

The Subjection of Women

John Stuart Mill

Copyright © Jonathan Bennett 2017. All rights reserved

[Brackets] enclose editorial explanations. Small ·dots· enclose material that has been added, but can be read as though it were part of the original text. Occasional •bullets, and also indenting of passages that are not quotations, are meant as aids to grasping the structure of a sentence or a thought. Every four-point ellipsis indicates the omission of a brief passage that seems to present more difficulty than it is worth. Longer omissions are reported between brackets in normal-sized type. The phrase ‘the subjection of women’ occurs quite often in this version, because it helps to keep things clear; in Mill’s original it hardly occurs except in the title. The chapter-titles are added in this version. So are the section-breaks and -titles; these are offered not as formal structure but only as rough guides to where new topics are launched.—As a background to this work, you should know: In 1830 at the age of 24 Mill formed an extremely close moral and intellectual friendship with Mrs Harriet Taylor; this continued, with no sexual impropriety, until her husband died in 1851, whereupon she and Mill married. She died seven years later, and the present work was written a few years after that.

First launched: November 2009

Contents

CHAPTER 1: The question can be raised	1
Reason versus ‘instinct’	2
Modern changes of attitude	5
Slavery and absolute monarchy	6
Natural?	7
Complaints	8
Affection	9

The course of history	10
The 'nature' of women	12
The 'need' for compulsion	15
CHAPTER 2: The laws governing marriage	17
Judging by the best instances	18
The need for decisions	22
Would liberated women be fair?	23
The moral education of mankind	24
Property rights	27
CHAPTER 3: Occupations for women outside marriage	29
Women as governors	30
Practice versus theory	33
'Nervous temperament'	35
The size and quality of brains	38
Different nations, different views	39
Women in the arts and sciences	40
Moral differences	45
CHAPTER 4: What good would reform do?	47
The moral education of males	47
Doubling the brain pool	49
The moral influence of women: chivalry	50
The moral influence of women: charity	51
The moral influence of wives on husbands	53
The moral effects of difference	55
The moral effects of inferiority	56
Benefits to the individual woman	57

CHAPTER 2

The laws governing marriage

Let us consider. . . the conditions that the laws of this and all other countries annex to the marriage contract. Given that marriage is •the destination assigned to women by society, •the prospect they are brought up to, and •the objective they are intended to pursue (except for those who aren't attractive enough to be chosen by any man as his companion), one might have expected that everything possible would have been done to make this condition one that they would *like* enough to have no cause for regret that they were denied the option of any other. Society has moved to a fairer approach in some of the relevant matters—e.g. slavery and service in the navy—but in this one matter of marriage laws society has persisted right up to today in getting what it wants by foul means rather than fair. The means used today are not *as* bad as they used to be. Originally women were taken by force, or regularly sold by their father to the husband. Until fairly recently the father could dispose of his daughter in marriage at his own will and pleasure, without any regard to hers. The Church was faithful to a better morality in that it required a formal 'yes' from the woman at the marriage ceremony; but there was nothing to show that the consent was freely given, and it was practically impossible for the girl to refuse if the father persisted, except perhaps when she could get the protection of religion by becoming a nun. [Before Christianity, Mill says, a husband had the power of life and death over his wife; and for many years in England things weren't much better. For example. a woman who killed her husband was guilty of 'treason' and was burned to death. Then:] Because these atrocities have fallen into disuse (for most of them were formally abolished, if at all, only after

they had long ceased to be practised), men suppose that all is now as it should be in regard to the marriage contract; and we are continually told that civilisation and Christianity have restored to the woman her just rights. And yet the wife is the actual bond servant of her husband: so far as the law is concerned, she is as subordinate to him as *slaves*, commonly so called, are to their masters. She promises life-long obedience to him at the altar, and is legally held to that all through her life. . . . She can do no act whatever without his at least tacit permission. She can acquire no property for herself: the instant something becomes hers, even if by inheritance, it automatically becomes his. In this respect the wife's position under the common law of England is worse than that of slaves in the laws of many countries. [Mill gives examples. He goes on to report the legal devices whereby fathers in 'the higher classes in this country' try to protect their daughters' property from their husbands, and comments on how little protection can be achieved even by 'the most powerful nobleman'. Then:] The two are called 'one person in law,' for the purpose of inferring that whatever is hers is his, but the parallel inference is never drawn that whatever is his is hers; the maxim is not applied against the man, except to make him responsible to third parties for her acts, as a master is for the acts of his slaves or of his cattle. I'm not claiming that wives are in general no better treated than slaves; but no slave is a *slave* to the same extent and in a full a sense of the word as a wife is. Hardly any slave. . . is a slave at all hours and all minutes; in general he has his fixed task, and when it is done he disposes up to a point of his own time and has

a family life into which the master rarely intrudes. 'Uncle Tom' under his first master had his own life in his 'cabin', almost as much as any man whose work takes him away from home is able to have in his own family. But it can't be so with the wife. Above all, in Christian countries a female slave has an admitted right—and is thought to have a moral obligation—to refuse to her master the last familiarity [Mill's phrase, referring to sexual intercourse]. Not so the wife: however brutal a tyrant her husbandslave is—even if she knows that he hates her, and/or it is his daily pleasure to torture her, and/or she finds it impossible not to loathe him—he can claim from her and ·legally· enforce the lowest degradation of a human being, that of being made the instrument of an animal function contrary to her inclinations. . . . What is her position in regard to the children in whom she and her master have a joint interest? They are by law his children. He alone has any legal rights over them. She can't do *anything* for them or in relation to them except what he has instructed or allowed her to do. Even after he is dead she isn't their legal guardian, unless his will has made her so. . . . This is her legal condition, and she has no means of getting out of it. If she leaves her husband, she can't take anything with her—not her children or anything that is rightfully her own. The husband can if he chooses compel her to return, by law or by physical force; or he may settle for merely seizing for his own use anything that she may earn or be given by her relatives. It is only legal separation ordered by a court of justice that •entitles her to live apart, without being forced back into the custody of an angry jailer, and •enables her to spend her earnings in her own way, without fear that a man whom perhaps she hasn't seen for twenty years will pounce on her some day and carry all off. [Such legal separation, Mill says, was until recently too expensive for most people; and it is still granted only in cases of desertion or of extreme

cruelty.] And yet people complain that legal separation is granted too easily! Surely, if a woman is denied any prospect for her life except that of being the personal body-servant of a despot, and must stake everything on the chance of finding one who will make a •favourite of her instead of merely a •drudge, to allow her to try this chance only once is a very cruel worsening of her fate. The natural upshot of the state of affairs I have described things would be that since everything in the woman's life depends on her obtaining a good master, she should be allowed to change again and again until she finds one. I'm not saying that she ought to be allowed this privilege. That is a totally different consideration: my present purposes don't require me to get into the question of 'divorce' in the sense in which this involves liberty of remarriage. All I'm saying here is that to those to whom nothing but servitude is allowed, the only lightening of the burden (and a most insufficient one at that) is to allow a free choice of servitude. Refusing *this* completes the assimilation of the wife to the slave—and not even the slave under the mildest form of slavery, for in some slave codes the slave could, under certain circumstances of ill usage, legally compel the master to sell him. But no amount of ill usage, without adultery thrown into the mix, will in England free a wife from her tormentor.

Judging by the best instances

I don't want to exaggerate—and I don't need to! I have been describing the wife's legal position, not her actual treatment. The laws of most countries are far worse than the people who carry them out, and many of them couldn't remain laws if they were often enforced. If married life were just what might be expected from looking at the laws governing it, society would be a hell on earth. Fortunately, there

are feelings and interests that in many men •exclude (and in most of the others at least •mitigate) the impulses and propensities that lead to tyranny. In a normal state of things, the tie that connects a man with his wife provides by far the strongest example of such feelings. The only thing that comes anywhere near it is the tie between a man and his children, and this nearly always tends to strengthen the other tie. Because this is true—because men in general don't inflict (and women don't suffer) all the misery that could be inflicted (and suffered) if men used the full power of tyranny that the laws allow them—the defenders of the existing form of the institution ·of marriage· think that all its wickedness is justified, and that those who complain are merely quarrelling with the evil that is the price paid for every great good. But the loosening in •practice—which are compatible with maintaining in full •legal force the marriage tyranny—don't serve as any kind of excuse for this despotism (and all of this goes for *any* kind of tyranny). The loosening only serve to show human nature's power to react against the vilest institutions, and to show how energetically the seeds of good as well as those of evil in human character spread and propagate themselves. Not a word can be said for despotism in the family that can't be said for political despotism. Not every absolute king sits at his window to enjoy the groans of his tortured subjects, or strips them of their last rag and turns them out to shiver in the road. The despotism of Louis XVI was not as bad as those of some others [Mill cites three, including Caligula], but it was bad enough to justify the French Revolution and to palliate [= 'somewhat excuse'] even its horrors. What about the intense attachments that ·sometimes· exist between wives and their husbands? They have also existed ·sometimes· in domestic slavery. It wasn't unusual in Greece and Rome for slaves to submit to death by torture rather than betray their masters. . . . In fact

these intense individual feelings rise to their greatest height under the most atrocious institutions. It's part of the irony of life that human beings have their strongest feelings of devoted gratitude towards those who voluntarily refrain from using their power entirely to crush their earthly existence! How big a place does this sentiment have in the minds of most men, even in their religious devotion? That is a cruel question, ·and I shan't answer it here; but· we daily see how much people's gratitude to God appears to be stimulated by the thought of fellow-creatures to whom he has been less merciful.

When we are thinking about slavery, or political absolutism, or the absolutism of the head of a family, we are always expected to judge it by its best instances; and we are shown pictures of loving exercise of authority on one side, loving submission to it on the other—superior wisdom ordering all things for the greatest good of the dependents, and surrounded by their smiles and benedictions. All this is simply irrelevant. . . . Who doubts that there may be great goodness, happiness, and affection under the absolute government of a good man? But laws and institutions should be adapted not to good men but to bad. Marriage is not an institution designed for a select few. Men are not required, as a preliminary to the marriage ceremony, to prove by testimonials that they are fit to be trusted with the exercise of absolute power. The tie of affection and obligation to a wife and children is very strong in men whose general social feelings are strong, and in many who don't have much sense of any other social ties. But a man's social feelings can come anywhere on a long *scale* of degrees of intensity, right down to the level of men who aren't bound by any ties and on whom society has no grip except through the threat of legal punishment. At every level on this descending scale there are men who are given all the legal powers of a husband.

The vilest malefactor has tied to him some wretched woman against whom he can commit any atrocity except killing her—and with a little care he can do even *that* without much danger of the legal penalty. Among the lowest classes in every country, there are thousands of men who fit this description:

He is not in a legal sense a malefactor in any other way, because everywhere except in his marriage his aggressions meet with resistance. So the physical violence that is habitual in him is exercised on his unhappy wife, who is the only adult person who can't block his brutality or escape from it. Her dependence on him doesn't fill him with a generous forbearance, making it a point of honour to behave well to one whose life situation is entrusted entirely to his kindness; rather, it gives him the notion that the law has handed her over to him as *his*, to be used at his pleasure, and that he isn't expected to practise the consideration towards her that is required from him towards everybody else.

Until recently the law left even these atrocious extremes of domestic oppression practically unpunished; within the past few years it has made some feeble attempts to repress them. But these attempts haven't achieved much, and can't be expected to do so, because it is contrary to reason and experience to suppose that there can be any real barrier to brutality when the victim is left still in the power of the executioner. Until a conviction for personal violence (or at least for a second offence) automatically entitles the woman to a divorce or at least to a judicial separation, the use of legal penalties to repress these 'aggravated assaults' will fail for lack of a prosecutor or for lack of a witness.

When we consider how many men are little higher than brutes, and that this never prevents them from being able through the marriage law to obtain a victim, the breadth and depth of human misery caused in this way swells to some-

thing appalling. Yet these are only the extreme cases, the lowest abysses; on the way down the scale to them, there is a sad succession of depth after depth with misery increasing all the way. When we are considering domestic or political tyranny, the main point of attending to absolute monsters is to bring out the fact that there is scarcely any horror that can't occur under this tyranny if the despot pleases, which sets in a strong light what must be the terrible frequency of things that are only a little less atrocious. Absolute fiends are as rare as angels, perhaps rarer; but ferocious savages with occasional touches of humanity are common; and in the wide interval that separates these from any worthy representatives of the human species, there is room for many forms and degrees of animality and selfishness. People whose nature lies in that interval often exist under an outward varnish of civilisation and even of culture, living at peace with the law and maintaining a creditable appearance to all who are not under their power, and yet make the lives of all who *are* under their power a torment and a burden. [Mill reminds us of the commonplace cliché about men in general being unfit for power, and remarks that it is seldom thought of in connection with the power that is given to *every* man, however base and ferocious. He repeats the point that a man's conduct outside his home is not a basis for predicting how he treats his wife:] Even the commonest men reserve the violent, the sulky, the undisguisedly selfish side of their character for those who have no power to withstand it. And their ability to do this doesn't just provide an outlet for violence, selfishness etc.; it is also the hothouse in which these vices grow and flourish. A man who is morose or violent to his equals is sure to be one who has lived among inferiors—meaning people who have less power—whom he could frighten or worry into submission. . . . We know that the bad tendencies in human nature are kept within bounds

only when they are allowed no scope for their indulgence. We know that almost everyone to whom others yield goes on encroaching on them until a point is reached at which they are compelled to resist; when this encroachment doesn't come from deliberate purpose, it comes from impulse and habit. Because this is the common tendency of human nature, the almost unlimited power that present social institutions give to a man over his wife. . . . seeks out and encourages the latent seeds of selfishness in the remotest corners of his nature, . . . giving him freedom to indulge the parts of his basic character that in all other relations he would have found it necessary to repress and conceal, and the repression of which would in time have become a second nature. I know that there's another side to the question: if the wife can't effectively •resist, she can at least •retaliate; she can make the man's life extremely uncomfortable, and that power of hers enables her to prevail in many matters where she ought to prevail, and many where she ought not. But this instrument of self-protection—which may be called the power of the scold. . . .—has a fatal defect: it is most effective against the least tyrannical superiors and in favour of the least deserving dependents. It is the weapon of irritable and self-willed women, ones who would make the worst use of power if they themselves had it, and who generally turn *this* power—the power of the scold—to a bad use. . . . And on the other hand, the husbands against whom it is used most effectively are the gentler and more inoffensive, the ones who even when provoked can't bring themselves to resort to any very harsh exercise of authority. The wife's power to be disagreeable usually serves only to establish a counter-tyranny, its victims being chiefly the husbands who are least inclined to be tyrants.

Well, then, what *is* it that in fact tones down the corrupting effects of the •husband's• power so as to allow for

the amount of good that we actually see •in many marriages•? Mere feminine blandishments [= (roughly) 'flirtatious flattery'], though very effective in •individual instances, don't do much to modify the •general tendencies of the situation; because their power lasts only for as long as the woman is young and attractive, often only while her charm is new and not dimmed by familiarity; and on many men they haven't much influence at any time. The real mitigating causes are •four in number•: **(1)** the husband's affection for his wife that grows up in the course of time, to the extent that he is capable of it and her character is sufficiently like his to arouse it; **(2)** their common interests as regards the children. . . .; **(3)** the wife's real importance to the husband's daily comforts and enjoyments, and the value he consequently attaches to her on *his* account, which (if he is capable of feeling for others) prepares the way for him to care about her on *her* account; **(4)** the influence that most human beings naturally acquire over others who are personally near to them and whom they don't outright dislike. Such influence can be exercised through direct entreaties, and through the imperceptible contagion [see note on page 51] of the woman's feelings and dispositions. These factors and devices, unless counteracted by some equally strong personal influence •going in the other direction•, can enable a woman to get an altogether excessive and unreasonable degree of command over the conduct of her husband, her superior.

Through these various means the wife frequently exercises power (sometimes even too much power) over the husband; she can affect his conduct in matters where she may not be qualified to influence it for good. . . .and where he would act better if left to his own devices. (But in families, as in states, •power is not a compensation for •the loss of freedom. Her power often gives her what she has no right to, but doesn't enable her to assert her own rights. A Sultan's

favourite slave has slaves under her, . . . but the desirable thing would be that she should neither have slaves nor be a slave.) By •entirely sinking her own existence in her husband, by •having no will (or persuading him that she has no will) but his in anything concerning their relationship, and by •making it the business of her life to work on his sentiments [see note on page 2], a wife can influence and probably pervert her husband's conduct in matters outside the family that she has never qualified herself to judge of, or in which she is influenced by some personal or other bias or prejudice. Accordingly, as things now are, the husbands who act most kindly to their wives are as likely to be made worse as to be made better by the wife's influence in all matters extending beyond the family. She is taught that she has no business with such matters, and accordingly she seldom has any honest and conscientious opinion on them; so she hardly ever gets involved in them for any legitimate purpose, but generally for a self-interested one. She doesn't know or care which is the *right* side in politics, but she knows what will bring in money or invitations, give her husband a title, her son a government job, or her daughter a good marriage.

The need for decisions

You might want to say this:

'How can any society exist without government? In a family as in a state some one person must be the ultimate ruler. When married people differ in opinion, who is to decide? They can't both have their way, but a decision one way or the other must be reached.'

[This is one of the few places in this work where Mill uses 'society' in such a way that a married couple constitute a society.] It is not true that in any voluntary association between two people one of them must be absolute master; still less that the law must

determine which of them it shall be. The commonest kind of voluntary association other than marriage is partnership in business; and no need has been found for a law dictating that in every partnership one partner shall have entire control over the concern and the others will have to obey his orders. No-one would enter into partnership on terms that would subject him to the responsibilities of an executive while giving him only the powers and privileges of a clerk or salesman. . . . The law never does anything like this in regard to business partnerships; but if it *did*, this wouldn't pose as much danger to the rights and interests of the inferior as is posed by law governing marriage. A junior business partner would still be free to cancel the power—i.e. the absolute power that the senior partner has over him—by withdrawing from the partnership. A wife has no such power; and even if she had, it would almost always be desirable that she should avail herself of it only as a last resort.

It's quite true that things that have to be decided right away, and can't adjust themselves gradually or wait for a compromise, ought to be decided by just one person. But it doesn't follow that this should always be *the same* person. The natural arrangement is a division of powers between the two, with each being absolute in the executive branch of their own department, and any change of system and principle requiring the consent of both. [That sentence is as Mill wrote it.] The division of powers can't and shouldn't be pre-established by the law, because it must depend on individual capacities and suitabilities. If the two persons chose, they might pre-appoint the division of powers in the marriage contract, as financial arrangements are now often pre-appointed. There would seldom be any difficulty in deciding such things by mutual consent, unless the marriage was one of those unhappy ones where everything, including this, becomes a subject of bickering and dispute. The

division of rights would naturally follow the division of duties and functions. . . .

[When in this next paragraph Mill speaks of what 'will' be the case, he evidently means what will be the case after the law governing marriage is amended in the way he is arguing for.] Whoever gets the legal authority, the actual making of decisions will largely depend—as it does now—on comparative qualifications. The husband is usually the older, and that fact alone will in most cases give him more of the decision-making power, at least until the couple have reached a time of life when the difference in their ages doesn't matter. A more powerful voice will naturally also be given to the spouse, whether husband or wife, who brings in the income that the family live on. Inequality from this source doesn't depend on the law of marriage, but on the general conditions of human society as now constituted. The influence of mental superiority, either general or special, is bound to carry much weight, as will superior decisiveness of character; just as they always do at present. And this fact shows how little reason there is to fear that the powers and responsibilities of partners in life (as of partners in business) can't be satisfactorily divided up by agreement between themselves. They always *are* divided up like that, except in cases in which the marriage institution is a failure. Decision-making never comes down to •all the power on one side and •sheer obedience on the other, except where the marriage has been a total mistake and it would be a blessing to both parties to be relieved from it. You may think this: 'What makes a peaceful settlement of differences possible is the power of legal compulsion that both sides know to be in reserve; just as people submit to arbitration because in the background there's a court of law that they know they can be forced to obey.' [What makes this work in matters other than marriage, Mill goes on to say, is its not being known in advance which side would win if the

dispute were put in the hands of the law; but that isn't the case in marriages, where the law always favours the husband. The power the law gives him may incline the wife to settle for a compromise, but it won't incline the husband to do so! He continues:] There is always among decent people a practical compromise, though one of them is under no physical or moral necessity of making it; and this fact shows that (except in unfavourable cases) marriage partners are led by natural motives to voluntarily adjust their behaviour in ways that are acceptable to both. This situation is certainly not improved by having laws which ordain that this superstructure of free government is to be built on a legal foundation of despotism on one side and subjection on the other, so that the despot can—on a whim, and without warning—rescind any concession he has made. No freedom is worth much when held on such a precarious tenure; and anyway it is not likely to work in a fair way when the law throws so much weight into one scale. . . .

Would liberated women be fair?

A stubborn opponent with his back to the wall may say this:

Husbands indeed are willing to be reasonable, and to make fair concessions to their partners without being forced to; but wives are not. If wives are allowed any rights of their own, they won't acknowledge rights for anyone else, and they'll never give way on anything unless they are compelled by the man's mere authority to give way on everything.

Many people would have said this some generations ago, when satires on women were fashionable and men thought it clever to insult women for being what men made them. But it won't be said *now* by anyone who is worth replying to. The currently fashionable doctrine is not that women are less

apt than men are to have good feelings and consideration for their spouses. On the contrary, we are perpetually told that women are *better* than men, this being said by people who are totally opposed to treating them as if they were as good; so that the saying about women's natural goodness has become a piece of tiresome cant, intended to put a complimentary face on an injury. . . . If women really are better than men in anything, it surely is in self-sacrifice on behalf of their family. But I don't want to stress this at a time when they are universally taught that they are born and created for self-sacrifice. I believe that equality of rights would lessen the exaggerated self-denial that is the present artificial ideal of feminine character, and that a good woman would not be more self-sacrificing than the best man: whereas men would be much more unselfish and self-sacrificing than they are at present because they would no longer be taught to worship their own will as such a grand thing that it is actually the law for another human being. There is nothing that men so easily learn as this self-worship: all privileged persons, and all privileged classes, have had it. The more we descend in the social scale, the more intense it is; and its greatest intensity is in those who aren't, and can't expect ever to be, raised above anyone except an unfortunate wife and children. There are fewer honourable exceptions to this than to almost any other human infirmity. Philosophy and religion, instead of keeping it in check, are generally suborned [= 'bribed or bullied'] into defending it; and nothing controls it but *the practical feeling of the equality of human beings*, which is Christianity's theory but will never be its practice until it stops supporting institutions based on an arbitrary preference for one human being over another.

No doubt there are women, as there are men, who won't be satisfied with mere equality of consideration—ones with whom there is no peace until their own will or wish is the

only one that counts. Such people are a proper subject for the law of divorce. They are only fit to live alone, and no human beings ought to be compelled to live with them. But the legal subordination tends to increase the frequency of such characters among women. If the man exercises his whole power, the woman is of course crushed: but if he treats her more permissively and *allows* her to exercise some power, there is no rule to set limits to how far she takes this. Because the law doesn't determine her rights and •theoretically allows her none at all, •practically declares that she has a right to anything she can contrive to get.

The moral education of mankind

One way to make the marriage relationship even-handedly fair and conducive to the happiness of both spouses is the equality of married persons before the law. It isn't the only way to bring this about, but it's the only way to make the daily life of mankind a school of moral cultivation.

[Mill is going to discuss a very general moral view of his, about the importance of regarding and treating all human beings as equals. One part of this is

the equality of all persons before the law;

and that implies or includes

the equality of married persons before the law,

which is what links the special topic of this work to the more general topic that Mill is now going to discuss.]

Though the truth may not be felt or generally accepted for generations to come, the only school of genuine moral sentiment is society between equals. Until now mankind's moral education has mainly come from the law of force, and has adapted almost solely to the relations that force creates. In the less advanced states of society, people barely have the notion of an *equal*: to be an equal is for them to be an enemy. Society as a whole is one long ladder,

where every individual is either above or below his nearest neighbour, and wherever he doesn't command he must obey. So existing moralities are mainly fitted to a relation of command and obedience. But command and obedience are merely unfortunate necessities of human life; society in equality is its normal state. Already in modern life, and increasingly so as it progressively improves, command and obedience become special cases whereas equal association is the general rule. The morality of the first ages [Mill's phrase] rested on **(1)** the obligation to submit to power; and the morality of the ages next following rested on **(2)** the right of the weak to the forbearance and protection of the strong. How much longer is one form of society and life to content itself with the morality made for another? We have had **(1)** the morality of submission, and **(2)** the morality of chivalry and generosity; the time has now come for **(3)** the morality of justice. Whenever in earlier times any approach was made to society in equality, justice was claimed to be the foundation of virtue. That is how it was in the free republics of antiquity; but even in the best of these, the equals were limited to the free male citizens; slaves, women, and residents without a vote were under the law of force. The joint influence of Roman civilisation and of Christianity obliterated these distinctions, and in theory (if only partially in practice) declared the claims of the human being as such to outrank the claims of sex, class, or social position. The barriers that had begun to be levelled were raised again by the northern conquests [Mill's phrase]; and the whole of modern history consists of the slow process of grinding them down again. We are now entering into an order of things in which justice will again be the primary virtue, based as before on association of equals but now also on association of sympathy [here = 'fellow feeling']. Justice is no longer rooted in the instinct of equals for self protection, but in a cultivated sympathy between equals;

and because no-one is now left out, an equal measure of fellow-feeling is extended to all. It's well known that human beings don't clearly foresee their own changes, and that their sentiments are adapted to past ages rather than to future ones. To see the future of the species has always been the privilege of the intellectual élite, or of those who have learned from them; to have the feelings that mankind will have in the future has been the distinction—and usually the martyrdom—of a still rarer élite. Institutions, books, education, society, all go on training human beings for the old way of looking at things even while the new one is coming, and long after it has actually come. But the true virtue of human beings is **fitness to live together as equals**; claiming nothing for themselves except what they freely concede to everyone else; regarding command of any kind as an exceptional and temporary necessity; and preferring the society of those who are willing to take turns leading and following. Life as at present constituted does not help to develop these virtues by allowing them to be practised. The family is a school of despotism, in which the virtues of despotism, but also its vices, are nourished. Citizenship in free countries is partly a school of society in equality; but citizenship fills only a small place in modern life and comes nowhere near to people's daily habits or inmost sentiments. If the family were justly constituted, it would be the real school of the virtues of freedom. It is sure to be a good enough school for everything else: it will always be a school of obedience for the children and of command for the parents. What is needed is for the family to be a school of *sympathy in equality*, of living together in love, without power on one side or obedience on the other. That's what it ought to be between the parents. It would then be an exercise of those virtues that each spouse requires to fit him or her for all other relationships; and it would be a model to the children

of the feelings and conduct that could become habitual and therefore natural to them—that being the intended end-point of their *temporary* training by means of obedience. [Mill goes on to say that ‘the moral training of mankind’ will never be satisfactory until it has as a basis a morally satisfactory family structure.]

Even under the present law, many married people (in the higher classes of England probably a great majority of them) live in the spirit of a just law of equality. I readily admit this; indeed it is the very foundation of my hopes. Laws never would be improved if there weren’t many people whose moral sentiments are better than the existing laws. Such people ought to support the position I am advocating here, because its only objective is to make all other married couples similar to what *they* are now. But even persons of considerable moral worth, unless they are also thinkers, are very ready to believe that laws or practices from which they haven’t personally suffered any harm •don’t do harm to anyone, •probably do good (if they seem to be generally approved of), and •ought not to be objected to. The legal conditions of the marriage tie may not occur to the thoughts of such people once in a year, and they live and feel in every way as though they were legally equals; but they would be making a great mistake if they supposed that the same is the case with all other married couples (or anyway with all in which the husband is not a notorious ruffian). . . . In fact, the less fit a man is for the possession of power—the less likely to be allowed to exercise it over anyone with that person’s voluntary consent—the more he •soothes himself with the awareness of the power the law gives him, •exercises that power to the utmost point that custom (the custom of men like himself!) will tolerate, and •enjoys using the power as a way of enlivening his agreeable sense of possessing it. Furthermore: in the naturally most brutal and morally

uneducated part of the lower classes, the legal slavery of the wife and something in her merely physical subjection to the husband’s will (her role as his *instrument*) causes him to feel a disrespect and contempt towards her that he doesn’t feel towards any other woman—or any other human being—with whom he comes in contact; and this makes her seem to him an *appropriate* subject for any kind of indignity. . . .

Perhaps we’ll be told that religion imposes the duty of obedience on women—as *every* established fact that is too bad to be defended in any other way is said to be required by religion. Indeed the church does enjoin obedience in her marriage rituals, but it would be hard to derive any such command from Christianity. We are told that St. Paul said, ‘Wives, obey your husbands’, but he also said, ‘Slaves, obey your masters.’ His business was the propagation of Christianity, and it wouldn’t help him in *that* to incite anyone to rebel against existing laws. His acceptance of all social institutions as he found them doesn’t express a disapproval of attempts to improve them at the proper time, any more than his declaration ‘The powers that be are ordained by God’ implies support for military despotism as the only Christian form of political government. . . . To claim that Christianity was intended to freeze existing forms of government and society, protecting them against change, is to reduce it to the level of Islamism or of Brahminism. It is precisely because Christianity has *not* done this that it has been the religion of the •progressive portion of mankind, and Islamism and the rest have been the religions of the •stationary portions, or rather of the •declining portions (because there’s no such thing as a really stationary society). Throughout the history of Christianity there have been plenty of people trying to make it something of the same kind, converting us into a sort of Christian Moslems with the Bible for a Koran, prohibiting all improvement. These people have been powerful, and

resistance to them has cost many other people their lives. But they *have* been resisted; the resistance has made us what we are; and will yet make us what we are to be. [That last clause is as Mill wrote it. You might care to think about what he might mean by 'what we are to be'.]

Property rights

After what I have said about the 'general' obligation of obedience, it is almost superfluous to say anything about the more specific topic of a woman's right to her own property. . . . The rule is simple: whatever would be the wife's if she were not married should be under her exclusive control during marriage, and similarly for the husband. This still leaves them free to tie up property by settlement, in order to preserve it for children. Some people are shocked by the idea of a wife and a husband having separate interests in money matters; this, they sentimentally think, is inconsistent with the ideal fusion of two lives into one. 'They are **(a)** right about the ideal, **(b)** wrong about the practice'. Speaking for myself: I strongly support **(a)** community of goods when this results from a complete unity of feeling among the owners, but I have no taste for a **(b)** community of goods that relies on the doctrine that what is mine is yours but what is yours is not mine; and I would choose not to entire into such a contract with anyone, even if I were the person to profit by it.

This particular injustice and oppression to women is to the casual observer more obvious than all the rest; and it could be remedied without interfering with any other mischiefs, and there can't be much doubt that it *will* be one of the first to be remedied. Many states in the USA have gone so far as to put into their written Constitutions provisions that guarantee women equality of rights in this respect. At least for a woman who has property, this materially improves

her situation in the marriage relation by leaving her one instrument of power that she hasn't signed away; and it also prevents the scandalous abuse of the marriage institution in which a man traps a girl into marrying him without a settlement, purely so as to get her money. When the support of the family depends on earnings, the common arrangement in which •the man earns the income and •the wife superintends the domestic expenditure seems to me in general the most suitable division of labour between them. Given that the wife has

- the physical suffering of bearing children,
- the whole responsibility of their care and education in early years, and
- the careful use of the husband's earnings for the general comfort of the family,

she does not only her fair share but usually the larger share of the bodily and mental exertion required by their joint existence. If she takes on any further share 'by having paid employment outside the family', it seldom relieves her from this [meaning: 'from care of the children and management of the household'] but only prevents her from doing it properly. 'And that is very serious, because' the care that she now can't take of the children and the household isn't taken by anyone else; the survivors among the children have to grow up as they best can, and the management of the household is likely to be so bad as to cancel much of the monetary value of the wife's earnings. In a just state of things, I don't think it is desirable that the wife should usually contribute by her labour to the income of the family. In an unjust state of things 'such as we now have', her doing so may be useful to her by increasing her value in the eyes of the man who is legally her master; but against that it also enables him to abuse his power still further by *forcing* her to work and provide the family's entire financial support, while he spends

most of his time in drinking and idleness. If a woman doesn't have independent property, the power to *earn* is essential to her dignity. But if

- marriage were an equal contract, not implying the obligation of obedience; if
- the marriage tie were no longer *enforced* on those who are oppressed by it, so that a separation on fair terms (I'm not talking here about divorce) could be obtained by any woman who was morally entitled to it; and if
- she then found all honourable employments as freely open to her as to men,

she wouldn't need for her own protection to make this particular use of her abilities during marriage. Like a man when he chooses a profession, so a woman who marries can in general be understood to be •choosing the management

of a household and the bringing up of a family as the first call upon her exertions, for as many years as may be needed for this purpose; and to be •renouncing all other objects and occupations that are not consistent with this. On that basis, regular occupations outside the home would be practically ruled out for most married women. But it should be thoroughly possible to adapt the general rules to fit individual cases: if a woman has abilities that are exceptionally adapted to some other occupation, she should be allowed to pursue that despite being married; as long as arrangements are made to fill any gap that this might make in her performance of the ordinary functions of mistress of a family. These things might with perfect safety be left to be regulated by opinion, without any interference of law, once public opinion has been rightly directed on the subject.