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LOVE, MARRIAGE, AND DIVORCE,

AND

THE SOVEREIGNTY OF THE INDIVIDUAL.

A DISCUSSION

BETWEEN

HENRY JAMES, HORACE GREELEY,

AND

STEPHEN PEARL ANDREWS.

INCLUDING THE FINAL REPLIES OF MR. ANDREWS, REJECTED BY THE NEW
YORK TRIBUNE, AND A SUBSEQUENT DISCUSSION, OCCURRING
TWENTY YEARS LATER, BETWEEN MR. JAMES
AND MR. ANDREWS.

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LOVE, MARRIAGE, AND DIVORCE, AND THE SOVEREIGNTY OF THE INDIVIDUAL.

INTRODUCTORY CHAPTER.

The columns of the New York "Tribune" have been abruptly, though not altogether unexpectedly, closed to me, in the midst of a discussion upon the subjects named in the title-page to this pamphlet, which had been courted and invited by Mr. Horace Greeley, the responsible editor of that influential journal. After detaining my replies to himself and to Mr. James from four to eight weeks, Mr. Greeley at length returns them to me, accompanied by a private note, approving my criticisms upon Mr. James, but assigning reasons for the declination of both of my communications.

The *ostensible* grounds for excluding my comments upon positions assumed and arguments in support of these positions are, first, that my replies "do not get the discussion one inch ahead." I obviously could not put the discussion ahead by stating and developing new positions, until I had answered those assumed by my opponent. Whether the real reason for "burking" my rejoinder was that I did not do the last well enough, or that I did it rather too effectively and conclusively for my continued popularity at the "Tribune" office, so many readers as I shall now be able to reach, with some little industry on my part, will have the opportunity to decide. Second, that expressions are employed by me which are offensive to the public sense of decency, and especially that the medical illustration of my lady correspondent is unfit for publication. I propose now to publish the rejected replies as written, that the world may judge whether anything I have said or embodied in them is of a nature which might reasonably be supposed likely "to dash the modesty" of Mr. Greeley or the habitual readers of the "Tribune."

The defenders of slavery, and the fastidious aristocratic classes everywhere, make a similar objection to that here urged, to displaying the unsightly accompaniments of the systems they uphold. Much, however, as I dislike to have my feelings or my tastes offended, I cannot help regarding the actual flogging of women, for example, in Austria, and the salt and pepper applications to the torn backs of negroes in the South, as not only in themselves worse than the pen and ink descriptions of the same transactions, but as fully justifying the latter, and actually demanding them, as a means of shaming the facts out of existence. So of the disgusting and intolerable

features of any oppressive social institution. It is true that scenes of abhorrent and enforced debauchery, although covered by the respectable garb of legality, are not pleasing subjects for contemplation; but to my mind they are still less fitting to exist at all. If the denial of the latter fact cannot, in conscience be made, I have little respect for that sickly suggestion of virtue which, by turning its face to the wall, refuses to see, and hopes for the best, without so much as a protest against the enormous degradation of our common humanity. The position is one not often assumed by Mr. Greeley, and does not seem to me either natural or becoming to him.

The third objection is that he (Mr. Greeley) cannot permit his paper to be made the organ of repeatedly announcing and defending doctrines so destructive to the public well-being, and especially that he cannot tolerate the reiterated assumption that fornication, adultery, etc., are no crimes. I can hardly conceive why the first statement of a dangerous or offensive set of opinions should be innocent enough for the columns of the "Tribune," and a re-statement of the same thing for the purpose of answering the objections or misrepresentations of an opponent should be too bad for the same columns.

I can discover no reason, consistent with good faith, for prohibiting a writer who has been permitted so to commit himself to unpopular doctrines from explaining his meaning until he is entirely comprehensible to all who desire to understand him.

But if this objection were really such as weighs with the editor of the "Tribune," which I will show presently it is not, it could only be founded in misapprehension. I am as honestly and thoroughly opposed to adultery, for example, as the editor of the "Tribune" can be, except that we might differ in the definition. I charge adultery upon nine-tenths of the married couples in this city, committed not out of, but within the limits of, their marriage bonds.

Let me endeavor to make myself clear upon this point. If I were in a Catholic country, and derided or denounced the mass and the other ceremonies of the Church, I should clearly be held by the whole people to be an opposer of religion. Indeed, such a deportment might even be found described in the dictionary definition, in that country, of irreligion or atheism; and yet it is quite conceivable by us that just such a course would be, or might be, dictated by a zeal for religion beyond anything prompting the defence of the stereotyped formalities of the place. The ambiguity exists in the diversity of understanding of the word religion. The one believes the thing signified to consist in, or at least only to coexist with, certain rights and ceremonies with which it has always been associated in his mind; the other has a much higher, and, as we think, a much purer conception of the idea to which the word corresponds. The former is, nevertheless, confirmed in his impression by the outward fact that those whom he has hitherto seen least regardful of the external worship to which he is

himself addicted are the lawless and vagabond, who are fitted for every species of criminal act. He is not sufficiently developed in intellect and expansive in comprehension to discriminate and individualize, and by generalizing too early confounds me, the religious philosopher and enthusiast, with the vulgar herd of the godless and abandoned,—the man who is *above him* with the man who is *below him*,—because they both *differ* from him, and in one feature of that difference, to his cloudy understanding, they seem to agree. In the same manner there are those who are below the restraints of the marriage institution, and those who are above their necessity; while the majority in civilized countries are as yet upon a level with the institution, and manufacture the public sentiment in conformity with that fact.

At the commencement of the Protestant Reformation three centuries ago, the world lay bound by three strong cords of superstition,—the Ecclesiastical, the Governmental, and the Matrimonial. The Church, the State, and the Family, each claimed to be of divine origin and to exist by divine right.

The claim of the Church was shaken by Luther, and from his day to ours, religion and ecclesiastical organization have been separating themselves, as ideas, wider and wider in men's minds. Washington and the American Revolution mark a similar era in political affairs, and modern Socialism foreshadows a corresponding change in the sphere of the domestic relations. Men now distinguish pretty clearly that elevation of aims and that devotion to the good and true, which they now mean by religion, from a church establishment or an organization of any sort. They distinguish, in like manner, the prosperity, the well-being, and civic order of the community from crowns, and cabinets, and parliaments, and standing armies of politicians and soldiers. In like manner, they begin to distinguish purity in the sexual union of loving souls from the sordid considerations of a marriage settlement, and even from the humane, prudential, and economical arrangements for the care of offspring.

The fallacy—exploded by the development of mind—consists in the assumption that "The Church" is essential to the existence of elevated sentiments toward God and one's fellow-beings; that the love of spiritual truths and of the social virtues is not naturally in men, growing with their growth, but that it has to be *put into* them and kept in them by the constant instrumentality of popes, cardinals, bishops, and priests, Councils, Inquisitions, Constitutions, and Synods; that men do not, by nature, love order and justice and harmony in their civic relations, and love it the more in proportion to their refinement, education, and development, and only need to know how they are to be attained, and to be relieved from hindrances and overmastering temptations adversely, to give themselves gladly to the pursuit of those virtues; but that, on the contrary, these elements likewise have to be provided and administered by magistrates and bailiffs and all the tedious machinery of government; and, finally, that men do not, naturally, love their own offspring,

and the mothers of their children, and deference for the sex, and sexual purity, and all the beautiful and refining influences of that the purest and holiest of all our intercourse on earth, and gravitate powerfully toward the realization of those loves, in proportion as they become, through all elevating influences, more perfect men, but that those virtues again have to be *made*, injected, and preserved in human beings by legislation, which, strangely enough, is merely the collective action of the same beings who, taken individually, are assumed to be destitute of those same qualities. So opposite is the truth that it is the love of these very virtues which cheats and constrains men to endure the organizations and systems under which they groan, because they have been taught that those systems are the only condition of retaining the virtues. It is the discovery of this sham which, I have said, marks the development of mind. The cheat, thus exposed, is to be taken in connection with another. It is assumed that just those forms of action which these artificial organizations or patent manufactories of virtue prescribe are the sole true forms of action, that their product is the genuine article, and that every other product is vice. Hence the attention of mankind is turned wholly away from the study of nature, and the human mind gradually trained to the acceptance of authority and tradition without question or dissent.

In this manner, piety is made to signify zeal for the Church or a sect, patriotism loyalty to a sovereign, and purity fidelity to the marriage bond. In the same manner, irreligion is identified with heresy, treason with the rights of the people, and debauchery with the freedom of the affections. It suits the bigot, the despot, and the male or female prude to foster this confusion of things dissimilar, and to denounce the champions of freedom as licentious and wicked men, — the enemies of mankind.

In the case supposed, the Catholic denounces the Protestant as guilty of impiety, and so, in this case, Mr. Greeley denounces me, as favoring impiety and adultery. It is clear, as I have said, that whether I do so or not depends upon the definitions of the terms. If by adultery is meant a breach of a legal bond, binding a man and woman between whom there are repugnance and disgust instead of attraction and love, to live together in the marital embrace, then there may be some grounds for the charge; but if, as I choose to define it, adultery means a sexual union, induced by any other motive, however amiable or justifiable in itself, than that mutual love which by nature prompts the amative conjunction of the sexes, materially and spiritually, then do I oppose and inveigh against, and then does Mr. Greeley defend and uphold, adultery. As to purity, I have no idea whatever that Mr. Greeley knows, owing to the perverting influence of authority or legislation, what purity is. Nor does he know what impurity is, for, since all things must be known by contrasts, no man whose conceptions upon this subject do not transcend the limits of legality can know it, nor loathe it, as those do who, having conceived of or experienced a genuine freedom, come to distinguish a pru-

rient fancy from a genuine affection, and learn to make the highest and most perfect affinities of their nature the law of their being.

But, however pernicious my views may be held to be, the fact of their being so is no reason, according to Mr. Greeley, why they should not be given to the world. At least, although he now urges it as a reason, it is only a few weeks since he stoutly defended the opposite position; and if there be any settled principle or policy to which he has professed and attempted to adhere, it has been, more than any other, that all sorts of opinions, good, bad, and "detestable" even, should have a chance to be uttered, and so confirmed or refuted. It has been his favorite doctrine, apparently, that "Error need not be feared while the Truth is left free to combat it." Very recently, in stating the policy of the "Tribune" he gave the noblest estimate ever promulgated of the true function of the newspaper, — namely, "To let every body know what every body else is thinking." To a writer, calling himself "Young America," who objected to the "Tribune" reporting the arguments of Catholics, Mr. Greeley replied, in substance, that he should just as readily report the doings and arguments and opinions of a convention of atheists, as he should do the same service for his own co-religionists. In this very discussion he says: "We are inflexibly opposed, therefore, to any extension of the privileges of divorce now accorded by our laws, but we are *not* opposed to the discussion of the subject; on the contrary, we deem such discussion as already too long neglected." Of Mr. James he says: "We totally differ from him on some quite fundamental questions, but that is *no reason for suppressing* what he has to say." In his reply to me, published herein, he repudiates the right to suppress what I have *to say*, while he avers that he would aid to suppress *me* if I attempted *to act* on my own opinions. Finally, in various ways and upon various occasions, the columns of the "Tribune" were formally thrown open for the full discussion of this subject of marriage and divorce, as well for those views of the subject which the editor deems pernicious as for the other side. The editor of the "Observer" reproached him for so doing, and he defended the course as the only truth-seeking and honorable procedure. He wished *especially* to drag to the light, in their full extension and strength, those "eminently detestable" doctrines of one phase of which he seems to regard me as a representative, in order that they might forever after have got their quietus from a blow of the sledge-hammer of his logic. If, now, the valiant editor proves shaky in his adherence to this truly sublime position, — of justice and a fair hearing to all parties, — shall we, in kindness to him, find the solution in the supposition that he was dishonest in assuming it, or give him the benefit of the milder hypothesis, — that he found himself rather farther at sea than he is accustomed to navigate, and betook himself again in alarm to the coast voyage?

I shall leave it to the public to decide, finally, what was the real cause of my getting myself turned out of court before I had fairly stated, much less argued, my

defence. I shall not, in the meantime, however, hesitate to say what I think of the matter myself. I have not the slightest idea that any one of the reasons assigned influenced the decision a straw's weight. The sole cause of my extrusion was that Mr. Greeley found himself completely "headed" and hemmed in in the argument, with the astuteness clearly to perceive that fact, while he had neither the dialectical skill to obscure the issues and disguise it, nor the magnanimity frankly to acknowledge a defeat. Hence, there was no alternative but to apply "the gag" and "suppress" me by the exercise of that power which the present organization of the press, and his position in connection with it, lodges in his hands. Had fortune made him the emperor of Austria, and me a subject, he would have done the same thing in a slightly different manner, in strict accordance with his character and the principles he has avowed in this discussion. Such men mistake themselves when they suppose that they have any genuine affection for freedom. They laud it only so far as prejudice or education incline them to favor this or that instance of its operation. They refer their defence of it to no principle. No security has yet been achieved for the continuance of the enjoyment of such freedom and such rights as we now enjoy; no safeguard even against a final return to despotism, and thence to barbarism, until the *Principle* upon which the right to freedom rests, and the scope of that principle, are discovered, nor until a public sentiment exists, based upon that knowledge. Americans, no more than barbarians, have as yet attained to the fulness of that wisdom, and as little as any does Mr. Greeley know of any such guide through the maze of problems which environ him, and perhaps less than most is he capable of following it.

Circumstances—the fact that he is a prominent editor, that he has strenuously advocated certain reformatory measures, and that he has the reputation of great benevolence—have given to Mr. Greeley somewhat the position of a leader of the reform movement in America. The lovers of progress look to him in that capacity. The publicity and the immense importance of such a position will justify me, I think, in giving my estimate of the man, and of his fitness for the work he is expected to perform, in the same manner as we investigate the character of a politician, or as Mr. Greeley himself would analyze for us the pretensions of Louis Napoleon or the Duke of Wellington. Similar considerations will authorize me in mingling with the portraiture of Mr. Greeley a few shadowy outlines of Mr. James, contrasting them *à la Plutarch* in his "Lives of the Great Men."

In the first place, then, Horace Greeley is not a philosopher,—the farthest from it in the world. No greater misnomer could seriously be applied to him. He is a man of statistics and facts, but not of principles. He sees broadly over the surface, but never down into the centre of things. As a phrenologist would say, the perceptive preponderate over the reasoning faculties. He has no grasp of the whole of anything as a system, but only of detached portions or fragments. Hence, instead of principles, he has whims, and acts from them as if they were

principles. He does not see clearly the relation of cause and effect. He has no logical, or, what is the same thing, no mathematical mind. He is one of the class of men who will admit candidly that A is equal to B, and that B is equal to C, and then cavil over or deny point blank that A is equal to C. Hence, he earns the reputation of inconsistency, and a large portion of the public believe him dishonest. This last is, I think, a mistake. Mr. Greeley is a bigot, and bigotry is generally honest. His tergiversation is organic, not intentional. His incapacity for system is shown in the fact that, although he has been regarded as the grand embodiment of Fourierism in this country, he never accepted and never gave any intimation that he even understood the fundamental principle of Fourier's whole social theory.

Fourier (who was really about the most remarkable genius who has yet lived) claims as his grand discovery that Attraction, which Newton discovered to be the law and the regulator of the motions of material bodies, is equally the law and the God-intended regulator of the whole affectional and social sphere in human affairs; in other words, that Newton's discovery was partial, while his is integral, and lays the basis of a science of analogy between the material and the spiritual world, so that reasoning may be carried on with safety from one to the other.

This principle, announced by Fourier as the starting point of all science, has been accepted by Mr. Greeley in a single one of its applications,—namely, the organization of labor,—and wholly rejected by him in its universality, as applicable to the human passions and elsewhere. The farthest he seems ever to have seen into the magnificent speculations of Fourier is to the economy to be gained by labor done upon the large scale, and the possibility of the retention of profits by the laborers themselves by means of association. It is as if a man should gain the reputation of a leader in the promulgation of the Copernico-Newtonian system of astronomy by publishing his conviction that the moon is retained in her orbit by gravitation toward the earth, while denying wholly that the earth is round, or that the sun is the centre of the system, or that attraction can be supposed to operate at such an immense distance as that body and the planets. In the same manner, Mr. Greeley can understand the sovereignty of the individual in one aspect, as the assertion of one's own rights, but not at all in the other,—namely, as the concession of the rights of all others, and through its limitation, “to be exercised at one's own cost,”—the exact demarcator between what one may and what he may not do. He is a man of great power, and strikes hard blows when he fairly gets a chance to strike at all, but with his prevailing inconsistency he reminds one of a blind giant hitting out at random in a fray.

Mr. Greeley has never been able to see anything in the “Cost Principle” except the fact that it abolishes interest on money, and hence he begins at once by opposing it. He has worked hard for *his* money, and it seems to him a very natural, convenient, and proper thing that that money, so earned, should go on earning more

for him while he sleeps. This one consideration settles, with him, the whole question. He does not comprehend in this sublime and simple principle a universal law of equity, which distributes wealth exactly according to Right; reduces all products to the *minimum price*, thereby immensely augmenting consumption; removes all obstacles to the adjustment of supply and demand; brings all human labor into steady demand; exchanges it for exact equivalents; organizes industry; places every human being in his or her appropriate work or function; substitutes universal coöperation in the place of universal antagonism; renders practicable the economies of the large scale, and the division of labor in every department; houses the whole people in palaces, surrounds them with luxury and refinement, and hundred-folds the wealth of the world. Such manifold and magnificent results from a simple change in the method of conducting ordinary trade transcend the capacity of Mr. Greeley and the philosophers of the "Tribune"; while there are now boys, and girls too, not twelve years of age, who can scientifically demonstrate these results as legitimate and certain, and can, by the aid of this key, solve with facility all the problems of political economy with a clearness, comprehensiveness, and precision never dreamed of by Say, Adam Smith, or Ricardo.

Mr. Greeley is, undoubtedly, a man of benevolence. He is profusely, perhaps even foolishly, lavish, as he begins, doubtless, himself to think, in his expenditures for the relief of suffering, and for random experiments, without system, or coherent design, for the improvement of the condition of mankind. He is benevolent, too, chiefly in the lower and material range of human affairs. His thought rises no higher, apparently, than supplying men with food for the body, raiment, and shelter. At most he aspires after so much education as will enable them "to cipher" and make profit. He has no experience of, no sympathy with, and no ability to conceive that immense hunger of the soul which craves, and will have, despite all the conventionalities of the universe, the gratification of spiritual affinities, the congenial atmosphere of loving hearts. The explosive power of a grand passion is all Greek to him. So of all the delicate and more attenuated sentiment which forms the exquisite aroma of human society. He understands best, and appreciates most, the coarse, material realities of life. Purely mental exertion is repugnant to him.

In this latter characteristic Mr. Greeley is the exact antipodes of Mr. James. This latter gentleman tends powerfully toward metaphysical subtleties and spiritual entities, until he is completely lifted off the solid earth, and loses all knowledge of practical things. The latter is of the class of purely ideal reformers, men who will lounge at their ease upon damask sofas and dream of a harmonic and beautiful world to be created hereafter, while they would be probably the very last to whom the earnest worker, in any branch of human concerns, could resort for aid with any prospect of success. He hates actual reform and reformers, and regards benevolence as a disease.

With the points of difference above indicated, the two men we are now compar-

ing are alike in the fact that within their respective and opposite spheres their vision is kaleidoscopic. This is the word to describe them. It is not a microscope, nor a telescope, nor the healthy natural eye which they employ in the examination of a subject. Broken fragments of prejudice reflect the light at a thousand angles of incidence, producing effects which, in the earthy world of Mr. Greeley, are dull and sombre and commonplace, and in the ethereal region inhabited by Mr. James, splendid, sparkling, and beautiful. Neither can be relied on as a guide to anything exact or true. Both are suggestive, inspiring, and disappointing. Neither is a whole man, and the halves which they do present are not homogeneous and consistent. Mr. Greeley would have been greatly improved in exactitude and taste by a mathematical and classical, or even a legal, training; Mr. James, on the contrary, by an education in a workshop or a counting-house, or the scramble of political life, anything which would have related him to the actual world around him. Both are superior men, measured by comparison with the still smaller fragments of men which compose the mass of society in its present state of social chaos; both are exceedingly small men, measured by the ideal one may form of integral and well-developed manhood; *mens sana in corpore sano*. Let not the selfish egoist, whose highest thought has never risen to the well-being of mankind in any shape, "chuckle" over this criticism upon Horace Greeley, a man who compares with him as "Hyperion to a Satyr," a man who has done something, and attempted much, with powerful endeavor and honest enthusiasm, for the elevation of humanity. The criticism is not dictated by any disposition to depreciate such a man, but only to ascertain the fitnesses and the unfitnesses of things. How far can the great and already powerful and ever-growing party of American social reformers or progressives look to Horace Greeley as a competent conductor through the labyrinth of problems which the complicated and obviously vicious constitution of society, resting as a basis upon the depression, wretchedness, and semi-barbarism of the masses of the people, presents to them for resolution. My answer is, Not at all. He has been a sort of John the Baptist, if you will,—one crying, literally, in the wilderness, "Prepare the way," but with no power to lead the way himself. His mission was to agitate powerfully and successfully,—not to organize. He has no complete theory of his own, cannot comprehend the theories of others, and has little practical talent for construction. He feels keenly the evils around him,—those, at least, growing out of the first grade of human wants,—and grasps eagerly at the first *contrivances* suggested by anybody for immediate or apparent relief. In all this he differs from Mr. James, who ranges ideally in a much higher sphere, who is an astute and terribly searching and merciless, though not altogether a sound and reliable, critic of the old, and who, as respects the future, belongs to the school of seers and prophets, not that of the philosophers or rational thinkers,—a mere *jet d'eau* of aspiration, reaching a higher elevation at some points than almost any other man, but breaking into spray and impalpable mist,

glittering in the sun, and descending to earth with no weight or mechanical force to effect any great end. It is not such men, one or both, whom the world now chiefly needs.

JOSIAH WARREN, an obscure, plain man, one of the people, a common-sense thinker, the most profoundly analytical thinker who has ever dealt with this class of subjects, has discovered principles which render the righteous organization of society as simple a matter of science as any other. "The Sovereignty of the Individual," with its limit, and "Cost the limit of Price," will make his fame, and mark an epoch in the world's history. The realization of the results of those principles is already begun upon a scale too small, and with a quietness too self-reliant, to have attracted much of the public notice; but with a success satisfactory and inspiring to those practically engaged in the movement. It is something to be able to affirm that there is at least one town in existence where women and children receive equal remuneration for their labor with men, not from benevolence, but upon a well-recognized principle of justice, and by general concurrence, without pledges or constraint.

Mr. Warren is the Euclid of social science. He may not understand algebra, the differential calculus, or fluxions, but all social science, and every beneficent, successful, and permanent social institution ever hereafter erected, must rest upon the principles which have been discovered and announced by him. There is no alternative; and reformers may as well begin by understanding that they have a science to study and a definite work to perform, and not a mere senseless, and endless, and aimless agitation to maintain. The work demands pioneers, men who have muscles, and brains, and backbones. It needs men who are architects, and can see intellectually the form, and proportions, and adaptations of the whole immense edifice to be erected; and stone-cutters, and masons, and builders of every grade; men, especially at this stage, who can go down to the foundations and excavate the dirt and lay the mud-sills of the social fabric. The Greeleys and the Jameses are not such men. They belong to neither the one nor the other of these classes. They must bide their time, and when the work is done, they will, perhaps, tardily recognize the *fact*, though they could not, *à priori*, comprehend the *principles* upon which it was to be accomplished.

It was for the purpose of foreshadowing the entire extent of the work to be performed, of expounding the principles that are now known, of provoking discussion, opposition, criticism by the ablest pens, of every point I had to propound, that I desired the use of the columns of the "Tribune." It was mere accident—the fact that a discussion was already pending, and that further discussion was invited—which determined the point of beginning to be the subject of Marriage and Divorce. It is such information as I possess upon the whole scope of subjects in which Mr. Greeley is supposed to take a special interest, and of which the "Tribune" newspaper is regarded as, in some sense, the organ in this country, that I

desired to lay before the world, through its instrumentality. It is that information which, worth much or little, Mr. Greeley refuses to permit his readers to obtain. How far the narrowness of such exclusion comports with the pretensions of that sheet will be judged of differently, doubtless, by different individualities.

Mr. Greeley has no conception, and never had, of the entirety of the Social Revolution which is actually, if not obviously, impending; which, indeed, is hourly progressing in our modern society. He is not a Socialist in any integral, revolutionary, and comprehensive sense. He has no apprehension of so broad an idea as a Universal Analogy. He does not know that it is impossible that some one grand department of social affairs—the love relations, for example—should be exactly right upon their old chance foundation, in the absence of science, reflective or foreseeing, and that all other departments have been radically wrong; just as impossible as it is for one member of the human body to be in a state of perfect health, and all the rest to be grievously, almost mortally, diseased. Ignorant of this great fact, and mistaking doctrinal preconceptions or personal preferences for principles, his opinions are a mosaic of contradiction. He is a queer cross between ultra Radicalism and bigoted Orthodoxy, vibrating unsteadily betwixt the two. Hence, as I have said, he is totally unreliable as a leader, and must be an object of constant annoyance and disappointment to his followers and friends, as he is of mingled ridicule and contempt to personal enemies who recognize no compensations in the really excellent traits of the man.

As an antagonist, or an umpire between antagonists, Mr. Greeley is unfair, tricky, and mean. Owing to the want of consistency in his own mind, and his liability to side-influences of all sorts, he is practically dishonest to an eminent degree. It is with reference to unconsciousness and want of design in his prevarications that I have pronounced him honest. Honorable, in the chivalric sense of the term, he has no pretensions of any sort to be regarded. He is lamentably wanting in the more gentle manly attributes of the man. Whoever looks for delicate consideration for the sensibilities of another, urbanity of manners, magnanimity, or even that sturdy sense of fair-dealing of which noble specimens may be seen in the English peasant or prize-fighter, must look elsewhere. Perhaps no better illustrations can be given of some of these defects as an impartial journalist and high-minded opponent than the two following facts. My communications in this controversy were freely placed at the disposition of Mr. James *before they were published*, to be conned and studied by him, and were so conned and studied by this latter gentleman, and one of them written round and half replied to in an answer by him to "The Observer," in order that his reply to me might be dispatched by a dash of the pen and as mere reference to what he had already written.

The other illustration is the fact that, while Mr. Greeley has refused to allow me to reply to his own and Mr. James's arguments, he has reserved from the public all knowledge of such refusal. He has not had the decency to inform his readers

that *he* has chosen to close the discussion, abruptly, and that *I* am not permitted to reply. He has done what he could, therefore, to leave the impression upon their minds that I have been silenced, not by the tyrannical use of arbitrary power, but by the force of logic, thus stealing the reputation for victory in a battle which he was wanting in the courage to fight. Such an issue with Mr. Greeley was, perhaps, not very surprising from the estimate I am now inditing of his organization, propensities, and order of culture. With Mr. James I confess it was somewhat different. I thought him to have been bred in a circle which, with other faults in abundance, cherishes, nevertheless, a high-minded and chivalric bearing toward antagonists, no less than gentle courtesy toward one's friends. Fidgety exertions, by personal influence in that quarter, to suppress the criticism of an opponent, and an unmannerly readiness to avail one's self of the improprieties of editors and sub-editors in communicating information which ought to be reserved, were obstacles in the way of a fair hearing which I did not anticipate.

It is appropriate that I should mention the origin and antecedents of this discussion. Mr. James published in the "Tribune" a very saucy and superficial review of a work by Doctor Lazarus, entitled, "*Love vs. Marriage*," in which the whole gist of the argument lay in the sheer and naked assumption that the Family, not the Individual, is the nucleus of society. Out of this grew up a discussion between him and the editor of the New York "Observer," an influential and highly respectable religious newspaper of this city, of the Presbyterian denomination, who took Mr. James to task for some of his heresies, and Mr. Greeley also, for allowing the discussion of such subjects at all in his paper. The replies of Mr. James, in which he stated his own positions on the marriage question, seemed to me, while abounding certainly in vigorous invective, so inconsequential and loose in their reasoning that I ventured, under the general statement of Mr. Greeley that he wished the whole subject thoroughly discussed, to put to Mr. James a few questions, consistent replies to which would have greatly cleared the understanding of his positions and strengthened the cause of Freedom, which he assumed to defend. What followed will appear by the discussion itself.

The scope of my present design does not include the publication of the discussion between Mr. James and the "Observer." I shall begin, nevertheless, with one of the replies of Mr. James to that opponent, as well from its necessary connection with what follows as for the purpose of enabling the reader to judge to what degree Mr. James entitles himself to delicate and considerate treatment by his own habitual suavity of manner. I regret any appearance of unfairness in omitting the exceedingly able and caustic replies of the "Observer," but my limits preclude so extensive a republication, my purpose being to present here what was excluded from publication elsewhere.

Before closing this Introduction, I wish to make a few remarks upon the general subject, and especially as respects the dangerous and eminently detestable nature of my principles and views.

The priestly bigot and intellectual tyrant believes in all honesty that freedom of thought and of conscience are dangerous things for those over whom his influence rules, because he begins by the assumption that *he* is a useful person, and that the function he performs and the influence he exerts are essential, indispensable even, to the well-being of the people. He cannot be pronounced dishonest on the mere ground that his interest is involved, since the people themselves, whose interest is really adverse, admit and entertain the same idea. It is usually ignorance on both sides; more rarely the relation of impostor and dupe. It is the first assumption which vitiates both his and their whole subsequent chain of reasoning. It is obvious enough that freedom of thought and conscience do tend to shake that Authority which all parties have begun by admitting it to be indispensable to maintain. Hence freedom of thought and conscience are bad things. No reasoning can be more conclusive, the premise being assumed. Hence investigation is stifled, until men grow bold enough to ask: What is the use of the priestly bigot and intellectual tyrant at all?

So in the political sphere. The petty prince of some obscure principality perhaps honestly desires the education and advancement of his subjects. He encourages schools, literature, and the freedom of the press; but he has never had any other thought than that all this is to go along with the *statu quo*, in relation to himself and his right to reign. Presently the diffusion of learning and the awakening of mind begin to show themselves in bold and still bolder speculations about self-government, monarchical usurpations, and other matters which threaten danger to *statu quo*. Our benevolent despot, who has all along tacitly assumed, in perfect good faith, the indispensableness of his own princely services, is alarmed, and attempts to impose limits and restraints upon discussion, for the good of the people. This is all the more difficult for the education they have already received. Speculation grows bolder and resistance more rampant as the result of the attempt. Repression, at all hazards, then becomes the only resort of the unconscious tyrant, who at every step has acted, as he thinks, for the best good of his thankless and rebellious subjects. Submission, or bloodshed and butchery, are their only alternative. Reaction and Revolution are arrayed in deadly hostility against each other, and the monarch and the conservative portion of the people are driven to the only conclusion to which *they* can arrive,—that education and mental enlargement are destructive and bad things, a diabolical element in human society. The fatal blunder is the assumption, as a starting-point, that there is something now existing which must not, in any event, be changed. To keep good this assumption *nothing* must be changed, for, when change begins, it will not respect your bounds and limits. Hence ignorance and universal immobility must be sedulously preserved. *No sound philosophy can ever exist which is tainted by veneration for the sanctities of the old.*

The new in one thing necessitates the new in all things, to the extent that adap-

tation and adjustment may demand. Let him who is unready for such sweeping revolution withhold his hand before he begins to agitate for reform. Prejudice and philosophy do not and cannot comport with each other.

In the same manner freedom is the open boast, the watchword, and the rallying cry of all the most advanced nations of Christendom. But there is a tacit assumption in the midst of all this that the family institution must forever remain intact. It is the social idol, as royalty has been the political and the Church the religious idol of mankind. This assumption rests, as in the other cases, upon another,—namely, the utility, the indispensableness of that institution, *first*, to the preservation of purity in the intercourse of the sexes, and, *secondly*, to the proper care and affectionate culture of children, and, *finally*, to the protection and support of the weaker sex. Sexual purity, the preservation of offspring, and the security of the weaker sex are intuitively felt to be right and good; hence the family, it is assumed, is sacred and divine, and hence, again, that in no case must it be questioned or assailed. But freedom for the affections is liable to pass the limits of the family, and freedom (of this sort) is therefore a bad thing. Hence, at this point, a reaction against freedom.

The general human mind seldom mistakes in reasoning. The error, if there be one, is more commonly the false assumption of some fact or facts to reason from, or else incompleteness in carrying on the process to its final results. If the fact be so that purity can be cultivated and preserved, children properly reared, and women protected *only in the family*, all the other consequences logically follow; and there is one species of human freedom—an exception to the general estimate of that attribute of manhood—a curse and a blight instead of a blessing, a thing to be warred on and exterminated, not to be aspired after, lauded, and cherished.

It is certainly a legitimate question to ask, Is the fact really so? Are the three *desiderata* I have indicated only attainable through a certain existing institution which mankind have, marvellously enough, had the wisdom to establish—in the midst of their general ignorance and undevelopment in all other respects—upon precisely the right basis?

First, then, as respects the first point, the preservation of sexual purity. To determine whether perpetual and exclusive marriage is essential to that end, we must first answer the question: What constitutes purity? To this question, the common, I may say the vulgar answer, Mr. Greeley's answer, is fidelity to the marriage relation (or, in the absence of that bond, no sexual relations at all). Put into categorical formula, the two propositions are then simply as follows: 1. The marriage institution is sacred because it is indispensable to the preservation of purity. 2. Purity is the preservation of the marriage institution. Of course this rotary method of ratiocination is simply absurd and cannot for a moment satisfy the really philosophical or inquiring mind.

Let me, then, give a different answer to this question, and see who will demur.

Sexual purity, I will say, is that kind of relation, whatever it be, between the sexes which contributes in the highest degree to their mutual health and happiness, taking into account the remote as well as the immediate results.

If this definition is accepted, then clearly the whole field is open to new, radical, and scientific investigation, physiological, psychological, and economical, infinitely broader and more thorough than the world has ever yet even thought of applying; and he must be a fearful egotist who, in the present stage of our experience, can venture to affirm that he knows the whole truth, the final word of science, on the subject. One thing only is certain,—namely, that absolute freedom, accompanied, too, by the temporary evils of an ignorant use of that freedom, is a *condition precedent* even to furnish the facts upon which to reason safely at all upon the matter. Any settlement of the question by us now would have hardly as much value as a decision made in the heart of Russia upon the best form of human government. No pretension can be made that purity, in the sense in which I use the term, has ever yet been attained by laws to enforce it. Prostitution, in marriage and out of it, and solitary vice, characterize society as it is.

If the workings of freedom should prove that purity in this sense is attainable otherwise, this argument in behalf of compulsory marriage fails. On the contrary, if freedom is forever prohibited hereafter, as it forever has been prohibited heretofore, how is it to be known that such a result would not come of it? One portion of mankind believe there would, and another that there would not, while the opportunity is refused to submit the question to the test of experiment and fact.

The second point is the care and culture of children. Certainly small boast can be made of the success of mankind hitherto in the practice of that art, when statistics inform us that nearly one-half the whole human family die in infancy! And when nine-tenths of the remainder are merely grown-up abortions, half made before birth, and worse distorted and perverted by ignorant mismanagement and horrible abuses afterward! Alas! Do children get cared for and reared in the family arrangement now with any skill, any true science, any just appreciation of the real nature of that sublime but delicate task, which demands more precise knowledge, more refined instincts, and more prudence and judgment than any other? Do our existing domestic institutions commend themselves by their fruits, or are the wholesale infanticides and the dreadful tortures of childhood now prevalent of a kind, the bare repetition of which will cause the ears of a later and wiser generation to tingle? Is it not possible that our most cherished social usages may be as terrible to them to contemplate as the hecatombs of political murders by the Neapolitan Government are at this day to us?

Suppose, now, that a future experience should demonstrate the fact that, of children reared in unitary nurseries, conducted by skilled and professional nurses, matrons, and physiologists, the mothers—except those engaged by choice in the nursery—being, at most, within reach for the purpose of suckling their infants at

given hours, not one in a hundred died during the first five years; suppose that, by such an arrangement, the same labor that now requires the time of fifty women could be so systemised as to occupy no more than that of five, leaving forty-five persons free for productive industry in other departments; suppose that the children so reared grew up with larger frames and sounder constitutions, brighter intellects, livelier affections, and superior faculties in every way; suppose that all this were so obvious and incontestable that no one ventured to dispute it, and so attractive that hardly any mother would desire or venture to attempt the isolated rearing of her babe,—what would become of this second ground upon which the family institution is maintained by force of arms as the sole means of appropriate guardianship for childhood?

The third and last basis of the family is the protection and maintenance of women themselves. Here again it does not seem to me that the system in vogue, by which the husband and father earns all the money and doles it out in charitable pittances to wife and daughters, who are kept as helpless dependents, in ignorance of business and the responsibilities of life, has achieved any decided title to our exalted admiration. The poor stipendiaries of paternal or marital munificence are liable at any time to be thrown upon their own resources, with no resources to be thrown upon. The absence of all prior necessity for the exercise of prevision unfitting them for self-support and protection, and the system affording them none but the most precarious assurances, their liabilities are terrible, and daily experiences are cruel in the extreme. At the best, and while the protection endures, its results are mental imbecility and bodily disease. There is hardly one woman in ten in our midst who knows from year's end to year's end what it is to enjoy even tolerable health. The few who, despite the system, attain some development, are tortured by the consciousness and the mortification of their dependancy, and the perpetual succession of petty annoyances incident to it; of which their lordly companions, self-gratulatory for their own intentions of kindness, are profoundly unconscious. Shut up to the necessity of this continuous and exhausting endurance, wives have the same motives that slaves have for professing contentment, and smile deceitfully while the heart swells indignantly and the tear trembles in the eye. Man complains habitually of the waywardness and perversity of woman, and never suspects that he himself, and his own false relations to her, are the key to the thousand apparent contradictions in her deportment and character. The last thing that the husband is likely to know, in marriage as it is, is the real state of the heart that throbs next him as he lays his head upon his own pillow. Woman, as well as the slave, must first be wholly free before she can afford to take the risk to speak freely. She dare not utter boldly her own complaint, and she will even denounce openly, while she prays fervently in secret for the God-speed of the friend who does it for her.

The great lesson for the world to learn is *that human beings do not need to be taken*

care of. What they do need is such conditions of justice and freedom and friendly coöperation *that they can take care of themselves.* Provided for by another, and subject to his will as the return tribute, they pine, and sicken, and die. This is true equally of women as of men; as true of wives as it is of vassals or serfs. Our whole existing marital system is the house of bondage and the slaughter-house of the female sex. Whether its evils are inherent or incidental, whether they belong to the essence or the administration of the institution, whether they are remediable without or only by means of revolution, are the questions that have now to be discussed.

Suppose, then, that in some future day, under the operation of equity, and with such provision as has been hinted at for the care of children, women find it as easy to earn an independent living as men; and that, by the same arrangement, the expense of rearing a child to the early age at which, by other corresponding arrangements, it is able to earn its own living, is reduced to a minimum,—a slight consideration for either parent. Suppose that suggestions of economy have substituted the large unitary edifice for the isolated home, and that, freed by these changes from the care of the nursery and the household, woman is enabled, even while a mother, to select whatever calling or profession suits her tastes, and pursue it with devotion, or vary it at will; and suppose that, under this system of living, universal health returns to bloom upon her cheek, and that she develops new and unexpected powers of mind, exquisiteness of taste, and charms of person; that, in fine, while relieving the other sex entirely from the responsibility and burden of her support, she proves incontestably her equality with man in points where it has been denied, and her superiority in a thousand beautiful endowments which freedom alone has enabled her to discover and exhibit,—what, under these circumstances, becomes of the third and last necessity for the maintenance of the institution of exclusive and perpetual and compulsory marriage?

Carry this supposition still further; assume, for illustration, that in freedom the tendency to perpetual conjugal partnership should vindicate itself, as supposed by Mr. James, as the natural law of the subject; or contrariwise, let it be assumed that a well-ordered variety in the love relations is shown by experience to be just as essential to the highest development of the human being, both spiritually and materially, as variety in food, occupation, or amusement; or suppose, to render the case still stronger, that some new and striking pathological fact is discovered and put beyond doubt; for example, that a specific disease, at present a scourge of mankind, like consumption or serofula, is wholly due to the want of certain subtle magnetic influences, which can only come from a more unrestrained contact and freedom of association between the sexes. Let us add that just that freedom of contact and association are found to moderate the passions instead of inflaming them, and so to contribute, in the highest degree, to a general purity of life and the prevalence of the most fraternal and tender regard. Suppose, again, that woman,

when free, should exhibit an inherent, God-given tendency to accept only the noblest and most highly endowed of the opposite sex to be the recipients of her choicest favors and the sires of her offspring, rejecting the males of a lower degree, as the females of some species of the lower animals (who enjoy the freedom that woman does not) are known to do; and that the grand society fact should appear in the result that by this means Nature has provided for an infinitely higher development of the race. Suppose, indeed, finally, that the freedom of woman is found by experience to have in every way a healthful, restraining, and elevating influence, in the same degree that the freedom of man, to subjugate her, as in polygamic nations, has had an influence to degrade and deteriorate the race; and that, generally, God and nature have evidently delegated to woman the supremacy in the whole affectional realm of human affairs, as they have consigned it to man in the intellectual,—a function she could never begin rightly to perform until first freed herself from the trammels of conventionalism, the false sanctities of superstition and custom. Suppose all this to have been thoroughly well-established both by reason and fact, what *then* becomes of this last ground of necessity for the institution of legal marriage, or of marriage at all?

When purity, in its best sense, should be far better understood, and more prevalent without it than with it, and women and children better protected and provided for, where would be the continued demand for the maintenance of the now sacred and inviolable family institution? What, indeed, would render it impossible that that institution should fall into contempt, as other institutions, hallowed in former times by equally sacred associations and beautiful idealizations, have done?

Who can foretell that isolated families may not come hereafter to be regarded as hot-beds of selfishness and narrow prejudice against the outside world, separating and destroying the unity of the human race; the same thing as between neighbors that patriotic prejudices and antipathies and "mountains interposed" are between nations? Who shall say that it may not, perchance, be quoted upon us one or more generations hence, as some evidence of our barbarism, that a rich and religious citizen could sit down in quiet and happiness, surrounded by his wife and children, in the midst of comfort and luxury, bless God for his abundant mercies, and cite the Scripture that "He who provides not for his own household hath denied the faith, and is worse than an infidel," while wretched women and babes, with sensibilities as keen and capacities for happiness as great as those possessed by his own sweet lambs, sit in their desolate houses within a stone's throw of his own aristocratic door, shivering with cold; pinched with hunger, and trembling with apprehension of the sharp knock and gruff voice of a landlord's agent, come to thrust them out of even those miserable mockeries of homes? Who can assert with confidence that a larger conception of the brotherhood of humanity than now prevails—except as a traditional reminiscence of the teachings of Christ or the

Utopian dreams of the visionary—may not, in a few years, with the rapid progress of events in these modern times, be translated into fact? And who can affirm positively that the discovery may not be made hereafter that the last grand hindrance and obstacle to the realization of that noble ideal of human destiny was the superstitious sanctification in the popular mind of marriage and the family institution, which refused to permit them to be examined and amended, or abolished, according to the dictates of sound reason and the exigencies of the case, in the same manner as the like veneration for ecclesiastical establishments and royalty have hindered the race, at earlier stages, in the same onward and upward progression?

Observe, I am not dogmatizing in anything that I say here. I am not even affirming that any one of these suppositions is likely to come true. I am simply establishing the fact that the righteousness and permanency of marriage and the family institution are fair subjects, like any other, for thought, for questioning, for investigation. I am entering my calmly-stated but really indignant protest against the assumption that there is any possible subject, in this age and nation, with our antecedents and pretensions, too sacred to be discussed. I am adding my testimony to the truth of the position assumed by the despotist and the slaveholder that the same evils which exist under the institutions of despotisms and slavery exist likewise under the institution of marriage and the family, and that the same principles of right which men seek to apply in this day to the former will not leave the latter unquestioned or unscathed. I am giving to the lazy public some intimation that there are more things in heaven and earth than have yet been dreamed of in their philosophy. I am breaking into ripples the glassy surface of that dead sea of conservatism which reflects Socialism as a bugbear to frighten children with. I am giving to the world a sample of the ideas, and trains of reasoning, facts, and principles which the New York "Tribune," professedly the organ of new thought, refuses to permit to be communicated to its readers, as matter too bad to be published. And finally, and specially, I am making an historical note of the fact, for future reference, that such ideas as these were too far in advance of public sentiment, at the middle of this century, at the metropolis of the most progressive country in the world, to find utterance anywhere through the public press, the "Tribune" being, after all, the most liberal journal we have yet established among us.

What I am able to say in this *brochure* is, of course, a mere fragment of the social theories which I wished to propound. What I needed was a continuous year of discussion, through such a medium as the "Tribune," in conflict with the first minds in the country,—philosophers, politicians, and theologians, invited or provoked into the fray,—at the end of which time the public would have begun to discover that their current social dogmas must give way before the sublime principles of a new and profoundly important science, which determines exactly the true

basis of all social relations. I wanted especially to propound a few questions to the Rev. Dr. Bethune, to test the good faith of his broad statement of the doctrine of religious freedom, made in his assault upon Bishop Hughes at the Madiai meeting at Metropolitan Hall. Does he include the Mormons and the Turks, with their polygamy, and the Perfectionists, with their free love, in his toleration, or would he, with Mr. Greeley, make his *exceptions* when it came to the pinch, and go with Mr. Greeley for re-lighting on American soil the fires of religious persecution, and thrust those whose conscience differs from his upon certain points into prison, or burn them at the stake?

The question is rapidly becoming a practical one in this country, when a whole territory is already in the possession of a sect of religionists who openly profess and are ready to die for the doctrine of a plurality of wives. Honor to General Cass, the patriarch of the senate, who has recently stated the true and the truly American principle,—virtually the Sovereignty of the Individual. He speaks as follows:

Independent of its connection with the human destiny hereafter, I believe the fate of republican governments is indissolubly bound up with that of the Christian religion, and that people who reject its holy faith will find themselves the slaves of evil passions and of arbitrary power, and I am free to acknowledge that I do not see altogether without anxiety some of the signs which, shadowed forth around us by weak imaginations with some, and irregular passion with others, are producing founders and followers of strange doctrines, whose tendencies it is easier to perceive than it is to account for their origin and progress; *but they will find their remedy, not in legislation, but in a sound religious opinion*, whether they inculcate an appeal to God by means of stocks, and stones, and rappings (the latest and most ridiculous experiment upon human credulity), or whether they seek to pervert the Scriptures to the purposes of their libidinous passions, by destroying that safeguard of religion and social order, the institution of marriage, and by leading lives of unrestrained intercourse,—thus making proselytes to a miserable imposture, unworthy of our nature, by the temptations of unbridled lust. This same trial was made in Germany some three centuries ago, in a period of strange abominations, and failed. It will fail here. Where the Word of God is free to all, no such vile doctrine can permanently establish itself.

This is a genuine though indirect recognition of individual sovereignty; and, while marred by a few ungentlemanly flings at what the speaker obviously does not understand, it is as much above the puny and miserable suppression doctrines of Mr. Greeley—the sickly relics of the dark ages—as the nineteenth century is in advance of the twelfth.

By my reference to Dr. Bethune, it is but justice to say that I have no reason to doubt that he, too, is honest in his statement of the doctrine of religious freedom, and that he would, in practice, recognize my right to live with three women, if *my* conscience approved, as readily and heartily as he would contend for the right to read the Protestant Bible at Florence. If not, I hope he will take an opportunity to restate his position. I needed a lengthened discussion, as I said, not only to ex-

press my own ideas, but also to find where others actually stand upon this most vital question,—the legitimate limit of human freedom. But such discussions, carried on with the dauntless intrepidity of truth-seeking, are not for the columns of the "Tribune." The readers of that journal must be kept in the dark. I submit, and await the establishment of another organ. Meantime, those who may chance to become interested in a more thorough exhibit of principles stated or adverted to in these pages are referred to "Equitable Commerce" and "Practical Details in Equitable Commerce," by JOSIAH WARREN, and "The Science of Society," by myself, published by Fowlers & Wells, New York,* and John Chapman, London, which I take this opportunity thus publicly to advertise, since the newspaper press generally declines to notice them, and to such other works as may be hereafter announced on the subject.

STEPHEN PEARL ANDREWS.

NEW YORK, APRIL, 1853.

*"The Science of Society" is now published by Sarah E. Holmes, Box 3366, Boston, Mass.

DISCUSSION.

I.

MR. JAMES'S REPLY TO THE NEW YORK OBSERVER.

To the Editor of the New York Tribune:

Please allow me the hospitality of your paper to right myself with the New York "Observer," and so add to the many obligations I already owe you.

Yours truly,

H. JAMES.

NOVEMBER 15.

NEW YORK, SATURDAY, NOV. 13, 1852.

To the Editor of the New York Observer:

An article in your paper of today does me so much injustice that I cannot afford to let it pass unnoticed.

The drift of your assault is to charge me with hostility to the marriage institution. This charge is so far from being true that I have invariably aimed to advance the honor of marriage by seeking to free it from certain purely arbitrary and conventional obstructions in reference to divorce. For example, I have always argued against Mr. Greeley that it was not essential to the honor of marriage that two persons should be compelled to live together when they held the reciprocal relation of dog and cat, and that in that state of things divorce might profitably intervene, provided the parties guaranteed the State against the charge of their offspring. I have very earnestly, and, as it appears to me, very unanswerably, contended for a greater freedom of divorce on these grounds, in the columns of the "Tribune," some years since; but I had no idea that I was thus weakening the respect of marriage. I seemed to myself to be plainly strengthening it, by removing purely arbitrary and damaging obstructions. The existing difficulty of divorce is one of those obstructions. You will not pretend to say that the legislative sanction of divorce *now* existing discharges the marriage rite of respect? How, then, shall any enlargement of that sanction which I propose avail to do so? Is it possible that a person exposed to the civilizing influences of a large city like this so long as you have been should see no other security for the faithful union of hus-

band and wife than that which dates from the police office? I can not believe it. You *must* know many married partners, if you have been even ordinarily fortunate in your company, who, if the marriage institution were formally abolished tomorrow, would instantly annul that legal abolition again by the unswerving constancy of their hearts and lives.

No man has a more cordial, nor, as I conceive, a more enlightened respect for marriage than I have, whether it be regarded, 1st, as a beautiful and very perfect symbol of religious or metaphysic truth, or, 2d, as an independent social institution. I have fully shown its claim for respect on both these grounds in a number of the "Tribune" which you quoted at the time, but which it serves your dishonest instincts now to overlook. You probably are indifferent to the subject in its higher and primary point of view, but your present article proves that you have some regard for it in its social aspects. If you regard marriage, then, as a social institution, you will, of course, allow that its value depends altogether upon the uses it promotes. If these uses are salutary, the institution is honorable. If, on the contrary, they are mischievous, the institution is deplorable. Now, no one charges that the legitimate uses of the marriage institution are otherwise than good. But a social institution, whose uses are intrinsically good, may be very *badly administered*, and so produce mischief. This, I allege, is the case with the marriage institution. It is not administered livingly, or with reference to the present need of society, but only traditionally, or with reference to some wholly past state of society. In a disorderly condition of society, like that from which we have for the last two centuries been slowly emerging, men of wealth and power, men of violence and intrigue, would have laughed at the sacredest affections, and rendered the family security nugatory, had not society fortified marriage by the most stringent safeguards. The still glaring inequality of the sexes, moreover, would have led kings and nobles into the most unrebuked licentiousness, and consequently into the most brutal contempt for woman, had not the politico-ecclesiastical *régime* almost utterly inhibited divorce. The elevation of woman in Christendom has thus been owing exclusively to a very rigid administration of the marriage institution in the earlier periods of our social history. But what man of wealth and power, what man of violence and intrigue, is there now to take away a man's wife from him? No doubt there is a very enormous clandestine violation of the marriage bond at the present time; careful observers do not hesitate to say an almost unequalled violation of it; but that is an evil which no positive legislation can prevent, because it is *manifestly based upon a popular contempt for the present indolent and vicious administration of the law*. The only possible chance for correcting it depends, as I have uniformly insisted, upon a change in that administration,—that is to say, upon freely legitimating divorce, within the limits of a complete guarantee to society against the support of offspring; because in that case you place the inducement to mutual fidelity no longer in the base legal bondage of the

parties merely, but in their reciprocal inward sweetness or humanity. And this is an appeal which, when frankly and generously made, no man or woman will ever prove recreant to.

Again, in the "Tribune" article of last summer which you quote (or, rather, shamelessly misquote) it seemed to me the while that I was saying as good a word for marriage as had ever been said beneath the stars. I was writing, to be sure, upon a larger topic, and alluded to marriage only by way of illustration. But what I said about it then seems to me still completely true. And, true or untrue, why do you not cite me before your readers honestly? You allow your printer to turn the first quotation you make into sheer nonsense, and you so bedevil the second with ostentatious and miutatory italics that a heedless reader will look upon the imbecile tumefaction as so much solid argument, and infer that any one who can provoke that amount of purely typographic malediction from a pious editor must needs be closely affiliated—you know where.

Now, as a matter of speculation merely, why should you desire to prejudice me before the community? I am a humble individual, without any influence to commend my ideas to public acceptance, apart from their intrinsic truth. And if, as you allege, my desire and aim be to destroy the marriage institution, I am at least not so foolish as to attempt that labor by a mere exhibition of will. I must have adduced some colorable reasons for its destruction. Will you be good enough to tell me where I have exhibited these reasons? Or, failing to do so, will you be good enough to confess yourself a defeated trickster, unworthy the companionship of honest men?

Doubtless, Mr. Editor, you address an easy, good-natured audience, who do not care to scan too nicely the stagnant slipslop which your weekly ladle deals out to them. But the large public perfectly appreciates your flimsy zeal for righteousness. Every reasonable man knows that, if I assail a cherished institution without the exhibition of valid reasons, I alone must prove the sufferer, and that immediately. Every such person therefore suspects, when a pious editor goes out of his way to insult me for this imputed offence, that his apparent motive is only a mask to some more real and covert one. And this suspicion would be palpably just in the present instance. You are by no means concerned about any hostility, real or imaginary, which I or any other person may exhibit toward the marriage institution. I do you the justice, on the contrary, to believe that you would only be too happy to find me and all your other fancied enemies "bringing up"—to use your own choice expression—"against the seventh commandment." But *my* benevolence, at least, is quite too weak to afford you that gratification. Naturalists tell us that the sepia, or cuttle-fish, when pursued, is in the habit "of ejecting an inky fluid, which colors the adjacent waters so deeply as to afford it an easy means of escape." Now, science, in revealing to us the splendid analogies of nature, teaches us that the sepia, or cuttle-fish, of these watery latitudes is only an

oblique or imperfect form of the tricky sectarian editor of higher ones: even as that tricky editor is himself only an oblique or imperfect prophecy of the integral MAN of still higher latitudes. Accordingly, if we take the trouble to explore the inky and deceptive puddle you have trajected in our path, we shall find that the origin of your ill-will lies very much behind that. We shall find that it lies altogether in the criticism which I have occasionally brought to bear upon that fossil and fatiguing Christianity, of which the "Observer" is so afflictive a type, and its editor so distinguished and disinterested a martyr. Indulge me with a few lines upon this topic.

Christianity, in its only real or vital apprehension, seems to me to imply a very perfect life for man, or one which safely disuses all professional knavery, as it is sure to disappoint all merely professional or private ambition. I have expressed, poorly enough I allow, my dawning conception of this majestic life. It is at last the veritable life of God in the soul of man, and one must celebrate it with stammering lips rather than be wholly silent. It runs through one's veins like new wine, and, if one's speech thereupon grew lyrical and babbling, it should rather be an argument of praise to the late-found and authentic Bacchus than of blame to his still unfashioned worshipper. I have tried to put this miraculous and divine wine into our old customary bottles, but the bottles pop, whiz, sputter, and crack so on every side, that my wife and children and servants laughingly protest that we shall have no rest short of absolutely new bottles. Now, these bottles admit of no private manufacture. They are so vast in compass, and so costly in material, that they claim all the resources and all the wit of society to fashion them. There is no harm, of course, in a patient citizen like me occasionally stirring up the pure mind of his brethren by way of remembrance, or indulging a word now and then upon the pattern the fabric should follow. Accordingly, I do drop an occasional word in the columns of the "Tribune," and would be happy to do the same in those of the "Observer," on this interesting topic: hinting how, as I conceive, our good old *family* bottle, *conjugal* bottle, and *social* bottle generally—might be *destroyed*?—no! might be *saved* from destruction, *renewed*, *regenerated*, and *reformed*, by wise and timely legislation. I am happy to say, too, that my efforts seem to be taken in growing good part. Virtuous and genial Presbyterians even, as well as mere unregimented sinners, are beginning to express an interest in the attractive theme, and a hope of good fruit to come out of its seasonable agitation. For it is evident to every honest mind that, if our conjugal, parental, and social ties generally can be safely discharged of the purely diabolic element of *outward force*, they must instantly become transfigured by their own inward, divine, and irresistible loveliness.

Hinc illae lachrymæ! This is the open source of your tribulation, the palpable spring of your ineffectual venom. With the instinct unhappily of self-preservation, you perceive that, if our social relations once become orderly, not by con-

straint, but of an inherent and divine necessity, there will be a speedy end to the empire of cant and false pretension. For if a living piety once invade the human mind, a piety attuned to the ministries of science, a piety which celebrates God no longer as the mere traditional source of lapsed and contingent felicities, but as the present and palpable doer of divinest deeds,—such as feeding the starving hordes of the earth's population, clothing the naked, enlightening the ignorant, comforting the dejected, breaking the yoke of every oppression, cleansing the diseased conscience, banishing want, and sickness, and envy, and diffusing universal plenty, peace, and righteousness,—what, in Heaven's name, will become of that vapid piety which now exhales only in the form of selfish and mendicant supplication, or else of impudent interference with the privacies of other people's souls?

I have not yet had the pleasure of reading any of Mrs. Smith's publications, and can not, therefore, estimate your candor in associating her labors with mine. But inasmuch as I perceive from the newspapers that that well-intentioned lady is engaged in a very arduous crusade against the natural and obvious distinction of the sexes, the which distinction I meanwhile set great store by, I presume your good will in this instance to be as transparent as I have found it in others, and thank you accordingly.

As to your attempt to insinuate a community of purpose or tendency between myself and that ramification of your own religious body, known as the Oneida Perfectionists, I may safely leave it to the scorn of those among your readers who can estimate the cowardice which, in wanton disregard of a neighbor's good name, hints and insinuates the calumny it dares not boldly mouth. These men, as I learn from their own story, are *ultra*—that is to say, consistent—Calvinists, who have found in the bosom of the doctrines you yourself profess the logical warrant of the practices which you nevertheless condemn. From a conversation or two which I have had with some of their leading men, I judged them to be persons of great sincerity, but of deplorable fanaticism, who were driven to the lengths which you so sternly reprobate strictly because they exemplify what you do not,—a logical abandonment to their own religious convictions. I told them candidly that any man of common sense must give short shrift in his regard to a deity who elected men to the privilege of leading disorderly lives; but at the same time I saw that they were no way amenable to the tribunal of common sense. An unhappy religious fanaticism, the flowering of your own fundamental principles, has lifted them out of that wholesome judicature, and they must henceforth drift whithersoever the benignant powers—who, after all, are paramount in this world, spite of many "Observers"—will let them. But at the same time I must avow that these strenuous and unhandsome sectarists appeared to me far worthier of tender compassion than of brutal public vituperation. Honest, upright souls they seemed at bottom, though sadly misguided by an insane sense of duty, and delicate women were among them, too, full no doubt of woman's indestructible truth. They were

fathers, and husbands, and brothers, like myself, disfigured, to be sure, by a morbid religious conscience, but no less capable of suffering on that account whatever I suffered. And so I could not help saying to myself how surely must errors like these involve this poor unprotected people in permanent popular disgrace, or what is worse, perhaps, provoke the fatal violence of a disgusting pharisaic mob; and how gladly, therefore, must good men of every name rather lessen than deepen the inevitable odium in which they stand! Accordingly it appears to me about as unmanly a sight as the sun now shines upon to see a great prosperous newspaper like the New York "Observer" gathering together the two wings of its hebdomadal flatulence, "secular" and "religious," for a doughty descent upon this starveling and harmless field-mouse!

And this reminds me, by the way, to a dore the beautiful Nemesis—beautiful and dread!—which in every commotion of opinion infallibly drives you, and persons like you, into a significant clamor for the interests of the Seventh Commandment. Whence this special zeal, this supererogatory devotion to the interests of that institution? Have you, then, a fixed conviction that no man, however refined by God's culture and the elevation of our present social sentiment, could be exempted from police regulation without instantly rushing into adultery? It would really seem so. But if that be your state of mind, it only furnishes another striking proof of the power which your friends the Socialists attribute to constraint in enhancing and inflaming the normal appreciation of sensual delights.

And here I drop my pen. I have used it freely to express the indignation which every true man must feel at seeing an eminent public station, like that of the editor of a religious newspaper, perverted to the wanton defamation of private character and the profligate obstruction of humane enterprise.

I am yours, etc.,

HENRY JAMES.

Then followed several communications between the "Observer" and Mr. James, which are omitted. Anything in them pertinent to this discussion is contained in the excerpts indicated by quotation marks.

II.

QUERIES TO MR. JAMES, BY MR. ANDREWS.

NEW YORK, FRIDAY, NOV. 26, 1852.

To the Editor of the Tribune:

I have read with some interest a recent article in the "Tribune," by HENRY JAMES, in reply to an "assault" upon him, made by the editor of the New York "Observer," on the Marriage Question. Perhaps it would be discourteous to say that, in relation to the issue of the conflict between these parties, I am quite indifferent. My own opinions differ considerably from those avowed by either of the contestants. My curiosity is piqued, however, by the positions assumed by Mr. James, to see how he will maintain himself, and I find myself given over to a sort of "hope-I-don't-intrude" propensity to ask questions. Without venturing on polemics, I may perhaps be allowed, as a third party, the Socratic privilege of propounding difficulties and seeking for further information.

It was a saying of Daniel Webster that, "if a thing is to be done, a wise man should be able to tell *how* it is to be done." Hence, I cannot but hope that Mr. James may be able to remove some of the darkness which obscures my perceptions of the tenability of his positions. I confess that, comparing my recollections of his earlier writings in the "Harbinger" and the "Tribune" upon the same subject with the somewhat rampant and ferocious morality of a recent article in the "Tribune," in review of the book of Dr. Lazarus, called "*Love vs. Marriage*," which I attributed to his pen, I said to myself, "My friend, Mr. James, is certainly coming up on both sides of the same question." But I now stand corrected. This still more recent manifesto defines him with respect to his position, if the position itself proves susceptible of definition. He is a "cordial and enlightened respecter of marriage,"—a champion, indeed, of the institution of marriage,—but at the same time he is in favor of entire freedom of divorce, "provided only the parties guarantee the State against the charge of their offspring." He is surprised that an intelligent man should "see no other security for the faithful union of husband and wife than that which dates from the police office." "By freely legitimating di-

force within the limits of a complete guarantee to society against the support of offspring," you do, according to him, "place the inducement to mutual fidelity no longer in the base legal bondage of the parties merely, but in their reciprocal inward sweetness or humanity."

In affirming all this, it seems to him the while that "he is saying as good a word for marriage as has ever been said beneath the stars." He indignantly repudiates all affiliation of his doctrines with the laxer kind of morality, or the systematic enlargement of marital privileges by certain religious sectarians, whom he scornfully pronounces destitute of common sense, for no better cause, so far as he enables us to discover, than that their views differ from his, and whom, he informs us, he, moved by the divine afflatus, lectured for their "disorderly lives." As Mr. James professes himself ready and apt to instruct the public, and desirous withal to forward "the good time coming" by reforming the abuses of the institution of marriage, I flatter myself that he cannot object to relieving a few doubts and honest difficulties which perplex my understanding of his doctrine upon the subject.

These doubts and difficulties are stated in the following list of queries:

1. What does Mr. J. understand to be the essential and determining element of marriage, the kernel or *sine qua non* of the marriage institution, *after* the complete removal of the characteristic feature of "legal bondage" or "outward force," by the repeal of all laws sanctioning and enforcing it, and after the feature of necessary perpetuity is removed by the entire freedom to end the relation by the will of the parties at any instant? Noah Webster informs us that to *marry* is to "join a man and woman *for life*, and constitute them man and wife according to the *laws and customs* of a nation." Now, any constraint from *custom* is as much an *outward force* as a constraint by *law*, and, in case both these species of constraint are removed, — that is, if the man and woman are joined with no reference to either, but simply with regard to their mutual or individual choice and wishes, the union occurring not for life, but to be dissolved at the option of the parties, — both limbs of the definition are eliminated, reminding one of the oft-quoted expurgation of the tragedy of Hamlet. It seems to me, then, that I am quite in order to call for a new specification of the essentials of matrimony. But I am forgetting that Mr. J. still provides for the ghost of a legal tie, in the bond to be given as a guarantee to society against the support of offspring. This brings me to my second query.

2. Why — if the maintenance of the unswerving constancy of husband and wife can be safely intrusted to the guardianship of "their reciprocal inward sweetness or humanity," with no "base legal bondage" superadded — why may not the care and maintenance of offspring be, with equal safety, intrusted likewise to that same "inward sweetness or humanity," without the superaddition of a "base legal bondage" or "outward force"? If the first of these social relations may with safety not only, but with positive advantage, be discharged of accountability to the police office, why not the second? Why, indeed, be at the trouble and expense of main-

taining a police office at all? Indeed, if I understand Mr. J. rightly, after imposing this limitation upon the absolute freedom of divorce, or, in other words, upon the extinction of legal marriage, — *ex gratia modestia*, perhaps, lest the whole truth might not be fitting to be spoken openly, — he again dispenses with the limitation itself, and delivers the parental relation over to the same securities to which he has previously consigned the conjugal; for I find in a subsequent paragraph of the same article the following sentence: "It is obvious to every honest mind that, if our conjugal, *parental*, and *social ties generally* can be safely discharged of the purely *diabolic* element of *outward force*, they must instantly become transfigured by their own inward divine and irresistible loveliness." Here it is not marriage only, but the maintenance of offspring also, which is to be intrusted to the "inward sweetness or humanity" of the individuals to whom the relation appeals, which seems to me much the more consistent view of the matter, inasmuch as, if the principle is good for anything in one case, it is certainly equally applicable in the other. But here, again, we come back to the point I have made above, — the query whether marriage, discharged of all law, custom, or necessary perpetuity, remains marriage at all? and if so, what is the essential and characteristic element of such marriage? — upon which point I crave further information.

3. If the inception and the dissolution of marriage is to be left to the option of the parties on such grounds as are stated by Mr. J., is the expansion or contraction of the relation also to be abandoned to the altogether private and individual judgment of the same parties in logical deference to the same principle? That is to say, if more than two parties are taken into the conjugal partnership, is that degree of license to be tolerated likewise? or are we still to retain a police office to provide against such cases? We are aware that men have differed in theory and practice in divers ages and nations, — between monogamy and polygamy, for example, — and with all restraints, both of custom and of law, removed, possibly they may differ in like manner again. What, then, is to happen under the new *régime*? Who is to be the standard of proprieties? Is Mr. James's definition of a "disorderly life" to be my definition because it is *his*? If not Mr. James's definition, whose then? *What is the limit up to which Man, simply in virtue of being Man, is entitled, of right, to the exercise of his freedom, without the interference of society, or — which is the same thing — of other individuals?* This last, it seems to me, is about the most weighty question concerning human society ever asked, and one which a man who, like Mr. James, attempts to lead the way in the solution of social difficulties, should be prepared to answer by some broader generalization than any which relates to a single one of the social ties, and by some principle more susceptible of definition than a general reference to humanitarian sentiment. There are some acts which the individual is authorized to do or not to do, at his own option, and in relation to which other individuals have no right to interfere to determine for him whether he shall or shall not do them; as, for example, whether he shall go personally to the post

office or send a boy. There are certain other acts, on the other hand, which the individual cannot do without directly authorizing interference, resistance, or constraint, on the part of others. If a man plant his fist in the features of another, or tweak his nose, I take that to be such an act. What, now, is the clear and definable line which social science, as understood by Mr. James, reveals, as running between these two classes of acts? If that can be discovered, perchance it may settle the marriage question, not singly and alone, but along with every other question of human freedom. Hoping that Mr. J. will consent to enlighten me and others by any knowledge he may have upon the subject, I submit my interrogatories.

STEPHEN PEARL ANDREWS.

III.

MR. GREELEY'S COMMENTS.

Having given place to the essays on Marriage and Divorce by Mr. Henry James, in reply to attacks upon him in the "Observer," we have concluded to extend like hospitality to the queries of Mr. S. P. Andrews, suggested by and relating to the essays of Mr. James. Our own views differ very radically from those of both these gentlemen; but we court rather than decline discussion on the subject, and are satisfied that the temper and tendencies of our times render such discussion eminently desirable, if not vitally necessary. Let us now briefly set forth our own idea of the matter.

This is preëminently an age of Individualism (it would hardly be polite to say Egotism), wherein "the Sovereignty of the Individual"—that is, the right of every one to do pretty nearly as he pleases—is already generally popular, and visibly gaining ground daily. "Why should not A. B., living on our side of the St. Lawrence, and making hats, exchange them freely with C. D., living on the Canada side, and growing wheat, without paying a heavy impost or violating a law?"—"Why should not E. F. lend his money at ten or twenty per cent. to G. H., if the latter is willing to pay that rate, and sees how he can make more by it?"—"Why may not I. J. educate his own children, if he sees fit, and decline paying any School Tax?"—"And why should not John Nokes and Lydia Nokes be at liberty to dissolve their own marriage, if they have no children, or have provided for such as they have, and believe that they may secure happiness in new relations which is unattainable in the present?" These questions all belong to the same school, though the individuals who ask them may be of superficially different creeds or persuasions. They all find their basis and aliment in that idea of Individual Sovereignty which seems to us destructive alike of social and personal well-being.

The general answer to these questions imports that the State does not exist for the advantage and profit of this or that individual, but to secure the highest good of all,—not merely of the present, but of future generations also; and that an act which, in itself, and without reference to its influence as a precedent, might be

deemed innocent, is often rendered exceedingly hurtful and culpable by its relation to other acts externally undistinguishable from it. A hundred cases might be cited in which the happiness of all the parties immediately concerned would be promoted by liberty of divorce; and yet we have not a doubt that such liberty, if recognized and established, would lead to the most flagrant disorders and the most pervading calamities. We insist, then, that the question shall be considered from the social or general rather than the individual standpoint, and that the experience, the judgment, and the instincts of mankind shall be regarded in framing the decision.

Polygamy is not an experiment to be first tried in our day; it is some thousands of years old; its condemnation is inscribed on the tablets of Oriental history; it is manifest in the comparative debasement of Asia and Africa. The liberty of divorce has been recognized by great historians as one main cause of the corruption and downfall of the Roman Empire. The sentiment of chastity becomes ridiculous where a woman is transferred from husband to husband, as caprice or satiety may dictate.

Two persons desire to be joined in Marriage, and invoke the sanction of the State—in other words, the approbation and respect of the community—for their union. The State substantially asks them: "Is there no impediment to such union in the existing engagements of one or both of you?"—"No."—"Does your knowledge of and affection for each other warrant you in promising to love and cherish each other exclusively as husband and wife till death shall part you?"—"Yes."—"Then we pronounce and consecrate you man and wife, and enjoin all persons to honor you as such." And this is marriage, "honorable in all," and always honored accordingly, because it recognizes and provides for the permanent claims of society in the preservation of moral purity and the due maintenance and education of children; while any sexual union unsanctified by the mutual pledge of perpetuity or continuance ever has been and ever must be esteemed ignoble and dishonoring when contrasted with this; for its aims are manifestly selfish and its character undistinguishable from the purely sensual and brutal connections of undisguised lewdness, where no pretence of affection or esteem is set up, and whose sole object is animal gratification. In other words, society, by the institution of indissoluble marriage, exacts of the married the strongest practical guarantee of the purity and truth of their affection, and thereupon draws the broadest possible line of demarcation between them and the vile crew whose aspirations are purely selfish, and whose unions are dissolved, renewed, and varied as versatility or satiety may dictate.

We have no doubt this wise law, while essential to the progress of the race in intelligence and virtue, is eminently conducive to the happiness of individuals. True, there are unhappy marriages, discordant marriages, unions sanctioned by law which lack the soul of marriage,—but these occur, not through any inherent vice

or defect in the institution, but through the levity, rashness, avarice, or overmastering appetite of one or both of the parties, who marry in haste, or from the impulse of unworthy motives, when the law counsels deliberation and demands pure affection. If a general proclamation were issued to-morrow, with the sanction of all our civil and ecclesiastical authorities, authorizing every married couple to obtain a divorce by merely applying for it within two months, and, in default of such asking, to remain undivorced ever afterward, we do not believe one couple in ten would apply for divorce. But let it be understood that marriages would hereafter be sanctioned and honored, binding the parties to regard each other as husband and wife only so long as should be mutually agreeable, and leaving them at perfect liberty to dissolve this tie and form new ones at pleasure, and we believe marriages *would be* contracted and dissolved with a facility and levity now unimagined. Every innocent young maiden would be sought in marriage by those who now plot her ruin without marriage, and the facility of divorce would cover the arts and the designs of the libertine with all the panoply of honorable and pure affection. How many have already fallen victims to the sophistry that the *ceremony* of marriage is of no importance, — the *affection* being the essential matter? How many are every day exposed to this sophistry? Marriage indissoluble may be an imperfect test of honorable and pure affection, — as all things human are imperfect, — but it is the best the State can devise; and its overthrow would result in a general profligacy and corruption such as this country has never known and few of our people can adequately imagine.

We are inflexibly opposed, therefore, to any extension of the privileges of divorce now accorded by our laws; but we are *not* opposed to the discussion of the subject. On the contrary, we deem such discussion vitally necessary and already too long neglected. The free trade sophistry respecting marriage is already on every libertine's tongue; it has overrun the whole country in the yellow-covered literature which is as abundant as the frogs of Egypt and a great deal more pernicious. It is high time that the press, the pulpit, and every other avenue to the public mind, were alive to this subject, presenting, reiterating, and enforcing the argument in favor of the sanctity, integrity, and perpetuity of marriage.

IV.

EXTRACT OF REPLY OF MR. JAMES TO THE OBSERVER.

To Mr. Greeley:

I do not see that Mr. Andrews's queries need detain us. The numerous fallacies and misconceptions on which they are grounded either suggest their own correction to the observant reader or else stand fully corrected in my replies to the "Observer" and yourself. Besides, the entire "indifference" which Mr. Andrews professes as to any possible issue of the discussion between the "Observer" and myself gives a decided shade of impropriety to his interference in it. I value my time and thoughts much too highly to bestow them upon those who can afford to be indifferent to them; and, accordingly, I shall hold myself excused if I confine my attention to yourself and the "Observer."

V.

MR. GREELEY'S COMMENTS.

We do, indeed, believe that most parties are now as happy and contented in their marriage relations as their own natures will allow; because we believe that marriages are now contracted with a very general understanding that they are practically indissoluble; that nothing short of death or the deep demoralization and lasting infamy of one of the parties can ever dissolve them. But let it be understood that marriages may be dissolved whenever the parties are tired of each other,—and we can conceive no essential modification of our present system which will not amount practically to this,—and we believe more false than true marriages would be contracted; because libertines would resort to marriage as a cloak for their lecherous designs, which the legal penalties of bigamy and adultery now compel them to pursue by a more circuitous and less shaded path. Apprise sensualists that they may at any time be rid of the obligations of marriage by simply dishonoring them,—and if Mr. James does not intend this, we cannot understand him,—and thousands would incur those obligations with deliberate intent to throw them off whenever they should be found irksome, as, with their appetites, they are morally certain soon to become. We insist, then, that what Mr. James intends or contemplates may be ever so innocent and practically just without at all discharging his proposition of the responsibility of such use as the carnal and unprincipled would inevitably make of it. And this use we determine by the ruin they are now too often enabled to effect through the influence of the sophism that the *ceremony* of marriage is of no account where the *essential* marriage of heart and soul has already taken place. We determine it also by the demoralization and degeneracy of the Romans, especially the Patricians, following closely on the heels of the liberty of divorce accorded by their laws in the last days of the republic. We find, also, that the most flagrant social disorders were diffused and aggravated in France by the liberty of divorce accorded during the frenzy of the first Revolution. In short, we believe this liberty always did create or immensely inflame such disorders wherever it has been legalized, and we think it always must do so; at least until the human race shall have been very differently trained and developed from aught the world has yet seen. If there ever shall come a time when the whole race shall profoundly realize that lewdness, with all transgression of the laws of God, is a ruin-

ous *mistake*, destructive of the happiness of the transgressor, there will then be no need of human laws or penalties, and they may be dispensed with altogether. But so long as there shall exist a social necessity for interdicting and punishing murder, — which we reckon will be rather longer than either Mr. James's or our writings will continue to be read, — so long we believe there will be a necessity for punishing seduction and adultery and forbidding divorce.

We contend that Mr. James's liberty of divorce, no matter what *his* intent may be, or what hedges he might seek to set about it, would practically open to the licentious and fickle a prospect of ridding themselves of the obligations of marriage at pleasure, — would say to them, "Get married, if that will subserve the ends of today; and you may get unmarried again tomorrow, or as soon as you shall think proper." And we regard Mr. Andrews's queries and well-understood position as most significant and pertinent, pointing, as they do, to a still larger (or looser) liberty than Mr. James contemplates. Once admit divorce on Mr. James's basis, and it will be utterly impossible to confine it within his limits.

Our own conviction and argument decidedly favor "indissoluble marriage," any existing law to the contrary notwithstanding. But for the express words of Christ, which seem to admit adultery as a valid ground of divorce, we should stand distinctly on the Roman Catholic ground of no divorce except by death. As it is, we do not object to divorce for the one flagrant and gross violation of the marriage covenant, though we *should* oppose even *that*, if it did not seem to be upheld by the personal authority of Christ. Beyond it we are inflexible.

VI.

NOTICE BY MR. GREELEY.

We acknowledge the receipt of Mrs. E. OAKES SMITH's promised exposition of her views on the divorce question, which we shall publish soon. But we have had one much longer on hand from Mr. S. P. ANDREWS, which we shall print first, though we consider its doctrines eminently detestable, while Mrs. Smith's conclusions are just, though her way of looking at the question differs somewhat from ours.

The world is full of perilous fallacies and sophisms respecting marriage and divorce, which, we are confident, are mischievous only because they burrow in darkness and are permitted to do their deadly work unopposed. Let them be exposed to the light of discussion, and they will, they *must*, be divested of their baneful power. We hope to do our share toward this consummation.

VII.

MR. ANDREWS' REPLY TO MR. JAMES AND MR. GREELEY.

To the Editor of the New York Tribune:

Mr. James declines answering my questions on the ground that I expressed indifference to the issue of a discussion between him and another party. I did *not* express any indifference to the information which I sought from *him*. By this expert quibble he gracefully waves aside queries to which it is simply impossible for him to reply without committing himself, by inevitable sequence, to conclusions which he seems either not to have the willingness or the courage to avow. It would be cruel to insist any further. So let Mr. James pass. Before doing so, however, since he charges "fallacies and misconceptions" upon *my* article, and refers me obliquely to his replies to the "Observer," permit me to recapitulate the positions at which he has tarried temporarily while boxing the circle of possibilities in that discussion. I quote from Mr. James's various articles on the subject.

Position No. 1. "Marriage means nothing more and nothing less than the *legal union* of one man and one woman for life." "It does not mean the voluntary union of the parties, or their mutual consent to live together *durante placito*" (during pleasure), "but simply a legally or socially imposed obligation to live together *durante vita*" (during life).

That is to say, if I understand, that it is "the base legal bondage," or "outward force," which characterizes the union, and not the internal or spiritual union of loving hearts which constitutes the marriage.

Position No. 2. "It is evident to every honest mind that, if our *conjugal*, parental, and social ties generally can be safely discharged of the purely diabolic element of *outward force*, they must instantly become transfigured by their own inward, divine, and irresistible loveliness." "No doubt there is a very enormous clandestine violation of the marriage bond" [legal bond, of course, as he has defined marriage] "at the present time. . . . The only possible chance for correcting it depends upon fully legitimating divorce. . . . because, in that case, you place the inducement to mutual fidelity no longer in the *base legal bondage* of the parties merely, but in their reciprocal inward sweetness or humanity." "You must know many married partners who, if the marriage institution" [the legal bond] "were

formally abolished tomorrow, would instantly annul that legal abolition again by the unswerving constancy of their hearts and lives." That is, without marriage.

Position No. 3. "I have. . . contended for greater freedom of divorce on these grounds; . . . but I had no idea that I was thus weakening the respect for marriage. I seemed to myself to be plainly strengthening it," etc. "It seemed to me the while that I was saying as good a word for marriage as was ever said beneath the stars."

To resume: These three positions are, if language means any thing, as follows:

1. The whole and sole substance of marriage is the *legal bond* or *outward force* which unites the parties for life.

2. This legal bond or outward force is a diabolical element, and should be wholly abolished and dispensed with.

3. By dispensing with marriage altogether—that is, with all outward form or legal bond—you do thereby strengthen the respect for marriage, and purify and sanctify the institution!

Position No. 4 goes a step further, if possible, in absurdity, and proposes not merely to allow parties to unmarry themselves *ad libitum*, but to still further purify what remains of marriage (after the whole of it is abolished) by turning disorderly members out, as they turn members out of church. See last article, *passim*.

Position No. 5 entreats of the editor of the "Observer" to let him off from the discussion—declines to answer my interrogatories—and, to make a verb of one of his pet substantives, he *cuttle-fishes*, by a final plunge into metaphysical mysticism.

When a writer, claiming distinction as a philosophical essayist, is content to rest his reputation upon a collation of his avowed positions such as the above, culled from his own statements made during the course of a single discussion, he shall not be compelled by any "shade of impropriety" on my part to undertake the distasteful task of disentangling himself from the perplexing *embroglio*.

Dismissing Mr. James, permit me now to pay some attention to your opinions. You, at least, I think, have the *pluck* to stand by your own conclusions, unless you are fairly driven off from them.

You affirm, with great truth, while you deplore it, that this is præeminently an age of "individualism," wherein the "sovereignty of the individual"—that is, "the right of every one to do pretty much as he pleases"—is already generally popular and obviously gaining ground daily. Let us, then, define our positions. If I mistake in assigning you yours, you are quite competent to correct me. You declare yourself a reactionist against this obvious spirit of the age. You take your position in opposition to the drift—I think you will find it the irresistible drift—of that social revolution which you recognize as existing and progressing toward individualism and the sovereignty of the individual. You rightly refer free trade, freedom of the finances, freedom from State systems of religion and education,

and freedom of the love relations, to one and the same principle, and that principle you recognize as the spirit of the age,—the spirit of this, the most progressive and advanced age in the world's history. To this element of progress you put yourself in a hostile attitude. You rightly say that all these varieties of freedom "find their basis and element in that idea of 'individual sovereignty' which seems to us alike destructive of social and personal well-being." I rejoice that you so clearly perceive the breadth and comprehensiveness of that principle, and that all the ruling questions of the day are merely branches of one and the same question,—namely, whether the "sovereignty of the individual," or, what is the same thing, the individual right of self-government, be a true or a false, and consequently whether it be a safe or a dangerous principle. This will greatly narrow the limits of the discussion; besides, it is much pleasanter to reason about general principles with one who is capable of grasping them than to be carried over an ocean of particulars, apparently different, but really belonging to the same category.

This same principle of individual sovereignty, which to you seems destructive alike of social and personal well-being, is to me the profoundest and most valuable and most transcendently important principle of political and social order and individual well-being ever discovered or dreamed of. Now, then, we differ. Here, at the very start, is an illustration of individuality or diversity of opinion, and, growing out of that, of action also. We are both, I believe, equally honest lovers of the well-being of our fellow-men; but we honestly differ, from diversity of organization, intellectual development, past experiences, etc. Who, now, is the legitimate umpire between us? I affirm that there is none in the universe. I assert our essential peerage. I assert the doctrine of non-intervention between individuals precisely as you do, and for the same reasons that you do, between nations, as *the* principle of peace and harmony and good-fellowship. Upon my principle I admit your complete sovereignty to think and act as you choose or must. I claim my own to do likewise. I claim and I admit the right to differ. This is simply the whole of it. No collision, no intervention can occur between us, so long as both act on the principle, and only to prevent intervention when either attempts to enforce his opinions upon the other. How now is it with your principle? You determine, you being judge, that my opinions are immoral, or that the action growing out of them would be injurious to other living individuals, or even to remote posterity. You, as their self-constituted guardian, summon to your aid the majority of the mob, who chance to think more nearly with you than with me for the nonce; you erect this unreflecting mass of half-developed mind, and the power thence resulting, into an abstraction which you call "The State," and, with that power at your back, you suppress me by whatever means are requisite to the end,—public odium, the prison, the gibbet, the hemlock, or the cross. A subsequent age may recognize me as a Socrates or a Christ, and, while they denounce your

conduct with bitterness, never yet discover the falsity of the *principle* upon which you *honestly* acted. They go on themselves to the end of the chapter, repeating the same *method* upon all the men of their day who differ, for good or for evil, from the opinions of that same venerable mob, called "The State." Or, perchance, the mob, and consequently "The State," may be on my side,—if not now, by-and-by,—and then I suppress you. Which, now, of these two, is the principle of *order* in human affairs? That I should judge for you, and you for me, and each summon what power he may to enforce his opinions on the other; or that each begin by admitting the individual-sovereignty of the other—to be exercised by each at his own cost—with no limitation short of actual encroachment?

With what force and beauty and truth does Mr. James assert that "freedom, in any sphere, does not usually beget disorder. He who is the ideal of freedom is also the ideal of order." He seems, indeed, wonderfully endowed by the half-light of intuition to discover the profoundest truths and to clothe them in delightful forms of expression. It is lamentable to see how, when he applies his intellect to deduce their conclusions, they flicker out into obscurity and darkness. *You* see, on the contrary, that this simple statement alone involves the whole doctrine that I have ever asserted of individual sovereignty. Hence the line of argument as between you and me is direct, while with him it leads nowhere. Your positions are intelligible; so, I think, are mine; Mr. James's are such as we find them. I am a democrat. You, though not a despotist consciously, and calling yourself a progressive, are as yet merely a republican; republicanism, when analyzed, coming back to the same thing as despotism,—the arbitrary right of the mob, called the State, over my opinions and private conduct, instead of that of an individual despot. I am no sham democrat. I believe in no government of majorities. The right of self-government means with me the right of every individual to govern himself, or it means nothing. Do not be surprised if I define terms differently from the common understanding. I shall make myself understood nevertheless.

There are in this world two conflicting principles of government. Stripped of all verbiage and all illusion, they are simply: 1, that man is not capable of governing himself, and hence needs *some other man* (or men) to govern him; 2, that man is capable of self-government, potentially, and that, if he be not so actually, he needs more experience in the practice of it, including more evil consequences from failure; that he must learn it for himself, as he learns other things; that he is entitled of right to his own self-government, whether good or bad in the judgment of others, whenever he exercises it at his own cost,—that is, without encroachment upon the equal right of others to govern themselves. This last is the doctrine of the sovereignty of the individual, which you denounce and oppose, and which I defend. It is simply the clear understanding, with its necessary extension and limitations, of the affirmation in the American Declaration of Independence that "all men are entitled to life, liberty, and the pursuit of happiness." The principle

of Protestantism is the same in the religious sphere,—“the right of private judgment in matters of faith and conscience.” Either assertion includes virtually and by direct consequence the whole doctrine of the sovereignty of the individual, or “the right of men to do pretty much as they please.” The right or wrong of this principle, dimly understood heretofore, has been the world’s quarrel for some centuries. Clearly and distinctly understood, with the full length of its reach before men’s eyes, it is to be the world’s quarrel ever hereafter, until it is fairly and finally settled. All men are now again summoned to take sides in the fight, with the new light shed upon the length and breadth of the quarrel, by the development of modern ideas, and especially by Socialism, which you, sir, have done something to foster. Let those who wish to draw back do so now. Hereafter there will be less and less pretext of misunderstanding or incautious committal to the side of freedom.

Still, you are not upon the opposite side in this contest. So far as any guiding principle is concerned, it seems to me that you, in common with the great mass of progressives, or half-way reformers in the world, are simply without *any*—which you are willing to trust. The conservatives are a great deal better off. So far as you adopt a principle at all, it is generally that of this very individual sovereignty, which, nevertheless, you fear in its final carrying out; and hence you join the reaction whenever the principle asserts a new one of its applications. The petty despot and the comfortable *bourgeois*, in Europe, fear, from the same standpoint, in the same manner, just as honestly, and with just as good reason, the freedom of the press.

A liberty which anybody else in the universe has a right to define is *no* liberty for me. A pursuit of happiness which some despot, or some oligarchy, or some tyrannical *majority*, has the power to shape and prescribe for me, is not the pursuit of *my* happiness. Statesmen, politicians, religious dissenters, and reformers, who have hitherto sanctioned the principle of freedom, have not seen its full reach and expansion; hence they become reactionists, conservatives, and “old fogies,” when the whole truth is revealed to them. They find themselves getting more than they bargained for. Nevertheless, the principle, which already imbues the popular mind instinctively, though not as yet intellectually, will not wait their leave for its development, nor stop at their bidding. Hence all middle men, far more than the conservatives, are destined in this age to be exceedingly unhappy.

A mere handful of individuals, along with myself, do now, for the first time in the world, accept and announce the sovereignty of the individual, with all its consequences, as the principle of *order* as well as of liberty and happiness among men, and challenge its acceptance by mankind. The whole world is drifting to our position under the influence of forces too powerful to be resisted, and we have had merely the good or ill fortune to arrive intellectually at the common goal in advance of the multitude. It gives us at least this happiness, that we look with plea-

sure and a sense of entire security upon the on-coming of a revolution which to others is an object of terror and dismay. In our view, the ultra-political Democrat of our day has only half taken his lessons in the rightful expansion of human freedom. He, too, is, relatively to us, an "old foggy." Nor do we trust the safety of the final absence of legislation to any vague notions of the natural goodness of man. We are fully aware that no sum total of good intentions, allowing them to exist, amounts to a guarantee of right action. We trust only to the rigid principles of science, which analyzes the causes of crime and neutralizes the motives which now induce or provoke men to commit it.

You speak in the most hopeless manner of the final removal of murder from the face of the earth. Do you reflect that already among us one-half the crimes of the Old World, or of other countries, are entirely unknown as crimes. Such are *lèse majesté* and *heresy*, the utterance of treason, etc. Thirty hours' ride south of us, the crime which actually shocks the public mind more than any other is negro-stealing. Throughout the Southern States it is pretty much the only crime that is rigorously punished. Here it is unknown, even by name, among the common people. What, now, is the cause of this wonderful phenomenon,—that one-half of the known crimes of the world are actually gone out and extinguished in this the *freest* spot (observe the fact) upon the face of the earth? It is simply this,—that the artificial *institutions* against which these crimes are but the natural protest of oppressed and rebellious humanity have themselves gone out—not, as is thoughtlessly supposed, to be replaced by better institutions, but by the *absence* of institutions—by the natural and untrammelled action of *individuals* in a state of freedom. There is no *lèse majesté*, because there is no institution of majesty to be insulted or offended; there is no heresy, because there is no instituted or established church; there is no verbal treason, because there is so little of government that it seldom provokes resistance, and can afford to wait till the resistance becomes overt; there is no negro-stealing, because there is no institution of slavery; there is no publication of incendiary documents as a crime, because there is no *institution* so conscious of its own insecurity as to construe freedom of the press into a crime; there will be no seduction, and no bigamy, and no adultery, when there is no *legal* or forceful institution of marriage to defend, when woman is recognized as *belonging* to herself and not to a husband, when she is expected simply to be *true to herself* and not to *any man*, except so far as such fidelity results from fidelity to herself as the prior condition, of which *she alone* of all human beings is a competent judge; and when, by the principle of "commercial equity," which, thanks to the same science of society, is now known in the world, woman shall be placed upon a footing of entire pecuniary independence of man and installed in the actual *possession*, as well as admitted to the *right*, of being an *individual*.

There is already far less murder among us than elsewhere in the world, because there are less *institutions* to be offended against. With still less institutions there

will be still less murder, and, with the addition of equitable relations between capital and labor, there will be none. Crime is just as much a matter of cultivation as potatoes. The way to produce it and the way to prevent it is a matter of science, just as much as any chemical process. Chemical processes go on and fail to go on in nature without our knowledge, but we *can* learn them and hasten or prevent them. Crime springs solely from two causes. 1. The existence of arbitrary institutions, and the ignorant and false ideas in men's minds growing out of our relation to those institutions, whereby acts are construed to be crimes, which, by the institutes of natural law, are no crimes; and, 2. The denial of equity, growing out of ignorance of the scientific principle of equity, and out of the want of sufficient intelligence and expansion of the intellect to enable men to see that their interests lie in adopting and acting upon that principle, when known. In other words, out of the denial of the sovereignty of the individual in all things, and out of a false or unscientific commercial system.

I see clearly, and even sympathize with, while I do not partake of, the fears of the conservative and half-way progressive, from the growth of the sovereignty of the individual. Still further, I recognize that evils and disorderly conduct grow out of its growth, when unattended, as it is hitherto, by "equity" in the distribution of the burdens and benefits of life. But I see just as clearly that the remedy for those evils does not lie in the direction of repression or forcible constraint, but in the acceptance and addition of an entirely new principle of order; not in going backward to a system which has been tried, and disastrously failed, for thousands of years, but in going forward to the discovery and application of a new and efficacious system.

You expressly acknowledge, you can not but acknowledge, that marriage does not work well for all the parties concerned, — only for some of them; and the first must be content to sacrifice their life-long happiness and well-being for the good of the others. No such system will ever content the world, nor ever should. It does not meet the wants of man. Your line of reasoning is after the old sort, — that the State exists not for the good of this or that individual, but for the good of all, when you begin by admitting that the good of all is not secured. You are, of course, aware that this is the argument of every despot and despotism in the world, under which the liberties of mankind have always been stolen. The argument is the same, and just as good, in the mouth of Louis Napoleon as it is in yours. It is just as good as a reason for depriving me of the freedom of the press, as it is when urged as a reason for depriving me of freedom in the most sacred affections of the heart. The most stupendous mistake that this world of ours has ever made is that of erecting an abstraction, the State, the Church, Public Morality according to some accepted standard, or some other ideal thing, into a real personality, and making it paramount to the will and happiness of the individual.

So much for principles. Now, then, there is another thing in the world which

is called expediency, which is just as right and just as good a thing, in its place, as principle. Principle indicates the true and right toward which we are to aim, and which we are finally to attain; expediency, what we are to do provisionally, or as the next best thing, in the midst of the wrong by which we are surrounded, while working to vindicate principle, or to secure the final right. If your tariff doctrines, for example, and other repressive measures, were put fairly on the basis of expediency, or present exigency, and admitted to be wrong in principle, evils themselves, to be zealously overthrown as soon as practicable, I might go a great way along with you. Extremes meet. Ultra and intelligent radicalism has many points of relationship to rigid conservatism. Its surface action is often just the reverse of its deeper and more persistent movement. You certainly do not mean to assert that free trade is a wrong thing in itself; that it is a breach of one of nature's laws, a thing to be feared and defended against, if the whole world were dealing fairly and honestly in the reward of labor and in their interchanges with each other. You mean that, because the European capitalist deals with his laborer upon such terms as render him a pauper, American laborers are compelled, by *their* wrong, to resort to another wrong, and refuse to buy those starvation products, in order to protect their own labor from the same depression through the medium of competition. They are compelled by the wrong of others to deprive themselves of one right, as an expediency, to secure themselves in the possession of another right. Hence you are found defending a tariff on the ground that it is the most speedy avenue to free trade with safety,—free trade and safety being both goods to be sought after and attained.

So, again, you do not and can not mean that the time is *never* to come when woman shall possess the freedom to bestow herself according to the dictates of her own affections, wholly apart from the mercenary considerations of shelter, and food, and raiment, and to choose freely at all times the father of her own child. You do not, *of course*, mean that the free play and full development and varied experience of the affections is intrinsically a bad thing, any more than the development of the bodily strength or of the intellect; but only that it is bad relatively to the present depressed and dependent condition of the woman; just as intellectual development is a misfortune to the slave, only tending to render him unhappy until the final period approaches for his emancipation. You certainly do not believe that human society, in the highest state of well-being it is destined to attain, is ever to be attended by an army of martyrs, who must sacrifice their own highest happiness and "the highest happiness of all the parties immediately concerned" to the security and well-being of somebody else remotely interested.

Do you, or do you not, then, advocate restrictions upon the exercise of the affections as you do the tariff,—merely as a means of arriving the more speedily at complete "free trade"?

Dismiss, I entreat you, all your fears of the sovereignty of the individual. Cher-

ish it rather as the glorious realization of the golden age of the future. Instead of whitewashing repression and reaction and martyrdom, and holding them up as things to admire and love and fight for, resort to them, if you must, as the unlovely expedients of the bad ages that are past or passing away. Fight for and defend, if you so judge right, as present necessities of the times, the censorship of the press, the police organization of domestic spies upon word and act, the passport system, tariffs, prohibition of divorce, laws regulating the affections of men and women, Maine liquor laws, and the whole system of arbitrary constraint upon individual freedom; but cherish in your heart, nay, proclaim openly, as the ideal, not of a remote, uncertain, and fanciful utopia, but of the imminent, of the actually dawning future, freedom of the press, freedom of speech, freedom of locomotion, free trade, freedom of intellectual inquiry, and freedom of the affections. Defend your restrictions upon the only ground upon which they are tolerable,—namely, that a temporary enforced order is only the more direct road to the more perfect order of complete freedom. Pursue that road, or any road which in your judgment will bring you fastest and farthest toward universal freedom, or the sovereignty of the individual,—not rashly but surely, not inexpediently but expediently, not dangerously but safely and wisely and well. It is this freedom which the whole world aspires after. It is the dream of universal humanity, whether men or women. It is the goal of all reformation, and the most sublime and the most beautiful hope of the world.

You refer to my position on the marriage question as well understood. Unfortunately it is not so, and can not be so, if that question is considered by itself. I *have* no special doctrine on the subject of marriage. I regard marriage as being neither better nor worse than all other of the arbitrary and artificial institutions of society,—contrivances to regulate nature instead of studying her laws. I ask for the complete emancipation and self-ownership of woman, simply as I ask the same for man. The “woman’s rights women” simply mean this, or do not yet know what they mean. So of Mr. James. So of all reformers. The “Observer” is logical, shrewd, and correct when it affirms that the whole body of reformers tend the same way and bring up sooner or later against the legal or prevalent theological idea of marriage. It is not, however, from any special hostility to that institution, but from a growing consciousness of an underlying principle, the inspiring soul of the activities of the present age,—the sovereignty of the individual. The lesson has to be learned that order, combining with freedom and ultimating in harmony, is to be the work of science, and not of arbitrary legislation and criminal codes. Let the day come!

STEPHEN PEARL ANDREWS.

VIII.

MR. GREELEY'S REPLY TO THE FOREGOING.

Mr. S. P. Andrews:

Let me begin by setting you right respecting my position on a point where you expressly invite, if not challenge, correction. I never indicated "freedom from State systems of *religion*" as one of the impulses of our time against which I take my stand. I think you never understood me to do so. Nor do I regard the strong tendency of our time to wild, ultra individualism as an element of any progress but that made by Eve at the serpent's suggestion, Sodom just previous to Lot's escape from it, Rome just before its liberties were destroyed by Cæsar, and others in like circumstances. Admit the legitimacy of egotism, or the selfish pursuit of happiness by each individual, and a government of despotism seems to me a logical and practical necessity. Had the Pilgrim Fathers of American liberty cherished your ideas of the sovereignty of the individual, I have no shadow of doubt that their children would, long ere this, have passed under the yoke of a despotism as rigorous as that of Nicholas or Louis Napoleon. They founded liberty because they taught and practised self-denial,—the subordination of the individual will and pleasure to the will of God (or, if you please, the common weal),—and thus only, in my judgment, can liberty ever be founded and perpetuated.

You totally mistake in attributing to me the assertion of the principle of non-intervention between nations as the principle of peace and harmony. On the contrary, I deplore the absence of competent tribunals to adjudicate questions of international difference, and believe all peaceful, just nations should promptly combine to establish such tribunals. Had such existed in 1846, we must have been spared the waste and the butchery, the guilt and the shame, of our bloody foray on Mexico. How readily all the intrigues and agitations of our day respecting Cuba would be settled by a just international supreme court! So far from rejoicing or acquiescing in its absence, I deplore that circumstance as the great scandal and calamity of Christendom.

The State is to me something other and more than a mob, because I believe that, since justice is all men's true and permanent interest, the heat of passion or the lust of gain, which too often blind men to the iniquity of their own personal acts, are far less potent in their influence on those same men's judgment of the acts of

others. I believe, for instance, there are two men in the State of New York who are personally licentious for every one who would gladly see libertinism shielded and favored by law. Men who roll vice as a sweet morsel under their tongues are yet desirous that virtue shall be generally prevalent, and that their own children shall be trained to love and practise it. I do, therefore, appeal to "the State," or the deliberate judgment of the community, to arbitrate between us, believing that the State properly exists as a "terror to evil-doers and a praise to them that do well," and that it not only does, but should, judge and deal with offenders against sexual purity and the public well-being. I think it ought to "suppress," not the expression of your opinions, but such action as they tend to clothe with impunity; and so far from deprecating their contingent suppression of *me*, should ever your principles gain the ascendancy, I prefer to be suppressed, for I would not choose longer to live.

As to the harmonizing of freedom with order, I, too, desire and anticipate it, but not through the removal of all restraints on vicious appetite. On the contrary, I expect and labor for its realization through the diffusion of light and truth with regard to our own natures, organizations, purposes, and that divine law which overrules and irradiates them all. In other words, I look for the harmonizing of desire with duty, not through the blotting out of the latter, but through the chastening, renovating, and purifying of the former.

As to the right of self-government, there is no such radical difference between us as you assert. You, as well as I, find a large class of men who are NOT capable of self-government; for you acquiesce in the imposition of restraint upon the lunatic, thief, burglar, counterfeiter, forger, maimer, and murderer. Where is *their* "inalienable right to life, liberty, and the pursuit of happiness"? Ah! you say, "These men are depredators on the equal rights of others." "Very well," I reply, "so are the seducer, adulterer, gambler, and dispenser of alcoholic beverages." Who would not rather have his property wrested from him by robbery than his children enticed into dens of infamy and there debauched and corrupted? Where is the man who does not feel and know that the seducer of his innocent daughter — perhaps a mere child of fifteen — is a blacker villain, and more deserving of punishment (no matter for what end you apply it), than any street rowdy or thief? When you invoke "the sovereignty of the individual" to shield that villain from the law's terrors, you do what no uncorrupted conscience can calmly justify.

As you seem unable to discern the *principles* which underlie my position on this subject, let me briefly state them. 1. Man has no moral right to do wrong. 2. The State ought to forbid and repress all acts which tend, in their natural consequences, or through the principles they involve, to corrupt the morals of the community, and so increase the sum of human degradation and wretchedness. 3. It is wiser, humaner, every way preferable, that crimes should be *prevented* than that

they should be *punished*. 4. The great mass of criminals and public pests among us began their downward courses by gambling, tippling, or lewdness; and these are almost uniformly the initial steps to a career of outlawry, depravity, and flagrant crime. 5. Sexual love was implanted in man by his creator expressly that the race should be perpetuated, — not merely brought into existence, but properly nurtured, protected, guided, and educated. All sexual relations that do not contemplate and conform to these ends are sinful and at war with the highest good of humanity. 6. The commandment from Sinai, "Thou shalt not commit adultery," is a part of the natural or moral law, contemplating and forbidding every form of sexual relation except the union for life of one man with one woman, in obedience to the divine end above indicated. 7. Hence (not because of the law given by Moses, but in accordance with the same perception of moral fitness or necessity) the State honors and blesses marriage (which is such union and none other), and frowns upon all other sexual relations.

It is nonsense, Mr. Andrews, to talk of your notion of individual sovereignty as a new discovery, and of our antagonist views as moss-grown. From the remotest heathen antiquity nearly every savage or barbarous people has acted far nearer to your principles than to ours. Polygamy, divorce at pleasure, and still wider licentiousness are all nearly as old as sin, and have very generally gone unwhipped of human justice. It is *our* doctrine — that crime should be dealt with in the egg, and not suffer the vulture to attain his full growth; that it is better to prevent than punish — that is relatively novel, with its Maine laws, anti-gambling laws, penalties for seduction, etc. The tendency, so obvious in our day, to revolt against all legal impediments to the amplest sensual indulgence is a reaction against this, which is destined to give us trouble for a time, but I have no fear that it will ultimately prevail.

You deem me hopeless of the eradication of murder, and argue that, as we in New York have now no such offences as *lèse majesté*, heresy, spoken treason, negro-stealing, etc., so we may (thus runs your logic) get rid of murder in like manner by no longer visiting it with a penalty or regarding it as a crime. I am not sure of the efficacy of this remedy. I have read with some care De Quincey's "Papers on murder considered as one of the fine arts," and, while I have certainly been enlightened by them as to the more poetical aspects of human butchery, I do not feel that my personal objections to being knocked down with a slung-shot or paving-stone, dragged up some blind alley, and there finished, have been materially softened by his magnificent rhetoric. I still think murderers unsafe persons to go at large, — and so of seducers and adulterers. I think they would do the commonwealth more good and less harm engaged at Sing-Sing than abroad in New York.

You tell me, indeed, that "there will be no seduction, no bigamy, and no adultery when there is no *legal* and forceful institution of marriage to defend." I think I understand you. You mean that, if the legal inhibitions and penalties

now levelled at the acts thus designated be abolished, they will no longer be found in the catalogue of offences; but you *do not* mean, as your whole essay clearly shows, that no such acts as are now known by those names will be committed. On the contrary, you glory in the belief that they will be far more abundant than they now are. In other words, you believe that the acts known to our law as seduction, bigamy, and adultery *ought* to be committed and *ought not* to be repressed, — that they outrage no law of nature or morality, but only certain arbitrary and ignorant human interdicts.

I hold exactly the contrary, — that these are acts which God and all good men must reprobate, though the law of the land had never named them. I hold the systematic seducer to be the vilest wolf ever let loose to prey on innocence and purity, and one who offends far more flagrantly against the natural or divine law than any thief or burglar. So of the bigamist, whose crime is generally perpetrated through the most atrocious deceit and perfidy. So of the adulterer — I take up a paper now before me, and read in a Philadelphia letter as follows:

Celestin William, a Polish Catholic priest, eloped from this city some days since with a married woman. It is believed they have gone West.

Henry Schriver eloped from this city last week with the wife of a neighbor, leaving behind a wife and several children.

Here are four persons, all of whom have deliberately broken the most solemn vows heaven was ever invoked to witness, three of whom have deceived and betrayed those to whom they had sworn fidelity in the most important and intimate relation of life, one, at least, of whom has deserted the children he was bound by every tie of nature and duty to support and educate in the ways of wisdom and virtue, yet all throwing themselves on their individual sovereignty and trampling on every dictate of duty in subserviency to their own selfish lusts; and what would your doctrine do with them? Nothing, but save them the expense of running away. They might have taken respectively the next house to that they deserted, and there flaunted their infidelity and lechery in the eyes of the partners they had perfidiously deserted, the children they had abandoned. I cannot think this an improvement. On the contrary, so long as men and women *will* be thus unprincipled and lecherous, I am glad that the law imposes on them, at least, the tribute to public decency of running away.

And this reminds me of the kindred case of two persons in Nantucket who have advertised in the newspapers that they have formed a matrimonial connection for life, or *as long as they can agree*; adding that they consider this partnership exclusively their own affair, in which nobody else has any concern. I am glad they have the grace not to make the State a party to any such arrangement as this. But *true marriage* — the union of one man with one woman for life, in holy obedience to the law and purpose of God, and for the rearing up of pure, virtuous, and modest sons and daughters to the State — is a union so radically different from

this that I trust the Nantucket couple will not claim, or that, at all events, their neighbors will not concede to their selfish, shameful alliance, the honorable appellation of marriage. Let us, at least, "hold fast the form of sound words."

I do not care to follow you over a wide area which has no necessary connection with our theme. Suffice it that I regard free trade as neither right nor wrong, good nor bad, in itself, but only in view of its practical issues. It is *always* bad when it tends to throw workers out of employment or diminish the scanty rewards of labor. When the social and industrial condition of the various peoples shall have been so equalized that there will be no temptation to undersell and supplant the industry of one nation with the cheaper products of another, then absolute free trade may work well; but the mere equalization of wages is but one among several conditions precedent to healthful freedom from imposts. The cotton manufactures of India were ruined, and the manufacturers starved, by the far *better* paid labor of England, aided by vastly superior machinery. A wise, paternal Indian government would have prohibited the British cottons until the British machinery could have been somehow secured and set sufficiently to work. Thus efficient protection would have opened the speediest way to beneficent free trade; and so in other cases. But understand me to believe and hold that what you commend as "the free play and full development and varied experience of the *affections*!!" is not and never can be a good thing, but will remain to the end of the world a most revolting and diabolic perversion of powers divinely given us, for beneficent and lofty ends, to the base uses of selfish and sensual appetite,—to uses whereof the consistent development and logical expression are exhibited in the harlot and the b'ho'y.

It is very clear, then, Mr. Andrews, that your path and mine will never meet. Your socialism seems to be synonymous with egotism; mine, on the contrary, contemplates and requires the subjection of individual desire and gratification to the highest good of the community, of the personal to the universal, the temporary to the everlasting. I utterly abhor what you term "the right of woman to choose the father of her own child,"—meaning her right to choose a dozen fathers for so many different children,—seeing that it conflicts directly and fatally with the paramount right of each child, through minority, to protection, guardianship, and intimate daily counsel and training from both parents.* Your sovereignty of the

* In re-reading my reply, which follows, I perceive that I have made no specific answer to this position. I have only space now to say that, if, *upon principle*, "the State" can rightly interfere with parents to prevent them from making their own arrangements for rearing their offspring—namely, to carry on their education jointly, assign it to one of the partners, or to a third person—in order "to secure to each child, through minority, the protection, guardianship, and intimate daily counsel and training of both parents"; that, if the State can rightly interfere, and ought to interfere, to prevent the separation of parents on such grounds at all,—then it can also and ought to pass laws to prevent fathers, during the minority of a child, from going to sea, or to a foreign country, as his business interests may dictate, and generally from being absent more than twenty-four hours, or being caught

individual is in palpable collision with the purity of society and the sovereignty of God.* It renders the family a smoke-wreath which the next puff of air may dissipate,—a series of “dissolving views,” wherein “Honor thy father” would be a command impossible to obey,—nor, indeed, can I perceive how the father, under your system, would deserve honor at the hands of his child. In such a bestial pandemonium as that system would inevitably create, I could not choose to live. So long as those who think as I do are the majority in this country, the practitioners on your principles will be dealt with by law like other malefactors; and, if ever your disciples shall gain the ascendancy, we will go hence to some land where mothers are not necessarily wantons, love is not lust, and the selfish pursuit of sensual gratification is not dignified with the honors due to wisdom and virtue.

more than thirty miles from home. The principle, as a principle, is just as good in one case as the other.

The *fact* is that, in nine cases out of ten, children had much better be reared by somebody else than by either one or both of the parents,—in many cases, by almost anybody else. I have yet to learn on principle or by observation that the mere capacity to beget children is any sufficient certificate of competency to rear them properly. — *S. P. A.*

* This point also requires an answer, which is, simply, that I claim the right for each individual for himself to judge of the purity of society and the sovereignty of God, instead of taking Mr. Greeley's decision on the subject as final. Such is the sovereignty of the individual. — *S. P. A.*

IX.

MR. JAMES'S REPLY.

To the Editor of the New York Tribune:

I declined controversy with your correspondent, Mr. S. P. Andrews, not because of any personal disrespect for him, but chiefly for the reason stated at the time,—that his objections to my views of divorce were trivial, fallacious, and disingenuous. I may now further say that his general opinions on the subject in discussion between the "Observer" and myself did not, besides, seem to me of sufficient weight to invite a public refutation. I may have been mistaken, but such was, and such continues to be, my conviction. It is, accordingly, more amusing than distressing to observe that your correspondent's vanity has converted what was simply indifference on my part into dread of his vast abilities. But lest any of your readers should partake this delusion, let me say a few words in vindication of my conviction.

We all know that marriage is the union, legally ratified, of one man with one woman for life. And we all know, moreover, that many of the subjects of this union find themselves in very unhappy relations to each other, and are guilty of reciprocal infidelities and barbarities in consequence, which keep society in a perpetual commotion. Now, in speaking of these infidelities and barbarities, I have always said that they appeared to me entirely curable by enlarging the grounds of divorce. For, holding, as I do, that the human heart is the destined home of constancy and every courteous affection, I cannot but believe that it will abound in these fruits precisely as it becomes practically honored, or left to its own cultivated instincts. Thus I have insisted that, if you allowed two persons who were badly assorted to separate upon their joint application to the State for leave, and upon giving due securities for the maintenance of their offspring, you would be actually taking away one great, existing stimulant to conjugal inconstancy, and giving this very couple the most powerful of all motives to renewed affection. For, unquestionably, every one admits that he does not cheerfully obey compulsion, but, on the contrary, evades it at every opportunity; and it is matter of daily observation that no mere legal bondage secures conjugal fidelity where mutual love and respect are wanting between the parties. You instinctively feel also that a conjugal fidelity which *should* obey that motive chiefly would be a reproach to the

name. You feel that all man's relations to his fellows, and especially to woman, should be baptized from above, or acknowledge an ideal sanction before all things, and that where this sanction is absent, consequently the relation is either strictly infantile or else inhuman. In respect to this higher sanction and bond of conjugal fidelity, you call the legal bond inferior or base. As serving and promoting the former, one deems the latter excellent and honorable; but as ceasing any longer to do so, you deem it low and bestial. Now, I have simply insisted that the legal sanctions of marriage should, by a due enlargement of the grounds of divorce, be kept strictly subservient and ministerial to the higher or spiritual sanction, having, for my own part, not the shadow of a doubt that, in that case, constancy would speedily avouch itself the *law* of the conjugal relation, instead of, as now, the rare exception.

In this state of things your correspondent appears on the scene, professing, amid many other small insolences and puerile affectations, not to be "cruel" to me, and yet betraying so crude an apprehension of the discussion into which he is ambitious to thrust himself that he actually confounds my denunciation of base and unworthy motives in marriage with a denunciation of the marriage institution itself! I have simply and uniformly said that the man who fulfils the duties of his conjugal relation from no tenderer or humaner ground than the law, whose penalties secure him immunity in the enjoyment of that relation, proves himself the subject of a base legal or outward slavery merely, instead of a noble and refining sentiment. And hereupon your sagacious and alarming correspondent cries out that I resolve "the whole and sole substance of marriage into a legal bond or outward force, which is diabolical and should be wholly abolished and dispensed with." Surely your correspondent must admit that, when a man and woman invoke the sanction of society to their union, neither they nor any one else look upon society's action in the premises as a constraint, as a compulsion. Why? Because society is doing the precise thing they want it to do. With united hearts they beg of society to sanction their union, and society does so. Your correspondent can not accordingly be so dull as to look upon society's initiatory action as compulsory? The marriage partners, at this period, are united by affection, and they deride the conception of a compulsory union. But, now, suppose that this affection, from whatever cause, has ceased, while the legal sanction of their union remains unchanged; can not your correspondent understand that the tie which now binds them might seem, in comparison with the pure and elevated one which had lapsed, "a base legal bondage, a mere outward force"? If he can not, let me give him an illustration exactly to the point. I find a piece of private property, say a purse of money, which the law, under certain penalties, forbids me to appropriate. Out of regard to these penalties purely, and from no sentiment of justice or manliness, I restore it to the owner. Hereupon my spiritual adviser, while approving my act, denounces the motive of it as derogatory to true manhood, which would

have restored the purse from the sheer delight of doing a right thing, or, what is equivalent, the sheer loathing of doing a dirty one. What, now, would your correspondent think of a verdant gentleman who, in this state of things, should charge my adviser "with destroying the institution of private property, with resolving it into a base legal bondage, and dooming it to an incontinent abolition"? Would he not think that this verdant gentleman's interference had been slightly superfluous? But whatever he thinks, one thing is clear, which is that the realm of logic will not for a moment tolerate your correspondent's notion of "Individual Sovereignty." Whoso violates the canons of this despotic realm by the exhibition of any private sovereignty finds himself instantly relegated by an inflexible Nemesis, and in spite of any amount of sonorous self-complacency, back to the disjected sphere which he is qualified to adorn, and from which he has meanwhile unhand-somely absconded.

I am sure that it is only this foolish notion of the "Sovereignty of the Individual" which obscures your correspondent's mother-wit. I call the notion foolish, because, as I find it here propounded, it is uncommonly foolish. As well as I can master its contents, it runs thus: That every man has a right to do as he pleases, provided he will accept the consequences of so doing. The proposition is strikingly true, although it is anything but new. Thus you are at liberty, and have been so since the foundation of the world, to eat green apples, provided you will accept a consequent colic without wincing. Or you are at liberty to prostitute, by dishonest arts, your neighbor's daughter, provided you are willing to encounter for so doing the scorn of every honest nature. Or the thief is at liberty to steal, provided he will bear the consequences of doing so; and the liar to lie, provided he will accept the consequences of lying. All these are instances of "Individual Sovereignty." They illustrate the doctrine more than they commend it. For, while no rogue ever doubted his perfect freedom to swindle, on condition of his accepting its consequences, I take it that no rogue was ever such a goose as to view that condition itself as a satisfactory exhibition of his sovereignty. As a general thing, rogues are a shrewd folk, and I suspect you would canvass all Sing-Sing before you would light upon a genius so original as to regard his four irrefragable walls as so many arguments of his individual sovereignty.

To think of a preposterous "handful of men" in the nineteenth century of the Christian era "accepting and announcing for the first time in the world"—and no doubt also for the last—"the sovereignty of the individual, with all its consequences"—however disorderly, of course—"as the principle of *order* as well as of liberty and happiness among men"! Was ever a more signal proof given of the incompetency of democracy as a constructive principle than that afforded by this conceited handful of fanatics? They are doubtless more or less men of intelligence, and yet they mistake the purely disorganizing ministries of democracy for so many positive results, for so much scientific construction, and identify the

reign of universal order and liberty with the very dissolution of morals and the promulgation of abject license! In the discolored corpse they see only the blooming hues of life, and in the most pungent evidences of corruption recognize the flavor of immortality. Your correspondent professes to admire "pluck," but it seems to me that the "pluck" which takes a man blindly over a precipice and leaves him crowing at the bottom over an undamaged scone and an unperturbed philosophy necessarily implies the usual accompaniment of sheep's-head also.

Your correspondent kindly applauds an observation of mine to the effect that "freedom is one with order"; and I infer from the general tenor of his letter that I have hitherto enjoyed a *quasi* patronage at his hands. Now, I will not affect an indifference, which I by no means feel, to the favorable estimation of your correspondent, or any other well-disposed person, but I am incapable of purchasing that advantage at the expense of truth. It would doubtless greatly suit your correspondent if, when I say "freedom is one with order," I should also add, "and order is one with license," but I really cannot gratify him in this particular. Somehow, as he himself naively phrases it, when I "apply my intellect to deduce that conclusion, it flickers out into obscurity and darkness." Rather let me say, it reddens into a lurid and damnable falsehood. I can not, therefore, regret the withdrawal of a patronage of which I have been both unworthy and unconscious. I can not reduce my brain to mud, were my reward to be the approbation even of a much more penary "handful" of individual sovereignties than that represented by your correspondent is ever likely to grow.

For my own part, Mr. Editor, I can conceive of no "individual sovereignty" which precedes a man's perfect adjustment to nature and society. I have uniformly viewed man as under a threefold subjection, first to nature, then to society, and finally to God. His appetites and his sensuous understanding relate him to nature; his passions and his rational understanding relate him to society or his fellow-man; and his ideas relate him to God. Now, as to the first two of these spheres, man's subjection is obviously absolute. If, for example, he indulge his *appetites* capriciously or beyond a certain limit, he pays a penalty, whatever be his alleged "sovereignty." And if he indulge his *passions* beyond the limit prescribed by the interests of society, he pays an inevitable penalty in that case also, however sublime and beautiful his private pretensions may be. To talk of man's sovereignty, therefore, in either a physical or moral point of view, save as exerted in the obedience of physical and moral limitations, is transparent nonsense. And even regarded as so exerted, the nonsense is scarcely more opaque. For what kind of sovereignty is that which is known only by its limitations, which is exercised only in subjection to something else? There are, indeed, indisputable sovereigns without any territorial qualifications, but their titles are allowed only because they are men of diseased faculties, whom one would be unwilling to rob of a soothing illusion.

What, then, is the sphere of human freedom, of human sovereignty? It is the sphere of ideas, the sphere of man's subjection to God. As ideas are infinite, as they admit no contrast or oppugnancy, as they are *perfectly* good, and true, and beautiful, so, of course, the more unlimited a man's subjection to them becomes, the more unlimited becomes his freedom or sovereignty. He who obeys his appetites merely finds himself speedily betrayed by the inflexible laws of nature to disease and death. He who obeys his passions merely finds himself betrayed by the inflexible laws of society to shame and seclusion. But he who obeys ideas, he who gives himself up to the guidance of infinite goodness, truth, and beauty, encounters no limitation at the hands either of nature or society, and, instead of disease and shame, plucks only the fruits of health and immortal honor. For it constitutes the express and inscrutable perfection of the divine life that he who yields himself with least reserve to that most realizes life in himself; even as He who best knew its depths mystically said, *Whoso will lose his life temporarily shall find it eternally, and whoso will save it shall lose it.*

But the indispensable condition of one's realizing freedom or sovereignty in this sphere is that he be previously in complete accord with nature and society, with his own body and his fellow-man. Because so long as a man's physical subsistence is insecure, and the respect of his fellow-men unattained, it is evident that his highest instincts, or his ideas of goodness and truth, can receive no direct, but only a negative obedience. His daily bread is still uncertain, and the social position of himself and family completely unachieved; these ends consequently claim all his direct or spontaneous activity, and he meanwhile confesses himself the abject vassal of nature and society. In this state of things, of course, or while he remains in this vassalage,—while his whole soul is intent upon purely finite ends,—the ideal sphere, the sphere of infinitude or perfection, remains wholly shut up, or else only faintly imaged to him in the symbols of a sensuous theology. I say "of course," for how can the infantile imagination of man, instructed as yet only by the senses, receive any idea of a good which is infinite? It necessarily views the infinite as only an indefinite extension of the finite, and accordingly swamps the divine life—swamps the entire realm of spiritual being—in gross materiality.

No man accordingly can realize the true freedom he has in God, until, by the advance of society, or, what is the same thing, the growing spiritual culture of the race, he be delivered from the *bondage* of appetite and passion. A's appetites and passions are as strong under repression as B's. Why does he not yield them the same ready obedience? It is because society has placed A above their dominion by giving him all the resources of spiritual culture and bringing him accordingly under the influence of infinite ideas; under the direct inspirations of God. The sentiment of unity he experiences with God involves that also of his unity with nature and society, and his obedience to appetite, therefore, can never run into vice, nor his indulgence of passion into crime. In short, the inexpugnable condi-

tion of his every action is that it involve no degradation to his own body and no detriment to his fellow-man. Now, what society has done for A it has yet to do for B and the entire alphabet of its members. When it has brought them into perfect fellowship with each other, or made duty and interest exactly reciprocal, then every man will be free to do as he pleases, because his appetites and passions, receiving their due and normal satisfaction, will no longer grow infuriate from starvation, nor consequently permit the loathsome and morbid displays they now yield. I will not say any such stupidity as that man will then "be free to do as he pleases, provided he will take the consequences"; for in a true fellowship of mankind no action of any member can possibly beget evil consequences, either to himself or others, since the universal practical reconciliation of interest with duty will always make it his pleasure to do only what is noble and undefiled. A freedom which consists in taking the consequences of one's actions, when one's actions are not at the same time perfectly regulated by a scientific society or fellowship among men, is such a freedom as men may enjoy in hell, where might makes right and insensibility constitutes virtue. But I incline to think that hell, with its fashions, is dying out of human respect every day, and that society is continually approximating that contrary state in which a man's power will accurately reflect the measure of his humanitarian worth, or, what is the same thing, his elevation be strictly proportionate to his humility.

Your correspondent, very consistently, exhibits a sovereign contempt for society, and calls the State a "mob"; and this judgment gives you a fair insight into his extreme superficiality of observation. Irresponsible *governments*, or those which do not studiously obey the expanding needs of society, are doubtless entitled to hearty contempt. Their day, indeed, is over, and nothing remains in the sight of all men but to give them a decent interment. But *society* never decays. It increases in vigor with the ages. It is, in fact, the advance of society among men, the strengthening of the sentiment of fellowship or equality in the human bosom, which is chiefly uprooting arbitrary governments. It is because man is now beginning to feel, as he never felt before, his social omnipotence, or the boundless succor, both material and spiritual, which the fellowship of his kind insures him, that he is looking away from governments and from whatsoever external patronage, and finding true help at last in himself. Accordingly, if there is any hope which now more than another brightens the eye of intelligent persons, it is the immense social promise opened up to them by every discovery in the arts and every new generalization of science. Society is the sole direct beneficiary of the arts and sciences, and the individual man becomes a partaker of their bounties only by his identification with it. Thus the best aspiration of the individual mind is bound up with the progress of society. Only as society ripens, only as a fellowship so sacred obtains between man and man, as that each shall spontaneously do unto the other as he would have the other do to himself, will the true development of individual

character and destiny be possible. Because the very unity of man's creative source forbids that one of its creatures shall be strong, except by the strength of all the rest.

Yours truly,

HENRY JAMES.

NEW YORK, JANUARY 29.

X.

MR. ANDREWS'S REPLY TO MR. GREELEY.

[Rejected by The Tribune.]

Horace Greeley:

I might insist that leading positions in my last article are not replied to at all in yours. I will content myself, however, with noticing what is said and suggested by you.

First, then, believe me, it was by oversight, and not intentionally, that I included "freedom from State systems of religion" among the kinds of freedom which *you* had assigned to the broader designation of "the sovereignty of the individual." It so obviously *belongs* in the same category that you must confess the mistake was a very natural one. I observe now, however, that the grouping of the various applications of the doctrine was my own, and that I was wrong in attributing it, in its full, logical, and legitimate extension, to you. It was not until you directed my attention to the point that I discovered that, while your approbation is given to just those developments of freedom which have, up to the present time, been accredited and rendered popular in the world, you classify under the obnoxious "sovereignty of the individual" those varieties, and those only, which are, as yet, unpopular, or against which *you* happen to have a personal prejudice. This species of reasoning, though not very rare, I believe, is still so little understood by me that I do not even know the scientific name by which to designate it. Excuse me, then, that I did not perceive why free trade comes under the head of the sovereignty of the individual (or the general right to do as one chooses), and freedom of the press not so; or why there is a similar difference between freedom of the affections and freedom of the conscience, or of the intellect.

I certainly thought you held the Kossuthian doctrine of national non-intervention. You set me right, and say you "deplore the absence of competent tribunals to adjudicate questions of international difference," etc. Here you obviously do not speak of a mere advisory council, each nation being free to accept or decline the recommendation, but of an actual court. "Tribunal," "competency," and "adjudication" are well-known technicals of the so-called "administration of justice." They always relate to the functions of a body having *power to enforce its decrees*. There is no court without a constable, no sentence without a sanction, no judiciary without an executive! The constabulary of an international tribunal

must be the united armies and navies of the majority of the combined powers. Any other notion of such a court is nonsense. Now, dare you affirm, in the face of the American people, that you would favor the surrender, by solemn treaty, into the hands of such a tribunal, representing the national policy of Austria, Russia, Spain, Portugal, Rome, Naples, etc.,—the majority of nations in Christendom, even,—the right to adjudicate for the United States all the *international* questions, even, which they might themselves individually provoke with us, and to enforce such decisions by their combined power? You say such a court would have prevented the Mexican war. Yes, as order reigns at Warsaw. Give up, I beseech you, the search after the remedy for the evils of government in more government. The road lies just the other way,—toward individuality and freedom from all government. The evil in the case of the Mexican war lay in the stupendous folly which authorized James K. Polk, of Tennessee, by a stroke of his pen, to set thirty millions of men to cutting each other's throats—to begin the next morning—for no cause which would have induced one of them to do anything of the kind on his own responsibility. *It is the inherent viciousness of the very institution of government itself*, never to be got rid of until our natural individuality of action and responsibility is restored. *Nature made individuals, not nations; and, while nations exist at all, the liberties of the individual must perish.*

But the kind of intervention you advocate between nations, bad as it is, is no parallel, as you seem to think it, to that unsolicited and impertinent interference between individuals which you defend and I denounce. What would you say to an international tribunal which should arrogate jurisdiction to itself over nations who have never consented to, and who wholly repudiate, its interference,—basing its usurpation on the assumption that *somebody* must look after the international morality? Further still, fancy Mr. Greeley signing a treaty to give to Austria, Naples, etc., the right, not only to settle differences between us and other nations, but to forbid us, also, to have relations of friendship or commerce with more than one other nation, for example; and generally to regulate, not merely our foreign, but our purely private affairs as well, by prohibiting whatever in the judgment of that tribunal was *setting a bad example* before the other nations of the earth! No, thank God! nations have not fancied it necessary to sink their individuality in a mass, as individuals have done, granting to numerical stupidity and stolid mediocrity the right to suppress genius and enterprise and free thought and superior development. To this national freedom from an overruling legislation the world owes the height to which a few nations have attained, which, being attained, will react on the others, and finally develop the whole earth. No, sir, ten individuals in the world, who had thoroughly comprehended their own absolute right to freedom, and vindicated it as against the impertinent interference of legislation, would be worth, as an example and as a power for good, all the international tribunals there might be in the universe.

I claim individually to be my own nation. I take this opportunity to declare my national independence, and to notify all other potentates, that they may respect my sovereignty. I may have to fight to establish my claim, but the claim I make, and sooner or later I will come to the recognition of it. You have notified me that you will resist it. I will conduct the war with you, if possible, by the pen. If you determine to resort to other weapons, I will adjust my defence to the nature of the onset.

The State is to you something other than what I have called it,—a mob,—because you believe that the heat of passion and the lust of gain may blind men in judging their own conduct, and not so in judging the conduct of others. If this is good for anything, as a principle, it must be of reciprocal and universal application. Let us take a case and try its operation. John Smith and Sally Smith, after years of miserable experience, and horrid example, too, as I should say, amicably conclude to separate, do separate, provide for their children by some appropriate arrangement which removes them from a daily scene of sickening and vitiating contest, and each unites with a new partner, and all the parties feel conscious that they have added infinitely to their happiness and well-being; but you, on your principle, that somebody else, who is not blinded because he has no interest in the matter, can decide better than they, interfere, and decide for them that they were led by a shade of passion which you define to be lust into their new relations; denounce them in your newspaper, and invoke the mob, and send them all packing to the calaboose. Very well, so far; but now for the next application.

Upon the same principle, I can judge better than you can of the purity of your motives in this very act, and I determine that you were influenced by an undue desire to increase the popularity of your journal, by parading your zeal for the current morality of the day, and that such an example of the venality of the press is extremely vitiating to the public mind. My impartial position for judging authorizes *me* to judge and to punish *you* for deviating from *my* judgment. Hence I resort to the mob, and burn down your printing-office, or throw your types into the ocean. Now, then, how is your mob any better than my mob,—except that yours is called “the State”? Do you find it in the distinction you attempt to establish between freedom of utterance and freedom of action,—one of which is to be tolerated and the other not? That would only be to turn my vengeance from you personally to the passive instruments of your opinion,—the juries and prison-keepers.

You, too, desire “the harmonizing of freedom with order, but not through the removal of restraint upon vicious appetite; the harmonizing of desire with duty,—not through the blotting out of the latter, but through the chastening, renovating, and purifying of the former.” Very well; but how? According to you, through a system of mutual espionage, suppression, and constraint; from which I dissent. You say, also, however, through “the diffusion of light and truth with

regard to *our own* natures, organizations, purposes, and that divine law which overrules and irradiates all." To this I agree. Choose, I beg of you, before you write again, between the two systems, which are as opposite as light and darkness. But this harmonizing will never come by any system through the tempering and modifying of desire alone; it demands equally the softening and liberalizing of duty, since "to the pure all things are pure." We differ, perhaps, both as to the source whence a healthful restraint must emanate, and as to the amount of restraint which is healthful.

You think there is no such radical difference between us as to the right of self-government, because, you say, I acquiesce in the imposition of restraint upon the lunatic, the thief, burglar, counterfeiter, forger, maimer, and murderer. If I do, it is as the temporary necessity of a false and bad social system, which *makes* such characters, and must, therefore, take care of them. It is *your* duty, I think, to advocate a Maine liquor law as long as you advocate compelling a woman to bear a drunkard's child, with a drunkard's vitiated appetite from the hour of quickening into life. Can you perceive no difference between *my* making this admission of *your* duty relative to a prior wrong, and advocating the whole system as a right system, as you do? I would, like another man, enforce the barbarous discipline of the camp in time of war, if war must be; but that should not hinder me from insisting that war itself is a great folly and had much better be replaced by amicable relations and the interchange of reciprocal benefits between the contending people. I beg of you to endeavor to master, and to keep always in mind, the distinction which I drew in my last between principle and expediency. Is it possible that I cannot make myself understood upon this point? I do not even assert that your laws against seduction and the like are not necessities of your present system, just as the patrol organization, the violation of the post office, and the hanging of abolitionists are necessities of slave-holding, and just as an army of spies and the censorship of the press are necessities of European despotism, so long as either is to remain.

If two cats are tied up in a bag, the tendency of this "too close connection" will be toward contest and clamor. You will probably have to choke them to keep them tolerably quiet. If the bag is, then, assumed to be a *necessary institution*, to be maintained at all hazards, and if quiet is also a desideratum, the choking will also remain a perpetual necessity. Even when the discovery is made—and it is to this point that I ask your special attention—that the cats are well enough disposed to be quiet if you will let them out, it may still be necessary to keep your fingers on their throats until the bag can be cautiously and safely untied, the cats extracted, and a little time allowed them to become convinced of their prospective good treatment. If an existing bad system cannot be changed at once without some bad consequences, they are to be charged, not upon the right system which is to follow, but upon the remaining influence of the old and vicious one.

I would have the order of society so founded on a scientific knowledge of the nature, organization, and purposes of man, and of that divine law which overrules and irradiates all, that there shall be no thief, no burglar, no maimer, and no murderer; and I take the burden of proof upon myself to show that the principles are now known in accordance with which it is just as practicable to have such a society as to have the "Pandemonium" we now have. This whole harvest of gallows-birds is the fruit of your tree, not of mine, and, while you continue to produce them, it belongs to you to provide for them. I do not even deny that you may know better than I what is necessary to that end.

I come now to your statement of principles. 1. "Man has no moral right to do wrong." I deny this proposition, if by wrong is meant expediency as distinguished from abstract right, or principle. I hold to expediency just as religiously as I do to principle itself. Yet every expedient which deviates from abstract principle, or the final right, is, in the higher sense, wrong. I hold it, then, not only innocent, but a positive duty, often to do one wrong thing because another wrong thing has been done. I refer you to the apology for your tariff doctrines in my last. I deny your proposition again most emphatically, if by wrong is meant what somebody else, or everybody else, judges to be wrong, and which I do not. What wrong is it, then, that I have not a right to do? Is it yours? or Mr. James's? or Louis Napoleon's? or the Chan of Tartary's? or Mrs. Grundy's? or that of the majority of the mob? That is the vital question which I shall *never* let you off from answering; and, until it is answered, every general proposition you make on the subject will, when analyzed, mean just nothing at all. Who is the umpire, or standard of right and truth?

2. "The State ought to forbid and repress all acts which tend, in their natural consequences," etc., "to corrupt the morals of the community," etc. Here, you perceive, comes right up again the same vital question, without the answer to which all this laying down of principles is mere words. "Which tend," etc.—in whose judgment? That is the point to which I must hold your attention. The teachings and conduct of Christ tended, in the judgment of the Jewish "State," to corrupt the morals of the community. Did that confer on them the moral right to crucify him? It is nonsense, Mr. Greeley (excuse me, since you taught me the use of that word), to call either of these propositions of yours principles, until you first settle the jurisdiction of the questions which they raise. I vest it in individual sovereignty. Where do you vest it? I beg of you to lay down a general principle covering this point.

3. "It is wiser," etc., "that crimes should be *prevented* than that they should be *punished*." Herein we agree; but how prevented? You say in one breath, by your suppressing me, and my suppressing you, whenever we happen to differ,—that is, by the exercise of the right of the strongest; and in the next, "by the diffusion of light and truth with regard to our own natures," etc., as I have already quoted you. I accept the latter method, and discard the former.

4. "The great mass of criminals," etc., "begin their downward courses by gambling, tippling, and lewdness," etc. I take this to be a mistake. I think you substitute effects for causes. Crime has its origin much farther back, and, if you are to "deal with it in the egg," you must look to the laws of procreation, by which parents impress all the falsity of their own lives upon their offspring. I shall notice this subject again.

5. "Sexual love was implanted," etc., "not merely that the race should be brought into existence, but properly nurtured, protected," etc. This, too, is a mistake. Nature has secured the procreation of the race by the sexual passion. She has not intrusted their maintenance and protection in infancy to that passion, but inspired both parents with another expressly to that end, — namely, the love of children or offspring. It is the ignorance and folly of men that would enforce upon one of these impulses of our nature the vicarious performance of the duties of the other, thereby introducing confusion between them and marring the beauty and efficiency of both.

6. "The command from Sinai," etc. I do not propose (unless it is preferred to shift the ground of our discussion from the philosophical to the theological arena) to notice arguments drawn from the religious books of any sect, Christian, Mohammedan, or Pagan. The true science of society must be based on principles as broad as humanity, not confined to persons who happen to think alike upon some point of faith, or upon the authority of some scripture. The physiological effects of marriage and generation are coming, in our day, to be as well understood as other matters of science; and if the Bible seems to quarrel with physiology, as it has seemed to do with astronomy and geology, it belongs to its expounders to seek for a reconciliation in the latter case, as they have done in the former. For one, I am tired of caviling about exegesis and text-readings while humanity lies bound and bleeding.

7. "Hence the State honors and blesses marriage, and frowns upon all other sexual relations," — that is to say, each State honors and blesses some sort of marriage relations, and frowns upon some other sort, the difference in different ages and nations embracing almost every conceivable variety which could come of the entire freedom of individuals. Since States are left free to vary and differ as they please, and do vary and differ accordingly, why not extend the same privilege to the individuals of the same State. If any better philosophical reason can be given against it than mere prejudice, undevelopment, and superstition, let us have it at once, and put an end to the discussion.

You say it is nonsense to talk of my views of individual sovereignty as a modern discovery, and of the antagonist views as moss-grown with antiquity. You conceive of individual sovereignty as being synonymous with egotism and about as old as sin. All this simply indicates that my views are as yet so modern and so novel that even Mr. Greeley has hitherto attained to no adequate conception of

them. Please to endeavor to understand, then, that the sovereignty of the individual which I talk about is the sovereignty of every individual; that it teaches me and every one who accepts it the most scrupulous deference for the absolute freedom of every human being, prohibiting me and them from arrogating any control or government over others (except when we have to assume the cost of their actions, as in the case of children, and become thereby entitled to the deciding power). It demands of me that I permit every man and every woman to think, speak, and do whatsoever seemeth good to them in their own eyes, laying down the least shadow of claim to the right on my part to *suppress* them, either directly or through the power of the State, the Church, public odium, or otherwise,—only limited by the line that they do not throw the burdensome consequences of their conduct on me, and that they leave me the same amount of freedom. All this I hold as the essential principle of order and harmony, and growth in purity and intelligence, and rational happiness among men. Please to inform me what you discover either unlovably egotistic or at all antique in this doctrine? Are you able to illustrate its workings by quotations from ancient history so profuse as you intimate?

Probably you will perceive that you have mistaken the assertion of one's own sovereignty over others (which is your own doctrine, and which has been common enough in the world) for a doctrine which affirms and sedulously guards that of all other men, while it is confessedly so egotistic as to claim the right of the individual to himself. So long as it rests in the phase of mere protest against encroachment, it is just as egotistic, it is true, as it is to request a gentleman to stand on his own toes and not on yours.

Can you suppose that you are treating my doctrine of the freedom of woman and her right to herself with any fairness, when you confound it with the polygamy which has existed in barbarous countries, and which is the entire confiscation, not of one woman, as among us, but of many to one man?

My doctrine is simply that it is an intolerable impertinence for me to thrust myself into your affairs of the heart, to determine for you what woman (or women) you love well enough or purely enough to live with, or how many you are capable of loving. I demand that you simply let me alone to settle the most intimate and delicate and sacred affairs of my private life in the same manner. You publicly notify me that you won't. Another generation will judge between us as to the barbarism and the culture of these two positions. At present it is enough to say that my course leads to peace and yours to war. Judge which is best.

You misconceive a little my method of getting rid of murder. I have the same personal prejudice that you have "to being knocked down with a slung shot, or a paving stone, dragged up a blind alley, and there finished"; nor do I hope to get rid of such acts, as you say I do, "by simply ceasing to visit them with a penalty, or to regard them as crimes." I apply that remedy only to acts which are no crimes except as they are made so by law.

Still, there is no human action without a cause. A given murder is not a solitary fact, standing in the midst of the universe, without antecedents or consequences. The philosopher looks into causes. The scientific reformer would apply his remedies there. If a man attempts to murder me, that act has a cause: perhaps a state of feeling on his part, induced by the suspicion that a certain woman whom he calls, or hopes to call, his wife, has experienced a magnetism of attraction, over which she had no possible control, toward me, and by the belief, inculcated by you and others, that that woman *belongs*, not to herself, but to him. Hence he is deluded into the notion that I have inflicted a heinous wrong upon him, although, probably, I have never seen him in my life, and possibly may never have seen the woman either. Looking at the effect alone, as I, in common with the rest of mankind, may be compelled to do in the emergency, the remedy may be to knock the man on the head, or to commit him, as you recommend, to Sing-Sing. The true remedy, nevertheless, is a public sentiment, based on the recognition of the sovereignty of the individual. Let the idea be completely repudiated from the man's mind that that woman, or any women, could, by possibility, belong to him, or was to be true to him, or owed him anything, farther than as she might choose to bestow herself, as far as he could inspire her with affection and no farther; and from that hour the sentiment of jealousy dies out, and the motive to one kind of murder is removed.

Perhaps, in another case, the poor wretch was born with a mind poisoned from conception, imbued, as the lawyers have it, with "malice toward all mankind," because he was begotten in hatred from a woman forced by the law into the repulsive embraces of a man she loathed, and so "marked" as a monster, in every lineament of body and soul, by the horrid impression to which, as is well known, the susceptible imagination of a mother gives form in the character of her offspring. The evil in this case is that your prospective murderer was the child of abhorrence and despair. The remedy is to restore to outraged woman the right to choose freely, at all times, the father of her own child. Till that be granted, all the rest of your "Woman's Rights" are not worth contending for. It is pitiable to see the advocates of this *ism* compelled to disguise their real want, fearing to utter it, and to make a false issue about the franchise, or something of no comparative value to them. The sovereignty of the individual is what they do demand, in common with the rest of mankind. *No child healthfully and lovingly engendered, and never subsequently oppressed and outraged by false social relations, will ever be a murderer.* Let the world learn that.

You say that you regard "free trade as neither right nor wrong, good nor bad, in itself, but only in view of its practical issues." Do you say the same of freedom of the press, or freedom of conscience? Louis Napoleon does so of the former, and King Bomba and the Grand Duke of Tuscany of the latter; but the public have got the idea in their minds that there is somehow a difference, funda-

mentally and in principle, between your social views and those of Louis Napoleon, Bomba, and the Grand Duke. Perhaps you will enlighten us as to what that difference is. As matters now stand, I do not perceive it.

I regret that my views should inspire you with hypochondria, and induce you to think of suicide, emigration, or anything desperate; but I presume you do not urge these "vapors" as an argument. I, too, have my personal feelings on the subject. How far will you consent that *they* shall be made the *criteria* for deciding the questions mooted between us?

Of your views of sexual purity I cannot, in the circumstances under which I write, utter what I feel. If it be not too severe a thing to say, allow me, however, merely to say that we all, probably, give the measure of ourselves, more exactly than in any other possible mode, by the estimate we make of the natural results of freedom. Permit me, on this point, to substitute for what I might have said an extract from a communication I have just received, suggested by your remarks, from a noble and pure-minded American woman, one to whom the world owes more than to any other man or woman, living or dead, for thorough investigation and appreciation of the causes of disease and the laws of health, especially in all that concerns the sexual relations and the reproduction of the race:*

It is the God-appointed mission of woman to teach the world what purity is. May Mr. Greeley be so fortunate as to learn the lesson!

The woman who is truly emancipate, who has health, in the deep significance of that word,—health of body and of spirit,—who believes in God, and reverently obeys his laws in herself,—this woman is pure and a teacher of purity. She needs no human law for the protection of her chastity; virtue is to her something more than a name and a regulation,—something far other than a legal restriction. It is high as the sky above Mr. Greeley's lower law, and just as far removed from all license. Such a woman has a heaven-conferred right to choose the father of her babe.

We say man has the right to life, liberty, and the pursuit of happiness; yet he abuses life,

*The writer of this communication is Mrs. Mary S. Gove Nichols, the wife of Dr. Thomas L. Nichols, and associate principal with him in the Hydropathic Institution at Portchester, New York. Had this reply been published in the "Tribune," I should, doubtless, have modified the eulogium contained in the sentence to which this note is appended, when I came to see it in the proofs, not because it does not express rightly my own personal opinion, but because it does so, perhaps, rather too pointedly, and is liable to be understood as an extravagance of personal friendship rather than a deliberate estimate of the character and position of an individual. As my reply was rejected, I feel bound now to publish it with all its imperfections on its head. When, however, it is remembered that Dr. Nichols publicly avows that, after experiencing the benefits of a regular medical education and extensive professional reading, his *real* instruction in physiology and therapeutics was derived from his wife; and, further, that Dr. Nichols is the author of "Esoteric Anthropology," a work many years in advance of all other treatises upon the health conditions of man, and which is acquiring a circulation only surpassed by the popular work of Mrs. Stowe, my characterization of Mrs. Nichols may seem less extravagant. She is a lady who couples the most wonderful intuitions—the spiritual "sphere of woman"—with a truly masculine strength and comprehension of general principles, such as characterizes the highest order of scientific mind.

falls into bondage, and seeks and does not find happiness. The woman who chooses the father of her child may go as far wrong. The failure of freedom to bring wisdom and right action at once is no argument against freedom. Because woman has not equitable and attractive industry and adequate remuneration, and cannot, therefore, appropriately maintain the babe she would bear and love, does that abrogate her right to be a mother? Did not God make her to be the mother of the race, and the healthy mother of healthy children? If she is fixed in indissoluble marriage with a man she must abhor,—a selfish, sensual tyrant,—who makes her his victim, and perpetuates in her children his lust of the flesh and of gain, and all the deep damnation of his nature, must woman lie prone under all this, suffering and transmitting the disease and crime which are its ordained product, because it is according to law?

Often the greatest crime a man can commit is to reproduce himself, though it be done legally.

We *must* have a *Maine Law* and capital punishment for the children born of hate in indissoluble marriage. Hundreds of women in such marriage murder their children rather than bear them.

Intemperance, madness, murder, and all other vices are hereditary. Shall indissoluble marriage go on, year after year, producing so many thieves, drunkards, prostitutes, and murderers, and in preassignable proportions,—so mathematical in its operation,—and remain unquestioned? Or shall it be honored with such defenders as Mr. Greeley, who whitewash it with legal sanctity in our legislatures, and plead, through the public press, for *Maine Laws* to restrain and punish the murderers, and seducers, and drunkards born in its decent, and respectable, and legal limits?

There is a large and increasing class of women in our land who know what purity is. They know, also, what it is not. They know that is is not an exhausted nervous system, which prompts to no union,—which enables them to walk quietly in the common thoroughfare of custom. They know, also, that it is not fidelity to a legal bond, where there is no love,—where there is force on one side and fear on the other,—where rascals are born by immutable God's law, and where diseases are engendered that make the grave an earnestly coveted refuge from "lawful" whoredom.

Could any woman, worthy the name,—any other than a legal slave,—*choose* to bear worse children than those we hang out of our way,—than those who become seducers out of marriage and destroyers in it?

In the Medical College at Albany there is an exposition of indissoluble marriage, which should be studied by all those who beg in to see that a legalized union may be a most impure, unholy, and, consequently, unhealthy thing. In glass vases, ranged in a large cabinet in this medical museum, are uterine tumors, weighing from half a pound to twenty-four pounds. A viscus that in its ordinary state weighs a few ounces is brought, by the disease caused by amative excess,—in other words, licentiousness and impurity,—to weigh more than twenty pounds. Be it remembered, these monstrosities were produced in lawful and indissoluble wedlock. The wives and mothers who perished of these evils, and left this terrible lesson to the world, knew only of legal purity. *They* lived in obedience to the law of marriage,—pious, virtuous, reputable, ignorant women. God grant that their suffering be not in vain! God grant that they may be the teachers of purity, who, being dead, yet speak!

In an age hardly past, "Honor God and the King" was the great commandment. In this age, "Honor God and a Husband" holds the same place. Men have learned that the first contains a solecism; women are learning the same lesson of the last.

Such, sir, is the eloquent, and, in my judgment, the unanswerable, protest of one woman against your doctrine. In five years more, the voice of that woman will be the voice of thousands. You are quite right when you sound the alarm, and announce that the time for the full discussion of this whole subject has arrived. That discussion will be had, whether conservatism will or no. If what is can stand that test—let it; if not—not.

STEPHEN PEARL ANDREWS.

XI.

MR. ANDREWS'S REPLY TO MR. JAMES.

[Rejected by the Tribune.]

To the Editor of The New York Tribune.

Mr. H. James condescends to reply, obliquely still, to my strictures upon his crude social theories. The condescension is amiable, but the imprudence is unpardonable. It was obviously one of those cases in which discretion is the better part of valor. He does not appreciate my disposition "not to be cruel." Such ingratitude provokes a severity which he can ill afford to draw upon himself. I am surprised—I may even say grieved—that he compels me to a still further exposure of the unhandsome features of his course of reasoning upon the subject in debate. With an apology to the reader for a thoroughness of criticism bordering on harshness, forced on me by the indiscretion of "Your Correspondent," I will proceed, as cautiously as I can, and, even, notwithstanding all, with some remaining touches of tenderness, to the dissection of "Your Correspondent's" last article.

The following is the gist of his effort to restate himself:

You feel that all man's relations to his fellows, and especially to woman, should be baptized from above, or acknowledge an ideal sanction before all things, and that where this sanction is absent, consequently, the relation is either strictly infantile or else inhuman. In respect to this higher sanction and bond of conjugal fidelity, you call the legal bond inferior or base. As serving and promoting the former, one deems the latter excellent and honorable; but as ceasing any longer to do so, you deem it low and bestial.

Now, the deliberate purpose of your Correspondent here is to show that he is not, and could not have been, adverse to the institution of marriage, because, forsooth, as he has "all along contended," there *are* circumstances in which that institution *is* of value to society,—namely, in its infancy,—and to impress upon the incautious reader the idea that *I* am laboring under a woful degree of mental confusion in attributing to him the doctrine that marriage (the legal bond) should be "incontinently abolished."

Very good, so far; but it so happens that your Correspondent has very recently devoted large space, in more than one of his communications to the "Tribune," to proving that society among us is *no longer* in that state of *infancy* in which the outward marriage bond is "subservient and ministerial to the higher spiritual

sanction," but that it has now arrived, on the contrary, at that precise stage of advancement and full growth in which the legal bond is "inferior and base," or "inhuman," or "low and bestial," or "purely diabolical," and ought, therefore, to be dispensed with or wholly abolished.

Let us betake ourselves again to quotation. Discussing this very subject, and having shown that the legal bond *was* a necessity of the infant state of human society, your Correspondent proceeded to say: "But now that it [society] has *overleaped* that period of *infantile fragility*, and feels the motions of *ripe and sinewy manhood*, the questions of order and harmony can be no longer postponed. It is bound by a feeling of self-respect to become decorous and orderly, and to *put away*, consequently, *all those arbitrary methods of action* which were dictated by mere expediency or self-preservation." Hence, your Correspondent distinctly makes the changes in legislation requisite to adapt it to the present ripeness of human society, to stand in "fully legitimating divorce," or in discharging our conjugal relations of the "purely diabolic element of outward force,"—in other words, the virtual abolition of legal or forceful marriage, as "ceasing any longer to serve and promote the higher sanction and bond of fidelity,"—having, "for his own part," as he says, "not the slightest doubt that, in that case, constancy would speedily avouch itself the *law* of the *conjugal relation*, instead of, as now, the rare exception."

Now, your Correspondent has repeatedly brought forward and urged, as you well know, and as the public well knows, this precise remedy for the existing dissonance of society and its legislation, as a practical cure for a practical evil. Now, then, he says, with an exclamation point for surprise, that *I* betray so crude an apprehension of the discussion that I confound his "*denunciation of base and unworthy motives in marriage* with a denunciation of marriage itself!" What charming simplicity! what delightful innocence! A practical, straightforward, political, or legislative measure, of the most radical and revolutionary kind, proposed and repeatedly urged as *the* remedy for wide-spread actual suffering and disorder in the community, suddenly retires into the dimensions of a ghostly remonstrance, from a kind-hearted spiritual adviser, against bad motives in matrimony! Ah! Mr. Henry James, when hard pressed by a logic that won't bend to "Individual Sovereignty," an "artful dodge" may be highly creditable to one's agility, but hardly to the higher attributes of a manly nature. Were it not for the cunning evinced in the manœuvre, the want of courage and the seeming simplicity might be suggestive of "sheep's head" *without* "the pluck." As it is, we are reminded, also, of a different animal. For myself, I once had a good practice in Virginia fox-hunting, and training after these doublings has to me the interest of reviving old reminiscences: to the reader who finds no such amusement in the chase, and who looks merely for candor, truth-seeking, and consistency, in a discussion, I fear they may be simply disgusting.

If, in the case adduced for illustration, the "Spiritual Adviser" had gone a step

farther, and expressly advocated the theory that "all arbitrary methods of action," in the premises, should be "put away," that nobody should be compelled, by "outward force," to restore property which he had found, and that, by such freedom from the "legal bond," the notion of the right of property would be "ennobled," and the man and all men led to act, from their own "humanity and inward sweetness," honorably and honestly in such cases; and if I, upon reading such a statement of views, should have said, perchance, that that is precisely my theory for the abolition of all laws for the collection of debts and the like, —saving the question, to be settled afterward, what are legitimate debts bearing upon the conscience; and if Mr. Spiritual Adviser, shrinking from the more open and bolder presentation of his own theory, and determined to be *respectable* at all hazards, should, thereupon, accuse me of confusion of ideas, superficiality, etc., —your Correspondent wants to know what I should say; and I reply that I should say that this "Spiritual Adviser," intent upon saving his own skin, did not hesitate to slander and malign his neighbor, and to obfuscate his readers by a resort to trickery and *ad captandum* pleadings unworthy of a man of some reputation and literary pretensions.

So much for dodge No. 1. Before proceeding with the catalogue, permit me to furnish a gloss to the reader, to inform him of what I suppose the real position of your Correspondent to be. I do this to remove the impression, to which I feel myself liable, after the showing I have made, of engaging with a combatant whose statements of doctrine are too contradictory and absurd to aspire to the dignity of criticism. Notwithstanding appearances, I do not think so. There is, I am satisfied, a consecutive train of idea running through the whole of his reasonings upon the subject, which, if it can be cleared of a certain confusedness in the use of terms by which he is constantly prone to obscure, rather than illustrate, his thought, will be found quite as consistent as the notions of many other loose thinkers, who aspire to instruct the public upon philosophical subjects, and who gain considerable estimation for the *want* of just criticism.

What your Correspondent means to say, then, rendered into a comprehensible plainness of speech and tolerable brevity, is just this. Marriage is the union of one man and one woman for life. But there are two phases or aspects of marriage, or, in fine, two marriages, or kinds of marriage. 1. The outward or legal, that of which the perpetuity and exclusiveness depend upon human laws and are enforced by the courts, which I will call legal marriage; and, 2. That which he calls "the ideal sanction of the conjugal relation," and which I will call, for the sake of a convenient term, spiritual marriage. This last, he believes, tends to exhibit itself, in the lives of all rightly developed men and women, in just the same form of perpetuity and exclusiveness which legal marriage now attempts to enforce by virtue of pains and penalties; that we have now arrived at that stage of development at which this tendency to the spiritual tie declares itself so strongly (or exists unde-

clared) that the continuance of the old legal bond, which was good enough in its day, instead of securing the action toward which it and the "higher sanction" both tend, operates as an irritant and a disturber, and hinders or prevents the very end at which it aims; that, consequently, sound morals and good policy both demand, as the remedy, that "divorce be freely legitimated," or, what is the same thing, legal marriage abolished; not that he is opposed to marriage,—that is, to the same course of life which legal marriage enacts in the form of law,—but because this last is not merely unnecessary but hurtful in securing that end.

This theory, so stated, comes pretty much to what is entertained in this age, more or less distinctly, by a good many persons transcendently inclined, and whose views of prospective human improvement take no broader and no more practical shape than that of *spiritualizing* whatsoever thing, however stupid, which happens now to exist among us. Finding an existing relation so oppressive that neither they nor their fathers were able to bear the *actual* yoke, they fancy that exactly the same thing *spiritualized* must be exactly the right thing. Still the theory, such as it is, is quite intelligible when not "bedeviled" by unnecessary fog and pretentious mysticism.

It is true your Correspondent has no right to claim any such sensible rendering of his views. He has pertinaciously insisted upon saying that "the legal bond" is the whole of marriage, that the spiritual tie is not marriage at all, and that the legal bond ought now to be dispensed with. I should, therefore, have been perfectly justified, upon ordinary views of criticism, if I had taken him for what he has repeatedly declared himself in effect to be, *in words*, and stated purely and simply that he denounces the institution of marriage entirely. I have nevertheless kindly, as I thought, abstained from taking advantage of this verbal confusion, and inasmuch as he refers to "the higher sanction of the conjugal tie," and uses other similar phrases, although denying that they signify marriage in any sense, I have confined myself to speaking of him as opposed to legal marriage. To talk of the law as sanctioning what will exist just as well without it, and what is not to continue to exist by virtue of it, is nonsense. The mere ceremony, having no binding effect, is nothing to which you or your Correspondent, or I, or anybody, would attach the slightest importance.

As I happen to think, myself, that forcing two people who hate each other to live together in the most intimate relation, and become monks or beget children of their hatred, is neither very philosophical nor religious, I was quite disposed to "fraternize" with your Correspondent up to that point. This, alas! was the head and front of my offending. It was not that I differed from, but that I agreed with him, and put in a little clearer and stronger light the points of our agreement, that he was horrified and alarmed, and recoiled.

Our points of difference lie here. He, "for his part," has no doubt that "constancy would speedily avouch itself as the *law* of the conjugal relation, in the ab-

sence of all legislation to enforce it." I, for my part, don't know that. We have never yet witnessed a state of society consisting of educated, refined, and well-developed persons, in which freedom of the affections, for both men and women, was tolerated and approved. I am unable to dogmatize with reference to the precise nature of the relations which would come to prevail under such a *régime*. I know simply that it is the right thing, and that its results must therefore be good, however much they may differ from my preconceived notions of propriety. I decline to make myself the standard: I recognize the equal sovereignty of all *other* men, and of all women. I do not and cannot *know* the nature of any other man or woman, so as to be competent to decide for them. I doubt not I shall do my duty if I obey the highest thing which I find in my own being. I claim the right to do that. I allow the same right to all others. It is a species of spiritual arrogance for me to assume to decide for them, which I voluntarily lay down and totally abjure.

Mr. James claims freedom because, for his part, he believes that freedom will lead people to act just in that way which he personally thinks to be right. I, on the contrary, claim freedom for all men and all women for no such personal reason, but because they have an inalienable God-given right, high as heaven above all human legislation, to judge for themselves what it is moral, and proper, and right for them to do or abstain from doing, so long as they do not cast the burdens of their conduct on me. I plant myself on that principle, and challenge the attention of mankind to it as the *law* of order, and harmony, and elevation, and purity among men. Herein we do radically differ. I take the position which, saving the judgment of my critics, is *exceedingly* new in the world, that I have no better right to determine what it is *moral* or *proper* for you TO DO * than I have to determine what it is *religious* for you TO BELIEVE; and that, consequently, for me to aid in sending you or another man to prison for fornication, or bigamy, or polygamy, or a woman for wearing male attire, and the like, is just as gross an outrage in kind, upon human rights, as it would be to aid in burning you at Smithfield for Protestantism or Papacy, or at Geneva for discarding the doctrine of the trinity.

But to return to your Correspondent. He bases his defence of freedom upon his personal judgment of the form it will give to the sexual relations. To test the depth and sincerity of his convictions, I ask him a question. I assume that we differ as regards what is the truest state of the relations of the sexes, and call his attention to the fact that people do differ, upon all subjects, in virtue of their infinite individualities. I suppose the case that in the use of our new-fledged freedom I act on my convictions, not his, and change my relations every week or month, or take an unusual number of conjugal partners, or in some way depart from *his* ideal. I ask, in very good faith, and as a practical thing, since this freedom is to

* With the limitation just stated, of course, that you do not throw burdensome consequences on me.

be a matter of practical legislation, whether he proposes, or not, still to retain a police office *to compel* me to use *freedom!* according to his idea of the way in which it should be used,—if not his, whether according to anybody's standard, other than that of the individual himself. Hereupon he assumes the air of a dignified aristocratic "indifference," and regards my question as trivial, disingenuous, and impertinent. Of course the judicious reader will perceive at once that it strikes home to the very vitals of his whole system of legislative reform, and drives him back to a sphere to which it is to be hoped he may find his abilities better adapted,—that of spiritual adviser to bad husbands, and a general lecturer of fanatics on the amendment of their "disorderly methods of living."

The next point of your Correspondent is either Dodge No. 2 or a gross blunder. The reader shall judge which. It is a perversion of my doctrine of the sovereignty of the individual, and it seems to me a *deliberate* perversion, by your Correspondent, in order to have before him a man of straw, that he *could* knock down. Our formula is, "The Sovereignty of every Individual, to be exercised at his own cost." This simply and obviously means, "to be exercised, not at the cost of other people," or, as we have constantly and repeatedly explained it, "to be so exercised as not to throw the burdensome consequences of one's actions upon others," precisely as religious freedom is and has been for years understood among us. A man may believe what he pleases, and do, *in the way of worship*, whatsoever wise or foolish thing, *provided* he assails nobody else's liberty, or life, or property.

This simple doctrine, the mere extension to morals and other spheres of a principle already adopted, and to the partial operation of which the world *owes* treasures of harmony and happiness, your sagacious and veracious Correspondent has converted into the assertion of the right to commit every species of encroachment and outrage that savages or devils could aspire to, provided one is only ready to take the consequences. This atrocious doctrine he has, by the use of false quotation marks, thrust into my mouth! Of course, attributing such nonsense and profligacy to me, he has the field to himself, to make the most glaring exhibition of his own absurdity. I hope he enjoyed the pyrotechnic display of his own witticisms, as some compensation for the wear and tear of conscience involved in such a gross misrepresentation of an opponent's position, if it were really intentional; if it were a blunder merely, and he has honestly stated the principle, "as well as he can master its contents," I hardly know whether to recommend to him so much exertion as to try again. There is certainly little wisdom in attempting publicly to pass off a mere condensed expression of foolishness and diabolism as if it were the substance of an axiom which challenges the admiration of mankind as the most exact and the most scientific solution ever to be attained of the great problem of the legitimate limit of human freedom.

I quite regret that your Correspondent should be oppressed by my patronage, but I really can't help it. I must be permitted to admire what there is good and true

in every man's utterances. I find much of that sort in what he has given to the world, and I admire it. I even wish that I found more of it, and more especially of that intellectual and moral hardihood which would perceive the extension by implication of the truth he does utter, and stand by the defence of it with a little generous devotion and occasional forgetfulness of purely personal considerations.

A word now as respects my "small insolences." I assure your Correspondent they are merely "put on" upon the principle *similia similibus*, and small doses, to cure his big ones. I shall gladly lay them aside whenever good manners begin to prevail. I think I shall be found competent to the interchange of gentlemanly courtesies when gentlemanly courtesies are in demand. Indeed, I decidedly prefer the atmosphere of the parlor to that of the "ring," but I endeavor, at the same time, to adapt myself to the nature of circumstances and of men.

Your Correspondent *presumes* that, when he says freedom is one with order, I should greatly like him to add, "and order is one with license." When license is used for something different from freedom, I suppose it signifies the bad use of freedom. Now, it is simply freedom that I ask for. On what grounds does this Correspondent of yours dare to presume that I desire a bad use to be made of that freedom, or that I am, in any sense, even his own, a profligate or a bad man; that I contemplate, with complacency, the making of a hell or a pandemonium, or that any such result is more likely to come of my freedom, or the freedom that I advocate, than of his freedom, or the freedom he advocates? Whose insolence is it now? Why, sir, your Correspondent seems to me so bred to the usage of overbearing superciliousness that he ought to be grateful to me for life if I cure him of his habit. This charge of advocating license has always been repeated against the champions of every species of freedom, political, of the press, and of every sort whatsoever, and it is time that it should get its rebuke. It has not, however, suppressed other men's truth, and it will not suppress mine. Such truth has a vitality in it which survives the blunders of the stupid, the misapprehensions of the feeble-minded, the denunciations of the bigoted, and the alarm and croaking of honest but timorous friends. The brave and the faithful lovers of such truth have always been, at the inception of its promulgation, a "handful of ridiculous fanatics" in the estimation of the sophists of their day. It matters not. Truth, no more than the rights of man, can be obliterated by the votes of a majority, the legislation of the State, nor the scorn of the Pharisee; and the viper that tries it always bites a file.

In the next place, your Correspondent deems me superficial, because I denigrate the State "a mob." He doesn't condescend to tell us what it is other than a mob, but proceeds immediately to define *Society*, as if that were synonymous with the State. I fancy that I have simply analyzed to the bottom what he has taken on trust and in the gross. He admits that, "*irresponsible governments* are entitled to our contempt." I stand ready to make good the proposition that all governments

are, in their very essence, "irresponsible," just so far as they are governments at all, and that, practically, they have proved so in every experiment ever made by mankind. The whole American theory of "checks and balances" upon parchment is mere fallaciousness and folly. The only effectual check is that developed individuality of the people which gives significant notice to government that it won't answer to go *too far*, and which, as it becomes more developed, is sure to dispense with government altogether. The advantages which we enjoy in this country, in this respect, come entirely from the greater practical development of the sovereignty of the individual; from the greater development of the individual, so that that exercise of sovereignty can be endured with less evil result; and from the small quantity of government which we tolerate, not at all, as is supposed, from any superiority in the quality of the article. Government will become unnecessary just so soon as the true principles of the science of society are understood and practically realized. The realization of those principles will begin in their being discovered and promulgated. Hence, as occasion offers, I preach. I expect, at first, to be partially understood, misunderstood, and misrepresented; but the time of that nebulous perception of the subject will pass. Ideas which are true and fundamental, and as destitute of fluctuation or exception as mathematics, will make their way and be accepted. Prejudice will give way to reason, arbitrary institutions to principles, and antagonism to true order and harmony, and the freedom of a rightly-constituted human brotherhood.

Your Correspondent says that I exhibit a sovereign contempt for society. He is certainly mistaken. I am very fond of society, and especially of good society. Society is, however, a word of considerable diversity of significations, and is used by your Correspondent in at least three or four different senses, apparently without the slightest consciousness of confounding them.

I may as well use this word [society] as any other to illustrate a certain tendency on the part of your Correspondent, to which I have already adverted, to a lamentable confusion of ideas and terms, in the midst of the most exuberant and sometimes elegant diction. He begins one of his paragraphs by using *society* as if it were synonymous with *the State*, by which I presume he means the organization and machinery of government. In the middle of the same paragraph he defines society to be "the sentiment of fellowship and equality in the human bosom." In the end of the same paragraph he asserts that the "advance of *society*—this sentiment of fellowship or equality—causes man to look away from governments, and from whatsoever external patronage, and find true help at last in himself"; that is, to resort to the *sovereignty of the individual*. This last is precisely what I believe. For society in which of these senses is it that I exhibit a "sovereign contempt"? Whose superficiality is it now?

In the very next sentence your Correspondent adds, "*society* is the sole beneficiary of the arts and sciences, and the individual man becomes partaker of their

benefits only by his identification with it." In which definition is *society* used here? Is it the government or the State which is the only direct beneficiary of the arts and sciences? Is that what it means? Or is it the "*sentiment* of fellowship and equality among men" which is the direct beneficiary of the arts and sciences? Or, finally, is it men individualized by "looking away from governments and finding true help in themselves," who are the direct beneficiary, etc., and the individual man only so because he is "one of 'em"? Whose superficiality and utter confusion of ideas is it this time? Words have a tendency to obscurity when no definite ideas are attached to them.

Beauties of style, a certain dashing fluency of utterance, brilliancy of fancy, vague intuitions of floating grandeur, or of sublime truth even, simply or conjointly, don't make a philosopher. Some clearness of intellectual vision, some analysis and knowledge of causes, some exactness in definitions, a certain expansiveness and comprehension of one's whole subject, and even more than all, perhaps, a rigid adherence to the laws of dialectics, by which premises are fearlessly pursued to their natural and inevitable conclusions, lead where they may, are requisite to that end. It is always a misfortune to mistake one's vocation. It is a misfortune, however, which can be partially retrieved at almost any period of life, and we all acquire wisdom by painful experiences. There is some department, I feel certain, in which your Correspondent might excel. As he declines to be patronized, I shall abstain from impertinent suggestions.

Dodge No. 3 is another *cuttle-fish* plunge into the regions of "the infinite," and, of course, of the indefinite, the accustomed retreat of impracticable theorists. Your Correspondent informs us that, as "ideas are infinite, *they* admit of no contrast or oppugnancy." I think he must have discovered by this time that there is both "contrast" and "oppugnancy" between his ideas and mine, so far at least as his sublimated conceptions still retain anything of the finite or *definite*. Into the other region I am willing to follow him when occasion offers, and to examine with the rigorous grasp of modern philosophical criticism your Correspondent's fanciful reproduction of Plato's idealism and of the rose-colored atheism of Spinoza, and to separate for him the legitimate from the illegitimate, the possible from the impossible, in the field of human speculation. At the moment, however, my business lies, and his ought to lie, with the simple questions of practical life relating to marriage and divorce,—the matters under discussion.

The doctrine of the sovereignty of the individual is an absurdity, contends your Correspondent, because man is under a three-fold subjection, in the nature of things; first, "to nature, then to society [in which meaning of the word?], and finally to God." Grant all this be so, does the fact that man must ever remain under a necessary or appropriate subjection to society,—that is, under a certain limitation of the sphere of his activity by the legitimate extension of the spheres of other individuals,—does it follow, I say, that it is an absurdity to inquire and fix scienti-

fically what that limit is? Now, this is precisely what we profess to have done, and we give "the sovereignty of every individual to be exercised at his own cost" as the result of that investigation. What possible application has the vague generalization of your Correspondent, as a counter-statement to that principle, how true soever his proposition may be.

It is as if I were to ask the opinion of a Swedenborgian of the policy of abolishing the laws for the collection of debts, and he should reply, "Sir, my opinion is that, if you act rightly in the matter, your action must be dictated by an equal union of the divine love and the divine wisdom." I must reply, "Very well, my dear sir, but that is all granted to begin with, and, although it may give you a great air of profound wisdom to repeat it, my question is a practical one. I want to know what, in your judgment, would be the operation of love and wisdom as applied to the case in everyday practical life which I have brought to your attention."

I ask in all sincerity, "What is the scientific limit of man's appropriate freedom as respects society?" and your Correspondent replies, with the solemnity of an owl: Sir, it is frivolous and absurd to ask such a question, because there is an appropriate limit upon man's freedom, and, therefore, man can never be wholly free.

And yet your Correspondent has the hardihood to talk of a scientifically constituted society, as if such terms corresponded to any definite ideas in his mind. I want to know whether, in a rightly or scientifically constituted human society, I am to be permitted to read the Protestant Scriptures at Florence; whether I am to be permitted to publish a scientific discovery at Rome; whether I can print my own opinions and views upon general politics at Paris; whether I can travel on a Sunday in Connecticut, etc., etc. I want to know what constitutes an infringement upon the rights of other men, and within what limit I am committing no infringement, — not according to the arbitrary legislation of some petty principality, but according to natural and eternal right? To all this, the answer comes back: Nonsense, man is necessarily subject to society to some extent.

Now, sir, I am fatigued with this sort of infinitude of ideas which never have any "oppugnancy," because, having neither substance nor form, they can produce no shock. I hope your Correspondent will be content to withdraw into that field of pure idealism which is devoid of all "contrasts" and distinctions. It must be laborious to him to inhabit a sphere where *definitions* and *limitations* are sometimes necessary to enable us to know what we are talking about. Let him seek his freedom in the broad expanse of the infinite. I, for the present, will endeavor to vindicate some portion of mine by ascertaining the exact limits of encroachment between me and my neighbor, religiously refraining from passing those limits myself, and mildly or forcibly restraining him from doing so, — as I must.

STEPHEN PEARL ANDREWS.

XII.

A PARTHIAN ARROW BY MR. GREELEY.

A HEART-BROKEN MANIAC. — We have just been put in possession of the particulars of a scene of sorrow seldom witnessed. A young lady, of this city, respectably connected and of fair reputation, nearly two years ago became acquainted with a man now residing in this place. The acquaintance soon ripened into a strong attachment, and, finally, love, on her part. Under the promise of marriage, as she says, she was made to yield to his solicitations, and last autumn she gave birth to a child, which lived only two days. He disregarded his promises, — avoided and frowned upon her. Here she was deprived of her lover and of her child. She felt that every eye was turned upon her with scorn, — that those who saw her at her work, or met her in the street, knew her disgrace. Day by day, and week by week, her heart sank within her, paleness came to her cheeks, and her frame wasted away, till she is now almost a living skeleton. Wednesday morning she went to work in the mills, as usual, but soon returned, saying that she was sick. In a few hours she was a raving maniac, her reason gone, perhaps forever. Since then she has had a few rational intervals, in one of which she stated that she met that morning the one she calls her betrayer, and he frowned upon her and treated her with contempt. She could bear all the disgrace that attaches to her condition, if he would treat her kindly. But the thought that the one she has loved so dearly, and the one who made her such fair promises, should desert her at this time, and heartlessly and cruelly insult her, is too much for her to bear. Her brothers and friends are borne down with sorrow at her condition. What a picture! It needs no comment of ours. Public opinion will hunt down the heartless villain who betrayed her. — *Manchester (N. H.) Mirror.*

The above relation provokes some reflection on "the sovereignty of the individual," "the right of every man to do pretty much as he pleases," etc., which the reader will please follow out for himself.

EDITOR OF THE TRIBUNE.

XIII.

REPLY BY MR. ANDREWS.

The above missile *a tergo* from my valorous antagonist—after his retreat into the safety of a unilateral contest—is suggestive of many things, and might constitute the text for a whole bookful of commentary. It is the usual whine of bleary-eyed and inveterate tyranny, gloating over the fact that some one of his victims has got himself, or herself, into a worse fix by disregarding his behests, and attempting an escape from his infernal grip, than he or she was in before. The slave-hunter, amid the baying of his blood-hounds upon the warm scent of the track of an unhappy fugitive, growls out in the same manner his curses upon the inhumanity of the man who has preached freedom to the captive, charging upon him all the horrors of the sickening scene that is about to ensue. Should the friend who has whispered longings after emancipation into the greedy ear of the victim of slavery afterward, through cowardice or selfishness or from any cause overmastering his devotion, shrink from going all lengths in uniting his fortunes with those of the slave,—either by remaining with him in bondage, or taking his full share in the risks of the flight; and, if this desertion should rankle in the breast of the fugitive as the worst torment of his forlorn state, even when sore pressed by the devouring dogs,—the case would be parallel in all ways to the one cited by Mr. Greeley.

Our transcendent philosopher and moralist of the “Tribune” can imply the most withering hatred of the “seducer” and “heartless villain,” whom “public opinion” is invoked to “hunt down” for his crime, and whisper no word of rebuke for—nay, aggravate and hound on—that same public opinion in its still more reckless vengeance upon the unfortunate girl herself, by efforts to intensify “all the disgrace that attaches to her condition,” which, terrible as it is now, she said, poor creature! she had the fortitude “to bear,” but for the other element in her misery. That other element, the betrayal of her lover, in addition to the insane odium of the public, Mr. Greeley charges upon the “seducer.” I charge both one and the other cause of the poor girl’s torture and insanity, just as boldly, upon Mr. Greeley himself and the like of him. If the mental phenomena which led to her betrayal by her lover could be investigated, they would be indubitably traced back to the senseless rigors of that same public opinion; so that both causes of the wreck and

insanity of one party, and of the endless remorse and torment of the other, as we must presume, flow from the same common fountain,—a vitiated public sentiment, adverse to, and intolerant of, freedom, or the sovereignty of the individual!

How exceedingly probable that, at the very moment this hapless girl's lover cast the repulsive glance that pierced her already wounded heart and overthrew her reason, his own heart was half bursting with the tenderest compassion. Placed in the dire alternative of renouncing affection, or else of abjuring his own freedom perpetually, the instinct of self-preservation may have overborne in his case, as it must and *will* overbear in many cases, the natural sentiments of manhood and gallantry and paternal tenderness, all of which, unobstructed by a blundering legislation and an ignorant public prejudice, would have prompted him to remain by her side, acknowledge her publicly, and succor and sustain her through all the consequences of their mutual love. *Remove from a man the arbitrary demand that he shall make more sacrifice than he feels to be just, and you neutralize, or evidently diminish, the temptation, on his part, to make less.* Demand pledges of him, on the contrary, under the penalty of the penitentiary, against that over which he knows, by all his past experience, that he has no more control than he has over his opinions or his tastes,—namely, that his affections shall remain unchanged for life, that he will never love another woman, or that, if he does, he will crush that love as he would a viper, no matter though his own heart and others bleed to death in the effort; add to this that he shall change his whole methods of life, assume the care and direction of a family establishment, for which he may have no taste, but only repugnance, and take upon himself the liability of being required to support many lives, instead of the burdens already incumbent on him, beyond, it may be, already, his consciousness of power to bear up against the difficulties of surrounding competition and antagonism; and you put before him what may be, acting upon some natures,—not the worst, as they are deemed, but the best as God made them,—an insuperable obstacle to the performance of those acts of justice which would be otherwise their natural and irrepressible impulse.

With some men and some women the instinct for freedom is a domination too potent to be resisted. An association with angels under constraint would be to them a hell. The language of their souls is "Give me liberty, or give me death." Such natures have noble and generous propensities in other directions. Say to a man of this sort, abjure freedom or abjure love, and, along with it, the dear object whom you have already compromised in the world's estimation, and who can foresee the issue of that terrible conflict of the passions which must ensue? In the vast majority of such cases, notwithstanding all, generosity and love conquer, and the man knowingly sacrifices himself and all future thought of happiness in the privation of freedom, the consciousness of which no affection, no amount of the world's good opinion, no consideration of any kind, can compensate him for nor reconcile him to. It would be strange, on the other hand, if the balance of motive

never fell upon the other side; and then comes the terrible desertion, the crushing weight of public scorn upon the unprotected head of the wretched woman, and the lasting destruction of the happiness of all concerned, in another of the stereotyped forms of evil.

I do not deny that, among those men, nor, indeed, that the great majority of those men who seduce and betray women are bad men; that is, that they are undeveloped, hardened, and perverted beings, hardly capable of compassion or remorse. What I do affirm is that there are, also, among them, men of the most refined and delicate and gentle natures, fitted to endure the most intense suffering themselves, while they inflict it—none but their own hearts can tell how unwillingly—on those they most dearly prize in the world; and that society is in fault to place such men in such a cruel conflict with themselves, in which some proportion of the whole number so tried is sure to fall. I also affirm that, of the former class,—the undeveloped, hardened, and perverted,—their undevelopment, hardening, and perversion are again chargeable upon our false social arrangements, and, more than all else, perhaps, upon that very exclusion from a genial and familiar association with the female sex, now deemed essential, in order to maintain the marriage institution in “its purity.” And, finally, I affirm that, while such men exist, the best protection that woman *can* have against their machinations is more development on her own part, such as can alone come from more freedom, more knowledge of the world, more familiarity with men, more ability to judge of character and to read the intentions of those by whom she is approached, more womanhood, in fine; instead of a namby-pamby, lackadaisical, half-silly interestingness, cultured and procured by a nun-like seclusion from business, from freedom of locomotion, from unrestrained intercommunication of thought and sentiment with the male sex, and, in a word, from almost the whole circle of the rational means of development.

He must be an unobservant man, indeed, who does not perceive the pregnant signs all around him that approximations toward the opinions now uttered by me are everywhere existent, and becoming every day nearer and more frequent.

“When people understand,” says Lord Stowell, in the case of *Evans vs. Evans*, 1st Consistory Reports, p. 36, “that they *must* live together, they learn, by mutual accommodation, to bear that *yoke* which they know they *cannot shake off*; they become good husbands and wives (!) from the *necessity of remaining husbands and wives*, for *necessity is a powerful master in teaching the duties which it imposes*.” How antiquated does such a defence of any institution begin to sound to our ears! It is equally good when applied to despotism, to slavery, to the Inquisition, or to any other of the forms in which force and *necessity* are brought to bear upon human beings to the destruction of their freedom and the ruin of their highest happiness. Indeed, it is the argument which, time out of mind, has been relied upon to sustain all those ancient abuses which are melting away before the

spirit of this age. We are rapidly discarding force, and recognizing the truth and purity and potency of love or attraction in government, in education, in social life, and everywhere.

The restraints of marriage are becoming daily less. Its oppressions are felt more and more. *There are today in our midst ten times as many fugitives from matrimony as there are fugitives from slavery; and it may well be doubted if the aggregate, or the average, of their sufferings has been less.* There is hardly a country village that has not from one to a dozen such persons. When these unfortunates, flying from the blessings of one of our *peculiar* and *divine* institutions, hitherto almost wholly unquestioned, happen to be women, — the weaker sex, — they are contemptuously designated “grass widows”; as “runaway” or “free nigger” is, in like manner, applied to the outlaws of another “domestic” arrangement, — freedom in either case becoming, by a horrible social inversion, a badge of reproach. These severed halves of the matrimonial unit are, nevertheless, achieving respectability by virtue of numbers, and in America, at least, have nearly ceased to suffer any loss of caste by the peculiarity of their social condition. Divorce is more and more freely applied for, and easily obtained. Bastard children are now hardly persecuted at all by that sanctimonious Phariseism which, a few generations ago, hunted them to the death for no fault of theirs. The rights of women are every day more and more loudly discussed. Marriage has virtually ceased to claim the sanction of religion, fallen into the hands of the civil magistrate, and come to be regarded as merely a civil contract. While thus recognized as solely a legal convention, the repugnance for merely *conventional* marriages (*mariages de convenance*) is yet deepening in the public mind into horror, and taking the place of that heretofore felt against a genuine passion not sanctified by the *blessing of the Church*. I quote from one of the most conservative writers of the age when I say that “it is not the mere ring and the orange blossom which constitute the difference between VIRTUE and VICE.”

Indeed, it may be stated as the growing public sentiment of Christendom already that the man and woman who do not LOVE have no right, before God, to live together as MAN and WIFE, no matter how solemn the marriage service which may have been mumbled over them. This is the NEGATIVE statement of a grand TRUTH, already arrived at and becoming daily louder and more peremptory in its utterance. How long, think you, it will be before the converse, or POSITIVE, side of the same TRUTH will be affirmed, — namely, that the man and woman who do LOVE can live together in PURITY without any mummary at all, — that it is LOVE that *sanctifies*, not the blessing of the Church?

Such is my doctrine. Such is the horrid heresy of which I am guilty. And such, say what you will, is the eternal, inexpugnable TRUTH of God and nature. Batter at it till your bones ache, and you can never successfully assail it. Sooner or later you must come to it, and whether it shall be sooner or later is hardly left

to your option. The progress of opinion, the great growth of the world, in this age, is sweeping all men, with the strength of an ocean current, to the acceptance of these views of love and marriage,—to the acceptance of universal freedom,—freedom to feel and act, as well as freedom to think,—to the acceptance, in fine, of THE SOVEREIGNTY OF EVERY INDIVIDUAL, TO BE EXERCISED AT HIS OWN COST. If our remaining institutions are found to be adverse to this freedom, so that bad results follow from its acceptance, then our remaining institutions are wrong, and the remedy is to be sought in still farther and more radical changes.

Had there existed a public opinion already formed, based on freedom, the poor girl in New Hampshire, whose sad history we have read in a paragraph, would probably not have been deserted, or, if she were, she would not have felt that "every eye was turned upon her in scorn, knowing her disgrace," visiting upon her a worse torture than any ever invented by savages, because, forsooth, *she had already been cruelly wronged!* A Christian people, indeed! "Her heart" would not have "sunk within her day by day and week by week." "Paleness" would not have "come upon her cheeks," and "her frame" have "wasted away until she was almost a living skeleton." She would not have become a raving maniac. "Her brothers and friends" would not have been "borne down with sorrow at her condition." Public opinion would not have been invoked "to hunt down" her betrayer, after first hunting down her; and, finally, her misfortune would not have been paraded and gloated over by a shameless public press, Mr. Greeley in the van, holding up the poor, agonized, heart-riven, persecuted victim of the infernalism of our social institutions, in warning to others against yielding to the purest and holiest and most powerful of the sentiments which God has implanted in the human heart,—the joint force of the yearning after freedom and after love.

Mr. Greeley, the wrong that infests our social arrangements is deeper and more central than you have believed. It is not to be cured by superficial appliances and conservative nostrums. The science of social relations must be known and applied. *You* do not know it. You refuse to study it. You do not believe that there is any such science either known or possible. You persist in scratching over the surface, instead of putting the plough down into the subsoil of social reform. Very well, then, the world can't wait! You must drop behind, and the army of progress must even consent to proceed without your leadership. I have been already a dozen times congratulated that I am helping to render you entirely "proper" and "orthodox." If you were quite sincere and more logical than you are, I could drive you clean back to the papacy upon all subjects, where you have already confessedly gone upon the subject of divorce,—except that you relax a little in your rigor out of personal deference to Christ.

The truth will ere long be apparent that there is no middle ground upon which a man of sense can permanently stand between *absolutism, blind faith, and implicit obedience to authority, on the one hand, and, on the other, "the sovereignty of the individual."*

STEPHEN PEARL ANDREWS.

XIV.*

STRICTURES ON AN ARTICLE FROM HENRY JAMES, IN THE NEW YORK "TRIBUNE"
OF FEBRUARY 12, 1853.

My dear Andrews:

I have read James's stuff in response to your article, and have no doubt that you will appreciate it. I saw, as I anticipated and mentioned to you, that your article required intelligence and candor in the reader equal to those of the writer to do it justice.

Mr. James appears to possess neither, to the degree required for a controversy so important as this is in the present crisis. He has, however, been driven, by your clear and definite statement of a great principle, to dabble with it, and so to open the way for its introduction. His very perversion of your formula demands correction, and calls for a discrimination that he seems not to comprehend.

He misquotes your formula as saying that one "may do as he pleases, provided he will accept the consequences of so doing." He says he finds it thus propounded. This is a misrepresentation. He does *not* find it "thus propounded," but has perverted it, either through carelessness, or ignorance, or a less excusable design to misrepresent; but this matters not, — it is his practical applications that interest us. Having furnished his own formula, he then goes on to show how ridiculous it is; but at the same time shows that the plane of his morality (although a teacher of the public) is even below that of the humble and unpretending. He seems to see no other *consequences* of stealing than what he finds in the penitentiary! no other consequences of lying than the violation of one of the commands of the decalogue! no other consequences of "prostituting your neighbor's daughter" "but the scorn of every honest nature"! Had he read your formula intelligently and candidly, I think he could not have failed to see that the "*exercise of my sovereignty at my own cost*," while it would give me supreme control over my own property *within my own sphere*, equally prohibits any use of it to the injury of another. The same formula would regulate the *acquisition* of property. I may acquire as much as I please *at my own cost*, but, if I steal another's, I acquire it at *his "cost,"*

* I cannot, perhaps, better close this controversy than by the insertion of the above communication suggested by it, and which will show how differently the doctrine of "the sovereignty of the individual" lies in some people's minds from what it appears to do in the minds of Mr. Greeley and Mr. James. — S. P. A.

which is a violation of his sovereignty and of the formula. Again, had society been formed under the influence of such a regulating principle, Mr. James and his readers might have been spared his coarse allusion to seduction. No one whose habits had been formed upon this simple but sublime principle would ever think of involving "a neighbor's daughter," nor any other person, in suffering by the pursuit of his happiness. This would be acting at *their* "cost" instead of his own; it would be a violation of their sovereignty and of the formula. When a strict and sacred regard to the "*sovereignty of every individual*" shall begin to regulate the acts of mankind, innocence and confiding love will begin to be safe, and find protectors in all who surround them. Thus, the readers of Mr. James (if not Mr. James himself) will see that this simple formula, which he says "is as old as the foundation of the world," opens to view a plane of morality as much higher than the vision of Mr. James as it is new and necessary to the world.

XV.*

A LETTER FROM MR. JAMES TO H. Y. R.

My dear friend:

Mrs. Woodhull has labored very hard to make Mr. Beecher out a free-lover in a practical way; and certainly (from the silence of Mr. Tilton and the rest as I judge) with some show of success. But as to that I feel indifferent. He at all events is not a technical free-lover, and his infirmity will be condoned by society therefore as a weakness of the will under great temptation, etc., etc., and as not indicating any hostility to marriage or the social sentiment. This is what makes the public hate technical or professional free-love,—that it is the enemy of all society or fellowship among men, inasmuch as it makes organic instinct supreme in human action, as it is in the animal nature, and gives an eternal lie to marriage as the sovereign dignity of our race. Speculative free-love has actually no case against our existing civic *régime* even, which a judicious enlargement of the law of divorce would not at once refute. I should have no quarrel with it, but on the contrary would bid it godspeed, if it sought only to hallow marriage in men's esteem by securing such a law of divorce as might permit every one to whom marriage was hateful or intolerable to leave its ranks as soon as possible, and so close them up to its undefiled lovers alone. Of course I am not so stupid as to suppose that there is anything essentially evil, or incompatible with innocence, in the indulgence of natural appetite and passion. But I hold just as clearly that it is fatal to all manhood—much more, then, to all womanhood—to make such indulgence an end of action.

No man and woman can do that deliberately without converting themselves—into brutes? No! for the brute is heavenly sweet compared with such men and

*That portion of the discussion which begins here was a revival of the original controversy after an interval of about twenty years, occasioned by the famous Woodhull-Clafin exposure of Henry Ward Beecher. That exposure led Mr. James to write a letter to a friend, H. Y. R., on the matters involved, which was printed in the St. Paul "Press" two years later. H. Y. R. then sent Mr. James's letter, accompanied by a letter of his own, to Mr. Andrews, both of which appeared in "Woodhull & Clafin's Weekly" of April 18, 1874, followed by Mr. Andrews's comments. This again called out Mr. James, whose letter in the "Weekly's" issues of May 9 and May 16, 1874, together with Mr. Andrews's reply thereto, closed the controversy. These documents conclude the present compilation.—*Publisher's Note.*

women—but into devils. The distinctive glory of man is personality or character, the power of transcending his organization and realizing divinity; and he attains to this personality or character, not by foolish doing, but by wise and patient suffering; that is, by subjecting his self-will, or will of the flesh, to the welfare of his neighbors whenever itself prompts injustice to them.

How infinitely remote all this marriage doctrine is from the thought of the free-lover you can easily ascertain by recurring to Mrs. W.'s indictment of poor Beecher. The free-lover aims at no mere negative legislation. He is a *doctrinaire*, and what he wants is, not the reformation of men's manners, but a revolution, whereby what has hitherto been subservient in human nature (the flesh) shall be supreme, and what has hitherto been supreme (the spirit) shall be subservient. He will allow no compromise with society in any form, for he doesn't believe in the social destiny of man, and disposes himself to reconstruct the world simply by overturning it, or substituting universal discord in place of partial order. He holds that every man is absolutely free,—free not only in respect to outward compulsion, but free also in respect to inward constraint; thus that he is essentially devoid of obligation either to his fellow-man or to himself; in a word, his own sole law, and hence is never so unmanly as when he obeys the voice of conscience in preference to that of appetite and passion.

This gospel would go down with me if I were only a Chimpanzee. For in that case, knowing absolutely no other law than that of my organization, I should know nothing of the social sentiment, nor consequently of the marriage sentiment in which it originates. But you will please observe that I am not a chimpanzee, either in origin as Mr. Darwin would argue, nor in destiny as the free-lover would have it; and the gospel of free-love consequently turns my intellectual stomach. I have an animal organization, to be sure, but it is never my master from infancy to old age, unless I have perverted my human force by vice, but always my servant. This is because I, unlike the animal, am born into a miniature society, called the family, and undergo its law, which is that of reverence and obedience on my part toward my parents, protection, nourishment, and education on their part toward me. Such is the difference in origin and destiny between man and the animals. The latter are born to obey their organization, the former are born to obey a higher law. In a word, every man, by virtue of his birth in a well-organized family, is more or less subject, inwardly, to conscience or the social sentiment. And this sentiment early awakes in his bosom a sense of personality or selfhood utterly distinct from his organization; and if it be judiciously nurtured and cultivated by outside influences, it gradually leads him to abhor nothing so much as identification with his appetites and passions. He claims an infinitely higher, purer, and freer law of action. Of course, so long as he remains a child, or falls short, from any cause, of normal manhood, he feels the insurgence of his organic wants very often, and does in consequence many harmful and unhandsome things, which in-

vite stern rebuke and discipline. But, if he be arrested in time, he is sure to disavow his base tendencies, and submit himself zealously to the higher law he has found within.

Especially is this the case in respect to the sexual sentiment and its promptings. Love has now ceased to be purely animal with him and is becoming human. He now no longer loves at the impulse of his organization merely, and without regard to the personality of the object, as the animal does, but is overpoweringly constrained by something in the object exclusively, a something divine to his imagination, which he recognizes as the consummation of his being, and in the possession of which he would sacrifice his existence. In other words, love now proclaims its transfiguration into the marriage sentiment, and if it ever falls away from that sentiment, it does so no longer as love, but only as lasciviousness, in which case of course the man reverts from man to monkey.

Here, perhaps, you will ask me what I mean by marriage.

Marriage has two aspects: one literal, as a civic institution; the other spiritual, as a divine education or discipline.

1. I marry my wife under the impression that she is literally perfect, and is going to exhaust my capacity of desire ever after. Ere long I discover my mistake. The world, the flesh, or the devil (or possibly all these combined) suggest a pungent sense of bondage in the marriage tie. My good habits, my good breeding, my hearty respect for my wife, my sense of what is due to her amiable devotion, prevent my ever letting her suspect the conflict going on in my bosom; but there it is, nevertheless, a ceaseless conflict between law and liberty, between conscience and inclination. I know that it would be possible to make a compromise or enforce a truce between the two interests by clandestinely pursuing pleasure and openly following duty. But my heart revolts from this. I feel that the burden of my race is upon me, and I will perish under it if need be, but I will not shirk it like a sneak, and let sincere men bear it unhelped by me.

So much is clear to me. The law I have sworn to obey is beyond my strength. It crushes me to the earth. It humiliates me in my self-esteem. I see in its light that I am no better than the overt adulterer; but I dare not resent its terrible castigation. The law is holy, just, and even good, though it slay me. Yes, death at its hands were better than life at the risk of dishonor at my hands; so I abide by my marriage bond. I see very well that the bond ought to be loosened in the case of other people; that divorce should be allowed more freely than it now is, so that multitudes of people to whom marriage as a divine education or discipline is mere derision and mockery, might become free from its bondage as a civic institution, and so no longer profane it and their souls by clandestinely violating it. But as for me, I will abide in my chains.

2. I don't find that there is any particular manhood, if by manhood merit is meant, in this decision of mine; for I have been becoming aware all along of a

much deeper divinity in my wife than I discerned in her before marriage. The divinity she revealed to me then addressed itself to my senses, and fed me fat with the hope of being selfishly aggrandized by it. The divinity she now reveals is the very opposite of everything I find in myself. It is gentle where I am turbulent, modest where I am exacting, yielding where I am obstinate, full of patience where I am full of self-will, active where I am slothful, cheerful where I am moody, unconscious where I am morbidly conscious; in short, it is a divinity infinitely remote from my own petty self, and yet a divinity in my very nature, so that I can't help becoming aroused to the meaning at last of living worship, worship consecrated by death to self. I see that there was no other way for the Divine to get hold of me, at all events, but by first binding me in sensuous love to this noble woman, and then letting into my interiors from the *camera obscura* of her person the accommodated blaze of His eternal purity and beauty, that I might see myself at last as I truly am, and know Him, therefore, evermore, past all misapprehension, as my sole light and life. Thus marriage is to me my truest divine revelation. I should simply have gone to hell long ago if my wife had not saved me, not by any conscious or voluntary doing on her part (for if she had attempted anything of that sort she would have damned me past all chance of redemption); no, far from it; but by unconsciously being the pure, good, modest woman she is. She was mine by legal right, and yet she was by nature totally opposite to all I call me. What then? Shall I renounce marriage, call it a snare and a cheat, and abandon myself to concubinage instead? Or shall I accept it as a divine boon,—the divinest boon imaginable to our race,—and so find myself no longer debasing women to my level,—the level of my selfish lusts,—but elevated gradually and surely to the height of her natural truth and purity. . . . The end of marriage as a civic institution is the family. But the family is now blocking the way of society, which is God's family, and marriage consequently, being no longer necessary to be rigorously administered as of old in the service of the family, must consent to be administered in the interest of society,—that is, must be relieved by greater freedom of divorce.

H. J.

XVI.

A LETTER FROM H. Y. R. TO MR. ANDREWS.

My dear sir:

I inclose a newspaper slip of a letter published in a late issue of the St. Paul "Press," in which you will readily recognize the ear-marks of your old antagonist of twenty odd years ago, Henry James, of Newport.

I feel assured that Mr. James is laboring under a misconception of the motive which animates the "free-lover" in assailing our present cruel marriage laws, and is thus led to misstate the issue. He is equally earnest in his desire for the emancipation of woman, and his vehement rhetoric has demonstrated on numberless occasions that the legal tyranny of marriage serves only to embitter and defile its otherwise sweet and wholesome waters. But he assumes that the hostility of the technical free-lover is based on a totally different motive from his own; that it is a supremely selfish one, wholly in the interest of his organic appetites and passions. As well might he assume that the effort to relieve the hard conditions of prison-life was made in the interest of thievery, and insist that anyone advocating such amelioration afforded instant evidence that he was a thief, or at least was calculating the risks involved in some scheme of private plunder. To make good his position, it is incumbent on Mr. James to show that the men and women known as "technical free-lovers" are, practically, libertines, debauchees, and harlots; are lecherous, libidinous persons, who shamelessly "obey the voice of passion in preference to the voice of conscience." This is a task from which Mr. James would shrink with unfeigned abhorrence, but I see no other means by which he can vindicate his claim to candor and sober truth.

I have read the writings of Mrs. Woodhull, and heard her deliver her lectures; have read the current literature of the free-love movement these twenty years or more; and—while meeting with much that was repulsive and reprehensible—I am satisfied that the settlement of the question of social freedom involves issues of immeasurable value to the race, and invites the effort of every courageous and sincere man and woman; and I am also satisfied that, while a large proportion of the individuals who have espoused this unpopular cause exhibit a certain unhandsome egotism, and possess perhaps more vigor than cultivation, they are in all moral regards neither better nor worse than their neighbors.

But I fear Mr. James has confounded some of the exuvia of this new truth with the fair promise itself. The new truth in transition is always accompanied with irregular and sporadic manifestation. To be sure, well-bred people do not want to be always talking about their sexual relations; nor will they, after these matters have been readjusted. Once woman is emancipated from the social and household subjection in which she is now (in a great measure unconsciously) held, a cooling, healing influence of modest restraint will descend from woman herself, and these turbulent waves of public discussion concerning a domain of life so private and sacred will subside into equable relations with other departments of human activity.

Henry James sits a crowned king in the realm of metaphysics. His penetration is something marvelous. His admirers become enthusiasts and declare that he alone of all men living is entitled to the name of philosopher. Time and space confess themselves mere shams, and the material universe fades out of mind under the matchless power of his analysis; the innermost mysteries of being unfold themselves, fall into order and method, and ultimate in worlds and passionate human hearts as a matter of course; history is illuminated, and the splendid destiny of the race is forecast with overwhelming certainty. But in the midst of all this, or perhaps because of this, one detects in him a certain inability to cope with actual affairs as they arise in the ever-shifting drama of life. His thought turns back upon itself when it comes in contact with the raw edge of things. And I hold that in this letter he has spoken unwisely; he has made his point, but it is at the expense of his own candor and magnanimity. He perceives the stupendous frauds we suffer in our social relations,—none more clearly; and he with us is moved to attack; but, while the common instinct of outraged justice urges the rough onset with whatever bludgeon lies at hand, he is dismayed at the turmoil and confusion, and puts up his keen and highly-tempered blade in disgust, confessing that he has no stomach for the fight. *Hinc illæ lacrymæ.*

H. Y. R.

XVII.

COMMENTS BY MR. ANDREWS.

Henry James has, in a high degree, the rare qualities assigned to him by H. Y. R. But what shall we say of his persistent misrepresentation of the doctrine of free love? It is astounding that a man of his intelligence can write such balderdash. The fact argues either a crass and chronic stupidity on the subject, on his part, or else that he is wilfully bearing false witness against his neighbor. He asserts, not as his opinion, but *ex cathedra*, and as the undoubted fact, that the free love *doctrinaires* demand that the flesh shall be supreme; that free lovers are fleshly-minded or lecherous people, ignoring or subordinating the spiritual element of man's nature; that they are chimpanzees, brute beasts, etc., etc. The free lovers have never said so. They have merely asserted the law of individual freedom, instead of, or in predominance over, social constraint, as the safer and better medium through which to conduct to the higher development of mankind. They are a set of social philosophers who have arrived at this degree of spiritual insight into causes, and of faith in the self-regulative powers of freedom, in the place of regulations imposed from without. They may be right or wrong in this assurance, but, if wrong, it is on the side of spiritual elevation. It is because the God within them denies the necessity any longer of outward constraint and discipline to lift them to the highest social and spiritual conditions. It is surprising that Mr. James should not sufficiently well understand the working of spiritual laws to know that in charging on others the predominance of low and animal desires and manifestations simply because they demand a free field to live their own true lives, he convicts them of nothing, while he implicitly confesses that he is *such*, and that he would habitually so manifest himself, if outward constraint were not so laid upon him; in other words, that he, individually, is still a chimpanzee and nothing else, except in so far as outward social and legal constraint, coupled with domestic discipline, compel him to the exhibition of an outward decency; with some promise, withal, that, by the continuance of these ministrations, he may at some future day be developed into the higher sort of humanity, upon the spiritual plane.

But, if there is this hope of a better result in the future, even in his case, it may be that other individuals, with a better nature from superior inherited conditions and other causes, may long since have attained to that higher state in which they

are justified in claiming *to be a law unto themselves*, and to be exempt from disciplines which they or their ancestors may have had enough of, and which are now only hindrances for them, however necessary they may still be for less progressive individualities. Mr. James and a large class which he represents may still need a course of domestic infelicities, and, if I could accommodate them at the same time, I would even be willing that the dose should be increased in size and frequency; but that is no good reason why those who never had or have recovered from the chimpanzee disease should be required to go through, again and again, the same purgation.

I wonder whether it ever really did occur to Mr. Henry James and those of that ilk that possibly there may be men and women in the world who are built on a higher plane, or may have attained to a higher plane, spiritually, than any that he and they have yet attained to; instead of uniformly assuming that, if anybody differs from them and their personal standards, he must necessarily be on a lower plane of development. But Swedenborg, Mr. James's supreme channel of spiritual wisdom, rightly no doubt says that an angel, lifted into a higher heaven than that where he resides, *sees nothing*.

STEPHEN PEARL ANDREWS.

XVIII. ,

LETTER FROM MR. JAMES TO MR. ANDREWS.

S. P. Andrews, Esq.:

DEAR SIR,—My letter of December, 1872, was not designed for publication, as is obvious upon the face of it, and I regret that my friend Mr. R. should have been so inconsiderate as to print it without consulting me. Had it been intended for publication, I should have modified its phraseology in more than one respect. It was written in the confidence of friendship, and betrays a latitude of expression permissible only to such confidence. My sole conscious purpose in writing it was to characterize two rival doctrines, and I should have abhorred to reflect injuriously upon the supporters of either doctrine, least of all the unfashionable one. For while multitudes of equally sincere people may be found doubtless arrayed on either side of this controversy, there can be just as little doubt that sincerity in your direction costs a good deal of thoughtless opprobrium, while in mine it wins a good deal of equally thoughtless popular applause; and sincerity that forfeits one's personal consideration will always argue a higher manhood than sincerity that attracts it. It is more than a duty, it is a pleasure, to admit all this; but I repeat that my difference with you is primarily intellectual and only derivatively personal.

Your doctrine—if I understand it—is twofold, namely: *First*, that men are *de jure* exempt from outward liability, which is liability to other men, for the indulgence of their appetites and passions; *Second*, that they are *de facto* exempt from all inward liability for such indulgence, or liability to their own distinctive nature as men. In other words, you hold that I am not only under no conventional obligation to control my passions, no obligation imposed by outward law, but also under no natural obligation to that effect, no obligation imposed by my essential human quality. To say all in a word: You hold man to be his own law in respect to his passions, as well as in respect to his actions: provided of course that he doesn't wound his own ideal, or violate good taste.

(1) Thus your doctrine has both a negative or implicit force, as addressed to the making *marriage* free by progressively enlarging the grounds of divorce; and (2) a positive or explicit force, as addressed to the making *love* free by denying its essential subordination to marriage.

Now, I wholly agree with your doctrine on its negative merits, or in so far as it

teaches man's *rightful insubjection to other men* (1); and I wholly disagree with it on its positive merits, or in so far as it teaches his *actual superiority to his own nature* (2).

(1) First as to the point in which we are agreed. I am *not* responsible to my fellow-man for the exercise of my appetites and passions, because on my passive side, the side of appetite and passion, I am not free, but in palpable bondage to my constitutional necessities, to my finite organization, or my mineral, vegetable, and animal subsistence. And responsibility is the attribute, not of a bondman, but a freeman. I remain doubtless for a long while unconscious of my bondage, because in the infancy of my career I have at most only a traditional and not an experimental knowledge of my true spirituality of nature, and hence am sure to identify myself with my organization, or look upon its proper life as my own. But my intellectual day does eventually break, and I then perceive with mingled awe and disgust that what I had hitherto reckoned to be freedom and life was all the while a cunningly disguised slavery and death. The truth is so, however, whether I perceive it or not. I am *outwardly* free only to *act*, not to suffer or to be acted upon; so far accordingly as I am a subject of this latter or passive freedom, *this freedom to suffer or to be acted upon*, my life is not outwardly but altogether *inwardly* constituted or energized, and disdains any outward responsibility. Thus I may experience love to any extent my temperament enjoins or allows; but so long as I commit no overt act of hostility to marriage, no one has a particle of right to complain of me. To the entire compass of my passionate life or organization I am the subject, not of any outward or moral law, but of an inward or spiritual law exclusively, a law which is one with my race or nature, and determines all the issues of my destiny; and however properly therefore it may upon occasion subject me to my own unfavorable judgment, it at all events renders me superior to the judgments of other people.

And this brings us to our point of disagreement.

(2) I *am* outwardly free to act, for my physical organization and environment render me so; and, being free, I am properly responsible to others for the use I make of my freedom in their direction. They accordingly insist that I exercise my freedom of action within the limits of a discreet regard to their persons and property, under pain of forfeiting their good will, or incurring their acute resentment. Thus my freedom of action is essentially *limitary*, not *absolute*. It is limited by my sense of justice, commonly called *conscience*, or the sentiment of duty I feel toward my fellow-men. The limitation is often practically inconvenient, is often indeed very painful; but it can be persistently resisted only at the cost of my spiritual manhood, only at the cost of my personal degradation below the level not merely of human but of brute nature, and my assimilation to devils.

Evidently, then, my *personal* freedom—my freedom of *action*—is not in itself a thing to be proud of. It is at best a purely finite—that is to say, moral or vol-

untary—freedom, consisting in my ability to obey or disobey an outward law, and realize, if I please, a certain mid-career, a certain earthly success, in conciliating the warring extremes of heaven and hell, or duty and inclination; and its ideal consequently in human character is prudence or worldly wisdom. Now, how do you account for this inveterate finiteness of the human personality? Why should my personal freedom, my conscious selfhood, confess this essentially limitary quality? The fact seems to me wholly unaccountable but in one way, and that is on the principle that my personal life or consciousness is *essentially* subservient to a higher because spiritual or divine life in my nature identical with what we call SOCIETY among men; and is contingent therefore for its character upon the measure of practical obedience or disobedience I pay to the *social* spirit. I call this higher life *God's life* in my nature, as opposed to the life I feel *in myself* and call *mine*, because I manage to realize the one only in so far as I mortify the other. That is to say, I give up my outward life or freedom, which is my freedom to act from myself as a centre, or to consult only what makes for my worldly welfare, and I find as I do so an inward life—a spiritual freedom—making itself over to me, which is unspeakably satisfying, which is in fact so unlike everything I have hitherto called *my* life that I cannot help pronouncing it literally divine and infinite. I dare not call this life *mine* of course any more than *yours*, since it is a life in our *nature* exclusively, and not in ourselves; and yet it is so intimately near and precious to me as to make my own proper life (and yours) seem utterly worthless and odious in the comparison.

Now what is the warp upon which this life of God in our nature—that is, in you, and me, and all men quite equally—is woven? I do not hesitate to say: the warp of *suffering*. Not voluntary suffering, or suffering for suffering's sake, of course, which is mere hypocritical or dramatic suffering,—the base counterfeit coin of the flesh which the Roman Catholic or other pietist pays to his idol in lieu of the pure gold of the spirit, when he would inspire it with a favorable conceit of his own merit,—but rational or helpless suffering, originating in what used to be called a conscience of sin, meaning thereby a hearty contempt of one's self, and inflamed by the endless labor it costs to get away from that self, or live down the monstrous superstition of a *possible* personal worth or private righteousness in us.

Of course every one must here bear witness for himself alone. We are now dealing with the realm of our inward being—of our true freedom or individuality—where we dwell in direct contact with the highest, and disallow all mediation. But I do not hesitate to affirm for myself that I experimentally know no freedom but that which is here indicated as pure human, being a freedom of illimitable inward disgust with my own and, if need be, every man's personal pretensions. I relish my moral or outward freedom, my freedom of finite action, as much as any man. I relish it so very much indeed that I doubt not it would soon run my head into a noose, if it were not perpetually belied by this more living or spiritual free-

dom within. The two things cannot co-exist in the same bosom but as substance and shadow, life and death. The one sensibly finites me, the other expands my consciousness to infinitude. The more I prize my moral freedom, or freedom of outward action, and identify myself with it, the more my life is finited or concentrated upon my petty person. The more I prize my spiritual freedom, or freedom of inward reaction, and practically identify myself with it, the more my life is infinitized or socialized, until at last it becomes so transfigured into universal dimensions as to make me feel myself almost *sensibly* blent with the life of my race or nature, which is God.

Understand me. The distinctive badge of our nature hitherto has been *passion*, not action, suffering, not enjoyment, in order to base a truly human consciousness in us, or separate us from the animal. Rather let me say it has been *action inspired by suffering*, since our natural infinitude or divinity has been almost wholly swamped in our mineral, vegetable, and animal beginnings, and has only come to consciousness in the person of one man in history, who yet realized in such amplitude its power to sanctify *all* men that he could say to a petty thief who shared his cross: *This day shalt thou be with me in paradise.* In short, passionate and not rational action has been the inevitable law of human life, the indispensable condition of its eventual extrication from the mud and slime of its finite maternity. Thus no man has been great in history, with a truly *human* greatness, who has not won his way to it through suffering; that is, by painfully subjugating the rampant hell of his merely *personal* ambition and aspiration to a tranquil inward heaven of just and equal relations with his fellow-man. And to be blind to this great fact is to be blind in my opinion to the total divine worth and significance of human nature.

Now it is precisely here as it seems to me that your doctrine avouches its signal incompetency as a law of human life. The doctrine stamps itself indeed fundamentally vicious, in that it utterly ignores this profound subserviency which what is personal or particular in us has always been under to what is human or universal; and so practically subverts our natural dignity, or declares it undivine. You conceive—such at least is the logic of your position—that our appetites and passions are a *direct* divine boon to us, intended to enhance our personal enjoyment and power, and to that extent relieve our existing prison-house of its gloom. I deny this with all my heart. I am persuaded that they are given to us in no positive interest whatever, as they are given for example to the animal to constitute his feeble all, but in a distinctly *negative* interest, or with a view to disgust us with our prison-house, or finite heritage, and stimulate us to demand a new birth more consonant with our spiritual or race traditions. Thus I can't for the life of me figure to myself what *free love* means, unless it be one of two things: either, 1. A freedom to love promiscuously, which is a mere speculative freedom equivalent to lust, and therefore disowned by the universal human heart; or else 2. A freedom to desecrate love, or reduce it to animal proportions, by divesting it of an exclu-

sively marriage-hallowing. But no man, least of all a man of your great sense and decency, will contend for the former alternative; so that the latter alone needs to be considered.

Now, if by freedom of love you mean emancipation from marriage constraint, you compel me to regard your use of the word love as symbolical merely, and to view the word itself as meaning substantially hell. I hope you will not deem me silly enough to suppose that I thus stigmatize your doctrine to any good man's regard. On the contrary, I am only making an honest attempt intellectually to characterize it; and as by the marriage-love of the sexes heaven has always been appropriately symbolized to the intellect, so I take no liberty with thought in saying that hell is no less appropriately symbolized by love as opposed to marriage. I repeat, then, that *free love*, regarded as the enemy of marriage, means to the philosophic imagination free hell, neither more nor less. *Free* hell, it is true,—which is a greatly improved aspect of the subject,—but still *hell*, and not by any means either earth or heaven. It is this fact alone as it seems to me which supplies the philosophy of the *free-love* agitation, and redeems it from an otherwise utter triviality. Free love is only the shibboleth of the movement, only the specious battle-cry under which its shadowy cohorts are being marshalled for the final field of Armageddon. But, viewed *under* the surface, it is a surging up of great hell itself into the current of our daily life, to become henceforth an acknowledged factor in human affairs, or to be reckoned with no longer as a suppressed and disreputable, but as an every way free and respectable force in our *nature*.

You pay me the somewhat dubious compliment of calling Swedenborg my fountain of wisdom. I flatter myself that the fountain in question is somewhat more highly placed. I am quite sure at all events that Swedenborg's stately wig would rise off his head in astonishment and awe of the waters that flow from that fountain. Swedenborg is not the least a man of *ideas*, but eminently a man of *facts*; and if any one goes to him therefore for ideas themselves, and not for the mere raw material out of which ideas are constituted, he will be sadly disappointed. This is what makes Swedenborg at once the most unauthoritative and the most instructive of writers,—that he has no pretension to supply his readers with intelligence, but only with facts, which nevertheless are a sure vehicle of intelligence to every one who knows how to use them. Now, altogether the most impressive fact I find in Swedenborg is the fact of the Last Judgment, effected, as he declares, more than a century ago in the world of spirits, and resulting in the complete practical effacement of the old antagonism of heaven and hell, and their joint and equal subjugation henceforth to the evolution and uses of a new manhood on earth, at once natural and spiritual, or finite and infinite, which he calls a *Divine*-natural manhood, and represents to have been the sole creative and the sole formative force in our history.

Now, if this Last Judgment of Swedenborg's be a fact of our spiritual or race-

history, and the elements of good and evil in our nature have become actually reconciled in a new divine manhood, have become actually fused, blent, or married in a new or divine-human life on earth, what can worthily express this grand spiritual achievement in our nature but *society*? Society then is the true form of human destiny. And if society itself be a marriage of good and evil, of spirit and flesh, of heaven and hell, consummated in the divine heart of our nature, why should not hell declare itself free of heaven, or love declare itself free of the purely enforced bondage it has hitherto been under to marriage? How indeed can it help doing so? The slave, in disavowing his coerced bondage to his master, does not refuse him a spontaneous loyalty on occasion. And love, in refusing a constrained homage to marriage, will not deny itself the honor and advantage of a spontaneous adhesion. Society, when once it is fairly established to men's recognition as the sole law of their origin and destiny, as the sole divine justification of their past disreputable existence, will exhibit or express a perfect reconciliation of our most finite or personal necessities with our most free or spiritual and infinite aspirations. But that is only saying in other words that man's life, whether inward or outward, whether celestial or infernal, will then be no longer moral or voluntary as centred primarily in self, *or* primarily in the neighbor, but altogether æsthetic or spontaneous, as centred in self *and* the neighbor quite equally. And when the law of man's life thus expresses itself no longer in the rugged forms of duty, but in every winning form of delight, the lower element in our nature will be found even more prompt to its social allegiance than the superior element. Hell in that event, as a recognized factor in human life, coequal with heaven, will vindicate its freedom no longer by voluntarily deferring to heaven, but by doing so instinctively as the very condition of its subsistence; for reciprocal deference is the life-blood of freemen. Thus, when the veriest prudence of a man, or his inmost love of himself, binds him to society as the law of his being, he may surely be allowed to claim what freedom in love he pleases: his love—in spite of himself, if need were—will evermore strive to indue itself in marriage lineaments, for marriage is both the substance and the form of true society, and nothing derogatory to the marriage spirit can subsist in it. This is why it is written: "*There shall in no wise enter into it anything that defileth, neither anything that worketh abomination or maketh a lie; but they which are written in the Lamb's book of life.*"

I am, dear sir, yours very truly,

HENRY JAMES.

CAMBRIDGE, MASS., APRIL 16.

XIX.

COMMENTS AND REPLY BY MR. ANDREWS.

The courteous, kindly, and generous remarks of Mr. James, in the opening of the preceding letter, would disarm at once every disposition that might otherwise have existed toward an acrimonious criticism of his views. It is far more congenial to my feelings to enter upon the ground of mutual investigation in the common field of the search after truth, than to be bandying phrases or hunting for pungent weapons of verbal offence to be hurled at a supposed enemy; or even to be training the heavy artillery of a crushing logic against hostile intrenchments. Still I do not propose to abandon the advantage of utter frankness which the past relations of Mr. James and myself have authorized between us. The *fortiter in re* may, I hope, be retained without, hereafter, any sacrifice of the *suaviter in modo*.

It is a task of no little difficulty to reply adequately to a letter of this kind. Apart from the occult nature, broad scope, and intrinsic importance of the subject-matter, and apart from the eminent ability and subtle originality of Mr. James in the treatment of whatever subject he handles, there are great incidental difficulties. His points of view are so transcendental and so original in their transcendentalism, his absence of preliminary definitions (for example, he never tells us what *he* means by marriage), his assumption of a scope of knowledge on the part of his readers which most readers are destitute of, and, finally, his novel and sometimes confusing and almost blindingly brilliant individuality of style, including a system of technicalities peculiarly his own, conspire to make a tangled mass of obstacle. He is one of the easiest of writers to treat adversely and to put conclusively in the wrong, by simply assuming that he means what other mortals would mean by the use of the same language; but one of the very most difficult to treat candidly, and first disinvolve, and then estimate fairly. He is one, therefore, in a sense, whose amity is more to be dreaded than his enmity. He needs, an interpreter when he addresses himself to others than his own admiring acolytes; and I could wish that he had one at hand in whom he might more confidently rely than in me; but, under the circumstances, I must occasionally take the liberty (and I sincerely apologize for doing so) of restating Mr. James, in my own words, for the sake of my readers, or of saying to them, in other language, what *I* understand him to mean. I will add, however, that I have so long and so lovingly pored over

his writings, and have been myself so instructed by them, that I feel some confidence in my ability to apprehend him rightly; and that I hold myself completely subject to his correction wherein I may have failed to do so. A writer who talks of *freedom to suffer*, and man's *actual superiority over his own nature*, and underscores these phrases as containing the gist of his thought, needs as friendly an interpretation as Christ's words when he teaches us to *hate father and mother* for the truth's sake. Whosoever wishes to understand may have to labor hard to succeed; and whosoever wishes to cavil may readily do so.

[I also take the liberty to insert numbers indicating paragraphs and subjects in Mr. James's letter for ease of reference.]

The second branch of Mr. James's definition of what he conceives to be the doctrine of the free lovers, what he calls "our point of disagreement," and which I have marked, where it is severally restated, by the figure (2), is that they—that I, for example—hold myself "exempt from all inward liability" to my "own distinctive nature as man" for the use I make of my passional nature. Now what he means here to state I take to be that he supposes me and all those who think with me on this subject to have cast off deliberately and as an intellectual conclusion all deference whatsoever to conscience, to our sense of right, or of inherent and essential law regulating the proprieties of conduct, and all deference to the needs or behests of our own superior spiritual natures. I assure our readers (his and mine), with some misgivings as to their ability to credit me, that this is what Mr. James *does* really mean to say. I could not myself believe it upon the strength of any single formal statement, and would have accepted the theory, rather, that I was dull of understanding and did not comprehend him, except that by his reiterations here, and by recurring to his more elaborate presentation of his views in his previously published letter, I am constrained to know that this otherwise sane and even wise writer and thinker does, in his heart, suppose that bald stultification is the characteristic of a group of philosophers who are not, certainly, in other respects, absolute fools.

It was this sort of thing which in my previous critique I denounced as balderdash. I take back the offensive word, and will merely say that any such supposition as this is merely a figment of the imagination of Mr. James. Nearly every word he utters so forcefully and characteristically, although, sometimes, somewhat mystically, of the normal career and graduation of the human character and of society, out of a lower and sensuous life into a higher and spiritual life, is such that I entirely accord with it, affirm it in my teachings from time to time, with all the powers that I possess, and aim to ultimate it by every legitimate means in myself, in those about me, and in society at large. It is for holding and promulgating just these views that I have, in the midst of seeming dissension and inability to be myself comprehended by him, ever loved and cherished the noble type of personality which I always gladly recognize in him, and it grieves me more than I can

express that such a man, and with otherwise lofty powers of comprehension, could so far misapprehend me as to attribute to me what my nature would prompt me to denounce with him as akin to a doctrine of devils. When people wilfully misunderstand me, I sometimes take no pains to explain; and perhaps I have even at times couched my doctrines in such terms that my assailants should seem to be successfully gratifying their malignity, while I have known that they were biting a file in attacking my positions; but whenever, as now, I am convinced that there is an honest attribution to me of opinions that I and my *co-doctrinaires*, so far as I know, utterly repudiate, I hasten to remove, so far as lieth in me, every possibility of a continued misunderstanding.

What possible ground has Mr. James or anybody for assuming that I or any set of representative free lovers have ever pronounced in favor of *the emancipation of mankind from their own consciences, from the sense of justice toward all others, or from the claims of their own higher natures?* My understanding of the subjects is that they, of all people, are precisely the champions of those higher mental qualities and states; and that, if they sin at all, it is in their readiness to trust too much to the elevating and regulative potency of just those elements. If we understand ourselves, this is the only quarrel we have with the community at large; and we are the representative people of just those things which Mr. James supposes we have cast overboard. His indictment of us is no other than a subtle and highly spiritualized repetition of the same estimate of us and our doctrines which the common vulgar herd of crude, undeveloped, and themselves merely passionately organized people attribute to us, in a purely external and unspiritualized way. It holds curiously the same relation, as a mistake, to the common vulgar blunder of the people which Swedenborg's and, if I understand him aright, Mr. James's idea of marriage holds to the common external legal understanding of it. The blunder of the vulgar public, partly innocent and natural misapprehension and partly malignant perversion, has long ceased to astonish or disturb me; but the rarefied and attenuated and transcendental mistake of our present learned and acute critic is a psychological curiosity on the one hand and, on the other, a startling surprise.

Now, the doctrine of free love is not even anti-marriage in the external or legal sense of the term, any more than the doctrine of free worship in our churches is anti-worship; certainly, therefore, it is not anti-marriage in respect to the spiritual conception of marriage entertained by Mr. James. It is simply opposed to the legal imposition of marriage as a uniform and compulsory mode of adjusting the sexual relations of society and may be said perhaps to be equally opposed to the dogmatic imposition, upon all of us, of precisely Mr. James's idea, or anybody's idea of spiritual marriage. It is simply and wholly the doctrine of "hands off," or of remitting the jurisdiction of the subject to the parties concerned; of freedom to marry externally and by express contract for those who desire so to marry; of freedom to be married ever so closely and exclusively, in the spiritual sense, for

those who believe in it and desire it; and of equal freedom for those who believe in neither to regulate their love relations in accordance with whatever ideas they do entertain. The doctrine pronounces absolutely nothing with regard to the truth or falsehood of any of those ulterior doctrines, but simply prohibits the interference of anybody with the affairs of others, in this respect, for the purpose of enforcing their own individual or collective beliefs. The whole doctrine of free love is, therefore, rigorously contained in what Mr. James defines as the negative side of that doctrine. It has no other side whatever; and upon this side of the subject Mr. James affirms that he is infinitely in accord with us. The other side of the doctrine—what he calls the positive side, and attributes to us—is, as I have previously said, purely a figment of his own imagination, and would be as abhorrent to me, if I recognized it as really existing anywhere, as it is or can be to him.

I have said that free love has no positive side in Mr. James's sense. It is a purely negative doctrine, or merely the doctrine of "hands off." This is as true of it as it is of Protestantism, which is negatively a denial of the authority of Rome, but which *may be positively stated* as the right of private judgment in matters of conscience. Every negative doctrine or doctrine of mere freedom may be thus counterstated and thrown into positive form; and, in that sense, free love may be said to have an affirmative side in the assertion of the right to be left free; but this is in no measure what Mr. James embraces in his conception of the positive side of the doctrine, which is, namely, the assertion of the supremacy of the lower and material or animal nature over the higher, intellectual, and spiritual nature, in the individual and in society at large. The inversion which does place the lower nature above I abundantly recognize and deplore as an existent fact of the world's history hitherto, and it is the earnest desire to remedy that inversion which makes me a free lover,—believing that the complete emancipation of woman would tend especially in that direction; but formulated as a doctrine, and put forth by rational thinkers as something true or desirable, I have never met with it anywhere, and am not aware of its existence. The mere assertion of the right of the individual to decide for himself whether he will subordinate love to marriage or marriage to love, is neither a denying nor an affirming of the essential subordination of either to the other. It is simply an emancipation of them both, and in equal degree, from anybody's dogmatic and authoritative decision of that question, and is fully covered by that which Mr. James holds in common with us.

I have said that on the whole ground really covered by free love Mr. James announces that he is in full accord with us. But even here he is laboring under some measure of mistake. He more than accords with us. He overstates the doctrine. He believes, apparently, in an unbounded license for those who are under bondage to their own appetites and passions, and holds them exempted from all responsibility, on the ground that they are themselves enslaved to those ap-

petites, and are not, on that account, responsible and accountable human beings. This is to say that they are free, and to be left free, because they are not free,—a doctrine to which I can only assent in a transcendental, ethical sense. This doctrine of freedom without limitations, taken as a basis of social regulation, surpasses everything that free lovers contend for. The doctrine which we affirm is, on the contrary, a doctrine of very stringent and rigorous limitations. It is the doctrine of the freedom of the individual, *only so long as he does not encroach upon the equal freedom of all other individuals*. This doctrine, which is feared as license, is, when examined, found to be a tremendous two-edged sword; inasmuch as, while it confers freedom on those who deserve it, it authorizes the rigid constraint of just these inferior natures who are not entitled to it; for it is they, chiefly, who are prone to encroach, and *to endeavor to enforce their views and desires upon others*. Just those persons, therefore, who, Mr. James says, with a certain ethical truthfulness, are not responsible, are those whom our doctrine holds to a rigorous accountability. The doctrine which we propound seems to the thoughtless to be a doctrine of license; but it, in fact, tenders freedom only upon terms with which none but the very most progressed natures are competent to comply: upon the terms, namely, of a *profound and reverential regard for the freedom of all others who in turn do not encroach*; and the same doctrine authorizes the most rigorous calling to account and the most desperate fighting, if need be, in respect to all those who fail to come up to the high demands of this chivalric code of mutual peace and amity. Mr. James's doctrine, on the contrary, as loosely stated by him, I should pronounce to be a doctrine of real license or authorized licentiousness, if I did not bear in mind that he is hardly ever engaged in discussing the civil and practical and sociological questions about which we are talking, and that he is, as it were, hurried away, even when he attempts politico-social and sociological matters, by the impetuosity and soaring of his genius into the empyrean heights of purely transcendental ethics. Freedom with him does not here mean therefore the freedom of the citizen at all; and what he says would not have the slightest practical bearing upon the methods of treating ignorant and aggressive offenders; but he means, I suppose, freedom and bondage in a strictly metaphysical sense as affecting the will.

This whole lower stage of the evolution of mind, in which the appetites and passions are dominant and the intellectual and spiritual nature undeveloped, is what I denominate technically the *naturismus* of the mind, whether of the individual or of the community. The second stage of mental evolution, in which, as Mr. James so aptly expresses it, "my intellectual day does eventually break," is then what I denominate the *scien-tismus*; and what Mr. James, in his blind technicality, calls "society" near the close of his article (blind, I mean, in the sense that he does not sufficiently distinguish it as a technicality), and there defines to be the reconciliation of *that hell of the passions* and *this heaven of the intellect and the spirit*, is what I deno-

minate the *artismus* of the mental evolution. I require these technicalities—*naturismus*, *scientismus*, and *artismus*—for universological purposes, because the same principles and the same distribution of principles occur in all the other sciences as well as in social science, and, consequently, in situations where terms derived from social distinctions would be quite inadmissible. I think, also, that these terms, understood and familiarized in this special application of them, will considerably facilitate our mutual understanding of each other in this discussion.

At the next turn of Mr. James's statement his conception and mode of expression are so peculiar that I venture to attempt to make my understanding of them understood by the reader. Although he has described the prior and, as I think I may say, the *objective* state of the affectional or sentimental part of the mind, and its stage of evolution, as a state of bondage, and denied to it any freedom, he now speaks of it as a state of freedom *to act*, or, as I think we may say, of projective freedom; and he contrasts with this a newer state of the affections which is interior, or I think we may say *subjective*, to which he attributes another kind of what he denominates freedom,—“*freedom to suffer or to be acted upon*,”—a freedom to receive mental impressions and revolve them subjectively, which we might perhaps call a receptive freedom. “My life is not,” he says, “any longer outwardly, but altogether inwardly constituted or energized, and disdains any outward responsibility,” etc. This distinction is certainly well taken to complete the metaphysical view of the unismus of mind by presenting its objective and subjective sides; but neither has it anything to do with the civic relations of individuals as covered by the doctrine of free love. Mr. James then arrives at and proceeds to define what he supposes to be the point of disagreement. This subject I have already considered, and have shown that he is wholly mistaken, and that no such disagreement exists. I will, in a few words, however, state wherein there are, or probably are, some palpable differences between us.

I have already done this in part, in saying that Mr. James's statement of the crude freedom of individuals is altogether too lax for us. Free love with me—and it is generally safer to state one's own views than to assume to represent any considerable number of persons—is merely an extension, or a special application rather, of Josiah Warren's doctrine of the *Sovereignty of the Individual*, which, when stated in full, is always accompanied by a prohibition of encroachment. It is, therefore, merely a doctrine of the mutual adjustment of relations in freedom between parties mutually desirous of doing right, and who recognize their mutual equality as a basis. It has no application, therefore, to undeveloped parties incapable of the mutual application of principles; to the unjust or those who are not disposed to live on principle; or, in fine, to any but those who know enough and are good enough to apply and live by the principle. In respect to all the rest of mankind I am free to regulate my life according to the exigencies of the case, in the absence of this readiness on their part to adopt and act upon a principle of

right, regulating freedom. If I were the Czar of Russia, I should be just as free, unhindered by any theory I hold of human rights, to enact and enforce stringent laws, according to my judgment of the stage of development in that country, as if I held no sociological doctrines whatsoever. As a political ruler, with power and responsibility for social order, I should not be trammelled or hampered by sociology or ethics, beyond the legitimate claims of one sphere of affairs to influence every other sphere. I might then and there enact laws, and be engaged in enforcing them, which I might be, here and now, engaged in breaking and encouraging others to break. Even here, as a legislator, I might favor and help enforce laws politically which, as a social agitator, I would treat with contempt and try to induce the people to despise. I am no *silly doctrinaire*, propounding theories of life which are wholly impracticable, but simply a social scientist, dealing in social solutions. J. Stuart Mill, if he had understood Mr. Warren or me, would never have written his work on "Liberty" so loosely worded in limiting the right of the State as to have laid himself open to the raking fire of James Fitzjames Stephen; and so Mr. James, with a right study of the subject, would not state the non-accountability of crude offenders so wildly.

Allow me to explain upon a branch of the subject which I am here led into, and which I do not remember ever to have treated upon. There are three quite distinct, almost wholly different spheres of collective human affairs to be considered, which we may call: 1, *The ordinary politico-civic sphere*, mainly practical and only slightly scientific—the *unismus* of this series; 2, *The sociologico-ethical sphere*, which is rigorously scientific, adjusting by principles and exact definitions the social relations of individuals in society, in so far as they desire to know and are ready to regulate their mutuality by exact knowledge,—the sphere of Warrenism, and by derivation of free-loveism,—the *duismus* of this series; 3, *The transcendental ethical sphere*, partly practical, spontaneous, natural; partly scientific; but, in the major part, sentimental or artismal; regulating the individual conduct relating to others *in foro conscientie*, or as regards the individual's approbation or disapprobation of his own such conduct, in view of his own respect for the Most High,—which last is the *trinismus* of this series.

It is in this last, or trinisimal sphere that we find Mr. James usually speaking, but not always. Sometimes he is talking in the *unismus*. But of the *duismus*, the scientific and truly regulative sphere, he really knows nothing, and is sure to misunderstand anybody who speaks in it. He is not always, I say, in the third sphere. When he talks of "progressively enlarging the grounds of divorce," he is talking in the first sphere—politico-civic—like an ordinary mortal, and refers to actual legislation, to take place in legislature, congress, or parliament; but when, a few paragraphs further on, he talks of "*the non-accountability to one's fellow-men for the exercise of one's appetites and passions, because of one's own bondage to the same,*" he has suddenly, and it would seem unconsciously, vaulted up into the tri-

nismus. He does not mean that it would do for any mundane legislature to conduct government on that principle, but only that in ethical strictness there is no holding ground for the flukes of the anchor of conscience.

When, in the middle field between these extremes, Mr. James attempts to state our doctrine, he wholly fails, for want of the habit of scientific exactitude. "Your doctrine, if I rightly understand it, is," he says, "two-fold, namely: First, that men are *de jure* exempt from outward liability, which is liability to other men for the indulgence of their appetites and passions; second," etc. Now this is not my doctrine, but a perfect caricature of my doctrine, in so far as I have ever propounded any doctrine on the subject. I do not hold that men are *de jure* exempt, etc., *except conditionally*, the condition being that they know how to abstain, and will abstain, from encroachment upon the rights of other people,—the sovereignty of the individual [only] *at his own cost*, which makes a wholly different thing of the whole doctrine.

The free lover rejoices in any relaxation of civil-marriage stringency, any facilitation by legislation of the laws of divorce such as Mr. James desires; but we choose to base our social agitation *on the higher law of individual rights*, leaving individuals to battle with their legal restrictions as they best may; as the abolitionists chose to do, rather than to agitate for special ameliorations of the condition of the slaves. *This* is in fact the only difference between Mr. James and us *qua* this particular question of the method of arriving at more practical freedom.

I have said that, as a mere politician or judicial functionary, I might myself be engaged, on the lower ground of expediency and practical necessity, in enacting and enforcing laws which, as a sociological writer and agitator, I should be instigating people to set aside and defy; and I will add that, in this latter capacity, I might be engaged in vindicating for individuals or the people freedom to act in ways in which, if they did act, I should wholly and energetically condemn them upon the still higher ground of transcendental ethics; and I hold still further that any one who cannot understand and adjust himself to all these complexities is incompetent to be integrally a sociologist.

The rise of a higher social doctrine in the community is like the rise of a new tissue in the development of the body. It finds the ground preoccupied by the old, which it has to crowd aside to make room for itself. Hence the necessity for a conflict; and the same individual may find himself related at one moment to the old in a way to enforce duties upon him of that order, and the next moment to the new in a similar manner. Mrs. Woodhull, who agitates for free love, and the judge and jury who try her, and, if the evidence and the law require it, condemn her and send her to Blackwell's Island, are both right; and Mrs. Woodhull, if empaneled on a jury to try one like herself, might have, in good conscience, to join in such a verdict against another doing the same as she may have been charged with doing. When people go to war, there is no use in whining over the fact that they are li-

able to get hurt; and a doubleness of duty in different directions is one of the commonest events of life. I simply rejoice that just in this age, and here in America, and perhaps in a few other countries, the old civilization has grown so rotten and enfeebled that the agitators for the new civilization have the advantage, and can defy and conquer with less of martyrdom than most other reforms have demanded.

Now, fortunately, the sociologico-ethical doctrine, that which scientifically defines the rights of individuals, reciprocally, in their mutual relations, sexual and otherwise, is merely a *doctrine regulating reciprocity*, and is not binding on the conscience of the other party the moment the reciprocity fails; and that moment the advocate of the doctrine is free to fall back upon the lower law and fight it out there; although, as a magnanimous policy, he may think it best not to avail himself of his privilege,—as in political economy the free-trader is only bound by his principles, on grounds of justice and equity, to inaugurate free trade with nations who will reciprocate, but he may, as magnanimity or far-reaching expediency, deem it best not to stop there. So the Declaration of American Independence declares certain rights to be inalienable, but it proceeds immediately to provide certain punishments, consisting of depriving individuals of the exercise of those very rights. What is meant is that the rights are *conditionally inalienable*, the condition being that those who claim them shall come with clean hands to do so; not at the same instant infringing the same rights in others. The South, in the war, demanded, on the ground of right, to be let alone, but demanded it for the purpose of enslaving others, and so lost *her* standing in court to make that plea, while, yet, the plea remained, abstractly, perfectly good. So I, as a free lover, am not bound to accord the freedom to regulate their own conduct, relieved from my interference, to any but those who can and will, in good faith and chivalric courtesy, leave every other person, their dearest lovers included, equally free.

As regards all the rest of mankind, they have no right whatever under this doctrine “which white men are bound to respect.” I may deem it magnanimous or educationally expedient to recognize as free lovers, and to agitate in behalf of, those who are only half born into the doctrine; but they have no claims on my conscience to do so. Apart from this compact of equitable amity with a handful of people who are morally and intellectually competent to appreciate a scientific gauge of equity, I am just as free, in conscience, if I deem it expedient, as the veriest old foggy, to help in the suppression of every deviation from the rigors of the law or of Mrs. Grundy. I am not, in other words, under any conscientious inability to behave as a good citizen on the lower politico-civic ground. But I deem the new doctrine so infinitely better, so fast as the world can be brought to regulate its conduct by a scientific principle, instead of force, that, as an agitator for the higher truth, the mere legislation of the hour takes no rank in the comparison; and if I find myself entangled in the meshes of the contradiction, I must take my risks and fight it through according to the circumstances of the individual case.

We come now to the still higher sphere, to the transcendental ethical sphere, where Mr. James commonly thinks and writes and figures. It is here that he usually talks of marriage, and by marriage in this sense I understand him to mean: *whatsoever right conjunction of the counterparting factors of life; either as abstract principles, or in the realm of concrete personality.* Marriage in this sense is what I mean by trinism, the reconciliative harmony of opposites. The idea is Swedenborgian, is Jamesian, is universological. In it I believe most religiously; for it I work most assiduously; to it I would lead all mankind; and in the effort to that end I recognize and fellowship Mr. James most heartily. He may, and I think probably would, define this spiritual, ethical, metaphysical marriage in a technical and somewhat narrow *doctrinaire* sense which I should reject; and here I think is another point of our real differences; and here, to make a clean breast of it, I think he may, perhaps, have something yet to learn from me. If he accepts the above definition, and if he will leave the questions: *What are the counterparting factors of life, and What is a right adjustment of them,* open to free scientific investigation, not imposing on the inquirer any *doctrinaire* interpretation of them, we can start fair; and I shall have many words, when the time comes, to utter about this matter.

But it seems to me a pity that Mr. James, with such a meaning of marriage, should never notify his readers when he passes to and fro between it and the common vulgar idea of statute marriage; the confusion so induced sometimes seeming to make of his writings a brilliant kaleidoscope of mysticism, instead of a body of intelligible instruction. For example, take this sentence: "Thus your doctrine has both a negative or implicit force, as addressed to the making *marriage* free by progressively enlarging the grounds of divorce; and a positive or explicit force, as addressed to the making *love* free, by denying its essential subordination to marriage."

The word marriage is here used in two senses as if they were one; first, in the ordinary sense, and, second, to mean the true rational adjustment of the relations of love; and it is against this last, which he identifies first (at least as a factor) with "society" (meaning the highest ideal well-being and true order of society), and then with "God," the ideal personal author of this system of true order, that Mr. James supposes the free lovers to be in revolt (in addition to their revolt, in which he concurs, against the outward restrictions of enforced marriage in the lower sense).

The only solution I can think of (at first I could think of none) of this seemingly gratuitous assumption is this: Free lovers do often speak of their relative contempt for marriage as compared with the claims of genuine affection, and Mr. James, having the fixed idea in *his* mind of marriage in this higher sense, as the permanent meaning of the word, has attributed to them a meaning which he would have had, had he used similar language. But he should know that they are not piping in the high transcendental key in which he habitually sings or talks. They

mean merely that love is for them the higher law over statute marriage without love. They are not then talking, or thinking, in the least, of denying that duty in a thousand forms may be a higher law still over love; that is to say, over the sensuous indulgences of mere love: duty to one's self if the health is to incur injury, duty to one's higher spiritual nature if it is to be marred, duty to one's children if their destiny is involved, duty to previous innocent companions and parties implicated in one's act, duty to society at large and its well-being, duty to God or divine law written in the soul demanding integral and distributive justice; duty, in a word, to the Most High, or that, whatsoever it is, which is the *highest* in each individual soul. Some persons, to be sure, deny duty altogether on a ground of metaphysical subtlety, saying that, when they know what is right, that is their attraction and its doing not from duty but from love; but this is merely another mode of stating the common idea.

The mere agitators for free love are for the most part those who have not risen to the consideration of the ulterior questions involved in the true uses of freedom, any more than slaves struggling for freedom enquire what line of conduct they will pursue, or what considerations they will abide by in deciding their conduct, when free; and it is a pure gratuity to assume that they have decided against any moral course whatever.

Pope puts into the mouth of Eloise the following startling words: (Pope's Poetical Works, vol. i., p. 125.)

How oft, when pressed to marriage, have I said,
Curse on all laws but those which love has made!
Love, free as air, at sight of human ties,
Spreads his light wings, and in a moment flies.
Let wealth, let honor, wait the wedded dame,
August her deed, and sacred be her name;
Before true passion all those views remove;
Fame, wealth, and honor! What are you to love?
The jealous God, when we profane his fires,
Those restless passions in revenge inspires,
And bids them make mistaken mortals groan,
Who seek in love for aught but love alone.
Should at my feet the world's great Master fall,
Himself, His throne, His world, I'd scorn them all;
Not Cæsar's empress would I deign to prove;
No, make me *mistress* to the man I love;
If there be yet another name more free,
More fond than mistress, make me that to thee!
O happy state! when souls each other draw,
When love is liberty, and nature law;
All then is full, possessing and possessed,
No craving void left aching in the breast;
E'en thought meets thought, ere from the lips it part,

And each warm wish springs mutual from the heart.
This sure is bliss (if bliss on earth there be),
And once the lot of Abelard and me.

The most exalted pythoness of free love of our day has never said more or gone farther than this: and yet a few pages farther on in this poem, this same rebel against marriage in the lower sense, as by the laws of man, is found struggling desperately with her own sense of right in the higher court of conscience, or as related to ethical truth; which, with her, held the form of obedience to God. Read the following in this vein:

Ah wretch! believed the spouse of God in vain,
Confessed within the slave of love and man.
Assist me, heaven! but whence arose that prayer?
Sprung it from piety, or from despair?
E'en here, where frozen charity retires,
Love finds an altar for forbidden fires.
I ought to grieve, but cannot as I ought;
I mourn the lover, not lament the fault;
I view my crime, but kindle with the view,
Repent old pleasures, and solicit new;
Now turned to heaven, I weep my past offence.
Now think of thee, and curse my innocence.
Of all afflictions taught a lover yet,
'Tis sure the hardest science to forget!
How shall I love the sin, yet keep the sense,
And love the offender, yet detest the offence?
How the dear object from the crime remove,
Or how distinguish penitence from love?
Unequal task! a passion to resign,
For hearts so touched, so pierced, so lost as mine.
Ere such a soul regains its peaceful state,
How often must it love, how often hate?
How often hope, despair, resent, forget,
Conceal, disdain, — do all things but regret!
But let heaven seize it, all at once 'tis fired;
Not touched, but wrapt; not weakened, but inspired!
O come! O teach me Nature to subdue,
Renounce my love, my life, myself — and you;
Fill my fond heart with God alone, for He
Alone can rival, can succeed to thee.

Nobody can, in fact, escape his own worship of the Most High. I prefer this to the term God as equally orthodox and as less implicated with existing dogma. The Most High of Eloise was the Catholic conception of a personal God. The Most High of Mr. James is a perfect law, ultimating in a perfect ideal social adjustment which he sometimes calls "society" and sometimes calls "God"; and

the element of deference to this perfect law in the settlement of our love affairs is what he calls "marriage," as the counterparting and major element in this question, as compared with mere love. No free lover has ever denied this, because hitherto they have not been called, as a body, even to consider the subject. Individually, these cases of conscience are arising among them every day; and if Mr. James will write so that they can understand him, I will venture to say that he can find no other public so ready to accept, gratefully, any ethical solutions he can furnish them.

What Mr. James supposes is that they are a body of people whose Most High, or highest conception and object of devotion, is their own appetite and passional indulgences. When this was put in the form of an accusation, I resented it as a gross slander. Reduced to the proportions of an honest misapprehension, I hasten to do my best, by a laborious effort, to remove it; and I assure Mr. James that I know no such class of people as he conceives of, under the name of free lovers. They are, indeed, as I know them, among those farthest removed from this description. They consist, on the contrary, in a great measure, of idealists of a weak passional nature, and who, for that reason, could not bear the yoke of matrimony; of benevolent, kindly people who have witnessed the misery of others in that relation until their natures revolted; and of speculative thinkers who have solved or are trying to solve the problem of the social relations; and it is on these grounds that they are gradually, and just now pretty deeply, imbuïng the whole public mind.

What Mr. James calls in one way *society*, in another *the social spirit*, again *God's life in my spirit*, and finally *God*, is just as important and just as paramount in my view as in his; though I may not always choose to adopt any of these modes of expression, and may, at times, rather speak of my own higher and lower nature instead. I do not, however, object, if he does not insist and seek to impose a special form of expression of a thought otherwise essentially the same. The fact that this higher life is *mine* does not deny the fact that it is *yours* also, and I only insist on freedom of conception and expression; and the distinction between *our nature* and *ourselves* has a mystical seeming which I might choose to avoid. With a right adjustment of the technicalities of expression, I presume, however, that there is no difference here between Mr. James and myself.

What he says of suffering is wholly good or monstrously bad, according to the farther exposition it might have; and it would take me too far away from my present purpose to follow him. I simply reserve, as the lawyers say, my bill of exceptions. I will, however, confess that I am not conscious of sweating so hard, spiritually, over the effort to be good as Mr. James deems it requisite; and either that I never get to be so good as his ideal good man is, or else that it comes more natural to me. Perhaps I was sanctified somewhat earlier, and have forgotten my growing pains.

Yes, I do hold that our appetites and passions are a *direct* divine boon to us, etc.,

which Mr. James denies with all his heart; and yet I hold all this in that larger sense that has all Mr. James's distinctions within it, — as Col. Benton said of a certain bill in Congress that it had “a stump speech in the belly of it.” I affirm every one of his affirmations, in spirit if not in terms, and only negate his negations.

Mr. James next proceeds, after the preparation thus made, to characterize free love, philosophically, as free hell. The opening sentence of this part of Mr. James's communication is in itself utterly ambiguous, for the reason that it is impossible to tell from it whether in “emancipation from marriage-constraint” he means by marriage-constraint the outer constraint of the statute law or that release, which he has imagined to be the demand of the free lovers, from the divine order, whatever that may be, of the love relations of mankind. But light is thrown upon the subject farther on, and it appears that he means this last, for he contrasts the “emancipation” from it, under the name of hell, with “*that marriage-love of the sexes* by which heaven has always been appropriately symbolized.”

Now by marriage as appropriately symbolizing heaven he undoubtedly means nothing other than harmoniously adjusted love relations in accordance with the divine law; by which is meant, again, nothing other than the highest law in the universe applicable to the subject. He may assume in his thought that this highest law is such, or such; but that does not affect the question, as he may be either right or wrong in the assumption; and he can hardly, I think, reject my definitions, which transcend all special renderings of the law. This highest law must in turn be ascertained by intuition, by inspirational impression, by experience, by reason, and, in fine, in the highest degree, by the absolute science of the subject superadded to and modifying the results of all the other methods, — by, in a word, whatsoever faculties and means the human mind possesses for compassing a knowledge of the highest truth, especially in this sphere of affairs. Love—as a SUBSTANCE or subject-matter, appropriately regulated by *the true and highest law of its relations* — as a FORM — *this substance and this form*, again, happily united or married to each other, is what Mr. James is here characterizing as *marriage-love* and as *heaven*; and nobody can, I think, appropriately object to this characterization.

So, on the other hand, the divorce or sundering of this *substance* and this *form* (it is a little queer to call that idea an “emancipation,” but no matter so long as we can guess at what is meant) may, with the same appropriateness, extending the symbol, be denominated hell. I conceded at once, in my previous answer, that what Mr. James understood us to propound as doctrine would be a doctrine of devils; and I suppose that sort of thing is rightly characterized as hell. But I have now to show that, as I think, Mr. James does not quite understand himself on this subject; and I take the liberty to correct him, as, if he is going to conduct us to the sulphurous abyss, I want he should go *straight* to hell, and not deviate a hair's breadth to the right nor the left.

I have pointed out two senses in which Mr. James has used the word *marriage*.

There is involved here a third meaning so subtle that I presume he is entirely unaware of it. Marriage is here in one breath contrasted with love, as the opposite partner in a partnership of ideas, and in the next breath it is used to mean *love conjoined with marriage (marriage being now used in the former sense)*,—that is to say, to mean the partnership itself. It is as if Smith were about, in the first place, to be fairly treated in relation to Jones in settling the affairs of the firm of Smith & Jones, but that, surreptitiously, the assumption were glided in that Jones is the firm of Smith & Jones, and that poor Smith has now to reckon with the whole firm against him.

Read the following extract in the light of this criticism: "I am only making an honest attempt intellectually to characterize it [free love]. And as by the marriage-love [love and true marriage conjoined] of the sexes heaven has always been appropriately symbolized to the intellect, so I take no liberty with thought in saying that hell is no less appropriately symbolized by love as opposed to marriage. I repeat, then, that *free love*, regarded as the enemy of marriage, means, to the philosophic imagination, free hell, neither more nor less," etc. It will appear at once, on a close inspection of this extract, that marriage, the last two times it is here used, is used as synonymous with marriage-love,—as, in other words, a partnership-idea, including love as one of the partners,—and in that case love is no more an appropriate idea to contrast with it than Smith is the appropriate antithet, in the case supposed above, of Smith & Jones. The true antithetical idea of a partnership is the individuals as individuals, and both of them equally, out of the partnership. So the true antithet, in idea, of marriage (meaning love in marriage and marriage in love conjointly) is love and marriage, as a substance and a form, mutually contrasted, divorced or separated from each other; and then, if the word *free* is used to mean their separation (or emancipation) from each other, it is just as applicable to marriage as one of the partners as it is to love as the other partner; and it is not alone free love which is hell, but it is love divorced from true relational adjustment (here called marriage) and *true relational adjustment* (that is, the relational adjustment which would be true if love were present) *this last without love*, which are both and equally the symbol of hell. In other words, love without marriage and marriage without love are hell,—the reader remembering that we are not now talking of statute marriage, but of true sexual adjustments; and *love married to true sexual adjustments*, or *vice versa*, is heaven.

No philosophical free lover, any more than any other philosopher, would object, I presume, to these statements; and this is what Mr. James means, or *should mean*, in the premises.

We are all aware that love, as mere unsatisfied desire, is hell, or misery; and satisfied upon a low plane it is still hell to one who has conflicting superior desires unsatisfied; and when the satisfaction is complete in kind, if the *adjustments* are imperfect, conflicting, or disharmonious, in whatsoever sense, the result is still hell;

and this authorizes Mr. James to call free love hell, he having taken the word *free* to mean divorced or sundered from true or harmonic adjustment; but how he could ever have thought any set of people to be the partisans of this particular kind of hell is still very surprising. On the other hand, he might just as rightly, and is even required by consistency, to say *free* marriage, in the sense of mere formal adjustment divorced from love as its appropriate infilling substance, and then to denounce it as hell of another kind; which we all know it to be. It is this latter hell which free lovers are especially engaged in combatting; and it is that hell of devils and this hell of Satans (Swedenborgian) between which I insist that Mr. James shall hold even balance; in other words, that he shall go *straight* to hell.

But Mr. James's ladder of argument, though there is a round loose occasionally, is still a ladder conducting him up to a culmination of magnificent philosophical statement. Free love, as hell, is still with him by no means altogether disreputable. Hell itself is getting up in the world. It is an equal factor in the genesis of all things, an equally honorable combatant in the grand final battle of principles, the end of which is not defeat for either, but a trinismal reconciliation whereby the new heavens and the new earth are or are to be constituted. All this is universological and grand and true, and it rejoices me to have so distinct an announcement of the doctrine, in this connection, from Mr. James. I gladly concede also that he has derived only the materials for this doctrine from Swedenborg, and that the form of it is new and equally original with Mr. James and myself, and perhaps some other thinkers of this age. At all events, I am in full fellowship with him upon this central point of what I must undoubtedly believe is the final and integral philosophy of mankind.

I should not, it is true, base my faith in a final philosophy upon Swedenborg's personal experiences in the spirit world, nor upon any mere historical averment of events which may have transpired in any world, but upon what to me is far securer, the universological laws and principles of all being. Still, I have no contempt for Swedenborg's experiences, whether they prove to have been subjective or objective phenomena; and the rendering which Mr. James gives of the event alluded to is altogether sublime and alike true whether the event literally and objectively occurred or not. If the date of these spiritual espousals was so far back, it would seem that the effective promulgation of the fact has been reserved for this and the coming age. The new divine manhood has as yet made but small external progress in the world. The germ, nevertheless, exists, and it is taking on, every day, increased proportions. The most fatal mistake that soldiers make in war is to fire upon detachments of their own army, and it is all-important that they discover and retrieve the blunder. The figure is commended to Mr. James's consideration. *Verbum sap. sat.*

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