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Free Union

Élie Reclus & Elisée Reclus

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Free Union
1882

Souvenir of October 14, 1882. Personal communication (Paris: Imprimerie Chamerot, 1882). Translated on August 2021 from www.saintefoylagrandehistoire.com

Translation by João Black, whom welcomes anyone willing to improve his work. “*Unions Libres*” (literally meaning “Free Unions”, but which we translate as “Free Union” in order to avoid confusion with “trade unions”), is a booklet printed and published by the Reclus family in 1882 for the occasion of the “free unions” of Elisée’s daughters with their respective partners. Except for the last discourse, “*Address by the father...*”, by Elisée Reclus, everything else was written by Élie Reclus (not to be confused with Elisée). The discourse “Statement of Reasons” [“*Exposé des Motifs*”] is an interesting essay by Élie on marriage as a historical institution, and was reprinted, with slight modifications, later in 1906 under the title “*Le mariage: tel qu’il fût et tel qu’il est*” (“Marriage: as it was and as it is”)

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But you have better than immortality, you have the intensity of the present life. How will you use it? Is it simply to love yourself, to chase after happiness, to violate destiny so that it becomes your accomplice and makes you draw the right number in the lottery of existence? No, you have higher ambitions, I'm sure. It will not be enough for you to be happy, your unions will not be household egoisms, but the doubling of all your virtues of devotion and kindness. You are good! be even better, more sincere in the practice of justice, stronger in the claim of the right.

Remember that not all are happy, that not all have parents who love them, companions who encourage them, wives or husbands who devote themselves to them! Think that in this very moment, there are those who are dying without friends and others who are walking in despair, watching from the top of the bridges the flow of the black water of the Seine! You are among the happy. Make those who are not forgive you, by working for them. Swear to devote your life to lessening the burden of the undeserved pains that weigh on the world. To do good, you are stronger than you think; even alone you could act, and you are united!

morals on you. To those who love you will do this justice that their tenderness was not tyrannical. In this group of relatives who surround you, there are some who would have preferred to see your marriage accompanied by legal ceremonies; perhaps even a certain tightness of heart has mingled, in some of them, with the joy that your union was causing; but all respected you, none wanted to force you to follow his ideas: above the divergence of opinions the integrity of your right was maintained. The test [L'épreuve] only served to bring us closer to each other and make us love each other more. Fathers and mothers have felt their tenderness doubled, sons and daughters have felt their respect and devotion grow. Having remained free, you have only become more loving.

Still on this day, you are your own masters. We don't have to ask you for promises and we don't make recommendations. You are responsible for your actions. Without doubt, we will follow you with all the solicitude that our tenderness gives us, but you will not be humiliated. When the bird first tries its wings before soaring into the blue air, can one blame the mother for looking anxiously from the edge of her nest? but she will soon have confidence. Your wings are strong and will carry you into open space.

We are not asking you for anything, my children; but you will give us a lot. Age begins to weigh on our heads; it is up to you to give us back our youth and our strength. It is true that in the great human family we see all things being renewed incessantly, springs succeeding springs and ideas succeeding ideas. But we will feel a more intimate sweetness in seeing the renewal taking place around us in the discreet circle of the family. It is in you, children, that we especially like to see ourselves reborn, to begin the struggle of life anew and to continue with new strength the works undertaken. We are tired, but you resume our work, then others will resume it after you. This is how in the future we see our hard and good work continue from existence to existence. You give us the feeling of duration; through you, my daughters and my sons, we feel immortal.

Foreword: On the context of “Free Union”

Perhaps most important for posterity regarding Reclus family's feminism and its members' commitment to the idea that “personal is political” was their practice of the Union libre (Free Union), which had a broad impact on the French and international press. Free union consisted of a simple ceremony where a couple invited friends and relatives to announce their “marriage” with neither religious nor civil sanction, “without priests and mayors,” in name of the freedom of the individual sentimental sphere from social and institutional conventions. In France, official marriages entailed the stipulation of an official contract, harshly criticized by all the feminists of that time because it established the wife's subordinate position as a “perennial minor,” in which married women were completely dependent on their husbands' consent for every legal and economic issue. Marie Deraismes called the marriage code “the long enumeration of all the humiliation and the serfdom that women must suffer all their lives long.”

The first of the free union celebrations took place in 1870 in Vascoeuil, France, between Elisée Reclus and Fanny L'Herminez, after the death of Clarisse, Elisée's first wife, and it was attended by, among others, Léo and Malon, who later celebrated their free union in Switzerland in 1872. If one could argue that many working class Parisians engaged in free unions, both because of their anti-clericalism, and because they either did not want to or could not afford to pay for a legal marriage, it is worth noting that the originality of these free unions was to be publically celebrated and valued as a political act. The most famous and scandalous free union ceremony took place in Paris on 14 October 1882, where Elisée Reclus's two daughters, Magali (1860–1953) and Jeannie (1863–1897), celebrated their respective unions with two young men, Paul Régnier (1858–1938) and Léon Cuisinier (1859–1887). On this occasion, Reclus published a discourse under the title of *Unions libres*, which scandalized the French conservative press no less than the “scan-

dalous cohabitation” which this union implied. In his pamphlet, Reclus firstly refused to claim any parental authority: “the only right we have on you is our profound feeling for you.” He insisted on the free choice made by the two couples. “Among your parents, some had preferred a legal marriage; perhaps, in the heart of someone, some sorrow has accompanied the joy to see you linked together; but everyone has respected you, nobody tried to constrain you to follow his ideas ... You are the masters of yourself.” The final address by Reclus is an acknowledgment of these young people as not only biological, but also “spiritual” heirs. “We are tired, but you will continue our work, and other will continue after you For you, it will not be enough to be happy, because your unions are not domestic egoism; you will redouble your virtues in dedication and goodness. You are good, please be even better, more sincere in practicing justice and stronger in claiming for the right.”

The scandal in Paris was wide. Dozens of press articles appeared, containing mockeries in which free love was compared to free prostitution or serious indignation about the contrast between Reclus’s universally recognized scientific contributions and his “unpopular” political positions. What is significant is that all these conservative commentaries focused on Reclus and not on the free choice of his daughters and their partners, refusing thus to acknowledge, or even simply not understanding, his radical and concrete questioning of patriarchy. To the conservatives, Reclus was the “patriarch” so the responsibility of what happened was “objectively” up to him.

[Extracted from the paper “Anarchist geographers and feminism in late 19th century France” by Federico Ferretti]

Free Union: Souvenir of October 14, 1882

Free Unions

The young couples, of which you are all relatives and friends here, met and thought that they could not do better than to associate

has been placed in us. And if we were to be deceived, we would not have to complain, because we act of our own free will, in full knowledge of the facts; we declare that we are doing resolutely and deliberately what so many seduced girls, our unhappy sisters, have only done out of weakness, frivolity or ignorance.

Disdaining the conventional fictions, we enter into the full and sincere reality of things. The reform of civil marriage, we believe, is called for by the progress of ideas and mores; as long as it spreads, one will not fail to say that it was so well in the movement that it could not be avoided; and one will be astonished that it was not attempted much earlier. It is still necessary to start, and may the volunteers of the Idea present themselves.

This is what our young people are saying. They explained to you the reasons which determined their conduct, the reasons which motivated their act. And even if they would be wrong, you won’t blame them for putting high value on the happiness they call for on what they believe to be right and true.

Address by the father to his daughters and sons-in-law

The beloved children who call us together to witness their union marry in the fullness of their freedom; they do not come to ask our word for a confirmation of what they have spoken in the depths of their hearts. Their proud will is enough, but they will certainly like to hear the voice of a father as they enter this new life that awaits them.

It is not in the name of the paternal authority that I address myself to you, my daughters, and to you, young men, who allow me to give you the name of sons. Our title of parents in no way makes us your superiors, and we have no rights over you other than those of our deep affection. Even more, in this great circumstance of your life, we ask you to be our judges. It is up to you, my children, to say whether we have abused our strength to keep you in weakness, our will to enslave yours, our natural influence to impose our

Let us dwell on this consideration, the most serious of all in the eyes of several friends.

If it depended only on us, each would spare those he loves, and especially his children, all pain and sorrow. We know, however, that life is full of troubles; that one is truly a man only on condition of having learned to suffer; that he must be ready to pay with his person for the cause of reason and justice. It would therefore be doing the younger generation a disservice to treat them, even before they exist, as having to be weak and incapable; it would be doing them an injustice to commit cowardice, as soon as it is necessary to act in their name. The free union being illegitimate — officially — it is certain that to anyone it will be permissible to give our children the appellation of “bastard” as long as it pleases him. If necessary, we wish our son, dominating the insult, always benevolent and calm, answered with a soft and proud smile: — “You are free to pronounce “bastard” the word that my father and my mother pronounce: “child of love”. Whatever! Bastard I am, incontestable bastard, since I am not it by accident, but because it was wanted; bastard I was before I was born. My parents understood that this name would cease to be an opprobrium as soon as honest people were not ashamed of it; they wanted me to be bastard in order to reduce the number. So gratify me at your ease with the title that I still have the honor to bear, but which is going to be extinguished. I am one of the last representatives of the race, illustrious, certainly, as much as not one.”

We are far from wanting to brave public opinion, and it is not lightly that we renounce the consideration given to legal marriage, and, if it must be admitted, we disapprove of any unnecessary scandal, we dread unhealthy publicity. But loudly we declare ourselves responsible for our act in all its scope, and we will gladly defend it near those who want to discuss it with a sincerity equal to ours. Husbands, we expect that we will never be confused with vulgar seducers, and if we acted like them, we would not even have their bad excuses to make. Women, we hope not to deceive the trust that

their lives, so that, supported one on the other, they work more courageously, and their joys are sweeter, their sorrows less bitter.

They marry — but not before civil authority, and refrain from any contract, oath or official instrument.

The act is unusual, it can be easily incriminated; but they thought about it before committing to it. Fearing that their youth would diminish the scope of some of their arguments, they charged me — bald head — to speak for them and on their behalf, to submit to you the main reasons which motivated their conduct, asking you to listen to them with a spirit of fairness, with feelings of benevolence.

Statement of Reasons

Since the very institution of civil marriage is in question, we will present its historical development. The points in dispute will be put at their relative value; by the single fact that the general situation will be well established, several difficulties of a secondary order will dissipate without being touched, and the great question of law will be clarified in some way by itself.

I

“Man is the measure of all things”, said a wise man of antiquity, formulating a truth of which successive generations would not exhaust the depth. — “So, I measure everything by my yardstick”, — conclude some to whom it does not occur the idea that the physical length of their individual, already very small in comparison with the Earth, is insufficient to measure the solar system, insufficient for celestial spaces. The most intelligent has only a petty value, if he compares his intellectual baggage to that of the millions who populate the world, the billions who have populated it. In comparison with the cosmic periods, ephemeral are our lives, ephemeral our years composed of thirteen lunations. This does not prevent that with perfect candor, with naive innocence, the common man

imagines to understand the universe because he reduced it to his own size, declares motionless what he has never seen change, unchanging what he has never felt move; for he never questioned the alleged evidence of the senses. This is how the Earth was said to be, the eternal center of the heavens, the Earth, which, since uncounted cycles, rushes through the constellations with a prodigious speed. How he would shake his head, the peasant born in his village, if all abruptly he was told that he was plowing a seabed; that from this hill to the horizon, there is not a cubic centimeter that has not swarmed in the mud, swam in the waves; that the rock in the midst of the alfalfa came from two hundred and fifty leagues, carted on an ice cube; how blue mountains on the horizon, how these mountains are moving towards the sea, and how they roll, carried away by torrents and rivers! He will nod his head, your good man, if you argue that we have not always been married by the ministry of the priest and the municipal officer. — Nothing is more true, however; — but how to admit what one cannot understand?

We need, in fact, a reflection already sharpened by modern scientific discoveries to fully accept the fact that the Universe is engaged in a series of incessant transformations, that our social institutions, like the great cosmic phenomena, are modified by their reciprocal action in the course of long ages; that history and geology resemble each other, that Nature and humanity develop in parallel and according to the same laws.

Kidnapping, murder, slavery, brutal promiscuity, such were the beginnings of the matrimonial institution, inglorious beginnings, but of which we are not ashamed: the lower we have started, the higher we hope to climb. By what is practiced among the most backward contemporary populations, we judge the mores of our own race, in remote times in which it had no history. What do a hundred and one traveler connections teach us?

Warriors, — in assize courts they would be qualified as assassins, — a band of warriors surprise a village. The night is deep; to the

that look overflowing with sweet promises, what would notarized contracts, diplomas countersigned by the municipal authority do to me! Then I would cry out in my turn: “Nothing is anything to me anymore! [Plus ne m’est rien! rien ne m’est plus!]” — But we would not go to the prosecutor so that he rummages in the intimate notes, so that he walks his eyeglass over withered flowers, poor flowers still permeated by a vague perfume. We would not require separation of body and property, to be vilified, ridiculed, dragged through the mud by facetious lawyers... because a lawsuit, lawsuits, is still the clearest of the guarantees offered by the legislation to the spouses who cease to love and to esteem each other.

We repeat: “The law, unfavorable to marriages which it does not sanction, the law, even harsher than public opinion, the law takes revenge on children which it qualifies as bastards, and endeavors to rule out, to exclude family sharing.”

— That is indisputable. But since the inheritance is a privilege, one does not have to seek it either for oneself or for one’s family, still less to sacrifice a conviction to it. And as far as civil status is concerned, what harm if we qualify as natural children those who are nothing else?

Someone stops us: — You take the thing very lightly. The name bastard, simple slander in large population centers, is still very much feared in the countryside and small towns. To those to whom it will apply, it will be painful because of its injustice and its absurdity. The injury is only pretended, but it is made real by intention, and remains in strict law. The child who will not be able to defend himself from it, will only have to bow his head when fools and wicked throw it in his face...” And we are implored: “Parents in hope, do not imprint this stigma on the foreheads of those who are to be born, do not make the struggle for existence more difficult for them; do not chege them with a burden which it would be up to you to spare them!”

band betrays the wife, or the wife betrays the husband, if the parents themselves defraud their children, we can, we must invoke the retribution of the law, which punishes the evil that it failed to prevent. ”

— Yes, anything is possible! we answer. But legal retribution matters little to us. And we ask: what is guaranteed by so many guarantees? We speak of seductions, abandonments and betrayals; we show broken oaths, ignoble perjury... — Let’s get to the bottom of things. For deceiving or being deceived, there is no remedy. May the husband whom we had trusted unmask his bad faith, may he be cowardly enough to mistreat his wife, and to let the children suffer, to whom he should give the bread of work... well! his vile-ness noted, a woman who respects herself will let him go without regret, asking only one thing: Never reappear in my presence! Because if she allowed him to reconnect and see her again, honest people would have the right to call them accomplices. — And if the wife whom one believed faithful betrays promises and duties, proves to be a liar and treacherous, if she disappears with a bad companion..., would one want to reinstate her in the hearth of the family? Immediately, or after having her housed between the walls of a prison, to be moralized there by the good care of a chaplain and key rings [porte-clefs]? — “You left, one would say to her, do not come back.”

What do the guarantees do to us, if we already hold in low esteem the union that should be guaranteed? Love despises and refuses any other respondent than itself. To love, a sweet thing, to love, a delicate and proud thing, what do precautions, authorizations and permissions matter? Whatever one wants, whatever one does, it is utopia to guarantee devotion through self-interest, it is absurdity to base affection on selfishness, to time sincerity on stamped paper, to seal tenderness with customs stamps. As we prefer to say: — “Of your love, I want no other proof than your charming smile, other guarantors than your loyal hand, than that eye at the bottom of which I saw my image...” If it had lied to me,

huts of reeds, to the gourbis braided with branches, the invaders crept stealthily, without making a dry leaf cry out. Suddenly they utter fierce cries, terrible roars, shake torches, brandish embers. In the blink of an eye the pine torches are set ablaze, the leafy roofs flame and sparkle. The families who slumbered, the individuals squatting, bundled up, pressed against each other, there they are seized by the disaster; dumbfounded, panicked, they are already burning, and are still asleep. We rush to the opening that we had made narrow and low to be able to better defend it, we run into it, we push ourselves and embarrass ourselves, roasted by the flame, dazzled by the incandescent sprays, suffocated by the smoke. The first ones cross the door crawling, and as they still slide on the ground, their limbs are pierced, their heads shattered. Less agile old people, children without vigor, unfortunate people incapable of defending themselves, one does not even give them the alms of a mace blow, one throws them back into the blazing inferno. Everything is killed, everything is massacred, except a few big girls who escaped the fire, spared by the truncheon. The victors — we call that victors — rush into the enclosure of the herds which they push in front of them pell-mell, with the unfortunate women who have their hands tied behind their backs. Happy and proud, the looters announce themselves from afar with grunts of triumph; they climb the hills, descend the plains. The captives who too often stumble and fall, those who have too much difficulty in getting up, are dispatched with a last blow, or left to expire in some marsh, to rot in a quagmire. To activate walking, to revive failing efforts, they sting in the shoulders, in the back of the neck: “Advance or burst!”. In heroic times, the brave, the valiant and the admired thus provided themselves with wives and brides.

Victory party. Magnificent butchery for raided animals. Uproar, fuss and vociferations, frenetic dances, enormous banquet, glorious intoxication, orgy worthy of the Immortals. Still exhausted with fatigue, their wounds barely closing, the foraged girls and women await, thrown into the corners, the last act of the feast: all

the males of the horde will pass over their bodies. — Beforehand, the sorcerer, strangely dressed, the man with the incantations, will wash them, fumigate them, unspell them, exorcise the demons of the native tribe, inoculate the deities of the new home; he will put a necklace of blessed seeds around their necks, a good-luck charm on their nostrils. The holy man, his acolytes assisting him, and all the young school of prophets, of these unhappy girls will make women, taking all the risks of the operation — for they teach that the woman is of impure and poisonous nature, — they will pronounce sacred formulas, in order to guarantee against bad luck the future husbands who are waiting to perform in their turn.

From this first pattern, the most diverse populations have carved out the innumerable variety of their nuptial rites, which have been transmitted, more or less modified, to the present day.

Marriage, which we are accustomed to consider as individual, absolutely private, was originally communal and collective; the women belonged to the band undividedly; all men had the same rights over all women, no warrior who did not have his share of the loot. The captive belonged to those who had burned her village, suffocated her uncles, torched her brothers, disembowelled her mother. Even if the kidnappers had only been her masters! even if she had only been paid with beatings and abuse! But no! Their murderous fury turned into amorous rage, their intoxication into lasciviousness more brutal and frightening than their rage in combat. Could one respond to such lords otherwise than by cunning and perfidy, by murder or poisoning attempts? — Well no! They loved those brigands, they came to cherish those assassins, to devote themselves to those cannibals ... — By the benign influence of oblivion? By the effect of habituation which stupefies even the atrocious pains, which stifles the vivid sensitivities? — That wouldn't have been enough.

But she came, healing wounds, calming irritations, lulling resentments, she came, Motherhood, operator of marvels, she came, holding in her arms the Child, the sweet and prodigious miracle of

accept both the semblance of tyranny and the semblance of servitude, two semblances which make cowardice. Because we assume as demonstrated the whole and complete equivalence of the two factors of the family. It is repugnant to us that the woman is declared marital property, and that the man is deemed to be the owner of such an object.

— “That’s ideology!”, we hear. Be it! But we actually need that, from time to time, some find out exactly about their rights and their duties; that they come out of fiction, and confine themselves to moral reality. Let us start with the truth, since we desire it as an end.

Excellent friends and beloved relatives put forward reasons to the contrary, roughly in these terms:

— “Legal intervention, passed into habit, alone determines the legitimacy and illegitimacy of unions; and who is free from it is considered immoral. This intervention must be accepted, except to be confused with those who turn the sexual union into incontinence. So don’t run mad on the road to progress! Yesterday, no one dared to die without being sprinkled with holy water, no one dared to marry without the blessing of the priest; Let us first carry out these reforms at the right point. And although the current legislation leaves a lot to be desired, it cannot be denied that it offers guarantees, numerous guarantees, of which here are the main ones: To the husband, that the wife will respect the sanctity of the matrimonial home and at the very least, will not loudly display her misconduct. To the wife, that the husband will not bring a concubine under their roof. To the children, the children especially, that they will be covered by the name of the father, a name whose deprivation can be fatal. Miserable, indeed, is the condition made for extra-legal offspring. The reprobation attaches to the unmarried mother, and pursues the children; the law persecutes these innocent people, treats them as guilty, despoils them by the means at its disposal: which it shows very well in the chapter “Successions”. Finally, we add, if all the precautions are unnecessary, if the hus-

revolt, and subordination to insubordination. Tyranny has hatred and resentment as a backlash, procreating a breed which is worth neither more nor less than it: theft, deception, perfidy. Inequality, and above all that imposed by laws and mores, factitious and purely external inequality, will always have a fatal influence. Will it become harmless, and even a producer of good, because it will have been introduced between spouses? The vices and faults that one has often, too often, reproached the woman, we do not deny them, but we are convinced that they result from the condition that we have made her; we affirm that they are, not her fault, but her misfortune, as a servant or slave. Let us dare to remove the cause if we want to abolish the effects! — What! we excluded women from higher education, we fabricated a special history and literature for them, we serve them morality “for the use of young ladies”, and then we are scandalized that the being thus shaped is superficial and frivolous, that it intrigues and wanders? You forbid her science, and you dislike her indulging in superstitions? You deny her access to the sources of high morality, and you reproach her for being affriended of adultery? — And that’s not all. How many who, vitiated by a vicious marriage, vitiate their husband, urge him to gamble, encourage him to adventures in the alleys? The unfortunate man would like to flee an interior oozing with boredom, to escape odious cackling, base desires, repulsive vulgarity, sordid morality. This is how bad marriages corrupt families, and by families the community. This is how cancerous blood carries rot in the organs of the social body.

— All things considered, said the two young couples here, we will not start in life with an act that our conscience disapproves of. Is marriage really just an old custom, but not yet out of fashion? Some assure that they have accepted the official marriage, but shrugging their shoulders before and after. — Well! we will dispense with this useless ceremony. — Is marriage, on the contrary, as we believe, a reality of the first order, which it would be foolish to treat lightly? — Then our declaration would imply that we

Nature. No sooner is he born, the Child, than all things are made new, than all old things are forgotten. What do you talk about remorse, crime and ignominy, when he is there, innocent and sweet! What do you remember of those stories of violence and cruelty, when he wanders his caressing hand in your hair? What do you care about past misfortunes when he looks at you with his soft and pure eyes? The child’s smile illuminates the world; he is not a darkened soul in which waves of light are not released, in which the tranquil depths of azure skies do not pour out. He appears, and the Past, with its long sequel of regret and repentance, annoyance and bitterness, the Past vanishes, is forgotten, and the Future, fresh and smiling, makes its entrance with the radiant procession of hopes. And these prodigies, how does the Child accomplish them? What is the mystery of his power? It is because the little being, weak, helpless, incapable of defending himself, powerless to be self-sufficient, lives only through your kindness, subsists only through your favor. The mere fact of his existence proves that it is not the Right of the strongest, as said by the weak-kneed philosophers, but the Right of the weakest, which prevails in humanity as in animal species. The Child moralizes the mother, moralizes the father, moralizes the surroundings; around the cradle nest friendly genii who land on the heads, come and go in white flights; from the beating of their wings, thoughts of peace hatch, good wishes, words of concord. Interpreter of the naive popular science, quite deeper than that of professional moralists, the painter Raphael, wanting to show Humanity its true redeemer, modeled with his most caressing line, with his most luminous color, the “Bambino”, a child, a tiny child, smiling in his mother’s arms, beaming with happiness.

The Child has been the first and direct cause of our social progress. In view of the Child, matriarchal institutions were established which, political and religious, social and civil, had the child as its declared or implied object. There was then no filiation except maternal filiation. This can be explained. Fatherhood is a mysterious act, an uncertain fact; but what could be more

graspable than the drama of parturition, with the pains and cries of the anguished woman, with the explosion of joy which greets the new fellow citizen! Every child knew a mother, but not a father; the collective paternity of the men of the tribe was sufficient; it didn't matter one over the other. For a long time there was no son except of his mother. There were no clans, there were no "gentes" except the matronymic ones: we had the "motherland" ["matric"] before the fatherland [patrie]. Singular thing! during this historical phase, the notions of stability, duration, perpetuity were grouped around Motherhood and the feminine principle. The masculine then represented only fragility and inconstancy; but justice and equity, the need for order in progress and for progress in order, the ideas of peace, conciliation and arbitration, were attached to the Mother, from whom, as from a center, radiated the main manifestations of moral life. Other than the current one was then the central conception, other the general explanation of things; the intellectual world, differently balanced, did not gravitate in the same orbit. For ideas and sentiments are far from having the fixity that is attributed to them, and the very laws of evolution have a history. The ancient saying: "mobile like a wave [mobile comme l'onde]", would once have seemed devoid of flavor and deprived of meaning, if it had been applied to others than the stronger sex.

Little by little the kidnapping was consolidated in marriage. In the same way the plunder, taking on proportion and consistency, had become property by its transmission to the child, and this transmission in the same line, from mother to daughter, or from uncle to nephew, constituted the family group. For a long time the family felt the acts of violence which had inaugurated it; its leader, invested with the right of life and death, exercised it as he saw fit; "family" then signified domestic chiourme, slaves mess. The relative liberty which it now enjoys was conquered only by persevering efforts; for a long time this word liberty did not have that moral character which we have attributed to it, and when we ap-

Before the assembled public and the representatives of the law, by a solemn declaration, the girl puts her body, her life, her fortune and her honor in the possession of a man, now bound to give her his protection — a very vague term — in return of obedience — a very clear term — which is acquired to him. This person will no longer have the free disposal of herself. If, rightly or wrongly, she leaves the marital home, the husband can have her brought back by the gendarmes. The husband can dismiss her from the education of her children, can even take them entirely away from her, if he so pleases, send them far enough away so that she does not see them again. Code in hand, more than one wretch threatened his wife, who resisted his whims, to accomplish this base revenge. Is she injured in what is left to her of rights? The Court will only grant her reparation if the husband consents. What if the husband perpetrated the offense? She will only name the culprit with the consent of the culprit. Human creature though she is, she has a right to justice only under the goodwill of the lord and master. In the eyes of all, in the eyes of her own children, the woman is a being manifestly inferior to her spouse. This is in our countries, which are more fortunate than the many others where she is a slave, the legal equivalent of the pieces of cattle that are bought and sold.

We do not want to exaggerate anything, and, because we criticize legal marriage, we do not claim that it only produces crime and misfortune. We strongly recognize that in marriages contracted under the auspices of civil authority, there are unions which are as happy as possible; there are several which make our admiration, several which we propose to imitate. Social institutions, things of infinite complexity, produce singularly dissimilar results. Practice will always be better than faulty systems, and always less than fine theories. This does not prevent that, in all the elements which contribute to a result, a good principle leads to good, a bad one to evil. We therefore affirm that there is no real friendship, that there is no great love, except between equals; and that, by itself, social inequality breeds abuse, injustice and inequity. Coercion leads to

poetry, then what was reality? Shall we say how young barons, unexpectedly, sent their mother to such and such, to whom they gave her as a wife? Shall we say the kicks with which, in several cantons, the new wife was officially rewarded, the slaps administered to her by father-in-law and mother-in-law? When the Grand Duke of Muscovy married his daughter, he placed her in the hands of the future husband, to whom he passed a certain leather-braided knout: "My son-in-law, your turn!". The knout, a coarse instrument, was, with the progress of fine manners, replaced by a whip with a sculpted handle, with red silk strings, which the gentlemen placed delicately in the basket of their brides. Even today, in such a Bengali tribe, the gallant himself rivets a large, solidly forged ring on his fiancée's arm: if he gets divorced, he unbinds the scrap metal, subjects it to another wrist. And without going as far as Asia, haven't we all noticed these little bad paintings in cemeteries: a white hand emerges from the lace, encased in a bracelet from which hang the links of a broken chain... ? No need to belong to the *Académie des Inscriptions et Belles-Lettres* to explain the graceful symbol. It is not a question here of a vulgar convict. The deceased was in the bonds of marriage, bonds that death broke.

Are we exaggerating by saying that the woman is still a captive? That she is still oppressed by the reaction of the patriarchy against matrimonial institutions? That kidnapping and violence have left indelible traces in the marriage of which they shaped the beginnings? And that the evolution in which humanity has been engaged for thirty centuries is still hostile to women? Hostile, hence unjust. But the system is already collapsing on itself; we are reacting against it, and as long as it is contested, it will not grow old any longer.

II

According to the civil code, what does marriage consist of among us French people?

ply it to primitive periods, it should be wisely. Many times the mother of heirs or heiresses remained in servile condition, and the princely houses of the contemporary East show us frequent examples of this. However, matriarchal institutions significantly raised the social situation for the mother and the civil situation for the woman.

Kidnapping had entered so well into the mores, seemed so decent and proper, that when the girls were no longer forcibly abducted, the marriages were preceded by a mock abduction, a comedy that is always given in several of our cantons. When the women were no longer "won at the point of the spear", the father delivered them to the future genre for animals with horns, for leathers or furs. Good houses only got rid of their young ladies at a good price, who themselves took pride in being paid dearly. In order not to depreciate the commodity, parents were careful not to clutter the market, and mothers — mothers, we say — calculated that it was better to suffocate their little girls at young age than, later, sell them at a discount. The most infatuated with nobility immediately suppressed all those which were born to them, assured in advance that no purchaser could settle such a rich piece. If there had been a number of boys, they would have been auctioned off, but the precaution had been taken of thinning the ranks: they had been made to knock each other out cheerfully in many encounters and skirmishes. These remote times also had their social question, which they didn't know how to solve except by cutting and trimming on human lives, and especially among the child-bearers of the species.

The murder of girls resulted in the polyandry, the addition of several husbands to a single wife, and polyandry in turn called for infanticide, preceding our economists, our liberals and philanthropists, in the invention of Malthusian methods to balance populations and subsistence.

Concurrently with exogamic marriages by kidnapping and by purchase, there were also very simplistic marriages between broth-

ers and sisters — note that in several regions adelphogamy is still in honor as a prerogative of high families and royal houses. Later, one was pleased to marry a lot of brothers with a lot of sisters, no distinction being made between the children, all co-heirs of a domain which remained the inalienable possession of a single family. From the polyandric system arose the levirate, a custom that we know from the story of Ruth and Boaz, and sigisbeism, whose legal existence — no further than in Italy — was considered a paradox, because the explanation was ignored.

Housewife of several husbands, condemned to endless pregnancies, to perpetual gestation, harshly interrupted by frequent infanticides, the woman aspired to flee her marital prison, to avoid the forced labor of polyandry. Her strength and power being in love, it was from love that she asked for her liberation. To the favorite among the husbands, to the youngest of the brothers, himself often bullied by the elders, one day she confided the sweet secret: “This child belongs to us! To me, to you, to no one else.” — From that moment on, the matriarchal institution was compromised and entered into a decline which, day by day, accelerated until it was completely and completely abolished. Throwing itself from one extreme to the other, Humanity seems incapable of understanding the simplest facts before having denied them with fury, after having distorted them by overly exaggerating them. It looks like we have to exhaust the series of paradoxes before we come to terms with the solutions dictated by evidence and good sense. As soon as it was discovered that the child is the son of his father, it was no longer wanted that he was also the son of his mother. It was decreed that henceforth the father would count for everything, the mother for nothing. But in order to get the new doctrine adopted, it was necessary to upset the soul to its depths; and if ever a revolution troubled people’s minds, it was undoubtedly that which substituted matrimonial institutions with patriarchy.

Ceres, according to poets and historians, was the legislator of the peoples. The tribes of fishermen, hunters and pastoralists were

To the first fathers infatuated with their paternity, children being born was not enough for them to deign to recognize them and bring them up. Until the master made his own, picking it up, the package his mother had dropped, the offspring did not exist, legally speaking. Hence the practices of the “convade”, an extraordinary custom, whose high absurdity cannot be too much admired. To show clearly that the newborn ceases to belong to the mother, if it has ever belonged to her, the father goes to bed, absorbs potions and herbal teas, avoids draughts, sends the mother to work in the fields, and majestically holds out his little finger for the infant to suck it.

The most notable of patriarchal institutions, the counterpart of polyandry, is polygamy, into which poured, in the East, all that was richer and more powerful. This was another way of emancipating the stronger sex from the tyranny of the weaker sex. It was said, with some reason, that three women exercise less control over a single man, than a single woman over three husbands. The primitive Church allowed marriage, but as an outlet for lust, declaring loudly its preferences for virginity, which great doctors effectively ensured by forbidding young Christian women to bathe ever, and ordering them to wash with one hand only. The ancient Roman law, hard against the woman, of whom it made an eternal minor, always under the tutelage of the father, the husband, the son or the grandsons, served as a type for the generations which followed, and still regulates us. The Middle Ages, which some only want to see in the Courts of Love and the jousts in honor of the ladies, was for women a most unhappy time. Remember a well-known legend, that of Grisélidis. The wife of the Count of Saluzzo accepted without a murmur all the rebuffs, all the injustices of her husband. He had her showered with insults by a rival; Grisélidis did not rebel. Grisélidis remained humble and submissive when the barbarian took away her children supposedly to slaughter them... The patient Grisélidis, as she was called, was the ideal of the virtuous wife in the days when cathedrals were being built. If such was

mins, Semites, Hellenes, Romans, Christians, Mohammedans, each threw their stone at the unfortunate woman; all made a page for themselves in this story of shame and pain, suffering and tyranny. We say it very seriously, on this point, our humanity, so vain of its culture, fell back below the majority of animal species. The Greeks, the most refined of their time, enacted the abominable formula: "Housewife or courtesan", which we were mortified to hear repeated in the middle of the 19th century as the last word of social and even revolutionary science. Poets, like Euripides, reproached the Gods for having made the procreation and maintenance of the family depend on women. The "divine Plato", who is said to be the greatest of philosophers and the first of the fathers of the Church, considered unnatural love to be sacred; it is advocated as an antidote to the natural attraction of one sex to the other. Unable to suppress motherhood, a physical fact, it was denied, a moral fact. A terrible trial posed the question in terms that could not be imagined more blunt; antiquity passionately discussed the legend of Orestes: the son of Agamemnon had murdered his mother to avenge the murder of his father; Clytemnestra, for her part, had made her husband expiate the murder of their daughter Iphigenia... Well! the matricide was absolved, Minerva herself came down from Olympus to plead her case before the Areopagus. It was decided that this son had acted righteously and soundly, that he owed everything to the father who begot him, nothing to the mother who carried him in her womb; once and for all, it was admitted that the son is not even related to his mother and that he is of a different race. Against this decree of the Gods protests arose, which were stifled as impious; moreover, they were primarily impolitic, and frowned upon by the dominant opinion. Let us record that of the gypsies, a miserable Hindu tribe, reputed to be vile among the viles: — "Boast of being a race of heroes, oh sons of brigands, it is enough for us to be coppersmiths and horse thieves; boast of being the sons of the male, we pride ourselves on remaining sons of the mother; sons of the woman we were, sons of the woman we will remain!"

forgotten in the old savagery from which emerged the colonies of farmers, proud of their plow as much as of their spear and their sword. Our civilization emanates from the man of the fields, who initiated the world to already complicated juridical institutions, to a whole system of rudimentary science, which formulated a set of political, civil and religious laws, established a code which has remained in force in our countryside, a customary law observed by our peasants.

The ancient farmer considered himself to be the husband of the Earth, whom he believed, almost without metaphor, to fertilize with his sweat. Marriage, as it is established, can only be explained clearly as an agricultural institution. As much as the farmer felt superior to the land, so much he believed to prevail over his wife, whose womb, he claimed, is only the field in which the sower deposits the seed. Whatever they are, barley or wheat, spelled or millet, the Earth accepts them indifferently, transmits to them its juices or its moisture; but it itself produces, he said, only crazy and disorderly vegetation, only a wild and ferocious animality. Clods take organic form, the mud warms, the dust comes to life: snakes, toads, frogs, rats and ants to emerge, insects to proliferate, vermin to swarm; bitter berries, acrid fruits to tie themselves to bushes and wildlings; then to appear nasty nettles, holly and prickly thistles, foul rue, invading quackgrass, viral hemlock, poisonous belladonna. Symbols of the proletariat, images of the common people, the rushes of mudflats, the horsetails and reeds abounding in the marshes, a whole vegetable democracy. By its tastes, its passions and its instincts, the crowd is always woman, the woman is herself the daughter of the Earth and her direct incarnation. Of specially feminine progeny are the "natural children", the mushrooms found under a bush, the bastards picked up in a crossroads, the adulterines born in the mire of the stream. Of the same procreation comes out the malnourished multitude, the poor and miserable breed, whom the rich and powerful, seeing as weak, easily treat as cowards. Two races are in presence, that of the Eupatrids,

or hidalgos of Antiquity, now glorious to have a father, and this anonymous proliferation laid by the mother Gigogne, peat of “people who were not born”, as expressed pleasantly those who have taken the trouble to be born. The two species, it was claimed, reproduce the qualities of the sexes from which they originate; differing no less in intelligence and morality than in physical organism; for one is the virile soul, another the feminine soul. The man is of active principle, the woman of passive principle; the former is of spiritual essence, and by the elements which constitute it, allied with fire, with ether, with luminous substances; but the latter, fundamentally material, is formed of aqueous and earthy molecules, impregnated with obscure things. The males par excellence, warriors and laborers, heads of clans or tribes, owners of fields and herds, proud of their heroic family, of their nobility or peasantry quarters, of their ancestors and lares gods, of their domestic altar, kings in this world and preparing to be gods in the next, presented themselves as representing the dominating Reason of Instinct, as personifying the civilization which enslaves Nature, as taming human and animal peat. Who won them these grandiose prerogatives? Heredity, the transmission of divine virtues, from father to son. Know that they are, each on his own, the offspring of the Immortals who, at the dawn of the world, took pleasure in fertilizing the most beautiful daughters of Demeter; learn that they are of the solar race, children of the Star of the Day, who is reborn each morning from the womb of the night, and each spring from the sleep of winter; they carry incorruptibility within themselves, they have the promises of the resurrection. But the people, but the woman, but the Earth, emerge from the Moon, whose subtle and cold light rains corruption in our atmosphere. As a result, the orthodox champions of the doctrine burned the corpses of men and warriors whose spirits were supposed to ascend the heavenly spaces on the wings of flame, to mix with the astral light. As for the mortal remains of the daughters and mothers, they buried it, mixing clay with clay and powder with powder. Hence the hesita-

tions of the Christian Church, which had difficulty in deciding that the woman, as well as the man, should enjoy an immortal soul.

The woman having been decreed inferior, could not fail to be also charged with iniquity and malice. If she is essentially passive, she can only cross the narrow limits assigned to her to fall into perversity, only to spoil and deteriorate what she touches. One proves to her that, being matter, and nothing but matter, she can only put herself in hostility with the spirit; that she is immodest even before the awakening of the senses, that her flesh is more sinful than any other flesh. It was taught that through her death entered the world, it was shown that she propagates and perpetuates original sin, that she is the very fountain of evil. Hence the superiority of celibacy over marriage, of monastic life over family life: a dogma professed by most religions, especially by that which reigns and governs in our neighborhood. Hence the belief in the holiness of the priest, because he cries out to the woman: “Do not touch me! Noli me tangere”. Hence the comments on the words of the Master reproaching the unfortunate woman who had grazed the edge of the seamless tunic: “A virtue has come out of me!” Hence the praise bestowed by the Church on singularly precocious children, whose monstrous holiness was offended to see the breasts of the nurse and who even refused to be breastfed by their mother!

Since the woman is, it was said, an inferior being, and even a perverse being, it would have been absurd to show her respect and esteem, to recognize her any rights, to let her be master of her actions, free to go and to come. Except ancient Egypt, over which hovered the gentle genius of Isis, always compassionate goddess, always loving and generous; except Buddhism, which had treasures of compassion for all creation and protected the woman — not however without some distrust, showing, in short, less pity, less tenderness for her than for animals; — except a few sects, including the Pythagorean, all civilizations, all religions known to us, which invaded the stage of the world to tear each other apart, only agreed on one point: hatred and contempt for women. Brah-