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THE  
RIGHTS OF WOMEN,

**Comparative Study in History and Legislation**

BY

**M. OSTROGORSKI**

**TRANSLATED UNDER THE AUTHOR'S SUPERVISION**



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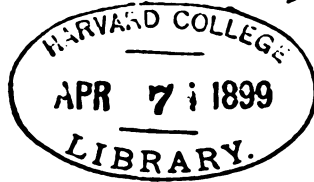


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PUBLISHER'S  
PREFACE TO THE ENGLISH EDITION

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THE increased importance attaching to the Woman's Rights question throughout the civilised world is no longer a matter of opinion. It could not perhaps be more strongly attested than by the circumstances which gave rise to the publication of this monograph.

The Paris Faculté de Droit opened an international competition for the best essay on the subject, and after the examination of all the works submitted to it, the jury awarded the first prize to M. Ostrogorski, the author of the present volume.

The opinion of the jury was expressed as follows:—  
" Il est supérieur à tous les autres. . . . Son œuvre porte l'empreinte d'un esprit robuste qui saisit avec justesse les faits et leurs nuances, et dégage avec une sage modération la signification qu'il faut y attacher pour la marche générale des idées réformatrices. Il expose le sujet sans omettre aucun détail, dans une dissertation vigoureuse, exempte de hors d'œuvre. . . . Le plan n'est pas un instant perdu de vue; la méthode est excellente. . . . Le livre récompensé est un livre

distingué, profondément réfléchi, d'une lecture attachante."

Since the publication of the work in Paris it has been carefully revised and brought up to date by the author, who has rewritten the concluding chapter and added two important Appendices for the English edition.

In examining the part assigned to women in the different elective bodies and public offices, the author has thought it would assist the reader to supply him with the necessary information concerning the character and organisation of each institution. In the opinion of the Publishers this lends an additional value to the monograph, and they do not think any apology is needed for leaving this information exactly as it stands, including that which relates to English-speaking countries. If the ordinary English citizen knows the institutions of his own country, he is, as a rule, imperfectly acquainted with Colonial and American institutions.

The volume is believed to be a unique attempt to collect, and to reduce to a system, all the available information on the subject with which it deals.

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## INTRODUCTION.

FROM the very beginning of history woman appears everywhere in a state of complete subordination. Law, which comes to regulate by fixed rules the relations of men in society, sanctions the subjection of woman. At Rome, legislating for the universe, this tenet is formulated in the harshest terms. Christianity, though bringing with it a refining influence, does little to alter woman's position; the Canon Law cannot forgive her the seduction of Adam. "Adam per Evam deceptus est, non Eva per Adam. Quem vocavit ad culpam mulier justum est ut eum gubernatorem assumat ne iterum feminea facilitate labatur."<sup>1</sup> The barbarian society, which rises in the place of the Greco-Roman world, founded as it was on force, shows no greater willingness to recognise the personality of woman; her legal *status* here is one of perpetual tutelage. As social and economic conditions develop and differentiate in the course of the Middle Ages, the unmarried woman gradually liberates herself from the legal restric-

<sup>1</sup> "Adam was beguiled by Eve, not Eve by Adam. It is just that woman should take as her ruler him whom she incited to sin, that he may not fall a second time through female levity." (St. Ambrose quoted in the Decretal; Decret. ii., p. 23, c. 17.)

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