

# Prostitution and Victorian Social Reform

& Paul McHugh &



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**Paul McHugh**

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## ABBREVIATIONS

Most repeal association titles ended with the suffix 'for the repeal of the Contagious Diseases Acts', some with 'for the Abolition of State Regulation of Vice'.

BCGF	British, Continental and General Federation
FA	Friends' Association
LNA	Ladies' National Association
MCEU	Midland Counties Electoral Union
NA	National Association
NCL	Northern Counties League
NMA	National Medical Association
SDL	Subjected Districts League
SNA	Scottish National Association
WMNL	Working Men's National League
EA	Association for Promoting the Extension of the Contagious Diseases Acts
NEL	National Education League
UKA	United Kingdom Alliance
VA	Vigilance Association (for the Defence of Personal Rights)
BL	British Library
EC	Executive Committee
FLB	Fawcett Library (Josephine Butler MSS)
FLW	Fawcett Library (H.J. Wilson MSS)
PP	Parliamentary Papers
PRO	Public Records Office

For Caroline



## PREFACE

What makes the historian decide to work on a particular subject? In my case, I fear that I cannot claim that any elevated motive set me on the trail. In the Autumn of 1969, as a new postgraduate student in search of a suitable topic, I decided to read through the then standard work on the period of British history which most interested me – Sir Robert Ensor's *England, 1870–1914*. Upon reaching page 171, promisingly titled 'sex questions', I came across a two paragraph reference to the Contagious Diseases Acts which were then a mystery to me. As a summary of an agitation it aroused my interest, while the glowing tributes to Josephine Butler and James Stansfeld provoked a degree of irreverent scepticism. I was 'hooked'. I cannot remember whether or not I continued to plough on through Ensor, but certainly I have found no other subject which has exercised the same fascination for me as the resurrection of this apparently obscure and forgotten campaign.

Over the years, less opportunistic motives have come to the fore. I speedily abandoned any idea of a Lytton Strachey type demolition of Ensor's hero and heroine. His verdict stands up remarkably well even if he tended to exaggerate the deliberateness of Stansfeld's self sacrifice. Instead, I have tried to go beyond the biographical approach and to breathe some life into the campaign as a whole. I hope that the result is a study which sees the agitation not merely as a contribution to women's history, nor as simply one aspect of a changing moral climate, nor even as a part of the political history of the period, but as a campaign which needs to be assessed in its own right. My aim has been to reach a balanced assessment of the struggle for repeal, looking at Mrs Butler and Stansfeld not as 'makers' of the movement (with all the moral overtones thereby implied) but as pressure group leaders with strengths and weaknesses. In the process I hope that I have brought out the significance of humbler repeal activists more forcefully.

In the course of my research I have incurred numerous debts of gratitude to the staffs of many libraries and archives. To acknowledge all would fill too many pages, but if some may be singled out, I should say that the Bodleian Library was a most congenial place in which to read one's way into the repeal campaign, and that I received a kindly welcome and much assistance at the Library of the Society

of Friends and at the Methodist Archives and Research Centre. My chief obligation, however, is to the Fawcett Library where I spent several summers working on repeal material. Its then Librarian, Miss M. Surry ALA, and the archivists were extremely kind in answering my requests. In particular, the library was good enough to grant me access to the Josephine Butler Papers while they were still being arranged. I am most grateful for this privilege, and I should like to extend my thanks to the cataloguer of these papers, Miss M. Burton, for much assistance on Mrs Butler, about whom her knowledge is surely unrivalled. As the arrangement of these papers and of the H.J. Wilson Papers at the Fawcett Library was not completed when I was working on them, some of my references are necessarily provisional, though I have tried to give the fullest possible details in all cases. It is a matter of relief and a cause for celebration that this splendid library, the future of which seemed unclear a few years ago, has now been rehoused intact at the City of London Polytechnic, where scholars receive the same warm welcome as in the old days at Westminster. Professor John Vincent of Bristol University was good enough to set me on the track of the Stansfeld Papers whose present owner, Mr W.J. Stansfeld, readily granted me access. I am indeed grateful to him for doing so, and I should also like to offer my thanks to his brother, Mr A. Stansfeld, for providing me with a copy of a letter from William Lloyd Garrison to James Stansfeld's sister-in-law, Madame Venturi.

This book is the revised version of a doctoral thesis originally submitted to Oxford University. Throughout the period in which I was working on this thesis, I received the greatest stimulus and encouragement from Brian Harrison, the most patient and scrupulous of supervisors. I am most grateful to him for all his kindnesses, which have not lessened since submission of the original thesis. My examiners, Mr M. Shock and Dr R.T. Shannon, in the course of a courteous and pleasant *viva* made a number of suggestions for improvement which I have tried to incorporate into the reworking of the book. I should also like to thank Dr Geoff Eley of Emmanuel College, Cambridge, who kindly agreed to read drafts of both thesis and book; I benefitted greatly from his criticisms. More recently, my colleagues at the Cambridgeshire College of Arts and Technology, Dr Piers Brendon, Mr Michael Murphy and Dr Michael Woodhouse, have been good enough to read and comment on revised chapters. While extremely grateful to all who have helped me in ironing this book into shape, responsibility for all errors and omissions remains mine alone.

Finally, I should like to thank my two expert and conscientious

typists: Miss Rosemary Graham most cheerfully shouldered a burden at a difficult time; but to my wife, who typed the major part of the manuscript, my debt obviously extends very much further than words can say.

Paul McHugh  
Cambridge

# 1 INTRODUCTION

One hundred years ago, 18 districts in England and Wales were still subjected to a system of regulated prostitution similar, in essence, to those systems of police-controlled and registered prostitution widely employed throughout continental Europe in the nineteenth century and still, in part, surviving in the twentieth. The United Kingdom's flirtation with regulation lasted only from 1864, when the first of the Contagious Diseases Acts was enacted, to 1886 when the system was abolished. The object had ostensibly been to protect members of the armed forces from the consequences of venereal disease, and the government from the resulting financial penalties and loss of manpower. The method employed was to identify prostitutes and submit them to examination by designated official doctors; if they were found to be diseased they were detained in hospitals for specified periods. To implement the Acts a specialised police force and purpose-built Lock wards were provided.<sup>1</sup>

In the nineteenth century, attitudes to the Acts ran deep. They were defended as examples of progressive sanitary enlightenment, berated as immoral abuses of the constitution. An agitation sprang up to campaign for repeal of the Acts which has recently been called 'one of the century's most notable protest movements'.<sup>2</sup> Certainly the repeal movement recruited an extraordinary variety of campaigners: moralists, feminists, individualists, opponents of medical pretensions and military arrogance were amongst those who found the Acts repugnant, and were prepared to work for their repeal in what were, at first, highly unfavourable circumstances.

However, consideration of the repeal movement has been excessively concerned with its place in the history of women's social and political emancipation.<sup>3</sup> This concentration on the Acts' relationship to women's rights has tended to obscure other equally interesting aspects of the campaign against them. This study will attempt to redress the balance by assessing the campaign's connections with non-feminist agitations, and with wider social and political questions. It will also analyse the movement's internal mechanisms in order to show how a Victorian pressure group operated, and why this particular one eventually succeeded where so many others failed.<sup>4</sup>

Yet this feminist bias is forgivable when one confronts the

assumptions which underpinned the Acts; assumptions memorably encapsulated in Keith Thomas's long-standing indictment of the Acts as the high-water mark of the double standard of sexual morality.<sup>5</sup> The Acts were based on the premisses that women but not men were responsible for the spread of venereal disease, and that while men would be degraded if subjected to physical examination, the women who satisfied male sexual urges were already so degraded that further indignities scarcely mattered. Protection for males was supposed to be assured by inspection of females.<sup>6</sup>

Why should these assumptions, grounded in sex discrimination still to be found today, have borne fruit in the mid nineteenth century? There are probably two reasons for the Acts' appearance at this historical juncture.

Firstly, it seems likely that Victorian interest in prostitution, the 'social evil', was at its greatest in the 1850s and 1860s – in 1860, for example, the *Saturday Review* noted its popularity as a subject for discussion.<sup>7</sup> Furthermore the bulk of the discussion – in the medical and weekly press – was in the direction of recognising the inevitability of prostitution and reaching some accommodation with it. Dr William Acton had published his *Prostitution* in 1857, an enormously influential argument for humane treatment of prostitutes associated with measures to keep them as free from disease as possible. As he realised, most prostitutes eventually found their way back into the community at large.<sup>8</sup> Upper-class males would be familiar with the contemporary debate on the necessity for the prostitute if the pre-marital virtue of upper-class females was to be preserved; a debate clinched for many in Lecky's notorious phrase: 'Herself the supreme type of vice, she is ultimately the most efficient guardian of virtue.'<sup>9</sup> They would also be familiar with the sight of police-regulated prostitution in European cities, which kept the streets decent and apparently offered some protection from disease.<sup>10</sup> The whole discussion was, of course, couched in terms of society's needs being best served by an authoritarian, albeit enlightened, provision of healthy prostitutes. Humane concern for the prostitute herself may have followed from this, but any concession to the notion of these women as citizens with the right to lead independent lives was notably absent.

Secondly, the Acts can be seen as a response to the supposed deterioration of health in the armed forces. In the aftermath of the Crimean War and the invasion scare of the late 1850s, the army and navy had, for a time, emerged from the neglect with which government and public opinion alike usually treated them. Reform was in the air,



Royal Commissions exposed inadequacies, and serious fears were voiced about military ineffectiveness caused by the ravages of venereal disease.<sup>11</sup>

Living conditions were still appalling and marriage was restricted by regulation to about 6 per cent of enlisted men. Despite the efforts of philanthropic and religious workers, notably the Wesleyans from the early 1860s, this 'bachelor army' was accustomed to turn to prostitutes, hordes of whom were to be found in dockyard and garrison towns.<sup>12</sup> In 1865 the Inspector-General of Hospitals estimated the prostitute population of the eleven towns under the 1864 Act to be 7,339, of whom 929 were said to be diseased.<sup>13</sup>

Since the climate of upper middle class opinion was so strongly in favour of some form of regulation of prostitution, since the armed forces in particular seemed to be imperilled by venereal disease and since doctors were unable, in practice, to control it effectively given the then state of medical knowledge, some form of legislative onslaught on the 'carriers' of disease (however arbitrary that definition) was increasingly likely. Indeed it possessed almost a logic of its own in the early 1860s.

The reaction against this medico-military consensus was slow in manifesting itself. Not until 1870 did the movement against the Acts get off the ground, and even then amidst tensions and divisions which it will be a primary task of this study to analyse. One such tension was the contest between provincial radicalism, on its way towards the capture of the Liberal party, and the declining force of Metropolitan radicalism. The battle between these two groupings, so crucial to the future shape of British Liberalism, was fought out within the repeal movement. The provincials—Nonconformist, self-assured and convinced of the duplicity of all things metropolitan—eventually came to displace the secular, cosmopolitan, 'old radical' Londoners as prime movers of the agitation.<sup>14</sup>

To some extent, this contrast is reflected in the relationship between the leading personalities in the repeal movement: the charismatic Josephine Butler, the Liberal minister James Stansfeld and H.J. Wilson the Sheffield radical.

Josephine Butler (1828–1906) was first in the field and is normally regarded as the movement's leading light; so much so that brief references to it usually talk of 'Josephine Butler's crusade against the Contagious Diseases Acts'.<sup>15</sup> She came from a branch of the Grey family of Northumberland—her father, John Grey of Dilston, was a scientific farmer, a leading northern Liberal, a strong supporter of his kinsman Earl Grey at the time of the Reform Bill agitation and an anti-slavery