of intelligent mothers and teachers, who dress

and train the girls unhealthfully and in vitiated surroundings. How would boys fare under like conditions? Would the doctor say that it was the intellectual training which wrecked the health of the boys or would he say that it was the absurd conditions under which they got their training? Would he advise less mental work or less vile air; fewer studies or better light; more healthful clothing and food and exercise, or that the boys go home, "and devote themselves to the sphere nature marked out for them"—paternity?

Again the doctor appears to confuse society women with college women. As a rule they are totally distinct classes. The mere society woman who—so the doctor says—"wrecks her health in rounds of pleasure and bears sickly children or none," is, in nine cases out of ten, the exact opposite of the intellectual woman—the college-bred girl—who has learned before she leaves college the value of health and the obligation to herself and others to be well. It is true that certain of the fashionable schools which fit girls for society and for nothing else on earth call their girls educated; but, since no one else does, it were futile to confuse the two classes. The mere society girl, as a rule, is, so far as real mental development and higher education and capacity to think logically, are concerned, as truly a squaw as if she wore blanket and feathers. Indeed,

this is what she does wear mentally. She should be a perfect wife for the men who wish wives to be physical and not mental companions; she would be second only to the Kaffir women in that she wears a trifle more clothing.

But even in her case, would it not be wise to infer that she has not necessarily physically incapacitated herself for maternity by her frivolous life, so much as that she does not care for children, and would find them troublesome to a brain, which holds nothing more serious and valuable than jewels and reception dates? And, if she did reproduce her kind, would this world be benefited? Why this constant cry for more children in a world crushed by the weight of sorrow, suffering and wrong to those already here? Until children can be born into better conditions let us be thankful that there is one class of women too narrowly selfish and another class too full of the sense of obligation to add very rapidly to this bee hive of misery and discontent and wrong.

The world needs healthier, wiser, truer children, not more of them, and until mothers are both educated and rank before the law as human beings, they will never be able to give that kind to the world. Just so long as men must get their brains from the proscribed sex, just that long will their minds remain an "infant industry" and be in need

of a high protective tariff in the shape of restrictive laws on women to shield men from equal competition in a fair field as and with human units. The laws of heredity are as inflexible as death. Invariable, they are not; but so surely as there is a family likeness in faces, there are hereditary reasons for crime, for insanity, for disease, for mental and for moral imbecility, and women owe it to themselves, and to the world which they populate, not to allow themselves to be made either the unwilling, or the supine, transmitters or creators of a mentally, morally or physically dwarfed or distorted progeny.

While reading the proof for this book, this interesting article comes to me from Germany and shows how thoroughly the false basis of thought is being undermined, in other countries than our own.

H. H. G.

"There has been so much discussion concerning the physical and mental differences between men and women, and the representatives of social science have expressed so many contradictory opinions regarding this question, that I feel it my duty, as a physiologist, to give my opinion on this important matter. Several fathers of the Church have entirely denied that woman has a soul. The canonists write: 'Woman is not formed after the image of God;' and many philosophers in the same manner have considered women of small consequence. In a discourse 'concerning the education and culture of women,' Prof Sergi has followed the lead of this pessimistic school. The differences between the sexes, to which Prof. Sergi has called attention, are doubtless significant for anthropology and physiology but, in my opinion, do not depend on the original condition of woman, but are caused by the barriers which have been raised by society regarding her destiny. In order

to obtain an unprejudiced judgment, we must free woman from the yoke which man has placed upon her. We must observe her in the natural position, where she represents a particular language in the zoölogical scale. The ladies must now pardon me if I compare them with the lower animals, for in this way I can the better exalt them.

"As objects of comparison we will observe the most intelligent and faithful animals. With regard to dogs and horses we notice little difference between either the strength or the temperament of males and females. The hunter fears the lioness more than the lion, and the same is true of tigers and panthers. Prof. Sergi, in the above-named discourse, has expressed the following condemnatory opinion: "Neither in her physical nor mental capacities has woman reached man's normal scale of development, but on an average has remained so far behind that this sex seems to have come to a standstill in the general development of the race." This statement has surprised me in the highest degree. It appears to me that the marks of the human race, and the real physical characteristics which distinguish us from the animals, are feminine peculiarities. The principle has been adduced that the structure of the brain shows the abyss between man and animals. This is incorrect. There is no immeasurable difference between our brain and that of the gorilla, and the effects of the central cavities are shown only in the advancing development of the expressions of physical activity, not in their formation and character. A greater morphological difference between man and the animals is shown in the form of the pelvis. No physician, even twenty steps away, could mistake the pelvis of man for that of an anthropoid ape. The pelvis of woman is a new type which has appeared on the earth. Until now we have sought in vain for that animal which shall complete the chain between us and animals. It is striking: the narrow, high pelvis of the man is more ape-like than that of the woman. If the assertion is correct that the upright gait (on two feet) is the mark of distinction, and the noblest one for man, then woman certainly possesses the advantage of a pelvis particularly suitable for upright walking. Darwin has also demonstrated that female ani-

mals often *revert* to the masculine type, while the reverse seldom happens. More favorable conditions are necessary for the production of a female animal than a male, because the female embryo exhibits a greater fulness of life. Statistics have shown that under unfavorable conditions more men than women are born; also, male animals die more easily than female.

"Several judges of the woman question who consider that the brain of woman cannot compare with that of man, add that women should not enter into emulation with men in the mental domain lest they should lose the charm of their femininity, and because they should give themselves up completely to their vocation as wife and mother. *This division of the work is certainly very useful for man and has greatly assisted him to his position of power, and has pushed woman into the background.* But it is incorrect that woman loses her womanliness by cultivating her mind."

[*From the Deutsche Revue.*]

**Heredity in its Relations to a Double
Standard of Morals**

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LADIES AND GENTLEMEN: — As a student of Anthropology and Heredity one is sometimes compelled to make statements which seem to the thoughtless listener either too radical or too horrible to be true. If I were to assert, for example, that good men, men who have the welfare of the community at heart, men who are kind fathers and indulgent husbands, men who believe in themselves as pure, upright and good citizens, if I were to say that even such men are thorough believers in and supporters of the theory that it is right and wise to sacrifice the liberty, purity, health and life of young girls and women and, through the terrible power of heredity, to curse the race, rather than permit men and boys to suffer in their own persons the results of their own misdeeds, mistakes or crimes, I would be accused of being "morbid" and a "man hater." But let us see if the above statement is not quite within the facts.

I shall take as an illustration the words and arguments of a man who stands second, only, to our

Chief Police officer in the largest city in the United States, and since he was permitted to present his arguments in the most widely read journals of the country it seems fitting that these opinions be dealt with as of unusual importance. All the more is this the case since they were intended to influence legislation in the interest of State-regulated vice.

Among other things he said:

"Of course there are disorderly houses, but they are more hidden, and less of that vice is flaunted, than in any other city in the world. Such places have existed since the world began and men of observation know that this fact is a safe-guard around their homes and daughters. Men of candid judgment, religious men, know, too, that they had ten thousand times rather have their live, robust boys err in this indulgence, than think of them in the places of those unfortunates on the island, whose hands are muffled or tied behind them. This is a desperately practical question with more than a theoretical and sentimental side. It ought to be talked about and better understood among fathers.

"Thank God that vice is so hidden that Dr. Parkhurst has to get detectives to find disorderly houses, and that thousands of wives and daughters do not know even of their existence. Such horrible disclosures as were made before innocent women and girls in Dr. Parkhurst's audience do vastly more harm in arousing their curiosity and polluting their minds than a host of sin that is compelled to hide its head. When I was Captain of the Twenty-ninth Precinct, I went with Dr. Talmage on his errand for sensational information for his sermons. I

know, from observation and from reports which I was careful to gather, that never in their history were the places he described as thronged by patrons, largely from Brooklyn; or so much money spent there for debauchery as after those sermons."

Now I assume that this Police Inspector is a good citizen, father, husband and man. I assume that he is sincere and earnest in his desire and efforts to suppress crime and promote—so far as he is able—the welfare of the community. I assume, in short, that he is, in intent and in fact, a loyal citizen and a conscientious officer. I have no reason to believe that he is not doing what he conceives is best and right, and yet even he is quoted as advocating the sacrifice of purity to impurity, the creating of moral and social lepers in one sex in order that moral and social lepers or the ignorantly vicious of the other sex may escape the results of their own mistakes or vice. It impresses me anew that such teaching, from such authority, is not only the most unfortunate that can be put before a boy but that it goes farther perhaps than anything else can to confirm in men that conditions of sex mania which the Inspector says is more desirable should be cultivated by means of regularly recognized state institutions for the utter sacrifice and death of young girls than that it should end in the wreck of the sex maniac himself and in his own destruction.

But were our statesmen students of heredity, they would not need to be told that there is, there can be, no "safeguards around wives and daughters" so long as their husbands, fathers and sons are polluting the streams of life before they transmit that life itself to those who are to be "our daughters and wives."

But not going so deeply into the subject, for the moment, as to deal with its hereditary bearings; upon what principle his argument can be valid, I fail to see. Why is it better that some girl shall be sacrificed, body, mind and soul; why is it better that she shall be his victim than that he shall be his own? And then again, the problem is not solved when she is sacrificed. He has simply changed the form of his disease, and in the change, while it is possible that he has delayed for himself the day of destruction, he has, in the process, corrupted not only his victim but the social conscience, as well. Were this all perhaps it would be still thought wise to follow the advice of the Inspector—and alas, of some physicians—and continue to sacrifice under the bestial wheel of sex power those who are from first to last prey to the conditions of social and legal environment in which they are allowed no voice.

But this is not all. The seeming "cure" is no cure at all. It is simply a postponement of the awful

day for the sex maniac himself and, worse than this—more terrible than this—it is the cause of the continuance of the mania not only in himself but in his children. He marries some honest girl by and by and thus associates, with the burnt-out dregs of his life, one who would loathe him did she know his true character and his concealed but burning flame of insanelly inherited, insanelly indulged, bestially developed disease. But he is now—under the shadow of social respectability and church sanction—to perpetuate his unfortunate mania in those who are helpless—the unborn. Heredity is not a slipshod thing. It does not follow one parent and one alone. The children of a father who “sowed his wild oats” by the method prescribed by the Inspector (and alas, by social custom) are as truly his victims as is the pariah of humanity who is to be quarantined in some given locality, made a social leper and a physical wreck that he, personally, may be neither the one nor the other. But nature is a terrible antagonist. She bides her time and when she strikes she does not forget to strike a harder, wider-reaching, more terrible blow than can be compassed by a single individuality or a single generation. This is the lesson that, so far, we have absolutely refused to learn. I do not hesitate to take issue with the Inspector, therefore, and say that it is far better for society, far better

for the fathers of unfortunate victims of sex mania, far better for the victim himself that he be "on the Island with hands muffled or tied behind him," where death to one will end the misery to all, than that by applying the remedy which the Inspector recommends, the result should be, as it is, a future generation of sex maniacs, scrofulous, epileptic or simply constitutionally undermined weaklings.

The boys who are encouraged to "sow their wild oats" and taught that it is safe to do so under State regulation should hear the reports of some of the students of hereditary traits, conditions and developments. There is to-day in an asylum not so far from the Inspector's own door but that its records are easy of access, one victim of this pernicious theory whose history runs thus: He was a gentleman of good social, financial and mental surroundings. He was a "young man about town." He possessed, (perhaps it was an hereditary trait) more consciousness of the fact that he was a male animal than that he was an intelligent, self-respecting human being who had no moral right to degrade another human being for his gratification, while he assumed to still retain a higher and safer plane than his companions in vice. He was, in brief, no better and no worse than many young fellows who—alas, that they are so taught by men who believe themselves good and honorable—"turn out to be good family men."

After his system was thoroughly inoculated, physically, mentally, and morally or ethically, with the tone, the condition, the *trend* of the life which the inspector, and many other good men, insist is unfit for the ears of women, but necessary to the welfare of men and "best" for them; after his life and flesh had this trend and absorption he married a lovely wife from a good family. All went well. Society smiled (this is history, not fiction), and said that rapid men when they did marry, made the best husbands after all. It said such men knew better how to fully appreciate purity at home.

Society did not state that there could be no purity in a stream where half of the tributaries are polluted. But society was satisfied to talk of "pure homes" so long as there was one pure partner to the compact, which resulted in the home. It does not talk of an honest firm if but one of its members is (privately and in his own person,) honest while he accedes to the dishonest practices of his associates. But society was satisfied. A child was born, society was charmed. Four more children came. Society said that this late profligate was doing his duty as a good citizen of the State. He is now about forty-seven years old. He is a "paretic" in an asylum, and, if that were all, then the inspector's theory might still stand, because he would say that at least the awful calamity had been staved off all

these years while he had built a "pure" home and left to his country others to take his place. The facts are these: His oldest son is an epileptic, the second is a physical caricature of a man, the third is a moral idiot. He has no moral sense at all, while he is mentally bright. He delights in victimizing dogs, cats, or even smaller children. All things, in fact, which are in his power are his legitimate prey. Then there is a girl. In the phraseology of the doctor she "shows only the general, constitutional signs of her inheritance."

The youngest son is now less than seven years old; he is such a hopeless sex maniac even now that the parents of other children do not dare allow them to be alone with him for one moment.

In telling me of this case the asylum physician, himself a profound student of heredity, said of the child:

"He would shame an old Parisian debauchee. The Spartans were not so far wrong after all. They killed all such children as these before they had the chance to grow up and still further pollute the stream of life." And so our good citizen followed only the usual course prescribed by the inspector—and by society—and the result is (leaving out the horrible, necessary sacrifice of a woman—some woman or some number of women)—the result of the plan is this; a house of vice, (in a secluded

quarter "for greater safety"); a few years of license which he believed to be his legitimate perquisite in the world and "no harm done;" the association of the later years of his wasted energies, and his pretense and vice-soaked life and flesh with the life of a pure girl, and then the legacy to society of five more sex maniacs, (who, being born in a wedlock, which, by its present terms, laws, and theories, still further develops sex mania in men and thereby implants the disease in each generation to be fought with or yielded to again); a doddering, drivelling wreck of a man in an asylum at the prime of his manhood; a worse than widowed wife with a knowledge in her soul which is an undying serpent as she looks in despair upon the five lives she has given, in her pathetic ignorance and trust. And his is not an unusual record. Of course its details are seldom known outside of the family and physicians. It is legitimate fruit of a tree which society in its avarice and ignorance and vice carefully fosters. It is the tree, the fruit of which fills our jails, mad-houses, asylums, poorhouses and prisons year after year, and yet we tend it carefully and keep its root strong and vigorous by exactly the methods recommended by the police inspector and by all believers in State regulated and State licensed vice, that is: It must be systematically continued for the good of "robust boys who might else be on the is-

land with muffled hands. It must be kept in certain quarters and secret for greater safety to men, and that our wives and daughters may not hear of it."

Not hear of it until when? Not until the years come when the honest physician must tell her, if not the cause, at least the horrible facts, when it is too late for her to prevent the awful crime of giving life to the children of such a husband. We hold it a terrible crime to take life. Is it not far more terrible in such a case to give life? In the one instance the results to the victims are simply the sudden ending of a more or less desirable existence in a more or less comfortable world. In the other case it is assuming to thrust unasked upon helpless children a living death, an inheritance of pollution which must, and does, develop itself in one or another form as the years go by. Which is the greater, more awful responsibility, to give or to take life? The law says the latter.

Is it certain that heredity—nature's surest and least heeded voice—does not in many cases say the former? When society is wiser it will be a bit more like the Spartans. It will say: Far better that they be "on the island" than that they lay their fatal curse upon the world to expand and blight to the third and fourth generation, and, I believe, it was to be the "sin of the *fathers*" which was thus

to follow the children, was it not? What was that sin? Are not its roots to be found in the very soil advocated as good by believers in State regulation and in a double standard of morals, and in the ignorance which they say is desirable for "our wives and daughters." Ignorance that such things exist as the secret, legalized, regulated slaughter (social, moral, and actually physical) of hundreds and thousands of one sex at the demands and for the gratification of the other?

Are there not sex maniacs in more directions than one?

Is not this very double standard theory in itself a sex mania?

Are not the men who advocate and the legislators who make laws which recognize these double moral standards, and who ignore the plainest finger-boards set up by nature in hereditary conditions—are not these, in a sense, one and all sex maniacs?

When they talk of "keeping our wives and daughters" pure and ignorant they do not seem to realize that the taint of blood which flows in the veins of that very daughter, which she herself does not understand, and which an ignorant mother does not dream of, and therefore cannot stand guard over, flows as an ever present threat that she shall be one of those very outcasts whom her own father is laboring to quarantine in darkness and oblivion!

Nature has no favorites.

Heredity does not spare *your* daughter, and yet men who plant the seeds of sex perversion in their own families have the infinite impudence to cast from their doors the blossom of their own tillage!

They go into heroics about being "disgraced." "You are no longer child of mine!" that rings in a thousand pages of literature, in one hundred cases out of one hundred and one should be met by the reply: This act of mine proves as no other could that *I am*, indeed, *your* daughter! Blood of your blood and flesh of your flesh! Nature has told your secret through me. Let us cry quits. You put the cursed taint in my blood when I could not protect myself. *I* am the one to complain, not you. Do not cry out for quarter like a very coward. Face your record made in flesh and blood. This polluted life of mine is Nature's reply to *your* life of license and uncleanness! *I* am Nature's reply to your uncontrolled passions—*inside of marriage and out*; I, the moral or mental idiot; I, the disease polluted wreck; I, the epileptic; I, the lunatic; I, the drunkard; I, the wrecker of the lives of others—I am your lineal descendant! You sacrificed others recklessly, by act and by law, to your desires and your arbitrary sex power; you cultivated a taint in your blood.

It is true that you took the precaution to transmit it through purity and ignorance to me. That

very purity and ignorance of my mother served to save your peace of mind and enable you to take advantage of her for infinite opportunity for mischief. It, alas, could not save me, for I am your child also. Her ignorance was your partner in a crime against me, her helpless infant! Do not complain. Dislike my face as you will; presented to you in whatsoever form or phase of distortion it may be, I am your direct, lineal descendant! Build better! Or go down with the structure you planned for other men's daughters and in which you locked me before I was born!

If, because of their sex, men demand privileges, rights, emoluments, honors, opportunities and freedom, which they claim as good for and necessary to them and their welfare, while they insist that all these are not to be allowed to women—would be her damnation—are not these, also, sex maniacs? Has not humanity been long enough cursed by so degrading and degraded, so ignorant and so fatally wrong a mental, moral, social and legal outlook? I am attacking no individual. I am using an individual utterance on this subject simply to the better present the side of the case which is sustained by all of our present laws, conditions and male sentiment. I am wishing to present the reverse side of this awful picture. From man's point of view it is often presented—and in many ways. But once or

twice have I ever seen the other side in print where it was looked at from a rational or scientific point of view.

A short time ago a book was written which touched, to a moderate degree, woman's side as well as the general human side of this problem. It was put in the form of a novel that it might appeal to a larger reading public than would an essay or magazine article. It had a tremendous sale, and the only—or the chief—adverse criticism made upon it was, that it pictured a type of father which either did not exist or was too rare to be even taken as an illustration in fiction. Now, it is this very type of father of which the Inspector speaks thus: "Men of candid judgment, religious men, know too, that they had rather have their live, robust boys err in this indulgence than think of them in the places of those unfortunates on the island, etc., etc."

That is exactly the point made by the book referred to, and which was criticised by one man as "morbid in its imaginings about fathers." Is this Inspector "morbid?"

He said: "This is a desperately practical question with more than a theoretical or sentimental side. It ought to be talked about and better understood among fathers."

And I agree with him perfectly so far.

It is indeed, a desperately practical question for both men and women and Anthropology and Heredity teach, in all peoples and in each succeeding generation, that the question has *not* been solved by the adoption of the double standard of morals!

It is so desperately practical that the land is literally covered with the deplorable results, in hospitals, in prisons, in imbecile asylums and in mad houses; but when he goes on to "thank God that this vice is hidden, and that thousands of wives and daughters do not know of even its existence," it impresses me that the Inspector is, in deploring the ignorance of fathers and commending it in mothers, attempting to still farther hedge boys about with a condition which inevitably makes of them sex maniacs in more directions than one. Is not his mother as deeply interested in her boy's welfare as is his father? Is it not to her eyes and wisdom his younger days are most left and to whose watchfulness, intelligence and information he must be trusted not to develop or acquire fatal habits? or if he has them in his blood as a heritage from his father, or from his father's father, by whom vice was looked upon as "safe" if only kept from the ears and eyes of wife and daughter; is it not imperative that the trained eye and mind of a woman who is not ignorant of nor blind to the very earliest indications that Nature has sent a message

that there is a blood taint, so that, in so far as it is possible she may labor to modify and control his awful inheritance before it has him in a fatal grip?

Instead of this being the case it is advocated as desirable that she be even "ignorant of the existence of such vice!" It is due more to the fact that she has been ignorant than to any other one thing that, later on, the boy's developed hereditary curse, or his acquired bad habits, have so fixed themselves upon his young mind and body that the Inspector and the boy's father find themselves in a position to choose between a straight jacket for the boy himself, or first a wrecked and outraged womanhood and later on descendants that are marked with a brand that is worse than Cain's.

The Inspector says that such disclosures as Dr. Talmage's sermon before innocent women and girls do vastly more harm than a host of sin that is compelled to hide its head.

Now what is the implication? Did he mean to imply that those places have, since the sermon, been thronged with the "wives and daughters of Brooklyn?" If not, how did he know that it "polluted *their* minds?" Has he not jumped at that conclusion and cast a slur upon the wrong sex? the sex that did *not* "squander its money in patronizing these resorts?" Was not that a rather desperate effort to sustain an argument by a *non-sequitur*?

Are women's minds polluted by a knowledge of vice which they avoid intelligently rather than simply escape from ignorantly? Are ignorance and innocence the same thing? Did the Inspector believe that a knowledge of the degradation into which their sons are led and pushed by just such theories as these backed by a blind hereditary impulse which has no intelligent care from a wise parentage, did he believe that such knowledge would drive or lure "wives and daughters" into polluting vice? And is it not strange to hear of a condition of things which can be spoken of as good and desirable for boys and men which is in the same breath depicted as pollution even to the ears of women? Can good women live with these same men and not be polluted? How about the children?

Man has for ages past, claimed to be the logical animal. Beasts have no logic at all, and in this regard woman has been gallantly classed, if not exactly with the beasts, certainly not with man. We may say she has been counted by him as a sort of missing link. She had logic—if she agreed with all he said. Otherwise she was an emotional, irrational, unclassified creature.

Now, when it comes to dealing with his fellows, man has—in the main—a fair amount of reason and logic; but the moment he is called upon to think of woman as simply a human being like himself,

to deal with and for her as such, to give her a chance to do the same with, and by, and for herself, that moment man becomes an emotional, irrational sex maniac. He is absolutely unable to look upon woman as first of all, a free individuality, a human being on exactly the same plane as himself. She is instantly "wife," "daughter," or victim to his mind always. Never for one instant does he contemplate her as an entity entitled to life and liberty, for, and because of herself. Always it is her relation to him that he sees and deals with—and alas for his theories of justice, gallantry or right—always it is as his subordinate, for his use, abuse, or pleasure, that he thinks of and plans for her.

Why confine gilded houses to one quarter? To keep their vicious inmates away from "our wives and daughters, and the streets which they are on," says the Inspector. But that is making sex irregularity a reason for restricting liberty of residence and resort—even of promenade and pleasure. That is to say, it restricts the liberty of one party to the vice—to the irregularity of sex relations. And unfortunately it is the wrong party who is restricted to compass the object claimed! The one whose vice can and actually does injure—the wife and daughter—(the pure woman who is his victim in marriage, and the daughter who is his victim in heredity) the one who can do infinite wrong, is left to roam at large!

It is the wrong partner in vice from whom State regulation seeks to "protect" "our wives and daughters." It is the one who can do the intelligent wife or daughter no harm whatever!

Man, we are told, is the logical animal. Why not apply a bit of logic right here? Why not set a watch on and restrict the one who does the real and permanent harm to the race?

Men claim that it is necessary to their health, happiness and comfort to sacrifice utterly the characters, health, lives, and even liberty of locomotion of thousands of women every year. This is simply infamous and Nature teaches its infamy and unnaturalness.

From the protozoan to the highest beast or bird there is no distinction of right, or opportunity or privilege as to the occupation, life, liberty or the pursuit of happiness anywhere in nature between the sexes until we reach the one species of animal where one sex has been subordinated to the other by artificial industrial conditions—by financial dependence.

Now, it so happens that as civilization goes on, Nature is taking a most terrible revenge upon the human race for this sex perversion. Asylums multiply, weaklings abound, criminals and lunatics blossom out from heretofore honored ancestry. Nature is a terrible antagonist. Having the power, man may

pollute the fountain of life if he will, but Nature revenges herself on him still.

He may cover his vice with the shimmer of gold, but the curse of the serpent is there as of old. He may bind up the eyes of justice and right; but he learns at the last 'tis a desperate fight. A cover for vice in the father may be as fatal as ignorant maternity. Combined they sow broadcast on the air the horrors of life and breed its despair. It is to the "ignorance of our wives and daughters" on these points, combined with the silence of law-protected vice for men and "regulated" infamy for women that is due the possibility of passing in some states a bill to reduce to ten years the "age of consent" at which a girl is held legally responsible for her own ruin. If there was one good woman in the legislature no such bill would have a ghost of a chance to pass, or be kept from the public knowledge and rushed through a "secret session." Yet fathers of daughters pass such bills!

Is it true, after all, that men are not so good protectors of women as is woman of her sister? Ten years of age! Why, a girl is a baby then! Think of your own little girl at ten! Do not dare to stop thinking and talking and writing on the subject until such infamous laws are an impossibility!

Do not allow any one to make you believe that it is not "modest" or becoming for a woman to know

about—and fight to the bitter death—any and all such laws! You have no right *not* to know it! You have no right to dare to bring into this world a child who shall be subject to such a law! It seems beyond belief but it is true. And then men talk of “protecting” women! Men who hold that a girl is not old enough to give lawful consent to lawful marriage or to the sale of property until she is 18 years old, say she is, at the age of ten, to be held old enough to give consent to her own eternal disgrace, ruin, degradation!

That such atrocious acts are possible is largely due to the fact that “our wives and daughters” do not know these things. The ignorance of one sex in all the vital affairs of life coupled with its financial dependence upon the other sex has gone far to make of all men sex maniacs and of so many children the victims of a polluted ancestry and the future progenitors of an enfeebled race.

A famous physician who is an expert in these matters says in one of his articles, read before his brother practitioners: “There are few families in this country not tainted with one or another form of sex pollution. If it is not physical in its demonstrations it is mental. Often it is both, and to the trained eye, and thought, of a student of anthropology and heredity, the present outlook is pitiful, indeed.”

And again he says—and remember that it is not said by a woman about man. It is the serious warning of a famous expert to his fellows who were to meet and guard, in their profession, against the hereditary results of just the sort of legislative provision which has gone far to make of man the sex maniac he is. He said: "The wild beast is slumbering in us all. It is not necessary, always, to invoke insanity to account for its awakening." And if you will take the trouble to understand those few sentences by a great specialist you will have found the whole of my essay a mere illustration.

Divorce and the Proposed National Law

Opening paper of a Symposium in *The Arena*

Divorce and the Proposed National Law



In discussing any question which involves the welfare and happiness of people who live to-day, or are to live hereafter, I think we may take it for granted that we must consider it in the light of conditions now existing or those likely to exist in the future. We must clearly understand to what domain the question fairly belongs; whether it is a question of vital importance between human beings in their relations to each other, and whether it is a matter in which the law is the final appeal. We may fairly assume that the questions of marriage and divorce have to do with this world only. Indeed, that point is yielded by the marriage service adopted by the various Christian churches when it says, "until death us do part," and by the reply said to have been given by Christ himself, to the somewhat puzzling query put to him as to whose wife the seven times married woman would be in heaven.

According to the record, he evaded (somewhat skilfully it must be admitted) the real question;

but his reply at least warrants us in saying that he held the view that the marriage relation had nothing whatever to do with another life, but belonged to the province of this world only, and the necessities and duties of human beings toward each other here.

This point is conceded, too, by every church when it permits the widowed to re-marry, and gives them clerical sanction.

Therefore the religious and the civil basis of discussion are logically on the same premises, and in America, at least, where there is no contest as to the established fact that all divorces must be legal and not ecclesiastical, it is clear that the law does not recognize religion at all in the matter. While a religious marriage service may hold in law, a religious divorce would be illegal, in fact, fraudulent. It is conceded on all sides then, as we have seen, that marriage is a matter pertaining strictly to this world. It affects the happiness or misery of men and women in their relations with each other, and not at all in any assumed relation with another life, or a supposititious duty to a Deity.

This would logically take marriage, as it has already taken divorce, out of the hands of the clergy, since religion and its duties are based primarily and necessarily upon the relations of human beings to another life and to a supernatural or Su-

preme Being. The terms of marriage and divorce—so far as the public is concerned—are questions of morals and economics.

That is to say, if there were but one man and one woman in the world it would be for them to say whether they would be married at all, or—having been married—whether they would stay married, if they discovered that the relation was productive of misery to one or both. They could divorce themselves at will without injury and without fear. But since humanity is associated in groups constituting what is called society or the state, and since under present conditions men are the chief producers and owners of wealth and the means of livelihood, the support of women and children is a matter which affects the welfare of all so associated, in case the parents separate. The question of divorce is, therefore, partly in the field of economics and has to do with the general welfare. This being the case, law and not religion rightly regulates its terms. People marry because they believe that it will promote their happiness to do so. I am talking now of ordinary people under ordinary circumstances, and not of those victims of institutions—such as kings and princesses—who are married for state reasons. Nor am I writing of those still greater victims who are taught that it is their "duty" to marry in order to produce as many of their kind as possible

in a world already sadly overpopulated by the very class thus influenced and controlled by greed and power. That is to say, they are so taught by those who are benefited by the unintelligent increase of an ignorant population.

Since marriage is the most important, solemn, and sacred contract into which two people can enter, and since it affects—or may affect—others than themselves, the State requires that it be public, that the form of contract be legal and that its terms be respected by both parties, to the end that others may not be deceived or left helpless.

But if the parties to this contract learn to their sorrow that the association is productive of misery, if they grow to loathe each other, if instead of happiness, it results in sorrow or ill health, then surely the State is not interested in forcing those two people to continue in a condition which is opposed to life, liberty, and the pursuit of happiness. It *is* however, concerned in the *terms* of the separation since these do or may affect others than the two principals, and since one or both of these, having entered into a contract (in which the State was a witness) and now being desirous of terminating said contract, may be defrauded in a manner which vitally affects society. It can hardly be claimed that society is benefited by forcing two people to live in the same house and become the parents of chil-

dren, when these two people have for each other only loathing or contempt. If it cannot benefit society, then who is benefited by the forced continuance of the marriage relation? The children? Can any rational person believe that it is well to rear children in an atmosphere of hatred, of contention, of rebellion?

Do not our penal institutions answer this question? Are the inmates of these from homes where harmony reigned? Statistics show plainly that they are not; and they also show that an enormous per cent. of them come from the families of those who are not allowed by their church the relief of divorce from bonds grown galling. Children conceived by hatred and fear, overpowered by the lowest grade of passion known to the world (which cannot be called brutal, because the brutes are not guilty of it), bred in an atmosphere of contention, deception, and dread, are fit material for, and statistics prove that they are the class from which are recruited the inmates of, the reformatory and penal institutions.

Is it fair to a child that it be so reared? Is it not right—is it not the duty of the State to secure, so far as it may, quite the opposite conditions of life for its helpless future citizens? Are the highest and best types of character bred in discord? Is the State interested in the high character of its future

citizens? All these questions and many others are involved.

But setting aside these most important features I would like to ask who is benefited by keeping together those whom hate has separated? The wife? Not at all. She is simply degraded below the frail creatures of the street whom men deride. She becomes the helpless instrument of her own degradation. The woman of the street *may* own herself, she *may* change her life, she *may* refuse to continue in the course which has lost her her self-respect. The unwilling wife is helpless. She has lost all. She has no refuge. She is a more degraded slave than ever felt the lash, for her slavery is one which sears her soul and will, if she becomes a mother, sear the bodies and souls of children borne by her unwillingly.

It can hardly be urged that it could add to the dignity or honor of womanhood for a tie to be indissoluble which in itself, under such conditions, is a degradation and an insult. Take for example a drunken, a dissolute or a brutal husband. Can it be said to strike at anything dear or noble for woman-kind that some wife is absolutely freed from such companionship? That she be no longer forced to bear his society or even his name? Surely no good end can be served by the outward continuance of a tie already broken in fact. No one can be made

better, no one happier. If it is urged that a God is to be considered, surely such a state of things could hardly excite his pleasure or admiration. If marriages are made in heaven those that prove a misfit—so to speak—can scarcely be claimed by believers in an all-wise ruler to emanate from there. Religious people will, I fancy, be the last to assert that wrong had its source in such a locality; while people who look upon this question as wholly outside of sacramental lines will be slow to see beauty or good in a relation which is a servitude and a degradation on the one side and a brutal domination on the other.

How does the question stand then? The wife is degraded, the children are brutalized—are born with evil tendencies—a God can hardly be overjoyed; society is endangered and robbed, is deprived from its very cradle of its inalienable right to happiness. Who is left to be considered? The husband?

Would any man worthy the name wish to be the husband of an unwilling wife? If he has a spark of honor or manhood in him could such a relationship, held by force, give him happiness? Would it not be unendurable to him?

If he is so far below the brutes in his relationship with his mate that he can hold his position only by force is he a fit father of children? Is the State interested in reproducing his kind?

It is true that there are several reasons why divorce is far more important to women than to men—notwithstanding which fact the question is usually discussed in the Press and Legislature by men only, the other interested party not being supposed to have enough at stake to be consulted or heard in the matter at all. But it is also true that an uncongenial marriage deprives a man of all of the best that is in him; it reduces his home to a mere den of discomfort and wretchedness; it forces him to be either a hypocrite at or an absentee from his own hearthstone and deprives him of the blessedness and sympathy—the holy tenderness and beauty—that should be the star in the crown of every man entitled to the name of husband and father.

But he still owns his own body. He cannot be made an unwilling father of timid, diseased, or brutalized children; he is not a financial dependent. For these and other reasons an unhappy marriage can never mean to a man what it must always mean to a woman.

There is an argument frequently put forward that divorce is wrong and unfair to the children of those so separated in case the divorced parties remarry and other children are added to the family. One great Prelate asked in his article on this subject: "Can we look with anything short of horror upon such a condition of things? Here is a family, we will say,

composed of the children of three divorced fathers—all by one mother."

This is an extreme and not a pleasing case, we may admit; but suppose the divorce were by death would the distinguished Prelate be so shocked? Is it especially uncommon, indeed, for the most devout men and women to marry three times? Are "half" brothers and sisters and "step" children a subject of moral shock to the most rigid religionists? Jesus appeared to approve of a woman marrying seven times. How about a mixed family there? Does the distinguished Prelate take issue with his Lord? No, the whole question hinges on the continuance of the life of the parties separated or divorced. If one of them dies the mixed family relation is not counted either a sin or a shame. If they live and the divorce is granted by law instead of by nature it is pronounced both.

In whose interest is this distinction maintained? We have seen that it is not for the honor of the wife that a loathsome marriage relation be indissoluble, that it can lend neither dignity nor happiness to the husband, that it is one of the fruitful causes of diseased and criminal childhood and that it is, therefore, necessarily, a menace to society.

Legally, morally, economically, then, it is a mistake, and it is productive of great misery. Who then is benefited? Why is the attempt so strongly

made to revise the laws and check the growing liberality in divorce legislation?

Who are the movers in that direction and upon what do they base their arguments? What is the final appeal of these combatants? I shall answer the two last questions first. The orthodox clergy and their followers, basing their arguments on the Bible as the final appeal, demand that this reform go backward. Why?

Because their creeds and tenets have always claimed that marriage is a sacrament and not a legal contract, that it is or should be under the control of the clergy, and that the Bible and St. Paul say so and so about it. The Catholic Church has, by keeping control of the marriage of its believers, made sure of the children—their education—and therefore insured to itself their future adherence. It has perpetuated itself and its power by this means. It is, therefore, not difficult to see why that church so warmly opposes any movement which can only result in disaster to its growth and power. Her communicants are taught that it is their duty to increase and multiply, and this in spite of the fact that poverty and crime, want and ignorance stare in the face a large per cent. of the very class which it is thus sought to swell. The Catholics are the most prolific and furnish *by far* the largest per cent. of both paupers and criminals of any other

class of the community. With them marriage is a sacrament; divorce is not allowed, or if allowed, remarriage is prohibited. Children are born with astounding frequency of subject mothers to brutal fathers. They are bred in a constant atmosphere of contention, bickering, and in short, warfare. The result is inevitable. Contest—war—brings out all the worst elements and passions in human nature. This fact is well understood where war is conducted between large bodies of men; but in such case there is supposed to be a motive—some patriotic principle involved to stir and call out, also, some of the better nature; but in the petty warfare of the wretched household there is nothing to redeem life from the basest.

But suppose all this is true, say the advocates of the forced continuance of the marriage relation; the Bible—our creeds—teach us to refuse the relief of divorce, and we are bound at any cost to sustain the indissolubility of the marriage bond. True, for those who accept these creeds or the Bible as a finality; but to those who do not, the State owes a duty. Church and State are separated in America, it is claimed. A magistrate can marry a man and woman, just as he can draw up another contract. When the State went that far it told the people that it did not hold marriage as a sacrament. It then and there took the ground that it was a legal

contract, and had no necessary connection with religious belief or observance. It logically follows, then, that if the State deals with marriage as a thing not touched by religious belief or Biblical injunction, that the question of divorce—the terms of the contract—are also quite outside of the province of the clergy. This being the case, it appears as futile and as foolish to discuss this question—making of it a religious one—from the basis of the creeds or the Bible, as it would be to discuss the rate of interest on money or the wages per day for labor, from the same outlook.

Believers in the finality of Biblical teaching are at liberty to hold their marriages as indissoluble, but have no right to insist upon forcing their religious dogmas upon others, nor to attempt to crystalize them into law for those who believe otherwise. No doubt the Bible gave the best light of the Jews, in the day in which it was written, on these and other subjects. We are quite willing to suppose that the various creeds and usages of the churches did the same, for the people whom they represented, but the creeds and the Bible have nothing whatever to do with the social and economic problems of our day, nor with the legal questions of our time.

The more they are dragged into places where they do not belong, the more it is discovered that

"revision" is necessary. The old creeds and the Bible are fast undergoing revision and are recut to fit the people and the present. It is quite impossible to revise and recut the people and the present to fit the old creeds and the literature of the Jews.

Let us have done with such trifling with the serious problems of the day. It is not at all a question of whether St. Paul said or thought this or that about divorce. It is not at all important what some dead and gone Potentate said; the question before us is: What is best for society as it is now? Indeed it appears to me futile to discuss this subject at all if it is to be done from a theological basis. Every fairly intelligent person knows what the church teaches in the matter. One paragraph and a half dozen Biblical references with a notable name appended is all the space necessary to consume. We all know that in substance the Catholic church's answer to the question "Is Divorce wrong?" is emphatically, "Yes."

We are also aware that that church revises its opinions more slowly than does any other.

It is equally well known to the intelligent reader that the variations from the emphatic Yes of the Catholic church, run the scale in the Protestant denominations from a moderately firm yes to a distinctly audible no. Given the denomination and

a slight knowledge of its history—whether it claims to be infallible and divine, as the Catholic and Episcopal, or only partly so as the Methodist, Presbyterian, and Congregational, or whether as the Unitarian and Universalist they claim to be human only—and you are prepared to state what the adherents of those churches will hold as to the marriage and divorce questions without resort to long papers or circumlocution. Now, for the various sects to teach or believe what they please on this and other subjects is their undoubted right so long as they do not attempt to control other people in matters which are outside of the province of the church, and so long as their own adherents are satisfied to abide by the decisions of the communion to which they belong.

The question is, then, what is best for society as it is and as it is likely to be? What is best for society as it is *now*? Who is benefited or who harmed by the continuance of a loathesome relationship? Is the State and are the people interested in refusing to allow two people to correct a mistake once made? Is it for the good of anyone to make mistakes perpetual?

I repeat that it is a question in economics and morals. It has nothing whatever to do with religion.

Let us keep our minds clear of rubbish, and

above all let us request that our legislators do not tamper with a question of such vital importance to women, in any manner (as is just now proposed) to crystalize the divorce laws into national form and application, until women be heard in the matter, freely and fully, without fear or intimidation. If it were proposed to make a national law for railroads without giving a hearing to but one side of the question; if it were suggested that Congress pass an educational bill of universal application without permitting any but its friends to be heard; if a general measure to control interest on money were up, and none of the money-lenders were given a hearing—only borrowers—there would be a great stir made about the injustice and inequity of such legislation. But it is deliberately proposed to pass a national marriage and divorce law, to regulate the one condition of life which is absolutely vital to women under present conditions, and to make this law a part of the national Constitution, without taking the trouble to hear one word from her on the subject. Let us agitate this question thoroughly. Let us discuss it on the basis where it belongs; where our laws have already put it—the economic, and moral, and social basis. Let us clear the track of both sentimentality and superstition. Let us hear from *both* sides—from *both* parties interested. We do not drag religion into the in-

terstate commerce debate. When a bill comes up for street-paving, nobody inquires what kind of stone St. Paul was interested in having put down. When the Chinese bill is before us, it is not necessary to know what St. Sebastian thought of the laundry business. Their views may have been sound; but they do not apply. I repeat, therefore, let us keep to the subject, keep the subject on the basis where it belongs, have our conclusions at least blood relatives of our premises, and let us hear from both sides of the fireplace. And finally, let us discuss this matter thoroughly but let us keep clear of passing a national law until both parties to the contract be heard, not only in the press, but in the legislative deliberations.

A recent writer of one of the ablest and clearest papers yet contributed on this subject, in arguing in favor of an amendment to the Constitution, which shall make divorce laws uniform, says: "Let it clearly be shown that Congress can best legislate in the interests of the *whole people* (the italics are mine) upon the subject, and the people, and their representatives, the legislative assemblies, can be trusted to authorize it." It does not occur to even this able writer that half of the "whole people" will have no representation in either the legislative assemblies nor in Congress, and that on this subject above all others, this unrepresented half has

far more at stake than has the other, and that when an amendment to the national Constitution is accomplished, it is a very much more difficult thing to correct any blunder it may contain, than it would be if the blunder were not made a part of that instrument.

All men appear to agree that marriage is pre-eminently woman's "sphere." Certainly under existing conditions, and under conditions as they are likely to be for some time to come, it is the one field open to her—it is her "lot." At present she has nothing to say as to the laws which control—as to the terms of this single contract of her life—the one disposition she is free to make of herself and still retain her social status and secure support. It would seem only humane to place no farther thorns in her path. Until she has a voice—is represented—the "whole people" cannot amend the Constitution in respect to marriage and divorce—in respect to the "one sphere" which all men concede is woman's one peculiar right.

No laws on these subjects—above all others—should be crystalized into national form and appended to the Constitution until it is done by the help and with the consent of the half of the people whom it will most seriously affect.

Lawsuit or Legacy

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Lawsuit or Legacy



Within the past twenty years the business of life-insurance has grown with such wonderful rapidity, and changed so radically in its methods and con-

* Many of the worst features in Life assurance contracts or policies, mentioned in this essay, have been amended or corrected since its publication, but there remain enough other conditions of doubtful fairness to the policy holder to, I think, justify including this essay in this book.

Among these conditions, is the clause, in all Tontine policies,—and nearly all policies now issued are Tontine in one form or another,—which puts all accumulations on policies derived from “dividends,” premiums, etc., on lapsed policies etc., into the hands of directors or officers of the companies, to do with as they choose, the policy holder being made, by the terms of his contract or policy, to agree to accept whatever proportion of surplus there may be “apportioned by the Society” or Company, to his policy, when it shall have matured. That is, the policy holder is not represented as against the Company, in the determining of what, if any surplus, his policy is or should be entitled to. “At the end of the Tontine Period, if the person proposed for assurance be then living, and the policy in force, the policy shall participate in the accumulated surplus, derived from policies on the Free Tontine plan, both existing and discontinued, *as may then be apportioned by the Society.*” (Italics mine.) This leaves the policy holder absolutely at the mercy of the Company, or its actuary who is, or may be, the instrument of the officers of the Company. And it will not do to reply that “the policy holders are the Company” for it is well known, at least among insurance experts, that this is one of the fictions of the business in its practical management.

In illustration of certain other abuses in the management of this beneficent and important business, I have also included : brief, humorous sketch, which touches some of these, a *propos* of the fictions *versus* the facts.

tracts, that it is to-day as unlike its old self as the railway-car is unlike the stage-coach.

The old life-insurance contract undertook to define burglary, riot, and rebellion, and the companies held themselves free from obligations which they had deliberately assumed, if the other party to the contract did not conform to the rules of conduct laid down under their definition and requirements. Nowhere else in the history of large business organizations has the debtor regulated his obligation by the morals of his creditor and liquidated his debt by acknowledging its existence, and then simply charging moral obliquity on the part of said creditor as the reason for not paying it.

If A owes B fifty dollars, and B is known to be a thief or a murderer, it does not liquidate A's debt to simply show that fact. But life-insurance companies have held, and some of them still claim, the right to so indemnify creditors, and, strange to say, they have been able to conduct business on that basis. They have even gone further, and said that a debt to B's heirs is forfeited in like manner—thus making the destruction of a man's reputation after his death of pecuniary advantage to the company. They have been enabled to do this because many men do not read the insurance contract which they sign, and hence have no idea of its complicated and, in many cases, unfair nature. If

men insisted upon understanding the contract before they sign it, as they do in other business, the more unfair features would necessarily disappear from all insurance contracts.

If I deposit a thousand dollars in a bank, it is my money—I can withdraw it when I please, subject, of course, to business rules, which have nothing to do with my standing as a citizen. The bank has nothing to say in regard to my loyalty or my honesty in other affairs. My money can not revert to the bank on outside ethical or moral grounds. But in life-insurance—a business in which more money is invested than in banking—the opposite rule has been, and to some extent still is, in operation.

There are a few companies, it is true, which have rarely taken advantage of their reserved right to mulct a family of money actually received, upon the plea of outside ethical delinquencies of the dead—which had nothing to do with his length of life—and there are companies, at the present time, which have voluntarily eliminated the greater part of these oppressive regulations and reserved rights from their forms of contract. But in many of the companies they still remain in full force, and in almost all there are improvements of a most important nature needed even yet.

In other words, while one or two companies have made their contracts, in large part, what contracts

purport to be, a guarantee of good faith—that, if so much money is paid to them during a stated interval, they will return to the party insured, or to his heirs, a stated sum at a given time—there are still many which have not so improved their contracts, and are doing business in the old way, depending for success on the ignorance of their applicants in regard to the unfair conditions of the contracts which they sign. A few have left out most of the thousand and one ifs and ands and provideds of the old *regime*, and have at last undertaken to conduct this important and rapidly-growing business on strictly business principles, and the results have abundantly attested the wisdom of the new departure and indicate the advisability of still more liberal measures. A man may now, if he is careful and wise with his choice of a company, insure his life, or, if insured, he may have the temerity to die, without a fairly-grounded expectation of leaving his family a lawsuit for a legacy. He may also be reasonably sure that he is not placing his own reputation (after he is unable to defend it) at the mercy of a powerful corporation intent upon saving its funds from the inroads of a just debt. And I question if it is too much to say that, given enough money, a strong motive, and a powerful corporation, on the one hand, and only a sorrowing family upon the other, and no man ever

lived or died whose reputation could not be blackened beyond repair, after he was himself unable to explain or refute seeming irregularities of conduct or dishonesty of motive. No man's character is invulnerable, and no man's reputation can afford the strain or test of such a contest. Millions of dollars have been withheld from rightful heirs by threats of an exposure—the more vague the more frightful—of the unsuspected crimes or misdeeds of the beloved dead.

Thousands of cases never known to the public have been "compromised," and hundreds of heart-aches and unjust suspicions and fears about the dead, which can never be corrected, are aroused in sorrowing but loving breasts by this method of doing "business." It is, of course, of the utmost importance that every precaution be taken by life insurance companies to protect against fraud and trickery, the funds held by them in trust for others. But with the agent, the examining physician, the medical directors, and the inspectors all employed by, and answerable to, the company represented, if fraud is committed in getting into the company, one or all of these paid officers must, almost of necessity, be party to that fraud. With all these safeguards in the hands of the company, if a man is accepted as a "good risk," if he pays his premiums, surely his family has the right to expect a

legacy and not a lawsuit, nor a "compromise" which *must* cast reproach on the dead.

If it were not for the enormous value and benefits of this method of making provision for his family, surely no man in his senses would ever have risked —would not risk to-day—signing a contract which gives the other interested party not only an absolute fixed sum of his money, year by year, but also reserves to it the right to investigate and construe his actions and motives after he is unable to contest its verdict.

And not only this, but upon the finding of some slight, wholly immaterial flaw in his statements (which it failed to find when he was in the hands of its agents and officers), in some companies he not only forfeits the right of his heirs to their purchased inheritance, but the company retains his money which he has paid in besides! This is surely a dangerous contract for any man to sign. It is placing a temptation and a power in the hands of a corporation that it has never yet been in the nature of corporations not to abuse.

"If any statement in this application is in any respect untrue, it voids the policy, and all payments which shall have been made revert to the company," gives a wide field and doubtful motive of action when it is remembered that many of the questions are of such a nature that not one man

in a thousand could be absolutely sure that he knew the correct reply.

"At what age did your grandparents die?" All four of them. How many men are sure that they can answer that question correctly? "Of what did each one die?" You do not know. You have a general idea. You express it. You pay your premiums ten years. You die (one doctor says of consumption—another says of blood-poison); the company finds some old person who says your grandmother on your father's side died of the same thing, and there is a rumor that a long-forgotten (or never known) country cousin also had it.

The company sends a representative to the widow. He assures her (and by the very terms of the contract, signed by the dead husband, he is right and she is helpless) that they can refuse to pay a cent; that her husband got his policy by fraud—although no indication of his physical disorder appeared to any of the numerous officers employed by the company for its own protection, when he made his application, and by general reports he was (and believed himself to be) a sound man.

He assures her that they want to be generous rather than just, and if she will sign a release, or "compromise," she will be given a small part of the sum named in the policy. He makes her feel the necessity of keeping this bargain a secret, lest

other policy holders object to the company paying anything on the life of one who "attempted a fraud" upon them! He impresses upon her that in case of contest she could get absolutely nothing; that she is poor, and the company is rich and strong; and if he fails to arouse her gratitude for his generosity in offering to pay her anything whatever, he usually succeeds in intimidating her in her poverty and distress. A sparrow in the hand is worth more than an eagle on Mount Washington to a widow with a hungry family, especially if the eagle has successfully maimed his pursuer in the beginning of the flight.

The company knows this. The widow knows it. The conclusion is therefore certain before the premises are stated, and the "compromise" is made or the claim quietly dropped. It is easy to say that a man died of some bad habit unknown to his family, and his family would rather forego their claim than drag into light, or into disgrace, the memory of the loved dead. All this is well understood by those on the "inside," and by thousands of sad hearts that dare not speak. Is there no remedy for all this? Is there no way that a useful and powerful business can be rid of features which make it both dangerous and ghoulish?

The recent steps taken by the best companies are undoubtedly in the right direction, as those still

using the old forms of contract will sooner or later learn. But there is room yet for improvement even in the best forms written to-day. The fairest insurance contract written still has room for improvement.

Is there no way to protect these great corporations against the frauds of individuals, and at the same time protect the individual against the frauds of the corporations?

Must life-insurance contracts be absolutely one-sided, and that be the side of the strong against the weak; the guarded against the unguarded; the living against the dead? It seems to me that this is wholly unnecessary. A life-insurance company which has the agents, the doctors, the medical directors, and inspectors all on its side can well afford to offer a fair field—a plain, fair contract—to its patrons and then pay its debts like any other debtor when its obligation falls due. If it can not find out within a year (with all the machinery in its own hands), and while the man is alive, that he is a bad risk, it is too late to make the discovery after he is dead. If the indications are sufficiently in his favor for them to accept his money from year to year while he lives, they are sufficiently favorable to him for his family to receive the company's money when he has died.

Life-insurance is too valuable and too necessary

a means of provision for the family for it to be overlaid with abuses that make many men hesitate to avail themselves of its benefits; and which put a power for evil into strong hands, and make temptation to do wrong inevitable and constant.

It is said by some, whose attention has been called to this important subject, that the form of contract does not so much matter, since almost any court or jury will decide a suit against the company, and in favor of the family, in any event. This is taking it for granted that the heirs are in position, and are willing, to bring suit, and risk the reputation of the dead as well as the financial drain. But, as a matter of fact, this is not true—nor is it desirable that it should be. The rights of these corporations should be as jealously guarded by our courts as the rights of the individual; and perverted justice is a dangerous tool to handle. The man who signs an oppressive contract depending upon a court to nullify it after he is dead, is clinging to a rope of sand. The letter of the bond is what the court is bound to enforce, and every man should be sure that he signs only such as shall deal fairly with his heirs *on that basis*.

The following extract is from the decision of the Court of Appeals in the famous Dwight case, which is so recently decided as to most forcibly illustrate this point:

"If an insurance policy in plain and unambiguous language makes the observance of an apparently *immaterial* requirement the condition of a valid contract, *neither courts nor juries have the right to disregard it* or to construct, by implication or otherwise, a new contract in the place of that deliberately made by the parties. . . . Such contracts are open in construction, . . . but are subject to it only when, upon the face of the instrument, it appears that its meaning is *doubtful* or its *language ambiguous* or *uncertain*. . . .

"An elementary writer says: 'Indeed, the very idea and purpose of construction imply a previous uncertainty as to the meaning of a contract, for when this is clear and unambiguous there is no room for construction and nothing for construction to do.'"

For this reason the Court of Appeals cited as the ground, and the *only* ground, for its decision against the widow, the following clause from the policy of the contesting company:

"This policy is issued, and the same is accepted by the said assured, upon the following express conditions and agreements: That the same shall cease and *be null and void* and of no effect . . . *if the representations* made in the application for this policy, upon the faith of which this contract is made, shall be found in *any respect* untrue."

Colonel Dwight was in the habit of making large business ventures. Several times, when he had done so, he had taken heavy amounts of life insurance, so that in case of the failure of his undertakings, and his own death before he could regain his financial feet, his family would not suffer. On previous occasions he had dropped the greater part of his insurance as soon as his business ventures had terminated successfully. This is not an uncommon thing for rich or speculative men to do.

In 1878 Colonel Dwight died, with an insurance on his life of about \$265,000, some of which he had carried for years; but a large part of it had been recently taken for the reasons above stated, and as he had done before under similar circumstances. Fifty thousand of this sum was in old and new policies against one company.

This company paid at once, thus giving the widow means to fight for her claims against the other companies. In a short time one of the other companies, against which she had a small claim of \$5,000, also paid. The other *nineteen* companies contested. The widow employed Senator Conkling, and the fight has been the hardest, the bitterest, and the most ghoulish insurance contest ever had in this country; and finally the companies have won in the Court of Appeals on a purely technical point, after having dug Colonel Dwight's body up several

times, in the effort to prove that he was poisoned, that he hung himself, and that he was not dead at all! They failed utterly to prove any *material* cause of contest; but they finally won on the ground that, in answering a question in the application for insurance, Colonel Dwight did not state that he had ever engaged in the liquor business, whereas it had been known that he had owned a hotel where liquor was sold.

Now, when it is remembered that at one time these companies tried to prove that Colonel Dwight had committed suicide, but that they never had any grounds upon which to claim that he had died of intemperance, the purely technical grounds for the decision of the Court of Appeals is apparent. Ninety-nine policies out of a hundred could be contested on such ground as that; and so long as insurance contracts retain these unreasonable and oppressive features, no man can be sure that he is not leaving a lawsuit and bitter sorrow to his family, and, worst of all, a blasted reputation for himself, when he applies for insurance under such a form.

An officer of one of the companies was heard to boast of the fact, but a few days ago, that his company had spent nearly *ten times* the amount of the claim against it in this Dwight contest! This is economy indeed! Whose money was this spent? The policy-holder's. For what? To defeat one of

the policy-holders in a contest for a claim no doubt as honest as any one of the others will present in his turn.

But suppose that this was not an honest claim; suppose that Colonel Dwight was not a "good risk," is it not a rather suggestive indication of the value of the medical examinations by the expert medical examiners and directors of twenty-one life-insurance companies? A risk good enough to "pass" some forty-five doctors employed by, and for the protection of, the companies is, on the face of it, a good enough risk to pay. If this is not so, then the companies, and not the public, should be made to bear the responsibility of the incompetency of their own officers.

But for the reputation of these medical men, it is a fortunate fact that the contest did not prove Colonel Dwight to be an unsafe risk. After his body was dug up several times, and a number of autopsies held, and most of him analyzed, they succeeded in proving that he owned a hotel where liquor was sold!

But under these forms of contract, the companies undoubtedly had a legal right to refuse payment upon even so absurdly technical a misstatement of "occupation." It was claimed by his family that his hotel was a side issue; that he did not think of himself as in that business, and that his failure to say,

because of it, that he was "in any way connected with the manufacture or sale of spirituous liquors," was a natural one under the circumstances. How many men give, in answering the question as to occupation in their applications for insurance, all of the numerous "plants" in which they have an interest of a financial nature, more or less important? One man says he is a bookkeeper, but he may possibly, also, own stock in a mine. His claim could be contested on that ground. Suppose that he really thought nothing of his mining-stock when he made his application and signed his contract? Suppose that in a short time he was called to see the mine, went into it, and died of the results of that trip? His policy would not, if it contained the usual conditions, be worth, in a legal fight, the paper it was written on.

That companies often waive their reserved right to contest on such grounds, is used as an argument to prove the innocent nature of these forfeiture clauses and other oppressive conditions. But so long as they hold the legal power to do so, the temptation to contest will be too great for flesh and blood, not to say for corporations, to bear without yielding sometimes. The "Get thee behind me, Satan," of a fair, plain contract will be the best safeguard for the heirs in the matter of money, and for the companies in the matter of morals;

while the "economy for the sake of surviving policy-holders" might be directed, as there is surely room for believing that it needs to be, into other and more legitimate channels. Economizing on debts to dead policy-holders is not a very good recommendation to living ones, for the companies which thus lock the wrong stable-door.

The new move toward furnishing fair contracts is in the right direction, and it now rests with insurers—the public—to see that it does not stop short of fulfilling the promise of still better things in the future.

POINTS HUMOROUS AND OTHERWISE ABOUT LIFE
INSURANCE.

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I made up my mind to get my life insured. As I had heard some one say it was not wise to put all of one's eggs into the same basket, I decided to apply for a small policy in two of the leading companies at the same time. I was never seriously ill in my life, so when I was informed that I had been "held off" by the examining physician of one company who found theoretical traces of diseased kidneys, I was a good deal astonished. Professional etiquette prevented the examining physician of the other company from passing me until this matter was settled, although he confessed that he

could find no such traces himself. In his opinion my weak spot was my lungs. "But doctor," said I, "I've got lungs like a bellows. I was stroke oar at college."

"It doesn't make any difference to our doctor whether you were stroke oar or a stroke of lightning if he discovers that any of your ancestors died of consumption," remarked the agent, who had lost his temper. "You ought to have had better sense than to tell Dr. Pulmonary that your great aunt coughed before she died. He'd find evidence of lung trouble in a copper-bottomed boiler if it wheezed letting off steam. Who examined you over at the other place? Old Albumen? I'll bet ten dollars he'd find traces of his pet disorder in a ham if he examined one."

I was getting a little piqued. I concluded to put my application in to several other companies and take the first policy issued. In pursuance of this idea I was examined by Dr. Palpitation of the M. of N. Y. company, and he discovered that I was liable to drop off at any time from heart failure. He said that he did not wish to alarm me, but I needed medical care and a very wise and sustained course of treatment.

At this stage of the proceedings I went to the only physician I had ever employed for any slight ills during my past career and had him put me through

a thorough and exhaustive physical examination without disclosing anything of my motive for so doing. He pronounced me fit for the coming boat race, which was to be an unusually trying one.

"Any trace of albumen, doctor?" I asked.

"None—not a trace."

"Nothing wrong with my heart or lungs?"

"Look here, boy. If you never die until they give out, you're going under from old age. I tell you, you are as sound a man as ever lived. There is absolutely nothing to hang a suspicion of any disorder on. For my sake I wish there was," he added, laughing and slapping his pocket.

The next day I had a call from the doctor who had examined me for the E. of Y. He said that he'd like to have a second pass at my eyes. He thought there was a look in one of them that indicated softening of the brain. I laughed.

He remarked that people in the first stages of that trouble usually took it just that way. It was a symptom.

"You confounded old fool!" said I, losing my temper. "Are you in earnest? I supposed you were joking from the first but if you're talking as good sense as you've got just leave this office. I—"

He left.

He reported to his company that I was in a more

advanced stage of the disorder than he had at first feared. I had arrived at the unnecessarily irritable condition. Of course my case was settled with that company. Professional etiquette again stepped in, and the doctor for the M. B. of C. took another whack at my liver. He said that the organ was badly enlarged and he'd hold me off for one year to see if it would return to its normal proportions. According to his diagnosis fully nine-tenths of the population of New York were carrying around livers that were enough to tire out an ox. He could tell a big livered man as far as he could see him, and he pointed out five who passed while he was talking.

He said that enlargement of the liver was getting to be a very real danger to the population of all of the chief cities, and if the cause was not soon discovered by the medical profession and a reducing process, so to speak, clapped on to the metropolitan liver, life insurance companies would have to keep a mighty sharp eye on all applicants, or the death rates would wreck the most prosperous of them in pretty short order.

I was led to infer from the way he poked and prodded around me and measured and sounded that my liver was rather badly sagged at one side and that the other lobe was swelled up like a bladder. It seems as if a person would notice a thing like

that himself, but the doctor said that as like as not I'd never have discovered it at all if he had not—fortunately for me—been called in to examine me.

He said that he never prescribed for men, he is required to examine for insurance, but he told me to take a certain remedy for the next three months and then report to him. Meantime his company would "hold me off."

"We won't reject you outright," he explained "because this thing *may* be only temporary—may not be organic—and it wouldn't be a fair thing to your heirs to decline you outright, because that would most likely prevent you from ever getting life insurance anywhere in the future."

That was a new idea to me and gave me a good deal of a scare.

It occurred to me that the future of a man's family—where it depended on the insurance money of its head—was subject to considerable uncertainty from the various fads of the doctors.

Here I was in danger of being rejected—pronounced an unsound risk—by four separate and distinct companies for four separate and distinct ailments of which my own doctor could find not the least trace and I could feel not the faintest twinge.

If any one of them decided positively against me the future of my family was nil—so far as insurance went, for the examining physician of no other com-

pany would be bold enough or sufficiently lacking in "professional courtesy" to pronounce in my favor, whether he could find anything wrong with me himself or not. I began to realize that what I had so far looked upon as rather a good joke might be serious after all.

It occurred to me, too, that it would be a good deal more far reaching than I had supposed.

If Old Pulmonary—as the agent called him—stuck to his theory of my lungs, not only I, but my children, would be unable to get insurance. It would establish a family history—a "heredity"—hard to get rid of. My little joke in speaking of the fact that my aunt had been said to cough before she died, together with Dr. Pulmonary's ability to scent lung trouble in the breathing apparatus of a porous plaster, might lead to a serious complication not only for me but for my children. I concluded to make a clean breast of it. I did not quite dare tell Dr. Pulmonary that I had been deliberately guying the profession—and in fact that was not my first intention—but I asked if he did not think it a little odd that no two of them had held me off for the same reason and that each one had found indications of the particular disorder for which he had a special leaning. He pricked up his ears at once and asked all about the others. I told him that one had found albumen, another enlarged

liver, and the third was afraid of heart failure or softening of the brain, and one was still waiting, because he could find no trouble—on account of professional etiquette—before reporting at all.

"Meantime my own doctor—the one who has known me from childhood—pronounces me fit for a scull race," said I a little drily.

"Does your physician know of these examinations?" he inquired.

"No, he doesn't," I responded rather hotly this time, "or no doubt he'd have discovered that I had inflammatory rheumatism and gangrene. He is a good deal of a professional ethic man, himself."

The doctor turned and walked into his private room, promising to overhaul the papers again and talk with his subordinate.

I hunted up the agent who had first called upon me and complained that this sort of nonsense had gone about as far as I wanted it to go. "That old donkey at the head of your medical department upholds the idiotic report of the young gosling that first examined me here, notwithstanding the fact that he says himself that *he* can't find the first trace of the trouble. Now, if insurance companies employ impecunious young physicians with little experience, because they can get them cheap, and then insist upon it that professional etiquette for-

bids any other examiner from correcting their blunders, it seems to me—”

The agent had been looking about carefully to be sure that no one overheard.

At this point he said:

“Sh! Don’t talk so loud. You see young Cardiac, who had you first, passed a man a short while ago who died in about six months and it was discovered that he had only a part of one lung and had been that way for years. The referee—Old Pulmonary is our referee, you know—gave him a pretty bad scare, and he’s afraid to pass anybody at all since. ’Fraid he’ll lose his place. All the agents are mad about it. Manage to hold their men over for examination until he leaves the office and then take ’em to another one of the examiners. He’ll refuse every body now for a while—or hold him off. Fully one-half the men he examined last month were rejected outright or held over. I didn’t know it when I took you to him or I’d have taken you to some one else to be examined.”

“That would be all very well,” said I, “if it wasn’t for the absurdity of what the doctors are pleased to call professional etiquette, which prevents any other examiner for any other company from finding a man so held or rejected, sound. In the first place nearly all the big companies refuse to allow any but an ‘old school’ or ‘regular’ allo-

pathic physician to examine a man. Then if that examiner has a fad, or makes a mistake, they are all banded together to sustain him in it and not to correct it, even if they can't find the first symptom of a disease about him. I tell you it is not only outrageous to the man and his family, but the result will be that men who know it will refuse to place themselves in any such danger. They won't want a family record of hereditary diseases made and put on file to stare them and their descendants in the face just for the sake of professional etiquette toward some young M. D., who just as like as not got his place from the fact that he married a daughter of a director of the company and had to be supported some way and hadn't the skill to do it in an open field in his profession. Men are not going to stand it. It will injure them, and it is bound to react on the company too. I'd never have applied at all if I'd known of it in time. What business has a company to ask whether an applicant has or has not been rejected by another company? If their own examiner can't find anything wrong with him, isn't that enough? This thing of the doctors of all the companies combining to keep a record against a man is outrageous. Why can't a company depend on the capacity of its own medical staff? If it wants any other information of a medical nature, why isn't the applicant's own family physician quite

enough? I consider the thing a good deal of an outrage, and the company that omits from its papers the sort of questions that result in this absurd and oppressive professional etiquette folderol, is going to be the company of the future. Intelligent men know too well the chaotic state of medical science to be willing to risk it. Why, good Lord, man, that softening of the brain—paresis—idiot over at the E. of Y. can, and no doubt will, give me a record that may cling to me and my family in a way that might, in many a business or other contingency, cause the very greatest hardship." I looked up and saw that the medical referee who had really indicated that he meant to reconsider my case was standing where he had heard me.

His face was a study. He was angry clear through. He would have (in a medical journal or debate) taken issue with, and proved the utter incapacity of nine-tenths of the profession, but to have a layman criticise their action when it might mean even life or death to him and his was more than the doctor's adherence to professional etiquette could bear.

My friend, the agent, saw his face.

"I'll bet you four dollars, John, that you not only won't get a policy here now but that no other company will pass you," said he under his breath. "The old man is on the war path."

That was eight months ago and I'm "held off" in eleven companies now. I was never sick in my life. I'm as sound in person and in heredity as any man who ever lived, but I am at the mercy of that absurdest of all covers for personal incapacity—professional etiquette—combined with the unreasonable fact that insurance companies require an applicant to tell their examiners just what piece of idiotic prejudice has been launched at him by the doctor of every other company, so that they can all hold together and fit his case to the reports, and not the reports to the facts in his case as they find them.

Meantime, Jack Howard, who died last week, poor fellow, was accepted by five of them because the first examiner who got hold of him, not being a kidney fiend but having his whole mind on lung trouble—and Jack had splendid lungs—didn't discover that he was in the last stages of Bright's disease. His family made \$27,000 out of professional etiquette, and mine—when I die—will most likely lose that much, together with a reputation for a sound heredity which may affect the insurers to the third and fourth generation of them that love truth and tell that their father was rejected by all the leading life insurance companies for pulmonary trouble, heart disease, kidney affection, paresis, and enlargement of the liver. Meantime the first

good company that shows enough sense and sufficient confidence in its own medical men to omit that sort of questions from its form of examination is going to get me—and a good many others like me.

Common Sense in Surgery

Reprinted from *Harper's Monthly Magazine*

Common Sense in Surgery



There are certain forms of expression which once heard fit themselves into the mind so firmly, and re-appear in one connection or another so frequently, that one scarcely recognizes the fact even when one changes a word or two in order to make the original idea fit the case in point. So when I stood watching the ingenious method by which the trainers of the English fox-hounds induced each dog to perform his own surgical operations after a hunt, I remarked, with no recognition of the plagiarism from Dr. Holmes, "Every dog his own doctor."

"No," replied the trainer, with a fine sense of distinction which I had not before observed—"no; I am the doctor; the dogs are the surgeons. I prescribe; they perform the operation. They do that part far better than I could; but they wouldn't do it in time to save the pain and trouble of a much more serious operation that they could not perform, if I did not set them at it in time, and keep them at work until all danger of inflammation is past."

It was after a hunt. The dogs—splendid blooded fellows, a great pack of over sixty of them—had gotten many thorns and briars in their feet. They

came back limping, foot-sore, and with troubled eyes that looked up piteously for relief from their pain. They were very hungry too, after the long chase; but "No doctor will allow a patient to eat just before a surgical operation," remarked the trainer, dryly. "Now watch."

He threw open a door leading into an outer room of the splendid Hunt Club Kennel, and gave the word of command.

There was a rush, and the entire pack burst through the wide entrance. Then every dog lay suddenly down, and began with great vigor to lick his feet.

Why? Simply because in rushing through that door they had waded through a wide, shallow trough or sink of pretty warm soup. This basin was sunk in the stone floor, and reached entirely across the door, and was too wide to jump over, even had it been visible from the outside, which it was not.

The dogs had plunged into it before they knew it was there, and were instantly out of its rather uncomfortable heat.

Each dog worked at his feet with vigor. He was hungry. The soup was good; but dogs object to soup on their feet. This process was continued and repeated until it was thought that all thorns and briars and pebbles had been licked and picked

from the crippled feet. Then the dogs were fed and put to bed—or allowed to lie down and sleep—in their fresh straw-filled bunks.

"A doctor and a surgeon may be the same person," remarked the philosophical trainer, oracularly, "but they seldom are. If you whine—as the dogs do when their feet hurt after a hunt—or if you limp or complain, a doctor guesses what is the matter with you. Then he guesses what will cure you. If both guesses are right, you are in luck, and he is a skilful diagnostician. In nine cases out of ten he is giving you something harmless, while he is taking a second and a third look at you (at your expense, of course) to guess over after himself."

His medical pessimism and his surgical optimism amused and entertained me, and I encouraged him to go on.

"Now with a surgeon it is different. Surgery is an exact science. Before I took this position I was a surgeon's assistant in a hospital. In some places we are called trained nurses. In our place we were called surgeons' assistants. That's why I make such a distinction between doctors and surgeons. I've seen the two work side by side so long. I've seen some of the funniest mistakes made, and I've seen mistakes that were not funny. I've seen post-mortem examinations that would have made a surgeon ashamed that he had ever been born, looked

upon by the doctor who treated the case as not at all strange; didn't stagger him a bit in his own opinion of himself and his scientific knowledge next time. I remember one case. It was a Japanese boy. He was as solid as a little ox, but he told Dr. G— that he'd been taking a homœopathic prescription for a cold. That was enough for Dr. G—. A red rag in the van of a bovine animal is nothing to the word 'homœopathy' to Dr. G—. Hydropathy gives him fits, and eclecticism almost lays him out. Not long ago he sat on a jury which sent to prison a man who had failed in a case of 'mind cure.' That gave deep delight to his 'regular' soul. Well, Dr. G—questioned the little Jap, who could not speak good English, and had the national inclination to agree with whatever you say. Ever been in Japan? No? Well, they are a droll lot. Always strive to agree with all you say or suggest.

"'Did you ever spit blood?' asked Dr. G—, by-and-by, after he could find nothing else wrong except the little cold for which the homœopathic physician was treating the boy.

"'Once,' replied that youthful victim.

"'Aha! we are getting at the root of this matter now,' said Dr. G—. 'Now tell me truly. Be careful! Did you spit *much* blood?'

"'Yes, sir; a good deal.'

"The doctor sniffed. He always knew that a

homœopathic humbug could not diagnose a case, and would be likely to get just about as near the facts as a light cold would come to tuberculosis.

"How long did this last?" he inquired of the smiling boy.

"I think—it seems to me—"

"A half-hour?" queried the doctor; 'twenty minutes?'

"I think so. Yes, sir. About half an hour—twenty minutes,' responded the obliging youth.

"I heard that talk. Common-sense told me the boy's lungs were all right; but it was none of my business, and so I watched him treated, off and on, for lung trouble for over a month before I got a chance to ask him any questions. Then I asked, incidentally:

"What made you spit that blood that time, Gihi?"

"I didn't know I ought to swallow him," he replied, wide-eyed and anxious. 'Dentist pull tooth He say to me, "Spit blood here." I do like he tell me. Your doctor say ver' bad for lungs, spit blood. Next time I swallow him.'

"I helped another practitioner, in good and regular standing, to examine a man's heart. He found a pretty bad wheeze in the left side. I had to nurse that man. He had been on a bat, and all on earth that ailed him was that spree, but he got treated for heart trouble. It scared the man almost to death.

"I'd learned how a heart should sound, so one day I tried his. He was in bed then, and it sounded all right, so when the doctor came in, I took him aside, and told him that I didn't want to interfere, but that man was scared about to death over his heart, and it seemed to me it was all right—sounded like other hearts—and his pulse was all right too. The doctor was mad as a March hare, though he had told me to make two or three tests, and keep the record for him against the time of his next visit. Well, to make a long matter short, the final discovery was—the man don't know it yet, and he is going around in dread of dropping off any minute with heart failure—that at the first examination the man had removed only his coat and vest, and his new suspender on his starched shirt had made the squeak. That is a cold fact, and that man paid over eighty dollars for the treatment he had for his heart, or rather, for his suspender."

I was so interested in the drollery of this ex-nurse, and in his scorn for one branch of a profession, while he entertained almost a superstitious awe and admiration for surgery *per se*, that I decided upon my return to New York to visit a great surgeon, and ask him to allow me to see an operation that would fairly represent the advance-guard so to speak, the upward reach of the profession as it is to day.

We all know the physician who follows his profession strictly and solely as a means of support. Most of us also happily know something of one or more medical men who are a credit to humanity, in that they subordinate their ability to extort money from suffering to their desire to relieve pain, even though such relief conduces not to their own financial opulence. Very few of us who are not close students of the medical profession realize, I think, some of the magnificent developments not only of surgery, but of the character of the surgeon. We are led to think of them as rather hard and brutal men. The side of their work and nature that means tenderness and devotion to the relief of those who, but for the skilled and brave surgeon, must die or suffer for life, is seldom laid before us. The quiet, sweet, and simple devotion of such men does not reach the public ear.

The operation of which I learned, and which is the first of its kind on record, was so strange, so great, and so far-reaching in its suggestion and promise that it seemed to me it could not fail to interest and inspire the general reader, who never sees a medical or surgical journal, and who would not read it if he did.

Can you think of an operation that would create a mind? Can you conceive of the meaning to humanity of a discovery that would transform a con-

genital imbecile into a rational being? Such an operation was the one I was privileged to see.

The patient was a child about one year old; of good parentage and of healthy bodily growth, aside from the fact that its skull was that of a new-born child, and it had hardened and solidified into that shape and size. The "soft spot" was not there, and the sutures or seams of the skull had grown fast and solid, so that the brain within was cramped and compressed by its unyielding bony covering.

The body could grow—did grow—but the poor little compressed brain, the director of the intelligent and voluntary actions of the body, was kept at its first estate. Even worse than this, its struggle with its bony cage made a pressure which caused distortion and aimless or unmeaning movement—the arm and leg turned in, in that helpless, pathetic way that tells of imbecility. In short, the baby was a physically healthy imbecile—the most pathetic object on this sad earth. Upon examination, the surgeon, a gentle, sweet-natured man, whose enthusiasm for his profession—for the relief of suffering—makes him the object of devotion of many to whom he has given life and health, and the inspirer and final appeal for many a brother practitioner, discovered what he believed to be the trouble. Led by that most uncommon of all things, common sense, he believed that this little victim of

nature's mistake might be changed from a condition far worse than death to one of comfort for itself, and to those who now looked upon it only in anguish of soul.

After explaining to the parents and the surgeons who had come to witness the wonderful experiment (for, after all, at this stage it was but an experiment based upon common-sense) that it might fail; after a modest and simple statement of his reason for undertaking so dangerous an operation, with no precedent before him; after explaining that the parents fully understood that not to try it meant hopeless idiocy, and that the trial might mean death—he began the work. I shall try to tell what it was in language that is not scientific, and may seem to those accustomed to surgical terms inadequate and unlearned; but to those who are not technical medical students I believe the less technical language will be far clearer.

The child's skull was laid bare in front. Two tracks were cut from a little above the base (or top) of the nose up and over to the back of the head. One of these tracks was cut on each side, the surgeon explained, because it would give equal expansion to the two sides of the brain, and because it would cause death to cut through the middle of the top of the head, where lies "the superior longitudinal sinus." He left, therefore, the solid track

of bone through the middle, and cut two grooves or tracks through the bone, one on either side, where nature (when she does not make a mistake) leaves soft or yielding edges, by means of which the normal skull expands to fit the needs of the brain within.

The trench made displaced, or cut away, one-quarter of an inch of solid bone all the way from near the base of the nose to the back part of the head. In the middle of the top of the head on each side a cross-wise cut was made, and one inch of bone divided. Another cut was made on either side, slanting toward the ears. This was one inch and a half long. The surgeon then tenderly inserted his forefinger, pressed the internal mass loose from the bones where it adhered, and pushed the bones wider apart. This process widened the trenches to one inch.

The wound was now dressed with the wonderfully effective new aseptics, and the flesh and skin closed over. The operation had taken an hour and a half. There was little bleeding. The baby was, of course, unconscious during the entire time. Oh, the blessings of anæsthetics! And now comes the wonderful result of this bold and radical but tender and humane operation.

The baby rallied well. In three days it showed improved intelligence. In eight days this improvement was marked. From a creature that sat list-

less, deformed, and unmindful of all about it, it began to "take notice," like other children. From an "it," it had been transformed into a "he." It had been given personality. It ate and slept fairly well.

On the tenth day the wound was exposed and dressed. It had healed, or "united by first intention," as the doctors say; and again one can but exclaim, "Oh, those wonderful aseptic dressings!" It had united without suppuration. It was a clean wound, cleanly healing.

One month after the operation the feet and hands had straightened out, and lost their jerky, aimless movements. The child is now a child. It acts and thinks like other children, laughs and cooes and makes glad the hearts of those who love it.

Not like other children of its age, perhaps, for it has several months yet to "catch up," but the last report, in one of the leading medical journals, said:

"One month after the operation the change in its condition was surprising and gratifying. The deformities in the extremities had entirely disappeared, and there was evidently a remarkable increase in intelligence. It noticed those about it, took hold of objects offered it, laughed, and behaved much as children of ordinary development at six or eight months. The pupils were no longer widely dilated, but appeared normal. It eats and sleeps well, and is in general greatly improved as a result of the operation."

If in one month the little imprisoned brain was able to "catch up" six or eight months, we may surely believe that the remaining four or five months which it lost, because nature sealed the little thinking-machine firmly in too small a casket, will be wiped away also, and the little victim of nature's mistake be given full and normal opportunity through the skill and genius of man.*

Could anything be more wonderful? Could any operation open to the future of the race wider possibilities and offer more brilliant hope? I may quote here farther from the same medical journal the report of Dr. Wyeth, himself:

"The operation differs from any yet done. Lannelongue, Keen, and others cut a trench about a quarter of an inch in width, and on one side, at a single operation. It seemed to me if the brain was penned in by premature ossification of the cranial bones, these should be torn loose and permanently lifted, thus allowing a thorough expansion. Should only temporary benefit be secured, the operation should be repeated. Experience alone can demonstrate whether the expansion of the brain will be able to spread the cranial bones to such an extent that it may reach even an ordinary development. The condition of these patients is so hopeless and deplorable that, in my opinion, very great risk is justifiable in any surgical interference which offers even a hope of amelioration."

*It has now been several years since the operation, and the child is like other children.—H. H. G.

Is not that common-sense in surgery?

Thus the race is quietly achieving mastery over the blind forces of nature, and the steady hand of science, coupled with tenderness and sincerity, is pushing back some of the worst horrors of life, and throwing a flood of light and hope into the future! It makes one's step lighter and one's face happier only to think of these marvellous achievements and victories. A new impulse of hope and happiness dawns upon life. I owed this new inspiration to my pessimistic acquaintance—he of the Hunt Club Kennel—and the introduction he gave me to the rudiments of applied surgery. It was indeed a long sweep from the one operation to the other.

My first and second glimpses of the operating-room were surely the two extremes, and yet when I suggested this to Dr. Wyeth, the great and gentle surgeon who performed this operation, he smilingly replied that, after all; either or both—indeed, all of it—was simply common-sense in surgery.

**Heredity: Is Acquired Character or Condition
Transmittible?**

Reprinted from *The Arena*.

Heredity: Is Acquired Character or Condition Transmittible?



It has been well said by Herbert Spencer, and more recently by Professor Osborn, the able biologist of Columbia College, that the question involved in the discussion of heredity is not a temporary issue and that its solution will affect all future thought. Whether or not acquired character is transmitted to children is the most important question that confronts the human race; for it is upon the character of the race that depends and will depend the condition of the race.

No school of scientists questions the fact of heredity; but there is a warm and greatly misunderstood contest over the exact method used by nature in the transmission. Now so far as the general public is concerned, so far as the sociological features of the case go, so far as personal conduct is involved, it does not matter a straw's weight whether the theory of heredity held by Lamarck and Darwin, or the one advanced recently by Weismann, be correct.

It matters not whether your drunkenness, for example, is transmitted to your child directly as plain drunkenness, or whether it descends to him as a merely weakened and undermined "germ plasm" which "will tend to inebriety, insanity, imbecility" or what not. It matters not a farthing's worth, from the point of view of the laity, whether the transmission is direct, *via* "pangene-sis," or whether it is indirect, *via* a weakened and viti-ated "germ plasm" as per Weismann, or whether the exact method and process may not still lie in the un-solved problems of the laboratory. Whichever or what-ever the exact process may be (which interests the scientist only), the facts and results are before us and concern each of us more vitally than does the question of what we shall eat or what we shall drink or wherewithal we shall be clothed. It is all the more unfortunate, therefore, that even an untested scientific theory cannot be advanced without the ignorant, the half-educated and the vicious taking it in some distorted form as a basis of action. Indeed it would seem to be wise, if one is about to make a scientific suggestion of importance, to take the precaution to say in advance that you don't mean it — for the benefit of that large class of intellectual batra-chians who hop to the conclusion that you said some-thing totally different from your intent.

Because a surgeon might say to you that he knows a

boy who carries a bullet about in his brain and that the youth appears to be no worse for it in either body or mind, it would not be safe to imply that he proposes to teach you that it would be a particularly judicious thing for you to attempt to convert your skull into a cartridge box.

Because Weismann asserts and attempts to prove that nature's method of hereditary transmission precludes (for example) the possibility of producing a race of short-tailed cats from Tom and Tabby from whose caudal appendages a few inches have been artificially subtracted, some of his followers exclaim in glee: "It does not make the least difference in the world what we do or refrain from doing in one lifetime. Our children do not receive the results; we cannot transmit to them our vices or our virtues. We cannot taint their blood by our ill conduct nor purify it by our clean living. The 'germ plasm' from which they came is and has been immortal; we are simply its transmitters — not its creators. Our children were created and their characters and natures determined centuries before we were born. We are in no sense responsible for what they may be; germ plasm is eternal; we are exempt from responsibility to posterity. Long live Weismann!"

Now this is about the sort of thing that is springing up on every side as a result of the new discussion as to *how*

we are to account for the facts of heredity. One sometimes hears, also, from these half-informed jubilators that "Weismann does not believe in heredity; that old theory is quite exploded." The fact is that Weismann is particularly strong in his belief in heredity — so strong as to give almost no weight to any possible process of intervention in its original workings. He simply holds that the transmission of "acquired character" is not proven, and he doubts the fact of these "acquired" transmissions. In his illustrations he deals chiefly (when in the higher animals) with mutilations, and in the human race shows that the most proficient linguist does not produce children who can read without being taught!

Of course there are many and varied points in his theory of heredity with which only the biologist is capable of dealing. But as I intimated at first, the Lamarck-Darwin-Weismann controversy, so far as the sociological aspect of the question is involved, does not touch us. It belongs to the laboratory — to the *how* and not to the *fact* of transmission. But since the opposite impression has taken root in even some thoughtful minds, it is well to meet it in a direct and easily grasped form. There is a simple and direct method; I undertook it. I went to a number of well-known biologists and physicians and asked these questions: —

1. Are there any diseases known to you, which you are absolutely certain are contracted by individuals whose ancestors did not have them, which diseases you can trace as to time and place of contraction, and which are of a nature to produce physical and mental changes that are recognizable in the child as due to the parent's condition?

2. Have you ever had such cases under your own care?

3. Have you a record of cases where the children of your patients received the effects of the disease of the parent in a manner that would show that "acquired character or condition" is transmittible?

4. Is this true in a kind of disorder which would produce in the child a change of structure or condition so profound as to change its character and run it in a channel distinctly the result of the "acquirement" of the parent?

I thought it best to go to specialists in brain and nerve disorders and to those who had had large hospital or asylum experiences. One of these, Dr. Henry Smith Williams, ex-medical superintendent of Randall's Island, where the city of New York sends its imbecile and epileptic children, and where many hundreds of these came under his care, replied that there could be no doubt of the fact that such "acquired" characters or conditions

are transmitted. One case which he gave me, however, from his private practice will illustrate the point most clearly. B., a healthy man with no hereditary taint of the kind, acquired syphilis at a given time and in a known way. Before this time he was the father of one daughter. Several years later another daughter was born to him. The first girl is and has always been absolutely free from any and all taint. The other one has all the inherited marks of her father's "acquired character" and condition, which even went the length in her of producing the recognized change in the form of the teeth due to this disease. Now for all practical purposes it does not matter in the faintest degree whether that transmission was in accordance with pangenesis or by means of a vitiated environment of the "germ plasm." The fact is the appalling thing for the reader to face. And I give this case only because it was one of a vast number of similar ones which came to me in reply to my questions addressed to different practitioners and specialists.

Among other places I went to the head of a maternity hospital. This is what I got there: "If Weismann or any of his followers doubts for one second the distinct, absolute, unmistakable transmission of acquired disease of a kind to modify 'character' both mental and physical — if they doubt its results on humanity — they have never given even a slight study to the hospital side of life.

I can give you hundreds of cases where there is no escape from the proof that the children are born with the taint of an 'acquired character' from which they cannot free themselves. Sometimes it is shown in one form, sometimes in another, but it is as unmistakable as the color of the eyes or the number of the toes. To deny it is to deny all experience. I am not a biologist and I do not undertake to explain *how* it is done, but I will undertake to prove that it is done to the satisfaction of the most sceptical. Come in this ward. There is a child whose parents were robust, healthy, strong country folk until — and then followed the history of the parents who had "acquired" the "character" which they transmitted — which had made the mental, moral and physical cripple in the ward before me. "Now here is what *they* transmitted. Do you fancy that if that half idiot should ever have children they will be 'whole'? No argument but vision is needed here. That child's condition is the result of acquired character. Its children and its children's children will carry the acquirement — for we are not wise enough yet to eliminate even such as that from among active propagators of the race! If it were possible (which, thank Heaven, is not likely) that the other parent of this half imbecile's children would be of a sane and lofty type there might be a modification upward again in the progeny, but even then we would not soon

lose the direct, undeniable, patent 'acquirement' which you see here."

It was the same story from each and every practitioner. The hospital and asylum experts, the specialists in diseases of mind or body which were due to direct acquirement (such as drunkenness, syphilis and acquired epilepsy), were particularly strong in their contempt for even the theory that acquired character and condition are not transmittible. One laughingly said: "I'll grant that if I cut off a man's leg or a few of his fingers, his children will not be likely to be deformed because of that operation. This is not a permeating constitutional condition, it is a mere local mutilation. But if I were to take out a part of his brain so as to produce ["acquired"] epilepsy upon him I *believe* his children will be affected, and if he is a bad syphilitic [acquired] I *know* his children will be. Mind you, I don't say exactly *what* they will have, and they may not all have the same thing, but I do say that their 'germ plasm' or whatever they come from, will carry the results of the acquired condition and character." *

* "Brown-Sequard observed that injury to the central or peripheral nervous system (spinal cord, oblongata, peduncle, corpora quadrigemina, sciatic nerve) of guinea pigs produced epilepsy, and this condition even became hereditary. Westphal made guinea pigs epileptic by repeated blows on the skull, and this condition also became hereditary."—"Manual of Human Physiology," by L. Landou, translated with additions by W. Sterling. 1885.

Dr. L. Putzell, in his "Treatise on the Common Forms of Functional

So I beg of you to remember that while the fact and law of heredity is as certain as death itself, its course of action, its variability of operation, is as the March winds. To say that the constitutions of your children will be determined in great part by the condition of your body and mind is but to utter a truism; but to say exactly *how* — in what given channel this effect will flow — is not, in the present state of biological knowledge, possible.

For the sake of illustration it is usually the part of wisdom to give the most probable trend of a given disorder; but to assert dogmatically that the son of a lunatic will be insane or that the daughter of a woman of the street will live as her mother did, is quite as unsafe as to say that a fall from a fourth-story window on to an iron door would be certain death. You must not forget that you *may*, if you want to take the chances, drop an infant out of a fourth-story window on to an iron door with no bad results to the infant (door not heard from), for I have known that to happen; you *may* sleep with a bad case of small-pox and not take it — as I once did; you *may* shoot a ball into a boy's head, taking in with it several pieces of bone, you may extract the bone and leave the

Nervous Diseases," 1880, after describing the methods by which Brown-Sequard produced epilepsy traumatically in guinea pigs, says: "Brown-Sequard also made the curious observation that the young of guinea pigs who had been made epileptic in this manner, may develop the disease spontaneously. These experiments have been verified by Schiff, Westphal and numerous other observers."

ball there and the boy appear to be as good as new afterward; you may live all your life long with a *roué* and your children not be inmates of hospital, lunatic asylum or prison. All these things have been done, but it is not the part of wisdom to infer that for this reason either one of them would be a safe or desirable course of action; for in this world it behooves us to deal — when we are attempting to study nature — with the law of probability. The accidents, the exceptions, will take care of themselves.

Notwithstanding this fact it will not be exactly fair to me for you to report that I say that every single one of Jane Smith's children will have fits and fall in the fire before they are twenty-one because she or their father is an epileptic. Perhaps one or two of those children may die in infancy, instead, or go insane — or to Congress; one may have hydrocephalus, and another be a moral idiot and astonish the natives because "His parents were such upright people." One may simply have a generally weak constitution — and another *may* win the American cup for wrestling; but the *chances* are that confirmed epilepsy (or what not) of the parent is going to "tell" in one form or another in the children. What I say of epilepsy is equally true of syphilis. This latter is so true that it can be readily told by the teeth of the children of a seriously infected case. That will strike the

average "unprofessional" reader as impossible, yet it is well known to biologists, medical men and many dentists, so that a great many wholly innocent people who sit in a dentist's chair reveal more private family history than could be drawn from them with stronger instruments than mere forceps.

I have been asked to write this paper because at the present time there is a tendency to discredit some of the well-known and easily proven facts of heredity, as a result of certain statements supposed to have been made by the recent school of biologists headed by Weismann. But in the hands of the laity much that Weismann did say is misunderstood and misstated and much that he never said is inferred. To professional biologists the loose inferences from Weismann's suggestions and speculations are absurd, and to experienced medical men and experts in the lines of practice indicated above, the arguments are beneath discussion. It is in this particular line of practice that proof is easy and abundant, where the "acquired" nature of the modified "character" is readily traced and the transmission (or heredity) susceptible of proof beyond controversy.

It is for this reason that the illustrations are all taken from this field of investigation. If they were taken from consumption, tuberculosis or any of the various ordinary "transmittible" disorders, the cheerful opponent would

assert (and no one could disprove if he held to the "germ plasm" theory back far enough) that the "tendency" had been inherent in the plasm since the days of "Adam" — that it was not an "acquired" character or condition which was transmitted. But with artificially produced epilepsy (either by accident or purposely as in the cases of Brown-Sequard's guinea pigs) or in the other so frequent and so frightful disorder mentioned above, it is a simple matter to trace the "acquirement" as well as the transmission. But when a new light arises in the literary or scientific world there are always many persons ready to spring forth with the declaration that they agree with the new point of view without first taking the precaution to ascertain what the recent theory really is. "Oh, I agree with him, the old theory is quite dead," greets the ear, and the placid pupils of the rising light so warp and distort the real opinion of the master as to make of him an absurdity. This has been markedly true of Weismann and his theory of heredity.

In ordinary cases of scientific discussion the misconceptions of the laity would soon adjust themselves and little or no harm would be done meantime; but in such a problem as the present far more is involved than appears upon the surface. The ethical and moral results — not to mention the physical — of a reckless mistranslation or misconception of a scientific theory of this nature can-

not be readily estimated, nor can it be confined to one generation. It is pathetic to realize that many fairly well-educated and well-meaning people, who would protect with their lives the children they give to the world and shield them against all possible physical, moral or mental distortion, mutilation or deformity, will stamp upon those children far worse mutilations and distortions (and even physical disorders) through and because of a half-understood version of "the new theory of heredity." Therefore I repeat that so far as the public is concerned, so far as the sociological features of the problem of heredity are involved, so far as the new theory relates to conduct and to physical and mental condition and their transmission, this controversy belongs to the laboratory—to the *how* and not to the fact of hereditary transmission, as I trust the above illustrations (which might be multiplied a thousand times) will serve to show.

Environment: Can Heredity be Modified?

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Environment: Can Heredity be Modified?



But heredity is not the whole story, any more than the foundation is the whole house.

Several times when I have spoken or written upon the basic principle of heredity, I have been met by questions like this: "Then you must think it is hopeless. With these awful facts and illustrations of the power and persistence of heredity before us, we must recognize that we are doomed before we are born, must we not? If there is, as you say, no escape from our heredity and its power and influence, what is the use of trying? Why not let go and just drift on the tide of inherited conditions? If these conditions are unfortunate for us, why not just accept the tragedy; if favorable, drift in the sunlight that our ancestors turned upon us, and let the world wag as it will? — *we* are not responsible." I confess that each time this sort of reasoning comes to me it finds me in a state of surprise that it is possible for thoughtful people — and naturally those are the ones interested in reading or talking upon the subject — I confess it surprises me

anew each time to find that it is possible for such people to reason so inadequately and to see with but one eye.

It is undoubtedly true that, do what we will, labor as we may, heredity has established beyond the possibility of doubt that an apple cannot be cultivated into a peach. Once an apple always an apple. That is the power of heredity. That is the foundation of the house. But there is another story. Plant your apple tree in hard and rugged soil; give it too little light and too much rain; let some one hack its bark with a knife from time to time; when the boys climb the tree let them strain and break it; let Bridget throw all sorts of liquids about its roots,—in short, let it take “pot luck” on a barren farm with Ignorance for an owner and Shiftlessness for his wife, and the best apple tree in the world will not remain so for many years. The apples will not degenerate into potatoes, however; heredity will attend to this. But they will become hard and knotty and sour and feeble and few as to apples; environment will see to that.

Now suppose you had sold that farm to Intelligence and given him for a wife Observation or Thrift. Suppose that they had dug and fertilized and nourished and pruned that tree (I do not mean after it had been ruined, but from the start). It is quite true that you need never expect it to bear Malaga grapes. Heredity will still

hold its own, and the *kind* of fruit was determined at birth (if I may be permitted the form of speech), but very much of the *quality* of the fruit will depend upon the conditions under which it grew — the environment. So while it is true that our heredity is as certain as the eternal hills, and, as a famous biologist recently said in my hearing, dates back of the foundation of the Sierra Nevada mountain range, so that each of us carries within us mementos of an age when language was not and, as he humorously said, "Man has in his anatomy a collection of antiques — we are full of reminiscences"; still it is equally true that the power of environment, the conditions under which we develop or restrict our inherited tendencies, will determine in large part whether heredity shall be our slave-driver or our companion in the race for life, liberty and the pursuit of happiness.

Let me illustrate in another way. Suppose that you are born from a family which has for its heritage a history of many and early deaths from consumption. Suppose that you have discovered that the tendency is strong within yourself. Is it for that reason absolutely necessary that you buy a coffin-plate to-morrow and proceed to die with lung trouble? By no means. Knowing your inherited weakness you guard with jealous care the health you have, and it may be that your intelligent consideration may secure to you, in spite of your undoubted

inheritance, the threescore years and ten ; while your robust neighbor, with lungs like a bellows and the inheritance from a race of athletes, may succumb to the March winds which he braved and you did not. Maybe " quick consumption " will carry him off while you remain to mourn his loss, and quite possibly leave with your posterity a growing tendency toward strong lungs.

I know a man in New York City who had what is called a " family history " of consumption, who was rejected on that account by every life insurance company in this country thirty years ago. Well, that frightened him within an inch of his life ; but with that inch he set to work to build his house " facing the other way," as he expressed it to me when I met him ten years ago, when he was, as he still is, a hale, hearty old gentleman. He is not and never could have been exactly robust ; but he is as well, as happy and as content as the average man who has not inherited his unfortunate potentiality. It is true that nothing but intelligent and wise care all these years, nothing but his temperate and judicious life, could have compassed this end. I use the word temperate in its general sense. So far as I know he has not denied himself any of the best of life, which he has been amply able to secure ; but he has at all times kept his house " facing the other way." His hereditary threat, while it

has not driven him with a lash, has, it is true, lived in the back yard — which it does and will and must with us all, no matter what our environment or wisdom may be; but we need not foolishly throw open the windows, swing back the doors and invite it to take possession, while our own individuality moves down into the coal cellar.

I have taken as illustrations in both of these papers inherited disease and its developments, but this is done only for convenience and because it will explain more fully, clearly and easily to most people what is meant. That our heredity is equally strong and certain in its mental and moral potentialities and tendencies is also true.* It is likewise true that the environment — the conditions under which we develop, curb or direct our natural tendencies — has a great and modifying rôle to play.

It is sometimes asked, if children were changed in the cradle, and those of fortunate parentage carried to the slums to be nurtured and taught and those from the slums

* "Alienists hold, in general, that a large proportion of mental diseases are the result of degeneracy; that is, they are the offspring of drunken, insane, syphilitic and consumptive parents, and suffer from the action of heredity." — *Dr. Arthur McDonald*, author of "*Criminology*."

"To one at all familiar with the external aspect of insanity in its various forms, it seems incredible that its physical nature was not sooner realized. Had the laws of heredity been earlier understood, it would have been seen that mental derangements, like physical diseases and tendencies, were transmitted." — *Prof. Edward S. Morse*.

placed in the cradles of luxury, would not all trace of mental, moral and physical heredity of a fortunate type disappear from the darlings of Murray Hill in their adopted environment of squalor and vice; and would not the haggard and half-starved, ill-nurtured waifs of Mulberry Bend blossom as the rose in strength and virtue in their new environment of luxury and of wholesome and healthful surroundings? Just here a digression seems necessary; for while I have no doubt that the change (even on the terms usually implied) would work wonders in both sets of infants, still it is to be remembered that for such a test to tell anything of real value to science, the exchange would need to be made upon another basis from that which is generally used as an argument, because it is incorrectly assumed that the children of luxury (as a rule) are born with clean and lofty heredity. This is, alas, so far from the case that it is almost a truism that "the highest and the lowest" (meaning the richest and the poorest) are "nearest together in action and farthest apart in appearance, only." They both frequently give to their children tainted mental, moral and physical natures with which to contend. The self-indulgence of the young men of the "upper classes" leaves a burned-out, undermined and tainted physical heredity almost a certainty for their children, while the ethical tone of such men — their moral fibre — is higher only in ap-

pearance and the ability to do secretly that which puts the tough of Mulberry Bend in the penitentiary because he has not the gold to gild his vices and to dazzle the eyes of society. The exchanged children, therefore, would not be so totally different in inherited qualities, after all. They would have alike a tainted ancestry. Their physical natures are the hotbeds of vices or diseases that are to be developed or curbed according as environment shall determine. But the foundation in both cases — the ground — both mental, moral and physical, is sowed down and harrowed in with the tainted heredity. The mother in both instances, as a rule, is but an aimless puppet who dances to the tune played by her male owner — a mere weak transmitter or adjunct of and for and to his scale of life. Therefore to point to the fact that to change these classes of infants in the cradle is to exchange (by means of their environment only) their mature development, also, from that of a Wall Street magnate to a Sing Sing convict, tells nothing whatever against the power and force of heredity. It tells only what is always claimed for fortunate or unfortunate environment — that

“It gilds the straitened forehead of the fool,”
or that

“Through tattered clothes small vices do appear;
Robes and furr'd gowns hide all; plate sin with gold,
And the strong lance of justice hurtless breaks;
Arm it with rags, a pigmy's straw doth pierce it.”

Let us start fair. Let us understand that no environment can create what is not within the individuality — that heredity has fixed this; but that environment does and must act as the one tremendous and vital power to develop or to control the inheritance which parents stamp upon their children. Notwithstanding, *you* are personally responsible for the trend, the added power and development you give to much that you inherit. You are personally responsible to the coming generation for the fight it will have to make and for the strength you transmit to it to make that fight. Many a father and mother transmitted to their “fallen” daughter the weakness and the tendency to commit the acts which they and their fellows whine about afterward as “tarnishing the family honor.” If they had tied her hand and foot and cast her into the midst of the waves of the sea expecting her to save herself they would be no more truly responsible for her death, be it moral or physical.

And let me emphasize here that I do not attribute all of the moral and physical disasters of the race to the fathers of the race. By no means. I believe with all my heart that the mothers have to answer for their full share of the vice, sorrow and suffering of humanity. Woman has not, perhaps, been such an active agent, and much of the wrong she has done to her children has been compassed through what have been regarded as her very

virtues—her sweetest qualities—submission, compliance, self-abnegation! In so far as the mothers of the race have been weakly subservient, in that far have they a terrible score against them in the transmission of the qualities which has made the race too weak to do the best that it knew — too cowardly to be honest even with its own soul.

I do not believe that the sexes, in a normal state, would differ materially in moral tone. Why? Simply because throughout all nature there is no line of demarcation between the sexes on moral grounds. The male and the female differ in qualities, but neither is “better,” “purer” nor “wiser” than the other — dividing them on the basis of sex alone. I do not believe that women are (under natural and equal conditions) better or purer than men, as is so often claimed. I do not believe that men are (under natural and equal conditions) wiser and abler than women. These are all artificially built up conditions, and they have fixed upon the race a very large share of its sorrow, its crime, its insanity, its disease and its despair. They have weakened woman and brutalized man. Children have been born from two parents, one of whom is weakly self-effacing and trivial, narrow in outlook and petty in interests — a dependant, and therefore servile; while the other parent is unclean, unjust, self-assertive and willing to demand more than he is willing

to give. These conditions have morally perverted the race so that it will continue long to need those evidences against, instead of for, civilization — almshouses, insane asylums, reformatories and prisons.

It is usual to point with vast pride to the immense sums of money we spend year by year to support such charitable and eleemosynary institutions, instead of realizing, in humiliation and shame, that what we need to do, and what we can do, in great part, is to lock the stable door before the horse is stolen ; that what we need to do, and what we can do, in large measure, is to regulate conditions and heredity so that we may congratulate ourselves in pointing to the *small* sums of money needed year by year to care for the unfortunate victims of inherited weakness or vice. We don't want our country covered with magnificently equipped hospitals, asylums, poor-houses and prisons. What we want is intelligent and wise parentage which shall depopulate eleemosynary, charitable and penal institutions. We don't want to continue to boast of a tremendous and increasing population of sick or weak minds encased in sick or weak bodies — half-matured, ill-born, mental, moral and physical weaklings who drag out a few wretched years in some retreat and then miserably perish.

We want men and women on this continent who shall be well and intelligent and free and wise enough to see

that not numbers but quality in population will solve the questions that perplex the souls of men. We want parents who are wise and self-controlled enough to refuse to curse the world and their own helpless children with vitiated lives, and who, if they cannot give whole, clean, fine children to the world, will refuse to give it any. Nothing but a low, perverted and weak moral and ethical sense makes possible the need of an argument on this subject. It is self-evident the moment one stops to ask himself a few simple and primitive questions: "Am I willing to buy my own comfort and pleasure at the expense of those who are helpless? Am I willing to be a moral and physical pauper preying upon the rights of my children? Am I willing to be a thief and misappropriate their physical, mental and moral heritage? Am I willing to be a murderer and taint with slow poison their lives before they get them? Am I willing to do this by giving to them a weak and dependant and silly mother and a father who is less than the best he can be—who arrogates to himself the prerogative of dictator who has no account to render?"

All these questions apply to the health of the nation and to what it shall be in the future. When we speak of the health of a nation, we are so given to thinking of the physical condition, only, of its citizens that the more comprehensive thought of their mental, moral, ethical

and business health is likely to escape our minds. Indeed, I fancy that few persons realize that even in the matter of business ethics and general moral outlook (including the nation's political policy, of course) heredity cuts a very wide swath. But it is true that national business morals are as distinctive from generation to generation as are the physical characteristics, well-being or mental qualities of the different peoples. Some one will say, "True, but all this is due to difference of environment," — forgetting that the special features of our environment itself (outside of climate and soil) are due primarily to the hereditary habits and bias of a people. Natural selection, *per se*, ceased to have full force the moment man reached the stage when he was able to control artificial means of protection or power. The "fittest" ceased to be so upon the basis of inborn quality. Artificial means — from the use of a sharp stone to overcome a stronger (or "fitter") antagonist, on up to the skilful application of money where it will do the most good — took the place of primary "natural selection," and the "fittest" to survive in the mental, moral, physical, financial or political arena became he who could command the artificial means of guiding and controlling the natural forces of primary "selection." The "tough" lives in the "slums" primarily because his parents did. He inherited his social and ethical outlook as well as his

physical form, and the mould in which his thoughts have run was fashioned by nature and secondarily fixed by an environment or surrounding which also came to him as a part of his inheritance.

Heredity and environment act and react upon each other with the regularity and inevitability of succession of night and day. Neither tells the whole story ; together they make up the sum of life ; and yet it is true that the first half — the part or foundation upon which all else is based and upon which all else must depend — has been taken into account so little in the conduct and scheme of human affairs that total ignorance of its very principle has been looked upon as a charming attribute of the young mothers upon whose weak or undeveloped shoulders rest the responsibility, the welfare, the shame or the glory, the very sanity and capacity, of the generations that are to come !

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