

**WOMAN AND THE
COMMONWEALTH:
OR A QUESTION
OF EXPEDIENCY**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649197125

Woman and the Commonwealth: or A question of expediency by George Pellew

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

GEORGE PELLEW

**WOMAN AND THE
COMMONWEALTH:
OR A QUESTION
OF EXPEDIENCY**

WOMAN AND THE COMMON-
WEALTH: OR A QUESTION
OF EXPEDIENCY

BY

GEORGE PELLEW, A. M., LL. B.
OF THE SUFFOLK BAR

BOSTON AND NEW YORK
HOUGHTON, MIFFLIN AND COMPANY
The Riverside Press, Cambridge
1888

PREFACE.

EXCEPT, perhaps, in the matter of arrangement, no originality is claimed for this Essay. Whatever I could find in print on the subject of Woman Suffrage I read diligently, and did not hesitate to reproduce in my own language any argument that seemed cogent. A thorough discussion of a question, worn so threadbare, would have been possible on no other terms.

To my friend, Mr. Josiah Quincy, of Quincy, who reported the municipal woman suffrage bill in the last General Court, I desire to express especial thanks for much kind criticism and assistance.

GEORGE PELLEW.

WOMAN AND THE COMMONWEALTH.

SEVERAL bills were last year reported to the House of Representatives of Massachusetts by the Committee on Woman Suffrage, granting to female citizens, absolutely or on some condition of local option, the right to vote in city and town elections and in town meetings, and to hold city and town offices. The principal bill failed to pass, but received a larger vote than had ever before been cast in the House for a similar measure. The same bill, or one substantially to the same effect, will probably be submitted to the present legislature, and since it appeared, in the debates at the time, that the rational principles which should determine the disposition of the measure were not generally understood, the present occasion seems to be a fitting one for a brief and simple statement of those principles, and for a somewhat comprehensive discussion of the most plausible objections which have on various occasions been raised against it.

The propriety of woman suffrage in some form or other is no longer a question of purely speculative interest. In England for nearly twenty years municipal suffrage has been enjoyed by unmarried women who are property holders. In Utah Territory, since its organization, women have, till recently, been entitled to vote, and are now deprived of that power by act of Congress for reasons only of local, and not of general, application. In Wyoming Territory and in Washington Territory woman suffrage has been an assured success, and only the constitutionality and not the wisdom of the law granting it has ever been questioned. In Kansas, with its population of nearly one million, women have been granted municipal suffrage upon the same terms as men, and at the elections held last spring voted in large numbers. In New York and Maine similar bills have within a year passed the

Senate, though they have been subsequently rejected by the House. In Rhode Island a constitutional amendment establishing woman suffrage in that State last year passed the legislature and was submitted to the people, but not adopted. In our own legislature a bill granting municipal suffrage to women has for several years been favorably reported from the committee, and has secured a large vote in favor of its passage. Woman suffrage, whatever it may have been in the past, is to-day a question of practical politics. The time has gone by for that ridicule which invariably marks the first stage in the history of every proposition for the improvement of society or government, and the time has come for its serious and thoughtful consideration.

The result of any extension of the suffrage cannot be determined with precision before the extension is actually made. Each successive reform bill in England was denounced by its opponents as being "a leap in the dark," and as likely or certain to lead to commercial and political ruin, and those fears were in each case dispelled only by the fact of practical success. In the case of a municipal suffrage bill the danger from possible failure is reduced to a minimum. An extension of the right of suffrage generally has the disadvantage of being practically irrevocable, since human beings are seldom willing to consent to any abridgment of privileges they have once obtained: but a municipal suffrage bill proposes what is, properly speaking and strictly, an experiment. By it, female citizens, qualified as are other legal voters, are given the right merely to vote for city and town officers and on city and town questions, and, since they are not to be entitled to vote for members of the legislature, the passage of such a bill will in no manner affect the power of a succeeding legislature to repeal it. The members of the General Court will continue to represent only their present constituencies, and, if the operation of even such limited woman suffrage is found to be inconvenient or injurious, it will at least have served to create no improper motives, personal or partisan, in favor of its perpetuation.

In public, as in private matters, wisdom is gained only by experience, and experience by experiment. When a question of fact must be answered and the facts are in doubt, an ex-

periment becomes a necessity, and, whatever the issue, must result in the benefit and enlightenment of the public. If, then, the system of government in the United States and the condition of society in Massachusetts are not such as to prove, beyond a reasonable doubt, that it cannot be for the general welfare for any woman, however qualified, however wise, however much interested, to vote upon any political question, however pertinent, or for any public officer, however unimportant, — it is clear that the public good requires that the propriety of woman suffrage, its suitable limits and extent, should be submitted to some practical test. Such a test is provided by a municipal suffrage bill, and no test could possibly be provided in a manner more simple, more safe, or more conservative.

That the provisions of such a municipal suffrage bill are consistent with the system of government in the United States, and are also adapted to the condition of society in Massachusetts, appears on a brief survey of the elementary principles of representative government and on a consideration of the various objections to it that have been suggested.

It is, indeed, generally true that a considerable change in the existing form of government or order of society should not be made except for reasons so cogent as to amount almost to absolute necessity. As a rule, the long continuance of a custom is some evidence of its usefulness, or at least of its convenience. The presumption against change or in favor of an ancient custom arises, however, only when the change is a departure from recognized and well-tested principles, or when the custom originated from intelligent choice by the people affected by it, and in conditions that have remained unchanged. No such presumption exists against a change which tends to abolish an anomalous exception to principles of universal application; no such presumption exists in favor of a custom which originated simply as the natural result of modes of thought long since discredited and in conditions that have finally passed away. To this last class belongs the change proposed by the advocates of woman suffrage and the custom they desire to abolish. It is conceivable that the disfranchisement of women may be an anachronism; and no presumption in favor of an anachronism is raised by its antiquity.

In every nation of the civilized world there has been a slow, but continuous evolution in the form of government, from a military type to an industrial type, from government by involuntary coöperation to government by voluntary coöperation, from government by force to government by discussion. In the early social systems the only laws were rigid, unchangeable customs, and there was no suffrage, no free choice of chiefs or officers, but only submission to hereditary masters by those who were unwilling or unable to resist. Through various modifications, under special influences, the feudal system, essentially a military form of government, was developed in Europe as small societies became merged by conquest into larger groups; councils existed, but the local bodies were autocratic or expounders merely of the customary laws, and the general bodies were advisory and not legislative. In England the first parliament that could be called in any sense representative was summoned only to facilitate the laying of taxes that were not sanctioned by custom. From that time to the present, in English-speaking communities, class after class of citizens has been enfranchised, from mingled motives of partisan and public expediency, until finally complete manhood suffrage has been established in twenty-five of the United States.

The development of popular government has coincided with the development of commerce, or rather the political changes have been related to the commercial and social changes as effect to cause. As a nation grows into an industrial community, the interdependence of all its classes and of all its members becomes gradually manifest. A nation, again, in perpetual danger of war, cannot survive in the struggle for existence without perfect obedience to a single and despotic executive. An industrial community, on the other hand, can compete with its rivals most successfully only when all its citizens are exercising all their powers and faculties to the best advantage under laws that adjust as simply and easily as possible the relations of all the citizens to one another. In the first case a policy of restriction is necessary, since all qualities detrimental in warfare must be suppressed; in the second case, the law of equal freedom is essential, since all human qualities, if wisely directed, may make for produc-

tion and social order and happiness. The history of legislation in England for the last hundred years, accordingly, exhibits mainly successive repeals of restrictive laws and customs, surviving from more barbarous ages, and the enactment of regulations defining and adjusting the relations between groups and classes of persons according to their several interests and necessities. Each person knows his own needs and interests better than any other; the public good, therefore, requires that such knowledge shall be obtained and utilized: and experience has proved that the suffrage is the only satisfactory device ever suggested for this purpose. When landlords legislate for tenants, or planters for slaves, nothing but evil to the individuals legislated for, and consequently to the state, is found to result. Historical experience, then, and not any philosophical theory of abstract right, has proved the truth of the principles, that in an industrial, civilized community, government should be representative, and that no individual or class can be adequately represented by another.

The right to the suffrage, then, is not in any case, or in any strict sense, an "inalienable right," or a "natural right,"—but in every individual case, whether of a man, a woman, or a child, depends upon the stage of evolution of the particular community at that time. By the shores of the Albert Nyanza, a negro as such has no right, ethical or political, to vote, but he had by the banks of the Tennessee, even before the fourteenth amendment. An African tribe might be ruined by adopting theories that are necessary to the existence of an American State. The question of political privileges can never be one of abstract logic and theoretic justice, the only logic involved is the logic of facts, and the only justice, the justice of expediency. Among an intelligent people, moreover, and under a government by discussion, political qualifications and disqualifications must be founded on reason and common sense, since the lessons of history are not learned by instinct and there has not yet been developed in man an immediate intuition of expediency.

The reasons that have proved the public advantage of representative government in a civilized society would seem to require the exercise of the suffrage by all the persons constituting the state, except in case of the existence of some