

Vice & Visibility:
Changing Attitudes toward Prostitution and Sexual Behavior in Victorian Britain

Melissa Morgan
History Honors Thesis
Professor George Behlmer
Professor Moon-Ho Jung
March 14, 2018

In the 1860s, British Parliament passed a series of bills known as the Contagious Diseases Acts. Designed to target venereal disease amongst British soldiers and sailors, the Acts granted police the power to arrest women suspected of being prostitutes and subject them to physical examination to determine if they had a venereal disease. A woman found to have a venereal disease could be held in a hospital against her will for up to nine months.¹ While considered by many men in government to be a natural response to a public health issue, others argued that the Acts unfairly punished women to the benefit of “immoral” men. Members of the social purity movement saw these measures as state-sanctioned prostitution. Activists in the fledgling feminist movement called the Acts a severe violation of the personal liberties of working-class women. Throughout the 1870s, moralists and feminists campaigned furiously against the Acts and rallied public opinion against them. It was an uphill battle, but in the end, these activists were successful, and the Acts were repealed one by one between 1870 and 1886.² It was a moment of triumph for early feminists, and an early example of women’s success on a political stage.

Repeal was not the only success the new movement of moralists and feminists achieved in the late-Victorian period. The Criminal Law Amendment Act of 1885 could not have passed when it did were it not for the skilled agitators in this movement. The Criminal Law Amendment Act was intended to protect women and girls from being forced into prostitution, and was significant in that it raised the age of consent for girls from thirteen to sixteen years old, while also increasing the powers of the police in cracking down on prostitution involving the young and unwilling.³ Also among the provisions of the Criminal Law Amendment Act was a measure

¹ Judith Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge: Cambridge University Press, 1980), p. 2.

² *Ibid.*

³ *Ibid.*, p. 247.

known as the Labouchère Amendment, which prohibited “any act of gross indecency” between two men, in public or in private, with a sentence of up to two years with hard labor for guilty parties. The Labouchère Amendment at first glance reads as a strange addition to a momentous piece of legislation, as the Criminal Law Amendment Act was concerned first and foremost with the safety of young women and girls. However, the Labouchère Amendment makes more sense if we consider the Criminal Law Amendment Act and the momentum that carried it through Parliament not solely for its implications for female sexuality, but for male sexuality as well.

In their fight against the Contagious Diseases Acts, feminists identified a “double standard,” in which immoral forms of male sexual behavior were excused while the women who facilitated that behavior were condemned. Feminists and moralists did not use the idea of the “double standard” to argue for greater female sexual agency, but rather to portray prostitution as a form of sexual exploitation: women were forced either by coercion or economic necessity to gratify male sexual desires, and yet were expected to take all of the responsibility for the man’s transgression. By not holding men accountable for their immoral behavior, the moralists and feminists believed society had allowed male sexual decadence to flourish, and that is where the connection to male-male sexual behavior lies. In popular Victorian conceptions of sexuality, the same overindulgence that led men to seek out prostitutes, particularly young girls, also led men to engage in sexual behavior with other men.⁴ Both were believed to be perversions caused by sexual excess. The Criminal Law Amendment Act as a whole was designed not only to protect women and girls, but to prevent “immoral” forms of male sexuality more broadly.

Further, these immoral forms of male sexuality were commonly linked in popular discourse with the upper classes. The rhetoric from activists surrounding the Criminal Law

⁴ Jeffrey Weeks, *Coming Out: Homosexual Politics in Britain from the Nineteenth Century to the Present* (London: Quartet Books, 1977), p. 16.

Amendment Act portrayed these lustful, villainous men as aristocrats, often with ties to Parliament or as members of Parliament themselves.⁵ Activists, who mostly identified as middle class, portrayed white slavery and child prostitution as the sexual exploitation of the “daughters of the working classes” by men of the upper classes. The class dynamics at work here explain why the activists who had fought state intervention in matters of prostitution under the Contagious Diseases Acts supported it under the Criminal Law Amendment Act. For activists, the Criminal Law Amendment Act was as an assertion of middle-class strength against elites in defense of women of the working class, a strength which had developed while organizing against the Contagious Diseases Acts. The activism that defeated the oppressive Contagious Diseases Acts directly led to the passage of the repressive Criminal Law Amendment Act of 1885 by creating a moral panic over “immoral” aristocratic male sexual behavior, leading to an increase in state power to enforce monogamous, heterosexual, and therefore moral sexual behavior.

The Vile Prostitute (and the Invisible Man)

There is a distinction to be made between the repression of prostitution and the regulation of prostitution. Repression – the eradication of prostitution from society through legislation – was desired by many moralists, but the majority of those in power in British government believed that full repression was impossible, and that any attempts to achieve repression would only make matters worse. Moralists and men of government alike disapproved of the regulationist model found elsewhere on the Continent; English attitudes towards prostitution were often defined by contemporaries in opposition to the system of state-regulated brothels found in France.⁶ As for members of Parliament, attempts at regulation were limited due to the

⁵ Antony E. Simpson, “Organized Prostitution in 19th Century England: Legal Campaigns & the Origins of the Criminal Law Amendment Act of 1885,” in *The Maiden Tribute of Modern Babylon*, ed. Antony E. Simpson (Lambertville, NJ: The True Bill Press, 2007), p. 23.

⁶ Walkowitz, *Prostitution and Victorian Society*, p. 24.

popularity of the *laissez-faire* principle. When it came to social issues, the British government usually favored a policy of noninterference, so much so that one M.P. referred to it as “one of the corner stones of our national policy.”⁷ The mindset within Parliament was to legislate on such matters only when absolutely necessary, and if M.P.s could not see the necessity of their interference, they were likely to dismiss a bill as being outside the scope of parliamentary action. The result was that few measures dealing with prostitution were introduced into Parliament in the early-Victorian period, and even fewer were successful. In examining these pieces of legislation, the arguments for and against interference in matters of prostitution reveal implicit (and sometimes explicit) attitudes and assumptions about male and female sexuality from the ruling classes of Britain that would carry through into later decades.

The first piece of legislation of the Victorian era that concerned itself with prostitution was the Metropolitan Police Act of 1839. The metropolitan police force was a new experiment of the early nineteenth century, created in 1829 to replace local establishments that were felt to be inadequate to deal with rising crime in increasingly urban areas. Building upon the initial legislation that created the force, the Metropolitan Police Act of 1839 generally clarified the powers the police had in order to detect and prevent crime. Prostitutes made only a passing appearance in the legislation. Under the section entitled “Prohibition of Nuisances by Persons in the Thoroughfares,” the Act prohibited: “Every common Prostitute or Nightwalker loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation to the Annoyance of the Inhabitants or Passengers.”⁸ The maximum penalty for offenses in this section was forty shillings (around \$170 in today’s currency). Other offences in this section include

⁷ Philip Harling, “The Powers of the Victorian State” in *Liberty and Authority in Victorian Britain*, ed. Peter Mandler (New York: Oxford University Press, 2006), p. 40; *Hansard Parliamentary Debates* (Commons), 3rd ser., 186 (27 Mar 1867), c667.

⁸ Metropolitan Police Act of 1839, 2 & 3 Vict., c.47 (section LIV).

driving a cart or carriage recklessly, trying to goad others into a fight, or playing games in the street; some of these behaviors had the potential to cause damage, but others were merely annoying. Further, the prostitute's presence did not constitute an offense unless others were offended by her presence. The Metropolitan Police Act of 1839 was not designed to abolish prostitution, but rather to provide police with the means to keep prostitutes out of the public eye. The Act implied that those in government saw prostitutes not as a menace to society, but merely as a potential disruption.

A few years later in 1844, the Suppression of Brothels Bill entered the House of Lords, after being petitioned by members of various charities whose goal was to protect and rehabilitate “fallen” women. The Earl of Mountcashell, himself a member of several of these charities, assured his fellow lords that the intent of the Bill was not the repression of prostitution, an endeavor he referred to as “vain,” but rather to provide legal protections for the victims of a very specific and horrifying practice in prostitution, referred to as “trading” or “seduction.”⁹ In this practice, “seducers” deceived women with promises of love, marriage, or even decent job opportunities in order to get them in the door of a brothel. Once there, the deceived woman would be locked in a room – sometimes drugged, sometimes not – with a paying customer until he had “ruined” her (or, as we would say today, raped her). Once she had been “ruined,” she would have few options other than to work as a prostitute. It is unclear exactly how widespread the practice of “seduction” was; various sources could not even agree how many prostitutes worked in Britain, much less how many had been brought to their trade by this specific route, particularly when “seduction” was also used to refer to a woman who had not been raped but simply abandoned by her former lover. Within the debates over this Bill, the Bishop of Exeter

⁹ *Hansard Parliamentary Debates* (Lords), 3rd ser., 74 (17 May 1844), c1234.

claimed there were “some thousands of houses supported to aid these vicious purposes” in London alone.¹⁰ In a later debate, the Bishop of Oxford would estimate that 80,000 women were living by prostitution in London, and at least one-fourth of them had come to such a life through “seduction.”¹¹ Regardless of the accuracy of these estimates, members of Parliament would certainly have believed the problem to be endemic.

Despite the focus on “seduction” from supporters, the Suppression of Brothels Bill did not actually seek to punish the “seducer.” Instead, the Bill would have simply extended the powers of the police so that brothels in general could be policed to the same extent that gaming houses already were. The purported reason that the Bill did not seek to punish “seducers” was that their punishment brought into these debates the question of how responsible the woman was for her own “fall.” While defending the measures of this Bill, the Bishop of Exeter assured his skeptical peers that they would not include measures to punish the “seducer” because, in order to be convicted, the victim would have to testify against him. Her testifying was unacceptable in the Bishop’s view, uncontested by others in the House. Now that the woman’s body and soul had been ruined, he stated, her only course was repentance, but the wronged woman could not testify *and* be repentant, because then she would be using the man’s behavior as an excuse for her “fall.”¹² The lords accepted that the “seduced” woman had been wronged – she was referred to as a “victim” and the acts these men committed were seen as evil – and yet she was considered “ruined” all the same, expected to take responsibility for what had been done to her rather than blame her attacker.

¹⁰ *Hansard Parliamentary Debates* (Lords), 3rd ser., 74 (17 May 1844), c1233.

¹¹ *Hansard Parliamentary Debates* (Lords), 3rd ser., 88 (5 Jun 1848), c333.

¹² *Hansard Parliamentary Debates* (Lords), 3rd ser., 75 (14 Jun 1844), c880.

Framing “seduction” around female ruination instead of male violence created a situation wherein the focus was on the woman’s behavior instead of her attacker’s. The problem was not that men were paying for the privilege of raping a woman; it was that women were being “ruined,” and the source of their “ruin” was not men, but “evil” or “vice.” The man was taken out of the question. In a way, the focus was shifted away from the affected woman as well, because legislators were not worried about justice or her safety. Instead, they were worried about protecting the virtue of women who had not yet “fallen,” which is why it made sense to target brothels broadly – a place associated with the ruin of women – instead of “seducers” specifically. Despite the attempt to focus the conversation on “seduction” instead of broader repression, others in the House of Lords were unconvinced, and the attempt to get the Bill passed was a total failure. Members of the House of Lords continually insisted that targeting brothels was merely an attempt to legislate morality.¹³ In the end, the Duke of Wellington, then leader of the House of Lords, stated that it was the opinion of the Government that the provisions as stated in the Bill would be too difficult to carry out, and the Bill was promptly withdrawn in only its fourth session.¹⁴ Legislators had to be incredibly careful and strategic when dealing with issues relating to prostitution, as any measures perceived to be “overstepping” were easily dismissed within Parliament.

The practice of “seduction” was also the focus of a later bill known as the Protection of Females Act, first introduced into the House of Commons in 1847. Like the bill that came before it, the initial version of the Protection of Females Act targeted “seduction” by broadly regulating brothels, while also including provisions against parents or guardians involved in the “ruin” of any girls or young women in their charge. Prostitution was considered a moral pollutant,

¹³ *Hansard Parliamentary Debates* (Lords), 3rd ser., 75 (14 Jun 1844), c891.

¹⁴ *Hansard Parliamentary Debates* (Lords), 3rd ser., 76 (9 Jul 1844), cc538-9.

affecting those involved and anyone who even knew that it was happening. And yet, this moral pollution only seemed to affect women. With regards to portrayals of female sexuality, there was a clear distinction in the minds of the men of Parliament between the victim of “seduction” – the tricked woman, honest and innocent, brought to prostitution by the wickedness of some anonymous man and her own womanly naïveté – and the prostitute who “chose” such a life of her own volition. While the tricked woman had been contaminated, the Bishop of Exeter’s comments about repentance show that she was not perceived to be beyond saving. If she was repentant – or, in other words, she valued her virtue enough to try and recover it – she could earn sympathy. The “willing” prostitute, on the other hand, was not equally worthy of their lordships’ attention. The distinction between the tricked woman and the prostitute becomes apparent when, for example, Lord Brougham expressed the concern that “under [this legislation] the vilest prostitute might proceed for penalties, and get a man imprisoned for a long period.”¹⁵ The “vile” common prostitute was a different category, because she had presumably chosen a life of immorality. She was not repentant, and therefore did not deserve the same protection under the law – especially if it was at a man’s expense.

The potential ruin of a man’s reputation was of great concern, as no one in Parliament could produce a suitable legal definition of “seduction.” To the men of the House of Commons, this created the fear that the legislation could result in false accusations. Sir George Grey, for example, declared that there was “indeed no knowing who might not become subject to a penalty under the operation of such a Bill.”¹⁶ Later versions of the Bill stopped targeting brothels, and instead targeted any person who knowingly participated in the “seduction” of any woman

¹⁵ *Hansard Parliamentary Debates* (Lords), 3rd ser., 94 (13 Jul 1847), c215.

¹⁶ *Hansard Parliamentary Debates* (Commons), 3rd ser., 92 (12 May 1847), c730.

younger than twenty-one who could be proved to have been a virgin before her “ruin.”¹⁷ The practice of “seduction” was finally being directly targeted within the legislation, but it only applied to young virgins – again showing that it was not about justice for women, but rather about protecting women’s virtue. Even this was unsatisfactory for many M.P.s, who claimed that “under this Bill any man could be made the victim of the vilest conspiracy.”¹⁸ It wasn’t a particularly strong piece of legislation – among other things, a woman not only had to be a virgin, but had to be able to *prove* she was a virgin in order to be protected under it. Even so, it managed to upset the men of Parliament because the idea of a prostitute – an allegedly immoral and unrepentant woman – potentially being able to prosecute and ruin the reputation of a “decent” man was unacceptable. Never mind that the point was to protect the innocent, tricked woman; if there was a chance that a common prostitute could use the legislation as well, then it only created the possibility of producing more harm than good.

The Protection of Females Act finally passed in 1849, but only just. Though earlier versions had attempted to suppress brothels more broadly, the wording of the final version targeted nothing more than the grim practice of “seduction.” While the men of Parliament were reluctant to pass legislation that would suppress “immoral” female sexual behavior – prostitution – their reluctance did not stem out of any desire to preserve the liberty of women. The Protection of Females Act was distasteful to its opponents because it had the potential to *protect* these “immoral” women, and in the end, legislators were careful to ensure that legal protections were established for only those women whose virtue had been taken from them through the violent practice of “seduction.” The rhetoric in these debates kept the attention away from men who

¹⁷ “Seduction and prostitution suppression. A bill [as amended by the committee] for the more effectual suppression of trading in seduction and prostitution, and for the better protection of females. New title for third reading: an act for the more effectual suppression of trading in seduction,” *Parliamentary Papers*, 1847 (513).

¹⁸ *Hansard Parliamentary Debates* (Commons), 3rd ser., 93 (23 Jun 1847), c811.

solicited or, in the case of “seduction,” raped these women. The ruling class was generally unconcerned with “immoral” male sexual behavior, and the only men that the men of Parliament expressed any particular concern over were those who might be falsely accused. Beyond Parliament’s general unwillingness to deal with social issues in the early-Victorian period, legislation such as the Suppression of Brothels Bill or the Protection of Females Act was so controversial because it regulated prostitution in a way that would ultimately be harmful to men, whether the man in question deserved punishment or not. This is important to keep in mind when examining legislation to come, because once legislation came into Parliament that instead aimed to *protect* men involved in prostitution, the viability of that legislation was instantly altered.

The “Artificial Position”

In the 1860s, the Contagious Diseases Acts came into being. Whereas the legislation from the first half of the century focused on protecting women, and specifically women’s virtue, the Contagious Diseases Acts focused on protecting men, and specifically men’s *health*. As the name suggests, these acts were concerned with the spread of disease, with “contagious disease” acting as a euphemism for venereal disease, particularly syphilis. The first act, passed in 1864, applied to eleven garrison and dock towns. The British military was greatly concerned that large numbers of soldiers were unable to perform their duties after contracting venereal disease from local prostitutes. *The Times* reported in September 1864 that venereal disease was sending as much as a third of the army to the hospital, though it also stated that by this time, venereal disease was “decidedly less prevalent” than it had been in previous years.¹⁹ The first act established that plainclothes police officers could identify women they believed to be diseased prostitutes, who would then undergo medical examination. If found diseased, women could be

¹⁹ “Health of the Army at Home,” *The Times* (London), 10 September 1864, p. 12.

detained in a hospital for up to three months. The second act, passed in 1866, added two new districts, as well as establishing a system of “medical police” who would carry out fortnightly medical examinations for all registered prostitutes within a district. The final act, passed in 1869, extended the acts further to a total of eighteen districts in England and Ireland, defined nine months as the maximum period of detention, and provided for the moral and religious instruction of detained women.²⁰ The Acts were certainly novel in design and scope, but the ideas about gender, sexuality, and class behind them were already deeply rooted within Victorian society.

When it came to justifying why the Contagious Diseases Acts were necessary, many commentators emphasized that soldiers needed governmental protection because it was the government that had made them vulnerable in the first place. At this time, the military prevented soldiers from marrying with the idea that soldiers were more readily mobile if they were not attached to a wife and family.²¹ Many commentators considered marriage to be the “only effectual safeguard from [soldiers’] pressing temptations,” and *The Times* reported in 1864 that venereal disease was, as might be expected, significantly higher amongst unmarried soldiers than married soldiers.²² By preventing soldiers from marrying, the military had created what one *Times* article termed an “artificial position”²³: a homosocial environment where men had limited access to marriage and therefore to moral, heterosexual, monogamous sexual relations. If being forced into the “artificial position” led these unmarried soldiers to such vices as fornication, many within the government felt it was their duty to protect these men from the consequences – venereal disease. Soliciting prostitutes, then, was not thought of as a moral failing on the part of these men but rather a natural product of delayed marriage and of male sexuality. Many

²⁰ Walkowitz, *Prostitution and Victorian Society*, pp. 76-86.

²¹ *Ibid.*, p. 74.

²² Editorials, *The Times* (London), 23 July 1864, p. 11.

²³ “Morality And Contagion.” *The Times* (London), 26 Mar 1866, p. 6.

acknowledged that it would of course be preferable if soldiers were morally upstanding enough to avoid this problem in the first place, but the British government could not legislate based on an ideal. They argued that it had to address the reality of the situation so the soldiers could perform their duties.²⁴ Through this reasoning, the immoral sexual behavior of men was excused because men could not realistically be expected to police themselves.

Much of the rhetoric describing prostitutes was condemnatory, and often dehumanized these women for failing to live up to moral standards of the times. One member of the House of Commons arguing in favor of these measures stated that a woman proved to be a common prostitute should “not [be] allowed to be the source of mischief to other people.”²⁵ She was not spoken of as a human with agency, but as an embodiment of “mischief”; no consideration was given to the suffering she endured, but only to the suffering she allegedly caused. Proponents of the Contagious Diseases Acts also argued that, in addition to the health of the men involved, the measures were also necessary for the sake of their future wives and children. One M.P. described venereal disease spread by prostitution as a “social evil in the truest sense” because it destroyed “the sanctity of the home,” causing thousands of children to die or be born with complications every year.²⁶ Prostitutes not only violated social standards of chastity and monogamy expected of “respectable” women, but also served as physical manifestations of the dangers of vice, a serious health risk to “innocent” women and children, who represented virtue. The man who had solicited prostitutes and subsequently spread venereal disease to his wife and children was largely rendered invisible in this argument; the prostitute was seen as the problem, rather than the man soliciting sex from her. As a health risk to men, chaste women, and the future generations of

²⁴ “Morality And Contagion,” p. 6.

²⁵ *Hansard Parliamentary Debates* (Commons), 3rd series, volume 178 (24 Mar 1865), cc262-3.

²⁶ *Hansard Parliamentary Debates* (Commons), 3rd series, volume 191 (8 May 1868), c2009.

British children, the prostitute was conceptualized as a danger to society, and her detention under the Contagious Diseases Acts was therefore easily rationalized as a protective measure.

It was not until the late-1860s, when regulationists pushed to expand the Acts to the north of England, that serious opposition began to mount. The Ladies' National Association for the Repeal of the Contagious Diseases Acts (LNA) formed in December 1869, with prominent feminist Josephine Butler at the helm. The activism that sprung up to fight for the repeal of the Contagious Diseases Acts was strongly driven by mid-Victorian feminism. Women had begun to assert themselves in the political sphere throughout the Victorian period, particularly older, more affluent women who had the time to devote to such causes, including the push for suffrage but also the abolition of slavery and access to higher education for women.²⁷ Josephine Butler, for example, a veteran of these causes, was forty-one years old when the LNA was formed, and had aristocratic family ties, though she firmly identified herself as middle class and was hostile to the social and political elites of London.²⁸ Also noteworthy among Victorian feminists were the many male feminists who fought alongside these women. One important figure in the activism against the Acts was Liberal M.P. James Stansfeld, who served more than once in William Gladstone's Cabinet and brought political prestige to the repeal cause. At the parliamentary level, support for repeal came from the Liberal Party, and particularly amongst Radicals, who combined "political individualism with a strong sense of moral conscience."²⁹ Along with their

²⁷ Walkowitz, *Prostitution and Victorian Society*, pp. 118-24; The British anti-slavery movement took off in the 1780s and lasted roughly until the 1850s. Slavery within Britain itself was abolished in 1807, but the movement had its peak political strength in the 1820s and 1830s while agitating for the Emancipation Act of 1833, which abolished slavery in British colonies, with a particular focus on the West Indies. After the Emancipation Act, the anti-slavery movement began to fracture as abolitionist camps started disagreeing over what the next step was. Failures within various branches caused the abolition movement to dwindle throughout the 1840s, and by the 1850s, anti-slavery had ceased to be a popular movement. For further reading, see Howard Temperley, "Anti-slavery" in *Pressure from Without in Early Victorian England*, ed. Patricia Hollis (London: Edward Arnold, 1974), pp. 27-51.

²⁸ Walkowitz, *Prostitution and Victorian Society*, p. 115.

²⁹ *Ibid.*, p. 113.

male allies, the LNA argued that the Acts unfairly targeted women under the law; that they gave the police alarming power over women; that they punished women, “the victims of vice,” and not men, who caused both the vice itself and the spread of disease; and that the Acts were ineffectual as moral or as sanitary measures.³⁰

Many commentators were shocked to see middle-class ladies publicly discussing such matters as prostitution and venereal disease, and often did not take their campaign seriously. One representative example of this comes from the editor of the *Fortnightly Review*, John Morley, who published “A Short Letter to Some Ladies” in March 1870. The letter, often sarcastic and condescending, clearly did not take the feminists’ arguments seriously, and thoroughly represented the view that prostitutes were of a lower class of person. The purpose of these Acts, argued Morley, was not to protect prostitutes nor even the affected soldiers, both of whom he described as “the very dregs of the population,” but to protect yet unborn children who might be contaminated by venereal disease. “The sentimental persistence in treating permanently brutalized natures as if they still retained infinite capabilities for virtue,” Morley wrote, “is one of the worst faults of some of the best people now living.”³¹ For these feminists to think there was any helping these women was well-intentioned foolishness. Other similar articles displayed more overt misogyny, for example, dismissing the idea that these women could have any knowledge of a subject which was naturally repulsive to their womanly sensitivities, accusing them of being “influenced rather by sentiment ... than by the reasoning faculty,” or describing these organized efforts as a “storm of female shrieking” – despite the fact that many men were

³⁰ Ibid., p. 93.

³¹ John Morley, “A Short Letter to Some Ladies,” *Fortnightly Review* (Mar 1870), p. 374.

involved in these early feminist movements as well.³² The overall reaction to the feminists organizing against the Contagious Diseases Acts in the early 1870s was frustratingly dismissive, and even with many male feminists and other moralists on their side, the repealer camp certainly had an uphill struggle ahead of them.

Still, these women and their allies were undeterred from their mission. In May 1870, Emilie Ashurst Venturi published “A Short Answer to Mr. Morley’s Short Letter,” addressing Morley’s criticisms and defending the repealers’ platform. She pointed out that Morley’s critiques, like many others, did not actually counter their points, but instead took on “the easier but less important task of pointing out to us that we have defended our aim weakly.”³³ This piece by Venturi, as a direct response to critics, exemplified the feminist ideology driving this movement. In Venturi’s article, she argued that if either party deserved punishment, it was not “the wretched prostitutes whose position deprives them of all power of choice,” but instead the men who were “the *immediate* and *active* agents in spreading disease to their innocent wives and children.”³⁴ She also pointed out the ludicrousness of the regulationist claim that the Acts were popular with the affected women while simultaneously declaring that the measures could never be applied to men because men would never comply with them. If the care and accommodations these detained women received were as nice as regulationists claimed, there would be no need to enforce them through the law, and diseased men would flock to these hospitals in such great numbers that there would scarcely be any room left for women.³⁵

³² “The Ladies’ Association and the Contagious Diseases Act.” *Saturday Review of Politics, Literature, Science and Art* (8 Jan 1870), p. 45; “Supervision of Contagious Diseases.” *Saturday Review of Politics, Literature, Science and Art* (21 May 1870), p. 671.

³³ Emilie Ashurst Venturi, “A Short Answer to Mr. Morley’s Short Letter,” *Fortnightly Review* (May 1870), p. 633.

³⁴ *Ibid.*, p. 635.

³⁵ *Ibid.*, pp. 636-7.

One concept that is highly characteristic of this activism is the notion of the “double standard.” The double standard that feminists and other repealers identified was that male sexual behavior was justified while women were condemned for their role in facilitating the immoral behavior of men. There was a gendered difference in expectations for men and women in terms of policing their own sexual behavior, but there were also differences between prostitutes and “respectable” women. Before the Contagious Diseases Acts, there had been an attempt to institute examinations for soldiers, but it had failed because of objections from the soldiers themselves as well as officers concerned that the examinations would be demoralizing to their men. When it came to prostitutes, however, these women were assumed to be devoid of “self-respect” and unable to put up a fight the way the soldiers had.³⁶ In an 1850 report from the *Westminster Review*, the author described the hypocrisy present in the rhetoric used to describe men and women participating in prostitution. For the man, it was “the venial errors of youth” and “the ordinary tribute to natural desires” that led him to solicit prostitutes, but the prostitute herself was characterized by her “innate depravity,” her “hopeless degradation,” and her “unworthiness which must be pushed out of sight, blotted from memory, ignored in good society and polite speech.”³⁷ Because men were depicted as being more naturally sexual, they were not expected to police themselves and were therefore excused for their moral transgressions. Feminist repealers like Venturi argued that instead of accommodating these transgressions, the expectation needed to change, and men needed to practice self-control.

These feminists did not necessarily respect prostitution as a profession. They and their moralist allies very much viewed prostitution as a vice, as degrading, as the lowest position a woman could sink to in Victorian society. They wanted to increase the mobility of women who

³⁶ Walkowitz, *Prostitution and Victorian Society*, p. 3.

³⁷ Art. VII, *Westminster and Foreign Quarterly Review* vol. 53, no. 2 (Jul 1850), p. 474.

had become prostitutes, to help them rise and reenter society as respectable women once again. The Contagious Diseases Acts, they argued, by registering women as prostitutes, made it increasingly difficult for women to escape prostitution, or in some cases, made them unwilling. Josephine Butler, well known for her extensive charity work with these women, claimed there was a stark contrast in the mentalities of women who were prostitutes in towns where the Acts were enforced. These women believed, because they were registered, went for their examinations, and did as they were told by doctors, that “they were committing no sin, no harm,” and that “their sin was lawful and respectable.”³⁸ Butler and other sympathetic observers typically described prostitutes as being distinctly ashamed of themselves, contrary to what others in society might have believed. One article from the *Westminster Review* held that even at their lowest, these “poor creatures” maintained their sense of shame for what they had done.³⁹ This shame was understood as a distinctly feminine characteristic, to the point that Butler described the women under the Acts who lost this sense of shame as “completely unwomanised”⁴⁰ – they had lost their womanhood. Even by feminists, virtue was seen as a defining feature of women; the difference in opinion with their contemporaries only lay in the question of whether women could redeem themselves or not.

The leadership of the LNA understood poverty as the leading factor that led women to prostitution as well as understanding the gendered nature of poverty. Poverty was acknowledged to be a primary cause of prostitution by many experts throughout the Victorian period, but this did not necessarily result in empathy towards these women. In 1869, Dr. John Simon, the Medical Officer of the Privy Council and mid-Victorian Britain’s most respected public health

³⁸ Josephine Butler, as quoted in “The New Abolitionists,” *London Quarterly Review* (Jul 1876), p. 460.

³⁹ Art. VII, *Westminster and Foreign Quarterly Review*, p. 455.

⁴⁰ Butler, “The New Abolitionists,” p. 460.

official, wrote a report recommending that the Contagious Diseases Acts *not* be extended, but in his description of the lower classes where prostitutes came from, he wrote of the “unintelligent masses” who possessed “little sense of right and wrong.” Part of the reason why many impoverished women resorted to prostitution, Simon said, was because their parents had not been as invested in the chastity of their daughters as “parents of the educated classes.”⁴¹ It was not poverty itself, but the lack of intelligence or lack of morals that accompanied the lower classes that resulted in prostitution. Even when poverty was correctly identified as the driving factor, it was described in such a way that these women were still culpable for their “decision.” Feminists, on the other hand, acknowledged that a distinct power imbalance between men and women in Victorian society created fewer “respectable” job opportunities for working-class women in the first place. Contemporary gender roles placed artificial constraints on women’s social and economic activity, which often left prostitution as the “best paid industry” for working-class women.⁴² In other words, prostitutes were in an “artificial position” of their own.

Outrages on Decency

Emilie Ashurst Venturi concluded “A Short Answer to Mr. Morley’s Short Letter” by criticizing the role the government played in enforcing the Contagious Diseases Acts. The problem for feminists like Venturi was not simply the devaluing of women on a cultural level, but the wielding of state powers against them. Venturi described this injustice in terms of morality. Regulationists were treating prostitution as a necessity, an inevitable fact of life. On the one hand, because men could not be expected to control themselves, the government would have to step in and protect them. On the other, the women who facilitated this inevitability were dirty

⁴¹ John Simon, as quoted in “Prostitution; its Sanitary Superintendence by the State: An Extract from the Eleventh Report of the Medical Officer of the Privy Council.” *Westminster Review* (Oct 1869), p. 568.

⁴² Walkowitz, *Prostitution and Victorian Society*, p. 125.

and degraded, and the government needed to step in and control them. Because the government was acting in a contradictory way, by protecting one sex and punishing the other, Venturi described them as acting without principle, and argued that human law, without principle, was a crime. She condemned the role of the police in enforcing the Acts as well, writing that without a moral force to guide them, the police were nothing more than “the dangerous hireling tools of the tyranny of the strong over the weak.”⁴³ “Morality” within this movement did not simply refer to prescriptive modes of sexual behavior; it also involved the equal and ethical treatment of women, both socially and politically. The Contagious Diseases Acts failed miserably on both of these counts. The repealer cause was not only about women being treated unfairly in any one specific context, but about power structures within society that disadvantaged women in systemic ways, as well as the tyrannical use of state power disproportionately affecting women who were already marginalized within society.

In response to early agitation from the repeal campaign, the government established the Royal Commission of 1871 to study the operation of the Contagious Diseases Acts. Though the majority opinion ultimately supported the Acts, the report from this commission did recommend several alterations: the abolition of the compulsory fortnightly examination, the raising of the age of consent, and stronger punishment for brothel-keepers and others who housed prostitutes in their establishments. Following this report, then Home Secretary H. A. Bruce proposed a bill in 1872 intended as a compromise between the regulationist and repealer camps. The bill did not act on all recommendations from the Royal Commission of 1871, but it did seek to raise the age of consent from twelve to fourteen years old and provide for the summary conviction of brothel-keepers. While the compromise bill failed, these provisions – raising the age of consent and the

⁴³ Venturi, “A Short Answer to Mr. Morley’s Short Letter,” p. 638.

targeting of brothels – set a precedent for later moral legislation proposed throughout the 1870s and 1880s, including the Criminal Law Amendment Act of 1885.⁴⁴ The Criminal Law Amendment Act was first introduced in 1882 amidst concerns over a perceived epidemic of young girls being trafficked into prostitution, both at home and abroad. Josephine Butler was among the key players agitating for this legislation; reports she had published documenting the traffic of English girls to the Continent played an important role in creating the perceived epidemic. While the House of Lords passed the initial version of the bill, it struggled to pass in the House of Commons. Gladstone’s Liberal Government was preoccupied with affairs in Ireland, particular Gladstone’s Home Rule bill.⁴⁵ Because the Criminal Law Amendment Act was a low priority for the Liberal Party leadership, the bill would need an extra push from its supporters in order to catch the attention of Parliament and make it through successfully.

The extra push came in the summer of 1885 in the form of William T. Stead’s “The Maiden Tribute of Modern Babylon.” Published in early July, “The Maiden Tribute” was a series of exposés depicting the existence of child prostitution in London. “The Maiden Tribute” was part of the rise of “scandal journalism” that came about in the Victorian era, using sensationalized stories of sexual scandals to draw in readers and sell more newspapers.⁴⁶ In the case of Stead, who was himself a moralist, the sensationalism of “The Maiden Tribute” was crafted with political motives in mind, and in collaboration with Josephine Butler herself, as well as members of the Salvation Army.⁴⁷ This can be seen in the specific way young girls were described. “The Maiden Tribute” was careful to emphasize the age of the victims described in its

⁴⁴ Walkowitz, *Prostitution and Victorian Society*, p. 95.

⁴⁵ *Ibid.*, p. 99.

⁴⁶ Judith Walkowitz, “Male Vice and Feminist Virtue: Feminism and the Politics of Prostitution in Nineteenth-Century Britain,” *History Workshop* 13 (Spring 1982): p. 83.

⁴⁷ Edward Bristow, *Vice and Vigilance: Purity Movements in Britain since 1700* (Dublin: Gill and Macmillan Ltd, 1977), pp. 108-9.

pages. The Offences Against the Person Act of 1875 had raised the age of consent to thirteen,⁴⁸ but advocates of the Criminal Law Amendment Act wanted it raised further. Therefore, while Stead drew attention to the youth of the victims, he also had to be explicit that these girls were thirteen or older to demonstrate that the age of consent law was effective and therefore worth raising.⁴⁹ While “The Maiden Tribute” was not pure fiction, its tales were undoubtedly exaggerated; it was not a simple report on child prostitution, but a sensationalized piece of scandal journalism designed to spark political action.

One crucial aspect to the rhetoric found in “The Maiden Tribute” was the painting of aristocratic men as the villains for Stead’s middle- and working-class readers. The title itself, “The Maiden Tribute of Modern Babylon,” was a reference to the story of the Minotaur from ancient Greek mythology, which told of a defeated society offering virgins as tribute to satiate a monstrous creature, “the foul product of unnatural lust.”⁵⁰ The Minotaur represented the ruling classes of British society, who exploited the young daughters of the working classes to satisfy their own unnatural lusts.⁵¹ Stead emphasized heavily throughout “The Maiden Tribute” that these men were wealthy and powerful, and that it was their greed, decadence, and sexual excess that had directly led to their desire for young girls.⁵² In his depictions of the rape of these young girls, to horrify his readers, Stead often described the girls’ screams as they fought to protect their own chastity. He wrote that for the perpetrators, “the shriek of torture is the essence of their delight.”⁵³ Through these descriptions, Stead created the image of the cruel, morally-corrupt

⁴⁸ Simpson, “Organized Prostitution in 19th Century England,” p. 21.

⁴⁹ *Ibid.*, p. 31.

⁵⁰ Yves Guyot, *English and French Morality, From a Frenchman’s Point of View* (London: The Modern Press, 1885), p. 17.

⁵¹ Simpson, “Organized Prostitution in 19th Century England,” pp. 28-9.

⁵² William T. Stead, *The Maiden Tribute of Modern Babylon*, ed. Antony E. Simpson (Lambertville, NJ: The True Bill Press, 2007), p. 77.

⁵³ *Ibid.*, p. 176.

aristocrat, robbing working-class girls of the only valuable possession they owned: their virginity. For middle-class moralists and feminists, virtue was an essential female trait, and as seen in the rhetoric surrounding prostitutes, for a woman to lose her virtue was the lowest she could sink in society. Portraying aristocratic men as the ones violating these poor girls was an extremely effective tactic in garnering support for the Criminal Law Amendment Act.

The Criminal Law Amendment Act had floundered within Parliament for years, but after “The Maiden Tribute” was published in July of 1885, the Act passed by early August. The passing of the Criminal Law Amendment Act was a substantial victory for the moralist-feminist movement. Under the Act, the age of consent for girls was raised to sixteen, which was a compromise for moralists – leaders of this movement had pressed for eighteen, while some wanted it as high as twenty-one.⁵⁴ The Act also provided for the summary conviction of brothel-keepers, something that moralists had been fighting for since before the failed Suppression of Brothels Bill of 1844. It also increased the powers of the police in interfering with matters relating to prostitution. A judge could issue a warrant for the search of any house or building if there was “reasonable cause” to believe a woman or girl was being kept there for “immoral purposes,” granting police the power to enter the building in question by force, if need be.⁵⁵

While many moralists and feminists celebrated the bill’s passing, including Josephine Butler, who called it a dream come true,⁵⁶ others were rightly horrified by this increase in state power over the lives of vulnerable women. Yves Guyot, a French economist and abolitionist, published a pamphlet shortly after the Act passed criticizing the legislation as well as the

⁵⁴ Bristow, *Vice and Vigilance*, p. 114; Deborah Gorham, “The ‘Maiden Tribute of Modern Babylon’ Re-Examined: Child Prostitution and the Idea of Childhood in Late-Victorian England,” *Victorian Studies* 21, no. 3 (Spring 1978): p. 364.

⁵⁵ Criminal Law Amendment Act of 1885, 48 & 49 Vict., c.69

⁵⁶ Bristow, *Vice and Vigilance*, p. 114.

feminists who had supported it, whom he had previously “admired for their brave advocacy of the legal and social equality of the sexes.”⁵⁷ Guyot wrote that the Criminal Law Amendment Act would only further marginalize prostitutes while doing nothing to increase morality in English society. Just as the Contagious Diseases Acts had sought to lessen venereal disease by targeting women and not men, the Criminal Law Amendment Act sought to lessen prostitution by targeting “all houses in which women whose relations with the other sex lack the sanction of priest or registrar find shelter,” while “men are permitted by the rigid moralists to dwell wheresoever they please.”⁵⁸ He compared the measures to the French system of regulating prostitution, which was heavily regulated by the government – a system that had always horrified English moralists and feminists – and argued that the natural conclusion of the persecution of brothels under the Criminal Law Amendment Act would lead to a system like France’s.⁵⁹ Moralists and feminists had often compared the Contagious Diseases Acts to the French system while agitating for their repeal, but hypocritically ignored the similarities present under the Criminal Law Amendment Act. What led so many who had fought against the Contagious Diseases Acts to support legislation that strengthened the arm of the government against marginalized women in this way?

The answer can be found in an additional clause within the Criminal Law Amendment Act: Section 11, entitled “Outrages on Decency,” which further criminalized male-male sexual behavior. This section, later nicknamed the Labouchère Amendment, seemingly came out of nowhere. The campaigns for the repeal of the Contagious Diseases Acts and the passage of the Criminal Law Amendment Act were ultimately concerned with women. For many activists, the

⁵⁷ Guyot, *English and French Morality, From a Frenchman’s Point of View*, pp. 67-8.

⁵⁸ *Ibid.*, p. 49.

⁵⁹ *Ibid.*, pp. 68-73.

political enfranchisement of women was as much a goal of their movement as was the protection of young women and girls. Discussion of sexual behavior between men was absent from their campaign. The measure was not even introduced into Parliament until the day before the Act passed the House of Commons, and it was hardly debated before being included. Mr. Labouchère introduced his amendment, which made “any act of gross indecency” between two men a misdemeanor with a maximum sentence of one year in prison with or without hard labor.⁶⁰ Another M.P. proposed that instead of one year of imprisonment, the sentence should be increased to two years. This change was accepted, and Mr. Labouchère’s amendment was agreed to. The House moved on and discussed the matter no further. Two days later, when the Act returned to the House of Lords for the House of Commons’ changes to be reviewed, their lordships made no comment on this clause, and the Act passed the House of Lords as well. Why was this measure included in a bill explicitly designed for the protection of women and girls, and scarcely debated before its inclusion? The answer to both this and the previous question lies in the focus on male sexuality, and specifically on the immorality of aristocratic men, brought on by moralist and feminist activists in the wake of the Contagious Diseases Acts.

In the mid-1860s, while justifying the measures of the Contagious Diseases Acts, one article from *The Times* noted that soliciting prostitutes was not the worst vice that men in the “artificial position” could be engaging in, stating that “some vices are comparatively virtues ... compared with practices which might replace them.”⁶¹ Many Britons were aware that situational male-male sexual activity occurred in homosocial environments, including schools, prisons, and the military.⁶² To the Victorian imagination, even female prostitution was a preferable practice

⁶⁰ *Hansard Parliamentary Debates* (Commons), 3rd ser., vol. 300 (6 Aug 1885), cc1397.

⁶¹ “Morality And Contagion,” p. 6.

⁶² Weeks, *Coming Out*, p. 34.

when compared to male-male sexual behavior, exemplified by the fact that newspapers like *The Times* would discuss the details of female prostitution, even if begrudgingly so, while male-male sexual behavior was only alluded to in vague terms. “Sodomy” was first made illegal in England in 1533 under Henry VIII, with the term referring to all “unnatural” sexual acts, whether between man and man, man and woman, or man and beast.⁶³ The Labouchère Amendment was the first law in Britain to target same-sex sexual behavior explicitly, and the first to provide a legal basis against acts that fell short of sodomy, providing the state with the means to control a broader range of “immoral” sexual behavior.

Controlling sexual behavior between men may have not been far from the minds of military personnel and legislators who supported the Contagious Diseases Acts. In a volume on legal medicine published in 1884, the author stated that many men who participated in male-male sexual behavior did so because of an “intense dread of contracting venereal diseases” that came with seeking out a female prostitute. Soldiers in particular were thought to be more easily tempted by male-male sexual behavior because they were poorly paid, and would not have to worry about the expense of soliciting a female prostitute.⁶⁴ Britain became increasingly hostile towards male-male sexual behavior in the late-nineteenth century,⁶⁵ and its potential prevalence amongst soldiers would certainly be seen by those in power as a problem. With the Contagious Diseases Acts all but defeated by 1885, legislators may have been keen to create a new incentive to prevent male-male sexuality amongst soldiers. Soldiers were also described in this text as being an “idle class,” and the text claimed that “the grosser forms of immorality” were common amongst those who had “too little to do and nothing to think about.”⁶⁶ This same view of

⁶³ Ibid., p. 11.

⁶⁴ Charles Meymott Tidy, *Legal Medicine*, Volume 3 (New York: Wood, 1884), p. 141.

⁶⁵ Weeks, *Coming Out*, p. 2.

⁶⁶ Tidy, *Legal Medicine*, p. 141.

“idleness” as resulting in immoral sexual behavior was a strong influence behind the villainizing of aristocratic men by feminists and moralists. The “unnatural lust” that had led them to seek out female children was part of the same continuum that led men to seek out other men; all of it was the result of sexual decadence.⁶⁷ Whether it was the poorest soldier or the wealthiest aristocrat, Victorian conceptions of sexuality created a link between female prostitution and male-male sexual desire.

Additionally, the moralist and feminist activists of the mid- to late-Victorian period were a serious threat to the reputations and electability of members of Parliament. One of the most effective tactics that moralists and feminists employed throughout the 1870s and 1880s was to threaten the seats of M.P.s. During three important by-elections in 1870 and 1872, agitators were able to mount significant challenges to Liberal Party candidates who had not given their support to the repeal cause.⁶⁸ In anti-aristocrat rhetoric, members of Parliament themselves were often the targets of these accusations. Stories that came out of the campaigns surrounding the Contagious Diseases Acts and the Criminal Law Amendment Act alike often provided repealers with supposed evidence for their claims that immorality was rife in the Houses.⁶⁹ George Cavendish-Bentinck was one of the worst examples of this, once quoted as saying, “I do not profess to be a humane man, and I do not profess to be a moral man” during a debate over the Contagious Diseases Acts in 1883, which he had supported.⁷⁰ Termed by moralists as “the brothel-keepers’ Parliamentary representative,”⁷¹ Cavendish-Bentinck represented the old rake that the repealer camp used in their propaganda, the embodiment of the elite, masculine forces

⁶⁷ Weeks, *Coming Out*, pp. 17-8.

⁶⁸ Walkowitz, *Prostitution and Victorian Society*, p. 95.

⁶⁹ Walkowitz, “Male Vice and Feminist Virtue,” p. 84.

⁷⁰ “The False and the True,” *The Sentinel* (Jul 1885), p. 445.

⁷¹ Simpson, “Organized Prostitution in 19th Century England,” p. 23.

that forced disenfranchised women into prostitution in the first place. These old rakes were portrayed as an obstructive force within Parliament, standing in the way of progress to serve their own sexual interests.⁷² Faced with the idea of obstructionist men manipulating the law for immoral purposes, many feminists may have rationalized their support of the Criminal Law Amendment Act as robbing these men of their power by putting laws in their way.

Moralists and feminists had proved that, by manipulating public opinion through activism and propaganda, they could have a potent effect on one's political career. This may have been the most crucial reason behind the Labouchère Amendment's inclusion. In this political climate, where men's political careers had been threatened by their position on moral issues, where the moralist movement only seemed to be growing stronger, where the wealthy and powerful within Parliament were being portrayed in public as crazed by their own unnatural lusts – it would have taken a significant amount of bravery to stand up and argue against Mr. Labouchère's proposal. In Yves Guyot's pamphlet, he noted the fear that M.P.s were experiencing when they rushed the Criminal Law Amendment Act through the House of Commons. There were rumors that some M.P.s were anxious for these exposés about Parliament to stop, and were "ready to throw any bone to the clamorous and hungry dog – public opinion."⁷³ On the eve of re-election, Guyot wrote, M.P.s had either been satisfied or terrified "into echoing the Salvationist cries of 'Repression' and 'Protection.'"⁷⁴ If this fear was pervasive enough when it came to matters of female prostitution, it makes sense why no M.P. would dare associate himself with the "crime not to be named among Christians" by arguing against the Labouchère Amendment's inclusion in the Criminal Law Amendment Act. In their fight against the immoral and all-powerful

⁷² Walkowitz, *Prostitution and Victorian Society*, p. 250.

⁷³ Guyot, *English and French Morality, From a Frenchman's Point of View*, pp. 39-40.

⁷⁴ *Ibid.*, p. 43.

aristocratic man, a monster largely of their own creation, feminists and moralists ended up strengthening the arm of the state in intervening with the lives of marginalized women. The atmosphere of moral panic that they created resulted in a perfect opportunity for the further criminalization of male-male sexual behavior, leading to state-intervention in the lives of marginalized men as well.

A Moral Earthquake

The sexual purity movement remained a potent force in British society through the end of the Victorian era and into the Edwardian years. While the Criminal Law Amendment Act had been branded as protecting the daughters of the working class from the villains of the upper classes, its enforcement would disproportionately target members of the working class, particularly prostitutes themselves. While feminists had fought to maintain prostitution as nothing more than a transitional state within the lives of working-class women, the Criminal Law Amendment Act had the opposite effect, further ostracizing prostitutes within their working-class communities. Josephine Butler and other feminists would eventually split off from the moralist crusade as its platform focused more and more on repression. The campaign against the Contagious Diseases Acts provided early feminists with experience in political organization, but the notion of a cross-class sisterhood that they had developed was largely a false one.⁷⁵

The moral panic resulting from this period was particularly cruel to male-attracted men as well. As soon as it was passed, moralists and the police were enforcing the Labouchère Amendment in full.⁷⁶ One famous conviction under the Labouchère Amendment was that of poet, novelist, and playwright Oscar Wilde in April 1895. The suppression of male-male sexuality in late-Victorian and Edwardian Britain would prove crucial in establishing and

⁷⁵ Walkowitz, *Prostitution and Victorian Society*, pp. 250-5.

⁷⁶ Bristow, *Vice and Vigilance*, p. 115.

defining homosexual identity, and the Wilde trials as a dramatic spectacle helped to create a public image for what a homosexual looked and acted like. As the homosexual identity came into being, incidental male-male sexual behavior became less acceptable within British society. The Labouchère Amendment was used to prosecute male-male sexual behavior in Britain until 1967.⁷⁷

From the Metropolitan Police Act of 1839, to the Contagious Diseases Acts of 1864-1869, to the Criminal Law Amendment of 1885, attitudes towards prostitution took varied forms over the course of Victoria's reign. Where attempts at legislation in the 1840s made the role of the man practically invisible, the agitation against the Contagious Diseases Acts and the fight for the Criminal Law Amendment Act made male sexuality hypervisible. The feminists who organized against the Contagious Diseases Acts did not argue for increased female sexual agency, but their triumph over the Acts is a significant chapter in early feminist history, as they took on the "double standard," defended the rights of sex workers, and proved the capabilities of women on a political stage. In rallying against men, and specifically against aristocratic men as the campaign wore on, these feminists and their moralist counterparts made themselves a social and political threat to the men in power in British government, a significant feat that should not be forgotten. However, while they succeeded in taking down the draconic Contagious Diseases

⁷⁷ Weeks, *Coming Out*, p. 21, 85; Though female-female sexuality has never been illegal in Great Britain, it was also increasingly problematized in the late-Victorian period. The rise of medicalization of sexuality resulted in growing concern from medical professionals over the existence of romantic friendships between girls and women, which often paralleled concerns over female masturbation as potentially compromising female virginity. Constructions of female sexuality in the Victorian period, as outlined by male medical experts, reinforced cultural ideas about the importance and desirability of female virginity. This can be seen in claims from medical experts such as William Acton and Richard von Krafft-Ebing that mentally- and physically-fit females had little sexual desire, thus preserving the idea that it was "natural" for women to be chaste before marriage. Though female-female sexuality was often thought of as analogous to male-male sexuality, fears over "immoral" female sexuality were strongly tied to the cultural importance placed upon female virginity, and thus concerns over female-female sexuality arguably had more in common with those over female prostitution, another threat to female virginity that was never made illegal in Britain. For further reading, see Diane Mason's *The Secret Vice: Masturbation in Victorian Fiction and Medical Culture* (Manchester University Press, 2008).

Acts, the repressive Criminal Law Amendment Act should not be forgotten, either. The coalition of moralists and feminists that formed around the Contagious Diseases Acts directly led to the moral panic surrounding the Criminal Law Amendment Act, and the demonization of the immoral aristocrat served as justification for the further marginalization of both female prostitutes and same-sex-attracted men by increasing the power of the state to intervene in their lives.

At a conference for working women in November 1892, feminist and moralist Millicent Garrett Fawcett, when discussing the Criminal Law Amendment Act, declared that “it took something like a moral earthquake to get the Act of 1885 passed.”⁷⁸ The comparison to an earthquake is apt, not only for the sheer force it took for moralists and feminists to succeed, but also for the impact that their efforts had on British society, and, unfortunately, for the damage they left in their wake.

⁷⁸ Millicent Garrett Fawcett, *Paper read at the Bristol meeting of the Central Conference of Women Workers among Women and Children* (London: Women’s Print, 1892), p. 6.

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