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DELICATE MATTERS

OPEN LETTER

ADDRESSED TO

DR. F. W. ENGELENBURG

(*Editor of the "Volksstem"*),

BY

THE REV.^T C. SPOELSTRA

(*Dutch Reformed Minister at Pretoria*).

TRANSLATED FROM THE DUTCH.

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Dr. W. J. LEYDS
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BY WAY OF EXPLANATION.

THE publication of this pamphlet is timely. Alarmed at the huge proportions which prostitution of the most open and shameless character, has assumed in this city, the public generally has felt that some measures should be taken in reference thereto. But while all are agreed as to the necessity of measures, opinion is very much divided as to what measures should be adopted. The Executive has been approached by deputations from several local bodies, with draft regulations, or suggestions for regulations, all of which either proposed to regulate and accordingly to license and approve of the evil, or to prohibit and severely punish it as a sin against God and fellow-man. The latter proposal has been characterised by nearly all the local newspapers as impracticable, as even dangerous, and its supporters spoken of in a pitying way, as though they were ignorant alike of history and human nature, and were attempting to force upon the community an impossible state of things.

This pamphlet is an outcome of that newspaper opposition, and was originally written in Dutch in answer to the opinions expressed by the *Volksstem*, of Pretoria. The views and arguments of State regulationists are here successfully met, and the practicability, the desirability, the necessity of total prohibition sustained.

The Transvaal White Cross Purity League has felt that it cannot do better than undertake the publication of a translation of the pamphlet, and it hereby tenders its thanks to the author for his kind permission, and for the good work done by him in this noble protest.

P. G. J. MEIRING,
President of the Transvaal White Cross Purity League.

Johannesburg, 10th December, 1896.

DELICATE MATTERS.

POINTS ON THE PURITY CRUSADE.

ADDRESSED TO THE EDITOR OF THE "VOLKSSTEM" BY C. SPOELSTRA, DUTCH REFORMED MINISTER, PRETORIA.

In your excellently edited paper you have occasionally expressed your opinions on the prostitution question. You feel how extremely delicate the matter is and how judiciously it must be handled in a daily newspaper but yet you consider it your calling to reflect public opinion also in this respect. I respect your courage; you are perfectly right; silence is both dangerous and not in accordance with the duty of the Press. And you therefore give your advice on this important matter, as well as a critique of the resolution of the Executive.

You will undoubtedly, Mr. Editor, allow your readers to criticise your critique and to subject your advice to closer consideration.

Indeed, the evil is not one that can be eradicated by a few *entreflets*. And a daily paper is very unsuited to a debate on this question. It is for this reason that I, since no better qualified men have opposed your views, take the liberty to discuss this delicate subject fully in a pamphlet, with the hopes thereby to make a small contribution towards answering the question "What attitude ought the authorities in this country to adopt with reference to prostitution?"

The majority of your readers will probably not be able to recall with accuracy what you wrote on this subject. Besides, it is possible that this pamphlet may be read by people who do not subscribe to your paper. I, therefore, reproduce your articles here.

In your edition of September 29th you communicate the following:—

"By a number of Johannesburg women an address has been presented to the Government pointing out the alarming increase of prostitution in the City of Gold. It is continually assuming greater proportions; a resident in this city informed me that the number of prostitutes at present amounts to about 1,000. The European population of the Witwatersrand may be estimated at 100,000

(men, women, and children); consequently there is one prostitute to every hundred inhabitants. In London, with a population of four millions, there are 80,000 prostitutes, thus one to every 50 souls, from which the conclusion may be drawn that Johannesburg is twice as moral as London. Leaving, however, eventual studies in comparative statistics, which could be made from the above data, the question remains one of the greatest importance, especially to Johannesburg. In other words, we are inclined to make the prostitution question pre-eminently a local one. Besides, in the majority of civilised States the matter has been dealt with in this way. Let every populous centre be given the right, with reference to the question under discussion, to wash its own dirty linen. Especially in a country as ours this suggestion seems the one most commendable."

In the *Volksstem* of Wednesday, October 14th, 1896, you add the following:

"There are round about us daily occurrences and existing conditions that belong to what is generally called 'delicate' matters. In a daily paper that falls into the hands of everyone, old and young, and of people of both sexes, the discussion of such subjects requires great care and delicacy. It would certainly be easiest to maintain silence on them, but to adopt that as a rule of conduct is both dangerous and inconsistent with the calling of the Press, whose duty it is not only to draw the attention of the public to daily occurrences, but also to reflect public opinion.

"Under the category of matters reluctantly referred to, prostitution ranks among the first. It has always been our aim rather to watch the course of this question in our country than to say much on it. Meanwhile, the movement against this evil, that has existed almost as long as there has been people with human passions, is assuming a form here that makes it to be a question of the day.

"Johannesburg, especially, that already has so many sins to its score, has elicited this movement. And now it is very easy to say, as has been done in the Executive Council: 'Prostitution is an evil, and must consequently be prohibited.' But, unfortunately, the matter is not disposed of thereby. Human inventiveness has rather a fancy for applying itself to evade an absolute command, and in this case, moreover, human nature puts in a strong word too.

"The Legislature in this country rightly profits occasionally from the experience gained in other countries. For the solution of this question this course is the more desirable, since in this respect our country—and fortunately—cannot lay claim to much history.

"The Johannesburg Sanitary Board has suggested to the Executive Council certain regulations for combatting the social evil; but the Executive decided to reject these regulations, notifying its desire to totally prohibit everything that has but a semblance of fornication. This decision is undoubtedly the outcome of a determined desire to eradicate the evil from our communities root and branch, yet we fear that the better will here prove to be the enemy to the good. Conditions ought certainly to become better than what they are, and offence to the public can be avoided. But on the other hand, we should, above all, take a practical standpoint in settling these difficulties. If the Executive Council had for a moment descended from the rock of its principles to a sober, equitable estimate and view of the matter, and had asked the advice of those who have had experience in legislation on this point, or have at least made a study of the question, it would have done more for morality than by the resolution as now adopted; and if the decision be not taken into revision, a miserable disillusion cannot fail to result. The evil, as old as the world, cannot be eradicated by a dogma; even if we succeed in forcing it back into obscurity, the consequences thereof will be ten times worse.

"In our opinion the combatting must not be sought in an impracticable total prohibition, nor in an arrangement as suggested, that the control be delegated to the Sanitary Board. The lawful control ought to be within the competency of municipalities, and the enforcing of the regulations fixed by it be delegated to the law courts.

"To entrust the enforcing of regulations to local authorities too readily gives occasion for abuses and wrong practices. We need only call to mind how the notorious Tammany ring in New York, having become master of the municipality, secretly levied from these suspected houses, whose existence was expressly forbidden, a tax that gave them immunity from all prosecution. And the proceeds of this noble tax were, to a large extent, devoted to the elections.

We repeat, let every community fix its own

regulations, and let the State exclusively trace and punish contraventions.

"Only from the pursuance of this course does there exist the hope of success against the increasing evil, and do there also exist certain guarantees that no other motives than maintenance of the law will make their influences felt."

By the communications in your first article, Mr. Editor, you have put the country under obligations to you, only it might be questioned what value your conclusions have that Johannesburg is twice as moral as London, because the immorality of whites with kafirs is not taken into count, for now everyone can arm himself against the enemy, and by your frank discussion this matter has been brought before the forum of the people, instead of remaining locked up in the assembly halls of our conscript fathers.

"The prostitution problem, drawn outside the narrow boundaries of medical, judicial, and political circles, must appear as a subject for investigation on the programme of the entire community. Medical art, the science of law, and morality may not be left out of the debate in any attempt to solve this question. None of these, however, have the exclusive right to give an opinion on it. This subject concerns all the parts, all the energies of the social organism, controls it and is controlled by it." (J. Menno Hinzinga.)

Let this not be misunderstood. *There are sacred principles that may not for a single moment be taken into the question.* The Divine moral law, for instance, is not dependent on the variable issues of our discussions. If the Lord God says:—"Thou shalt not commit adultery," we must obey in our persons, our families, and in the entire community. The Divine moral law is thus an axiom; the moralist may not depart from it the jurist not tamper with it, and also the doctor must be subordinate to it. For them all it is only a question of how to apply this great principle to social relations and maladies.

If you, Mr. Editor, had grasped this, your opinion of the Executive Council would have been different.

You depict to us this Council as seated on the rock of its principles, unwilling to take a practical standpoint, not inclined to come down to a sober, equitable estimate of the question; stupid enough not to go for advice to those who have had experience in legislation on this matter, or who had, at any rate, made a study of it; so thoroughly autocratic that it simply decrees, "It is an evil and must consequently be prohibited"—so unjustifiably frivolous that it exposes the country to ten times worse consequences by pursuing chimeras.

It is strange, but what you disapprove of in the Executive Council is heartily commended by many besides ourselves. You admit yourself that in reference to the prostitution ques-

tion, our country—fortunately!—cannot lay claim to much history. Consequently, the members of our Raad having for the first time to face a question hitherto known to them only by name, cannot be experts in this matter; and yet these prudent men immediately feel what high and holy principles are here at stake, and do not allow themselves to be forced from the rock of their principles by euphonious arguments to consider and judge the evil from its own platform; to enter into negotiations with it, and to make it lawful under certain restriction! The Lord be praised that the Executive Council consists of men of such strong principles, that they determinedly desire to eradicate the evil root and branch from our society.

Shall I tell you, Mr. Editor, whence the members of the Executive Council derive these strong principles?

From their Bible.

Not them, but many of our readers do we wish to briefly remind what the Bible, or rather the God of the Bible, thinks of fornication.

The law has the following stipulations with reference to fornication:—

1. Among the daughters of Israel no whore might be tolerated (*Lev. ix, 29 and xxi, 9; Deut. xxiii, 17*), and in the country no foreign whore.

2. No priest might wed a whore.

3. The daughter of a priest that practised whoredom had to be stoned and then burnt. (*Lev. xxi, 9*)

4. He who seduces a virgin had to marry her, forfeiting the right to divorce. (*Exodus xxii, 15; Deut. xxii, 23*)

5. A bride who had lost her chastity had to be stoned as an adulteress. (*Deut. xxii, 21*)

6. For illegitimate children, no barger-right or inheritance. (*Deut. xxii, 2*)

7. Unnatural sins (*Lev. xx, 13*), fornication and incest, were subject to capital punishment. (*Lev. xx, 11-17*.)

Also the New Testament places immorality on the list of the blackest sins. It may not even be mentioned. (*Col. iii, 7; 1 Thes. iv, 5; Eph. v, 3*.) The Almighty avenges these sins. (*1 Thes. iv, 6*.) God's wrath comes over the children of disobedience. (*Eph. v, 6*.) They are the works of darkness. No whoremonger or unclean person, as long as he is unconverted, hath any inheritance in the Kingdom of Christ and of God. (*Eph. v, 3; 1 Cor. vi, 9*); whores and fornicators are judged by God, even though not punished by people. (*Heb. xiii, 4*; c.f. *Rev. xxi, 8; xxii, 14*.) These judgments are confirmed by the terrible judgments of God over countries, peoples, and persons who enslaved themselves to fornication.

It does not surprise us, Mr. Editor, that men so conversant with the Bible as Oom Paul with his Councillors, say of fornication: "*It is an evil, and must therefore be prohibited.*"

Here they are—is it merely instinctively,

or on account of study?—in excellent company.

If we put contemporaries the question: "What position ought the authorities to take up with reference to fornication?" then we can find no better and shorter reply than that given by Prof. A. Kuyper, which is as follows:—

It is incumbent on the authorities to watch over public chastity on thoroughfares and in other public places; to forbid the exhibition for sale of immoral books, illustrations or pictures; to make the seduction of minors to immoral acts punishable; and by no means to take preventative or protective measures against prostitution, and consequently not to deal with it otherwise than by taking measures to check it.

So far Dr. Kuyper.

Our Raad members are thus admirably in the right when they simply refuse to regulate prostitution, and are only open to strict prohibitive measures. And we, Christians, applaud that, and exclaim: "Homage to such men! You enter not into negotiations with evil. By regulating prostitution you admith the right of existence under certain limitations; you then affix the seal of authority upon it; you give sin free play; you grant indulgences for sinning; you play into the hands of evil, and thereby become accomplices to enormities, against which the Lord God in His Word is filled with holy wrath."

Mr. Editor, as Christians, as Christian politicians, the members of the Executive Council are obliged not to concede an inch of their principles. "*The authorities*," says Dr. Heppe, "*are and remain the servants of God for the sake of the people*, since they are not only an embodiment of the will of the majority, but rule the nation in God's name. By virtue of this characteristic they are entirely independent, in form and construction, of the State, also in a Republic are the authorities, elected by the people, not a creation of the sovereignty of the nation, but the Government of God, who vindicates Himself through these authorities."

What Professor Luthardt says on this subject is also worthy of note:

"If a nation is a Christian nation it is not more than natural that the State should in its organisation take this fact into account. It would be unnatural if the State, in its legislation, acted as if the nation were not a Christian one, or if, out of respect for an insignificant minority, prejudicial action were taken against the respect for the Christian character of the nation as a whole. It is thus the duty of such a State to shape its administration in accordance with the Christian character of the nation, and with the maxims of Christianity. That constitutes what we call a *Christian State*."

But how? Must we simply string together some texts, that deal with unchastity, and proclaim them articles in the law of the

State? Prof. Luthardt foresaw this question, and this is his reply:

"When we demand a *Christian State*, on the ground that our people is a Christian people, and that Christianity is an historical power in our national and political life, we do not mean thereby that the State should draw its legislation direct from Holy Writ, or derive it from the Gospel; because it is not the calling of the State to teach theology; there is an actual difference between the Gospel of the Kingdom of Jesus Christ and the law of States. But what we mean when expressing a desire for a Christian State, is that the legislation and laws of the State be in accordance with the Christian view of life taken by the nation, in order that it may be possible for us, Christians, to move within the limits of the State with a good conscience and with confidence."

The above, no doubt, suffices, Mr. Editor, to convince you that *entire* prohibition of prostitution is in accordance with the Bible, and consequently the requirement of Christian political laws.

But according to you—and you have many kindred spirits—*entire* prohibition is impracticable. You do not consider it sound or practical, and then, donning the prophetic mantle, you give the assurance that if the Executive Council does not take its decision into revision, "a miserable disillusioning cannot fail to result."

"The evil, as old as the world, cannot be eradicated by a dogma; even if we succeed in forcing it back into obscurity, the consequences there will be ten times worse."

In these words underlined by us we have two arguments, which with the two following, require refutation:—

"Human inventiveness has rather a fancy for applying itself to evade an absolute command, and in this case, moreover human nature joins in with a forcible word."

By the statement that *human powers of invention have rather a fancy for applying themselves to evade an absolute command*, you make your opponent's task an easy one, Mr. Editor. What command or prohibition is not evaded? And is this failing curable by the removal of the absoluteness of the command? If then we only continue to apply the remedy until it has lost its efficacy, that is to say till absolutely no command or prohibition be any longer brooked, then we are landed in the paradise of the Anarchists. And this is neither sound nor practical! For as long as *sin* is a power in the social life, then must be *justice* and *law*; *compulsion* and *punishment*. And in relation to prostitution it will operate favourably to have *entire* prohibition, and the practice be qualified in our laws as criminal.

But you say the *evil is as old as the world*.

Allow me to remark of this that this doctrine belongs to a heathen world of thought, and cannot be adopted by a single

Christian. According to Christian views the evil crept in later—and the possibility of our being ultimately released from it exists.

But it is more likely that this, your judgment, must be considered as an hyperbole, since in another context you speak of an evil that has been in existence almost as long as there have been people with human passions. In this sense, however, there is no single evil that is not (almost) as old as the world. Lying is (almost) as old as the world; does that justify lying? Murder is (almost) as old as the world; must therefore the absolute command: "Thou shalt not kill," be revoked? Weeds are (almost) as old as the world; must then the farmer passively look on how they over-run his acres? Or must he eradicate them root and branch?

Well, if any *morale* evil could not be eradicated—which we Christians regret as heathen doctrine—that does not by any means make it indispensable. Also an inextinguishable evil can and must be combatted.

Sir, Mr. Editor, the members of the Executive Council have too much common sense, they are too clear headed and practical than that your argument about the oldness of the evil should make the slightest impression on them. By altering a well-known verse we might say:—

*"E'en though water in casks you leave
For hundred years—'twill ne'er be wine,
Inchastity, how old it be,
As chasteness ne'er will shine."*

And, therefore, they contrast fornication with nothing else than chastity. They wish to fight radically against prostitution, both as being an evil in itself and on account of the fearful devastation caused by it. And we can imagine them exclaiming when reading your article:—"Has this poisonous growth already extended its roots to such a depth? Then we shall tax our energies so much the more to entirely root it out." The stronger the enemy confronting them, the better will they arm themselves to fight him. For manly characters difficulties exist only to be overcome. And, as Christians, they bow to not a single evil as before a fatalistic *naturnotwendigkeit*—for they believe in the final victory of the good, and may thus not adopt such views as yours.

We now come to a third argument brought in by you against absolute prohibition, namely this: "*And in this matter moreover human nature puts in a forcible word too.*"

This opinion embarrasses us a little, because it does not quite tally with the sentence in which you speak about the evil that exists almost as long as there have been people with human passions.

What is fornication, Mr. Editor, the outcome of *nature* or *passion*?

Passion? Who gives a man the right to sacrifice others to his unbridled lusts? Who gives him the right to avail himself of the daughters of the poor, who for want of

education lack the necessary supports for morality and chastity, which surround the daughters of the higher classes? Who gives him the right to compass another's death, or the robbing of another's property, to satisfy his blood-thirstiness or lust for plunder? Who gives him the right to call upon us: "Give me a place where I can indulge my passions unhindered or—your wives, your girls, your betrothed fall to my prey." Must the State then just allow *la bête humaine* to play the beast—or make it unpunishable? Lecky, who speaks so sympathisingly over the public woman as "*the priestess of humanity, who is sacrificed as an offering for the people's sin.*" Lecky will tell us what the State should do in this matter:—"The preservation of domestic purity is a matter of such great importance, that the action, readily explained by the imagination, but which can never be sufficiently controlled by the stipulation of law, and which is performed under the impulse of the strongest passions, should of necessity be made subject to the severest punishment."

What is fornication, Mr. Editor, nature or passion?

Nature? For your sake we should regret it if you replied to this in the affirmative! But we may not suppose this from you, because your article gives us more ground to assume that you apply nature and passion promiscuously, but mean the latter. Yet there are many who in the name of human nature argue the necessity of fornication. It is not necessary to refer you to the sources; in pornocratic literature thousands of quotations are to be found. Well, allow us to note an earnest protest against this shameful statement.

This argumentation is adopted in favour of an anti-Christian, of a Spinozistic, of a Pantheistic, or, if you like, of an Atheistic view of the world. That is in as far as something of that sort is still adhered to, for the creed of many contains only one article: "Let us eat and drink, for to-morrow we die." But thinkers try to reconcile to their reason actions forbidden by their conscience, and have recourse to the opinions of great thinkers that suit them, such as the following from the philosopher Spinoza (x 1677):—

"*The sins of the people, such as hatred, envy, etc., are only the necessary outcomes of nature.*"

"*Sin exists only in our thoughts, but does not exist before God.*"

From the Pantheistic quarter thus does the doctrine of necessary evil emanate. There also does fornication become the *necessary outcome of human nature*—something that man cannot now possibly alter; good and evil are only abstract ideas—because the deity mentioned in this doctrine is an *imagination*, and no Person, no God, too pure to contemplate evil.

And what F. D. Maurice says contains a

depth of Truth: "*The more we feel that no objective Being exists over our nature, the stronger will the inclinations, lusts, antipathies, which we find in our nature, present themselves to us as irresistible powers, that we have to obey.*"

Meanwhile both science and experience are opposed to the doctrine that *fornication is a necessary outcome of human nature*, and the thought is revolting to every chaste person.

On consideration this can easily be seen.

All arguments that in the name of *human nature* plead the necessity of fornication, are crippled by this pitiable injustice that they consider only that portion of humanity on whom the supposed necessity seems to have been imposed as an iron law; while it altogether loses sight of the fact that there are many thousands of people who know nothing about such a law, nor wish to know anything; *people in whose eyes only a pure and chaste life is necessary.*

It makes some difference, we think, whether you take a vagabond as a criterion to estimate the demands of human nature by, or a robust and strong youth, who, through God's grace, succeeds in keeping his passions in check; whether you take a chaste and pure lass as an instance, or a lustful girl who gains a living through her body.

The doctrine of necessary evil is thus rejectable on the grounds that therein the abnormal is raised to the normal; that conclusions are drawn from the most loathsome deviations of Nature, and not from Nature itself.

There are, undoubtedly, youths unable to resist temptation, but there are many more who firmly resist every immoral temptation.

There are many celibates who, in their low, common, view of life find it very easy not to get married, because what to them would be the only incentive to matrimony is openly offered for money; but who will dare to state that all celibates are guilty of immorality; who cannot mention the names of people in his surroundings that also in this respect lead a blameless life?

Last not least: There are many girls and women who have long forgotten how to blush; who have divested themselves of every feeling of womanly dignity and chastity; who, for sinful wages, offer themselves for sale, but what does the number of these unfortunates signify when compared with the much greater number of women and girls who, undefiled and pure, cannot harbour an unchaste thought without the blood's rushing to their faces, who would a thousand times rather die the cruellest death than allow anyone to extend unchaste hands towards her?

If it were not objectionable to us here to make mention of the most delicate secrets we could speak about married life, that presents very many more periods of forced or voluntary abstinence than the uninitiated suppose! Here, too, undoubtedly, you can point out the fearful departures from Nature's course when

there is practised the "two children system," and the *onanism conjugal* springing from it ; but who cares to know whether the moral restraints of Malthus can be applied, let him read, for instance, the noble book of Ribbing ; *Sexual hygiene, or The curse of immorality* (Dutch edition of "The curse of manhood"), by Henry Varley, who proves that *abstinence* and *self-restraint* are the true liberty. On page 35 of his book—thousands of which ought to be circulated and read—he says the following :—

" What cannot be condemned too strongly is the dissoluteness of many married men. Not satisfied with a temperate gratification, which is permitted in the divine institution of matrimony, they become fornicators, to give rein to their passions. Manly dignity is trodden down in the dust, and animal sensuality gets the upper hand. They are the moral freebooters, who hold such shameful social unrighteousness light, and by the r damnable example encourage young men to sin.

Prostitutes always assure us that they find their chief support in *married men*. A statement from that quarter cannot, 'tis true, be unconditionally accepted, but yet we believe it contains much truth. Here again I lay the axe at the root of the tree : " *The man who dares to maintain that there is a particle of necessity for this sin, is a liar. Whether such men be princes, or lords, or ministers, or geniuses, or scholars, or workmen, they are moral pests, a shame to society, and a curse to the nation.*"

A man who, on account of his ripe experience and comprehensive study, has every right to say a word on this subject, Rev. H. Pierson, director of the Heldring Gestichten in Zetten (Holland) agrees fully with the above :

" It cannot be denied that the passions very strongly experience the influence of the circle in which they live. In our native land there are localities to be found where seldom, if ever, anything occurs that has a semblance of prostitution, where, as a rule, marriages are contracted in purity, and where young men, of strong constitution and full of life, industriously occupied in their daily calling, yet manage to restrain themselves. If this can be done in one place, why not in another as well ?

" It can as little be denied that, for instance, on our trading fleet or on our Navy the sailors remain for months without the occurrence of a single unnatural deed, and yet every means are wanted for the gratification of those passions that are called so irresistible. If this is possible on vessels, why not in other places, too ?

" But let a relaxed and relaxing morality preach the doctrine of necessary evil, and you will see yet other things. Then people have all sorts of theories to make up for their want of character, of self-restraint, of purity, and

to make themselves believe that they bow to an untamable power.

" Indeed, if any one maintains that it is impossible to abstain, that a young man must gratify his passions, then I ask, at which age will you allow a man this ? Mention some age ; you will have to draw a line somewhere. No one will entertain the thought of allowing a youth, who has barely emerged from childhood, what can make him unhappy all his life. Mention an age, say 18, 19, 20, or below 18. What will you preach to this youth before that age ? Surely nothing else than abstinence, for there is no other alternative. And if you may and must require that from a youthful age, when the passions often well up in their first fire, while the understanding is not yet ripe, why cannot you require the same after that age, when the mind is just well-formed ? A young man of 16 or 17 must be wise, a full-grown man of 25 or 30 need not ? What a reversing of the most simple ideas of the philosophy of life ! What a contradiction ! "

We think that is different and better logic than what the advocates of the necessary evil adhere to. Let us hear what one of the most excellent women that ever lived, the noble Mrs. Butler, has to say :—

" If fornication be a necessary evil then let us make a public service of it. We give our sons for military service ; similarly let us give our daughters for the service of the necessary evil. Do you draw back with horror ? You have no right to do so. Is it just that the daughter of the poor man should always be the victim ? Well, it is in her name ; it is in the name of all working-men whose daughters have succumbed to temptation, in the name of all mothers out there in the country, who melt in tears over their children who will never return, in the name of all the pale, silent victims of immorality, in the name of the victims lying in their unhonoured graves, that women have lifted up their voices and indicted a heartless society." (Address delivered at Naples by Mrs. Jos. Butler, S. Gravenhage, Beschoor, 1886.)

These quotations more than suffice to prove that fornication is no necessary outcome of human nature. The different categories of people to whom we have directed attention might still be increased by widowers and widows, who would never dare to desecrate the memory of their beloved dead by immorality ; yea, increased even by persons who, having lived in the midst of sin, but now freed by God's grace, shun every infection of the flesh and mind as a pest. But what need of more ? We have adduced sufficient proofs that the arguments used to plead fornication in the name of human nature go crippled—in both legs.

Now, if fornication is indefensible in the name of human nature, then there remains

for us no declaration than that it is *unnatural*; if it is not human, then it must be qualified as *bestial*.

Everyone, of course, has the right to break the lance for bestiality; we cannot prohibit anyone from embracing a doctrine as that of Spinoza; but shamelessness goes too far when the immoral inhabitants of the country demand that the State for their sakes deviate from its Christian principles, heed not the representations of moral burghers, trample on all right, and legitimise fornication by a local law!

We have already spent too much time over this one point; but we intentionally treated it as fully as possible, because we here stand before the *cardo questionis*.

The entire debate over the prostitution problem is ruled by the thesis that sexual intercourse is an unrestrainable necessity. We call this hypothesis unproved and unprovable. Yet on the grounds of experience only we cannot win the case. In other words, we are obliged to consider also the medical side of this problem. And all we can do is to place ourselves at the feet of experts. We now wish, therefore, to quote the opinions of some famous medical men.

In the *Gereeskundig Courant* of 2nd and 9th November, 1856, an important article is published by the chief editor, Dr. N. B. Donkersloot, Director of the Lunatic Asylum in Dordrecht, entitled: "Must the State acknowledge the existence of public prostitution?" The learned writer in this article emphatically objects to the opinion of a correspondent in the *Netherlands Weekly for Doctors*, who—noteworthy enough—had openly expressed three statements without proof: I. The acknowledgement of public prostitution is in the interests of general health. II. The gratification of sexual passion is necessary for every person, at manhood's age, who desires to preserve the health of body and mind in the normal state. III. According to the attempts made to force prostitution further back into secrecy, syphilis will spread itself.

We shall later refer to what Dr. Donkersloot says in defence of I. and III. For the present we are concerned with the writer's reply to the opinions expressed in statement No. II. It is important enough to be quoted here in its entirety: If this opinion contained truth, there would be a most miserable aspect in Society! Imagine to yourself sexual intercourse a physiological necessity, which you cannot resist with impunity, as alvus, diursis, breathing, etc.—and that when you are on board for a hundred days with only men! Imagine cellular and other prisons, where for successive years, according to the correspondent, man is forced to incur either a punishment of nature or to deceive that nature in a most dangerous way. Imagine the thousands of ecclesiastical celibates. From their appearance on the whole

you would say that the punishment of abstinence does not weigh heavily on them. You would as little say that they deceive nature in a dangerous manner. And if now you maintained with reference to them that 'for every person at manhood's age who desires to preserve the health of body and mind in the normal state, it is necessary that he, by natural means, moderately (?) gratifies the inclinations expressed in his sex,' what conclusions would you then have to draw from such statements?

Methinks the writer himself would shrink back after some reflection. But more heavily yet does the conclusion weigh on young ladies, or, rather, on the unmarried. Or does the writer mean only men? That would be unphysiological, though more pardonable than to extend an argument so fearfully far.

We believe, however, that the correspondent forms too gloomy an idea of this "necessity," and that it is founded neither on experience nor on the laws of nature. The inclination to gratify the sexual passion is indeed strong, stronger perhaps than any other—and it can hardly be satisfied without an emission—but to manifest itself strongly and irresistably, it must first be roused. If you can avoid the stimulus, or if you are altogether without opportunities for such stimulus—as is the case with many—they we believe that you can, without any trouble, resist an inclination that slumbers, and seldom wakes of itself. And even if it does rise of itself, and even if it reveals its irresistibility, then there are the *pollutiones nocturna* to give a wholesome relief to the *congestio seminatis* (sit *venia verbo*).

But when the inclination is roused particularly and too early is in the brothels, where no single means remain untried to inflame the budding passion of youth, or to rekindle the waning fire of age you can, through habit, have enslaved yourself to the gratification of this inclination. But then it has become a failing (weakness), rather than a necessary physiological function."

So far Dr. Donkersloot.

The famous Professor, Dr. S. S. Rosenstein, of Leiden, made a speech in the Student Society "Doctrina," on the 14th of February, 1879, over "Sexual Morals," in which he subjected the glories of the pro-Malthusianism to a crushing criticism. From an account of this speech I take the following:—

Prof. R. now came to the question in connection with the celibate: Is it true that sexual abstinence is injurious to health? The advocates of "sexual morals" maintained this, and said that the "moral restraints" lead to bad results. They drew a comparison with hunger and thirst. The equalization with these physiological functions, the Professor pointed out, did not at all hold good. There were two important points of difference: (1) Sexual passion is to a large extent governed by imaginations in which you can

indulge or not, and which you can counteract by other imaginations ; (2) The inclination can be suppressed without danger to your health, which is impossible of hunger and thirst. As a medical man Professor R. states—and he has undoubtedly on his side one of his colleagues, with whom he only this morning discussed the subject—that the opinion that the sexual passion must be gratified is an untruth. Neither he nor his colleagues are aware of a single instance of detrimental abstinence.

The hurtful consequences ascribed to abstinence occur in married people as well as in unmarried ; for instance hysterics, that in addition often had other causes ; it is true that this disease occurred more frequently in married people than in unmarried ones, but almost always in those who did no work, and gave occasion to it by their habits. Who wishes to restrain himself, can restrain himself—until marriage ; but then you must not excite your passions, and these passions are roused in man more than in woman, because he is more exposed to temptation, to exciting conversations and recreations, if not because — allow me a Dutch word, said the Professor—of brag."

Fain would I quote more from this important speech, but I must limit myself, so as to give other medical men of note a turn too.

In the *Medical Newspaper* of the 3rd of July, 1879, appears an excellent article by Dr. A. O. H. Tellegen, of Groningen, entitled : "Abstinence," to which we are indebted for the following :—

"In the report of the Commission appointed in terms of resolution of the general meeting of the N. M. t. B. d. G., charged with investigating the working and results of the Epidemic Law, and the desirability of regulating prostitution in the Netherlands by law, my attention was arrested by the following sentence : 'For people may or may not hold the somewhat exaggerated opinion that sexual intercourse is decidedly necessary, and that without it health can hardly exist; it certainly is a fact that the inclination to intercourse with the opposite sex is one of the most strongly developed passions in man as well as in beast, and that many submit to a considerable amount of trouble and danger to obtain gratification.' From these words it appears to follow that the members of this Commission, the majority at least, are no decided advocates of the 6th Commandment, for if this were the case, they would have protested more emphatically against an evil that now-a-days is almost designated by the name of virtue, and not have confined themselves to stating 'that it is a rather exaggerated opinion that sexual intercourse is absolutely necessary and that without it health can hardly exist.'" I therefore consider it of importance to refer to what has been written by three medical authorities on this point, and to direct to it the attention of not only the

medical public, but also of those who cherish such a particular anxiety for their health.

Sir James Paget (James Paget. *Legons de clinique chirurgicale traduit de l'Anglais.*) writes : "Many of your patients will consult you about sexual intercourse, and some will certainly expect that you will prescribe it to them. I would just as well be able to advise them to steal or to lie or to do something that is forbidden by God. If persons wish to practice sexual intercourse or impurity, then it must be according to their own choice, on their own responsibility. We have no right to recommend what would be morally bad, even though we had any reason to think that by so doing the patient would be better. But in the cases that we are reviewing—and I cannot imagine that there are others over which I would think differently—there is not sufficient reason to bring under discussion the question whether we may do wrong. Chastity is hurtful neither to the soul nor to the body. Practising it has a very favourable influence ; marriage can be awaited without fear, and of the numbers of nervous and hypochondriacal patients who have spoken to me over sexual intercourse, I have never heard one say that he felt himself better or happier after it ; many have told me that they had become worse, while a large number who did not succeed in the intercourse saw their condition made considerably worse." In a note he adds : "Professor Humphrey has very rightly pointed out that the functions of the genital organs, and we can include the part of the nervous system that stands in connection with these organs, can stand still for a long time, even all during life, and that they can yet be healthy and capable of again operating."

Curschman (Curschman, die funktionellen Störungen der männlichen Genitalien. Ziemssens Handbuch IX., 2. i.e. Aufl. p. 408) expresses himself as follows :—"Where circumstances justify it, the advice to marry can operate very favourably, especially with those with whom the pollutions are not of frequent occurrence. When this is not possible, advising patients to practice natural sexual intercourse in another way does not, in our opinion, belong to competence of 'gewissenhafte' doctors. The dangers alone connected therewith (syphilis gonorrhœa) are too great and difficult to get rid of, exclusive of the moral side of the question. The cynismus with which the matters are treated, even to the most vexatious details in the well-known handbook of elektro-therapie, is, in any case, unworthy the medical profession.

The well known hygienicus of Montpellier, Professor Fonsagrives (*Traité de thérapeutique appliquée*, 1878, 1 pag. 246—248) expresses himself most fully on this point, and from his work Dr. Tellegen quotes at length in the original language, of the most important of which we give an abbreviated and free rendering :

"The dangers of abstinence and chastity have been greatly exaggerated. Most exceptional facts, hysterical conditions of women in convents, of widows as well as of prostitutes taken up in asylums, suicides of unmarried men, behold in these the favourite arguments, and these are supposed to lead to the conclusions that a moderate gratification of the sexual passion is the remedy. Safely, however, can the assurance be given that all these arguments, well considered, do not hold good, and that it need by no means be feared that abstinence causes hysterics, or that the shorter life of unmarried people stands in connection with that. The difficulties of voluntary abstinence also have been much exaggerated. The fact is that the immoral have a difficult task if they wish to abstain, but chastity can easily be preserved if a strict life is led from youth. An unprejudiced statistic teaches us that abstinence, far from having a detrimental action, more often is the source of great bodily and moral strength. The doctrine that sexual passion is irresistible is untrue in the great majority (*l'immeuse majorité*) of cases; the strong colouring of the martyrdom of the chaste is altogether arbitrary; the assurance can safely be given that sensuality is more often the cause than effect of bodily sufferings on this point. Outside matrimony, that through it uniformity presents guarantees for temperateness, no sexual intercourse may be advised, for thereby you attain the opposite object to what you had in view. You place the very certain dangers of abuse in the place of the very doubtful dangers of abstinence. It is indeed a remarkable remedy that exposes the patient to syphilitic infection! Matrimony is something altogether different, it is the only wholesome and moral gratification of the sexual passion; the advantages of a moderate use come to light at once, and the abuse falls markedly into the background.

If (says Max Simon) you wish to recommend immorality as a remedy, you would in future have to place the public woman in the chemist's shop, with all other medicines. The medical men who advocate this system should go even further, and just as there are bathing places for the sick, there should be governmental brothels for healing of unfortunate sufferers.

Our conclusion must be that immorality can cure no diseases, but much rather originates them, and that no doctor that has respect for his profession may ever advise it.

So far Dr. Tellegen.

I here give a few short quotations to point out where really the shoe pinches.

Professor Newman in his above-quoted pamphlet protests most strongly against "the doctrine which I call modern heresy—the doctrine that strict sexual abstinence is a physical evil tending to disease."

Note how he here opposes this "modern hygienic fallacy."

Let us now hear two members of the Netherlands Union against prostitution, and first Dr. L. R. Hermanides. (Page 33—from : The sexual appetite to here lies the difficulty.) After having proposed the removal of brothels in the Netherlands, he continues as follows:—

"There is one objection that can be made to this proposal, namely, if it can be proved that sexual intercourse is necessary. I do not mean the matrimonial intercourse for propagating the species, but the illegitimate intercourse for the preservation of health. That brothels only supply what is called a necessary want is contradicted by the fact that married men so frequently visit them. The species is neither propagated nor improved by illegitimate intercourse. The best energies outside and before matrimony can be wasted only at expense of posterity. To these energies the State has a right. Sexual intercourse outside matrimony does no good. Young people make each other believe it; yet, while many a sickness originates from too frequent sexual intercourse, no medical man can mention one case due to abstinence. That this leads to oranism or mania is a statement as vague as that clandestine prostitution must increase if the brothels are closed."

Seven years after this was written the courageous champion made a speech at the National Congress against Prostitution, in Amsterdam (April 30th, 1889, and three following days) on "Combatting of Syphilis by the Authorities," to which we shall refer later. In this speech Dr. H. refers again to the doctrine of the necessary evil, and expresses new views. (See "Handelingen," enz, page 67).

"The sexual stimulus that generally starts from the nervous centre consists of seeing, reading, hearing, and imagining all that rouses passion. By continually calling up these 'causæ,' sexual intercourse can be made a relative, that is a temporary necessity. In the same way the genital organs can be roused to hyper-junction and hyper-secretion. But, on the contrary, by reducing the incentive, you can also reduce the necessity, so that ultimately the genital organs can be brought into a state of atrophy.

But there is still more. To get the necessity for sexual intercourse, not only *stimulus* is needed, but the *cognizance* that the want can be gratified. If you know that that cannot be done, the want ceases. This case is exactly similar to that of all other passions, drinking and gaming for instance. These also can develop into a "necessity." But where there are no means to obtain gratification, there the necessity fails or disappears.

"It is with that 'necessary evil' as with everything else—just as you are taught, just as you have accustomed yourself. 'Opportunity makes a thief.' The greater the temptation, the greater the want and the gratification

of the want. When prostitution is public youths and girls learn to know about its existence early. They see it, hear of it, think of it. Thus the necessity is born and nourished. Abolish the brothels, and you have fewer opportunities and less necessity. The secondary effects of the removal of public-houses I consider of wide significance. I maintain that if the necessity exists, it is made."

Of necessity, Mr. Editor, I refrain from communicating more of what was discussed at this most important Congress. In this context, for instance, the very remarkable speech of Dr. J. Memo Huizinga on "The advantages and disadvantages of sexual abstinence and gratification" would be most appropriate. ("Handelingen, enz," page 40-43.) But at that rate we would continue quoting. Sufficient material has already been collected to repeat the question with double emphasis: What is fornication—the outcome of Nature or of passion?

Another question: What is your opinion; has the State the right to demand abstinence from those who desire to have sexual intercourse outside of matrimony?

We flatter ourselves that you will answer with us, "undoubtedly."

For science and experience have supplied us with proofs that you can abstain; society thus has every right to demand that abstinence shall be practised.

Do not suppose, however, that on this ground only the State must add the force of the law to this demand of society. For even if it could be proved that sexual intercourse is necessary for a certain class of people, then still the State would not only have the right but also be obliged to deprive this class of all opportunities for gratifying their deep-rooted voluptuousness.

Does not a kleptomaniac fall under the terms of the law? Is not a pyromaniac removed to where he is harmless?

"Well, yes," you reply, "but these transgress against the properties of others, and the State must guard against that."

Granted, but a drunkard should be in gaol, and a gambler as little escapes.

In this matter, therefore, the State acts on the principle that one may neither injure himself nor others. It protects such people, as it were against itself, and it has this very simple principle to apply in combatting prostitution.

Even as it cannot say to people who are suffering from kleptomania and pyromania, "Oh, poor creatures! you cannot desist from stealing and incendiaryism, I shall thus have to give you a chance of doing it," even so it may not give occasion to whores and fornicators, who are weighed down by an alleged necessity of nature, to give vent to their lusts.

It is an unpardonable dualism, a measuring within two measures, a shameful transgression of holy principle, when the State marches the drunkard and gambler to jail, but apportions a locality

for whores, where they, under the protection of the Law, degrade themselves and others bodily, morally and spiritually.

If it does not suppress this enormity of unrighteousness, then this prostitution shall as a vampire suck the very life-blood from its veins, until restoration becomes impossible.

If the State does not root out whoredom, whoredom will root out the State.

Tertium non datur.

We have now come to the discussion of your last argument, Mr. Editor, and that, too, we wish to view from all sides. You say:

"And if this decision be not taken into revision, a miserable disillusion cannot fail to result. The evil, as old as the world, cannot be eradicated by a dogma; even if we succeed in forcing it back into obscurity, the consequences there will be ten times worse."

You say it, Mr. Editor, without a shadow of proof, and consequently we must but take your word for it. We are, however, eagerly looking forward to your proofs of this statement: he who says much must be responsible for much.

Is it reasonable to maintain that the members of the Executive wish to eradicate the evil by means of a dogma? Is it their intention to force it back into obscurity? It seems to us that you, who wish to see public offence avoided, who look upon a radical combatting as a phantasy, wish to force back the evil into obscurity. Our legislators only ask for a draft law, in which this shocking sin is vigorously opposed.

Against this radical combatting you direct you attack; you fear the worst results; you find it neither sensible nor practical.

Strange again; for that which is demanded by our prudent leaders is actually the only course by which we shall profit—and therefore very sensible and practical.

A director in an asylum somewhere in Europe had a curious way of finding out in how far the new patients were still in possession of their senses. He would take them into the bathroom of the establishment; the tap had been opened a few minutes beforehand, and now the Doctor ordered the patient to dish out the water. The worst patients continued dishing until they were exhausted. The patient, however, who had a grain of sense left, first closed the tap and then commenced working. We think that was sensible and practical.

Suppose that tracks of tigers were discovered somewhere; a sheep missed here and a goat there; people wounded and killed. It would certainly be very philanthropic to bury the dead and attend to the wounded; but the only practical or sensible course is to attempt to exterminate these wild animals.

Likewise the members of the Executive show that they are sensible and practical when they do not rest until they have totally rooted out prostitution.

Cessante causa, cessat effectus.

You agree, Mr. Editor, that this social evil has fearful results on the Rand.

But here too we must make a clear distinction, and consequently must ask: What do you fear; danger to health or danger to morals?

The weightiest must be of the most consequence, and everyone will have to admit that moral corruption is more to be feared. We shall therefore give it the priority in our discussion.

And then it grieved us to learn your opinion, however frivolous we found your statements, that Johannesburg is twice as moral as London. Not because you have, as we remarked, forgotten to take fornication with kafirs into account; but though you can at most suppose that, you cannot express that opinion in public. The *only* thing that these statistics teach us is that the state of affairs in the Gold City is indeed becoming serious enough.

One prostitute to every hundred inhabitants (men, women and children)—what a fearful corruption of morals in a city which has been in existence only ten years! what sources of bodily and spiritual contagion, of temporal and eternal misery will not originate therefrom?

Your correspondent in Johannesburg occasionally lifts a corner of the veil of secrecy. In your paper of the 16th October he has the following:—

"Johannesburg, Thursday.—The fact that Johannesburg is being flooded by public women is an additional nuisance to the ladies. Many women are forced to go to Commissioner Street to transact their business with the brokers and house agents. The result is that the reprobates, who hang about the streets all day long, no longer make any distinction between ladies and prostitutes. To-day I met a married lady who was addressed no less than three times by men in the street, notwithstanding the fact that she is one of the calmest and least striking of ladies I have the pleasure of knowing. It is really high time that the strictest measures were taken by the authorities to suppress this disgrace in our country."

These are, then, the results of the whoredom which has been allowed too long, and consequently has become more and more shameless! Men whose bestial passions have been roused and fed in the houses of ill-fame no longer make any distinction between ladies and public women. No respectable woman, no chaste girl—she may be a lady or not!—is safe in the street. They have even gone so far as to allow kafirs to the houses of ill-fame, so that these, too, will no longer make any distinction between white and coloured women, and consequently also from this source the cases of assault will increase tremendously.

Poor women, poor girls who are *obliged* to live in such a Sodom!

But with this Sodom there must also be a Gomorra—that is to say, the evil will not confine itself to Johannesburg alone; but throughout the whole country the direful results will be experienced.

Who is not filled with indignation on reading the following account, sent to *The Volksstem* by the above-mentioned Johannesburg correspondent:—

"P. J. Wannenberg, the Public Prosecutor of Krugersdorp, and B. J. Viljoen, the Field-cornet, are instituting an enquiry into the cause of the death of Maria Mareus, who was found terribly mutilated near Champ d'Or Station. She was still alive, and told the men who had heard her shrieking that the conductor had made indecent overtures to her, and when she refused he threw her out of the train. Two hours after the poor woman had been brought over to the hospital at Krugersdorp, and her leg amputated she died. She was a widow, about 25 years of age and came from Grahamstown. The terrible tragedy has caused a great sensation here."

And now it does not help in the very least, that reading similar accounts, you say: "but that is really shocking!" or go and sit philo sophising over the wickedness of Judasburg; everyone who still has a heart must renounce such enormities most emphatically; we must all come forward together and send petitions to Government from all parts of the country, praying that a stop may be put to these unrighteous doings!

Mr. Editor, here, too, the motto applies: *Tolle causam!* away with the cause! away with prostitution, and respectable women will again be able safely to walk the streets.

In this context there is an opportunity for an earnest warning.

On our voyage to this country we had, alas! occasion to notice what a demoralising influence emanates from Johannesburg. We were continually annoyed at young men from there who tried to seduce married women to fornication, and addressed and treated young ladies in a degrading manner. We, therefore, warn parents never to let their daughters journey from Europe to Africa, or *vice versa*, unless they travel under the care of a trustworthy chaperon.

By the recognised or connived at, or generally unresisted immorality, more mischief is caused than by the rinderpest and all the visitations that have come over our country and people. Only a manly resistance in the power of the Lord can deliver us from this giant.

The longer we wait, the more we dawdle, the more will the dimensions of this moral pestilence increase, the lower does the spiritual standard of life become, fornication and whoredom become quite recognised, the sanctity of matrimony is assailed, yea,

matrimony itself is endangered, and thereby one of the pillars of the State is undermined ; education, on which such great and excellent care is bestowed, is threatened by total failure ; scores of precious human lives are ruined for time and eternity, and country and people defiled and polluted in an awful way. What can then be done against this pestilence that walketh by night ? "Do away with the evil that is in your midst," saith the Lord God.

If we be not mistaken, Mr. Editor, you lay more stress in your article on the *danger to public hygiene*, that necessarily must result from conditions like those in Johannesburg.

And that this fear is not groundless appears from the article by Dr. Van der B., of Standerton, published in No. 544 of your paper, on "Our Sanitary Legislation." According to this medicus, "the spread of syphilis and gonorrhoea in this Republic is most alarming, and very stringent measures ought to be taken against it."

We laud the fact that care is taken by the authorities for public health, but this must be done in the way prescribed by God, namely, by warning against and punishing certain sins that have certain diseases as a result, and let him who does not heed bear the result of his conduct himself.

Who does not wish to die from epileptic fit, brought on by anger or excitement, must guard against it : who does not wish to die of *delirium tremens*, or of other results of liquor, must guard against all intoxicating liquors ; who does not wish to be stigmatised, and is suffering or dying of the hideous disease indicated by the above writer, must guard against immorality.

Here, too, the motto applies : *tolle causam !*

The greatest advocates of recognised immorality acknowledge that prostitution is the chief means of spreading venereal diseases. If no prostitution existed there would be little or no danger of the spread of these diseases. From this then follows, logically, that prostitution should be checked as much as possible, just as would be done in the case of any other disease, the root of which had been discovered. Instead of this they only try to make the consequences harmless, but against the root itself no actions are taken. This is in our opinion simply folly. This that baling out of a bath without turning off the tap ; or, if you prefer giving a philanthropic tint to it, this is attending to the wounded without trying to exterminate the wild animal by which the wounds were inflicted.

You desire, Mr. Editor, that the legislation in this country should profit by the experience of other countries.

But, how you will manage that, Mr. Editor, is a conundrum to us.

In any case you do not approve of radical combating ; thus, under certain limitations, the prostitution remains. Do you then wish to further morality by immorality ? Such an

attempt seems to us to correspond to what the Bible calls a careful treaty with Hell, or the casting out of the Devil by Beelzebub, the chief of the Devils.

It would not surprise us if the measures proposed by you for the promotion and preservation of health may have much in common with what is designated in Europe with regard to prostitutes. But in that case we may assure you beforehand that these regulations and brothels will as little tend towards the protection of health and morality as oil will avail against fire, or sea water against thirst.

In all systems of this kind this principle has been laid down that *public prostitution in brothels must be encouraged in order to be better able to exercise control.*

We, however, find this regulating of immorality "un système introuvable." Fire and water are, once and for all, irreconcilable. It is impossible at the same time to take under protection matrimony and immorality, love and selfishness, day and night, purity and obscenity.

Mr. Editor, the advocates of regulations for prostitutes are neither sensible or practical, but dangerous Utopians.

They desire to combat one kind of prostitution by another. They say to the clandestine prostitute, you are culpable ; to those in brothels, you are not ; and this while our logic says that the proprietor of a public and of a secret house of ill-fame both commit one and the same crime, and ought to be culpable.

Moreover, the advocates of regulations for prostitutes have a very effective allurement for getting the clandestine prostitutes into the public brothels. Even without mentioning the sickening details of the approbation process each one understands how extremely provoking this is, and how suited to destroy the last grain of delicacy and the last remnant of womanly modesty ; therefore, our logic says, and our statistics confirm the fact, that where regulations for prostitutes exist clandestine prostitution must increase.

The control, therefore, does not extend over the fearful number of private prostitutes ; the control does not extend over the men who ought by right to be examined ; while the control in the public houses of ill-fame is simply a farce. For by noted specialists it is acknowledged that these houses, in spite of inspection, are hot-beds of infection. Where the brothels remain the diseases remain, and eat away like cancer.

We have indeed ground to say with Dr. V. D. Bergh : "The system of approval and of brothels would never have been defended as corresponding to the digging of a trench to check a fire, because, according to the expression provided by the Netherlands this amounted to the systematic firing of powder, separated by a small space from the other quantity by which the sparks are enabled also

to reach that quantity, and further, those who went out from the fortified enclosure with the burning torch increased the danger of inflammability."

If it be not your object, Mr. Editor, to advance your own opinion you must, through an unbiased study of this subject, come to the conclusion that the regulating of prostitution is a remedy worse than the disease, without even for a moment taking into account the repulsive principle that underlies it.

Ardent advocates of this system acknowledge its failure on hygienic grounds. Among these are Dr. Mireur, of Marseilles, and Dr. Diday, of Lyons, two authorities of the first rank, who, in their writings, have shown the insignificance of the results hitherto obtained. According to the statement of Mireur, Brussels and Marseilles have the most stringent regulations for prostitutes, and there the clandestine prostitution thrives. Despres has investigated the relation between regulated and clandestine prostitution in the whole of France, and found that in 86 out of the 87 departments where the regulated prostitution was extensive, the clandestine was extensive too, and *vice versa*, so that he arrived at the two following social laws : 1st, *Plus il y a de prostitution réglementée dans un pays, plus la prostitution de toute nature se développe;*" and 2nd, "*La prostitution réglementée appelle la prostitution libre.*"

Now in France they are in a position to know, and if from there it is shown us that according to the relation between the regulated prostitution in a country immorality of all kinds develops itself, and that the regulated prostitution, instead of reducing the clandestine, supports, increases, and maintains it, then we ask the advocates of the regulating of prostitution what good is there in the only cure which you can point out?

In Italy too, many voices were raised against the recognised immorality, for example the Drs. Pautano, Bertani, Pellizzari. The first-mentioned wrote at the time :

The prostitution protected by the Government has not the slightest right to exist, on grounds of any principle or of social necessity. The medical science, which for one moment supported it, has now totally abandoned it.

Almost all the medical men in North America, most medical men in England, and the continually increasing number on the Continent, and among them the authorities and specialists on this subject, are opposers of the regulating of immorality by law or regulations and of the allowing and protection of houses of ill-fame by the authorities. One could enumerate a whole catalogue of books, which even in Russia this question, generally considered as decided, brought into light.

What deep researches has Dr. Giersing not made at Copenhagen on this subject! From among the men who in England have taken

a leading part, Dr. Forster, in his time President of the British Medical Society, who so strongly opposed the recognised immorality, in the British Parliament, deserves mention. Further, Dr. Birbeck Nevins, at Liverpool, for years the publisher of the *Medical Enquirer*, and Dr. Drysdale, in London. In the Netherlands we only mention Dr. Donkersloot, Dr. S. R. Hermawdes, Dr. J. Menno Huizinga, who previously was a strong advocate, and now an opposer of regulating of prostitution. The same may be said of the famous authority on syphilis, Professor Chauvelwy van Ysselstein, of Dr. J. W. Gunning, of Dr. A. Voute, junior, not to mention any others.

Let us restrict ourselves to two countries, namely, England and the Netherlands.

In England, whither the regulation of prostitutes had blown over from the Continent, laws were made in 1864 for combating against syphilis, euphemistically entitled : "An Act for the Prevention of Contagious Diseases at certain Naval and Military Stations," originally applying to only 11 places, but later to more cities and ports, and in substance also adopted by the British Colonies.

The main points of these laws are :—

1. Registration and police supervision of prostitutes.
2. Periodical hygienic inspection of these women, and
3. Removal of the infected to the hospital.

From the very commencement the laws experienced great opposition in England and outside.

The soul of this movement was the wife of a minister, Mrs. Josephine Butler, mentioned before. How stubbornly she had to struggle, her biographer, Mr. W. T. Stead, tells us. Yet her heroic attempts were blessed by God to such an extent that the "Contagious Diseases Acts" were repealed in 1883, or, as an English writer characteristically says, "they were condemned by a wave of strong public feeling." Since the advocates of the law wished it to be brought into force in the whole world, the opposers were compelled to fight strongly against it. In September, 1877, the first congress was held at Geneva, the "Fédération Britannique et Continentale pour l'abolition de la prostitution comme institution légale et tolérée," which has already published scores of works on prostitution and against the measures disapproved of by it, and also at subsequent congresses treated this matter *au fond*,

The objections brought in against the Acts were summarised under nine heads by a Commission d'Enquête, which had been appointed in 1869. These may be found in the work of Dr. Van den Bergh, already referred to, on page 179 and 180. We shall not make further mention thereof, because, going over to the Netherlands, we shall again come across

the chief arguments against the regulation system.

Actual regulation of prostitution was unknown in the Netherlands until about the year 1856-57. At that time most of the cities adopted the regulation system, so that the year 1856-57 may be considered as the year of revolution in the regulation of prostitution. In 1882, 37 cities prided themselves in the possession of a "regulation system."

Subsequently it has been abolished in several places.

The most important regulations of this system are :—

1. That the public woman must be enrolled as such, at the municipal office.

2. That she receives a note book.

3. That she be examined—at most places once a week, but in some places twice—in the places appointed for that purpose.

4. That the inspecting doctor, who is appointed and paid for that purpose, writes the day and hour of his inspection in the note book of the public woman, and also the state of her health.

5. That the woman, if found to be in a healthy condition, may return to the brothel, but

6. If found to be diseased she is removed to the Hospital, which she may not leave under any circumstances.

Fortunately the Netherlands have also something better to show than these shameful regulations.

The first person in Europe who commenced the strife against prostitution as an institution recognised by law, was the minister, Otto Gerhard Heldring.

In 1847, Heldring commenced by founding the Asyl Steenbeek, "a house for fallen women," which was opened on the 1st of January, 1848.

But he soon perceived that saving was not sufficient, but that it was his duty to speak out. And his bugle gave no uncertain sound. The reader may judge :—

"If we have one hope, it is this, that by means of the Asyl, the campaign against the public sin of immorality may become so general that each right-minded person girds himself to the strife, and that public opinion may not pass by this domain of immorality unnoticed and in silence, but punish it as the worst grade of spiritual and bodily leprosy, and banish it from every corner of a respectable community."

Who in all the world needs more than a little common sense to protest against a theory that goes beyond all bounds? But that is the awfulness of the blindness that results when a treaty is made with sin, in whatever way and however slightly. For that reason Israel's lawgivers and prophets did not allow sacrifices on the high places, however much the offerings concerned Jehovah. Even so let us, too, break with this sin, and let no one say : "It is not my business." May the

breach between purity and impurity become wider day by day. May the legislature break with the sin. May the crime no longer be patented, but punished.

Before Heldring died in 1876, he could, through the coming forward of Mrs. Butler in England, and of Dr. W. van den Bergh in the Netherlands, hail the morning of a new day.

In 1877 the learned and eloquent minister, the Rev. H. Pierson, succeeded him. In September of the same memorable year the first Congress against prostitution assembled at Geneva. In 1871 a great meeting was held at Utrecht, which some 200 persons attended, and before long, the *Netherlands Society against Prostitution* was founded. This society held meetings in almost all the important towns in Holland, but only afterwards when it was composed of men of all views did it experience general support. In 1883 the Federation assembled as an international Congress at 's Gravenage, and as a result thereof was founded the *Netherlands Women's Union* for promoting the consciousness of chastity.

The founder, and from that moment the soul of the Bond, was Mrs. De Douairiere Klercq bom Van Hogendorp, who got over to her side scores of noble women and women of high birth. A combined attempt was now made to attain that object. In 1889, a *National Congress against Prostitution*, under the auspices of the Bond and the *Netherlands Society against Prostitution*, assembled. Since then a great deal has been written and spoken against the unrighteousness of the recognised whoredom. In many towns they obtained the victory, but, as yet, it was not totally forbidden by the Government. Many persons in Government circles have indeed joined the Federation, but they still form the minority. The strife against antiquated ideas, against principles that are obsolete, against laxity and indulgence on moral grounds, is not at all easy. The moral atmosphere in England has become poisoned by the toleration of this unrighteousness, and exercises a dormitive influence even on Christians. That is the moral syphilisation of which Alex von Oettingen speaks :

"Yerden Zaken" blz. 53-54. Van :
Wir Manche . . . tot . . . in Hand geht."

What the nature of their arguments is may be learned from national petitions, signed by thousands, directed by both the above-mentioned societies, to the Second Chamber of the States General, in which the members brought to their notice :—

"That for years both the study of law and hygiene, and the customs of daily life, have shown more and more that the medical inspection now in vogue of women who have given themselves over to immorality, and the supervision of the public houses of immorality, which are thus kept with the knowledge of the authorities, bring about no lessening of

the evil, but, on the contrary, are a persistent encouragement of immorality, cultivate a false tranquillity, and brings, as a natural result, the traffic in white female slaves, and causes the State to take part in doing what every right-minded man must strongly condemn.

"That by a resolution of the National Congress against Prostitution, held at Amsterdam in May, a copy of whose reports is hereby submitted, the regulating of immorality as it exists in this country is declared to be contrary to all principles of law, to the constitution, to civil rights, and to criminal and municipal law, while the results hitherto obtained give one no right to ascribe any hygienic advantage to the inspection of prostitutes.

"That likewise by a resolution of the above-named Congress, it was proposed that Article 250 of the Criminal Law be thus altered that the keeping of a brothel or any other house in which the opportunity for immorality is given be punishable.

"For which reasons the undersigned humbly, but earnestly, request that pressure be brought to bear on the Government to induce it to adopt measures whereby the booking . . . of women at the police offices for prostitution and the medical inspection of the inscribed women be forbidden.

"And the keeping of houses of ill-fame, public as well as clandestine, be made punishable.

"And your petitioners, etc."

Let us consider these arguments.

1. The regulation of prostitution is contrary to all principles of law.

The freedom guaranteed to each burgher does not exist for the public woman.

(a) Because she become branded as a slave by the authorities—as an object without will, on which anyone, even those having syphilis, may gratify his passions. "Les filles . . . tot . . . dégoutantes ulcères," says Parent-Duchatelet. (Feeden Zaken, page 55.)

(b) Because whether she wills it or not she has to undergo compulsory inspection,

(c) If found sick, she must be attended to in a hospital, even against her will.

The public woman, therefore, who is subject to these regulations, stands outside the law. The inequality between man and woman is here carried out and sanctioned in the most shameless way. *She* to be inspected in order that *he* may not be infected. *He*, on the other hand, may infect *her* with impunity, while he it is who presents the danger for infection, and no reason exists why inspection should not be applied to him. In other ways, too, the burdens and results of whoredom press only on the weaker. Is it not a shame to let her provide for the child or children born in whoredom, whilst the investigation as to who is the father is forbidden by the law, and this father, perhaps a man of position, perhaps one of the

legislators, may go about with impunity, to bring ever so many to a fall.

But this is the outcome of a false doctrine, which preaches that the man may do what the woman may not. This is establishing a dual law of morality. One which announces that a woman has just as much right to a chaste bridegroom, and a man to a chaste bride; another which publicly announces that on that score woman has no equal rights.

2. Recognised immorality does not bring about a lessening of the evil, but is a persistent encouragement of immorality.

In any case the inspection regulation is giving an undesirable safety to vicious practices. In the domain of prostitution this applies: take away the results and bring the people under the impression that by doing senseless acts, they can yet protect themselves from the sad results which must necessarily arise therefrom. Instead of candidly telling the foolish: Do not play with fire if you do not wish to burn yourself, there exists no means of saving you from danger if you choose to play with fire;—instead of substantiating and giving weight this truth by scientific proofs, men say: Oh no, let us devise regulations and booking, and medical inspection and a score of measures to put out of danger those who play with fire!

Famous medical men as Prof. Huet, Dr. Donkersloot, and Dr. Egeling have warned the authorities that it was neither the work nor the duty of the Government to watch against a contagion, to which individuals expose themselves of their own free will.

But no heed was given. And the result has been, as predicted by these specialists, the increase of clandestine prostitution, and the increase of syphilis, while immorality went back with gigantic strides.

A proof thereof is what you read in the municipal report of the Hague, 1877, page 54:—"The clandestine prostitution is continually on the increase; it is impossible to estimate the numbers that abandon themselves to it, but it far surpasses the number of booked prostitutes, in spite of the fact that 'public prostitution' has been in existence there for years."

This experience, as we have already shown above, was also proved in other countries. At the International Congress at Amsterdam, in 1879, one of the strongest advocates of the regulation system, Dr. B. Kraus, of Weenen, submitted statistics, from which appeared that in that town, where the inspection has existed for years, the number of syphilitic patients treated in the hospital was doubled in 25 years, while the medical men, too, in their private practice, found a gradual increase of the number of syphilis patients. Decrease of syphilis was thus out of the question.

And of diminution of immorality? What is the use of asking? "Un désordre appelle toujours un autre désordre."

Because it is the curse of an evil deed, that it must always bring forth evil.

Opportunity makes the thief. Opportunity gives rise to desire. Wherever the regulation system is in vogue, the ideas on morality are relaxed, and there is a continual danger of being led astray. Seek it and you are sought by it. Even the unnatural sins take place in brothels, and a person goes from one unrighteous act to the other. Even so it was in the olden times. Read the account given by a contemporary in Rom, I, 26-28, and see the commentary thereon in the ruins of Herculaneum and Pompeii.

3. The inspection and regulation system gives rise to a false guarantee, because no one has the right to ascribe any hygienic advantage to the inspection of prostitutes. A false guarantee (*a*) to those who patronise the brothels; and (*b*), to the people who consider themselves protected against contagion by such laws.

Let us hear what two specialists have to say on this point:

In the first place Professor J. L. Chaufleury van IJsselstein, who, in order to be well informed concerning the special medical inspection of public women, went to Paris and Brussels, while later as controller of the inspection of public women in 's Gravenhage, he had the opportunity to bring his knowledge into practice. With all the zeal of a young practitioner he applied himself to his weighty task. Let us see what he himself says.

"What now were the results of this stringent inspection? These were so unsatisfactory that at the expiration of a few years I felt myself forced to ask for my discharge from an office which appeared to me not to give those advantages to the general health which had been expected from it at the commencement. And what was the cause of these unfavourable results? That a strict medical inspection can give no satisfactory guarantee against infection. At my unexpected visits to the public houses it has happened that I had to condemn two-thirds of the inspected women as infected, or suspected to be so, and send them to the hospital, while the remaining third could not be wholly trusted, but were not condemned because it was difficult to remove them all from the public houses, as the strict measures gave rise to such opposition that I could not go on my evening visit to the hospital without police protection for fear that the numerous anonymous threats sent me should be put into execution.

"To this must be added that at this time was unknown the infection of constitutional phenomena, of the blood and the discharges in the condylomatous stadium. This knowledge would have led to the condemning of a still greater number of suspected women, so that there could be hardly any mention of the remaining dependable ones. This is so true

that I would not take upon myself the responsibility of giving a certificate of perfect reliance to a person who was given me for inspection, and whose ancestors were unknown to me. In order to be quite sure, I should require to have such person isolated and under observation for some time."

From this the conclusion is justified that a totally reliable public prostitute cannot exist.

Now some will maintain that, although all the infected or suspected women are not removed, the removal of the most dangerous is in any case a step in the right direction, and many persons are protected thereby who would otherwise be infected. Although one does not remove all the weeds out of the garden, one can yet check their luxuriant growth so that all the plants are not afterwards overrun by them. This apparently correct argument cannot be applied here. It is, however, a fact, that when it becomes known that the public houses are medically inspected by order of the authorities, the number of visitors increase. Each one who formerly was kept back by fear of contagion, now steps over the objection that he had, and thinks he can safely make use of this favourable opportunity. This was clearly shown, that whenever it became known that I had inspected, the patronage of the public houses increased, so that the clients, instead of decreasing on account of the great number of removals, on the contrary increased. And notwithstanding the stringent inspection some of those who had formerly kept away for fear of contagion were infected.

Every infection caught in the houses inspected by the authorities scores against the system of inspection, and places a great responsibility on those who ordered it and those who carry it out.

The Professor therefore presumes that just on account of the inspection the contagion spreads. Moreover, where do you find persons sufficiently acquainted with these symptoms to be able to inspect, and thorough enough to do it conscientiously? What doctor would like to be called the inspector of public women? That would undoubtedly lose him his whole practice. Must nothing then be done to the contagious diseases? Dr. Chaufleury van IJsselstein answers:—

"Let us go further and strictly forbid the keeping of public houses and all public prostitution. That is the surest way to remove these causes." And further: "If one wishes to apply a sure and decisive measure to oppose the spread of the dreaded sickness, let us everywhere have ample assistance at our disposal for sufferers from venereal diseases, and liberally supply the necessary remedies."

The second authority who should be heard here is Dr. S. R. Hermanides, who delivered an important address on "The Combating of Syphilis by the Authorities," at the National Congress against prostitution. We can only quote the conclusions of it:—

We therefore come to this conclusion that, before the disease is discovered in a woman she may have infected several men.

On account of the "mediate contagion"—the infectiousness of latent syphilis—the difficult recognition of many a case of syphilis, and the probability of a difficult syphilitological education, and the possibility of a deficient moral development, in connection with the far greater patronage of the so-called protected public houses, I adhere to my former hypothesis—that these houses, in spite of inspection, are the hot-beds of infection.

Here it may be maintained that the inspection must take place more frequently, for instance every day, and everywhere by conscientious and acknowledged syphilitologists. But where are these to be found? And then some more danger may be removed, but enough always remains.

However conscientiously and scientifically the inspection takes place, it will never succeed in totally reducing the chances of infection from public prostitution.

This can be done by doing away with prostitution.

Concerning the measures that are to be adopted, this learned man goes a little further than Prof. Chaufleury.

The State, as we have already remarked, can take up positions over against the prostitution for the sake of hygiene.

1. *It can remain inactive*, that is adopt a waiting attitude over against syphilis.

2. *Regulate it*, that is combat syphilis on its symptoms.

3. *Suppress it*, that is the method I take the liberty to call the radical, and which I consider to be the only beneficial one.

The fact is that two great sources of syphilis exist.

1. The public, and

2. The clandestine prostitution. Primarily all syphilis has its origin in one of these two.

Where there is no prostitution there is no syphilis.

Prostitution is, or at some time or other becomes, syphilis.

Both kinds have their own peculiar ways of spreading. If there are on the whole ten times as many clandestine prostitutes as public women, the prostitution in public houses is much more accumulated so that one public woman, taken as an average, probably receives ten times as many men as one clandestine.

In order to successfully combat syphilis, we must strive against both these sources. This is being acknowledged more and more by both parties.

The society against prostitution has commenced the struggle against both forms in which it presents itself. It aims at total abolition of public prostitution and suppression of the clandestine as much as possible.

Abolition of the public is possible—by clos-

ing the houses and punishing the owners. Thus, at least, one great source of syphilis is stopped.

This is not so easily done with the clandestine. It cannot be quite overcome like the public, but in our Dutch towns, which have not the size of a London, Paris, or Berlin, it can partially be done. Take, for example, Colmar, with its 30,000, and Christiana, with its 70,000, inhabitants, where, since the closing of the brothels, the public morality and health have been better than ever before. (This is also true of other towns as Bern, Nivelles, St. Nicolas, Beverloo, and Drest. The Mayor of Colmar wrote to Mr. Fallot four years after abolition of the brothels that while the regulation system was at its height, 40 beds were sometimes occupied simultaneously in the Military Hospital by sufferers from syphilis, and now there were no more than five or six cases in a year.)

This can be done in Holland (and in the South African Republic too) even in the largest towns, with a well-organised police force. These know even better than the public where to find the quiet catches and the secret places. If the authorities are in earnest about the matter this can and must be done.

In the first place rendezvous-houses must be forbidden.

But by doing that the State has not yet done enough.

Whence is prostitution in large towns partially recruited? From the "cafés chantants" and "suspected dancing-houses." They are the nurseries of prostitution, the ancestors, as it were, of syphilis. Such "opportunities" should be forbidden.

This also holds good with regard to the exhibition and sale of photographic pictures and engravings. Let us strictly apply the law and extend it to immoral literature. Especially let us avert that which nowadays continually streams over our boundaries from France. It rouses lust, excites the genital organs, and makes the evil "necessary."

On programmes also appear immoral comedies and ballets.

The State can do even more, namely, request all officials who have a large staff to help it in combatting the syphilis, by pointing out to those under them the great danger which, individually and socially, is connected with prostitution.

If men wish to make syphilistic infection punishable, let them do so, but I would like to see this added: "unless the victim has intentionally exposed himself to the contagion."

Moreover, let sufferers from syphilis and also prostitutes be given the opportunity of being attended to gratis in hospitals; and let it be made so comfortable there for them that they prefer to remain than go about and spread the disease. They should be made to feel there that they are still looked upon as

persons, they must experience that they are no longer a number—matters must be different to what they were in Paris during the latter end of the 17th century.

These are the means, gentlemen, which, in my humble opinion, should be adopted in order to combat syphilis with success.

To remove the source, the hot-bed of infection is better than the most powerful disinfection. Let us eradicate what can be eradicated.

This seems to me the only logical way, and, I am firmly convinced, the way of the future. It may take a longer or shorter time, but those who intend earnestly to combat syphilis will have to do it in this way.

I consider inspection a social anachronism—a medical farce.

A social anachronism—because the unrighteousness of the middle ages, consisting of the lawful sanction of the social difference between man and woman has survived in the inspection.

A medical farce—because the sacred work done by a medical man is intentionally trodden under foot in the selfsame hour in which it was accomplished, and ridiculed.

4. Sanctioned immorality has slave traffic in white women as a natural result, and gives rise to continual danger to respectable women.

It has often been maintained that prostitution is necessary in order to protect good, respectable women and girls.

Is it even necessary to oppose such a monstrous argument?

The facts themselves will refute it!

Let immorality take its course with impunity, and you will see what will become of your women and girls. Even now the villains make no distinction between a lady and a public woman. Even now a daughter of this soil can be pointed out bearing the brand of "public woman."

Such shameful means may never be defended in the name of woman, much less in her interest. What woman would wish to see herself protected by the systematic, practical slavery of her sisters in the brothel, or in the fearful degradation to which her sex is subjected through the inspection that has to provide "healthy objects for prostitution" to man?

In support of Sir Harcourt Johnstone's Repeal Bill, petitions were sent in signed by 113,767 women, who thus protested against the above-mentioned cynical hypothesis.

"This degradation of poor, despised women," says Mrs. Butler "is not for her alone; it is an insult to the dignity of every honourable woman, it is a dishonour to me; it is a shame to all women in all parts of the world."

Wherever the slavery of women has taken root under the law of exception, or under the guardianship of the police, the honour of

our sex is at an end. The honourable woman does not instil the same respect, her moral prestige relaxes, her voice is no longer heeded, and her sighs are only answered by a silence agreed upon beforehand.

Wherever there is slavery, there is also traffic in slaves. The slave traffic in white women is extensively carried on in Europe. The keepers of brothels must fill up the many vacancies, and obtain new wares which attract by their freshness and youth. In many towns, also, there are so-called registry-offices, which, under the guise of honest and lucrative situations, send the young girls to foreign places, without protection, without support, without the least recommendation.

If the keeper of one of these brothels fears any attempt from outside, or suspects any enquiry from the family, then this merchandise endangers the profits of the house, and he sells her to some other place. By these tactics the majesty of the law is trodden underfoot, and righteousness mocked.

What do you think, Mr. Editor, will a system which leads to such enormities, in which women and girls are inspected as slaughter cattle and disposed of as merchandise, protect the respectable woman?

And now the conclusions: Sanctioned immorality makes the State an accomplice to these acts, an accomplice to the promotion of immorality, an accomplice to the spreading of diseases.

Such a State, that should maintain justice, itself sets an example in the violation of law.

Such a State, that wishes to maintain order, allows institutions to exist that are an insult to the principles of social order.

Such a State, that takes marriage under its protection, at the same time sanctions whoredom, which is a rejection, a caricature of the holy bond.

Such a State makes a treaty with sin; and the law, which ought to be the expression of the conscience of the nation, cannot allow such terms.

Such a State exposes itself to the sword of the Law, and God's judgment will be terrible!

Such a State digs its own grave.

If the State does not eradicate whoredom, it will be eradicated by whoredom.

Tertium non datur.

To the above, Mr. Editor, I wish to add only this:—

In settling these difficulties in our country, one of the two courses must be consistently adopted, either the regulation system or absolute prohibition.

May God preserve the Transvaal from sanctioned immorality!

With regard to the *jus constituendum*, we regret being unable to agree with you.

You wish to make a local question of it.

But, in our opinion, it is a question of general interest, which cannot be treated

differently in the several communities of the country.

As many heads, so many ideas.

What Mr. A. de Pnto said of the Netherlands in 1852 undoubtedly applies here too : "The subject, which comes into contact with so many great principles is not suitable for local settlement, especially under the present law, which limits the power of the municipalities so much, and places so few means at their disposal. (Quoted by Dr. Van den Berg, page 75.)" Let therefore the State issue a prohibitive law, and empower the several municipalities to carry the law into effect, and enable them to do so by strong support.

What must such a law be like ?

We shall not venture on this domain. Let us, however, be allowed to recommend for consideration what was suggested by Mr. O. Q. van Swinderen, judge in the Arrondissement Court of Justice at Gronigier, on the above-mentioned congress.

Article 25 (Criminal Law) ought, in my opinion, to be read as follows :—

As guilty of pandering should be punished :—

1. With an imprisonment not exceeding six years !

The father, mother, guardian, or joint guardian, who brings about or promotes immoral practices with a third party by his minor child or the minor under his guardianship or joint guardianship, or who gives help, opportunity, or means to another.

2. With imprisonment not exceeding five years every other person who for lucre brings about or promotes immoral practices by any person with a third party, or who makes a habit of bringing about or promoting immorality of any person with a third, or who supplies help, opportunity, or means to another.

3. With imprisonment not exceeding four years, any person who, to satisfy his own lusts, brings about or promotes immorality with a minor.

Mr. Van Swinderen also accepts what was suggested by Mr. P. van Bemmelen.

Two very important regulations should also be added to Article 249 of the Criminal Law.

(With an imprisonment not exceeding six years should be punished immorality perpetrated.)

5. By fathers or their sons with their own servants, or other women in their pay, or with women who are paid by them for regular service in their houses.

6. By any other person with women below 30 years of age, by means of assurances, promises, or gifts.

Mr. Van Bemmelen also proposed the following motion :—

Suits for acknowledging a natural child

must also be decided against the father. (This is explained in the aforementioned pamphlet.)

So far the address of Mr. Van Swinderen.

May we, too, add a few suggestions ? (Our humble excuse for the non-judicial form !

Young men who evidently lead an immoral life, or who, as a result thereof, have contracted contagious disease, should not be allowed to marry.

The regulations in Par. 53 of the Austrian "Burgerlijk" Wetboek that "erwieseue order gemein bekamte slechte sitten," or "anstechende Krankheiten rechtmassige Gründe" are, "die Einwilligung der Ehe zu versagen," deserves approval.

When it clearly appears that any married man is guilty of fornication, in addition to the punishment prescribed his wife shall immediately receive notice of his offence. This notification will be sufficient ground for an action of divorce.

Men who indulge in immoral dealings with kafir women or other coloured girls, women who for immoral purposes receive coloured men at their house or elsewhere, shall be punished with an imprisonment of at least six years and not exceeding ten.

Those women who make their living exclusively through immoral practices should, if they be strangers, be put over the Border, or sent back to their native land. If they are of the South African Republic and live there, they should be punished with imprisonment not exceeding five years.

No woman shall be allowed to serve in café chantants, taverns, or bars, under punishment of a fine of at least £100, and not exceeding £200.

All places, of whatsoever kind, where immoral practices take place, must immediately be closed, while the proprietors or lessees shall be fined. (See also the opinions of Dr. Hermanides and Dr. Kuyper.)

There must, further, be one article having reference to policemen or other civil servants who do not enforce this law, or allow themselves to be bribed, to connive at the evil, etc.

It is also desirable to form a committee in each town, consisting of the leading men, who, in conjunction with the police, see to the carrying out of these regulations.

Mr. Editor, we beg your indulgence for having tried your patience so long. But undoubtedly you agree that this very important subject deserves to be fully discussed. How splendid would it be if, within a short time, a law is proclaimed in the spirit of the Executive. May the South African Republic, that by the exercise of justice and righteousness gained the sympathy of the whole civilised world at the commencement of this even ful year, show once more what a people, what a Government, with strong principles dares to do.