jurisdiction the void. instituted authorities. How can effect Government which greater. and is not based upon the assumption that they are property without due shall which. property without due protection this function. The other portions require no such internal protection the national government which is, at last, got the thing property and liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws. The State is here directly addressed and limited, and not its private citizens nor its constituted authorities. How can a State violate these prohibitions? Certainly in no other way than by an organic act, and the legislature, being the supreme power in a State, is its sole organic representative. In other words, the only way possible for a State to violate this amendment, the only way possible for the amendment to be violated by any one, is by the passage of a law in conflict with its mandates. The sole effect of the amendment upon such a law is to make it utterly null and void. This particular provision of the organic law needs no legislation to enforce it; it enforces itself; its effects are felt directly and at once; it is exactly similar in this respect to the clauses which forbid the States from passing bills of attainder, or ex-post-facto laws, or laws impairing the obligation of contracts. The only department of the Government which it can ever call into action is the judiciary.

We must now compare this result with the statute which Congress has seen fit to pass. This statute is not directed against any State laws, and is not based upon the assumption that they are improper, unjust, or void. On the contrary, it conceals its correctness and validity, and aims all its penalties against private citizens who break them. It has to do with acts of private violence, and declares them to be not only a denial to the parties injured of the equal protection of the laws, but a denial made by the very State whose authority is outraged. In one portion it is expressly said that if the constituted authorities of a State—that is, the governor, judges, sheriffs, etc.—shall fail or be unable to protect the people, such fact shall be deemed a denial by such State of the equal protection of the laws. The other portions require no such official default, attempt no such definition, and are aimed exclusively at wrongs done by individuals. It is a monstrous perversion of legal language and legal thought to maintain, as this statute does, that any violence or wrong done by private citizens, either singly or in numbers, either with or without concert, can constitute the denial of the equal protection of the laws contemplated by the Fourteenth Amendment. Every crime done to person or property is, so far as an injury is committed, a denial to the party molested of the protection which the laws afford. If, therefore, the position assumed in this statute be correct, Congress and the national courts may, with equal propriety, draw to themselves jurisdiction over all crimes, and become the sole guardians of order, the single depositories of the police authority. Nay, they, according to well-settled rules of constitutional construction, must the State governments and State tribunals of all jurisdiction over the subject-matter, and thus establish a centralized administration. In fact, such is the logical and necessary tendency and result of the statute. It is no less monstrous to impose a State in its organic character the defaults or incapacities of any of its executive or judicial officers, and to enact the falsehood that such defaults shall be a positive denial by the State of equal protection. Constitutional authority and jurisdiction cannot be thus acquired by a lying quibble.

The foregoing careful analysis was necessary to demonstrate in a clear manner the invalidity of all the important and practical provisions of this new measure. To sum up the results: The statute violates the letter of the Constitution by declaring that to be a rebellion against the United States which is nothing more than violence to individuals, and by permitting the writ of habeas corpus to be suspended in time of peace; by authorizing the President to employ the military forces in exercising opposition to State laws without any application from State authorities; by extending the prohibitions of the Fourteenth Amendment to cases of private wrong; and by clothing the national courts with jurisdiction over ordinary crimes and with the function of ordinary police repression. It violates the entire spirit of the Constitution by conferring upon the President in time of peace a military discretion which belongs to him only as Commander-in-chief in time of actual war; and by destroying the separate—although subordinate—independence of the States within their appropriate spheres, which was firmly established in the Constitution as an essential feature of our institutions.

SEX IN POLITICS.

Owing to the interest excited by the condition of the city and State of New York, and the condition of the South, and by the condition of France, all of these countries being nominally governed by a numerical majority, and all badly governed, the foundations on which democratic government rests are receiving a probably more serious and thoughtful examination than they have ever received before, much talk as has been expended on them in various ages. There is this enormous difference between the discussion of democracy which is now raging and all discussions of it which have been carried on heretofore, viz., that the debaters have their subject before them. Hitherto, democracy has been discussed in very much the frame of mind in which men speculated on the form and habits of dragons or the scenery of the Hyperborees. All propositions laid down about pure democracy were strictly à priori, and one was, consequently, about as defensible as another, and the argument furnished an admirable means of sharpening opinions, and, too often, giving it a wrong value. Now, however, we have at last got the thing itself under our very eyes, and the debate has—and one might almost say suddenly—assumed a gravity, and even a solemnity, it has never before had. It used to be a pleasant exercise for clubs and speculative philosophers; it is now shaking society to its centre. We used to wonder what its effect would be on manners and clothes and public conveyances and literature. We are now considering what effect it is likely to have on property and marriage, or, in other words, on the two things which are to every man and woman the most serious interests of this mortal life.

The time of rest and tranquillity which the more ardent spirits are constantly promising themselves as the result of this or that change in the government or in the social organization is either never to come, or its coming is so far off that for us it has no more practical
interest than the probable duration of the supply of coal or of the sun's heat. Under monarchy, life was stormy and full of trouble; under democracy, it will be stormy and full of trouble too; but our duties are much the same under both; and foremost amongst them is the duty of thinking before acting. The heavy reformatory work of the next century will probably consist largely in educating people into taking large views, and especially long views, of public policy. That this is going to be a tough job, there is no denying. Anybody who considers seriously what is meant by the conflict between labor and capital of which we are only just witnessing the beginning, and what is to be done to give money legitimately that influence on legislation which it now exercises illegitimately, must acknowledge at once that the next generation will have a heavy path to tread.

This leads us to ask whether: this is just the time to add one more to the sources of distraction—and distraction here means confusion—by bringing the influence of sex into play in the political arena. We have once or twice called attention to the extent to which the woman's suffrage champions escape the grand difficulty of their position by treating sex as simply a physical difference, in no way affecting character. Mr. Mill started this theory by the extraordinary assertion that the differences between men and women were no greater than would exist between lord and (male) serfs who had been kept systematically for ages in the same state of subjection as women. His disciples in this country have improved upon it, and now invariably treat the exclusion of women from political life and certain employments as a pure piece of tyranny, having no better foundation than falsehood. In nearly all their discourses, the sexual passion is either ignored altogether or treated as a vice which is not worthy of consideration at the hands of politicians, and which will either disappear altogether or society grows in moral culture, or else simply incline men and women to sensible and happy matrimony. They take it for granted, as an axiom of social science, that in the natural state of things men and women could meet together for business on precisely the same basis as men, and discuss, vote, and co-operate with perfect freedom from all disturbing influences, other than those which operate on assemblies or companies of one sex only. They would have us believe, for instance, that if half the Assembly at Albany were composed of women, although measures might be carried under the influence of corruption, as now, votes would not be influenced by sex; and that though the power of evil might triumph, it would not triumph through the aid of female fascinations.

Now, we are not going to argue directly here against female suffrage. If the men and women—for, assuredly, so tremendous a change should not be introduced without taking the sense of the women on it also—of the country desire it, we know of no reason why they should not try the experiment. What we insist upon is, however, that they shall go into it with their eyes open, and after full discussion, so that we shall not, twenty years hence, hear such wallings and lamentations as we now hear in this State over the elective judiciary with which people saddled themselves in a burst of madness in 1846. We protest most earnestly against women's being admitted to the franchise by driblets, and dodges, and surprises, under the policy which the suffragists are now pursuing in various parts of the country, and which consists mainly in bullying or seducing solitary or timid or muddleheaded registrars or inspectors of election, in remote districts, on unimportant occasions, into letting women enrol themselves as electors, or drop their ballots into the box. Their idea doubtless is, that if this is done often enough, and over a sufficiently wide area to familiarize people with the spectacle of women's voting, and to make it seem illogical not to let them all vote, the suffrage will at last be conceded, on the ground that whatever the general merits of the question may be, it is too late to resist. Now, it may be that the admission of women to the franchise would be a great gain, but it may also prove a tremendous evil, which would positively throw civilization back a century or two. Women have thus far played so small a part in the heavy and active work of life, that the materials for prediction as to the part they would play in politics are very scanty. The arguments in favor of their admission are, thus far, all a priori, and it must not be forgotten that the women most busily engaged in the advocacy of it are picked specimens of their sex—that is, either women of great vigor or of a singularly modish type of mind, or very slenderly influenced by what we may call the sexual side of character. To act on any argument which has yet been laid before the public, and in that profound darkness in which we now sit as to women's capacity, would be, we do not hesitate to say—no matter what its results might prove—one of the most stupendous pieces of folly of which any community was ever guilty. It would resemble, in many respects, the conduct of the young women in the country districts of whom we read in the papers every now and then, who marry plausible, good-looking adventurers on a week's acquaintance. No doubt, in many of these cases, the match turns out well; but in a large number the husband runs off with the bride's trinkets and money, after a few days' honeymoon; and no apostle has ever yet risen to proclaim that because there was a chance of the stranger's proving an honest man, this was a wise way for a young woman to enter the gates of matrimony. We mean nothing disrespectful to the woman's suffragists by this comparison; we simply intend to show that there are certain great rules of human conduct by which communities no less than individuals are bound to walk, and in disregard of which no enduring happiness is to be found.

We confess for ourselves that there is nothing which has inspired us with as much distrust of the movement as the persistence with which its promoters ignore the influence of the sexual passion on nearly every field of human activity. No people can safely heed the political counsel of persons who take no note of this most tremendous of all the social forces. Let us go back ever so far into the night of ages, and we find it there, shaping nearly every one of the problems by which the race has ever since been vexed. Go down as far as we can into the recesses of human character, and we find it there, it may be enriching and elevating, it may be elevating and degrading, but still active and potential. There is no custom or habit which it has not originated or colored; no war or migration which has not owed something to its instigation. It has had to do with the building up and the downfall of great empires, and with the fighting of great battles. It has blasted some of the greatest names of history and adorned others. It has been, in short, the source in all ages of the greatest virtues and the foulest vices. In fact, if history as well as individual experience teaches us anything clearly, it is that no system of society or government which does not take note of its tremendous energy can hope for a long or prosperous existence. No man can tell what would be the effect on such persons as now compose our legislatures of the accession of a body of the kind of women who, in all probability, as soon as the first excitement and novelty was over, would devote themselves to the work of politics. They might be Motts, Howes, and Liverpools, but, reasoning from experience, the worst must be expected. We mean that we will not mention names; and we should then have added to the corruption of money, which is bad enough, a deeper, and darker, corruption still.

What has passed in Washington, in the case of the Vinnie Ream statue, is enough to set thoughtful people thinking very hard. We know of nothing against Miss Ream's character, but there seems to be no doubt that the serious business of making a statue to a public man—the honoring of whom, at this moment, is a solemn duty—was in her case committed to legislators to a young person, and a large sum of public money voted to pay her, who had never made a statue in her life, in disregard of the claims of a dozen American sculptors of established reputation, under the influence that comes from cupids, and bright eyes, and the pats of a pretty land, and the beseeching tones of a soft voice. In other words, legislators did what legislators have done a thousand times before, made use of themselves under the influence of what are called "female charms," but which, for the purposes of this discussion—which requires exceedingly plain speaking—we shall call by its proper name, the sexual passion. Suppose this influence to be organized and systematized in the person of a large body of female members of Congress, and brought to bear on land-grants, subsidies, tariffs, charters, and public offices, what kind of thing would our legislation be? What kind of place would the republic soon become if every State capital was a stage on which female adventurers could push their fortunes, check by jowl with the Irving's, and Tweeds, and Morrisays? A
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The Education of Ministers.

Our meets every now and then with statements very like the following, which we cut from a recent number of the Christian Union:

"The Rev. J. S. Peabody, in an article in his volume of Miscellanies, says: 'If we look at the attendance at the English pulpits, it is very remarkable, and the great defects of the church as a teacher of morality. It is a vast picture of the unpractical, indirect, dogmatic, formal character of the teaching of the English Church. We cannot think that the American pulpit, in any considerable portion of it, possesses the serious rigour he lays upon the English. But we are convinced that morality, supported by religious sanctions, needs to be taught in all American pulpits with far more detail, faith, fervor, and reverence for the tenets and social and political duties treated in some other way than by means of eloquence in moments of great social sins or political campaigns. If morality is more dogmatically defined of truths that lose their influence in their familiarity, we could have honesty discussed in its principles, its ideals, its temptations, its specific, practical difficulties, would there not be found a drafted on religious faith which would make it more real in this world, and which is discussed without reference to actual life? Mrs. Opie on Lying, or something better, needs to be reproduced in the pulpit. People's attention must be directed to their duty to their children in their education, government, dress, manners, and morals. We want, too, our eloquence and in due place, proportion, order. In our judgment, there is more religion than morality about, and religion is often made a convenient substitute for morality. The Rev. J. S. Peabody says that the only morality the church teaches enough is that of almoe-dropping. Certainly, between churchgoing and a dispensing of American religion is now somewhat too exclusively divided.'"

It is somewhat remarkable that in a writer who seems so clearly what the proper work of the agency known as 'the pulpit' is, and how far short it falls of doing that work, he should have let the subject drop without going further, and enquiring why the pulpit fails to do its work. There is no doubt whatever that every commercial community has undergone a serious deterioration as regards that branch of morals included under the term bona fides. In other words, there is more lying, cheating, and stealing, in proportion to population and in proportion to the temptation that comes from want, than there used to be. We believe even the most ardent admirers of "the age we live in" do not deny this. If we go to a lecture, or take up a magazine article in which its superiority to past ages is insisted on, we find that in the selection of points of comparison, common honesty is usually carelessly avoided. The orator and writer shows how much more comfort we have in our houses: how much more easily we travel: how much kinder we are to prisoners, captives, and paupers: how much less flagging of children we do, and so on: but he never says we are more truthful, and just, and scrupulous in our dealings, less prone to tell a good profitable lie, or sand the sugar, or stick bits of lead to the bottom of the saucepan. In fact, fraud is generally acknowledged to be the vice of our time, par excellence. We cheat in buying and selling, in the administration of justice, in the election of public officers, in the passage of laws, in the transportation of passengers, in the insuring of lives, in the administration of trusts. We help even the noblest causes by downright lying. We lie for the propagation of our pet ideas, and for the promotion of our pet charities. It is indeed one of the curious signs of the times, that the temperance advocates should be amongst the most unscrupulous of orators, and that temperance people are amongst the most unscrupulous people in the country; or, in other words, that the extirpation of a vice of which the root is beyond question largely physical, and the prevalence of which is, therefore, undoubtedly likely to be temporary, and its influence on society in the long run slight, should be sought by numbers of earnest men through the practice of another vice, which is wholly moral, and exists out all that is best in human character. It has taken all but complete possession of the two great classes into which the community is now divided—the capitalists and laborers. The capitalists are cheating in the management of their great combinations known as corporations and in the corrupting of legislatures, and are biding their time to do good work, and using all their powers to deprive society of the means of making them do it. Simplicity, birtiness in structure, eu nanescence in color, slovenliness and coarseness in detail are acknowledged, not only by Jeremiah like Ruxin, but by the soberest and most hopeful observers of our industrial progress, to be the characteristics of modern manufactures, compared with those of even a century ago: and the worst of it is that society encourages them by an enormous demand for cheap imitations of good things, and places its greatest glory in the wide diffusion of these imitations through all classes of the community.

Thomas Carlyle about thirty years ago seemed likely to bring about a powerful reaction against this state of things by his denunciation of "shams," and his exhortations to honest toil and truthfulness, and did produce a deep impression on the young men of that generation, who with their brethren to "emanseptize" themselves as fast as they could from the bondage of various social and religious ideas in which they had been bred. But the movement never produced much, if any, effect on practical life, and, indeed, seems never to have gone beyond the protest mentioned. Many people, having once begun it, were so delighted with "emanseptization," that they have gone on with it, and have themselves ever since, and their mode of leading a new life consists in periodical meetings with persons of their way of thinking for the purpose of hurling defiance at the "old theology," and mentioning the particular portions of it that they consider peculiarly monstrous and absurd; and they have apparently as much confidence in this performance as a means of discipline as if they knew that familiar of the Holy Office were waiting outside for them with the boot and thumbscrews.

The question of the modern religious peacocks has come from the body of reformers known and ridiculed as the "Pre-Raphaelites." We have nothing to say here of the purely artistic merits of their work. But there is no question that their devotion to truth, and the enormous importance they attached to representing things as they are, whether as seen or not, however faulty the artistic result may have been, gave it a very great ethical value, and has exercised, as far as it has extended—which is a very little way, we are sorry to say—a more healthy influence than any other movement of which at least we are aware.

This influence, too, has become more marked, and more valuable, as they have extended the application of their theory to furniture, dress, and the construction and decoration of houses. The pertinacity with which they insist on reality and simplicity, or the preservation of the idea of utility and naturalness even in ornamentation, and fight against vaneer and shabby imitation, cannot but have, and have had, a healthy influence on the morals both of manufacturers and customers; but then as regards range, it is hardly worth mention. If we look around for any other real fight against lying and cheating, we find uncommonly little to comfort us. The press is supposed to be a great exposé of shams and impostures; but then it is too much of a commercial enterprise not to be something of a sham itself. The only mode of the editor, the ubiquity of the reporters, the grim determination of the publisher to give Satan no quarter, are all unfortunately for sale; and when things are for sale one never knows how they may turn out.

The only body of men in modern Christendom which can be said to be expressly devoted to the work of reform, without being open to the suspicion of carrying it on as a commercial venture, are the ministers of the various religious denominations. It is melancholy, but true, that the ministry is the last surviving "profession," using the term to indicate a calling pursued purely for its own sake, and with little or no reference to its pecuniary returns. Of the great mass of the community in this and every other country, it is safe to say that they draw from attendance on religious worship the sole reminder they receive that there are such things as questions of morals, that good wages or fair profits are not the great ends of existence, that the opinion of one's fellow men is not always the opinion of right or wrong, and that the man who never asks himself, Why am I here? whither am I going? and why do I this, and not that? does not lead a really human life, but that of a dexterous brute. Never since the world began were