

# The contagious diseases acts essay



**ASSIGN  
BUSTER**

This essay will discuss the socially constructed views or gendered norms of women and their sexuality within the Victorian period. Ideologies of gender and class saturated society in this period, these ideologies helped to shape the Contagious Diseases Acts. However, in order to discuss these discourses fully, there is a need to outline what the Contagious Diseases Acts were, their effects and their results. Although the acts were designed to control working class women's sexuality, they permeated middle class women's lives and ultimately served to give some women a voice within the repeal process.

On the other hand, the view of women remained predominantly class based. The working class 'common' prostitute represented 'moral decline' which could ultimately result in 'racial suicide'. Consequently, class driven expectations influenced the view of women and formed the undercurrent of the Contagious Diseases Acts. However, preceding the Contagious Diseases acts, the gendered norms of women were further emphasised by the Criminal Law Amendment act of 1851. Therefore, this essay will also discuss this act in relation to women's sexuality.

Although most of the focus will be upon women, the emerging social purity view that 'men should be held accountable for their sexuality' will also be discussed (Bartley, 1985, p. 2)). This proves necessary in order to provide an unbiased account of gender norms prevalent within Victorian Britain. This paper will also focus upon the role of the prostitute as both the 'fallen woman' and a 'necessary evil'. The industrial revolution, radical feminism along with social purity reformers will also be mentioned, but not discussed

fully although they are acknowledged to be important factors in relation to the implementation of the Contagious Diseases Acts.

However, due to the restrictions of this essay it proves difficult to discuss all these aspects fully. ' The great prevalence of venereal infections among the troops serving in the United Kingdom, and the men of the Royal Navy on the home station, from 1860 to 1863, led to the adoption of measures to reduce the frequency of that class of disease' (Null, 2004, p. 88). This statement identifies the hypothesis of the Contagious Diseases Acts and signifies the armed forces as those in need of protection from disease-ridden prostitutes of the time. Consequently, there was an emerging concern over the high incidence of venereal diseases within the armed forces, resulting in a fear over Britain's ability to maintain its power and position in the world (Null, 2004, p.

88). Therefore, according to Lawson, ' the military establishment formed a de facto alliance with the public health lobby led by the Lancet, to secure a supply of disease free prostitutes to service the rank and file' (1891, p. 4). Indeed, in 1860, 97, 700 soldiers were admitted to hospital with primary venereal sores, 3300 for secondary syphilis and 13000 for gonorrhoea (Lawson, 1891, p. 52).

Therefore, there was a need to re-dress the problem and create a bachelor army with access to disease free prostitutes. Consequently, the resulting acts were devised to control women and their sexuality for the good of the nation. The first Contagious diseases act emerged in 1864 and went by with little agitation; the act was amended in 1866 and 1869(). The acts meant

that the 'common' prostitute, if suspected to be infected with a 'communicable venereal disease' was forcibly examined both externally and internally. If venereal disease was present, she could be held in a Lock Hospital for a period up to 9 months for treatment. The first act of 1864 provided this on a purely voluntary basis or to women who were specifically reported to a magistrate, although they could leave hospital at any time (Lawson, 1891, p31).

The continued prevalence of venereal diseases meant that the acts were revised in 1866 and 1869 in order to make them more efficient (Lawson, 1891, p. 1). The acts also encompassed an experimental and geographical discourse, specifically aimed at areas surrounding military garrisons and ports. This further reiterates Lawson's argument that they were aimed at creating a healthy bachelor armed force with increased access to healthy, disease free prostitutes (Bland, 1985, p. 193). Prostitution was unavoidable according to the regulationist arguments.

However, in order to protect society from the 'evil' common prostitute, they should be registered and their appearance on the streets subject to medical and police surveillance. The overt message of the Contagious Diseases acts meant that women should be removed from the streets and enclosed in specific areas of sexual exchange (Bland, 185, p. 198). Consequently, there were 14 districts which came 'under the acts', including Woolwich, along with Cork and Curragh, another 14 formed a control group referred to as 'never under the acts' (Lawson, 1891, p. 72).

Within stations, 'never under the acts', inspection of the troops for signs of venereal disease did not take place. This meant that troops who were infected could infect the local prostitutes and once infected, other troops using the same prostitute could be infected too. In stations, which 'came under the acts', troops were examined for signs of disease. However, unlike the prostitutes, this was not enforceable and on a predominantly voluntary basis (Lawson, 1891, p. 71). However, between 1873 to 1879, soldiers could have their pay stopped while in hospital for treatment of venereal diseases (Null, 2004, p.

89). However, the Minister of War suggested that this could have had the opposite effect, making soldiers hide their symptoms (Null, 2004, p. 8).

Ultimately, women were considered the carriers and infectors of venereal diseases. This ideology surrounded the opinion that women who were paid to have sex were unnatural and therefore, if they were not controlled they would infect 'the respectable world and destroy families' (Bartley, 2000, p. 2).

The fact that they were subjected to internal examination 'by that steel penis, the speculum' and ordered to be detained in hospital for treatment caused outcry by social purity reformers and radical feminists such as Josephine Butler and Ellis Hopkins, respectively (Mcgregor, 1955, p. 2). It has already been outlined who the acts were aimed at, the common prostitute, along with the implications of the acts. Consequently, there is a need to explain the class boundaries, which encased prostitutes. The word 'common' refers to the working class prostitute, whose sexuality was deemed as morally and nationally dangerous. Industrialisation meant that the

working class were increasingly viewed as immoral and the common prostitute was the embodiment of this immorality.

The factories in particular were increasingly stated as 'hotbeds of lust' 'where chastity is a laughing stock' (Malone, 1998, p. 172). The majority of factory workers were working class men and women, thus reinforcing the point that it was the working class whose morals that were called into question. Furthermore, 'un-chastity for men was understandable and even necessary for health, but for women it was unforgivable' (Bruley, p.

13) Ultimately, working class women who turned to prostitution were the devil incarnate. This is where the differences between men's sexuality and women's sexuality came into the forefront. Men were naturally sexual whereas women were to be 'virtuous and chaste' at all times (Bland, 1985, p. 193).

The prostitute was immoral as she transformed a private activity into a public activity (Howell, 2004, p. 379). However, the industrial age was not only attributed to the downwards slide of morals within the working class, but also viewed as a reason why many working class women found themselves in the best paid occupation - prostitution. Following the Poor Law of 1834, outdoor relief became increasingly difficult to obtain. In order to contribute to the family finances, there became an oversupply of women and girls looking for work.

Furthermore, girls of respectable working class families were expected to become self-supporting by the age of 13 while 'subscribing to the sexual mores of bourgeois society' (Walkowitz, 1982, p. 83). However, middle class

boys and girls were discouraged from working. Consequently, women arrested for prostitution were predominantly drawn from the ‘labouring and artisan classes’ (Mort, 1985, p 214. .

Nonetheless, the double standards regarding sexual norms transcended across the class barriers. Middle class women were expected to satisfy their husband’s sexual urges out of duty not lust. They were viewed as ‘asexual’ meaning that they had no sexual urges (Bruley, p. 14). Therefore, the prostitute could also be attributed as providing a social service.

She liberated middle class women from the laborious task of satisfying their husbands, while also enabling young women to retain their reputations by enabling men to release their ‘natural’ sexual energies (). Furthermore, sexuality was not only conditioned by ‘sex and social class’ but ‘further by age’ (Walkowitz, 1982, p. 79) The Criminal Law Amendment act of 1851, commonly referred to as Stead’s Law following the publication of the Maiden Tribute of Modern Babylon which highlighted the prevalence of child prostitution. A moral panic emerged regarding girls sexuality (Walkowitz, 1982, p. 82). The resulting Criminal Law Amendment act also served to highlight the difference between boys and girls sexuality.

The age of consent was raised from 13 to 16 for girls but not boys. In a patriarchal society, boys and men were the embodiment of the nation with women being little more than ‘walking wombs’ (Bartley, 2000, p. 126). Indeed, the womb was also stated as a reason for women’s mental weakness (Bartley, 2000, p.

126). Therefore, men and boys could copulate at any age as long as it was not within a homosexual relationship, according to the act. The main aim of the Criminal Law Amendment Act was to protect innocent girls from sex, but more importantly, it was about asserting the parents rights over their daughters rather than to prevent her harm (Mort, 1985, p. 10).

Consequently, control and protection formed the rhetoric of the emerging social purity movement (Malone, 1998, p. 170). However, there was a double standard within this discourse. There was a commonly held view that having sex with a virgin or a ‘child redeemer’ could cure men who had a venereal disease (Walkowitz, 1982, p. 88)). Although the social purity reformers at the helm of protest of the Contagious Diseases Acts condemned the thought of the child redeemer, they still upheld their own metaphorical view, which surrounded the same belief (Gorham, 1978, p.

62). The main reason to protect young girls from sex lay in the belief that ‘the corrupted child is only too likely to become the abandoned woman’ (Walkowitz, 1982, p. 88. Gorham, 1978, p. 360) In other words; if young girls were not protected from sex at an early age, they could become the ‘fallen woman’ of tomorrow.

However, the social purity movement recognised the double standards embedded in the moral debates surrounding prostitution. Josephine Butler stated that it was men, not women who were sexually immoral (Walkowitz, 1982, p. 80). Although radical feminists and the social purity movement called for the repeal of the Contagious Diseases Acts, they too held their own



double standards. They demanded that men control their own sexuality but also gave them power to control the sexuality of women.

However, they were enshrined within a society where women had no legal or citizenship powers. Women had no rights, and were socially constricted within separate spheres. Middle class women were viewed as the 'angel in the house' with a woman's place in the private sphere of society, the home. Josephine Butler fought against the ideology of 'fallen woman' and 'un-fallen woman' and called for all women to view themselves as sisters, regardless of class (McGregor, 1955, p. 49). Consequently, Harriet Martineau and Florence Nightingale began a protest movement in the 1870's, which led to the formation of the Ladies National Association.

Josephine Butler was the secretary and main protagonist (McGregor, 1955, p. 60). This also served as the foundation document for the feminist movement (McGregor, 1955, p. 50). The members increasingly found that their usefulness was limited, due to the social boundaries imposed upon their sex. The Egalitarian ideology that Butler encompassed surrounded the fact that the acts were against the constitutional rights of women and gave state sanction to male sexual privilege (Walkowitz, 1982, p.

89). The main protagonists of the Contagious Diseases Acts were middle class women who used their moral superiority to teach their 'sisters' of the lower orders how to conduct themselves in a ladylike and morally uplifting way. However, there remained an inherent fear of female sexuality, which many historians have tried but have so far failed to do so (Bruley, 1999, p.

13). Consequently, there remained many ambiguities concerning the treatment of prostitutes and women's sexuality.

However, compulsory examination of prostitutes was stopped in 1883 and the acts repealed eventually in 1884 (Lawson, 1891, p. 40). This was mostly due to the work of the social purity reformers and radical feminists but could also be attributed to the acts failure to stop the incidence of venereal disease. Many other acts followed which took the same line but towards the end of the nineteenth century, men were increasingly held accountable for their own sexuality. This paper has shown that women's sexuality was blamed for many social evils, including venereal disease, national progress and societies lack of morals.

Encompassed within the Contagious Diseases Acts was a socially constructed view of how women should have behaved and how this behaviour defined their femininity. Working class women were predominantly blamed for societies downwards slide, with middle class women defined as morally superior. Although men and boys were viewed as naturally sexual, they increasingly had to answer for their lack of morals towards the end of the century. The ambiguities mentioned, still survive within society today. Although the fear of women's sexuality may have dissipated, double standards remain.

Prostitution is still subject to police and medical surveillance as it was under the Contagious Diseases Acts and is still viewed as morally repugnant. However, although the Contagious Diseases acts failed to curb the incidence

of venereal diseases, they were successful in giving women a voice and projecting the feminist movement into the public arena.