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Dr. E. WESTERMARCK in the Chair.

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## I.

### RESTRICTIONS IN MARRIAGE

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It is proposed in the following remarks to meet an  
objection that has been repeatedly urged against the  
possible adoption of any system of Eugenics,\* namely, that  
human nature would never brook interference with the freedom  
of marriage.

In my reply, I shall proceed on the not unreasonable  
assumption, that when the subject of Eugenics shall be well  
understood, and when its lofty objects shall have become  
generally appreciated, they will meet with some recognition  
both from the religious sense of the people and from its laws.  
The question to be considered is, how far have marriage  
restrictions proved effective, when sanctified by the religion of  
the time, by custom, and by law? I appeal from arm-chair  
criticism to historical facts.

To this end, a brief history will be given of a few

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\* Eugenics may be defined as the science which deals with those social agencies that  
influence, mentally or physically, the racial qualities of future generations.

widely-spread customs in successive paragraphs. It will be seen that with scant exceptions they are based on social expediency, and not on natural instincts. Each paragraph might have been expanded into a long chapter had that seemed necessary. Those who desire to investigate the subject further can easily do so by referring to standard works in anthropology, among the most useful of which, for the present purpose, are Frazer's *Golden Bough*, Westermarck's *History of Marriage*, Huth's *Marriage of Near Kin*, and Crawley's *Mystic Rose*.

I. MONOGAMY. It is impossible to label mankind by one general term, either as animals who instinctively take a plurality of mates, or who consort with only one, for history suggests the one condition as often as the other. Probably different races, like different individuals, vary considerably in their natural instincts. Polygamy may be understood either as having a plurality of wives; or, as having one principal wife and many secondary but still legitimate wives, or any other recognised but less legitimate connections; in one or other of these forms it is now permitted—by religion, customs, and law—to at least one-half of the population of the world, though its practice may be restricted to a few, on account of cost, domestic peace, and the insufficiency of females. Polygamy holds its ground firmly throughout the Moslem world. It exists throughout India and China in modified forms, and it is entirely in accord with the sentiments both of men and women in the larger part of negro Africa. It was regarded as a matter of course in the early Biblical days. Jacob's twelve children were born of four mothers all living at the same time, namely, Leah, and her sister, Rachel, and their respective handmaids Bilhah and Zilpah. Long afterwards, the Jewish kings emulated the luxurious habits of neighbouring potentates and carried polygamy to an extreme degree. For Solomon, see I. Kings, xi. 3. For his son Rehoboam, see II. Chron., xi. 21. The history of the subsequent practice of the custom among the Jews is obscure, but the Talmud contains no law against polygamy. It must have ceased in Judæa by the time of the Christian Era. It was not then allowed in either Greece or Rome. Polygamy

was unchecked by law in profligate Egypt, but a reactionary and ascetic spirit existed, and some celibate communities were formed in the service of Isis, who seem to have exercised a large though indirect influence in introducing celibacy into the early Christian church. The restriction of marriage to one living wife subsequently became the religion and the law of all Christian nations, though licence has been widely tolerated in royal and other distinguished families, as in those of some of our English kings. Polygamy was openly introduced into Mormonism by Brigham Young, who left seventeen wives, and fifty-six children. He died in 1877; polygamy was suppressed soon after. (*Encyc. Brit.*, xvi. 827.)

It is unnecessary for my present purpose to go further into the voluminous data connected with these marriages in all parts of the world. Enough has been said to show that the prohibition of polygamy, under severe penalties by civil and ecclesiastical law, has been due not to any natural instinct against the practice, but to consideration of social well-being. I conclude that equally strict limitations to freedom of marriage might, under the pressure of worthy motives, be hereafter enacted for Eugenic and other purposes.

2. ENDOGAMY, or the custom of marrying exclusively *within* one's own tribe or caste, has been sanctioned by religion and enforced by law, in all parts of the world, but chiefly in long settled nations where there is wealth to bequeath and where neighbouring communities profess different creeds. The details of this custom, and the severity of its enforcement, have everywhere varied from century to century. It was penal for a Greek to marry a barbarian, for a Roman patrician to marry a plebeian, for a Hindu of one caste to marry one of another caste, and so forth. Similar restrictions have been enforced in multitudes of communities, even under the penalty of death.

A very typical instance of the power of law over the freedom of choice in marriage, and which was by no means confined to Judæa, is that known as the Levirate. It shows that family property and honour were once held by the Jews to dominate over individual preferences. The Mosaic law



actually *compelled* a man to marry the widow of his brother if he left no male issue. (Deuteron. xxv.) Should the brother refuse, "then shall his brother's wife come unto him in the presence of the elders, and loose his shoe from off his foot, and spit in his face; and she shall answer and say, so shall it be done unto the man that doth not build up his brother's house. And his name shall be called in Israel the house of him that hath his shoe loosed." The form of this custom survives to the present day and is fully described and illustrated under the article "Halizah" (=taking off, untying) in the *Jewish Cyclopaedia*. Jewish widows are now almost invariably remarried with this ceremony. They are, as we might describe it, "given away" by a kinsman of the deceased husband, who puts on a shoe of an orthodox shape which is kept for the purpose, the widow unties the shoe, spits, but now on the *ground*, and repeats the specified words.

The duties attached to family property led to the history, which is very strange to the ideas of the present day, of Ruth's advances to Boaz under the advice of her mother. "It came to pass at midnight" that Boaz "was startled (see marginal note in the Revised Version) and turned himself, and behold a woman lay at his feet," who had come in "softly and uncovered his feet and laid her down." He told her to lie still until the early morning and then to go away. She returned home and told her mother, who said, "Sit still, my daughter, until thou know how the matter will fall, for the man will not rest until he have finished the thing this day." She was right. Boaz took legal steps to disembarass himself of the claims of a still nearer kinsman, who "drew off his shoe"; so Boaz married Ruth. Nothing could be purer, from the point of view of those days, than the history of Ruth. The feelings of the modern social world would be shocked if the same thing were to take place now in England.

Evidence from the various customs relating to endogamy show how choice in marriage may be dictated by religious custom. That is, by a custom founded on a religious view of family property and family descent. Eugenics deal with what is more valuable than money or lands, namely

the heritage of a high character, capable brains, fine physique, and vigour; in short, with all that is most desirable for a family to possess as a birthright. It aims at the evolution and preservation of high races of men, and it as well deserves to be strictly enforced as a religious duty, as the Levirate law ever was.

3. EXOGAMY is, or has been, as widely spread as the opposed rule of endogamy just described. It is the duty enforced by custom, religion, and law, of marrying *outside* one's own clan, and is usually in force amongst small and barbarous communities. Its former distribution is attested by the survival in nearly all countries of ceremonies based on "marriage by capture." The remarkable monograph on this subject by the late Mr. McLennan is of peculiar interest. It was one of the earliest, and perhaps the most successful, of all attempts to decipher pre-historic customs by means of those now existing among barbarians, and by the marks they have left on the traditional practices of civilised nations, including ourselves. Before his time those customs were regarded as foolish, and fitted only for antiquarian trifling. In small fighting communities of barbarians, daughters are a burden; they are usually killed while infants, so there are few women to be found in a tribe who were born in it. It may sometimes happen that the community has been recently formed by warriors who have brought no women, and who, like the Romans in the old story, can only supply themselves by capturing those of neighbouring tribes. The custom of capture grows; it becomes glorified, because each wife is a living trophy of the captor's heroism; so marriage within the tribe comes to be considered an unmanly, and at last a shameful act. The modern instances of this among barbarians are very numerous.

4. AUSTRALIAN MARRIAGES. The following is a brief clue, and apparently a true one, to the complicated marriage restrictions among Australian bushmen, which are enforced by the penalty of death, and which seem to be partly endogamous



in origin and partly otherwise. The example is typical of those of many other tribes that differ in detail.

A and B are two tribal classes; 1 and 2 are two other and independent divisions of the tribe (which are probably by totems). Any person taken at random is equally likely to have either letter or either numeral, and his or her numeral and letter are well known to all the community. Hence the members of the tribe are sub-classed into four sub-divisions, A<sub>1</sub>, A<sub>2</sub>, B<sub>1</sub>, B<sub>2</sub>. The rule is that a man may marry those women only whose letter and numeral are both different to his own. Thus, A<sub>1</sub> can marry only B<sub>2</sub>, the other three sub-divisions A<sub>1</sub>, A<sub>2</sub>, and B<sub>1</sub> being absolutely barred to him. As to the children, there is a difference of practice in different parts: in the cases most often described, the child takes its father's letter and its mother's numeral, which determines class by paternal descent. In other cases the arrangement runs in the contrary way, or by maternal descent.

The cogency of this rule is due to custom, religion and law, and is so strong that nearly all Australians would be horrified at the idea of breaking it. If any one dared to do so, he would probably be clubbed to death.

Here then is another restriction to the freedom of marriage which might with equal propriety have been applied to the furtherance of some form of Eugenics.

5. TABOO. The survival of young animals largely depends on their inherent timidity, their keen sensitiveness to warnings of danger by their parents and others, and to their tenacious recollection of them. It is so with human children, who are easily terrified by nurses' tales, and thereby receive more or less durable impressions.

A vast complex of motives can be brought to bear upon the naturally susceptible minds of children, and of uneducated adults who are mentally little more than big children. The constituents of this complex are not sharply distinguishable, but they form a recognisable whole that has not yet received an appropriate name, in which religion, superstition, custom, tradition, law and authority all have part. This group of

motives will for the present purpose be entitled "immaterial," in contrast to material ones. My contention is that the experience of all ages and all nations shows that the immaterial motives are frequently far stronger than the material ones, the relative power of the two being well illustrated by the tyranny of taboo in many instances, called as it is by different names in different places. The facts relating to taboo form a voluminous literature, the full effect of which cannot be conveyed by brief summaries. It shows how, in most parts of the world, acts that are apparently insignificant have been invested with ideal importance, and how the doing of this or that has been followed by outlawry or death, and how the mere terror of having unwittingly broken a taboo may suffice to kill the man who broke it. If non-eugenic unions were prohibited by such taboos, none would take place.

6. PROHIBITED DEGREES. The institution of marriage, as now sanctified by religion and safeguarded by law in the more highly civilised nations, may not be ideally perfect, nor may it be universally accepted in future times, but it is the best that has hitherto been devised for the parties primarily concerned, for their children, for home life, and for society. The degrees of kinship within which marriage is prohibited, is with one exception quite in accordance with modern sentiment, the exception being the disallowal of marriage with the sister of a deceased wife, the propriety of which is greatly disputed and need not be discussed here. The marriage of a brother and sister would excite a feeling of loathing among us that seems implanted by nature, but which further inquiry will show, has mainly arisen from tradition and custom.

We will begin by giving due weight to certain assigned motives. (1) Indifference and even repugnance between boys and girls, irrespectively of relationship, who have been reared in the same barbarian home. (2) Close likeness, as between the members of a thorough-bred stock, causes some sexual indifference: thus highly bred dogs lose much of their sexual desire for one another, and are apt to consort with mongrels. (3) Contrast is an element in sexual attraction which has not



yet been discussed quantitatively. Great resemblance creates indifference, and great dissimilarity is repugnant. The maximum of attractiveness must lie somewhere between the two, at a point not yet ascertained. (4) The harm due to continued interbreeding has been considered, as I think, without sufficient warrant, to cause a presumed strong natural and instinctive *repugnance* to the marriage of near kin. The facts are that close and continued interbreeding invariably does harm after a few generations, but that a single cross with near kinsfolk is practically innocuous. Of course a sense of repugnance might become correlated with any harmful practice, but there is no evidence that it is *repugnance* with which interbreeding is correlated, but only *indifference*, which is equally effective in preventing it, but quite another thing. (5) The strongest reason of all in civilised countries appears to be the earnest desire not to infringe the sanctity and freedom of the social relations of a family group, but this has nothing to do with instinctive sexual repugnance. Yet it is through the latter motive alone, so far as I can judge, that we have acquired our apparently instinctive horror of marrying within near degrees.

Next as to facts. History shows that the horror now felt so strongly did not exist in early times. Abraham married his half-sister Sarah, "she is indeed the sister, the daughter of my father, but not the daughter of my mother, and she became my wife." (Gen. xx., 12). Amram, the father of Moses and Aaron, married his aunt, his father's sister Jochabed. The Egyptians were accustomed to marry sisters. It is unnecessary to go earlier back in Egyptian history than to the Ptolemies, who, being a new dynasty, would not have dared to make the marriages they did in a conservative country, unless popular opinion allowed it. Their dynasty includes the founder, Ceraunus, who is not numbered; the numbering begins with his son Soter, and goes on to Ptolemy XIII., the second husband of Cleopatra. Leaving out her first husband, Ptolemy XII., as he was a mere boy, and taking in Ceraunus, there are thirteen Ptolemies to be considered. Between them, they contracted eleven incestuous marriages, eight with whole sisters, one with a half-sister, and two with nieces. Of course,



the object was to keep the royal line pure, as was done by the ancient Peruvians. It would be tedious to follow out the laws enforced at various times and in the various states of Greece during the classical ages. Marriage was at one time permitted in Athens between half-brothers and half-sisters, and the marriage between uncle and niece was thought commendable in the time of Pericles, when it was prompted by family considerations. In Rome the practice varied much, but there were always severe restrictions. Even in its dissolute period, public opinion was shocked by the marriage of Claudius with his niece.

A great deal more evidence could easily be adduced, but the foregoing suffices to prove that there is no instinctive repugnance felt universally by man to marriage within the prohibited degrees, but that its present strength is mainly due to what I called immaterial considerations. It is quite conceivable that a non-eugenic marriage should hereafter excite no less loathing than that of a brother and sister would do now.

7. CELIBACY. The dictates of religion in respect to the opposite duties of leading celibate lives, and of continuing families, have been contradictory. In many nations it is and has been considered a disgrace to bear no children, and in other nations celibacy has been raised to the rank of a virtue of the highest order. The ascetic character of the African portion of the early Christian church, as already remarked, introduced the merits of celibate life into its teaching. During the fifty or so generations that have elapsed since the establishment of Christianity, the nunneries and monasteries, and the celibate lives of Catholic priests, have had vast social effects, how far for good and how far for evil need not be discussed here. The point I wish to enforce is the potency, not only of the religious sense in aiding or deterring marriage, but more especially the influence and authority of ministers of religion in enforcing celibacy. They have notoriously used it when aid has been invoked by members of the family on grounds that are not religious at all, but merely of family expediency. Thus, at some times and in some Christian nations, every girl who did

not marry while still young, was practically compelled to enter a nunnery from which escape was afterwards impossible.

It is easy to let the imagination run wild on the supposition of a whole-hearted acceptance of Eugenics as a national religion; that is of the thorough conviction by a nation that no worthier object exists for man than the improvement of his own race; and when efforts as great as those by which nunneries and monasteries were endowed and maintained should be directed to fulfil an opposite purpose. I will not enter further into this. Suffice it to say, that the history of conventual life affords abundant evidence on a very large scale, of the power of religious authority in directing and withstanding the tendencies of human nature towards freedom in marriage.

CONCLUSION.—Seven different subjects have now been touched upon. They are monogamy, endogamy, exogamy, Australian marriages, taboo, prohibited degrees and celibacy. It has been shown under each of these heads how powerful are the various combinations of immaterial motives upon marriage selection, how they may all become hallowed by religion, accepted as custom and enforced by law. Persons who are born under their various rules live under them without any objection. They are unconscious of their restrictions, as we are unaware of the tension of the atmosphere. The subservience of civilised races to their several religious superstitions, customs, authority and the rest, is frequently as abject as that of barbarians. The same classes of motives that direct other races direct ours, so a knowledge of their customs helps us to realise the wide range of what we may ourselves hereafter adopt, for reasons as satisfactory to us in those future times, as theirs are or were to them at the time when they prevailed.

Reference has frequently been made to the probability of Eugenics hereafter receiving the sanction of religion. It may be asked, "how can it be shown that Eugenics fall within the purview of our own?" It cannot, any more than the duty of making provision for the future needs of oneself and family, which is a cardinal feature of modern civilisation, can be deduced from



the Sermon on the Mount. Religious precepts, founded on the ethics and practice of olden days, require to be reinterpreted to make them conform to the needs of progressive nations. Ours are already so far behind modern requirements that much of our practice and our profession cannot be reconciled without illegitimate casuistry. It seems to me that few things are more needed by us in England than a revision of our religion, to adapt it to the intelligence and needs of the present time. A form of it is wanted that shall be founded on reasonable bases and enforced by reasonable hopes and fears, and that preaches honest morals in unambiguous language, which good men who take their part in the work of the world, and who know the dangers of sentimentalism, may pursue without reservation.