

Relaunching the Republican Campaign for Women's Rights

The Banquet of 9 June 1872

On the 9th of June 1872 about 150 French men and women who sympathized with a republican form of government gathered at the Corazza Restaurant in the Palais-Royal to take a symbolic stand on behalf of women's rights. That women were invited was an event in itself; for decades women had been unwelcome at such banquets, even to celebrate the most advanced political causes.¹ Maria Deraismes was prominent among the women present. In attendance were a number of prominent progressive men, including the historian Edouard Laboulaye (1811–1883), who presided at the banquet. Veterans of the Saint-Simonian movement, such as the journalist Adolphe Guérout (1810–1872) and the peace activist Charles Lemonnier (1808?–1891), and younger republicans, such as Alfred Naquet (1834–1916), were among those present to relaunch the campaign, as was the proud organizer of the event, Léon Richer (1824–1911). Only the previous year Laboulaye had openly complimented Richer for advocating women's rights as human creatures rather than pressing for “equality of functions” on the Spartan model.² At the banquet Laboulaye developed a theme that would become a touchstone for republican women's rights advocates in the years following the Paris Commune. “I have in mind,” he said, “not merely woman's happiness and the peace of her household; indeed, this question is one of the first

¹ Michelle Perrot reports that in 1838 Flora Tristan had been excluded from the banquet commemorating the death of a major champion of women's emancipation, Charles Fourier; see Perrot, *Les Femmes ou les silences de l'histoire* (Paris: Flammarion, 1998), p. 302. On earlier controversies over admitting women to political banquets see Jacqueline Lalouette, “Les femmes dans les banquets politiques en France (vers 1848),” *Clio: Histoire, Femmes, Sociétés*, n° 14 (2001), 71–91. Technically speaking, this 1872 women's rights banquet was not considered a “political” banquet.

² Laboulaye's letter to Richer was published in *L'Avenir des Femmes*, n° 76 (12 November 1871).

magnitude for the country. If we want to regenerate France, we must begin with the women.”³

The political climate in France, however, was still less than auspicious for making drastic reforms in women's status and Deraismes cautioned the audience not to expect that women's demands would be met all at once. Following the Commune and the consequent crackdown, advocates of women's rights had found it necessary to proceed with caution. The government forced Richer's paper, *Le Droit de Femmes*, to rename itself *L'Avenir des Femmes*, tone down its demands, and lower its activist profile in order to continue publication. In the next several years, thanks first to the real possibility of a Bourbon restoration followed by a thwarted Bonapartist effort to restore an imperial system to govern France, republicans felt that their own objectives were seriously threatened. Their ultimate intention was to establish a republican form of government in France, that is, government of the people, by the people, and for the people. But who, then, were “the people”? And what form should such a government take?

Even after the 1875 Constitution was approved, the Republic would not be firmly secured until after the Seize Mai crisis of 1877, when the republican sweep in the ensuing legislative elections, followed by the election (in 1879) of a moderate republican as president of the Republic, would consolidate the change. Only in the 1880s would the republicans, some condemned as “opportunists” and others more radical (or “pure” in the Jacobin sense), have a chance to inaugurate the reforms they considered essential: first of all, freedom of association and the press; then reforms of direct interest to women's rights advocates – secular and obligatory primary education for both girls and boys, a state secondary system of secondary schooling for girls, and civil divorce. Reform of the Civil Code by legislative means would prove far more difficult, even though under the Empire, republicans had repeatedly flayed the Code as a way of attacking Napoléon III's regime. As they edged toward taking power, they became more cautious about undermining it.

³ This banquet was reported *in extenso* in *L'Avenir des Femmes*, n° 89 (7 July 1872). Reprinted by Léon Richer in his *Livre des femmes* (Paris: E. Dentu, 1877), pp. 60–61. Laboulaye became greatly enthusiastic about the United States; his admiration for America apparently became a family tradition (in the 1970s his grandson would serve as French ambassador to the United States during the presidency of Giscard d'Estaing). When Laboulaye died in the spring of 1883, Susan B. Anthony attended his funeral in Paris and was deeply moved; see on this point Elizabeth Cady Stanton, *Eighty Years and More* (New York: European Publishing Co.; London: T. Fisher Unwin, 1898), p. 177.

These developments lay far in the future. But the shape of things to come was underscored at the banquet by the veteran '48ers Victor Hugo (1802–1885) and Louis Blanc (1811–1882), who, though absent from the banquet hall, sent lengthy letters applauding the occasion and endorsing the cause. Hugo's letter, read at the banquet and much quoted thereafter, critiqued the Code with a dramatic flourish, drawing on the imagery of slavery and freedom:⁴

It is sad to admit that slaves exist in our current civilization. The law has its euphemisms, and what I call a slave, it calls a minor. This minor before the law, this slave in reality, is woman. Man has inequitably weighted the two balance pans of the Code, whose equilibrium is important to the human conscience; man has put all the rights on his side and all the obligations on woman's side. Because of this, there is a profound problem. Because of this, woman is in servitude. Under our present legislation, she cannot vote, she does not count, she does not exist. There are *citoyens* but no *citoyennes*. This is a violent situation and it must cease.

Hugo made explicit the current lack of "universal" applicability of republican principles; he believed that women should be full-fledged *citoyennes* – not subordinates, slaves, or serfs. Male privilege must be challenged.

In the following issue of *L'Avenir des Femmes*, Richer celebrated with gusto the success of the banquet demonstration. Other organs of the Parisian press, however, took a less enthusiastic view. "Women's emancipation!" snorted a hostile staff writer at *Paris-Journal*: "That circus is really the last straw!"⁵

Women's emancipation meant something quite different to *Paris-Journal* than to the banquet celebrants and their associates.⁶ The latter heartily endorsed the notion of separate but equivalent and parallel "spheres" for women and men; indeed they explicitly insisted on it, but – importantly – with an eye to a parallel, equivalent status, a partnership rather than a domination/subordination hierarchy, in marriage and beyond. These latter applauded the formula of "equality-in-difference." Léon Richer had already underscored in 1870 that the motto of *Le Droit des Femmes* was "*égalité dans*

⁴ See *L'Avenir des Femmes*, n° 89 (7 July 1872). An excellent account of the occasion and the press responses, drawn from this publication, is Georges Lhermitte's retrospective, "En feuilletant '*Le Droit des Femmes*', 1869–1891," in *Cinquante ans de féminisme* (Paris: LFD, 1921), pp. 61–74.

⁵ Quote from *Paris-Journal* by Lhermitte, "En feuilletant . . ." p. 67.

⁶ In an 1874 book, *La Femme et la civilisation* (Marseille: J. Douat, 1873) by a "Miss Norff," a.k.a. Mme Bouraud of Marseille, the author explained (pp. 72–74) that the emancipation of women did *not* encompass orgies and smoking, but rather equality before the law, in instruction and in work. She went on to state that the law's demand for obedience in marriage was humiliating to women.

la dissemblance.⁷ The notion of equality in the law, in fact, assumes the existence of difference, as the sociologist and historian of law Ute Gerhard (among others) has underscored.⁸ These French reformers fully understood and adhered to this understanding of “equality-in-difference” and did not view it as either paradoxical or contradictory.

If there was one thing these progressive-minded men and women agreed on, it was that the family, not the individual, remained the basic socio-political unit; the sexes must be complementary, and women must remain “womanly.” From this “relational” conviction, particular consequences would logically follow, as we will see.⁹ These republican men and women were heavily invested in the program of citizen-mothers, mother-educators, and in a program of social regeneration based on enhancing women's role in the household and in society. Their thinking on the matter was in line with the ideas of earlier republican activists including Jeanne Deroin, who had articulated this program during the 1848 revolution, Legouvé, and many others, including Juliette Adam.¹⁰ It fell to other women like André Léo and Maria Deraismes, as adamant liberals, to plead the case for

⁷ *Le Droit des Femmes*, n° 64 (17 July 1870). See also Richer's preface to his *Livre des femmes* (Paris: Librairie de la Bibliothèque démocratique, 1872), vii–xi.

⁸ See chapter 1, “The Meaning of Equality with Regard to Difference,” in Ute Gerhard, *Debating Women's Equality: Toward a Feminist Theory of Law from a European Perspective* (New Brunswick, NJ: Rutgers University Press, 2001), pp. 7–11. Gerhard is arguing against the misperception that “equality” implies “sameness” or “identity.” Equality in law, she argues, is a “relational concept” (p. 1). Only “absolute” equality would lead to “identity.”

⁹ The notion of “relational autonomy” has been elaborated by a contingent of late twentieth century feminist philosophers: see in particular *Relational Autonomy: Feminist Perspectives on Autonomy, Agency, and the Social Self*, ed. Catriona Mackenzie & Natalie Stoljar (New York: Oxford University Press, 2000). See also the earlier essays by M. E. Zimmerman, Gary Snyder, & Judith Plant in *Reweaving the World: The Emergence of Ecofeminism*, ed. Irene Diamond & Gloria F. Orenstein (San Francisco: Sierra Club Books, 1990).

¹⁰ The statements of Jeanne Deroin and Ernest Legouvé can be consulted in the companion volume, *The Woman Question in France, 1400–1870*, chapter 2. Legouvé's *Histoire morale des femmes* (1849) would reappear in a sixth edition in 1874. Juliette Adam, the opponent of Proudhon in the 1850s, stated her version of the complementarity argument in this way: “Je continue à ne pas admettre la formule trop simpliste de l'égalité de l'homme et de la femme. Je n'admets entre eux que des équivalences complémentaires, les facultés de chacun dans un mariage 'assorti', constituant, selon moi, la personne sociale parfait.” See Juliette Adam, *Après l'abandon de la revanche* (Paris: A. Lemerre, 1910; orig. publ. 1904), p. 169. Adam admitted to being interested in the 1878 women's rights congress but declined Maria Deraismes's invitation to participate.

The question of whether the notion of “separate spheres” could be construed as positive for women is still being debated. Patrick Kay Bidelman [*Pariahs Stand Up!* (Westport, CT: Garland, 1983), xix] argues that the republicans “tacitly reinforced the social myth of separate spheres.” My reading of the sources suggests that this reinforcement was explicit, yet did not of necessity entail a hierarchical notion of male superiority. Obviously “separate spheres” meant different things to different people, but the notion of a sexual division of labor did not inevitably imply either female inferiority or female subordination in the family. James F. Macmillan in *Housewife or Harlot: The Place of Women in French Society, 1870–1940* (New York: St. Martin's Press, 1981) construes separate

women's unrestricted autonomy. But even the latter insisted that women should be able to develop their full potential "as women." This notion (we might now call it "relational autonomy") was grounded in acceptance of bodily specificity, applying equally to both sexes.

Celebrity endorsement for political and social causes had already become fashionable in France. Advocates of women's rights could justly crow about its roster of male supporters, which included some very distinguished names in the political, literary, academic, and artistic world. Besides Laboulaye, Hugo, and Louis Blanc, the cause of women's rights had supporters such as Victor Schoelcher (1804–1893), the champion of slave emancipation in 1848. Some of these men became precious allies. In the 1890s many of these men would acquire the label "male-feminists." Some envisioned more "emancipation" for women than did others.

Undoubtedly the most renowned of these male-feminists was Victor Hugo. He was a champion of women in the old style and a choice ally, for he had the ear of a huge public, not least because of his open opposition to Napoléon III and the Second Empire, which had necessitated his voluntary exile from France, but also for his plays, poetry, and particularly his great social justice novel *Les Misérables* (1862). Hugo firmly believed that talent and genius should serve the social good and that women's cause, in French society, required such champions. His public record was long and honorable. Was it not Victor Hugo who had insisted in the Constitutional Assembly in 1849 that the corollary of the rights of man was the rights of women and children? Was it not Hugo who in 1853, at the funeral of the '48er Louise Jullien on the isle of Jersey, had sounded the clarion: "The eighteenth century proclaimed the rights of man; the nineteenth will proclaim the rights of woman." He chided his fellow men for hedging their bets on this question. Was it not Hugo who, following his triumphant return from exile, publicly denounced the inequalities of women's legal position and called on his fellow men to remedy the situation of "those who make the morals." Because of this record, it was Victor Hugo whom Léon Richer would invite in 1883 to become honorary president of the newly reconstituted *Ligue des Droits de la Femme*.¹¹

spheres strictly as a domination/subordination paradigm. This is a common, though, I think, misleading view. Then, as now, the reality is more complex.

¹¹ See Hugo's response to Saint-Marc Girardin at the Académie Française in 1845 as well as his funeral oration for Louise Jullien in Victor Hugo, *Oeuvres complètes*, vol. 48: *Actes et paroles: I – Avant l'exil*, pp. 91–102, and vol. 44: *Actes et paroles: II – Pendant l'exil*, p. 92. His oft-cited letter to Léon Richer in 1872 is sourced above. For a review of Hugo's public statements on behalf of women's rights, see *Le Droit des Femmes*, n° 251 (7 June 1885) & n° 252 (21 June 1885), and shortly thereafter in English,

To claim Hugo as an ally in the cause of women is not to say that he considered women and men to be similar. Virtually every remark he made on the subject belies this view. For Hugo, like so many French men, viewed women as fundamentally different from men, though not at all inferior; he too was wholly committed to the formula “equality-in-difference.” His poetry and his oratory both sanctified and eulogized woman as “the hearth, the home, the center of peaceful thoughts.” This was the Hugo who in 1858 had enshrined women in his poem “Le Sacre de la femme,” but in a rather more positive fashion than either Comte or Michelet, who certainly did not support women's rights as Hugo and Richer did.¹²

Louis Blanc was another political giant, an old '48er who endorsed improving civil (though not political) rights for French women. He nevertheless believed that wives belonged in the *foyer domestique*, as the heart of the family. Since 1848, however, he had been a staunch advocate of civil divorce, arguing that the possibility of dissolving an unhappy marriage was the best guarantee of a sound family. And, to Blanc, the family was everything. “The family! primordial association, elemental unit of every nation, society even predating the individual, truly a sacred and indestructible institution because what comes from nature can never be destroyed.” But, Blanc was quick to add, just because woman is in no way like man, it should not be implied that she was not his equal.¹³

In 1872 Blanc restated his views in two articles that appeared in *L'Avenir des Femmes*. Here he developed his case against the “domestic tyranny” of husbands authorized by the Napoleonic Code. This argument had a

“Some of Victor Hugo's Words About Women,” *The Englishwoman's Review*, 16 (15 July 1885), 293–306. See also, “Les Présidents d'honneur: Victor Hugo,” in *Cinquante ans de féminisme*, pp. 45–49. Hugo also made a number of contributions to the debate on the woman question in his plays during the July Monarchy – on these, see the still valuable works of David Owen Evans, *Le Drame moderne à l'époque romantique (1827–1850): Contribution à l'étude d'un problème dans l'histoire du théâtre en France* (Paris: Éditions de la Vie Universitaire, 1923), and David Owen Evans, *Social Romanticism in France, 1830–1848* (Oxford, UK: Clarendon Press, 1951). Also see Idell E. Siegel, “Feminism in the French Popular Playwrights: 1830–1848” (Ph.D. dissertation, University of Missouri, Columbia, 1975). Two brief commentaries on Hugo's feminism are Jean Rabaut, “Droits de la femme: Victor Hugo, féministe,” *L'Histoire*, 40 (December 1981), 79–81, and Nicole Savy, “Victor Hugo, féministe,” *La Pensée*, n° 245 (May–June 1985), 7–18.

¹² “The hearth, the home, the center of peaceful thoughts” from his funeral oration for Madame Louis Blanc, 26 April 1876; quoted in *The Englishwoman's Review* article, 1885 (cited in n. 11); “Le Sacre de la femme” appears in Hugo's *La Légende des siècles* (Paris, 1859; in the Garnier ed., 1974, pp. 19–25).

¹³ “Aux Femmes; la famille,” in Blanc's *Nouveau monde: Journal historique et politique*, n° 4 (15 October 1849), pp. 3, 5. Reprinted as “Le Divorce” in his collections *Questions d'aujourd'hui et de demain*, 3^e série. *Politique* (Paris: E. Dentu, 1880), pp. 103–141.

deliberately anti-Bonapartist thrust to it, and Blanc purposefully lauded the earlier draft of a civil code by the Convention (1792–1793) as his preferred legal model. Restating his thesis of equality-in-difference, he argued that “this lack of resemblance [between men and women] is just one more reason why every project of interest to the destiny of the human being should be completed with the free assistance of woman.”¹⁴ This argument had much in common with the case put forth so eloquently in 1849 by Jeanne Deroin in her “Woman’s Mission.”¹⁵ For Blanc the “human being” [*l’être humain*] was composed of two sexes. This was his resolution of the dilemma posed by “universalism.”

The dedication of Victor Schoelcher to the cause of women’s rights followed closely from his passion, since childhood, for abolishing black slavery in the French colonies, which he had successfully implemented in 1848 while serving as the Second Republic’s minister of the navy and colonies. In Schoelcher’s case, as was also the case in England and the United States, the causes of women’s emancipation and the emancipation of black slaves were inextricably joined.¹⁶ Not surprisingly, Schoelcher was closely associated with Victor Hugo and especially with Ernest Legouvé. Following the coup d’état by Louis-Napoléon in 1852, he – like Hugo, Quinet, and others – went into exile, not returning to France until late 1870. But only in his later years did Schoelcher become active on behalf of women’s rights. After Hugo’s death in 1885, Richer would invite Schoelcher to serve as honorary president of the *Ligue*.

The man who was undoubtedly the most important contributor to advancing women’s rights in these years was not a celebrity himself, although he knew quite a few. What he lacked in fame, however, he made up for in energy devoted to the cause. Along with Legouvé, Léon Richer epitomized the republican male-feminist. His story has been told many times, but bears summarizing here. Alerted to the legal disenfranchisement of women in French society by the example of his mother and sisters, and by the women whose interests he defended in his practice as a notary’s assistant before he came to Paris as a journalist, Richer had thrown himself

¹⁴ “La Question des femmes,” p. 271.

¹⁵ See Deroin, “Mission de la femme dans le present et dans l’avenir,” *L’Opinion des Femmes* (28 January, 10 March, 10 April 1849); English translation in *Women, the Family, and Freedom: The Debate in Documents*, ed. Susan Groag Bell & Karen M. Offen (Stanford, CA: Stanford University Press, 1983); hereafter *WFF*, vol. 1, doc. 77.

¹⁶ The details of Schoelcher’s career as a humanitarian political reformer had fallen into obscurity until the publication of *Victor Schoelcher, ou la mystique d’un athée* (Paris: Perrin, 1983) by Janine Alexandre-Debray.

into the fray during the Second Empire, founding the periodical *Le Droit des Femmes* in 1869.¹⁷ Richer was deeply engaged in recruiting the support of other republican men for women's rights. Through his collaboration with Maria Deraismes, whose public lectures in the later 1860s he had promoted, the cause gained new momentum following the June 1872 banquet. This is not to say, however, that these campaigns would not encounter difficult moments.

One of those difficult moments had to do with Alexandre Dumas *fil*s (1824–1895), the prolific novelist, essayist, and playwright (best known for *La Dame aux camélias*, 1848) who wrote incessantly about women. Partisans of women's rights hoped to attract the support of this celebrated and influential writer. Earlier in 1872 a Parisian group called the *Association pour l'Émancipation de la Femme* [Association for Women's Emancipation] published a tiny sixty-four-page brochure entitled *La Question de la femme* [The Woman Question].¹⁸ It contained excerpts from Dumas *fil*s's theatre works, from *Un Lettre sur les choses du jour* [A Letter on Current Events], and from his *Nouvelle lettre sur les choses du jour*, with a foreword by Julie-Victoire Daubié, emphasizing what seemed to have become the leitmotif of the era – the necessity of regenerating France by improving the situation of women and children. In the same year, however, Dumas *fil*s published a very different, angry work, *L'Homme-femme* [The Man-Woman], of which more later. Because of the tempest this work kicked up, Dumas *fil*s was no doubt unwelcome at the 1872 banquet.

Dumas *fil*s was a more problematic and perplexing potential ally than the overtly supportive Hugo, or for that matter Louis Blanc, not least because he was less immediately implicated in campaigns for political and social change. Dumas *fil*s was above all else a moralist, a skeptical observer, and a severe judge of human behavior. He considered sex love between men and women the great problematic of human existence, and he blamed both sexes for their bad behavior toward one another, and for the way in which each sex let itself be warped. His picture of womanhood was far less idealized than that of Hugo; indeed, amid the crowd of republican male-feminists applauding woman's sphere and the family, amid their calls for reform of the Civil Code, Dumas *fil*s was not above claiming (as he did

¹⁷ See Bidelman, *Pariahs Stand Up!*, chapter 3, and Claire Goldberg Moses, *French Feminism in the Nineteenth Century* (Albany, NY: SUNY Press, 1984), chapter 9.

¹⁸ Alexandre Dumas *fil*s, *La Question de la femme*, préface de J.-V. Daubié (Paris: 5, rue de la Pompe, Passy, 1872).

in *L'Homme-femme* and other works) that women could be just as evil as men, and that women “use” men instrumentally in marriage for strictly reproductive ends. His insights into male and female psychology are at times excruciatingly pessimistic.

Dumas *fil's* *L'Homme-femme*, followed by the even angrier preface to his 1873 play *La Femme de Claude* (which concerned a husband who murdered his very wicked wife), contained a number of peremptory judgments about the social evil women could engender and, consequently, incensed many women's rights activists including Maria Deraismes (to be discussed later). Offsetting the adverse effect of these two publications was the playwright's preface to *Monsieur Alphonse* (1873), in which he advocated equal rights for women and insisted on the importance of properly educating them so that they could take their rightful place in the world.¹⁹

In the 1880s Alexandre Dumas *fil's* would come out as a proponent of civil divorce and a supporter of the vote for French women and in 1890 as a reluctant supporter of *recherche de la paternité*.²⁰ But in 1879 he made a point of how little support feminists could expect for the reforms they advocated: neither the “happy,” nor the “clever” (who have “made it” in spite of every obstacle), nor the “*abrutis*” (the peasants, who could not even read; literally, the brutes), nor the “pious,” who found joy in self-sacrifice, would endorse such reforms. As for those isolated women with talent and intelligence who would like to do more themselves or who represent the best of what intellectual women can be, they fear to adhere publicly to the cause, he insisted; only those who compromise the cause seem to support it openly.²¹ Amid his peremptory judgments on the morals of his time, he continued to maintain that women – like men – had a real potential to fulfill. Dumas *fil's* did respect what women might

¹⁹ *L'Homme-femme* and the preface to *La Femme de Claude* have been reprinted in *Le Dossier “Tue-la! Constitué, étudié, et plaidé par André Lebois* (Avignon: E. Aubanel, 1969). On this Dumas-Deraismes confrontation, see Angélique Arnaud, “Le vieil Adam – L'Ève moderne,” *L'Avenir des Femmes*, n° 92 (6 October 1872). Another critique of Dumas *fil's* for libelling women is Louise Audebert, “Le Théâtre de Monsieur Alexandre Dumas *fil's*,” in supplement to *L'Avenir des Femmes*, issues of 2 January, 6 February, and 5 March 1876. The French laws governing adultery are nicely summarized by Léon Girard in Theodore Stanton's essay, “France,” in *The Woman Question in Europe* (New York: G. P. Putnam's Sons, 1884). For an extended scholarly analysis of Dumas *fil's* and the *Homme-femme* debate, see Odile Krakovitch, “Misogynes et féministes, il y a cent ans: Autour de l'Homme-Femme d'Alexandre Dumas *fil's*,” *Questions féministes*, n° 8 (1980), 85–113, and *Nouvelles questions féministes*, n° 2 (October 1981), 75–103.

²⁰ For a discussion of the later legislative campaigns for legalization of paternity suits, see Part III, Chapter 11 in this volume.

²¹ Alexandre Dumas *fil's*, *Les Femmes qui tuent et les femmes qui votent* (Paris: Calmann-Lévy, 1880; reprinted, Paris: G. Authier, 1975), p. 111.

become, and even helped a few gifted young women to achieve their intellectual potential.²²

Of the cluster of women activists who had contributed significantly to the published debate on the woman question during the late Second Empire (see *The Woman Question in France, 1400–1870*, chapter 7), only Maria Deraismes and Julie-Victoire Daubié (the first woman to earn the French *baccalauréat*) remained major figures during the very early Third Republic. By 1874, however, Daubié would be dead. Jenny P. d'Héricourt had long since left Paris for Chicago (she returned to France in 1872 but died suddenly in 1875), and André Léo, after going into hiding during the last days of the Paris Commune, had fled to Switzerland, then to Italy (with another Communard Benoît Malon, whom she subsequently married). Juliette Lambert Lamessine, finally widowed in 1867, had married Edouard Adam in 1868 and had not yet made her political reappearance as the *égérie* [secret counselor] of the charismatic republican leader Léon Gambetta as well as the publisher of *La Nouvelle Revue*. Olympe Audouard was lecturing in and around Paris, but does not seem to have been close to these republican women's rights advocates; in any event she is not listed among those attending the banquet of June 1872.²³ Clarisse Coignet (1824–1918) had plunged into the quest for better girls' education, while another veteran with Fourierist sympathies, Virginie Griess-Traut, advocated coeducation and spear-headed women's antiwar campaigns. The maverick scientist Clémence Royer, a committed republican, juggled her situation as an unmarried mother, living with a journalist and off-and-on republican deputy (Pascal Duprat) who was married to another woman, with her scientific adventures in the Anthropological Society. Although she does not seem to have attended the 1872 banquet, she wrote extensively on the woman question, and she did attend the 1878 International Women's Rights Congress.²⁴ A younger generation of activists, including Léonie Rouzade,

²² See the very positive testimony of Jeanne P. Crouzet-Benaben, "Alexandre Dumas *filis* et la femme nouvelle," *La Grande Revue*, 28:7 (July 1924), 166–174, in answer to the question "Alexandre Dumas *filis* a-t-il été féministe?" This important Third Republic educator greatly profited from the guidance of Dumas *filis* during her girlhood; he encouraged her intellectual development and even helped her (at age 18) win admission to Sèvres (the École Normale Supérieure established to train the master teachers for the Third Republic's girls' secondary schools). In sum, she believes that Dumas *filis* was a feminist.

²³ The whereabouts of Olympe Audouard at any given point in the 1870s cannot be determined from the account in Rachel Nuñez, "Between France and the World: The Gender Politics of Cosmopolitanism, 1835–1914" (Ph.D. dissertation, Stanford University, 2006).

²⁴ See Joy Harvey's biography of Royer, "Almost a Man of Genius": *Clémence Royer, Feminism, and Nineteenth-Century Science* (New Brunswick, NJ: Rutgers University Press, 1997), esp. chapters 6 & 7.

Eugénie Pierre (later Potonié-Pierre), Eliska (Girard) Vincent, and Hubertine Auclert would emerge as champions of women's rights in the later 1870s and would continue their campaigning for several decades.

Maria Deraismes was by far the most prominent of these women activists. Parisian, wealthy, single, some said beautiful, well educated, politically to the radical side of liberal, vehemently anticlerical, she was also an accomplished artist, a published playwright, and a performing musician.²⁵ Clearly she (like George Sand, Jenny P. d'Héricourt, and Juliette Adam before her) had slipped through the net of social conditioning that attempted to shape a demure, pious, and subservient type of housewifely woman. Articulate and well informed, the 40-year-old Deraismes was no *oie blanche*; she had become a public presence to be reckoned with, a Parisian celebrity in her own right. During the late 1860s she had acquired a substantial reputation as an outspoken public advocate of women's emancipation. What was more, republican politics were her forte and her passion. According to one commentator, her salon (on the Avenue de Clichy) "had become the prolongation not only of the [Masonic] lodge 'Mars and the Arts,' but also of the editorial staff of the newspaper *La Liberté*, which Émile de Girardin had just purchased . . . and taken on as editor-in-chief."²⁶

Deraismes always insisted that democracy, the republic, and women's emancipation were all of a piece. The fact that she could not vote did not stop her from becoming an important player in French civil society and in political life. By the late 1870s she would establish herself as a dominant force for republicanism in the department of Seine-et-Oise, where she and her widowed sister Anna Feresse-Deraismes shared an estate at Pontoise. After organizing together the first international congress for women's rights in 1878, Maria Deraismes and Léon Richer would conduct separate campaigns through separate organizations during the 1880s. However, they joined forces again in 1888–1889 to organize the second international congress on women's rights. Both these congresses will be discussed later in this chapter.

²⁵ The fullest contemporary account of the life and career of Maria Deraismes, and the source that continues to inform all others, is Jean-Bernard (pseud. J.-B. Passeriau), "Notice – Maria Deraismes," in the first volume of Deraismes's *Oeuvres complètes* (Paris: Alcan, 1895), vi–lv. The best discussion in English is in Bidelman, *Pariahs Stand Up!*, which includes a comprehensive bibliography, pp. 232–233. See also Odile Krakovitch, ed., *Maria Deraismes: Ce que veulent les femmes. Articles et discours de 1869 à 1894* (Paris: Syros, 1980), which reprints a number of Deraismes's newspaper articles and speeches that were not included in her collected works.

²⁶ Éliane Brault, *La Franc-maçonnerie et l'émancipation des femmes* (Paris: Dervy, 1953; new ed., revised and augmented, Paris: Dervy-Livres, 1967), p. 76.

To sum up, leading French Republicans were aware of – and generally sympathetic to – the need for change in the disadvantaged legal position of married women. Many of their pet projects, from expanding educational opportunities for girls to regenerating public morality and separating church from state, implicated women directly. In contrast to their more radical socialist contemporaries, they were less apt to engage in critiques of private property, or to prioritize class issues over sex issues. Changes in fundamental structures, whether those based on sex or on class, posed potentially revolutionary implications for the existing socioeconomic structure of French society, as socialist critics would relentlessly point out. For most republicans, even the most liberal, the limits of change were located precisely at that point where private property itself seemed threatened. Some were even hesitant about endorsing changes that might seriously undermine male authority in the family, but others strongly advocated such a change. Those who had absorbed the earlier teachings of Comte and considered themselves positivists, and others who had imbibed the views of Michelet about the pernicious influence of the priests on women and familial relations, still had difficulties with the prospect of considering women as wholly autonomous individuals. Even so, they did not view women as necessarily inferior to men – just different – and most seemed sympathetic to pressing for significant reforms on women's behalf both in the Civil Code and in the Penal Code.

The Du Bourg Affair: Adultery, Divorce, and the Penal Code

“If women wrote the laws, would they permit such revolting measures?” So wrote the Toulouse law professor, Aimé Rodière, in 1874. He was referring particularly to the legal measures in the Penal Codes that outlawed *recherche de la paternité* (Article 340) and to the double standard of sexual morality embodied in the laws on adultery (Article 324).²⁷ In truth, the many sociopolitical restrictions that gravely handicapped women in the early republic were the products of laws and institutions inherited from the earlier monarchies, both of which were amenable to change by legislative action. But the moral issues cut more deeply and would prove more

²⁷ Aimé Rodière, *Les grands juriconsultes* (Toulouse: E. Privat, 1874), p. 507: “Si les femmes rédigeaient les lois, permettraient-elles des choses aussi révoltantes!” Rodière was professor of law at the law faculty of Toulouse. The American suffrage advocate Elizabeth Cady Stanton praised Rodière in her memoirs as a supporter of woman suffrage – he thought that women were perfectly capable of governing and that, in particular, it was ridiculous to exclude single adult women and widows who paid taxes from municipal suffrage.

difficult to resolve, and many of those were consequences of the highly discriminatory Penal Code. How the republicans would address these issues, as they scrambled for control of the government, remained to be seen.

One of the first intense and lengthy debates about these laws began not long before the June women's rights banquet, spurred by a case of male revenge – a crime of passion. The French law on adultery flagrantly embodied an unequivocal double moral standard. In the spring of 1872 a certain Arthur Leroy Du Bourg had murdered his wife and her lover (who happened to have been her husband's best friend). Had Du Bourg murdered her under his own roof, he would not have been prosecuted, according to Article 324 of the French Penal Code. As this was not the case, Du Bourg was taken to court and tried for murder; he was convicted, but got off with a sentence of five years in prison.²⁸

In the French Penal Code, a man convicted for keeping a concubine under the same roof as his wife was subject only to a stiff fine; if he kept the concubine next door – or across the street – the man could not be prosecuted. What was more, a husband who discovered his wife in *flagrante delicto* in their common home and killed her would not be brought to justice; he was within his "right." If he killed her under the roof of another man, he would be tried but more than likely would be acquitted (as several other men had been in recent months). By contrast, a wife who committed an act of vengeance against an unfaithful husband would be dealt with severely by the courts. A woman convicted of adultery could be imprisoned; not so the man.²⁹

Thus, the sensational trial of Monsieur Du Bourg, and the French public's amazement that he was actually convicted, brought to the surface many entangled issues about morals and punitive laws. It generated a new outburst of debate on the woman question, focused on the double standard of sexual morality. Women's rights activists uniformly viewed this event as one more example of the unjust prerogatives that men, especially as husbands, enjoyed under French law. Historian Odile Krakovitch calls these debates "the most formidable quarrel over women's rights that has ever taken place in France."³⁰

²⁸ The Du Bourg case is exhaustively documented in the works listed in n. 31.

²⁹ See Patricia Mainardi, *Husbands, Wives and Lovers: Marriage and Its Discontents in Nineteenth-Century France* (New Haven, CT: Yale University Press, 2003), pp. 14–19, for an excellent history of this law.

³⁰ See the detailed study of this debate in the articles cited earlier (n. 19) by Odile Krakovitch, "Misogynes et féministes, il y a cent ans," quote from the first installment, p. 85. For other

The airing of dirty laundry concerning love and sexual practices, coupled with the vehement protests over the many disadvantages women faced in the law, made it apparent that some men's much-vaunted dream state of "domesticity for women" had an unappetizing, potentially even violent underside. Committed republicans believed that measures must be taken to address this situation – and the sooner, the better. A number of concerns came together: the legal subordination of married women, the tragedies that could ensue when a couple had no possibility of divorce to end an unhappy marriage, the costs (psychological and financial) of extramarital sex and adultery, children born in or out of wedlock, problems of proving paternity for purposes of child support, and, not least, questions about property rights and inheritance. Traditionalists resisted change by arguing that the very future of "the family" was at stake. Reformers argued that this in-fact patriarchal family form, as embodied in the Civil and Penal Codes, which worked to men's great advantage, was extremely disadvantageous for women who married. In their view, both French laws and French morals had to change. But if women "make" the morals, it was indisputably the men who made the laws – and in the 1870s only they could change them.

Some might argue that this debate was really about the French defeat and the bloody Commune, as played out on the bodies and roles of women, but in my view these debates are squarely about the woman question, no doubt energized by the context and psychological consequences of those dramatic events. Many of these debates were even framed allusively in terms of "civilization" versus "barbarism" or even "savagery."

A lengthy and heated debate in print ensued between feminists, male and female, and those who upheld Du Bourg's right to take the life of his

brief accounts of the polemics provoked by the Du Bourg affair, see also Bidelman, *Pariahs Stand Up!* Claire Moses does not discuss this debate, nor does Ruth Harris in *Murders and Madness: Medicine, Law, and Society in the Fin de Siècle* (Oxford, UK: Clarendon Press, 1989), which is based on cases between 1880 and 1892 only (although the author does allude to it in passing on pp. 289–290). Joëlle Guillaud extensively documents the Du Bourg case in *Crimes of Passion: Dramas of Private Life in Nineteenth-Century France*, transl. Jane Dunnet (Oxford: Polity Press, 1990; orig. publ. in French, 1986), pp. 134–139. In her study *Breaking the Codes: Female Criminality in Fin-de-Siècle Paris* (Stanford, CA: Stanford University Press, 1996), Ann-Louise Shapiro makes much of Dumas fils' 1880 juxtaposition of *La femme qui tue et la femme qui vote*, but only briefly discusses his 1872 harangue *Tue-la!*, drawing on the articles by Krakovitch. In a more recent study of French sexual violence based on the court archives, *Gender and Justice: Violence, Intimacy, and Community in Fin-de-Siècle Paris* (Baltimore: Johns Hopkins University Press, 2010), Eliza Earle Ferguson reports (p. 233, n. 2) that for the Du Bourg case, "The trial dossier no longer exists in the archives of the Cour d'assises de la Seine," though a transcript of the proceedings can be consulted in the *Gazette des Tribunaux*, 15 June 1872.

adulterous wife.³¹ Henry d'Ideville, a friend of Dumas *fils*, first engaged the debate, arguing in *Le Soir* (15 May 1872) that the adulterous wife should be exonerated and divorce reestablished. He also critiqued the sexual double standard that allowed men free range before marriage, yet expected brides to be pure and sexually uninformed, and condemned unsuitable arranged marriages. Dumas *fils* then responded to d'Ideville in mid-July with *L'Homme-femme*, a rambling handbook of lacerating misogyny (but also not particularly complimentary to men), which he ended by invoking a wronged husband to defend his honor by killing an unfaithful wife: "TUE-LA!" Not incidentally, this is the publication in which Dumas *fils* appropriated the neologism "*les féministes*," which he used pejoratively, but which Hubertine Auclert would begin to use positively in the early 1880s.³² This publication, with its outrageous ending, quickly achieved best-seller status (50,000 copies sold in less than three weeks, according to Krakovitch; it was still in print in a forty-fifth edition in 1899) and spawned a public debate that continued for months. Bottom line: in Dumas *fils*'s view, women were inferior, yet cunning beings who must therefore be controlled by masculine power.

Shortly thereafter, also in mid-July, Ideville published *L'homme qui tue et l'homme qui pardonne*, prefaced by a letter to Dumas *fils*, and reprinting Ideville's earlier articles, elaborating his case for forgiving an unhappy adulterous wife and blaming adulterous husbands severely – on the grounds that they should exercise more responsibility. D'Ideville damned the law that permitted husbands to kill unfaithful wives with impunity under certain conditions as "barbarous." As this suggests, some French men were far more sympathetic to the woes of wives than were others.

³¹ See Henry d'Ideville, *L'Homme qui tue et l'homme qui pardonne* (Paris: E. Dentu, 1872), orig. publ. in *Le Soir*, 15 May 1872, followed by Alexandre Dumas *fils*, *L'Homme-femme: Réponse à M. Henri d'Ideville* (Paris: Michel Lévy, 1872). Dumas *fils*' tract also appeared in English translation: *Man-Woman; or The Temple, the Hearth, the Street*, transl. and ed. by George Vandenhoff (Philadelphia & New York: n.p., 1873). Other significant responses in this debate include: Émile de Girardin, *L'Homme et la femme – L'homme suzerain, la femme vassale – Lettre à M. A. Dumas fils . . . La liberté dans le mariage par l'égalité des enfants devant la mère* (Paris: M. Lévy, 1872); Maria Deraismes, *Eve contre Dumas fils; réponse à l'homme-femme de Dumas fils* (Paris: E. Dentu, 1872); A. Cool, *La Femme et l'homme, réponse à M. Alexandre Dumas* (Paris: Paul Daffis, 1872); and [Anon.] *La Femme-homme. Mariage - adultère - divorce. Réponse d'une femme à M. Alex. Dumas fils* (Paris: E. Dentu, 1872). Also Hermance Lesguillon, *L'Homme, réponse à M. Alexandre Dumas fils* (Paris: Tresse, 1872); and R. M., *Allez et ne péchez plus! Solutions proposées à M. Alexandre Dumas fils*, pamphlet (Paris: L. Hurtau, 1872). Krakovitch lists a number of other responses, thirty-three in total.

³² See Karen Offen, "On the French Origin of the Words Feminism and Feminist," *Feminist Issues*, 8:2 (Fall 1988), 47. Dumas *fils* used the word "féministes" on p. 91 of *L'Homme-femme*. In the American translation of Dumas *fils*' *Man-Woman* (1873; cited previously), this term "féministes" was translated as "feminists."

The legendary journalist Émile de Girardin (1806–1881), another friend of women's emancipation, published a lengthy book, replying to both Dumas *fiils* and d'Ideville; he challenged Dumas *fiils* by insisting that men's superiority over women is man-made, not divinely ordained.³³ Both man and woman, in his eyes, are independent beings with similar needs but different functions. Women required opportunities to exercise responsibility – for their children and for their property. “A woman without direct responsibility is like a ship without ballast parting for a long journey . . . destined for shipwreck.”³⁴ Girardin argued that the logical conclusion of Dumas's presentation would have been a call for the legalization of civil divorce; instead the playwright had offered a sermon. Murder, he asserted, is an “ending,” not a “solution”. In fact, Girardin claimed, the state should not be involved in questions of marriage at all; all children should be equal before their mothers (a radical approach he had already proposed in 1852) – which would, in his view, neatly resolve the “problem” of illegitimacy – and render paternity suits unnecessary.³⁵

Over thirty participants contributed to these debates, and their publications have been analyzed in some detail by Krakovitch. For instance, a certain A. de Cool rose to the defense of women, whom he argued were by no means created inferior to men. A breviary for “equality-in-difference” (in de Cool's phraseology, “*égaux quoique dissemblables*”), he insisted that French society had caused the problems by depriving women of any means of action, which led to their increasing oppression and weakness. In addition to critiques of the Civil Code, contributors broached every possible related topic, from women's maternal “role” and the education of girls to women's employment and the vote. Opponents of change dredged up and rehearsed the long litany of arguments against women's rights and emancipation: Biblical authority, Greek philosophy, Catholic theology, biomedical assertions, prescriptions for separate spheres, physical force, Proudhonian calculus of inferiority, and so forth. One contributor who signed only as “une femme” (Krakovitch has identified this author as a male lawyer from Aix-en-Provence, writing under a female pseudonym) charged Dumas *fiils* with cultivating immorality and through his plays especially giving French women a bad name; “she” handed Dumas *fiils* a

³³ Girardin, *L'Homme et la femme*, p. 11. ³⁴ Girardin, *L'Homme et la femme*; quotation, pp. 67–68.

³⁵ Girardin, *L'Homme et la femme*; quotation, p. 22. It should be recognized that De Girardin was not afraid of intelligent, gifted women. Following the death of his first wife, the celebrated writer Delphine Gay de Girardin, he courted the widowed Juliette Lambert Lamessine before she linked up with Edmond Adam. He was also a friend of Maria Deraismes.

backhanded compliment of having such talent with words that even what was false could seem true.

Women critics joined in this war of words fostered by the Du Bourg case. One contributor, the well-established writer Hermance Lesguillon (1812–1882), framed her critique as the debate of a group of women assembled in a salon to critique the arguments of Dumas *fils* as well as the laws of marriage in the Civil Code. The gathering (and the book) ends abruptly when a young woman, bursting into the room with her mother, announces that she has called off her wedding – because her husband-to-be had told her he approved of Dumas’s ending – Kill her!³⁶ Implied in Lesguillon’s not-so-subtle finale was the assertion that the lack of justice for wives in the laws of marriage could (and should) lead some women to refuse to marry.

Deraismes had already critiqued Dumas *fils* in early 1870, taking issue with his preface to *L’Ami des femmes*.³⁷ Their sparring in print would continue through the decade, but in *Eve contre Dumas fils* (1872), she struck boldly and with precision, dismantling his arguments and attacking him for propagating “immorality.” She challenged his ethnological and physiological arguments for women’s inferiority, riposting that Nature is not as stupid as men are concerning women’s temperament and passions. Again she developed the connection between women and the success of the Republic. “The right(s) of women,” she argued, “seem intimately linked to the fortune(s) of the Republic. It is assuredly a logical and necessary result of the principle of democracy, and the democrats who reject it are out of their minds, for they deny their own doctrines. The work of liberating half of humanity is, like the Republic, on its third try; it was tried in 1789, in 1848 and (again) today.”³⁸

³⁶ Eliza Earle Ferguson has nicely synthesized Lesguillon’s critique; see her book, *Gender and Justice*, p. 129. Lesguillon, who has been identified as a member of the Club des femmes of 1848, was a prolific writer whose first work, *Les Femmes dans cent ans: manuscrit de la princesse Hélène* (Paris: A de Vresse, 1859), envisions the building of a community of women; she deliberately presented a woman’s perspective. On Lesguillon, see David Berry, “Hermance Lesguillon (1812–1882): The Diversity of French Feminism in the Nineteenth Century,” *French History*, 13:4 (1999), 381–416.

³⁷ Deraismes’s article, “Une préface de M. Alexandre Dumas fils,” originally published in *Le Droit des Femmes*, n° 47 (19 March 1870), was translated into English by Ida Frances Leggett and published as “A. Dumas, Jr., on Woman’s Equality,” in Stanton & Anthony’s *The Revolution*, vol. 5, n° 16 (21 April 1870).

³⁸ See Maria Deraismes, *Eve contre Dumas fils; Réponse à l’Homme-Femme de Dumas fils* (Paris: E. Dentu 1872); as reproduced in vol. 2 of her *Oeuvres complètes*, pp. 187–222; quote, p. 222. In French: “Le droit des femmes paraît intimement lié à la fortune de la République. Il est certainement une résultante logique et nécessaire au principe de démocratie, et les démocrates qui le rejettent ne sont que des insensés, car ils démentent leurs doctrines.”

Léon Richer similarly grounded his arguments in history and in current events. In his publication *La Femme libre* (1877), he would assert that France's recovery from the German defeat necessitated women's emancipation; the republicans must therefore carry out a comprehensive program of reforms in order to attach women to the new regime. The republic, he insisted, would never be truly consolidated if women remained hostile to it. As he catalogued the disabilities of wives in the Civil Code, with respect to their children and to money and property management, Richer continually juxtaposed the terms "servitude" and "liberty": "woman is a serf . . . a vassal."³⁹ The law always gave the last word to the husband. This situation must change.

Challenging the Civil Code: The International Congress on Women's Rights, Paris, 1878

With the Paris International Exposition of 1878 came a splendid opportunity to promote the republicans' platform for legal changes in the status of women. Following a series of setbacks during the preceding government of "moral order," Léon Richer and Maria Deraismes joined forces to convene the first international congress on women's rights (which they had originally planned for 1873). The gathering attracted a cluster of French republican political dignitaries (male) as well as interested women and men from eleven other nations in Europe and North America. This congress marked a new stage in the development of a truly transnational network among women's rights activists as well as raising the visibility of women's issues on the home front. Sessions took place in the Masonic Hall (rue Cadet) over a two-week period beginning in late July. The congress organizers divided the agenda into five sections: historical, educational, economic, moral, and legislative.

In her welcome speech to the French attendees and foreign visitors, Maria Deraismes proudly (though briefly) reclaimed the revolutionary heritage of 1789, 1830, and 1848 for women. "The right of women," she asserted, "is the corollary of the right of peoples."⁴⁰ Despite the organizers' deliberate decision to ban discussion of woman suffrage (of which more below), the congress did address many other controversial topics including government-regulated prostitution and the double moral standard, equal

³⁹ Léon Richer, *La Femme libre* (Paris: E. Dentu, 1877); a translated excerpt is in *WFF*, vol. 1, doc. 124.

⁴⁰ Deraismes, in *Congrès international du droit des femmes. Ouvert à Paris, le 25 juillet 1878, clos le 9 août suivant. Actes et Compte-rendu des séances plénières* (Paris: Aug. Ghio, c. 1878), pp. 14–15; quote, p. 14.

pay for equal work, the politics of housework, government subsidies for mothers, unionization, and the relation of war to women's subordination. The published proceedings of this first congress were widely distributed and can still be read with interest today.

Historians Patrick Kay Bidelman, Claire Goldberg Moses, as well as Laurence Klejman and Florence Rochefort have provided some coverage of this congress, of which the latter two, in their joint book, *L'Égalité en marche*, have remarked that it was no longer merely a question of improving the Civil Code but of understanding "oppression" as "an international reality that demanded a globally-organized effort."⁴¹ The congress's resolutions were nothing short of radical – there was nothing "conservative" about its agenda.⁴² The resolutions called for the demolition of the French system of government-regulated prostitution (an issue brought to the fore by Josephine Butler's campaigns in England against the Contagious Disease Acts and subsequently, the launching in Switzerland of the British, Continental, and General Federation against the State Regulation of Vice). In the name of women's equality to men in "natural law," the resolutions of the section on legislation included a call for a major overhaul of the entire body of civil legislation, the reestablishment of divorce, equalization in the laws governing adultery, a law on seduction, the right of *recherche de la paternité*, and abolition of the morals police.⁴³

Some of these concerns also featured in the resolutions of the section on morals, which, among other things, opposed forced celibacy for (noncommissioned) soldiers. Following an exchange between one woman, who saw no problem with wives being supported by their husbands, and Richer, the latter stated categorically that "there are only two ways for a poor woman to support herself: by remunerative work or by trafficking her body." The congress's economic section insisted that "every woman whose means of living make her dependent on a man is not free," and called for the right to work as well as the recognition of the economic value of household work.⁴⁴

⁴¹ Bidelman, *Pariahs Stand Up!*, pp. 99–105; Moses, *French Feminism*, pp. 207–209; Laurence Klejman & Florence Rochefort, *L'Égalité en marche: Le Féminisme sous la Troisième République* (Paris: Presses de la Fondation Nationale des Sciences Politiques/des femmes), pp. 54–56: quote p. 54. See the account by E[ugénie] Pierre in *Solidarité*, n° 17 (December 1878), 7–9. An in-depth study of this congress (particularly with regard to its reception in the French and international press) is greatly needed. Of particular importance for the French press would be the accounts in *Le Rappel* and *Le Devoir*.

⁴² See the able summary of the resolutions in Moses, *French Feminism*, pp. 207–208.

⁴³ *Congrès international du droit des femmes. . . 1878*, pp. 211–213; see the English translation in Bidelman, reprinted in *WFF*, vol. 1, doc. 125.

⁴⁴ See Richer's speech, *Congrès international du droit des femmes. . . 1878*, pp. 71–72. He had developed these arguments earlier in *La Femme libre* (1877).

These so-called liberal feminists were, in fact, very radical when it came to proposing legal changes that would improve the moral state of the nation by effectively mandating sexual equality in the family and in society. Feminists are still making these arguments today, particularly with respect to economics. Nevertheless, belief in the male breadwinner philosophy as articulated by Jean-Baptiste Say and others in the early 1800s, and the consequent devaluation of housework, has proved very difficult to dislodge.

The call for the reinstatement of civil divorce, the end to the double standard pertaining to adultery, and *recherche de la paternité* were among the most important legal demands put forward by the 1878 Congress. The legalization of divorce was at the top of the republicans' list of essential reforms. Although Napoléon I had established a limited form of civil divorce in France (after overturning the original, expansive 1792 divorce law) it had been prohibited once again in 1816, under the Restoration. From that date on, the only legal redress available to an unhappy or mistreated spouse was the juridical half-solution known as *séparation des corps*, in which husband and wife lived apart, but in which the husband still retained the bulk of his authority over property and the wife had to seek his permission (or that of a court) to engage in any business and financial transactions. Neither spouse could remarry. Thus the reestablishment of civil divorce became a high priority for radical republicans and feminists, in the name of individual liberty (if not the right to happiness). It was part and parcel of the republicans' anticlerical stance, insofar as they considered civil divorce to be the essential corollary of civil marriage.⁴⁵ Needless to say, both civil marriage and civil divorce were anathema to the French Catholic establishment and to many practicing Catholics. As historian Theresa McBride has reminded us, the campaign for divorce was a deliberate effort to change a nationally applicable law; thus it differed from other subsequent social welfare measures insofar as it was not an experimental reform pretested in other private settings.⁴⁶

⁴⁵ Republican publications advocating divorce included: Léon Richer, *Le Divorce, projet de loi précédé d'un exposé des motifs et suivi des principaux documents officiels se rattachant à la question, . . . avec une lettre-préface par Louis Blanc* (Paris: Le Chevalier, 1873); Alfred Naquet, *Le Divorce* (Paris: E. Dentu, 1877; 2nd ed., 1881), and Alexandre Dumas fils, *La Question du divorce* (Paris: C. Lévy, 1880). Following passage of the 1884 law, see Léon Giraud, *La Femme et la nouvelle loi sur la divorce* (Paris: A. Durand, 1885; offprint from *La France judiciaire*), and Alfred Naquet's retrospective, *La Loi du divorce* (Paris: E. Fasquelle, 1903).

⁴⁶ See Theresa McBride, "Public Authority and Private Lives: Divorce After the French Revolution," *French Historical Studies*, 17:3 (Spring 1992), 747–768, and Theresa McBride, "Divorce and the Republican Family," in *Gender and the Politics of Social Reform in France, 1870–1914*, ed. Elinor A.

To amend the Civil Code would require a legislative majority in the Chamber of Deputies and in the Senate.

Partisans of civil divorce had tried and failed repeatedly to change the law, both in the legislatures of the early 1830s and again in 1848.⁴⁷ By the end of the first decade of the Third Republic, though, unhappy couples still could find no escape from marital difficulties through divorce. But republicans could not agree about whether a new law should reflect the broad approach of the divorce law of 1792 or the more constricted measure embedded in the Civil Code of 1804.

Léon Richer had been arguing for the restoration of civil divorce for years.⁴⁸ Others who advocated civil divorce and major changes in the law codes included the young physician Louis Fiaux (1847–1936), who would play an important role in the campaigns against regulated prostitution (which will be discussed later). But it was Richer's colleague Alfred Naquet who led the legislative campaign, arguing that civil divorce was the touchstone of liberty. In fact, in his youth Naquet had come out in opposition to state jurisdiction over marriage per se, favoring "*union libre*." His book, *Religion, propriété, famille*, which had appeared in early 1869, earned him a conviction by the imperial government for "outraging morals."⁴⁹ After participating in the Government of National Defense and getting elected to the National Assembly and then to the Chamber of Deputies, in 1876 he submitted his first private bill to authorize divorce, which did not meet with approval.

Naquet, who still preferred the more expansive 1792 approach to divorce, tried again with a narrower bill in 1882, and finally succeeded in getting the Chamber and Senate to discuss it. After lengthy debates in the

Accampo, Rachel G. Fuchs, & Mary Lynn Stewart (Baltimore: Johns Hopkins University Press, 1995), pp. 59–81. An important earlier study is Jacques Desforges, "La Loi Naquet," pp. 103–110, in *Renouveau des idées sur la famille*, ed. Robert Prigent. Institut national d'études démographiques. Travaux et documents, cahier n° 18 (Paris: Presses Universitaires de France, 1994). Desforges takes a skeptical view of the individual freedom arguments put forward by divorce enthusiasts, preferring the constraints of the 1884 law.

⁴⁷ See Francis Ronsin, *Les Divorçaires: Affrontements politiques et conceptions du mariage dans la France du XIXe siècle* (Paris: Aubier, 1992), and for 1848 especially, William Fortescue, "Divorce Debated and Deferred: The French Debate on Divorce and the Failure of the Crémieux Divorce Bill in 1848," *French History*, 7:2 (1993), 137–162. For the earlier period to the Restoration, see Francis Ronsin, *Le Contrat sentimental: Débats sur le mariage, l'amour, le divorce, de l'Ancien Régime à la Restauration* (Paris: Aubier, 1990), and Roderick Phillips's sweeping survey, *Putting Asunder: A History of Divorce in Western Society* (Cambridge, UK: Cambridge University Press, 1988).

⁴⁸ Richer, *Divorce* (1873); see n. 45.

⁴⁹ Alfred Naquet, *Religion, propriété, famille* (Paris: chez tous les librairies, 1869). A third edition appeared in Brussels in 1877, and was reprinted again in 1879 in anticipation of Naquet's next round of legislative divorce campaigns.

two houses, in which a variety of republicans expressed their enthusiasm, reservations, and sometimes outright disagreements, they did come together in favor of the more restrictive approach of the early Civil Code. Naquet believed that this was all that could be obtained in current circumstances.⁵⁰ Certainly it was better than nothing – a step in the direction of free choice. Significantly, in 1884, the French chambers “dropped the distinction between male and female adultery which had been a fundamental aspect of the [1804] Code’s approach to divorce,” but this distinction stayed in place with respect to “grounds for legal separation.”⁵¹

***Recherche de la Paternité* and the Linked Problems of Child Abandonment and Infanticide**

The Civil and Penal Codes contained other elements that severely handicapped women in their relationships to men, particularly with regard to sexual relations and the children born from these relations. The problem known by the pejorative label “illegitimacy” or the kinder term “natural children” is one of long standing in the attempts of men in Western societies to regulate sexual behavior generally and, in particular, to control female sexuality and reproduction. For centuries French governments had been deeply engaged in such regulation.

One of the most egregious offenders was Article 340 of the Civil Code, a post-revolutionary Napoleonic “solution” that stands out for its extreme arbitrariness. This article decreed that within a marriage, the husband was the presumed father of any child born to his wife. Outside marriage, children were simply not supposed to be produced – or if they were, too bad for them! The fathers bore no legal responsibility for such children. The Code prohibited paternity suits (*recherche de la paternité*) or legal actions by single mothers against the men who had made them pregnant outside marriage. This did not stop some single mothers from bringing suit for (and sometimes gaining) child support against putative fathers in French courts, as historian Rachel Fuchs has revealed.⁵²

Scholars of comparative law have been quick to point out that the provisions of Article 340 were not only peculiar to nineteenth-century

⁵⁰ Ronsin provides an excellent account of these debates in *Les Divorçaires*, part II: “Alfred Naquet et le rétablissement du divorce.”

⁵¹ McBride, “Divorce and the Republican Family,” p. 65.

⁵² See the prize-winning study of Rachel Ginnis Fuchs, *Contested Paternity: Constructing Families in Modern France* (Baltimore: Johns Hopkins University Press, 2008).

France but that, also, they ran counter both to canon law and to the customary law of the *ancien régime*. There was, however, a simple explanation for this anomaly: like other restrictive articles of the Civil Code, Article 340 had been instituted at the express wish of Napoléon I, who intended to fortify the “legitimate family,” that is, the male-headed, hierarchical family as established through the new national civil laws on marriage. Such a legal prohibition against paternity suits was unknown in any other Western country.⁵³ It would have serious unintended consequences.

The obvious difficulties inherent in this situation for unmarried mothers and their babies were compounded by the fact that formal adoption of such babies by other families was simply not legal in France.⁵⁴ Given the increasingly precarious economic circumstances in which such single women found themselves, particularly in the rapidly growing cities of nineteenth-century France, it is not surprising that some might contemplate abortion or infanticide (if not suicide). For the children of poor mothers, even those who were not surreptitiously “disposed of,” infant mortality figures were extremely high. Nor is it surprising that thousands of new mothers would abandon their babies at birth or shortly thereafter.⁵⁵

Infanticide, though probably not frequent, was a solution of last resort for most women, most of them among the single poor, but it had long preoccupied French lawmakers. As was explained in my earlier volume, in the mid-sixteenth century, King Henri II had defined infanticide as a capital crime. This king’s edict further required formal written declarations of pregnancy (*déclarations de grossesse*) by unmarried women, a practice that survived well into the nineteenth century in some areas of France. Such declarations were intended both to publicly shame unmarried mothers and to protect the lives of their babies by making their pending arrival public knowledge. Scholars have since recovered and analyzed the sporadic runs of these records, attempting to better

⁵³ X. Torau-Bayle, “Enfants naturels, dépopulation et paternité,” *Revue Politique et Parlementaire* (August 1902), 317.

⁵⁴ See Nelly Schargo Hoyt & Rhoda Métraux, “The Family in the French Civil Code: ‘Adoption and the tutelle officieuse,’” in *Themes in French Culture*, ed. Margaret Mead & Rhoda Métraux (Stanford, CA: Stanford University Press, 1954), pp. 69–88.

⁵⁵ See the pioneering work of Rachel Ginnis Fuchs on foundlings and unmarried mothers in *Abandoned Children: Foundlings and Child Welfare in Nineteenth-Century France* (Albany, NY: SUNY Press, 1984), and *Poor and Pregnant in Paris: Strategies for Survival in the Nineteenth Century* (New Brunswick, NJ: Rutgers University Press, 1992). See also her *Contested Paternity* (cited in n. 50).

assess the changing conditions that contributed to rising illegitimacy rates during the later eighteenth century.⁵⁶

Attempts by the revolutionary governments to mitigate the harshness of laws concerning illegitimacy (which fueled the practices of infanticide and abandonment) were astonishingly farsighted. A law of 28 June 1793 had established a government allotment to unmarried mothers to assist them financially so that they could keep their babies. This measure set a controversial precedent, but failed to achieve lasting change.⁵⁷ Again under Napoléon I, the Penal Code of 1810 reinstated the death penalty for women convicted of infanticide; the Code punished abandonment less severely but this act nevertheless remained subject to prosecution. Continued state concern with what we now call “human rights” issues fostered the new academic specialty of forensic or legal medicine, in which doctors offered expert testimony in court cases and developed a body of theoretical literature.⁵⁸ Meanwhile Napoléon I had authorized (Imperial decree of 19 January 1811) the establishment in the towns and cities of foundling hospitals, which would receive unwanted infants through a revolving turnstile, or *tour*, with the goal of raising them to maturity under public auspices.⁵⁹

The *tour* experiment proved controversial, expensive, and only minimally successful. Some estimates suggested that one out of every thirty babies born each year was abandoned. In 1846 the social critic Alphonse Esquiros had claimed that in Paris alone, between 1816 and 1835, over 100,000 babies had passed through the *Enfants Trouvés*.⁶⁰ Esquiros blamed midwives for

⁵⁶ See, for an institutional overview, Marie-Claude Phan, “Les Déclarations de grossesse en France (XVIe-XVIIIe siècles): Essai institutionnel,” *Revue d'Histoire Moderne et Contemporaine*, 22:1 (January–March 1975), 61–88. Cissie Fairchilds studied the records of these pregnancy declarations in Aix-en-Provence, and other scholars based in France have investigated the records in other areas. See Fairchilds, “Female Sexual Attitudes and the Rise of Illegitimacy: A Case Study,” *Journal of Interdisciplinary History*, 8:4 (Spring 1978), 627–667, and the subsequent exchange in the same journal between Fairchilds and Jean-Louis Flandrin.

⁵⁷ For this legislation, see Crane Brinton, *French Revolutionary Legislation on Illegitimacy* (Cambridge, MA: Harvard University Press, 1936), and Laurence Boudouard & Florence Bellivier, “Des droits pour les bâtards, l'enfant naturel dans les débats révolutionnaires,” in *La Famille, la loi, l'État: de la Révolution au Code civil*, ed. Irène Théry & Christian Biet (Paris: Centre Georges Pompidou/Imprimerie Nationale, 1989), pp. 122–144.

⁵⁸ June K. Burton, “Human Rights Issues Affecting Women in Napoleonic Legal Medicine Textbooks,” *History of European Ideas*, 8:4–5 (1987), 427–434. See also her book, *Napoléon and the Woman Question: Discourses of the Other Sex in French Education, Medicine, and Medical Law, 1799–1815* (Lubbock: Texas Tech University Press, 2007), chapter 7.

⁵⁹ The government closed the *tours* in 1846.

⁶⁰ Alphonse Esquiros, “Les Enfants [sic] trouvés,” *Revue des Deux Mondes*, 15 January 1846 (211–242) & 15 March 1846 (1007–1044). This lengthy exploration of the problem of the *tours* (which had just been closed) and the putting out of unwanted babies is remarkable for its thoroughness and also for

colluding with unwed mothers in carrying out infant abandonments.⁶¹ That same year (1846), after much debate, many of the *tours* that were funded by the national government were closed. The practical result of this new situation, which provided no alternative solutions for unfortunate mothers and babies, was effectively to condemn to early death many of the children born out of wedlock each year in France. This was not an insignificant number; the illegitimacy rates in major French cities ran to from 30 percent to 50 percent of all registered births, as pregnant women came to seek delivery in the anonymity of urban settings.⁶² In 1870 Émile Acollas would quote official figures for the years 1858–1860, showing that children born out of wedlock in France then comprised over 7 percent of the total born; about two-thirds of these babies were never legally recognized (presented to the mayor's office for registration) either by their fathers or their mothers.⁶³ Republican reformers like Acollas would single out Article 340 as a Bonapartist invention – unjustly penalizing the innocent.

The picture was particularly grim for the babies who had not been formally “recognized” or registered or who had been abandoned to the *tours*. Those who survived were relegated to a sort of legal nonpersonhood as adults. Those whose births had been declared for the *état-civil*, but with “*père inconnu*” as father, carried a comparable social stigma throughout their lives. Since the mothers of such children had no legal possibility for obtaining any financial support from the fathers for the maintenance of a child, however much they might appeal to their charity (although some in fact did go to court, as Fuchs has shown in her study of judicial case law),

its humane perspective. Esquiros proposed a cluster of alternative solutions: state subsidies to mothers who keep their babies (as envisioned in 1793), *recherche de la paternité*, and moral support from women in the *Sociétés de Charité maternelles*. On these latter associations and their work, see Christine Adams, *Poverty, Charity, and Motherhood: Maternal Societies in Nineteenth-Century France* (Urbana: University of Illinois Press, 2010). On the general problem, see Angela Taeger, “L'État, les enfants trouvés et les allocations familiales en France, XIXe, XXe siècles,” *Francia*, 16:3 (1989), 15–33.

⁶¹ See Esquiros, pp. 215, 225 for these figures, and more generally, Rachel Fuchs, *Abandoned Children*.
⁶² In his article, “Illegitimacy, Sexual Revolution, and Social Change in Modern Europe,” *Journal of Interdisciplinary History*, 2:2 (Autumn 1971), 237–272, Edward Shorter gives the rates for illegitimacy in France's three major cities (Paris, Lyon, and Bordeaux) as 30 to 50% of all births (see esp. his graphs on pp. 265–267).

⁶³ Émile Acollas, *Le Droit de l'enfant; l'enfant né hors mariage* (orig. publ. in Paris: Sausset, 1865; 2nd ed., Paris: G. Baillière, 1870), p. 149 in 2nd ed. For earlier analyses, see P.-M. Rozier, *De la Condition sociale des femmes, du taux de leurs salaires, et de la recherche de la paternité à l'occasion des enfants trouvés, suivis de considérations sur les établissements de secours et l'aptitude des femmes à l'exercice de la médecine, avec une notice sur la régence des femmes, et lettres diverses* (2nd ed., Paris: Impr. J. Juteau, 1842) and the two articles by Esquiros (1846), cited in n. 60.

reformers alleged that these mothers were inevitably forced into prostitution in order to earn enough to keep themselves and their babies alive. Thus had the first Napoléon and the framers of the Codes contributed, albeit inadvertently, to the creation of a virtual caste of pariahs, numbering in the tens, even hundreds of thousands, under the guise of protecting the legitimate family.⁶⁴

French children continued to be born out of wedlock, despite the best efforts of the reformers. In fact the situation worsened during the early Third Republic. Victor Schoelcher, who was by the late 1870s a senator for life, pushed for *recherche de la paternité*, publishing articles in *L'Avenir des Femmes* and its rechristened successor *Le Droit des Femmes*, from 1878 through 1885. Along with Senator René Bérenger, he proposed the legalization of paternity suits in the Senate in 1878; in the Chamber of Deputies in 1883, Gustave Rivet, author of the play *Le Châtiment* (1879), became its champion.

Republican reformers could not agree on the best approach. From 1878 through early 1879 Léon Richer published a series of public letters to Schoelcher on the "*paternité*" question, criticizing Schoelcher's bill and stating his opposition to restoring the *tours*.⁶⁵ Feminists like Léonie Rouzade invoked the precedent of 1793, and began to campaign for state subsidies for all mothers, to remove them from dependence on fathers or any other man. Even Jeanne Deroin (the first French woman to campaign for office in 1849, now in exile in England) joined the public debate in France. Taking on Richer, she argued for bringing back the *tours* and raising abandoned children communally.⁶⁶ Dumas *filis* also supported this position.

⁶⁴ On the social problems connected with illegitimate birth, including prostitution, see the publications of Jules Simon, Julie-Victoire Daubié, Émile Acollas, and also Émile de Girardin, *La Liberté dans le mariage par l'égalité des enfants devant la mère* (1852); reprinted in appendix to *L'Homme et la femme*, cited in n. 31. See also the later works by Maria Deraismes, "Les Droits de l'enfant" (1887) in her *Oeuvres complètes*, vol. 2; Léon Giraud, *La Vérité sur la recherche de paternité* (1888); and Gustave Rivet, *La Recherche de paternité* (3rd ed., 1890). A brief summary in English by Giraud is also provided in Stanton, *The Woman Question*, pp. 256–258. For a discussion of the jurisprudence with regard to paternal support, see Torau-Bayle, "Enfants naturels, dépopulation et paternité," (cited in n. 53).

⁶⁵ The series begins in the fall of 1878 and continues into 1879: see *Le Droit des Femmes*, n° 170 (January 1879; 6th letter); n° 171 (February 1879; 7th letter); n° 172 (March 1879; 8th letter); n° 173 (April 1879; 9th & last letter). Richer returns to this subject in 1883–1884 (series of letters to M. Achard, deputy). Additional articles on the subject of *recherche de la paternité* would appear in the issues for March & April 1890.

⁶⁶ *Le Droit des Femmes* would publish sporadic letters from Jeanne Deroin in the 1880s. See n° 225 (5 August 1883), n° 226 (2 September 1883), n° 227 (7 October 1883), and n° 228 (4 November 1883); also n° 280 (15 August 1886), n° 319 (1 April 1888), n° 385 (4 January 1891), & n° 388 (15 February 1891). In contrast to Deroin, Richer thought that it would be preferable to honor maternity; he viewed the *tours* as tombs.

Republican partisans of abolishing the prohibition against *recherche de la paternité* would make little headway before the early twentieth century. In 1890 Rivet would publish his long book, *La Recherche de la paternité*, which called for passage of a "law of responsibility." Commenting on Rivet's book, Auclert's *La Citoyenne* (n° 162, September 1890) would reproach Rivet for not pursuing the measure energetically from 1883 on, alleging that the "*classe dirigeante*" would prefer to smother this reform. Of the 75,000 children born out of wedlock in France every year, she indicated, only around 5,000 were recognized by their fathers. Still the resistance of legislators to considering the reinstatement of *recherche de la paternité* remained fierce.

Thanks to the efforts of new republican advocates, notably the socialist deputy Marcel Sembat, the legislature would finally, though only partially, reform this law in 1912 (as we will see in Chapter 11). By allowing women to bring suit only against unmarried men, however, the majority of deputies would effectively shield philandering married men, all in the name of "protecting" the family. Fundamental reform, which would fully empower single mothers and equalize the status of children born out of wedlock with those born within, would not come about until 1972.⁶⁷ But this is getting ahead of our story. The significant fact is that in the 1870s and 1880s even the most progressive republican legislators still hesitated to undercut male prerogatives by holding men responsible for the consequences of their sexual misdeeds.

Votes for Women: A "Radical" Demand in the 1870s and 1880s

The term "radical" on the spectrum of women's rights came to apply specifically to those who demanded full woman suffrage, namely that the so-called universal manhood suffrage of the Third Republic become *truly* universal by incorporating all adult women. And, indeed, the story of the refusal of the congress organizers to put the suffrage question on the agenda of the International Women's Rights Congress of 1878 is well known; both Maria Deraismes and Léon Richer viewed this claim as "premature." Their refusal provoked strenuous objections from one young associate, Hubertine Auclert (1848–1914), who insisted that political rights for women must necessarily be the first and foremost goal under the new French Third Republic.

⁶⁷ *L'Express*, 20 August 1972.

In a subsequent pamphlet that published her undelivered speech of 1878, *Le Droit politique des femmes, question qui n'est pas traitée au Congrès international des femmes* [The Political Right(s) of Women, A Question That Is Not Treated at the International Congress of Women, 1878], Auclert denounced her erstwhile colleagues as cowardly. Invoking the history of women's participation in the early years of the French Revolution and quoting such advocates of women's political rights as Condorcet, she dismissed as irrelevant arguments against women's political participation based on their ostensibly weaker physical strength. Intelligence and thoughtfulness were what counted, and women, Auclert claimed, had those qualities in abundance. Like Deraismes in earlier times, Auclert found historical precedents useful for shaming these seemingly recalcitrant republicans.

Addressing the ladies in her audience, she astutely pointed to all the practical reasons why French women – all 9 million of them – should be able to cast their ballots: “We must remind ourselves that the weapon of the vote will be for us, just as it is for man, the only means of obtaining the reforms we desire. As long as we remain excluded from civic life, men will attend to their own interests rather than to ours. . . . The laws will be made against us, and the least possible amount of money will be spent on our behalf.”⁶⁸ Women should be allowed to vote, just as they are required to pay taxes. Their views, she argued, must be represented in decisions about how government monies are allocated.⁶⁹

In nineteenth-century France, just as in the few other democratizing Western nations (notably the Swiss confederation and the United States, until enfranchisement of women in New Zealand in 1893 and, in Europe, enfranchisement of all women and men together in Finland in 1906), the vote based on the individual and not on property qualifications had become the penultimate symbol of manly status, the primal token of social and political power, the apex of the vision of “equality.”⁷⁰ For some men

⁶⁸ Hubertine Auclert, *Le Droit politique des femmes, question qui n'est pas traitée au Congrès international des femmes* (Paris: Impr. L. Hugonis, 1878), as transl. by KO, in *WFF*, vol. I, doc. 142; quotes, p. 515. René Viviani would elegantly restate Auclert's argument in 1900 (see Part II, Chapter 8, in this volume). On Auclert, see Steven C. Hause, *Hubertine Auclert: The French Suffragette* (New Haven, CT: Yale University Press, 1987). A selection of Auclert's articles from this period have been republished in *Hubertine Auclert: La Citoyenne, articles de 1881 à 1891*, ed. Édith Taïeb (Paris: Syros, 1982), and in Steven C. Hause, ed., with preface by Geneviève Fraisse, *Hubertine Auclert: Pionnière du féminisme* (Saint-Pourcain-sur-Sioule: Bleu Autour, 2007).

⁶⁹ Auclert, *Droit politique des femmes*, . . . Quote, as transl. in *WFF*, vol. I, doc. 142, p. 515.

⁷⁰ See *The Woman Question in France*, chapter 2: “Assessing the Problem of Women and Political Authority in French History.”

who, from 1848 on, took this privilege seriously as a prerogative of manhood, women's quest for suffrage amounted to a direct assault on the symbolic marker of masculine authority. Thus, the context for debating women's suffrage in France, already very particular, would be emotionally as well as ideologically charged during the early Third Republic. No one could plead ignorance concerning the issue at hand: the recent British suffrage campaigns (including John Stuart Mill's introduction of a woman suffrage bill in Parliament in 1867) were well known in France, thanks to women journalists such as Clarisse Coignet and republicans such as Jules Favre.⁷¹ Although the British Parliament had denied women the parliamentary vote in 1869, it had enfranchised single adult women property owners to vote and run for office at the municipal level.

Following the death of Julie-Victoire Daubié, who had advocated the vote for single adult women – as well as full economic opportunities for all women – during the later Second Empire and early 1870s, Hubertine Auclert hoisted the woman suffrage banner aloft and waved it energetically. She quickly became the principal and most visible public proponent for woman suffrage, joining Deraismes in calling the newly triumphant republicans to account.⁷² Auclert had discovered the women's rights cause

⁷¹ See the series of articles by Clarisse Gauthier Coignet in the *Revue Bleue: Revue politique et littéraire: "De l'Affranchissement politique des femmes en Angleterre"* (issues of 2 & 9 May 1874); subsequently issued as a 46-page offprint (Paris: G. Baillièrre, 1874), and "Le Mouvement des femmes en Angleterre: le suffrage politique," 16, n° 11 (11 September 1875), 251–255, and 16, n° 12 (18 September 1875), 274–280. [NB: Mme Coignet, who began publishing on girls' education in the mid-1850s, would continue to be active in advocacy of legal reform in the position of women into the 1890s; see Fonds Kauffmann notes, Bouglé Collection, BHVP.]

The staunch republican Jules Favre, a firm believer in the importance of women's influence, had also endorsed woman suffrage: see his *Discours de M. Jules Favre prononcé à sa réception à l'Académie Française le 23 avril 1868* (Paris: Didier, 1868), p. 30, and in an 1869 speech, he claimed that had he been in the British Parliament in 1867, he would have voted with John Stuart Mill for enfranchising women – and even for extending Mill's proposal to include married women ("De l'avenir de l'enseignement populaire," published in the *Revue des Cours Littéraires*, vol. 6, n° 10 (6 February 1869), 146–154, esp. 152–153. See also his lecture, "De la Condition des femmes dans les sociétés démocratiques, conférence de 4 avril 1874," in his *Quatre Conférences faites en Belgique au mois d'avril 1874* (Paris: Plon, 1874). See the discussion in *The Woman Question in France*, chapter 7, for the French debates about women's suffrage in the later 1860s.

⁷² In what follows I have drawn primarily from the "Notice biographique," which introduces Hubertine Auclert's posthumous collection of articles and speeches, *Les Femmes au gouvernail* (Paris: M. Giard, 1923), pp. 1–91. See also A. Leclère, *Le Vote des femmes en France* (Paris: M. Rivière, 1929), pp. 67–69. See especially the excellent (and to date only) scholarly biography, by Hause, *Hubertine Auclert* (cited in n. 68); the essay by Edith Taïeb, introducing *Hubertine Auclert: La Citoyenne 1848–1914, Articles de 1881 à 1891* (Paris: Syros, 1982), and Hause's introduction to *Hubertine Auclert: Pionnière du féminisme* (cited in n. 68). Other scholarly studies that recount various phases of Auclert's campaigns include Bidelman, *Pariahs Stand Up!* (1982); Moses, *French Feminism* (1984); Klejman & Rochefort, *L'Égalité en marche* (1989), all cited earlier. See also chapter 4 in Joan W. Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge,

through reading *Le Droit des Femmes*, and had also drawn inspiration from Victor Hugo's 1872 banquet letter on the woman question. When she moved to Paris in 1874, she had joined Richer's editorial staff. In that same year, the National Assembly of the Third Republic took up deliberations on a new electoral law.

In 1874, universal manhood suffrage itself seemed untouchable, though members of the National Assembly's Commission of Thirty made efforts to raise the voting age for men to 25. But adding women to the mix was another matter altogether. All the while the legislators tried their best to ignore (or repress) the issue of votes for women, pausing only to launch some sarcastic humor at the feminists' expense. It is significant that the ensuing Constitutional laws of 1875 did mention *suffrage universel* but left the specifics to be elaborated by an electoral law that was not part of the constitution itself.⁷³ One could sense the legislators' agreement with the incantation of Prudhomme in 1793: "Let the men make the Revolution!" To women's rights activists, however, such a deliberate exclusion of women from policy-making seemed antithetical to republican principles. Were they not included in "*tous les français*?" Did the term "*tous*" only include women when it came to taxing them?

From the outset, Hubertine Auclert had linked the future of women's rights to the future of the republic and called upon republican men to live up to their principles by enfranchising French women as full-fledged citizens. In 1876 she founded an action group, also called *Le Droit des Femmes*. In the fall of 1876, on the heels of the first French workers' congress, she had issued a fierce manifesto in the press, "*Aux Femmes – Femmes de France*," in which (echoing a number of her predecessors in the 1830s and 1840s) she linked women and the proletariat as the remaining "outcasts" following the revolution of 1789: the workers had finally

MA: Harvard University Press, 1996), which focuses on "the social" and cites only a small number of Auclert's vast editorial corpus through secondary sources and edited collections, notably that of Taïeb. See also Edith Taïeb's more recent publications: "Hubertine Auclert, Fondatrice de La Citoyenne: Une femme, 'seule contre tous'," *Écrivaines françaises et francophones*, special issue (hors série) of *Europe Plurilingue*, (March 1997), 52–74; Edith Taïeb, "Abuses of 'Masculinism' in Hubertine Auclert's *La Citoyenne*," in *Women Seeking Expression: France 1789–1914*, ed. Rosemary Lloyd & Brian Nelson (Monash Romance Studies. Melbourne: School of European Languages and Cultures, Monash University, 2000), pp. 101–117; and especially Edith Taïeb, "Le politique et le domestique: L'argumentation d'Hubertine Auclert sous la Troisième République," *Mots: Les langages du politique*, n° 78 (2005). Online at www.mots/revues.org/67.

⁷³ See Maurice Duverger, *Constitutions et Documents politiques*. 4th ed. (Paris: Presses Universitaires de France, 1966), pp. 110–114. The electoral laws established voting qualifications and also the mode of voting (*scrutin d'arrondissement*, *scrutin de liste départementale*, single election, primaries and run-offs, etc.) and were subject to sporadic changes during the Third Republic.

assembled, but women were "shut out from elective and legislative assemblies" in the Republic.⁷⁴ Like the workers, women must organize in order to obtain their rights.

In early June 1877 her efforts, along with those of Maria Deraismes, her sister, and others earned ridicule in *Le Gaulois* by Emile Villemot, who labeled them the "seven prophetesses," demeaned them as "*les Politigueuses*," and scorned Auclert, who had dared to write a rebuttal, as "*la Sévigné des deux gares*."⁷⁵ Later that year, just as the legislative elections that would resolve the Seize Mai governmental crisis in favor of the republicans were underway, Auclert returned to the charge with another manifesto, "Les Femmes aux électeurs," in which she argued that "the republican idea excludes the aristocracy of sex just as it excludes the aristocracy of caste." She reminded her readers that there were still "nine million adult women, imbued with reason" that remained "slaves in a nation of free men." She invoked the historical example of "our mothers, *les Gauloises*" to remind the male voters that women were not only watching but did not think that men alone "should be responsible for the destiny of the Republic and the *patrie*. . . . We want a republican Republic, one which will finally apply our immortal principles of '89. We want equality for all [*pour tous et pour toutes*]. We want the reign of justice and law."⁷⁶ This manifesto called on the male voters to do the right thing by electing republican candidates, to keep in mind the men of the Revolution: "Choose delegates who put their lives in accord with their principles." She played shamelessly on republican guilt.

In her 1878 post-congress speech/pamphlet, Auclert elaborated at greater length on themes that she had developed in her earlier manifestos and

⁷⁴ "Aux Femmes" (September 1876), reprinted in *Le Droit des Femmes*, n° 144 (November 1876) and other newspapers; republished in Hubertine Auclert, *Historique de la Société le Droit des Femmes, 1876–1880* (Paris, 1881), pp. 8–10, and in Taïeb, ed., *La Citoyenne*, pp. 19–20. In French: "Si préoccupées que nous soyions du gouvernement de notre pays, nous sommes impitoyablement repoussées de toutes les assemblées, tant électives que législatives. La République n'aurait cependant pas trop du concours de tous et de toutes. Nous comptons moins que rien dans l'État." See also Hause, *Hubertine Auclert*, p. 53.

⁷⁵ See *Le Gaulois*, issues of 3, 7, 8, and 12 June 1877. The allusive references are to the famous seventeenth-century letter writer Madame de Sévigné, and to Auclert's street address on the rue des Deux Gares. The word "gueuse" can best be translated as slut; thus political sluts.

⁷⁶ "Les femmes aux électeurs" (October 1877), republished in *Historique*, pp. 11–15. "L'idée républicaine exclut l'aristocratie de sexe, comme elle exclut l'aristocratie de caste. . . . Il y a neuf millions d'êtres doués de raison, neuf millions de femmes majeures qui forment comme une nation d'esclaves dans la nation d'hommes libres. . . . A l'instar de nos mères, les Gauloises, nous veillons. . . . Nous voulons une République républicaine, qui applique enfin nos immortels principes de 89. Nous voulons l'égalité pour *tous* et pour *toutes*. Nous voulons le règne de la justice et du droit. . . . Choisissez des délégués qui mettent leur vie d'accord avec leurs principes."

would continue to pursue throughout her career. She was fed up with nominal republicans who did not act in accordance with their principles. Denouncing the “opportunist” republicans (by whom she referred particularly to Léon Gambetta and his followers) who “closed all its doors,” she asserted that “with only a few rare exceptions, the republicans disdain and jeer at woman; meanwhile, the monarchists and bonapartists arm her for combat.”⁷⁷ She invoked the force of women’s influence and challenged French Republicans to deliver full civil and political equality for women, arguing that a republic in which women (including married women) were not considered full citizens was no “true” republic.⁷⁸ Addressing republican men, she challenged them, in the name of their own principles, to eliminate the “slavery” of women: “In the name of justice, in the name of liberty, abdicate your masculine kingship. It is time to proclaim equality.”⁷⁹ Critiques such as these continued to inform Auclert’s campaigns throughout the 1880s. No doubt it was from reading texts like this that one scholar-colleague concluded that “the Republic” itself was hostile to women’s emancipation.⁸⁰ A more careful analysis would suggest that Auclert’s critique targeted a particular subgroup of recalcitrant republican men, those whose actions were out of line with the ideals they purportedly embraced – a republic that truly encompassed “every one.”

Disappointed with the continuing prudence of her colleagues, in October 1879 Auclert took her campaign for women’s political rights to the Marseille congress of the *Parti Ouvrier*. In a lengthy speech that retains its fire over a hundred years later, she insisted that “a Republic that keeps women in an inferior situation cannot make men equal.” What was more, workers had no right to seek equality with their bourgeois masters as long as they refused to admit the equality of their women.⁸¹ “We, the women,

⁷⁷ Auclert, *Droit politique des femmes, question qui n'est pas traitée* . . . Quoted in my translation, from *WFF*, vol. 1, doc. 142, p. 514. Gambetta became a particular object of Auclert’s scorn – though she did consider him a “grand patriot”, she also called him “*masculiniste à outrance*,” having founded a regime that excluded women. See her obituary article, “M. Léon Gambetta,” at the time of his death in early 1883, *La Citoyenne*, n° 68 (7 January – 4 February 1883), 1.

⁷⁸ Auclert, *Droit politique des femmes*. ⁷⁹ Auclert, *Droit politique des femmes*.

⁸⁰ See the exchange between Charles Sowerwine and myself in *Confronting Modernity in Fin-de-Siècle France: Bodies, Minds and Gender*, ed. Christopher E. Forth & Elinor Accampo (Houndmills, UK: Palgrave Macmillan, 2010), pp. 19–62, and the General Introduction to this volume.

⁸¹ Hubertine Auclert, *Égalité sociale et politique de la femme et de l'homme, discours prononcé au Congrès ouvrier socialiste de Marseille* (Marseille: Impr. de A. Thomas, 1879). The full French text was republished in 1976, with an analysis, in Madeleine Rebérioux, Christiane Dufrancatel, & Béatrice Slama, “Hubertine Auclert et la question des femmes a ‘l’immortel congrès’ (1879),” in *Romantisme*, n°^{os} 13–14 (1976), 123–142. Excerpts in English in *WFF*, vol. 1, doc. 143. This text is now reprinted in the Hause & Fraisse collection and is also available online at Gallica.

will not busy ourselves with aiding despotism to change hands. What we want is to kill privilege, not merely to reallocate it." Judging from the floor debate that followed her speech, some workers (of Proudhonian persuasion) found Auclert's proposal extremely upsetting. Nevertheless, the assembled delegates voted overwhelmingly in support of equal rights for women and men, demonstrating an enthusiasm that had been absent at the workers' congresses of 1876 and 1878 and would not be allowed to emerge again at subsequent socialist workers' congresses. Auclert's biographer calls this endorsement "the greatest political victory of her life."⁸²

Auclert repeatedly underscored the "*masculinisme*" of the French deputies' attitude; in one particularly strongly worded manifesto entitled "*A Tous*" (1880) she addressed voters and those elected: either one must replace the name "republican" by "our regime of masculine law," or else one must install the "real" Republic "by decreeing the abolition of sex privilege, just as our ancestors in the last century decreed the abolition of caste privileges." She called on women to contribute to ending their own "slavery" by supporting the campaign for ideas of "justice and liberty."⁸³

From 1881 to 1888 Auclert put her short-lived flirtation with the socialists behind her and devoted herself exclusively to the campaign for women's vote. She repeatedly denounced "masculine autocracy" and "*masculinisme*." In addition to running her association, *Société Le Droit des Femmes*, in February 1881 she launched a weekly publication, *La Citoyenne*, which she published with the financial help of her ally, the attorney Léon Giraud, then with the assistance of the deputy Joseph de Gasté.⁸⁴ Repeatedly invoking history, Auclert and her followers organized a women's march to mourn women's plight under the Code at the first Bastille Day celebration (14 July 1881). Citing Lairtullier's history, she applauded the heroism of the revolutionary women: "Women helped the men to take the Bastille, and to make the revolution, but they gained no advantage from either. . . . The Code makes women slaves, . . . a nation of serfs within a nation of free men."⁸⁵

⁸² Hause, *Hubertine Auclert*, p. 60. ⁸³ "A Tous," republished in Auclert, *Historique*, pp. 29–32.

⁸⁴ Li Dzeh-Djen, *La Presse féministe en France de 1869 à 1914* (Paris: L. Rodstein, 1934), pp. 66–81; Jehan des Ètrivières, *Les Amazones du siècle* (Paris: n.p., 3rd ed., 1883), p. 15. Subsidies were no stranger to the nineteenth-century French political press. The women's rights press was unexceptional in this respect. Richer's *Le Droit des Femmes* was aided for many years by the Lyonnais banker and former Saint-Simonian, François Arlès-Dufour (who had promoted the career of Julie-Victoire Daubié in the late 1850s and 1860s) as well as by the wealth of Maria Deraismes. In the early twentieth century, publication of the daily *La Fronde* would devour much of the personal fortune of Marguerite Durand, leading rumor-mongers to suggest that she also received funding from others, including lovers and a member of the Rothschild banking family.

⁸⁵ See Hause, *Hubertine Auclert*, p. 80; also Auclert, "La Bastille des femmes," *La Citoyenne*, n° 22 (10 July 1881) and "La Manifestation de la Société le Droit de Femmes," *La Citoyenne*, n° 23 (17 July 1881).

During the 1880s she also organized the first “national” French association to promote woman suffrage, refused to pay her own taxes (arguing “no taxation without representation”), attempted unsuccessfully to register to vote (1880, 1885), put forth electoral programs for republican male candidates (1881, 1885) encouraged women to run for office (which some did in 1885), and with the persistence of a gadfly, goaded her not-so-radical as well as radical republican associates to take action on the issue of woman suffrage.⁸⁶

In 1884, the republican legislature, assembled as a “national assembly” met to consider constitutional revision. The electoral law was revised to substitute *scrutin de liste* for *scrutin d'arrondissement*. Like the earlier electoral law of 1848, the new French electoral law of 1884 [law of 5 April] read: “*Tous les français*.” This terminology was equivocal, however, since in French civil and penal law (as was pointed out earlier) the masculine form “*tous les français*” was understood to encompass women as well as men.

The elasticity of “*tous les français*” would be tested in court by Auclert's allies and their male supporters. In 1885 Louise Barbarousse and Marie Richard Picot attempted to register to vote under the revised electoral law of 1884; the Paris Municipal Council denied their request and their appeal was heard by a justice of the peace (*juge du paix*). Two male lawyers who were allies of Auclert, Jules Allix and Léon Giraud, represented the women's case, pleading on the high ground of “imprescriptable rights” of the individual as well as national prestige that women should vote in France.⁸⁷

It is necessary to the glory of the French laws that they leave a place to woman in this sphere of public power, and it will be to the honour of the declaration of the rights of man to acknowledge also the rights of woman. . . . Does not *tous les Français* encompass every individual of the French nationality, without exception of sex?

The presiding judge denied the appeal, framing his verdict in terms of legal-historical precedent that dodged the issue of principle. Even issues of grammatical gender could be qualified (when convenient) by invoking

⁸⁶ For an overview of the woman suffrage question, see Karen Offen, “Women, Citizenship, and Suffrage With a French Twist, 1789–1993,” chapter 8 in *Suffrage and Beyond: International Feminist Perspectives*, ed. Caroline Daley & Melanie Nolan (Auckland, London, New York, 1994), pp. 151–170.

⁸⁷ The texts below, from the *Gazette des Tribunaux*, are reproduced in English, in “The Recent Decision upon Municipal Suffrage in France,” *The Englishwoman's Review*, 16 (14 March 1885), p. 106.

contextual precedent. Judge Carré made the point that precedent from the Revolution on was that voting citizens were males only; indeed the Constitutions of June 1793 and August 1795 had expressly spelled out this point.⁸⁸ He noted further that the most recent laws stipulate that "in order to be an elector, one must be a citizen" and that "the citizen is the Frenchman who has full political and civil rights"; therefore since women have neither, and are therefore not citizens, they cannot be electors. In concluding, however, the judge abandoned his air of juridical neutrality, and referred the question of women's suffrage back to the republican legislature:⁸⁹ "Whereas, finally, if women repudiating their privileges and inspiring themselves with certain modern theories, believe the hour has come to break the bonds of tutelage with which tradition, law, and custom have surrounded them, they must bring their claim before the Legislative power, and not before the Courts of Law."

Prior to the fall legislative elections, in August 1885 Auclert would put forward a "women's electoral program" in twelve articles that once again demanded women's full inclusion in the French nation. It put forth a series of measures designed to promote the equality of the sexes, including the vote, and to replace what she called the "Minotaur State" (*État minotaure*) by the "Motherly State" (*État mère de famille*), which would assure "security and work to able-bodied French citizens, assistance to children, old people, the sick and the infirm." Here we find seeds of a social welfare program. In conclusion, she insisted that "the human equality it [this program] proposes is the goal of a Republic; for Republic and justice should be synonymous." In Auclert's view – and she was not alone – women (still) had everything to gain under a republic.⁹⁰ Among those things was a compassionate state, one that served the needs of all its constituents. In 1888 she advocated organizing an assembly of women in every department to examine and decide on current issues.

Auclert repeatedly invoked lessons from history to chastise the republican legislators. In 1889, she commented on the revolutionary centennial celebrations by refusing to celebrate "the bastard Revolution that has placed us [women], half of humankind, outside humanity." "Women ought not celebrate the masculine '89; they need to make a feminine '89 by taking advantage of the congresses to organize the feminist movement

⁸⁸ "Recent Decision," p. 108. For the constitutional texts, see Duverger, ed. *Constitutions et Documents politiques*, cited in n. 73.

⁸⁹ "Recent Decision," p. 109. My emphasis.

⁹⁰ Hubertine Auclert, "Programme électoral des femmes," *La Citoyenne*, n° 99 (August 1885), 1. English translation in Appendix II in Hause, *Hubertine Auclert*.

in the departments.”⁹¹ Those who governed France, she insisted, should complete the work of the Revolution on this anniversary of the Revolution by turning France's 9 million slaves (women) into citizens – thereby acknowledging their legal (both civil and political) equality.

Completing the work of the revolution was, however, stymied by anxious speculation about “how” women might vote. At the time Hubertine Auclert first embraced the cause of woman suffrage, both Léon Richer and Maria Deraismes feared that, despite the desirability of the goal (which they endorsed in principle), raising the suffrage question at that moment could only compromise their campaign for women's civil rights – just as had been the case in 1848. The time, Richer argued, was not ripe; women simply weren't ready to exercise the vote.⁹² Implicit in this stance, of course, was the vivid republican anticlerical fear (fueled since the 1840s by Michelet's alarm over the pernicious influence of priests and confessors on women) that most French women were still too attached to Catholicism (and, more generally, favorable to a monarchy) to be considered politically reliable.⁹³ This perception of the suffrage question among republicans would continue to fuel opposition to women voting for many decades. In 1877–1878 republican hostility to “clericalism” (i.e., intervention of the Catholic Church in political life) had been at its peak (Gambetta's “*Le cléricalisme, voilà l'ennemi!*”) and was undoubtedly better grounded than would subsequently be the case when women became better educated and began to think for themselves. But already in 1878 Auclert challenged this deep-rooted fear, criticizing the “cowardice” of her colleagues, and arguing that there was no proof that women “would vote for the priests and the Jesuits”; what was more, under the current electoral laws priests and other Catholic men, including Jesuits, could vote – and certainly they were not electing republicans.

⁹¹ Auclert, “Le Quatre-Vingt-Neuf des femmes,” *La Citoyenne*, n° 145 (June 1889); partially reprinted in Taïeb, ed., *La Citoyenne*, pp. 126–127.

⁹² See Léon Richer, *La Femme libre* (Paris: E. Dentu, 1877), pp. 238–241; in English as doc. 141 in *WFF*, vol. 1. See also pp. 267–272, where the author made the comparison with England, where single propertied women had gained the municipal vote in the late 1860s. He notes that August Neffzter, the former editor of *Le Temps*, who had retired to England, had changed his mind about woman suffrage, based on his observations that women voters had had a positive effect on municipal affairs and had won over the liberals. For the perspective of Maria Deraismes, who favored woman suffrage in theory but did not think the time was ripe, see *Eve dans l'humanité* (Paris: Librairie Générale de L. Sauvaire, 1891), pp. 241–242. See also Ferdinand Buisson, *Le Vote des femmes* (Paris: H. Denot & E. Pinat 1911), p. 28.

⁹³ See the penetrating analysis of Theodore Zeldin, “The Conflict of Moralities,” in *Conflicts in French Society: Anti-clericalism, Education and Morals in the Nineteenth Century. Essays*, ed. Theodore Zeldin (London: G. Allen & Unwin; New York: Humanities Press, 1970).

Women were certainly no more clerical than these men.⁹⁴ "I say that those who support clericalism – the men – are more clerical than the women who practice [the religion]."⁹⁵

Auclert would subsequently critique republican politicians for continuing to provide state financial support for the church (under the Concordat of 1801, the French state was still responsible for the church budget) and for maintaining an ambassador to the Vatican. Her unrelenting campaigns would ultimately provoke opponents to articulate myriad arguments against women's vote, reflecting their perceived fear for the future of the Third Republic itself, should unschooled, superstitious women dominated by Catholic confessors (and thus presumably monarchists) be enfranchised along with more progressive women.⁹⁶ Well after the separation of church and state in 1904–1906, Auclert would continue to critique the hesitancy of some secular republicans to support women's vote, arguing that they were just as bad as the Catholics who deployed "the religious ruse" in their repression and exploitation of women and demanding to know why "women who believe should be treated more harshly than men who believe." "Men are not asked about their philosophical ideas when they pick up their elector's cards. Priests, pastors, rabbis, receive their cards just the same as the freethinkers."⁹⁷ Only time would tell whether Auclert was right, or whether these fearful republican men were justified in their concerns.

Another intriguing aspect of the subsequent French campaign for women's suffrage was the effort by partisans to mobilize historic precedent on the side of women's citizenship and suffrage. An important contribution to this effort was Léon Giraud's study on the comparative status of women with respect to public and political rights, which would win a prize from the Paris Law Faculty in 1891. Giraud would share this prize with a widely translated treatise by Moïse Ostrogorski, who argued that, above all else, the question of determining who would vote was a political question.⁹⁸

⁹⁴ See Auclert's 1878 speech, *Droit politique des femmes*, pp. 13–14.

⁹⁵ Auclert, *Égalité sociale et politique de la femme et de l'homme* (1879); p. 129 in 1976 reprint.

⁹⁶ Hause (with Kenney) has examined how these anticlerical arguments against women's suffrage played out in the following decades in *Women's Suffrage and Social Politics*.

⁹⁷ Hubertine Auclert, "Vous êtes cléricales!" in her book *Le Vote des femmes* (1908), p. 56. This editorial is not listed in the Auclert bibliography prepared by Hause.

⁹⁸ Léon Giraud, *De la Condition des femmes au point de vue de l'exercice des droits publics et politiques; étude de législation comparée* (Paris: F. Pichon, 1891). See also Moïse Ostrogorski, *La Femme au point de vue du droit public; étude d'histoire et de législation comparée* (Paris: A. Rousseau, 1892); a revised edition was translated into English as *The Rights of Women: A Comparative Study in History and Legislation* (London: Swan Sonnenschein, & New York: Charles Scribner's Sons, 1893).

With such reputable scholarship at hand, bolstered by the research of legal scholar Paul-Marie Viollet, feminists such as Eliska Vincent would popularize historical evidence of women's participation in political life during the *ancien régime*.⁹⁹ These advocates of woman suffrage insisted, on the basis of incontrovertible evidence, that women had repeatedly voted in earlier periods of French history. But then, votes were tied to fiefs or landed property, not to individuals as such, as was currently the case in France.

Auclert was a tenacious crusader. Throughout the 1880s, in her publication *La Citoyenne*, she argued for women's suffrage in every conceivable way. Nevertheless, in private, she became deeply depressed over the lack of results as well as stung by the merciless ridicule of opponents. It was only in the 1890s that her suffrage campaign began to be taken seriously. On one later occasion (1908) she and a few exasperated associates would even invade a polling place and hurl the ballot box to the floor, scattering its contents. Shortly thereafter she would serve (briefly) as chair of the newly established Suffrage Section of the *Conseil National des Femmes Françaises* (CNFF). Finally, in 1909 another group of disgruntled women, who had come to the same conclusions as Auclert, would organize the single-issue *Union Française pour le Suffrage des Femmes* (UFSF) – but without the maverick Auclert's involvement. In 1910 Auclert would run (illegally) for elective office. By the time of her death in April 1914 Hubertine Auclert had transcended the status of a media-created eccentric and had achieved recognition as a pioneer.

We will return to the subject of women's suffrage in Chapter 13.

⁹⁹ Only in the mid-1890s would Paul-Marie Viollet begin to publish his findings on women's exclusion from political authority; see his article, based on his 1892–1893 lecture series, "Comment les femmes ont été exclues en France de la succession à la couronne," *Mémoires de l'Académie des inscriptions et belles-lettres*, 34 (1895), pt. 2: 125–178; this material would be incorporated in to his chapter "Exclusion des femmes et de leur descendance," in his *Histoire des Institutions politiques et administratives de la France*, vol. 2 (Paris: L. Larose, 1898), pp. 55–86. Advocates of women's suffrage would make good use of such findings. See Eliska Vincent's publications on women and legislation, beginning with "L'Électorat des femmes dans l'histoire," *Revue Féministe*, 1:1 (1 October 1895), 20–26. Hubertine Auclert would draw on this material in "Les Femmes ont voté en France," in her *Vote des femmes* (Paris: V. Giard & E. Brière, 1908), pp. 65ff.