

Space in the City

# Josephine Butler and Sexual Law Reform



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# Josephine Butler

When Fr Joseph Williamson became Rector of Stepney in 1952, he quickly became aware of the plight of young prostitutes and girls at risk in his area. He made a national appeal for the first £1000 required to set up a refuge in Wellclose Square. An elderly lady from Liverpool sent him a pound and a booklet of sermons, with a covering letter which said 'You must read about Josephine Butler'. He did, and uncovered the story of this remarkable woman.

Josephine was born in 1828 at Milfield, near Wooler in Northumberland, the seventh of ten children born to John and Hannah Grey. Hers was a premature birth, and she was never very strong. She wrote later to a friend, 'I was always weak about the heart – not organic disease, I believe – but I used to get faint if I ran about too much.' John came from a well known family in Northumberland, and had an active social conscience – he played a leading role in the movement for the Abolition of the Slave Trade, Roman Catholic Emancipation, the repeal of the Corn Laws, extension of the franchise, and national education. He was appointed Land Agent for the Greenwich Hospital estates just north of the Roman wall when Josephine was five, and soon afterwards built Dilston Hall, near Corbridge. He put his principles into action in the way he looked after the tenants in his care, including the education of their children. Hannah was descended from Huguenot refugees, and devoted herself to bringing up her children – her concern was that they should 'aim at excellence, if not

perfection, in at least one thing.’ John and Hannah were a devout couple – the children attended the local Methodist chapel with their nanny in their early years, but when the family moved to Dilston Hall, the whole family attended the parish church. Josephine never found the Church of England very congenial, and had a lot to do with the Quakers in her adult life, though she attended Anglican worship with her husband.

When she was 17 she heard her father talk of the evils of slavery, and particularly its effect on women. She was specially moved by the story of a negro woman:

She wrote:

*I recollect the story of a Negro woman who had four sons, the sons of her master. The three eldest were sold by the father in childhood for good prices, and the mother never knew their fate. She had one left, the youngest, her treasure. The master, in a fit of passion, one day shot this boy dead. The mother crawled under a ruined shed of wood, and with her face to the earth, prayed that she might die. But first she prayed, for she was a Christian, that she might be able to forgive her cruel master. The words ‘Love your enemies, bless them that curse you’, sounded in her heart, and she cried to heaven, ‘Jesus help me to forgive!’ And so she died, her poor heart broken. I remember how these things combined to break my young heart, and how keenly they awakened my feelings concerning injustice to women through this*

*conspiracy of greed of gold and lust of the flesh, a conspiracy which has its counterpart in the white slave owning in Europe.*

*(JEB p 14)*

There were extensive woods near their house, and Josephine described in a letter written late in her life (to Fanny Forsaith and Harriet Allen) how she used to run off into the woods, *'so great was the burden on my soul about the inequalities and injustices and cruelties in the world ... and kneeling on the ground for hours, I used to shriek to God to come and deliver. This is awfully true. My sisters thought I was a little mad. Perhaps I was; but God turned the madness to a purpose He had.'* She used sometimes to spend whole nights in prayer, because the day was not sufficiently her own. *'Do not imagine that in these occasions I worked myself up into any excitement; there was much pain in such an effort, and dogged determination required. Nor was it a devotional sentiment which urged me on. It was the desire to know God and my relation to Him.'* (To Prof Benjamin Jowett) (JJ p18)

Life had its lighter side – Josephine enjoyed the ordinary pursuits of a young lady in her social station, she was beautiful, an accomplished pianist and painter, and a good horsewoman. She became fluent in French and Italian. In 1852, she married George Butler, a university lecturer, and they went to live in Oxford. George was ahead of his time: he wanted students to study Geography, which was at that time considered fit only for elementary schoolboys, and Art. He also had unusual views about marriage, and believed it should be a perfectly

equal union, with absolute freedom on both sides for personal initiative in thought and action, and for individual development. This was at a time when in law a wife was her husband's property, and had no rights at all.

Josephine was very concerned about double standards in sexual morality – a moral lapse in a man was not a problem, but for a woman it was a disgrace. She tried to challenge this view when one of the academics at Oxford seduced a student, ruining her future, without any consequences for his own career, but she was told not to cause trouble. It had been a difficult subject for Josephine to raise, because well-brought up women were not supposed to be aware of sexual vice. As Josephine wrote, commenting on the received wisdom of the time, *'a pure woman should be absolutely ignorant of a certain class of evils in the world ... albeit those evils bore with murderous cruelty on other women. Silence was thought to be the great duty of all on such subjects.'* (JEB Recollections of George Butler (JJ p45)).

Josephine was not alone in her concern: Mrs. Gaskell was writing about social evils too, and her novel *Ruth*, dealing with this same area of sexual vice, was much discussed. But Josephine was the first woman to speak out personally.

At about this time, a woman was in Newgate prison for murdering her child. The father had abandoned her and returned to his academic life. Josephine and her husband arranged for the woman to come to them as a servant on her release. This was a pattern of care that they developed later in Liverpool.

Josephine's health was badly affected by the damp climate in Oxford. After four years, the family moved to Cheltenham, where George, now ordained, became vice-principal of Cheltenham College, a boys' private school. By this time they had 3 sons and a daughter. One evening, as they returned home from an engagement, little Eva ran from her bedroom to greet them, overbalanced, and fell over the banisters onto the stone floor beneath. She died an hour later in her father's arms. This was devastating for the family.

Soon after, in 1865, George became principal of Liverpool College. Settling into their new home, Josephine had a lot of time on her hands, and was preoccupied with the loss of her daughter. She wrote,

*I suffered much during the first months in our new home. Music, art, reading, all failed as resources to alleviate or to interest. I became possessed with an irresistible desire to go forth and find some pain keener than my own, to meet with people more unhappy than myself (for I knew there were thousands of such). I did not exaggerate my own trial. I only knew that my heart ached night and day, and that the only solace possible would seem to be to find other hearts which ached night and day, and with more reason than mine. I had no clear idea beyond that, no plan for helping others; my sole wish was to plunge into the heart of some human misery, and to say, (as I now knew I could) to afflicted people, 'I understand: I too have suffered.'*  
(JB P58)

She did not have far to go. The local workhouse had 5000 inhabitants, and the basement was set aside for destitute women – 200 or so – who picked oakum (hemp) in exchange for bread. Josephine befriended them, some of them were little more than children – at this time the age of consent was 12, and on several occasions took a woman close to death into her own home to care for her. There were so many needing care, that Josephine and George took another house to serve as a refuge, and then a larger one to be a hostel for the healthy and active. The women were given training so that they could eventually support themselves in domestic service or allied work in laundries or as needlewomen.

As well as this work, Josephine and George both worked for higher education for women, which led to the University Extension Movement, and eventually to the foundation of Newnham College in Cambridge. But Josephine's great work was a crusade against the state regulation of vice, in this country, on the continent and in India. She wrote in an article in a journal:

*The regulation of vice – the enslavement of the women of the people, in its most horrible form, was in full operation, while we were trying to elevate women in the higher or happier ranks (and rightly so) by seeking for them equal educational advantages with men. I felt then as if we were building a beautiful house on the top of a bad drain, or upon a malarial swamp. The inmates could never be sure of health and vigorous life with such a fatal poison lurking in any part of the foundation of their dwelling. There were many, I believed, who would*

*continue the educational work; but comparatively few who would care to go down to the deeper and more hidden work, and to encounter the special difficulties, the disgust and sorrow which met us there) (Jan 1893 article in Dawn (JJ p104))*

In 1864, a temporary Act had been passed 'for the prevention of contagious diseases at certain Naval and Military establishments'. A permanent Act was introduced in 1866. The prevailing view was that it was unreasonable to expect men who were separated from their wives to remain chaste, so women who met their sexual needs should be examined regularly to make sure that they were not passing on VD. Any woman suspected of being a prostitute could be arrested and required to submit to a surgical examination. This was far more than a strip search – there are some graphic records of what happened to some of the women and girls subjected to this treatment. I'm not going to spoil your lunch by reading them to you: women here will know how unpleasant such investigations can be – men will have to use their imaginations, or ask their wives at home. But an examination of this kind meant humiliation at its mildest, physical damage, sometimes a miscarriage. W T Stead, a journalist and a biographer of Josephine Butler, described it as surgical rape (JW p 79) Refusal to submit to examination would mean prison. It was clear that poor women would be most affected – as Josephine pointed out, no lady riding in her carriage was likely to be stopped. This was a clear breach of rights – nothing of this nature should be done to anyone without a justifiable charge being made and tried in the courts. Josephine felt that there were clear links between the evils of negro

slavery which had recently been abolished, and the state regulation of prostitution, white sexual slavery, which was in effect what this law would establish.

In 1869 an Association was formed to campaign against the Law and Josephine worked tirelessly to get it repealed. She addressed numerous public meetings, attended by both men and women, and received great support from working class people. She was very outspoken – she said, for example, that if the sons of the gentry couldn't control their sexual appetites, the families of the gentry should each contribute a daughter to meet their needs. She actually named the Paymaster General and the Secretary of State for War as two of the gentry who might lead the way. It was hard for her to do this – well brought up ladies were not supposed to know about these things, let alone discuss them. In fact there had been a problem about getting the Royal Assent to the Bill. In the early stages it was felt that Queen Victoria was too young to read the Bill, so it was delayed until she was well into her widowhood. Even then it was said that she thought it was something to do with animals, not humans.

In 1870 a Royal Commission was set up and Josephine had to give evidence. She refused to be browbeaten by the Commissioners and said that she wanted people to see that the real problem was a moral one, not simply a physical disease, and that society ought to deal with the causes of evil, not its symptoms. She condemned the double standards which allowed men to go free while women were punished. She said that she thought more progress would be made in halting the

disease if there were hospitals staffed with woman who could give appropriate care. She said, also that VD had not been eradicated anywhere by this kind of legislation.

Speaking at public meetings put Josephine's life in danger – mob violence was never far away, and on one occasion, in Pontefract in 1872, the hall she was in was set on fire. It was not only men who opposed her. Some prostitutes felt that their livelihood would disappear – some of them felt that the certificate they were given after examination gave them a certain respectability – they even called themselves 'The Queen's Women'. Queen Victoria might not have been very amused at that.

Partly for health reasons, but also to further the cause, Josephine went to the continent with her son Stanley in 1874. She campaigned in France, where similar laws had been in existence since the Napoleonic Wars, and on to Italy and Switzerland, where the laws were not so deeply entrenched. During her tour, Josephine became aware of the extent of child prostitution, and the trade in English minors abducted and imprisoned in foreign brothels, subjected to terrible degradation and physical damage too. She found it hard to speak out about this when she returned to England – it was five years before she felt able to make her knowledge public, but then with the support of an association of Quaker Bankers in London, and a few other influential people, the London Committee for the Exposure and Suppression of the Traffic in English, Scotch and Irish Girls, for the Purposes of Foreign Prostitution was formed. (No snappy titles in

those days!) Under English Law, the seduction of a child under twelve was a felony; between the ages of twelve and thirteen it was a misdemeanour; yet above the age of thirteen it was not a legal offence, although it was a misdemeanour to abduct a girl under the age of sixteen with intent to seduce. The only girls given full protection of the law up to the age of twenty one were heiresses. As Josephine said, the law gives no protection at all to those who are most in need.

1882 was significant in that it was proposed that the Age of consent should be raised to 16. Any man having unlawful sex with a girl under thirteen faced penal servitude for life; under sixteen, 2 years imprisonment, which was also the penalty for procuring women of any age for the purposes of prostitution. The Bill was passed in the House of Lords, but shelved in the Commons.

It was also the year in which George resigned his principalship of Liverpool College. No preferment in the Church or the Educational world had come his way – perhaps he was too closely linked with Josephine's work. The future was bleak financially, and friends raised funds to help them, aware that Josephine was nine years younger than her husband, and faced poverty if she was widowed. Mercifully for them, Gladstone recommended that George should be given a Canonry at Winchester. They lived at 9 The Close. Josephine said it was the only time she was mistress of a good house. But much of their eight years there was spent abroad, either attending conferences or convalescing. Mary Sumner lived over the way at No 1. The

Butlers opened another house of refuge, Hamilton House, in Canon Street (just up the road from the Wykeham Arms.)

In 1883 a resolution was proposed in the Commons disapproving the compulsory examination of women. When the date for the debate was known, the Society of Friends arranged a Prayer Meeting over two days, and on the day itself there were others. (Some MPs felt that this was using an unfair advantage.)

Josephine described what happened.

*The night of the memorable debate in April, lasting many hours, there were meetings of women not far from the House of Commons – a crowd of women upon their knees through a great part of the night. I crept out of the House of Commons where I was in the Ladies' Gallery, and joined those meetings for a few moments. It was a sight I shall never forget. At one meeting there were the poorest, most ragged and miserable women from the slums of Westminster on their knees before the God of hosts, with tears and groans pouring out the burden of their sad hearts. He alone knew what that burden was. There were mothers who had lost daughters; there were sad-hearted women; and side by side with these poor souls, dear to God as we are, there were ladies of high rank, in their splendid dresses – Christian ladies of the upper classes kneeling and also weeping. I thank God for this wonderful and beautiful solidarity of the women of the world before God. Women are called to be a great power in the future, and by this terrible blow which fell upon us, forcing us to leave*

*our privacy and bind ourselves together for our less fortunate sisters, we have passed through an education - a noble education. God has prepared in us, in the women of the world, a force for all future causes which are great and just. (JB p 181)*

Voting was 182 – 110 in favour of Repeal, and the Acts were suspended in the following month. Actual repeal didn't come until 3 years later, in 1886. In that same year there was an incident in The Close in Winchester which caused quite a stir. Josephine had gained a helper in her work in the person of Rebecca Jarrett. She had been rescued from prostitution herself, and had shown herself to be a very able worker among working class women – in fact she had been appointed matron of a second house of refuge at Bar End. But she became involved in scandal and ended up in prison. On her release, Josephine invited her back to Winchester to visit, but this prompted an attack on Josephine. She was escorted home by three policemen, but the crowd refused to leave her alone, and the noise they made brought the Dean and other Canons out of their houses, angry with her for being the cause of such a disgraceful scene within the sacred precincts of The Close! Her husband apparently slept through it all, but her son, who happened to be visiting at the time was so incensed at hearing his mother insulted that he lost his temper, and knocked down the foremost man. The Dean made much of his brawling within the Close.

George died in 1890. Soon afterwards, Josephine moved to London, and for the remaining sixteen years of her life continued to campaign.

The Acts were still in force in India and on the Continent. The Indian government was ordered to rescind the Act in 1888, but delayed doing so. An Act prohibiting registration and periodical examination of prostitutes was not given the Viceroy's Assent until 1895.

Josephine realised that the crusade would have been helped if there had been women in Parliament. It was an added burden that the campaigners had to persuade the male MPs, some of whom were clients of the prostitutes, that the system was supporting immorality. In a speech at the City Temple in 1891, she pressed the importance of women's suffrage:

*For twenty-one years I have worked in a public manner against these hateful laws. During these twenty-one years there has been one thing which made our battle harder than it would have been. We have had to fight outside the Constitution. We have been knocking at the door of the Constitution all these years, and there are men who tell me that they would give us anything in the way of justice except the Parliamentary vote. We have been talking about certain Members of Parliament who are not fit to occupy that position. Give women a vote and see what will be the result. In all my work my one strength has been the strength of the Almighty, sought and won by constant prayer; and the prayer which I now offer in my secret chamber is that the veil may be taken away and the selfishness – perhaps the unconscious selfishness – may be removed from the hearts of men who deny women equality, and keep them outside the Constitution. Think what we could do in the cause of morality, think of the pain and trouble and*

*martyrdom that we might be saved in the future, if we had that little piece of justice. (JW p98-9)*

Josephine lived the last few years of her life in Wooler, near to Milfield, the place of her birth. She died in 1906. It wasn't until 1918 that women over 30 got the vote, universal suffrage came in 1928.

Josephine travelled thousands of miles and spoke at hundreds of meetings. She wrote innumerable letters and articles and several books. She was an indomitable woman, but her grandson remembered her as a beautiful and gentle soul.

*I cannot remember her ever, at ordinary times, bringing pious or uplifting thoughts into the talk. She would become very quiet at times, contemplating deeply. But not for an instant was she tiresomely holy.*

**Ann Lewin 2006**

Main sources:

*J E Butler, an autobiographical memoir*, Bristol 1909 (JB)

*Josephine Butler*, Jane Jordan, John Murray 2001 (JJ)

*Josephine Butler, The Forgotten Saint*, Joseph Williamson, Faith Press 1977 (JW)