

THE WOMAN'S RIGHTS MOVEMENT, 1848-1885:
ISSUES AND ARGUMENT

by

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CHAPTER I

INTRODUCTION

Although rhetorical criticism is applicable to a broad range of symbolic activities, it is within the context of the historical movement that it, perhaps, finds its greatest significance. The potential richness of rhetorical inquiry into movements is suggested by Griffin when he delineates the outcomes that may result from such investigations:

From the identification of a number of rhetorical patterns, we may discover the various configurations of public discussion, whether rhetorical patterns repeat themselves when like movements occur in the intervals of time, whether a consistent set of forms may be said to exist. We may learn something more about orators--even about the great orators--whom we may come to see from a new perspective, since they rarely speak except within the framework of a movement; and we may come to a more acute appreciation of the significance of the historically insignificant speaker, the minor orator who, we may find, is often the true fountainhead of the moving flood of ideas and words. By seeing numbers of men in an act and atmosphere of discourse, we may indeed produce fresh transcripts of particular moments of the past. We may come closer to discovering the degree of validity in our fundamental assumption: that rhetoric has had and does have a vital function as a shaping agent in human affairs. And finally, we may arrive at generalizations useful to those anticipated writers of the comprehensive histories of public address--histories that might well be conceived in terms of movements rather than of individuals.¹

Among those movements that have become part of American history, few if any surpass that of the struggle for woman's

rights in either complexity or importance; the campaign has been unusually protracted in length and multi-dimensional in its goals. Even if one ignores that the movement's true origins are lost in antiquity, the 126 years that have elapsed since women in the United States first became formally organized at the Seneca Falls Convention constitutes an impressively long duration. In addition, all of the directions of change itemized by Griffin as characteristics of various movement--social, economic, political, religious, intellectual--have, at one time or another, been a part of the campaign for equal rights for women.

Because of its length and complexity, the woman's rights movement offers unusual opportunities for the would-be rhetorical critic; for the same reasons, it presents unusual problems. To cope with these difficulties, the present study has been severely curtailed both with regard to the time period and the rhetorical dimensions it will address.

The essential approach of this study is chronological, examining changes in society as they affected the arguments of the early feminist movement in America. While the ongoing nature of history makes it difficult to "jump in" at a particular point and declare it the beginning, the social, political, and economic changes in the nation which took place during the first half of the nineteenth century combined to produce the climate from which the feminist

movement grew. Evidence of these conditions in the documents of the Seneca Falls Convention of 1848, generally considered to be the beginning of the woman's rights movement in America, as well as in the speeches of the period, justify opening the study with a look at American society immediately prior to the emergence of the movement. This is the purpose of Chapter II.

Chapter III focuses on the development of topoi as woman's rights advocates selected issues of contention and antifeminists responded with their rationale for women's subordination. The analysis of the laws against which feminists protested during this formative stage, as well as the interplay of movement and countermovement in defining arguments, concerns itself with the rhetorical development of the movement.

The drastic changes incurred by the Civil War and its aftermath, and the divergence of opinions which was intensified by those changes, are the subject of Chapter IV. The reasons for the narrowing of issues from woman's rights to woman suffrage, in addition to the progress made in both rights and suffrage, follow the movement's progress through its early phase.

By concluding with this period, the study concentrates on the emergence of the movement, the development of topoi, and the maturation of its early stage. The study does not

continue into the late 1880's and 1890's, when social and economic conditions underwent a sharp transition, a new group of feminist leaders arose, and a different genre of argument developed to justify woman's enfranchisement. The feminism of 1885-1920 was of a different type than that of 1848-1885.

While there has been an increase in secondary materials on the early woman's rights movement since the late 1960's, the finest book on the feminism of this period is an older one. Eleanor Flexner's Century of Struggle is a well-written, well-researched history of nineteenth century feminism through the ratification of the woman suffrage amendment in 1920. The thorough treatment of topics such as black women and working women, in addition to the even-handed coverage of the movement as a whole, is all the more remarkable for the book's 1959 publication date. Her study is complemented by three volumes which give greater emphasis to the human interest side of feminism but consequently sacrifice some of the clarity of Flexner's chronological approach: Andrew Sinclair's The Emancipation of the American Woman, a study by a British student of United States history, is written in a readable, fairly objective style with insightful observations on reform movements; William O'Neill's Everyone Was Brave is less objective than Sinclair and given to tangential irrelevancies but nonetheless useful; and Page Smith's

Daughters of the Promised Land is even less objective than O'Neill but still provocative and peppered with comments on the parallels between the movements of Negroes and of women.

While Aileen Kraditor's analysis of movement and countermovement arguments in Ideas of the Woman Suffrage Movement, 1890-1920 focuses on a later phase of American feminism, parts of her analysis are still applicable to the early stages of woman's rights activism. Samples of primary sources to aid such application are compiled in The American Woman: Who Was She?, edited by Anne Firor Scott, and Up From the Pedestal: Selected Writings in the History of American Feminism, edited by Aileen Kraditor. The latter anthology is the most useful, with a perceptive introduction and selections by both feminists and anti-feminists.

Two works by feminists add the fervor, insight, and bias of an insider's view of the struggle. The newly reissued Woman Suffrage and Politics, written by Carrie Chapman Catt with the research assistance of Nettie Rogers Shuler, consists primarily of the 1923 memories of the woman who became known for her leadership capacities in western state referendum campaigns and rose to national prominence as a leader of the woman's movement between 1900 and 1920, and as the organizational and political

genius who guided the suffrage campaign to fruition in 1920. Carrie Catt's account joins the six-volume History of Woman Suffrage, a potpourri of speeches, documents, letters, and proceedings edited by various feminist leaders. While the conglomeration is invaluable as a published set of primary materials, its organization is confusing (other than proceeding in roughly chronological order throughout the six volumes) and not all selections are clearly marked. This makes their use difficult for the neophyte researcher struggling with the movement's chronology; yet the collection does offer fascinating and diverse materials from the feminists of the period.

The above volumes, combined with a number of other sources, provided the materials upon which this study is based.

CHAPTER II

THE EMERGENCE OF THE WOMAN'S RIGHTS MOVEMENT

America in the middle 1800's was a young nation which was growing and finding itself but still close to the spirit from which it was born. An examination of the society during this period provides a necessary and worthwhile prelude to the study of the woman's rights movement, for the early feminists present no contradiction to the axiom about understanding the communication context in order to adequately analyze the message.

During this period the nation's economic structure changed markedly with the introduction of industrialization. The invention of the cotton gin and the sewing machine, plus the pirating and reproduction of English machines for spinning and weaving, made mass-produced clothing the backbone of the early factory system in America. In addition to encouraging urbanization through its requirement of a large number of people centrally located to staff and service them, the factory restructured women's lives. When the "home industries" of spinning, weaving, and sewing moved to the factories, many women ceased to be solely domestic and moved with them. The resulting changes were

not only economic, but social and psychological as well. The farm girls who moved to town to be closer to work were often able to keep their low wages for their own use rather than automatically contributing them to the family fund, thereby gaining some small degree of financial independence. Even working twelve to fourteen hours a day, their scant evenings and Sundays were their own free time and were generally free from familial demands. A whole generation of women learned that they had an alternative to the traditional pattern of moving from the control of a father directly to that of a husband; they could make it on their own.

This emergence from the home brought accepted social standards into question as women assumed roles other than the domestic daughter-wife-mother trilogy. Once woman took her place in the factories, working fourteen hours a day just as a man did, the traditional guidelines for female conduct could no longer be imposed quite so readily. Women's standing in most states as such legal non-entities that they did not have the legal right to their earnings, could not manage their own property, and could not sign legal papers was challenged more as women had occasion to encounter these laws on a specific and personal basis. What insulted in principle outraged in practice; a woman whose newly gained earnings were confiscated by her

husband had the potential grievance necessary for a movement which the woman who never even knew the opportunity to earn wages did not.

In addition to opening new avenues of awareness for working-class women, the industrial age added indirectly to the woman's rights movement by freeing the predominantly upper-middle class feminists from household drudgery. With the time which would have been spent on the "home industries," these women instead read treatises, formulated ideas, and worked for the movement. The factory system thus opened some women's eyes to the inequities of the laws while it allowed the leaders of the movement to emerge.

The mid-nineteenth century also saw the nation move closer to the principles enunciated at its birth. Aristocratic taste became a taint in an age when the "common man" gained political power. As the great experiment in this new form of government called a "democracy" progressed through the years without collapsing, the property qualifications for voting which had hedged the founding fathers' bet were gradually dropped. The easy acquisition of land in the West further outdated the old property qualifications, and the country shifted to "manhood suffrage," enfranchising all adult white males. The election of Andrew Jackson, whose "New Democracy" found its credibility in lowly origins and log-cabin birth,

signified the "arrival" of the common man.

The political philosophy of the New Democracy had a number of social repercussions, often directly affecting women. As elitism was supplanted by this form of Jacksonian democracy, for example, education became important for the many rather than just the few. A free vote demanded an educated electorate if the country was to have any hope of functioning competently. While the electorate was entirely male, the "good education for good citizenship" notion gained a general support for education which loosened strictures against the instruction of girls. Lyceum lectures and the Chautauqua circuits, bringing literature, science, politics, and "moral uplift" to their audiences, flourished as informal sources of adult education for men and women hungry for knowledge in an age newly aware of opportunities. Books, newspapers, and magazines helped feed inquiring minds (although not always on the highest levels); the popular Godey's Lady's Book, for instance, boasted of the phenomenal circulation of 150,000 at its prime.

As parents acquired a patchwork education through avenues such as these, they worked to insure a more systematic form of instruction for their children. While this receptive attitude toward education led to greater opportunities for girls on the grade school level, there

was still resistance on the more advanced levels. A woman was typically allowed only enough education to letter her samplers and, as one articulate sixteenth-century woman had put it, "to tell her husband's bed from that of another."¹ Jean Jacques Rousseau's eighteenth century dictum was applicable to nineteenth-century conservative American thought:

The education of women should always be relative to that of man. To please Us, to be useful to Us, to make Us love and esteem them, to educate Us when young, to take care of Us when grown up, to advise, to console Us, to render Our lives easy and agreeable; these are the duties of women at all times and what they should be taught from their infancy.²

Yet not everyone was willing to restrict one sex's knowledge to ways of pleasing and pampering the other. An American woman first stepped forward in 1818 to enter the plea for better instruction when Hannah Mather Crocker published Observations on the Real Rights of Women. Her central thesis, that "mind has no sex," was radically different from the Rousseau-like ideas of the time, but it fell on ready ears in some quarters.³

One such pair of receptive ears belonged to Emma Hart Willard, a schoolteacher who presented her Plan for Improving Female Education to the governor and legislature of New York the year after Crocker's treatise appeared. Although her request for state funding to teach religion, mathematics, geography, and history to young girls was denied, Mrs.

Willard found enough funding from the citizens of Troy, New York, to establish the Troy Female Seminary in 1821. A school offering such advanced subjects to girls angered many, who often exhibited the contradictory reasoning of two clergymen visiting the seminary:

One contended that as the female mind was incapable of comprehending mathematics, any effort to teach it to girls was opposing nature and God's will. The other declared, as vehemently, that young women might become so enamored of mathematics that they would employ all their time in solving abstruse problems in algebra and geometry, to the exclusion of proper attention to husbands and babies.⁴

Despite feminist leader Elizabeth Cady Stanton's declaration that the time she spent at the school were "'the dreariest years' of her life," Mrs. Willard's institution was an important step toward equal education and disproving opinions like those of the clergymen above.⁵

To challenge these opinions so opposed to better education for women required the refutation of a wide range of dire predictions--from assertions that hard subjects would so strain a woman's fragile health that she would contract brain fever to doomsday prophecies of race suicide resulting from the low marriage rate of college women. Yet women continued to press for opportunities in learning, with another great milestone achieved in 1833. In that year Oberlin College opened its doors to students without regard to race, color, or sex. While women

started with an abbreviated version of the men's course of study, the Ohio school soon offered roughly equivalent curricula for both sexes. In addition to its status as an institution open to women, Oberlin contributed to the woman's rights movement by bringing Lucy Stone and Antionette Brown together as students to discuss discrimination and learn from the reformers who frequently spoke on campus.⁶

The Troy Female Seminary and Oberlin were joined by Mount Holyoke in 1837. The school's founder, Mary Lyon, first insisted on adequate financial backing so that students could be selected on the basis of aptitude rather than income, and then expanded the curriculum so that it clearly prepared women to be more than better housewives or teachers--unlike previous attempts to achieve identification with those who supported motherhood but opposed education for women. The required courses in philosophy, physiology, botany, and chemistry, with their formal examinations, were a far cry from the lack of challenge to be found in "the mechanism of a pudding."⁷ Such intellectually stringent studies earned respectability for young women's colleges.

The spread of education was important for women in other ways as well. More schools meant more teachers, and since teaching was one of the few occupations open to intelligent women in the early nineteenth century, more

women were employed as teachers. Most of the early feminists earned their first paycheck as teachers; like the women in the factories,

these women became accustomed to earning their own bread by their own work. They knew the injustice of receiving one dollar for every ten that a man received; they became aware of discrimination against their sex.⁸

A salary which commonly averaged sixty-five dollars a year and was so painfully much lower than a man's certainly became a grievance as more women struggled for their education, truly believed that "mind has no sex," and received insultingly low wages in return.

In addition to the changes in education in the nation as a whole and for women in particular, the New Democracy affected the country's attitude toward reforms in society. Historian Thomas A. Bailey notes that with the granting of manhood suffrage, "the dignity of the common man was increased; and his greater personal responsibility led to a greater flowering of his talents. The national spirit was unshackled for marvelous achievements."⁹ The increase in voting rights and responsibilities brought a mood of openness, a willingness to look at alternatives, and a sense that Utopia was indeed possible in this land of opportunity now coming into its own.

This national feeling led to a rash of reforms, movements, and fads. In the era dubbed "the 'hot air

period' of American history" by one scholar, each plan for improvement seemed to spawn a dozen more.¹⁰ The situation bears out the observation of the English student of American history, Andrew Sinclair, that

reforms do not come singly; one leads to another, and the reformers are linked by time and place. . . . If a particular class or sex or group is brought nearer to equality with those who are dominant, a third depressed section of the community will demand advance, for advance will have been proved to be possible. Agitation for one reform sparks off agitation for others, /and/ the atmosphere of change and ferment spreads. When, in addition, it is a time of great immigration and social change as in the United States in the early nineteenth century, the possibility of the infinite improvement of society seems imminent.¹¹

Eric Hoffer would interpret these apparently unlimited opportunities for improvement, with their "inevitable deprecation of the present," as one cause of the myriad of movements.¹² The desire for progress and the attendant change stirred advocates of everything from transcendentalism to abolition, through vegetarianism and polygamy, to Utopianism and celibacy. While not all had the fervor of Hoffer's True Believer, even those of lesser faith indulged in shopping among reforms with the receptivity for any effective movement which Hoffer notes.¹³ The atmosphere of reform was encouraged by the lyceum lectures, which spread the ideas of the era through a "cultural entertainment" format, and by a concurrent religious revival, which led to women's charity clubs organized to implement moral reform throughout

the nation. The latter gave a number of middle-class ladies organizational experience and insight into the more difficult, less privileged, less virtuous side of life.

Thus what Robert Riegel calls a "reform psychology, coming from a limited and identifiable set of circumstances," created an atmosphere conducive to reform.¹⁴ This willingness to test ideas is important to this study in two respects: work in other reform movements gave early feminists valuable experience, and from this experience and this atmosphere came the woman's movement. The two most important movements for women from this standpoint were those of abolition and temperance; both were significant not only for teaching women practical ways of going about reform work, but also for the ideas and personal experiences to which the women were exposed.

While not all female temperance workers became feminists, most feminists supported temperance. A "proper" reform with which ladies could be associated, the campaign against the excesses of liquor--a predominantly masculine failing--suited women's age-old image as uplifting and ennobling spirits, binding the wounds of men's bestial appetites with her purity. Yet work in this movement proved to be an eye-opening and radicalizing experience for some women as they discovered just how vulnerable

they were under the law. The process of combatting Demon Rum focused attention on the problems created by an inebriated husband in a time when "weddings and funerals all too often became disgraceful brawls, and occasionally a drunken man would fall into the open grave with the corpse."¹⁵ Temperance workers discovered that the intoxicated man's treatment of his wife and children could legally include confiscating the wife's wages, failing to provide properly for the family, apprenticing the children regardless of their mother's wishes, and, in some states, beating his wife with a stick--so long as the instrument used was no larger in diameter than the man's thumb.

Such mistreatment occurred only in extreme cases, but these excesses vivified woman's poor legal status for a group which had not encountered these abuses before. The middle-class workers became aware that their lot in life depended on the consideration of their husbands--drunk or sober--rather than the protection of the law.

These teachings of the temperance experience are apparent throughout later feminist speeches in their enumeration of legal handicaps. A case in point is Elizabeth Cady Stanton's address to the New York state legislature in 1854:

There is nothing that an unruly wife might do against which the husband has not sufficient

protection in the law. But not so with the wife. If she have a worthless husband, a confirmed drunkard, a villain or a vagrant, he has still all the rights of a man, a husband and a father. . . . If, by unwearied industry and perseverance, she can earn for herself and children a patch of ground and a shed to cover them, the husband can strip her of all her hard earnings, turn her and her little ones out in the cold northern blast, take the clothes from their backs, the bread from their mouths; all this by your laws may he do, and has he done, oft and again, to satisfy the rapacity of that monster in human form, the rum-seller.¹⁶

Such melodramatic occurrences, though relatively rare in real life, frequented feminist material. The vignettes added illustrative interest to speeches and writings while strengthening their pleas for legal protection from ill treatment--a tactic necessary to counter the oft-repeated claims of the countermovement that women (i.e., ladies) always received the best of life.

The same sort of education through exposure to new ideas came from women's involvement in the abolition movement. Once women started considering the right of Negroes to be free, they often extended the question to themselves. Under the law, women were like slaves to their husband-masters; both females and blacks were chattel subject to the mercies of their owners. The ideas and language of abolition were both adapted to the woman's movement as each "aimed at removing unconscionable handicaps imposed by law and custom on specific groups in American society."¹⁷ Feminist and abolitionist Abby Kelley

acknowledged woman's debt when she wrote,

we have good cause to be grateful to the slave for the benefit we have received to ourselves, in working for him. In striving to strike his irons off, we found most surely, that we were manacled ourselves.¹⁸

Through abolition women discovered "the slavery of sex."

Just as important as women's discovery of their legal status and the ideas gained from drawing the analogy between slaves and themselves was the treatment which women received from people both inside and outside the temperance and abolition movements as they attempted to carry on their reform work. Within these organizations, men held the important offices; men gave the speeches; men stood in the spotlight; and, initially, women were not even welcome to join the movement. Separate groups like the Women's Anti-Slavery Society and the Daughters of Temperance were formed, but women still fought to join the major, established organizations. Their exclusion prompted vigorous defenses of woman's stake in and responsibility for society, such as Amelia Bloomer's response to the claim that temperance was none of woman's business:

Home is said to be woman's sphere; herein, at least she should forbid the intoxicating cup to enter. . . . None of woman's business, when she is subject to poverty and degradation and made an outcast from respectable society! None of woman's business, when her starving naked

babes are compelled to suffer the horrors of the winter's blast! . . . In the name of all that is sacred, what is woman's business if this is no concern of hers? (Great applause.) . . . She must not wait for man to help her; this is her business as much as his. Let her show the world that she possesses somewhat of the spirit and blood of the daughters of the Revolution! Such thoughts as these may be thought unladylike; but if they are so, they are not unwomanly. (Applause.)¹⁹

By basing their ethos on motherhood and accepted domestic and patriotic appeals, women gradually gained entrance to the men's meetings. Even then, there were insufferable limitations: women did immense amounts of behind-the-scenes support work and constituted audiences for the men who gloried in orating. Women who wished to express their ideas were rebuffed with, "the sisters are not invited there to speak but to listen and to learn."²⁰ Overbearingly arrogant attitudes of this sort, frequently encountered in attempts to add their talents to the fight to better the world, radicalized such early feminists as Lucretia Mott, Ernestine Rose, Susan B. Anthony, Sojourner Truth, and Abby Kelly herself.

The most striking incidence of rejection, one which crystallized grievances in the minds of future feminist leaders, took place in 1840 at the World Anti-Slavery Convention in London. Crossing three thousand miles of ocean at a time when such travel was costly, dangerous, and uncomfortable was an American delegation which included women. Before the issue of slavery was ever addressed, the conference debated seating the women as delegates;

the conclusion that "'all order would be at an end' if 'promiscuous female representation be allowed' and 'God's clear intention violated'" relegated the women to the galleries for the ten days of meetings.²¹

During that time Lucretia Mott, the quiet, liberal Quaker, and Elizabeth Cady Stanton, the new wife of an abolition leader, discussed the bitter irony of their exclusion from a meeting which convened in the name of liberty and equality for all people. As the young Mrs. Stanton explored the meaning of their rejection she was guided by the gentle Mrs. Mott, who had already encountered such prejudice in her roles as minister and public speaker. Looking back on that meeting, Mrs. Stanton was to write that Lucretia Mott "was the first liberal-minded woman I had ever met, and nothing in all Europe interested me as she did."²² The discrimination at the World Anti-Slavery Convention produced two significant results: first, a nurturing relationship between the quiet Quaker and the future intellectual power of the woman's movement; and second, the coalescing of a grievance through insult. As Sinclair notes, "nothing succeeds in raising a rival like exclusion."²³

The same biases against women speaking on behalf of causes found within these reform movements also existed outside the organizations--only more so. Women

were viewed as frail, delicate beings, incapable of coping with the physical demands of public life, and certainly incapable of withstanding its mental strains. "Objects of reverence, too pure and refined for the world, given to vapors and fainting spells, to sick headaches and bad backs, and a multitude of nervous disorders," Victorian mythology about women pictured them as too fragile and too emotional for the coldly logical and cruelly competitive "real world."²⁴ For a woman to stand alone on a platform, commanding the attention of a sexually integrated audience through the power of her own words, seemed absurd. For Jonathan F. Stearns, a clergyman from Massachusetts, the question was simple:

That there are ladies who are capable of public debate, who could make their voice heard from end to end of the church and the senate house, that there are those who might bear a favorable comparison with others as eloquent orators, and who might speak to better edification than most of those on whom the office has hitherto devolved, I am not disposed to deny. The question is not in regard to ability, but to decency, to order, to christian propriety.²⁵

And yet there were women who, believing that their Christian duty was to do all they could to free the slave or defeat demon rum, felt they could not ignore their responsibility to speak out. Among the earliest to step to the platform were Sarah and Angelina Grimké,

sisters whose Southern upbringing made them staunch abolitionists. Speaking first to small groups of women in private homes, their recountings of the horrors of slavery became so popular that they began to lecture in churches.

A milestone in the history of public address for women came in 1838, when Angelina Grimké spoke to a committee of the Massachusetts State Legislature for abolition. Speaking to an entirely male audience of legislators--something never done before by "the weaker sex"--required courage and resolve:

I was so near fainting under the tremendous pressure of feeling, my heart almost died within me. The novelty of the scene, the weight of the responsibility, the ceaseless exercise of mind thro' which I had passed for almost a week--all together sunk me to the earth. I well nigh despaired, but our Lord and Master gave me his arm to lean upon and in great weakness, my limbs trembling under me, I stood up and spoke for nearly two hours.²⁶

By speaking, Angelina Grimké and the many who followed her directly and visibly challenged the myths about the mental and physical qualities of women. As they endured the jibes, tobacco cuds, paper wads, vegetables, and insults, and travelled the country in crude contraptions to speak in strange places and sleep in primitive accommodations, they were living, breathing, speaking contradictions to notions of female illogic

and delicacy. After the first shock, this aura of novelty and eccentricity proved to be a drawing card:

Thousands of people of both sexes came like visitors to a zoo, simply to see a woman stand on a platform and talk like a man about politics and social injustice and a better human order, and above all, about a new kind of relationship between men and women.²⁷

At least when people came there was the possibility of attitude change; no message persuades if it is unheard.

Denunciations of women speaking in public continued for some time, however, and "this hostility was extremely influential in creating feminists."²⁸ Disdain such as that expressed by a New England elder announcing a feminist speech angered women who resented such condescension: "I am requested to say that a hen will undertake to crow like a cock in the town hall this afternoon at five o'clock. Anybody who wants to hear that kind of music will, of course, attend."²⁹ Occasionally, masculine insecurity was evident in the protests, as when the chairman of the Connecticut Anti-Slavery Society resigned his post in response to Abby Kelley gaining permission to speak at their 1840 meeting:

I will not countenance such an outrage on decency. I will not consent to have women lord it over men in public assemblies. It is enough to have women rule at home. It is woman's business to take care of children in the nursery. She has no business to come into this meeting, and by speaking and voting lord it over men. . . . I have had enough of woman's control in the nursery. Now I am a man, I will not submit to it.³⁰

That Abby Kelley asked only for a voice in the proceedings and not for control over them seems to have escaped the gentleman's notice.

Other sources of criticism included the clergy, whose most powerful attack was the Pastoral Letter from the Council of Congregationalist Ministers of Massachusetts, who denounced the Grimké's without mentioning their names:

We appreciate the unostentatious prayers of women in advancing the cause of religion at home and abroad; in Sabbath-schools in leading religious inquirers to the pastors for instruction; and in all such associated efforts as become the modesty of her sex. . . . But when she assumes the place and tone of man as a public reformer . . . she yields the power which God has given her for her protection, and her character becomes unnatural.³¹

Women responded to such criticism in the spirit of Sarah Grimké, who replied that to her it was obvious that "whatsoever it is morally right for a man to do, it is morally right for a woman to do."³² The courage, determination, and experience which they gained in the course of speaking--and fighting for the right to speak--for abolition and temperance proved invaluable when the issue became their own rights. Speaking with a passion unconstrained by formal speech training, women "changed the way people thought, but even more the way they felt."³³

In addition to the enormously important speaking experience, women gained other sorts of valuable practical

experience from anti-slavery and temperance work as well. It was primarily the abolition movement, as Smith points out, which was "the means of entry into American political life of a vast number of women who organized, attended and chaired meetings, prepared agenda, made motions, debated issues, /and/ circulated petitions."³⁴ Women learned about all these facets of running a movement while working for the slaves, and put their knowledge to good use when the question became their own rights.

Probably the most important technique learned from other reform work was that of collecting signatures on petitions, which played a central role in woman's rights campaigns. The political significance of petitioning had been established by the abolitionists, but the feminists truly utilized the personal aspect of employing rank and file workers in going from door to door trying to obtain the signatures and support of apathetic or even antagonistic women. The process of publicly "preaching the cause," over and over again, reinforced the workers' commitment; moreover, the "personal touch" inherent in dyadic communication established a neighborly sort of contact with women who would not attend meetings but might be swayed in the one-to-one, informal conversations over coffee in their homes. Additionally, the commitment of those who were persuaded to cooperate was further

enhanced by the very act of signing the petition. In this way they were able to publicly declare their support of the cause while, at the same time, maintaining the decorous behavior commonly associated with a "proper" woman of the period.³⁵ The movement was built on friendly contacts gained in this manner; they were, in fact, essential in an organization which shunned membership records until the beginning of the next century. The organizational talents which the feminists learned in other reform movements were thus adapted and refined to fit their needs.

The dissatisfaction stirred by greater education, industrialization, Jacksonian democracy, and the ideas and experiences in other reform movements might have died away had it not been articulated in the form of specific grievances. As Hoffer notes, "where the articulate are absent or without a grievance, the prevailing dispensation, though incompetent and corrupt, may continue in power until it falls and crumbles of itself."³⁶ The focus and impetus for the nineteenth century woman's rights movement was provided by the Seneca Falls convention in the summer of 1848, commonly cited as its beginning. Much of the leadership, organization, and argumentation of later years came from this meeting.

Elizabeth Cady Stanton had come home from the 1840

anti-slavery convention dismayed at the exclusion of the female delegates; she maintained her friendship with Lucretia Mott but confined her activities for women to some work for the Married Woman's Property Bill. Finally passed in 1848, the bill allowed married women to retain control over property which they brought into the marriage or inherited.

Feminists might have lost a great intellect had the Stantons not moved from Boston to Seneca Falls, New York, where Mrs. Stanton "suddenly came face to face with the realities of a housewife's drudgery and isolation in a small town."³⁷ The discontent she felt from constant contact with children and servants was intensified by "the wearied anxious look of the majority of women," her experiences at the World Anti-Slavery Convention, and reading of the low legal status of women in conjunction with her work for the Married Woman's Property Bill.³⁸ Finally, while at tea with Mrs. Mott and several Quaker friends as they visited a nearby town, Mrs. Stanton proposed "a public meeting for protest and discussion" to air grievances and call for action.³⁹

The five women drew up an announcement of the meeting to appear in the Seneca County Courier the following day:

Woman's Rights Convention--A convention to discuss the social, civil and religious rights of woman

will be held in the Wesleyan Chapel, Seneca Falls, New York, on Wednesday and Thursday, the 19th and 20th of June current; commencing at 10 a.m. During the first day the meeting will be held exclusively for women, who are earnestly invited to attend. The public generally are /sic/ invited to be present on the second day, when Lucretia Mott of Philadelphia and other ladies and gentlemen will address the convention.⁴⁰

Then they turned to the task of drawing up a declaration of sentiments, which they knew from their attendance at anti-slavery conventions was necessary for a meeting of this sort. Using the Declaration of Independence, they paraphrased its rhetoric to suit theirs:

When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that they have hitherto occupied. . . .

We hold these truths to be self-evident: that all men and women are created equal. . . .

The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her.⁴¹

Charlotte Woodward, the only one to attend the Seneca Falls convention who lived the seventy-two more years necessary to vote in 1920, noted the rhetorical wisdom of this choice: "Remember, we were all American born then, and not very far removed in our thoughts from the events of the Revolution."⁴² The Declaration of Sentiments, in its appeal to the republican and egalitarian principles of 1776, asked that those principles be applied to the daughters and granddaughters of the American Revolution

on matters of legal rights and suffrage.

On July 19, 1848, despite the demands of the haying season and the limited publicity provided by the one brief notice in the local paper, about three hundred people--men and women--showed up to hear the speeches, the Declaration of Sentiments, and the resolutions on woman's rights. Unanimous support was given to the resolutions calling for educational, business, and professional opportunities for women as well as those demanding property rights, the guardianship of children, and free speech. The free speech paragraph was a direct response to those critical of women lecturing for reforms, resolving that

the objection of indelicacy and impropriety, which is so often brought against woman when she addresses a public audience, comes with a very ill-grace from those who encourage, by their attendance, her appearance on the stage, in the concert, or in feats of the circus.⁴³

It was only Mrs. Stanton's Resolution Nine-- "Resolved, that it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise"--which caused any dissension; it was passed by only a small margin.⁴⁴ In a day when it was radical enough for a woman to ask for a better education, control of inherited property and her own wages, and the opportunity to speak in public, woman suffrage seemed like

a giant step into the great radical unknown. Lucretia Mott herself had cautioned Mrs. Stanton that "thou will make us ridiculous. We must go slowly;" and when Henry B. Stanton learned of his wife's proposal, he left town for the duration of the meeting.⁴⁵ Even with the controversy over the final resolution, however, the assembly endorsed the entire document; sixty-eight women and thirty-two men signed the Declaration of Sentiments. Among them was the nineteen-year-old Charlotte Woodward.

Seneca Falls set a significant precedent: it was the first woman's rights convention in the world; it showed that such a convention was possible; and it attracted not only a large audience but also a good deal of publicity.⁴⁶ Other conventions followed: one in Rochester, New York; another in Worcester, Massachusetts; others in small towns in Ohio. Between 1850 and 1860, national woman's rights conventions were held every year except 1857. Although this led to accusations that feminists did nothing but talk, these meetings were essential for the development of the movement. Through speeches and discussions on resolutions and declarations, consciousnesses were raised, ideologies emerged, agreement was won, and critics were refuted. In addition, new leaders and orators for the movement emerged from these conventions--Lucy Stone, Ernestine Rose, Antoinette Brown, Sojourner Truth, and the

eventual moving spirit of the movement, Susan B. Anthony.

Having in this chapter examined the social conditions-- industrialization, the New Democracy, educational changes, and reform movements--which stirred women to discontent, the next chapter will go on to deal with the grievances which crystallized at meetings such as the Seneca Falls convention and those which followed it. Included in this will be a look at the rationales of the antifeminists for maintaining woman's subordinate position in society.

CHAPTER III

DEVELOPING TOPOI: ARGUMENT AND COUNTERARGUMENT

As the almost evenly divided vote on Elizabeth Cady Stanton's controversial resolution at the Seneca Falls convention would suggest, the principle concern of the woman's movement at that time was not suffrage but legal rights. The vote was too distant and radical a goal for most women during the early years; instead, feminists wanted changes in laws which sanctioned the unfair treatment of women. They had become aware of these conditions during their temperance work and were quick to note the similarity between women and slaves. A closer look at the legal system which was the target during the first years of the movement, as well as the arguments of the countermovement which emerged as the rationale for that system, is necessary to fully understand what the feminists faced.

Like other elements in the woman's movement, the fight for legal rights evolved over a span of time, eventually drawing arguments from the Bible, the Declaration of Independence, and the abolition movement. Married women had gained the right to make a will in Connecticut as early

as 1809, but it was not until between 1839 and 1850 that most states acknowledged the right of married women to hold property. Future leaders of the movement gained experience and insight lobbying for these bills. Elizabeth Cady Stanton's work for the Married Woman's Property Bill in her state during the time between the World Anti-Slavery Convention and the Seneca Falls gathering familiarized her with the inequities cited in the Declaration of Sentiments and her later speeches. Ernestine Rose, a Polish immigrant who was to become one of the outstanding orators of the period, fought for the Married Woman's Property Act in New York from the first petition of six names in 1836 until its passage twelve years later. One of the first to seek legislative action as a means of improving woman's position, Mrs. Rose learned firsthand of the difficulties in appealing to the normal political processes for reform and the curious alliances which often resulted. Support for these laws, for example, came from liberal-minded men encouraged by progressive women and from more affluent legislators encouraged by property owners wishing to protect their family bequests to wives, daughters, and grandchildren.

Laws regarding a woman's right to hold property were thus under examination, if not in the process of change, when the women gathered to plan the Seneca Falls convention.

As the Declaration of Sentiments indicates, other legislation on women was coming under increasing fire, and the convention of 1848 was an important step in articulating specific injustices. This critical attitude was nourished by the women's own sense of discontent, which came from a number of sources. Elizabeth Cady Stanton's awareness of injustice first came during the hours she spent, as the daughter of a judge,

crouched in a corner of her father's office, listening to the people who came to him with their legal problems. Many were wives and daughters of farmers; often the husband had disposed of their small property, or taken their earnings for drink, or, in the event of a separation, had the sole right to guardianship of the children. Judge Cady was kind, and often dipped into his own pocket to help the women; but he reiterated patiently and endlessly that they had no legal redress, and his daughter was marked for life by that knowledge.¹

"That knowledge," as well as the insight gained from her political work, is reflected in the grievances listed at Seneca Falls years later. The law became the primary target of the feminists as they attacked not only prejudicial legislation but, perhaps more important in the long run, the concept behind it. The system of common law in America was based on a diluted version of Sir William Blackstone's Commentaries, a British legal canon whose primary pronouncement on women was the principle of femme coverte:

By marriage, the husband and the wife are one person in law; that is, the very being or legal

existence of the woman is suspended during her marriage, or at least, is consolidated into that of her husband under whose wing, protection and cover, she performs everything.²

The woman was thus considered "dead in law" once she married (and a minor to be protected by father or brother until she did), a concept which was both humiliating and infuriating to many women. As Lucretia Mott points out when she cites "Professor Walker of Cincinnati," "the legal theory is, that marriage makes the husband and wife one person, and that person is the husband."³

To attack this concept of legal nonexistence for the female, women went to its more concrete manifestations in the legal system--such as the denial of property rights--and worked to change both the basic assumptions and the results. Legal reform had a special appeal to woman's rights activists, for

equality under the law was the most coherent idea to grasp and apply. The law was defined. Political pressure on legislators could change it. While spiritual and social equality was hard to define and harder to attain, the law was a palpable and a malleable thing, the positive evidence of degradation.⁴

This positive evidence, however, was more often found in the philosophy than in the practice of the legal system. The laws were rarely applied in their most stringent interpretations, and when they were it was not usually in the middle and upper-class families of which most feminists were a product. Yet the instances of injustice which did

result from unfair laws provided the early feminists with vivid, often emotional illustrations of the evil consequences of femme coverte. People like Elizabeth Cady Stanton and Lucretia Mott "had not in their own experience endured the coarser forms of tyranny resulting from unjust laws, or association with immoral and unscrupulous men,"⁵ but they sympathized deeply with those who had and used the melodramatic impact of their stories to the fullest rhetorical advantage.

The speeches and documents utilizing these tales of feminine woe were instrumental to the first step in changing the laws affecting the status of women: publicizing the wrongs of the current system or, to borrow Hoffer's terms, articulating grievances. Women even more than men needed, as the Seneca Falls Resolutions stated, "to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation by declaring themselves to be satisfied with their present position, nor their ignorance, by asserting that they have all the rights they want."⁶ It was not proof of the justice of woman's position but of, in Lucretia Mott's analysis, "the disabilities and restrictions with which her progress has been embarrassed, that . . . like those still more degraded by personal bondage, she hugs her chains."⁷ Feminists needed to convince women that those

chains were cold, limiting steel rather than security blankets; in doing so, they fulfilled the function of Hoffer's "Man of Words" by enumerating their grievances, thus giving impetus to the movement by focusing on specific concerns.

The first need which feminists discerned and worked to convince others of as a step toward legal and social parity was for an equal education in all areas of instruction. The struggle to open schools like the Troy Female Seminary, Oberlin, and Mount Holyoke are indicative of the problems in finding support for such endeavors during this period. Woman's rights activists then argued that the logical utilization of this education called for, in Lucretia Mott's words, "avenues of more profitable employment . . . /to/ be opened to women," allowing full participation in the realms of trade, commerce, and the professions.⁹

To effectively utilize women's talents and skills, however, other changes needed to be made. Women had to obtain the right to control their own earnings; all women--not just wives--needed the right to manage their own property in all states. They had to gain the power to make their own wills without the necessity of a husband's signature, to bring suit, to bear witness, to sit on a jury. The same concept of femme coverte which denied woman these rights also denied her responsibility under the law. In

Elizabeth Cady Stanton's address to the legislature of New York in 1854, she pointed out to the statesmen that a woman

is not held morally responsible for any crime committed in the presence of her husband, so completely is her very existence supposed by the law to be merged in that of another. Think of it; your wives may be thieves, libellers, burglars, incendiaries, and for crimes like these they are not held amenable to the laws of the land, if they but commit them in your dread presence.¹⁰

In addition to these areas of general concern, which in most cases would affect the unmarried woman as well as the wife, certain matters dealing with marriage and the family also came under scrutiny and attack. Examining all aspects of the relationship, women first argued that the age of consent should be raised. Mrs. Stanton found bitter irony in the fact that "a boy can not contract for an acre of land, or a horse, until he is twenty-one, but he may contract for a wife at fourteen."¹¹ Once that marriage was solemnized, the husband "possessed the legal right, upheld by public opinion, to punish her, the courts interfering only when the chastisement exceeded the popular idea of appropriate severity."¹² The husband could, as the discussion of feminists' temperance work in Chapter II noted, take all of the family earnings "to satisfy the rapacity of that monster in human form, the rum-seller."¹³ The husband had such complete legal control over the

children, including those still unborn, that he could apprentice them and confiscate their wages without the mother's consent, he could designate other guardians, and, in the case of separation or divorce, he could gain custody of the children to the total exclusion of the mother's rights.

If the woman should outlive her husband in what was at worst an inequitable and unjust union, she encountered the widow's dilemma which was noted by every leading feminist of the day. Using less emotional language than most, Lucretia Mott lamented the disparity in the treatment of widow and widower:

In the event of the death of the wife the household remains undisturbed, his farm or his workshop is not broken up or in any way molested. But when the husband dies he either gives his wife a portion of their joint accumulation, or the law apports her a share; the homestead is broken up, and she is dispossessed of that which she earned equally with him; for what she lacked in physical strength she made up in constancy of labor and toil, day and evening.¹⁴

Woman was degraded even in her sorrow if her husband did not leave a will--regardless of the quality of the marriage.

With all the attacks on laws governing various aspects of marriage--age of consent, property, children, earnings, widowhood--some feminists began to question more basic aspects of the marital relationship. The assumption of the husband's superiority and the wife's inferiority, for example, was specifically refuted in the marriage

document of Lucy Stone and Henry Blackwell:

While acknowledging our mutual affection by publicly assuming the relationship of husband and wife, yet in justice to ourselves and to a great principle, we deem it a duty to declare that this act on our part implies no sanction of, nor promise of voluntary obedience to such of the present laws of marriage, as refuse to recognize the wife as an independent, rational being, while they confer upon the husband an injurious and unnatural superiority, investing him with legal powers which no honorable man would exercise, and which no man should possess.¹⁵

Symbolizing this new relationship between husband and wife was Lucy Stone's retention of her maiden name to indicate that she was a separate entity, not to be subsumed by her husband.

But what should become of an unenlightened, unhappy marriage, with its ill effects on the woman? Reacting to this question, many feminists began to reexamine the theory of the unbreakable bond of matrimony, stirring up a vigorous intramovement controversy in the process. The debate over Mrs. Stanton's proposals for more liberal divorce laws at the 1860 New York woman's rights convention provided a forum for the diverse opinions within the movement. Women like Mrs. Stanton and Ernestine Rose viewed marriage as a human institution, subject to the faults and foibles of all humanly devised contracts. It should therefore be subject to regulation which would improve its quality--and equality. More liberal divorce laws, they argued, would not destroy the family; instead,

by severing "the unholy ties of a joyless, loveless union," they would protect "the sacredness of the family relation."¹⁶ God's perfection could not be seen in a bond subjecting women and children to greedy, drunken, cruel, lecherous husbands; in Mrs. Stanton's words: "the family, that great conservator of national virtue and strength, how can you hope to build it up in the midst of violence, debauchery, and excess?"¹⁷

Yet many feminists took exception to this view. The Reverend Antoinette Brown Blackwell, the Oberlin graduate who became the first woman in the United States to be ordained as a minister, responded that "marriage is the voluntary alliance of two persons . . . /which/ must be, from the nature of things, as permanent as the life of the parties."¹⁸ The only permissible dissolution of a marriage was annulment in the case of "gross fraud and want of good faith in one of the parties . . . and this, too, solely upon the ground that the relation never virtually existed."¹⁹ Rev. Blackwell's answer to the marital difficulties noted by Mrs. Stanton was to improve the people entering into the contract rather than changing the nature of the association. She stressed that "both men and women have a first and inviolable right to themselves, physically, mentally, and morally" which they are obliged to maintain as a first step toward the perfect union; nothing which

degraded one of the parties could be called a true marriage.²⁰ She conceded that, with her philosophy of personal sovereignty, "legal divorce may be necessary for personal and family protection; if so, let every woman obtain it."²¹ Yet this did not erase the "moral obligation of marriage"; rather, the wife should return to her wretched husband after their separation and try to lift him up from his oppression and degradation. Even with this more traditional approach to marriage, however, Rev. Blackwell joined Mrs. Stanton in condemning both the early age of consent and teaching girls to regard marriage as their sole vocation and ambition.

As with most controversial issues, the response provoked even further reaction. Ernestine Rose refuted Rev. Blackwell's reply to Mrs. Stanton first by insisting that the arguments stem from what is rather than what ought to be; since marriages are not based on perfect equality, they must be regulated in order to "secure the real objects and blessings of married life, to prevent the crimes and immoralities once practiced."²² She dismissed Rev. Blackwell's version of separation: "'But they may separate and still remain married.' What a perversion of the very term!"²³ As for those who feared easier divorce laws would result in large numbers of transient marriages, "they have no confidence in themselves, and therefore can have no

confidence in others."²⁴ More liberal laws would be more effective, the feisty Mrs. Rose argued, than the current stringent ones, for "a gold band is more efficacious than an iron law."²⁵ Mrs. Rose ended in agreement with the previous speakers when she noted that one sure way to improve marriage would be to "educate woman, to enable her to promote her independence, and she will not be obliged to marry for a home and subsistence."²⁶

This 1860 debate over divorce illustrates the complexity of the issues facing the feminists. Woman's rights touched on so many aspects of a woman's existence that there was bound to be disagreement in some areas--as this first major debate over a subject which would eventually be one cause of the later split in the movement indicates.

In the process of fighting for increased legal recognition, regardless of their stand on divorce, woman's rights advocates encountered considerable opposition. The arguments which emerged as support for the status quo drew from the underlying assumptions of that system in order to respond to the feminist threat. What Aileen Kraditor has said of antisuffragists applies to antifeminism as well: the countermovement arguments "defined the context within which suffragist ideas developed, posed the problems the suffragists had to solve, and asked the questions they had to answer."²⁷ Three topoi of importance developed from

this movement-counter movement interchange, in the areas of biological, social, and theological repercussions of woman's rights. While the antifeminist rationales for inequality overlap to an extent--since each one's purpose was to justify the position that "woman's place is in the home"--the lines of argument nonetheless have distinct qualities which can be analyzed.

The biological rationale held that the inherent physiological characteristics of each sex suited them for particular roles which could not be interchanged. Antifeminists, in a prefiguration of Freudian reasoning, declared that nature defined destiny. Proceeding from that premise, they argued that the strength of the male suited him for ruling over and protecting the weaker, naturally subordinate female. The same physical weaknesses which disqualified women for public speaking left her unsuited to other aspects of public life. Woman's physical makeup with her capacity for childbirth was not to be seen as a shortcoming, argued antifeminists, but to be admired: "woman we behold dependant /sic/ and weak; but out of that very weakness and dependance /sic/ springs an irresistible power."²⁸ This American version of the age-old image of the spiritually uplifting, enlightening female whose strength lay in her frailty obviously excluded the pure and delicate female from greater participation in life outside the home. Her

gossamer health was exacerbated (and, paradoxically, her purity tinged) by her incapacitating menstruation,

taken to be a sign of woman's inferior health and vitality. . . . Every month a woman had "spells," or vapors, or indispositions, all delicate euphemisms for her menstrual period, which reminded her ceaselessly that she was a fragile creature diseased in some strange and terrible fashion.²⁹

While this "impurity" was rarely mentioned in public, it was a prominent notion of the time which circumspect reminders of woman's weakness and infirmity undoubtedly brought to mind. Such a fragile, diseased creature-- "the better half and the weaker sex"--should confine her activities to the sanctity of the home.³⁰

Further supporting the sexes' dissimilar physiques, according to antifeminists, was the natural difference in men's and women's brains. Again, the arguments used against female speakers were employed against woman's rights in general. Women's brains functioned emotionally, men's logically; women relied on intuition, men on their intellect; in short, women simply did not think as clearly, logically, and rationally as men. The distinction was explained by antifeminist Octavius B. Frothingham: "The masculine represents judgment, the practicable, the expedient, the possible, while the feminine represents emotion, what ought to be, the dream of excellence, the vision of complete beauty."³¹

Those who held this position hastened to emphasize, as they had concerning physique, that this did not mean women were inferior to men, but rather, as one minister expressed it, "there is a natural difference, in the mental as well as the physical constitution of the two classes--a difference which implies not inferiority on the one part, but only adaptation to a different sphere."³² Woman could even be superior to man--but only so long as she remained in the sphere which nature had designated as her own. The popularization of Darwinism after the Civil War, with its endorsement of the most specialized species as the most advanced forms of life, made these physiological arguments doubly appealing to "people who needed a scientific sanction for their beliefs."³³

The assertions by the countermovement of woman's physical and mental weakness led to vigorous responses by the feminists. Although it was difficult to attack the difference in the relative strength of men and women noted by the antifeminists, they did challenge the degree to which the disparity existed. The finest refutation of woman's inherent weakness came at the 1851 woman's rights convention in Akron, Ohio, where a former slave named Isabella silenced hecklers and inspired believers under her new name, Sojourner Truth:

The man over there says women need to be helped into carriages and lifted over ditches, and to

have the best place everywhere. Nobody ever helps me into carriages or over puddles, or gives me the best place--and ain't I a woman?

Raising her bare black arm in the air so the audience could see, she continued:

Look at my arm! I have ploughed and planted and gathered into barns, and no man could head me--and ain't I a woman? I could work as much and eat as much as a man--when I could get it--and bear the lash as well! And ain't I a woman? I have born thirteen children, and seen most of 'em sold into slavery, and when I cried out with my mother's grief, none but Jesus heard me--and ain't I a woman?³⁴

Those who could not quiet the hecklers by drawing from personal experience, as Sojourner Truth had, pointed to the limitations of the "doctrine of the lady" from which antifeminists reasoned. Women who were slaves, pioneers, and factory workers and could not afford the luxury of "vapors" might have been weaker than some men, but they certainly did not exhibit the incapacitating frailty claimed by the countermovement.

Furthermore, feminists argued, relative strength or weakness was not--or should not have been--an important consideration in modern society. Civilization depended on rational thought, not brute strength, and the correlation between the two was at least nonexistent, if not negative. Reasonable people judged on the basis of mind rather than muscle.

This assertion brought feminists to the second of their

opponents' biologically-based arguments: mind did have sex, and the female mind was incapable of intellectual endeavors. Advocates of woman's rights responded that nature gave women brains as well as wombs; the disparity in the intellectual realm lay not in inherent characteristics but in the difference in educational opportunities. As Constantia argued in 1790, "we can only reason from what we know, and if an opportunity of acquiring knowledge hath been denied us, the inferiority of our sex cannot fairly be deduced from thence."³⁵ Ernestine Rose was still countering the "pernicious falsehood" of biological inferiority in 1851 when she pleaded in behalf of woman, "give her a fair chance before you pronounce a verdict against her. Cultivate the frontal portion of her brain as much as that of a man is cultivated, and she will stand his equal at least."³⁶

These responses reflect a theme which runs throughout feminist arguments, regardless of their stand on marriage, divorce, or suffrage: "only when women had the opportunity to discover all their aptitudes could their proper sphere be defined"³⁷--and women had to make these discoveries for themselves. Men had no business deciding on woman's rights; a woman's place was wherever she is capable and willing to place herself. She must be permitted the same opportunities--educational, social and political--and make her own decisions on that basis. "The best and greatest thing one is capable

of doing," agreed the feminists with Wendell Phillips, "that is his sphere."³⁸

These arguments for autonomy were an effective way of dealing with a significant rhetorical problem. Feminist rhetoric was handicapped by a distinct lack of empirical evidence concerning women's competence outside the home; in fact, most of the evidence would suggest that many women were far from ready to assume positions of responsibility outside the home. The situation became prescriptive: "what women were unaccustomed to do the world believed them incapable of doing, and they had in consequence neither confidence in themselves nor public encouragement to attempt ventures of independence."³⁹ Thus it was that Constantia argued that "the variety of /women's/ fashions" and "our talent for slander" proved the presence (even though misused) "of a creative faculty, of a lively imagination."⁴⁰ In this way she utilized those few "facts" she had to prove, to both men and women, that females had capacities beyond those which were granted them. For the same reasons, feminists used every example they could find of women who fulfilled roles otherwise denied to them--widows who successfully took up their deceased husbands' businesses;⁴¹ Mistress Margaret Brent, the seventeenth-century executrix of Lord Baltimore's estate; Dorothea Dix, the nineteenth-century reformer petitioning

for improvement of conditions for the mentally ill;⁴²
and any other woman who displayed competence in
occupations of distinction.

Yet even seizing on these exceptions could not
negate the existence of the majority which contradicted
them. Feminists, to resolve the dilemma, conceded that
social disabilities had produced an inferior woman, but
they did not see this as sufficient reason to perpetuate
the social structure responsible for her condition. The
argument that women should not be given their freedom until
they had become fit for it reminded Joslyn Gage, corresponding
secretary of the National Woman's Suffrage Association, of
Macauley's statement that "if men /or women/ are to wait for
liberty til they have become good and wise in slavery, they
may indeed wait forever."⁴³ Women as a whole should have
greater opportunities because it is their right in a
democracy. This "argument from justice," the cornerstone
of feminist rhetoric for four decades in response to all
antifeminist rationales, demanded human rights for women
as well as for men.

The second line of argument used by the countermovement
developed from their concern with the maintenance of social
stability. In an era of rapid industrialization and
disorienting progress, the mainstay of social order and
refinement was the home. Antifeminists portrayed the

outside world as ugly and cutthroat--necessary attributes of progress, but useless without the stabilizing reassurance of the domestic refuge. Woman thus "occupied a desperately necessary place as symbol and center of the one institution that prevented society from flying apart"--the home.⁴⁴ As one minister asserted,

if she makes that delightful and salutary--the abode of order and purity, though she may never herself step beyond the threshold, she may yet send forth from her humble dwelling, a power that will be felt round the globe.⁴⁵

The argument was based on the standard of the "lady," just as the notion of frailty had been. It was a position which antifeminists felt any woman could attain through marriage and was therefore a suitable ideal. Working women were not to be considered;

ladies should not labour. Indeed, it was sinful for a mother to go out to work and neglect her children. If she did, she would also threaten the position of her husband as the head of the family and the only source of income.⁴⁶

With the family rather than the individual as the basic unit of society, America's strength depended on the woman's domestic role.

Feminists returned to the distinction between "ladies" and "women," reminding their adversaries that since women had to wait for decent men to propose to them, marriage was not always an option. Moreover, most women worked outside the home because they had to in order to earn a living;

they needed legal protection in a world filled with difficulties for them.

As for the issue of social stability, feminists employed the argument from justice in support of individual, human rights for women, and then developed topoi utilizing certain aspects of society's image of women. The concept of the woman's superior moral character led to assertions that women would reform and purify American social and political life through their expanded influence-- a genre of argument which superceded the argument from justice during the Progressive era. Immorality would no longer be tolerated in political life; "all the miseries and horrors of the battleground will sink into their merited oblivion";⁴⁷ the "motherly traits of love, self-abnegation, service, and piety . . . would redeem the world from male egotism, selfishness, cruelty, and use of force."⁴⁸ By turning the Victorian definition of womanhood to their own purposes, feminists both utilized the available means of persuasion and provided reassurance for conservatives who feared that expanded female roles would lead to social disorder.

Answering the biological rationale of the countermovement and quieting social fears, however, did not fully answer the third area of concern. Antifeminists, after arguing on the basis of animal differences and human

civilization, moved upward in the chain of being and enlisted God as their expert witness. Divine law reinforced biological and social statements, often with the mere assertion that God ordained man and woman to have different functions.

"For those to whom mere assertion was not tantamount to proof,"⁴⁹ two sections of the Bible were commonly cited as endorsements of the subordination of women. In Genesis 3:16, after the Lord discovered the eating of the apple, He said to Eve, "in sorrow thou shalt bring forth children, and thy desire shall be to thy husband, and he shall rule over thee." The very literal reading of the antifeminists led them to conclude that God had commanded man to rule over woman, so a wife should find satisfaction with her husband. Ruth was seen as the ideal woman, for she followed not only her man but also her mother-in-law.

In addition to Old Testament passages, the Pauline Epistles proved fertile ground for the opponents of woman's rights. In I Corinthians 14:34-35, St. Paul instructed women to "keep silence in the churches, . . . and if they will learn any thing, let them ask their husbands at home." If women are not to speak in church, what place have they in reform work, higher education, or the business world? Moreover, as St. Paul asserted in I Timothy 2:11-15, woman

should not teach or "usurp authority over the man," for Adam was created first and was not deceived by the serpent. Antifeminists found further support in I Peter 3:1-6, where he admonished wives to encourage their husbands' proper beliefs by chaste behavior. The modesty and quiet spirit with which Sara obeyed Abraham provided a model for her modern-day daughters. The epitome of the antifeminists' theological rationale could be found in St. Paul's analogy, "the husband is the head of the wife as Christ is the head of the church." The simile encapsulated the countermovement's appeal to God.

While this line of argument faded after the Civil War as the issue became woman suffrage instead of woman's rights (the Bible says nothing about voting for men or women, and so lost much of its applicability), the theological appeals were closely related to the social and biological concerns of the antifeminists during the early stages of the movement. Among the eager audience for such "divine assertions" were those who detested "these unsexed women, who make a scoff of religion, who repudiate the Bible and blaspheme God,"⁵⁰ and who are "publicly propounding the doctrine that they should be allowed to step out of their appropriate sphere to the neglect of those duties which both human and divine law have assigned to them."⁵¹ As James Gordon Bennett, the editor of the New York Herald responsible for the latter part of the

above diatribe, fretted: "Is the world to be depopulated?"⁵²

Women (and society) would be fine, reasoned the anti-feminists, if they would recognize that

the appropriate duties and influence of woman are clearly stated in the New Testament. Those duties and that influence are unobtrusive and private, but the source of mighty power. When the mild, dependent, softening influence of woman upon the sternness of man's opinions is fully exercised, society feels the effects of it in a thousand ways."⁵³

The difference between having and not having this "mild, dependent, softening influence" would decide, according to the Rev. Jonathan Stearns,

whether we shall be a nation of refined and high minded Christians, or whether, rejecting the civilities of life, and throwing off the restraints of morality and piety, we shall become a fierce race of semi-barbarians, before whom neither order, nor honor, nor chastity can stand.⁵⁴

With such responsibility and power, how could any woman abdicate her position?

Willingly, but not easily, responded feminists. As early as 1838, in her Letters on the Equality of the Sexes and the Condition of Women, Sarah Grimké answered the clergymen who argued that God had ordained an inferior state for women. Ms. Grimké's arguments supplied the basis for future feminist attacks against countermovement claims of God-given female subordination, although changes occurred as the topoi evolved. Basically, Ms. Grimké and her philosophical heirs argued that man and woman are equal in

God's eyes, and all assertions of female inequality arise from misinterpretations and faulty translations of His holy word. There are two stories of creation in the Bible, feminists noted, and the antifeminists selected only the second, revised, and misguided version. Contrary to the view of Adam and Eve espoused by the antifeminists, Genesis 1:26-28 revealed that God created both male and female in His image, and He intended both sexes to have dominion over the earth. God treated them as equals in the beginning; what right did man have to deny His will and subjugate woman? Before the Fall, argued feminists, Adam and Eve were companions and equals; it was only in their sinful, fallen state that any difference was seen--a distinction of which the countermovement, with its concern with the ideal, should take note. Even here, when God said to Eve, "he shall rule over thee," it was prophecy rather than God's command. Just as in the passage where He said that Satan shall bruise Christ's heel, God simply predicted that it would happen rather than declaring that it was His will. Furthermore, feminists pointed out, the curse of Eden was removed by Christ for all people, male and female, according to mainstream theological thought. If Christ did not see any distinction, why should contemporary American society?

Feminists answered the passages of the Apostles primarily

by restricting their applicability. The admonition to keep silent in church obviously had a special, limited significance, since there were women assistants in the church at that time and St. Paul elsewhere directed women to cover their heads when they prayed and prophesied--a sign that at least some verbalization was appropriate for women in church. Also to be considered was St. Paul's audience, the Greeks. It was customary for Greek audiences to interrupt; the dictum was meant to impose order in the church. As Rev. Antoinette Brown Blackwell reasoned, the injunction for women's silence, when "taken out of its connection, forbids singing also; interpreted by its context, woman is merely told not to talk unless she does teach."⁵⁵

Most feminists regarded both Old and New Testament passages as unreliable evidence, for they felt the explications and translations of the Bible obscured God's true intent. Sarah Grimké protested "against the false translations of some passages by the MEN who did that work, and against the perverted interpretations by the MEN who undertook to write commentaries thereon."⁵⁶ The Protestant endorsement of "the priesthood of all believers," supporting a personal interpretation of the Bible after close study, encouraged the sort of rethinking of accepted explications undertaken by the advocates of equality.

Most feminists attacked false translations and provided reinterpretations rather than attacking organized religion per se (Elizabeth Cady Stanton was an exception). Margaret Fuller, for example, envisioned the culmination of woman's rights as a divine exaltation of the human race, resulting in "crystallizations more pure and of more various beauty. . . . A ravishing harmony of the spheres, would ensue."⁵⁷ Sarah Grimké, less mystical than Margaret Fuller but as idealistic, believed that woman "should ascertain what are her duties and privileges as a responsible and immortal being"; it followed as logically for woman's rights as it had for women speakers that "whatsoever it is morally right for a man to do, it is morally right for a woman to do."⁵⁸ Those who claimed that woman was mentally or morally inferior were utterly wrong;

our powers of mind have been crushed, as far as man could do it, our sense of morality has been impaired by his interpretation of our duties, but no where does God say that he made any distinction between us as moral and intelligent beings.⁵⁹

The argument that women should not speak because Christ was a man, the everlasting battle faced by early women speakers, was beautifully answered by the Negro feminist and abolitionist, Sojourner Truth, in her incisive and inimitable fashion: "Where did your Christ come from? . . . From God and a woman! Man had nothing to do with him."⁶⁰

Feminists and antifeminists thus argued over the

biological, social, and theological implications of changing laws which denied sexual equality. In the fight for property rights, legal rights, and marital rights, women were exposed to ridicule, abuse, and a new look at society's rationales for inequality. The philosophical justifications for "woman's place" which emerged structured feminist arguments through their questions and assumptions, and can be seen in slightly different forms even today.

Having in this chapter examined the topoi of both movement and countermovement during the phase of feminism which concentrated on woman's rights, the next chapter will trace the shift of issues to woman suffrage and follow the movement's progress from the Civil War through the 1880's.

CHAPTER IV

FEMINISM, LITIGATION, AND RHETORICAL EXIGENCIES: FROM WOMAN'S RIGHTS TO WOMAN SUFFRAGE

Both the woman's movement and its countermovement were silenced in April of 1861 with the sound of guns at Fort Sumter. When the controversy over slavery became a battle of secession, all attention focused on the armies of the North and the South.

As with any war, the entire nation was involved-- male and female. When men left for the front lines, women-- particularly in the West and the North--stepped behind the plow to keep the farms operating, sometimes at a bare subsistence level. Factories offered not only the jobs vacated by fighting men, but also the jobs created by a war-time economy supplying the front. Under these circumstances women had better chances for good pay and learning more advanced skills. In addition to farm and factory work, teaching positions and government jobs also became more available to educated women. Women's awareness of their capabilities was expanded, both in their own eyes and in the view of the nation. Filling the void left by soldiers and the greater demands of the war, women irrefutably demonstrated

their capacity to do a "man's job."

War work also offered many opportunities for service. Clara Barton and "Mother" Bickerdyke, among others, discovered the satisfaction of nursing and the wisdom of following the battlelines in order to save lives. Dorothea Dix, the reformer of prisons and insane asylums, turned in her sixties to hospital administration when she became head of the Union army hospitals. From this grew the Sanitary Commission, an organization of women who raised funds, provided medical supplies, distributed food and clothing, maintained hospitals, and assisted wounded soldiers returning home. In addition, it searched for nurses to staff the Union army hospitals--no easy task, since Miss Dix required nurses who were "over thirty, plain, not wasp-waisted, strong enough to turn a grown man over in bed, and willing to do the most menial work--a combination of virtues which the Sanitary Commission was often hard put to find!"¹ Although the Commission was, with the exception of Miss Dix, led by men (as both their experience and public thinking recommended), vast numbers of women learned how to "visit the sick in hospitals, inform families of deaths, balance a diet, dispatch supplies from point to point, and the thousand details of successful and necessary volunteer service."² Women gained both organizational experience and self-confidence from the venture, as well as

providing a necessary service.

War relief work, however, did not suit the likes of Elizabeth Cady Stanton and Susan B. Anthony. With no woman's rights conventions held after February, 1861, and the public ear more attuned to civil strife than civil rights, activities were limited to war work and abolition meetings. Nevertheless, Mrs. Stanton and Miss Anthony were reluctant to abandon women's issues, particularly since they mistrusted the early compromising stance of the Lincoln administration on slavery. As with most other feminists who were also abolitionists, however, they focused their attention on slavery and the war for the duration, speaking on tours in behalf of emancipation and facing rougher mobs than they had ever before encountered.

Their talents were not fully called upon, however, until the introduction in 1863 of the Thirteenth Amendment in Congress, designed to abolish slavery throughout the United States (the Emancipation Proclamation had freed only those slaves in rebellious states). Requiring a two-thirds majority in each house, the bill faced an uncertain future; Mrs. Stanton and Miss Anthony, therefore, set forth to mobilize spirit in favor of the measure by forming the National Woman's Loyal League. Collecting signatures on petitions, holding conventions with Lucy Stone, Ernestine Rose, and Angelina Grimké Weld as speakers, and corresponding

with women across the nation constituted a major effort which culminated with the presentation to Congress in 1864 of petitions carrying nearly 400,000 names in support of the Thirteenth Amendment.

Yet the Loyal League was significant beyond its support of that finally-approved measure. More important to the woman's movement in the long run was the experience it gave its leaders. The work required to produce such hefty petitions taught Miss Anthony and Mrs. Stanton the wisdom of organization in attaining ends--rather than regarding it, as they had earlier, as an encumbering, constricting force--as well as acquainting them with the procedures of maintaining an office and establishing a network of contacts with politically aware women throughout the country. Doing battle for someone else's rights offered them the organizational and political experience which was to become an essential part of later campaigns for their own.

Just as the struggle for woman's rights had virtually halted when the Civil War began, so in 1865, when the shooting stopped and Lee surrendered, it began again. Thus, in May of 1866, New York saw the first woman's rights convention in six years. The pre-war years, however, even with the attacks of anti-feminists and the turtle pace of legislatures, were to appear calm and uncomplicated compared with the controversy to come.

Women had held their tongues on their own issues during the war; but when the battlegrounds grew silent and the question of Reconstruction faced the nation, women sought to play a part in the peace as they had in the war. Instead, political maneuverings resulted in a less than warm reception for them. Rather than a Republican party grateful for their labors (and their selective silence) during the war, women found a Republican party in power, and determined to stay in power through the gift of two million potential Negro male voters which it intended to bestow upon itself. The extent to which the politicians refused to jeopardize their windfall became apparent in the proposed text of the Fourteenth Amendment, designed to guarantee the vote and other rights of citizenship to this newly emancipated group:

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors of President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial Officers of a State or the members of the Legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age and citizens of the United States, or in any way abridged except for participation in rebellion or any other crime, the basis of proportion therein shall be reduced, in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Never before had the word "male" appeared in the

Constitution. The proposal to insert it no less than three times appalled feminist leaders, for it seemed to be "the culmination of legal humiliation. The sacred document of the Constitution was now /to be/ amended to include the principle of discrimination by sex."³ The amendment constituted a classic example of what Lloyd Bitzer has termed a "rhetorical exigence."⁴ The specific, intentional exclusion of women in the amendment at a time many felt was ideal for their inclusion constituted a defect to which feminists felt compelled to respond.

During this time of change and correction of injustices, many feminists reasoned, why should not both Negro and woman assume the full rights and responsibilities of citizenship? Woman's rights and anti-slavery had, after all, been compatible and complementary movements before the war; the feminists had been raised on the abolition movement and slaves had long had the support of women. While woman suffrage had been just one of many issues before the war, it became the sole aim of feminists with their exclusion under the Fourteenth Amendment.⁵

The problems presented by the Fourteenth Amendment were political as well as philosophical, since it shifted control of voting from the states to the federal government. If the amendment were passed, state by state expansion of suffrage would be blocked, and a new constitutional

amendment would be necessary to undo the male-only qualification for voting. One might even be required to reaffirm the United States citizenship of females, argued the feminists, since "male" was always used with either "citizen" or "inhabitant" in the amendment.

Women thus sought to change the measure's wording; as was to be expected, they faced stiff opposition. Congressional elections were to be held in the fall of 1866, so political tensions ran high in the summer preceding the voting which would determine the course of Reconstruction. Preservation of the Fourteenth Amendment exactly as it was would reduce complications in an already difficult struggle for its passage. Moreover, the abolitionists who earlier had offered such vocal support of woman suffrage now turned all their attention to attaining Negro rights, even rebuking those women who continued to press their own claim. Mrs. Stanton noted that during the days of the Loyal League, when the only issues they campaigned for favored the Negro and the Republican Party, they were praised for being "wise, loyal, and clear-sighted." Once they returned to their original purpose, however, "these transcendent virtues vanished like dew before the morning sun."⁶

In their place appeared a phrase which was to pacify some women and anger others: "the Negro's hour." Advocates of the "male" amendment argued that women should hold back,

for after years of slavery, "this is the Negro's hour."

That they rejected their former companion movement supports Sinclair's observation that "reforms may grow together, but, short of a social revolution, they are victorious alone."⁷

Thus it was that Frederick Douglass, previously eloquent on the subject of women, turned his vocal and intellectual powers entirely to the favor of the Negro:

When women, because they are women, are dragged from their homes and hung upon lamp-posts; when their children are torn from their arms and their brains dashed to the pavement; when they are objects of insult and outrage at every turn; when they are in danger of having their homes burnt down over their heads; when their children are not allowed to enter schools; then they will have an urgency to obtain the ballot.

When a member of his audience asked if that was not true of all black women, Douglass answered, "Yes, yes, yes; it is true of the black woman, but not because she is a woman, but because she is black."⁸

Yet women such as Mrs. Stanton, Miss Anthony, and Sojourner Truth believed that the Negro's hour could be the woman's hour as well. Mrs. Stanton's impatience with the new separation of movements was evident when she insisted,

No, no, this is the hour to press woman's claims; we have stood with the black man in the Constitution over half a century, and it is fitting now that the constitutional door is open that we should enter with him into the political kingdom of equality. Through all these years he has been the only decent compeer we have had. Enfranchise him, and we are left outside with lunatics, idiots, and criminals for another twenty years.⁹

Women such as Clara Barton, however, felt that expediency demanded an ordering of enfranchisement. In her view, "if the door was not wide enough for all at once--and one must wait, or all must wait, then I for one was willing that the old scarred slave limp through before me."¹⁰ She agreed with Lucy Stone that a change in wording would be better, but if that were impossible, the measure should be passed anyway. "I will be thankful in my soul," said Stone, "if any body can get out of the terrible pit."¹¹

Congress agreed with Lucy Stone, although not for the same reasons, and passed the amendment complete with the thrice-repeated adjective "male." As it began its sojourn through the states for approval, the forces of Mrs. Stanton and Miss Anthony were transferred to a new arena: two proposed state constitutional amendments in Kansas, one for the Negro and the other for woman suffrage. Lucy Stone and her husband Henry Blackwell had preceded the two women into Kansas during the spring of 1867; together, the four worked to attain approval in the first referendum ever to be held on woman suffrage. They were, however, to face the first of many defeats on this issue when the amendment gained only nine thousand of the thirty thousand votes cast. Mrs. Stanton angrily chided the abolition leaders whose silence on the feminist issues had been maintained throughout the battle in Kansas:

The editors of the New York Tribune /Greeley/ and the Independent /Tilton/ can never know how wistfully from day to day their papers were searched for some inspiring editorial on the woman's amendment, but naught was there; there were no words of hope and encouragement, no eloquent letters from an Eastern man that could be read to the people; all were silent. Yet these two papers, extensively taken all over Kansas, had they been as true to woman as to the Negro, could have revolutionized the State.¹²

One doubts that the papers' support actually could have "revolutionized the State," since the Negro amendment which they did support failed almost as badly as woman suffrage had; yet antagonism between the two movements was not lessened by the abolitionists' silence in this case. Moreover, the silence was only selective. Woman's rights conventions, with their policy of free speech for any who attended, were often addressed by black men who criticized the women for endangering their right to vote. This new branch of the countermovement against woman's rights typically went on, as one man did in 1869, to contradict earlier proclamations of equality by pronouncing that "God intended the male should dominate the female everywhere."¹³

In the meantime, the Fourteenth Amendment had been ratified by the states and, in 1869, a Fifteenth Amendment was proposed to rectify a deficiency in the earlier legislation. The 1866 measure had granted citizenship to and ensured "the privileges or immunities" of Negro males, and had provided for punishment of any state denying them the

vote by proportionally reducing its representation in the Congress. The new proposal was an attempt to eliminate the possibility that a state would decide to accept the penalty for non-compliance with the Fourteenth Amendment as a price worth paying for the right to continue denying Negroes their vote.

Again in this amendment, however, the Negro came before (and to the exclusion of) the woman. The vote was not to be denied because of "race, color, or previous condition of servitude"; nowhere could be seen the simple three-letter word, "sex." Feminists argued that it would be a logical addition, but as before, the amendment was adopted in 1870 without any provision for women. It seemed that their cause was regressing; "to them, victory had been won by the dedication of women; now the peace was degrading women still more. They had lost ground since the American Revolution."¹⁴

Many feminists blamed the politicians and abolitionists for their overriding concern for the Negro. The reaction of Carrie Chapman Catt, a leader of the woman suffrage movement from 1892 through the 1920's, was typical:

Thinking is always a laborious and painful process for the average human being, and the great leaders had simplified it for him by giving him an answer for every query,--"the Negro's hour."

From statesman to editor, from editor to people, the maxim passed, easy to remember, soothing to troubled

political waters. Political leaders stopped discussing woman suffrage; abolitionists declined further aid; political papers stopped publishing suffrage letters; editorials ceased; and in Congress former friends either withheld petitions for woman suffrage or dishonestly introduced them as petitions for universal suffrage which, in the parlance of Congress at the time, meant Negro /male/ suffrage.¹⁵

The difference in the attitude toward the Negro's hour of women such as Mrs. Stanton and Miss Anthony, who agreed wholeheartedly with Carrie Catt, and that of the followers of Lucy Stone was one in a series of differences on various issues which caused an increasing rift between the two groups in the movement. Mrs. Stanton and the women from New York generally had assumed an anticlerical stance, particularly with regard to organized religion, which was viewed unkindly by the more proper Bostonian branch. This dissimilarity of opinion was to grow stronger through time, as Mrs. Stanton became firmer in her conviction that religious doctrine was "more responsible for woman's slavery today than the civil code"¹⁶ and Lucy Stone noted that the rapid increase in active church memberships necessitated more conservative appeals for potential membership and support if the woman's movement was to be successful.¹⁷

Disagreement continued on the subject of marriage and divorce, along the lines discussed in Chapter III. As Ernestine Rose argued, liberalized divorce laws were necessary to protect women from the evils of "false

marriages."¹⁸ Even Lucy Stone had at one time agreed that "the right idea of marriage was at the foundation of all reforms," including a wife's control over her own body so that she could not be forced into "legalized prostitution."¹⁹ In the view of Rev. Blackwell, however, marriage was a permanent bond lending itself to perpetual improvement, and divorce would only exacerbate the problems. Moreover, "while the Stanton group's position on marriage was not really very radical, . . . the fact that it recognized the existence of a marriage question was itself enough to put it beyond the pale."²⁰ Lucy Stone felt that the woman's movement was having enough difficulty gaining respectability without such controversial topics as divorce to complicate matters.

Adding to the disparity of views was a new associate, eccentric millionaire George Train, gained by the Stanton-Anthony forces during their 1867 campaign in Kansas. His vocal support was much appreciated in that time of Eastern abolitionist silence, but his most important contribution was the gift of a newspaper to be called The Revolution, with Mrs. Stanton as editor and Miss Anthony as publisher and business manager. The paper would carry news of suffrage struggles and other reforms under the motto, "Men, their rights and nothing more; women, their rights and nothing less!" Train's only stipulation in making this gift was

that the paper publish Train's articles advocating Irish freedom, the eight-hour workday, and the issuance of greenbacks.

Such a contribution more than counteracted Train's eccentricities in the eyes of the recipients, who were overjoyed with this means by which to champion their cause, advocate more liberal divorce laws, lambast the churches, condemn the suddenly-quiet abolitionists, and carry news of woman's progress not found elsewhere. For advocates of woman's rights, The Revolution was more than just a newspaper; "it gave their movement a forum, focus, and direction. It pointed, it led, and it fought, with vigor and vehemence."²¹ Train's character, however, as well as the direction and degree of the paper's attacks, made the New Englanders of the movement uncomfortable as they sensed an increasing alienation of their more conservative supporters. Many agreed with Horace Greeley's typically undiplomatic description of Train as a "crack-brained harlequin and semi-lunatic," a "ranting egotist and low blackguard," and a "nigger-baiter"²²--none of which, in Lucy Stone's view, was proper company for a serious-minded reform movement. As she saw it, the movement needed those conservative backers who were antagonized by Train more than it needed the man's paper.

Religion, divorce, George Train--all were issues

separating what had become two distinct ways of advocating woman's rights. The most substantive difference, however--the one which ultimately led to a split in the movement--was over the priority of Negro suffrage. Signs of the impending separation had appeared with the end of the Civil War, when the American Equal Rights Association was formed. Originally meant to support the rights of both Negroes and women, the organization, under the leadership of abolitionists like Horace Greeley and Wendell Phillips, soon focused its attention on passing the Fourteenth Amendment at all costs--including the abandonment of woman suffrage. As Stantonites increasingly objected to this disregard of their views, the tension grew. Carrie Chapman Catt reflects the mounting antagonism in her description of the association's 1868 gathering:

The public meetings of the convention were as crowded as ever, the speeches as eloquent, but a spirit of dissension never before present prevailed, owing to the determination of the men advocates of woman suffrage to compel the women to admit the wisdom of all working for Negro suffrage come when and if it would.²³

Yet it was not only "the men advocates of woman suffrage," but also such prominent women as Lucy Stone, Mary Livermore, and Julia Ward Howe, who felt the Negro's hour should displace the woman's hour. By the time of the annual Equal Rights Association convention of May, 1869, Mrs. Stanton and Miss Anthony felt that the Boston-centered

abolition movement had betrayed their cause and misled the women who followed them. Moving quickly and quietly after a major convention dispute over Mrs. Stanton's call for a woman suffrage amendment to the Constitution, the two women gathered their friends and colleagues from the Loyal League to form the National Woman Suffrage Association, an organization for women only which was designed to make woman's rights--including suffrage--its number one priority.

The response by the excluded, "misled" feminists was the formation of a second organization named the American Woman Suffrage Association.²⁴ As one historian expressed it, "if Anthony and Stanton seceded from the Equal Rights Association, Lucy Stone would secede from the National."²⁵ The American was set up on a delegate basis, with only recognized representatives to be seated, so that "undesirable" elements would be excluded. This change from the policy of free speech practiced earlier in the movement accurately reflected the New Englanders' concern with maintaining the proper image so that supporters and potential supporters would not be alienated by tangential, irrelevant, and irreverent issues. Negro suffrage was to come first, just as the abolition movement preceded the woman's movement; but in addition to the justice of such priorities, the American's leaders felt such a stand would help keep much-needed friends for the movement.

Personal, ideational, and tactical differences thus created two movements in the place of one. In a sense, it was a division between

those women who thought that any alliance with unpopular reforms or people would hurt woman suffrage and those who thought that all pro-suffrage reforms and reformers would add strength to that weak cause. It was the difference between the exclusive and cautious temperament of the Bostonian lady and the inclusive and rash ambition of the small-town Western woman in New York.²⁶

While perhaps unfortunate, particularly at a time when positive and unified effort was necessary to keep woman suffrage before the American public, the split is understandable both in terms of the differences of opinion within the woman suffrage movement itself and in the general social, political, and economic unrest throughout the nation following the Civil War. Each faction favored the vote for women, but they disagreed--sometimes sharply--on the best way to attain their goal.

The brash, liberal National and the more cautious, conservative American split along fairly predictable lines on the issues under contention. The American's support for Negro suffrage continued while the National insisted that women must also be enfranchised. Mrs. Stanton deplored the biases of organized religion, but Lucy Stone's organization preferred to appeal to the churchgoers who were growing in numbers and therefore increasing in importance as potential

supporters for the woman's cause. Expediency and conservatism were also reflected in the American's view of men in the movement. The Bostonians noted that exclusion along sex lines would accomplish little since the votes of men were essential to gain votes for women. Moreover, many of them felt the friendship and support from fathers, husbands, brothers, and friends should not be rebuked by anti-man talk. The National, on the other hand, disliked what they viewed as their betrayal by male abolitionists and chose to carry on the campaign by themselves. In reasoning similar to that of modern radical feminists, Mrs. Stanton argued that

woman herself must do this work--for woman alone can understand the height, and the depth, the length and the breadth of her own degradation and woe. Man cannot speak for us--because he has been educated to believe that we differ from him so materially, that he cannot judge of our thoughts, feelings and opinions by his own.²⁷

Male limitations were socialized rather than inherent, but women still had to fight their own battles.

The differences in attitudes which had led to the split in the movement continued once the two separate organizations were formed. One episode in particular which made the American branch shudder was the brief association of Mrs. Stanton and Miss Anthony with the flamboyant Victoria Woodhull and her sister, Tennie C. (or "Tennessee") Claflin. The beautiful, articulate Mrs. Woodhull and her sister made

fortune on the hitherto male stronghold of Wall Street under the guidance of Cornelius Vanderbilt, and coupled this affront to conventional attitudes with the inflammatory rhetoric of their newspaper, Woodhull and Claflin's Weekly. Mrs. Woodhull supported movements from woman's rights and spiritualism to quack healing and free love. Her endorsement of feminism gained her the support of the leaders of the National, but her association with the more controversial issues as well as her eccentric radicalism brought the kind of public reaction which the American had always feared would result from an indiscriminant embracing of reforms to the heart of the woman's movement. Free love engendered particularly strong reactions in a time of Victorian morality when marriage was considered the center of society.

Miss Anthony's support for Mrs. Woodhull dimmed considerably when the latter attempted a coup d'état in the National Woman's Suffrage Association. The result of the foiled attempt was Mrs. Woodhull's "secession" from the organization to form a new political party which responded by nominating its founder for president of the United States, along with the unknowing Frederick Douglass as her vice-president.

More significant than this short-lived bid for political power, especially in terms of the feminist movement, was the news story carried in an 1871 issue of Woodhull and Claflin's

Weekly on the clandestine love affair between Henry Ward Beecher, the popular, respected minister, and his parishioner Elizabeth Tilton, the wife of the equally respected editor, Theodore Tilton. While Victoria Woodhull claimed that her revelation was to expose Beecher's hypocrisy in not admitting his acceptance of the principles of free love, the ensuing suit against Beecher by Tilton for misconduct was predictably sensational. Moreover, it held particular significance for the woman's movement on several counts. In the first place, Beecher had been the first president of the American Woman Suffrage Association--a fact which put the conservative organization in an awkward position. Secondly, Mrs. Stanton and Miss Anthony supported Mrs. Tilton by pointing out that the woman, principle social victim in such cases, could not even testify in court on her own behalf. Thirdly, Victoria Woodhull's reputation, not exactly untarnished before the incident, was less than enhanced by her disruptive muckraking. When taken together, these aspects of the trial tended to link free love and woman's suffrage in the mind of much of the public, something antifeminists had attempted to do in the past. How great an effect this had on the suffrage movement is disputed: historians such as Sinclair argue that the scandal set the movement back as much as twenty years,²⁸ while scholars like Flexner feel the impact was small in

the face of innumerable forces favoring the cause.²⁹ At any rate, it did have the notable and uncontested effect of injecting some caution into the National branch. While Mrs. Stanton and Miss Anthony did not abandon their strong feelings on marriage, divorce, the churches, and reforms, they nonetheless did moderate their positions somewhat in light of public reaction to the Woodhull/Beecher-Tilton scandal. The outburst "drove the radical feminists back from their advanced position and forced them to concentrate more narrowly than before on law and politics."³⁰

Such legal and political action continued on the part of both the National and the American. In spite of the narrowing of the issues, however, the difference in attitudes of the two groups continued to be reflected in such areas as their preferred strategies for winning the vote. The American worked for woman suffrage on a state-by-state referendum basis, in keeping with the more conservative disposition toward "home rule." The National, on the other hand, aided state campaigns to a degree but preferred to concentrate on a federal amendment to the Constitution. In Miss Anthony's view, a national proclamation was needed to right the injustice--particularly after the Fifteenth Amendment's reaffirmation of the principle that certain citizens could be excluded from voting solely on the basis of their sex.

It was in reaction to that offensive product of Reconstruction zeal, therefore, that the first federal woman suffrage amendment was introduced. When senatorial friends of Mrs. Stanton and Miss Anthony realized there was no hope to amend or oppose the Fifteenth Amendment in order to enfranchise women, they shifted political tactics and proposed a separate amendment entirely for the woman's vote. First sponsored by Senator S. C. Pomeroy of Kansas in December, 1868, the legislation was not passed until half a century later; yet by fashioning the issue into a distinct bill rather than an amendment to an amendment, the senators succeeded in keeping the woman suffrage issue before Congress.³¹

To assist its lobbying for woman suffrage bills, the National began holding its annual convention in Washington. The bill which was fifty-one years later to be passed with no changes in its original wording was first introduced in 1878: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex." Known as the "Anthony amendment" because of Susan B.'s unceasing efforts in its favor, the bill and the hearings on its behalf provided a central focus for the National. In the process of promoting the amendment, suffragists met people who could aid their cause, learned how to promote press coverage of the hearings, and gained valuable political experience. Their efforts

gradually began to take effect in visible ways, such as the formation of Select Committees on Woman Suffrage by both houses in 1882 and the favorable reports they issued on the Anthony amendment. Congressional sentiment, however, was not yet prepared to pass such a measure; the women's work continued.

In the meantime, the American was working on the state level to amend each individual constitution. Campaigns for state referenda as a means of gaining support required an immense amount of effort with all too frequently little result in return. Each one called for drawing up campaign plans, organizing speaking tours, collecting names on petitions, and speaking with state legislators to increase support. While this provided political and speaking experience for many women and increased their contacts on the state level, such referenda were expensive for the underbudgeted, sparsely populated women's associations and were seldom successful. Between 1870 and 1910, women organized seventeen state referenda in eleven states, of which only two passed.³²

Such campaigns were concentrated in the West; of the eleven states noted above, only three were east of the Mississippi. Wyoming had set a precedent in 1869 when, as a result of a typically spirited, aggressive pioneer woman named Esther Morris, it became the first Territory (and in 1889 the first state) to adopt woman suffrage. That

historic law, granting women the right to vote "at every election to be holden /sic/,"³³ grew from an atmosphere more conducive to reforms for women than the established East coast. The Western successes, with states like Utah, Colorado, and Idaho following Wyoming's lead, caused one suffragist to muse, "one would suppose that perseverance and eloquence were of no avail whatever; it must be that tornadoes, blizzards, and geysers are absolutely necessary to make the human vision clear."³⁴

While perseverance and eloquence were of considerable importance in the West as well as the East, the suffragist was correct in the sense that tornadoes, blizzards, geysers, and the other accoutrements of frontier life discouraged ideas of women's inferiority based on her need for protection, domesticity, and subjugation. Every strong body was needed, and there was little place for pampering. Adding to the value of women on the frontier, however, was the law of supply and demand; the very scarcity of females increased their prestige. The youthful days of the West provided an atmosphere--social and otherwise--which was of necessity different from the East; such a climate often eased social change. Frontier surroundings were not conducive to maintaining a strict social order.

The suffragists found other advantages to the territorial areas as well. The lack of entertainment and

diversion in pioneer settlements ensured a receptive audience for their speakers, offering a ready solution to the first problem for any persuader: how to get people to listen to the message. Moreover, these cradles of Populist sentiment were often amenable to the reformers' stock arguments-- that the woman's vote would purify government and business, control the liquor interests, and purge the nation of drunks. The small towns in territories such as Colorado responded well to these appeals, voting against saloons, cities, and large corporate interests by passing woman suffrage.

Such arguments were one reason for the increasing association of woman suffrage with the Woman's Christian Temperance Union. The W.C.T.U., founded in 1869 to battle against Demon Rum, soon became an enormously popular organization through the guidance of Frances Willard, a farsighted and rhetorically shrewd leader. Mrs. Willard's primary interest, according to biographer Mary Earhart, lay not in temperance per se, but in that cause as a means of drawing women who would not otherwise understand the need for woman suffrage into activities which would lead to personal and political insights.³⁵ The W.C.T.U. offered the ideal tool: its solid respectability and religious overtones made it the most righteous of reform organizations, perfect for women in small towns who were sensitive to the demands of propriety. Involvement in its campaigns to

protect the home against drunkenness and vice gradually helped women unattracted by the straightforward appeals of Elizabeth Cady Stanton to understand that the vote, and the accompanying voice in public affairs, was an essential weapon in protecting home and family from the ravages of liquor. Slogans such as "For God, for home, and native land" had the necessary broad appeal in the W.C.T.U.'s "Home Protection" drives of the late 1870's to lead many women to campaign for the "local option" vote--that is, asking that women be able to vote on the issue of the manufacture and sale of alcoholic beverages. By arguing for woman suffrage for the sake of home and family, Frances Willard pirated the ideals used by the antisuffragists and turned them to her advantage. Such arguments had additional utility, noted one suffragist: "It is so much easier to see a drunkard than it is to see a principle"; it is thus easier to create a problem and propose a solution around one.³⁶

The alliance with temperance thus brought to many women the social awareness necessary to accept suffrage. It also, however, brought a formidable foe in the form of liquor interests which became acutely aware that the result of the espoused "purifying" of woman suffrage would be their demise. Such monied and organized opposition created a conflict in the minds of some suffrage leaders, particularly when the countercampaigns increased in response to early

feminist successes. A strong bond of friendship between Susan B. Anthony and Frances Willard, however, eased the situation somewhat, since Miss Anthony could command such cooperation, for example, as requesting that the W.C.T.U. convention not be held in California at the time of the state woman suffrage referendum. Despite Miss Willard's compliance, however, the referendum did not pass. The link between temperance and woman suffrage in the minds of the public thus had both beneficial and detrimental results.

Later events indicated that most of the concern about the causal relationship between the vote for women and the vote against liquor was unfounded: in the four early suffrage states (Wyoming, Colorado, Utah, and Idaho), prohibition was not passed until at least twenty years after the adoption of woman suffrage. The situation caused one observer to express: "things are very much what they were before, only more so."³⁷

Thus it was that the American pushed for state-by-state reforms as the National worked for a federal amendment. Either approach presented a long, slow road to walk, for the failure of the quick solution in the form of addendums to the Fourteenth and Fifteenth Amendments left only step by step, person by person, town by town solutions. The task of winning friends, placating enemies, educating public opinion, and organizing state suffrage organizations

was made even more difficult by the lack of public receptivity to reform once the rights of Negro males had been guaranteed. After the passage of those federal amendments, Carrie Chapman Catt noted,

the public mind had indeed 'shut up altogether,' Appeals to party leaders who had faithfully pledged their help to women when the Negro's hour should have passed fell upon deaf ears and resisting minds.³⁸

Nonetheless, the suffragists--numbering at most ten thousand in both wings of the movement, largely collected through a network of personal contacts--continued the difficult battle for their rights.

Such general campaigns were sparked during the early 1870's by several demonstrations and legal battles in different parts of the country. Particularly popular between 1868 and 1872 was the voting demonstration, in which women went to the polls on election days to cast their vote either in the regular ballot box or, if refused there, in an unofficial box set up by the demonstrators. The most famous of such demonstrations occurred in Rochester, New York, during the presidential elections of 1872. Led by Susan B. Anthony, sixteen women first obtained qualified legal counsel, then assured the election inspectors that they would pay the costs if the government brought suit against them, and finally proceeded to register and vote. It was not a frivolous, sensation-seeking gesture: all

sixteen women were housewives, most were Quakers, and every one of them was aware of the possible five hundred dollar fine and three years in jail as the maximum sentence for an illegal voter.

The government's reaction to the voting demonstration was predictable; the careful preparations on the part of the feminists were wise. Miss Anthony was brought to trial as a test case, on the charge that she "knowingly, wrongfully and unlawfully voted for a representative to the Congress of the United States."³⁹ Her response was pure Anthony: in the time before the trial, she traversed the county in which she voted (and in which she would therefore be tried), speaking to the citizens--and prospective jurors--in self-defense. Variations of her basic thesis, "is it a crime for a United States to vote?", argued that "the Declaration of Independence, the National and State Constitutions, and the organic laws of the Territories, all alike propose to protect the people in the exercise of their God-given rights" through the use of the vote.⁴⁰ Women were citizens of the United States; women therefore had the right to vote. To those who argued that "the use of the masculine pronouns he, his, and him, in all the constitutions and laws, is proof that only men were meant to be included in their provisions," Miss Anthony countered:

If you insist on this version of the letter of the

law, we shall insist that you be consistent, and accept the other horn of the dilemma, which would compel you to exempt women from taxation for the support of the government, and from penalties for the violation of laws.⁴¹

This was the first time the question of legal language, in which the masculine pronouns denoted humanity in all laws except those governing suffrage, had been considered. Interlaced as these arguments were with quotations from the Declaration of Independence, the Constitution, state legislation, and distinguished legal scholars, the speech was a powerful, exhaustive delineation of Miss Anthony's belief in her legal right to vote.

Her oratorical fervor disturbed the forces of the prosecution to the point that a change of venue to a neighboring county was obtained. In the scant three weeks between this move and the date of the trial, Miss Anthony redirected her attack to address twenty-one new audiences in the postal districts of the county, and enlisted the aid of friend and feminist Joslyn Gage to speak in the other sixteen. Exhausted but exhilarated, she proceeded to the trial in Canandaigua on June 17, 1873, which was handled in a legally astonishing manner.

The judge was the newly elected Justice Ward Hunt, eager to please the Republican senator and machine leader from New York, Roscoe Conkling. His efforts to produce a verdict to the liking of the administration led to some

questionable courtroom procedures. Miss Anthony was declared "incompetent" to testify in her own behalf during the trial, yet the judge allowed the prosecuting attorney to enter her testimony from a pre-indictment hearing as evidence. The judge furthermore departed from impartiality and judicial propriety by in effect denying the defendant the right to a trial by her peers when he directed the jurors to find a verdict of guilty, declaring that there was no question for them to consider. Justice Hunt capped the indignity by pulling from his pocket an opinion which had obviously been previously prepared and intoning:

I have decided as a question of law, in the first place, that under the 14th amendment, which Miss Anthony claims protects her, she was not protected in a right to vote. And I have decided also that her belief and the advice which she took does not protect her in the act which she committed.⁴²

Essentially, the judge concluded, "Miss Anthony knew that she was a woman and that the constitution of this State prohibits her from voting."⁴³ Such an opinion--even disregarding the manner in which it was presented--begged the question, for there was no delineation of legal principles, no consideration of precedents--in short, no clarification of the legal issues at stake. The requests for a new trial were denied, indicating a further lack of judicial sensitivity.

It was at this point in the proceedings that the judge erred in a way which was to flaw his carefully executed trial.

His mistake was to ask the defendant if she had anything to say on why the sentence should not be pronounced. Of course Miss Anthony did. She launched into a tirade against the unfairness of the trial, the general denial to women of trial by a jury of peers (i.e., one including women), and the inequity of woman's disfranchisement, broken only by Judge Hunt's staccato protests once he realized what a tide of words he had unleashed.

Once she quieted down, the judge sentenced her to pay a one hundred dollar fine plus court costs--a minimum sentence designed to deny the defendant the role of martyr. When Miss Anthony immediately declared that "not a penny shall go to this unjust claim," the judge refused to order her jailed until the fine was paid.⁴⁴ Such a move stymied the only remaining legal recourse, for without the actual prosecution of the sentence, Miss Anthony could not take her case on to higher courts by writ of habeus corpus. The irregularities of the trial would have been enough to overturn the case; more important, however, was that Miss Anthony was unable to achieve further legal consideration of her cause.

The same issue, however, was being considered in another legal battle which ran more or less concurrently with Miss Anthony's trial. The Minor vs. Happersett case grew from a new theory developed by Francis Minor, a St.

Louis lawyer whose wife was president of the Missouri Woman Suffrage Association, which argued that the United States Constitution had already given women the right to vote as citizens. Following this line of reasoning, state laws which "abridge the privileges or immunities of citizens of the United States" by denying women the vote were unconstitutional;⁴⁵ moreover, rectifying the situation did not require either new state laws or a federal amendment--merely the simple recognition by the judicial branch of the American woman's inherent right to the franchise. Strongly supported by the National Association, this legal approach could have saved almost one-half century of campaigning for woman suffrage if it had been successful.

To gain judicial recognition required a test case, so in 1872 Francis and Virginia Minor filed suit against Reese Happersett, a St. Louis registrar who refused to allow Mrs. Minor to register, a necessary preliminary step to voting. To clarify their argument, the Minors cited the Dred Scott case, in which Chief Justice Taney distinguished between "the rights of citizenship which a State may confer within its own limits and the rights of citizenship as a member of the Union." As Flexner points out,

Taney was upholding the inability of any state to make a Negro, even a free Negro, a citizen; the Minors argued that by the same logic a state could not take away from a woman what she already had--her citizenship in the Federal Union.⁴⁶

Predictably the Minors lost their case in the lower courts; they appealed to the Supreme Court in 1874. The unanimous decision, written by Chief Justice Morrison R. Waite, was handed down in October of that year. Concluding that "suffrage was not co-extensive with citizenship," the Court decreed that the Constitution when it was adopted did not automatically grant the vote to all citizens. In addition, the decision held that the states could withhold suffrage from all women under the same rights which had allowed them to deny the vote to certain classes of men-- e.g., the insane, the criminal, the black, the poor. The Court did not consider basic issues such as the merits of woman suffrage or the legal precedent provided by the Taney opinion.

The Minor case was one in a series of confusing court decisions in which the legal reasoning displayed the same inconsistencies as the laws. The opinion on the Minors' suit, for example, contradicted that of the Slaughter-House Cases issued the previous year, which held that "the negro having by the Fourteenth Amendment been declared a citizen of the United States, is thus made a voter in every state in the Union."⁴⁷ Evidently such reasoning was applicable in cases on Negro suffrage but not those on woman suffrage.

Other litigation did nothing to clarify the situation, ending in the same morass of doubletalk. The 1884 Yarborough

decision is perhaps the epitome of judicial circumlocution:

While it is true, as said in the Reese case, that the Fifteenth Amendment gave no affirmative right to the colored man to vote . . . yet it does substantially confer on the Negro the right to vote, and Congress has the power to protect and enforce that right.⁴⁸

The distinction between substantially and actually conferring a right was difficult to discern; while it might have had some legal basis, there seemed to be no similar base in reality.

Even the concept of women as children found its place in the courts as a rationale against woman suffrage. When seventy women from the District of Columbia asked for the right to vote in December, 1871, the opinion of the Court held that

this clause (the first) of the Fourteenth Amendment does advance them /women/ to full citizenship and clothes them with the capacity to become voters. The constitutional capability of becoming a voter created by this amendment lies dormant, as in the case of an infant, until made effective by legislative action.⁴⁹

Carrie Chapman Catt reports that "the decision was quoted with ridicule in the press as meaning 'that women were voters but had no right to vote.'"⁵⁰ The general judicial treatment of woman suffrage prompted the authors of the fourth volume of The History of Woman Suffrage to respond, "this legal hair-splitting is beyond the comprehension of the average lay mind."⁵¹

The lack of success in Congress and in the courts were

indications that the nation was not yet ready to accept woman suffrage. The continued appeals of feminists were helpful, however, in keeping the issue before the public eye. To capitalize on these gains and reach their goals would require, in Flexner's view, better organization within the movement in order to make their influence felt and sway public opinion effectively.⁵²

In the meantime, women continued to work for their rights. In the summer of 1876, they took advantage of the nation's centennial celebration to draw attention to the disparity between the country's principles and its treatment of women. The highlight of the celebration, from a feminist perspective, came as the National Association made the most of the five tickets it was allowed to the huge Fourth of July ceremony at which the Emperor of Brazil was the guest of honor. The five women, including Susan B. Anthony, marched to the stage just as the audience stood up to greet the foreign monarch, handing the startled chairman of the meeting a document on woman's rights. The women then walked back out of the building, tossing handbills with a new revision of the Declaration of Independence to either side as they went.

As they emerged from the hall, Miss Anthony spotted an opportunity for a new audience. Never one to let an advantage pass, she climbed onto an empty bandstand intended

for the evening's festivities and read the Declaration to the crowd outside the building. Her co-workers then distributed more copies of the broadside, which called for many of the same rights as its twenty-eight year old predecessor but with a notable change in tone. When compared with the Seneca Falls document, this Declaration generally attacked men less, and in place of fairly broad social pleas it instead demanded particular political and legal rights for women.

The post-war years were thus a time of laying the groundwork for future suffrage appeals as women both collaborated and disagreed in their efforts to obtain the full rights of citizenship.

CHAPTER V

CONCLUSION

Summary

In the battle for sexual equality, the woman's movement of the nineteenth century faced a series of rhetorical decisions which shaped the arguments they used. Two of these were particularly critical.

The first of the two grew from the Seneca Falls Convention. In preparing for this meeting, feminists selected the Declaration of Independence as their model, thus laying the groundwork for future discourse which would be based on the inherent rights of mankind and the argument from justice. In further developing this basic topoi, early feminists decided to focus on legal rights, a choice which had both advantages and disadvantages: while laws, because of their concreteness, were easier to comprehend and thus easier to change than "social inequality," once they were amended antifeminists pointed to these partial solutions as proof that men had women's best interests at heart and, therefore, further reform was unnecessary.

A second major decision which affected rhetorical

strategy--one which created substantial divisiveness in the movement--concerned the question following Reconstruction of "the Negro's hour" versus "the woman's hour." Those who decided that the two claims should have parity sacrificed abolitionist support, while those who concluded that the Negro male should come first alienated many of their sisters. One wonders if the dilemma had a solution; political expediency indicated the wisdom of accepting the Fourteenth Amendment as it was, yet once it was passed the longing for a "return to normalcy" quickly closed the public mind to further reform.

Critical moments of rhetorical decision such as the above influenced the persuasive attitudes and appeals of feminists during this period.

Directions for Future Study

A study of the woman's movement in America could range from Anne Hutchinson's heretical preaching in Massachusetts in the early 1600's to the contemporary political campaigning of Sissy Farenthold and the radical feminist speaking of Ti-Grace Atkinson. The thread running throughout would be the same regardless of the time period examined: all rhetors ask for greater recognition of woman's capabilities, usually to the end of arguing the inherent equality of the sexes.

The avenues open for further study of American feminism

from a rhetorical perspective are thus numerous. A particularly promising direction, one which I hope to pursue within the next year, is an extension of the rhetorically-oriented history of the movement--initially the old movement, through the 1920 ratification of the Nineteenth Amendment which gave women the vote; then the quiet interim period between 1920 and the early 1960's; and finally the modern movement, from political feminism to radical feminism. The perspectives of inquiry laid out by Griffin and noted in Chapter I suggest the types of questions to be posed: What sorts of "rhetorical patterns" are established? What do their similarities indicate about the basic goals of the movement? What do their differences say about the changes in the movement and its societal context? What "vital function/s/" has the rhetoric of the movement served as "a shaping agent in human affairs"?

In answering such questions I plan to extend my study to new sources of evidence. While secondary sources are useful for their overview and analysis, primary sources offer not only the richness of firsthand material but also the opportunity for personal insights without the filter of another author's selectivity and emphasis. An examination of these resources is particularly important to any scholar attempting to develop a rhetorical perspective of the movement, for all of the major secondary sources--the books

by Flexner, Sinclair, O'Neill, Smith, and Kraditor--are by historians, and thus reflect the historian's view of woman's rights.

Furthermore, the primary sources are available. While there are some unavoidable gaps in the information, many artifacts of the period have, fortunately, survived. Resource centers include the Sophia Smith Collection at Smith College, the Women's Archives, at Radcliffe, the State Historical Society of Wisconsin in Madison, the Columbia Library, the Manuscripts Division of the New York Public Library, and the Manuscripts Division of the Library of Congress. Utilization of these archives will enable the rhetorical scholar to, in Griffin's words, "make full use of memoirs, letters, and other contemporary documents to give the study flesh and blood."¹

The difference between woman's position in society today and the femme coverte of the early nineteenth century does indeed suggest the significance of feminist rhetoric in shaping human affairs; the importance of utilizing human potential regardless of sex recommends that process of change as an apt subject for rhetorical examination.

ENDNOTES

Chapter I

¹Leland M. Griffin, "The Rhetoric of Historical Movements," The Quarterly Journal of Speech, XXXVIII (April, 1952), 188.

Chapter II

¹The American Woman: Who Was She?, ed. Anne Firor Scott (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1971), 59.

²Carrie Chapman Catt and Nettie Rogers Shuler, Woman Suffrage and Politics (1923; Seattle: University of Washington Press, 1970), 8.

³Andrew Sinclair, The Emancipation of the American Woman (New York: Harper & Row, Publishers, 1965), 94.

⁴Catt and Shuler, 11.

⁵Page Smith, Daughters of the Promised Land: Women in American History (Boston: Little, Brown and Company, 1970), 110.

⁶Sinclair, 99.

⁷Constantia, "On the Equality of the Sexes," Up From the Pedestal: Selected Writings in the History of American Feminism, ed. Aileen S. Kraditor (Chicago: Quadrangle Books, 1968), 34.

⁸Sinclair, 100-101.

⁹Thomas A. Bailey, The American Pageant: A History of the Republic (Second ed. rev.; Boston: Little, Brown and Company, 1961), 245.

¹⁰Bailey, 345.

¹¹Sinclair, xii.

¹²Eric Hoffer, The True Believer: Thoughts on the Nature of Mass Movements (New York: Harper & Row, Publishers, 1951), 51.

¹³Ibid., 25. Hoffer sees the True Believer as one who attempts to lose his unwanted "self" in the anonymity, power, and hatred of mass movements. This type of person, constituting the hard-core fanaticism of movements, does not care for the goal of reform but for the process of activism, and can therefore slip from cause to cause with ease.

¹⁴Robert E. Riegel, American Feminists (Lawrence: University of Kansas Press, 1963), 183.

¹⁵Bailey, 342.

¹⁶Elizabeth Cady Stanton, "To the Legislature of the State of New York," History of Woman Suffrage, I, eds. Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joslyn Gage (Second ed.; Rochester, New York: Charles Mann, 1889), 600.

¹⁷William L. O'Neill, Everyone Was Brave: The Rise and Fall of Feminism in America (Chicago: Quadrangle Books, 1969), 10.

¹⁸Sinclair, 37.

¹⁹O'Neill, 127.

²⁰Riegel, 73.

²¹Catt and Shuler, 17.

²²Smith, 109.

²³Sinclair, 57.

²⁴Smith, 131.

²⁵Jonathan F. Stearns, "Discourse on Female Influence," in Kraditor, 49.

²⁶Eleanor Flexner, Century of Struggle: The Woman's Rights Movement in the United States (1959; New York: Atheneum Press, 1970), 49.

²⁷Smith, 121.

²⁸Riegel, 18.

²⁹Robert T. Oliver, History of Public Speaking in America (Boston: Allyn and Bacon, Inc., 1965), 443.

³⁰Lillian O'Connor, Pioneer Women Orators: Rhetoric in the Ante-Bellum Reform Movement (New York: Columbia University Press, 1954), 36.

³¹"Pastoral Letter of the Massachusetts Congregationalist Clergy," in Kraditor, Pedestal, 51.

³²Flexner, 47.

³³Smith, 129.

³⁴Ibid., 111.

³⁵Arthur R. Cohen provides data in support of the theory that a person's belief in a cause increases with an act of public commitment to that cause in Attitude Change and Social Influence (New York: Basic Books, Inc., 1964), 82-83.

³⁶Hoffer, 119.

³⁷Flexner, 73.

³⁸Ibid.

³⁹Ibid., 74.

⁴⁰History of Woman Suffrage, I, 67.

⁴¹Ibid., 70.

⁴²Sinclair, 61.

⁴³History of Woman Suffrage, I, 72.

⁴⁴Ibid.

⁴⁵Flexner, 75-76.

⁴⁶Sinclair, 58.

Chapter III

¹Flexner, 72-73.

²Sinclair, 84.

³Lucretia Mott, "Speech Delivered in 1849 in Philadelphia," mimeographed handout from Speech 119 under Dr. Linkugel, 4.

⁴Sinclair, 89.

⁵Scott, 7.

⁶History of Woman Suffrage, I, 72.

⁷Mott, 3.

⁸According to Hoffer, the "Man of Words" is responsible for the first essential step in mobilizing a mass movement: discrediting the prevailing order and creating grievances. Without the articulate fault-finding of the Man of Words, the movement lacks focus and momentum, and can therefore never succeed. (Hoffer, 119-130).

⁹Mott, 5.

¹⁰Stanton, "Legislature," 599.

¹¹Elizabeth Cady Stanton, History of Woman Suffrage, I, 718. The speech is untitled in the text; to distinguish this speech from the address to the New York state legislature, it will be referred to as the "Debate on Marriage and Divorce."

¹²Catt and Shuler, 6.

¹³Stanton, "Legislature," 600.

¹⁴Mott, 5.

¹⁵History of Woman Suffrage, I, 261.

¹⁶Stanton, "Debate," 718.

¹⁷Ibid., 719.

¹⁸Antoinette Brown Blackwell, History of Woman Suffrage, I, 723.

¹⁹Ibid.

²⁰Ibid.

²¹Ibid., 725.

²²Ernestine Rose, History of Woman Suffrage, I, 731. Like Stanton's speech, this is untitled. It will be identified as Rose, "Debate on Marriage and Divorce," to distinguish it from another speech by Rose cited in this paper.

²³Ibid.

²⁴Ibid.

²⁵Ibid., 732.

²⁶Ibid.

²⁷Some of the countermovement arguments noted here are discussed in part in Aileen Krador, The Ideas of the Woman Suffrage Movement, 1890-1920. (New York: Columbia University Press, 1965), 14ff.

²⁸Thomas R. Dew, "Dissertation on the Characteristic Differences Between the Sexes," in Krador, Pedestal, 46.

²⁹Smith, 132.

³⁰Sinclair, 258.

³¹Krador, Ideas, 19.

³²Stearns, "Female Influence," 48.

³³Krador, Ideas, 18.

³⁴Flexner, 90-91.

³⁵Constantia, "Equality of the Sexes," 32.

³⁶Ernestine L. Rose, "On Legal Discrimination," mimeographed handout from Speech 119 under Dr. Linkugel, 4. Most of this speech can be found in Krador, Pedestal, pp. 222-28.

³⁷Krador, Pedestal, 17.

³⁸Sinclair, 258.

³⁹Catt and Shuler, 6.

⁴⁰Constantia, "Equality of the Sexes," 31.

- ⁴¹See Mott, 5.
- ⁴²See Mott, 1.
- ⁴³O'Neill, 10.
- ⁴⁴Kraditor, Pedestal, 12-13.
- ⁴⁵Stearns, "Female Influence," 47.
- ⁴⁶Sinclair, 171-72.
- ⁴⁷Mott, 2.
- ⁴⁸Riegel, 199.
- ⁴⁹Kraditor, Ideas, 16.
- ⁵⁰Smith, 120.
- ⁵¹Catt and Shuler, 27.
- ⁵²Ibid.
- ⁵³"Pastoral Letter," 51.
- ⁵⁴Stearns, "Female Influence," 50.
- ⁵⁵Antoinette Brown, "Speech Delivered in 1852," mimeographed handout from Speech 119 under Dr. Linkugel, 1.
- ⁵⁶Sarah Grimké, "Reply to the 'Pastoral Letter,'" in Kraditor, Pedestal, 54.
- ⁵⁷Smith, 176.
- ⁵⁸S. Grimké, "Reply," 54, 55.
- ⁵⁹Ibid., 56.
- ⁶⁰Mary Beasley, "Argumentation of Women Speakers in the Abolition Movement, 1832-1861," paper presented at the 1972 Speech Communication Association Convention, Chicago, Illinois, 6.

Chapter IV

- ¹Flexner, 107.

²Sinclair, 180.

³Ibid., 184.

⁴For many feminists, the proposed inclusion of the word "male" in the amendment constituted an "imperfection marked by urgency; . . . a defect, an obstacle, something waiting to be done, a thing which is other than it should be," which stimulated specific rhetorical responses in reaction to the problem. This phenomenon of a defective environment which generates symbolic responses intended to remedy that defect is referred to by Lloyd Bitzer as a "rhetorical exigence" ("The Rhetorical Situation," Philosophy and Rhetoric, 1 (January, 1968), 6).

⁵The decrease in importance of other issues was also due to the many legislative changes improving the rights of women in the seventeen years between the Seneca Falls Convention and the end of the Civil War.

⁶Sinclair, 182.

⁷Ibid., 183.

⁸Flexner, 144.

⁹O'Neill, 17.

¹⁰Sinclair, 189.

¹¹Flexner, 145.

¹²Catt and Shuler, 55.

¹³Ibid., 68.

¹⁴Sinclair, 184.

¹⁵Catt and Shuler, 49-50.

¹⁶O'Neill, 12.

¹⁷Sinclair, 203.

¹⁸Rose, "Debate," 731.

¹⁹Smith, 163-64.

²⁰O'Neill, 24.

²¹Flexner, 151.

²²O'Neill, 18.

²³Catt and Shuler, 63.

²⁴The two organizations will hereafter be referred to simply as the National and the American, for the sake of brevity.

²⁵Sinclair, 189.

²⁶Ibid., 191.

²⁷Ibid., 257.

²⁸Ibid., 193.

²⁹Flexner, 154.

³⁰O'Neill, 29.

³¹Flexner, 169.

³²Ibid., 175.

³³Ibid., 354-55.

³⁴Sinclair, 204.

³⁵Flexner, 183.

³⁶Sinclair, 222.

³⁷Ibid., 212.

³⁸Catt and Shuler, 72.

³⁹Flexner, 166.

⁴⁰History of Woman Suffrage, II, eds. Elizabeth Cady Stanton, Susan B. Anthony, and Mathilda Joslyn Gage (Rochester, New York: Charles Mann, 1881), 630.

⁴¹Ibid., 636.

⁴²Flexner, 167.

⁴³Catt and Shuler, 103.

⁴⁴History of Woman Suffrage, II, 689.

⁴⁵Flexner, 168.

⁴⁶Ibid., 356.

⁴⁷Ibid., 169.

⁴⁸Catt and Shuler, 97.

⁴⁹Ibid., 94.

⁵⁰Ibid., 95.

⁵¹Flexner, 170.

⁵²Ibid..

Chapter V

¹Griffin, "Historical Movements," 188.

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