

**DIVORCE: A REVIEW OF
THE SUBJECT FROM A
SCIENTIFIC STANDPOINT**

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Divorce: A Review of the Subject from a Scientific Standpoint by Edward B. Foote

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EDWARD B. FOOTE

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DIVORCE:

A Review of the Subject from a
Scientific Standpoint,

IN ANSWER TO

MGR. CAPEL, THE REV. DR. DIX, THE NEW-
ENGLAND DIVORCE REFORM LEAGUE,
AND OTHERS WHO DESIRE MORE
STRINGENT DIVORCE LAWS.

BY

EDWARD B. FOOTE, M. D.,

AUTHOR OF "MEDICAL COMMON SENSE," "PLAIN HOME TALK" (EMBRACING
"MEDICAL COMMON SENSE"), "SCIENCE IN STORY," "PHYSIOLOGI-
CAL MARRIAGE," "PHYSIOLOGICAL IMPROVEMENT OF HUMAN-
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ON SPERMATORRHEA," "PRURIUS
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PREFACE.

B. F. Odell



HERE is a new pamphlet on an old subject. Why is it in print? Sit down a moment and you shall be told.

In the Autumn of 1869 the President of the Liberal Club — of which I have the honor to be a member — asked me if I would allow my name to go on one of the cards which is issued monthly giving the names of the lecturers for the current month. At that time I declined for the very good reason that I had nothing in particular to bring to the attention of the intelligent audience which meets under the auspices of the Club every Friday evening. During the months of October, November and December, however, there seemed to be a wonderful activity in the camp of those who are forever fearful that the people are enjoying too much freedom. It seemed to me that something should not only be said on the other side of the question but that if further legislation should be seriously proposed to fasten people more tightly in the bonds of marriage it would be a good time to propose a sort of compromise measure which would, to a reasonable degree, meet the demands of the conservative mind and not be altogether unacceptable to those who have been working all along to lessen the legal rigor of the nuptial tie. I therefore allowed my name to go on the December card for the evening of the 14th of that month.

A large and appreciative audience gathered at the German Masonic Hall on the evening named, the lecture was kindly received and an interesting discussion followed. The facetious reporter of "The Truth Seeker" spoke of the meeting in the following graphic and humorous language:

"The hall was filled to the extent of its seating capacity, and rather more. Many fashionably-dressed people were present, besides numerous young and beautiful girls. Mr. KING, a man of extraordinary personal attractiveness, sat near the door at one end of the hall, and at the other end the presiding officer, reclining gracefully in his chair, with the gaslight

shining upon his genial features, presented a picture scarcely less impressive than a sunset on Mount Htna. The Secretary's spectacles flashed back the light in many-colored rays, and all was sweetness and light. In this frame work of beauty Dr. Footz, tall and commanding in presence, with a kindly face and a pleasing voice, furnished an appropriate central figure."

It is with pardonable pride that the writer can say that the evening passed pleasantly to all present, if their generous congratulations could be accepted as evidence, and several personal friends, including the able acting President of the Club, expressed the wish that the lecture might be published so that it could go before a still larger audience. Mr. S. P. PUTNAM, in a printed report, said:

"Dr. Footz's lecture on 'Divorce' before the Liberal Club was brave and admirable. It treated a great subject in a dignified, delicate and masterly manner. There was no shrinking from facts, but the facts were presented with the noble frankness of science. It must be admitted that marriage is preeminently a scientific question. It has been too long shrouded in sentiment and romance, as well as in the false divinity of the church. Only in the light of reason and experience, guided by impartial logic, can the true relations of man and woman be settled. They are the most important of all relations, and they cannot be adjusted in any hap-hazard way. Love should not be blind, but wise with all that human knowledge and foresight can give; otherwise there will be incalculable misery.

"Dr. Footz's facts and arguments were advanced with great clearness and force. His lecture was in every way a success, both in matter and delivery. It was a presentation of the truth by a genuine student and thinker. It was profound and many-sided in its illustrations and explanations. Such a lecture should be published in order that one may see the full bearing of its courageous reasoning, and I hope this will be done. * *

"As Dr. Footz says, to make marriage free will not destroy the home and family; for the home and family, in their true beauty and worth, cannot be maintained by human legislation. They must be founded in affection, good-will, reason and liberty. Where man and woman voluntarily live together, there will be the sweetest home and all the influences that make it elevating and delightful; but no compulsion can make a home—it can only make a jail.

"Dr. Footz also shows that freedom will not foster the libertine, but make it impossible for such a selfish monster to exist. It is the slavery of marriage that creates those vices, those weaknesses and those opportunities whereby the libertine thrives and gratifies his cruel lust. In the atmosphere of liberty he would be swept away, for liberty develops the generousities, the refinements and the nobilities of human nature. It makes passion more beautiful and duty more imperative, for it then shines with the inward light of one's own soul. In liberty love becomes crowned with purity, for in liberty its noblest sacrifice is made available.

"In these and many other points Dr. Footz showed how the application of liberty and science to marriage will enlarge and ennoble its function. This great subject must receive all the light that human knowledge can throw upon it. It must be most thoroughly discussed. It must

PREFACE.

be founded in affection and must be the constant expression of affection. It must make its own law. It must be unloosed from the barbarism of the past and become a harmonious agreement and not a terrible enslavement. Such scholarly and scientific lectures as this of Dr. Poore's will be of immense service to a just and manly understanding of the question. It is not to destroy marriage, but to ennoble, to dignify, to glorify it, that we plead for perfect liberty. With liberty all that is most heroic, tender and beautiful in man and woman will come into crowning excellence in this crowning relation of human life."

After such a generous acceptance it was perhaps but natural that the writer should decide to put the lecture in enduring electrotype plates and allow it to go before an intelligent American audience of fifty millions, if so many choose to consider the matter therein presented. So, here it is. Thus its publication at a nominal price may be of service in an important discussion is the earnest hope of

THE AUTHOR.

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DIVORCE.

N NAMING the subject of this essay I gave simply the word "Divorce." I observe by the card that the subject is, "The Divorce Agitation." With this seemingly slight change I would have preferred for the title, "The Anti-Divorce Agitation," for it is the "anties" who are really making the most noise and who are disturbing the public peace. When I chose this subject our worthy acting President exclaimed, "Why divorce?" Quite likely most of you are busy people, like our President, and are not aware that there is an organization actively at work called the "New-England Divorce Reform League"; that Dr. Morgan Dix and other prominent clergymen have been writing letters to the press on the laxity of our divorce laws; that the late Episcopal Convention gave attention to the subject of divorce and expressed itself in sympathy with the views of Dr. Dix; that the Sacramento Presbytery and a number of other religious bodies have been issuing preambles and resolutions in the same strain; that the Congregational Club of this city has talked the whole matter over at their late monthly dinner at the Vienne Cafe; that Monsignor Capel has aired his extreme Catholic views at Chickering Hall; and, finally, that the press, from the Atlantic to the Pacific, is entering more or less into the discussion of the divorce question. The New-York Tribune—founded by Horace Greeley, himself a strenuous advocate of divorce for but one cause—has in its Sunday editions given nearly entire pages to the discussion, and, in the main, has been quite fair, although it has been true to its traditions, favoring, editorially, more stringent