

# Editorial Reflections

## *Justices and the Woman*

TWICE in successive years the Legislative Council, an anachronism representative of nothing but itself, and really something of an excrescence on the body politic, has had the effrontery to over-ride the decision of the elected representatives of the people, that the time has come for woman to take her share in the administration of justice. Secure in the fact that they have no female electorate to placate, the "Upper House" has decided that the Commission of the Peace must not be held by women. The amazing futility of the arguments brought against the proposal by some of the speakers would be amusing were it not that they formed a tragic revelation of the mentality of those who have the power to make and unmake laws for the government and control of the people of this Dominion. The discussion revealed a standard of intelligence so remarkable that one marvels a little at men capable of advancing such futile arguments being ever offered a place in their country's councils. Women were at home more than men, was one of the strangest arguments against, mark you, against the proposal to open the lists to women. To know just where a J.P. is to be found, especially in a country district, is regarded as a disability by these potent, grave and reverent gentlemen. An equally childish argument was that ladies on the Bench might have to listen to objectionable words when certain offences were alleged. Unless these words were used in the hearing of womenfolk it is not often that a charge is laid. Women know best their damaging effect, and are far more likely to mete out just and equitable punishment, and no woman who has the dignity and poise which should be the first qualifications for justiceship would hesitate for an instant in a duty, however painful, which would tend to the protection of her own sex.

One member voted against the Bill because he believed the attempt of women to enter into rivalry with men and leave their proper sphere—the sphere of home and motherhood—tended to the destruction of civilisation. This in the twentieth century! This "argument" has been used since the first faint effort of womankind to assert her position in the world of affairs, reiterated with childish persistence as a barrier against every fresh advance, but long since submerged by the practical proof of woman's capabilities to all but a few survivors of a bygone age.

Every day cases are heard in the Courts which require a woman's quick perception and sympathetic understanding; cases in which her powers of intuition would be of immense service in determining the best course to adopt with a wrong doer. It is the minor offence heard by Justices of the Peace that stands at the cross road of a career. Wrongly treated they may send the recalcitrant down the pathway of criminality; dealt with in the spirit of clemency, which women know how and when to exercise better than men, they may be brought back to common sense, and started once more upon the road of useful citizenship. Offenders of her own sex particularly should be dealt with by the woman justice.

In America women have long presided over the primary courts, and their work has proved a true adornment in many cases. Britain has recently followed this lead, and so have some of the Australian States. The intuitive faculties of women—it is the merest platitude to repeat it—vastly outweigh those of men, their sympathetic understanding of the errors of youth, and of their own sex, make it not only desirable, but absolutely necessary, that the decision of the Legislative Council should be promptly reversed.

Women to whom public service appeals are far more thorough in their acceptance of that service than are men. This is clearly proven by the action of women in this very matter in England. There have been male justices there from time immemorial, but no attempt has ever been made to fit them for their work. But shortly after women were appointed to the honorary bench of justices they took steps to fit themselves for their work, and recently a school for women justices was held during the long vacation at one of the Oxford colleges.

It remained for women to give men a lead in remedying

one of the most serious shortcomings in the magisterial system. Men following all manner of occupations are made Justices of the Peace. But though they may be of blameless repute and character, they may not have revealed the slightest capability for the work entrusted to them. The argument that only the less important cases are brought before justices has no application; justice must be even-handed to its remotest recesses, if no slur is to be cast upon the proud boast of the Empire that it leads the world in matters judicial. In recognition of this fact the English school provided for instruction in psychology and criminology, as well as in common law generally, so that when the woman justice takes her seat she may be armed with some knowledge befitting her position.

This is very striking proof that woman accepts with full seriousness public responsibilities, and the ardour with which the proposal was taken up is a sufficient answer to the stupid but unhappily successful objections offered in the Legislative Council. Not for long however will the tide be restrained, and Madam J.P. will surely prove as useful an adjunct to the magisterial bench as she has proved herself in other branches of the service of the people.

## *Woman's Work*

OUR ancestors had flashes of genius in crystallising into a few words the outstanding facts of life—"Jewels, five words long that on the stretched forefinger of time, sparkle for ever." One of their axioms was that a man's work was finished at set of sun, but a woman's work was never done. This is an age of doubt; it is for ever testing old saws by modern instances, and such a test has recently been applied to the axiom formulated. "Marriage is not necessarily a full time job for a woman," was the statement of one feminist recently, which called its parent to the bar of justification. One supposes that it summed up the sad experience of many of her sex, maybe of herself, perhaps, for that matter—of many men as well. There is something of studied moderation in the assertion. It is notorious that married life has something about it which induces those who make known their investigations into the subject and its phenomena, to be absolute and universal. Their personal adventures have brought certain joys and sorrows, and certain expedients have been adopted as a result of their private ingenuity. These, they think, are for everybody, and the moderation of those who advance the present thesis in admitting somebody else's general rule and claiming their own exceptions must be applauded. All that is asked is that we should grant for some fraction of the sex—whether we should call them happy or unhappy takes some courage to decide—marriage is not a sufficient occupation. They demand that all careers should be open to talent, male or female, married or celibate.

There are difficulties in the way of this thesis. There are few married women, in this community at all events, who are sufficiently opulent to put upon other shoulders the care of their homes and children. A great majority of these find that marriage is to them, whether they state the fact with pride or regret, "a full time job," with a little bit over. The full time job of the married woman whose husband's weekly income runs well inside the double figure, is largely a matter of domestic science. But it does not follow that a woman who is well off will not find in marriage a sufficient outlet for the energies and her ambitions. There is a good deal of elasticity about the word "marriage," which means much more than housekeeping and motherhood.

Many wives share in the activities of their husbands. Most mothers can find some occupation in their children's fortunes, many find that the share which they feel impelled to take in the affairs of the community forms a sufficient obsession, without any demand for a permanent career outside the home. It is not necessary to believe, however, that these are propositions of universal truth. The principles of married conduct which are valid always, everywhere, and for everybody, are not many.

But probably the most useful general rule is to assume that marriage is an absorbing and exacting career.