

TEACHERS AS HISTORIANS:
TEACHING AMERICAN HISTORY SEMINAR

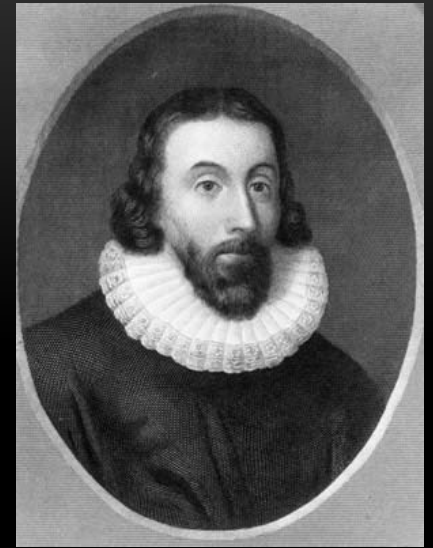
The Women's Movement and
the Nineteenth Amendment:

A Very Simple Claim

THE LARGER CONTEXT

Puritan Beginnings -John Winthrop

The other kind of liberty I call civil or federal; it may also be termed moral, in reference to the covenant between God and man, in the moral law, and the politic covenants and constitutions, amongst men themselves. This liberty is the proper end and object of authority, and cannot subsist without it; and it is a liberty to that only which is good, just, and honest..... This liberty is maintained and exercised in a way of subjection to authority; it is of the same kind of liberty wherewith Christ hath made us free.



THE LARGER CONTEXT

Puritan Beginnings -John Winthrop

The woman's own choice makes such a man her husband; yet being so chosen, he is her lord, and she is to be subject to him, yet in a way of liberty, not of bondage; and a true wife accounts her subjection her honor and freedom, and would not think her condition safe and free, but in her subjection to her husband's authority. Such is the liberty of the church under the authority of Christ, her king and husband; His yoke is so easy and sweet to her as a bride's ornaments; and if through forwardness or wantonness, etc., she shake it off, at any time, she is at no rest in her spirit, until she take it up again; and whether her lord smiles upon her, and embraceth her in his arms, or whether he frowns, or rebukes, or smites her, she apprehends the sweetness of his love in all, and is refreshed, supported, and instructed by every such dispensation of his authority over her.

THE LARGER CONTEXT

Puritan Beginnings - John Winthrop

- Mrs. Hopkins
- Anne Hutchinson
 - Winthrop referred to Hutchinson as "a woman of ready wit and bold spirit" and an "American Jezebel."



Anne Hutchinson, Puritan dissident.

THE LARGER CONTEXT

Puritan Beginnings - Anne Hutchinson

- Tried for heresy and banished from Massachusetts Bay
- “You have power over my body but the Lord Jesus hath power over my body and soul; and assure yourselves thus much, you do as much as in you lies to put the Lord Jesus Christ from you, and if you go on in this course you begin, you will bring a curse upon you and your posterity.”

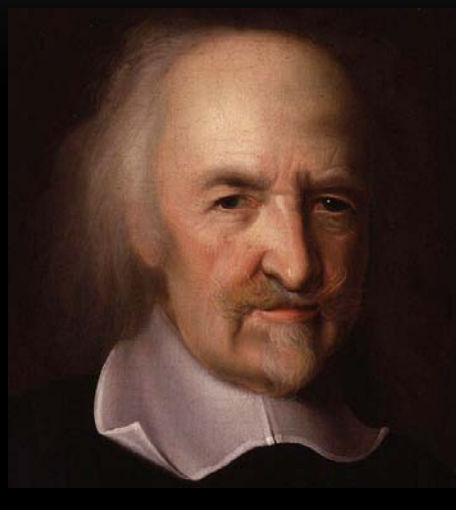


Anne Hutchinson, Puritan dissident.

THE LARGER CONTEXT

Enlightenment Liberalism

- Thomas Hobbes
- John Locke
- Core Concepts
 - individualism
 - Natural Rights
 - Consent/Legitimacy



THE LARGER CONTEXT

Mary Wollenstonecraft (1759-1797)

A Vindication of the Rights of Woman (1792)



Virtue can only flourish among equals. If the abstract rights of man will bear discussion and explanation, those of women, by a parity of reasoning, will not shrink from the same test....

It may then fairly be inferred, that, till society be differently constituted, much cannot be expected from education....

If women be educated for dependence; that is, to act according to the will of another fallible being, and submit, right or wrong, to power, where are we to stop?

The divine right of husbands, like the divine right of kings, may, it is hoped, in this enlightened age, be contested without danger.

THE AMERICAN CONTEXT

“We hold these truths to be self-evident, that all men are created equal, equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”



THE AMERICAN CONTEXT

Abigail Adams to John Adams, 31 March 1776

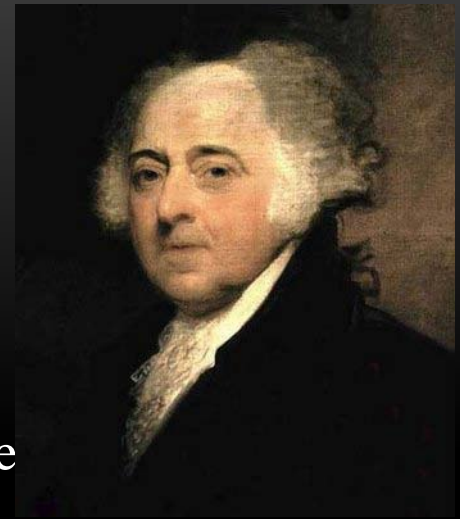
"I long to hear that you have declared an independency. And, by the way, in the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors.

"Do not put such unlimited power into the hands of the husbands.

"Remember, all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation."



THE AMERICAN CONTEXT



John Adams to Abigail Adams, 14 April 1776

‘Depend upon it, we know better than to repeal our masculine systems. Although they are in full force, you know they are little more than theory. We dare not exert our power in its full latitude. We are obliged to go fair and softly, and, in practice, you know we are the subjects.’

Abigail Adams to John Adams, 7 May 1776

"I cannot say that I think you are very generous to the ladies; for, whilst you are proclaiming peace and good-will to men, emancipating all nations, you insist upon retaining an absolute power over wives.

"But you must remember that arbitrary power is like most other things which are very hard, very liable to be broken; and, notwithstanding all your wise laws and maxims, we have it in our power, not only to free ourselves, but to subdue our masters, and without violence, throw both your natural and legal authority at our feet."

THE AMERICAN CONTEXT

Elizabeth Cady Stanton (1815 - 1902)



- A “Do-Gooder”
 - Abolitionist
 - Temperance
 - Birth Control (not Abortion)
 - Women’s Suffrage
- Organized Women’s Rights Conference, Seneca Falls, NY, (1848)

THE DECLARATION OF SENTIMENTS, SENECA FALLS CONFERENCE, 1848

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 which they have hitherto occupied, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course.

We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

THE AMERICAN CONTEXT

Susan B. Anthony (1820 – 1906)

- “Do-Gooder”
 - Abolitionist
 - Temperance (w/ Stanton)
 - Women’s Rights Convention, 1952
- Primary Focus: Suffrage
 - National Women’s Suffrage Association (1869) (w/ Stanton)
 - Merged w/ American Woman Suffrage Association (1890)



STRATEGIES: THE LEGAL APPROACH

Civil War Amendments

Thirteenth: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

Fourteenth: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

Fifteenth: “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 race, color, or previous condition of servitude.”

STRATEGIES: THE LEGAL APPROACH

The Slaughterhouse Cases (1873) 14 April

- First Judicial Interpretation of the 14th Amendment
 - 5 – 4 Decision
 - Justice Miller, for the Majority
 - In Dissent
 - Justice Field
 - Justice Bradley
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STRATEGIES: THE LEGAL APPROACH

Bradwell v. Illinois (1873) 15 April

- Second Judicial Interpretation of the 14th Amendment
- 8 - 1 Decision
- Justice Miller, for the Majority
- In Concurrence
 - Justice Bradley
 - Joined by Justices Field and Swayne



STRATEGIES: THE LEGAL APPROACH

Trial of Susan B. Anthony (1873)

Minor v. Happersett (1875)

Muller v. Oregon (1908)

and even after the Nineteenth

Radice v. New York (1924)

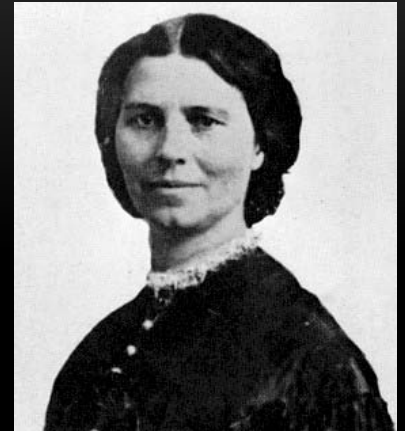
Breedlove v. Suttles (1937)



STRATEGIES: THE POLITICAL APPROACH

Stanton and Anthony

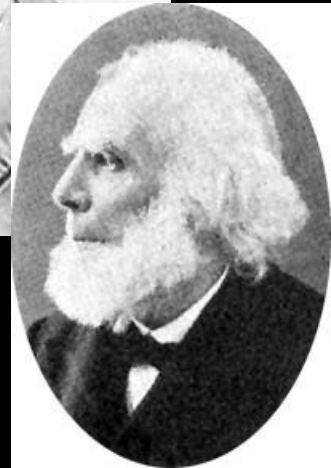
- Seneca Falls Women's Rights Conference, 1848
 - Common Strategies: Rallying and Disobedience
 - Differences in Goals
 - Foreshadowing
- *The Revolution*, 1868
- Congress Clears 15th Amendment, 1869
 - Equal Rights Ass'n Meetings, 1869
 - Split with Douglass
- National Woman's Suffrage Association, 1869



STRATEGIES: THE POLITICAL APPROACH

Organizational Growth & Splits

- American Woman Suffrage Ass'n, 1869
 - Lucy Stone, Henry Brown Blackwell
 - Supported 15th Amendment
 - “Pro-Family” (religious, oppose divorce, “free sex”, challenges to family structure)
 - Focus on State Level for Women’s Suffrage
- National American Woman Suffrage Association, 1893



STRATEGIES: THE POLITICAL APPROACH

(More) Organizational Growth & Splits

- Carrie Chapman Catt, NAWSA President
 - Strategic Insider
 - Retired after 19th Passage
 - Founded League of Women Voters, 1920
- Alice Paul's National Woman's Party, 1915
 - Focus on Constitutional Amendment
 - Confrontational Political Style
 - Wrote/Proposed Equal Rights Amendment, 1923



CONSTITUTIONAL CHANGE

Nineteenth Amendment (1920): 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.

Equal Rights Amendment (1923)

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

THE SCOPE AND LIMITS OF CONSTITUTIONAL CHANGE

Amending the Constitution a Huge Victory for a Movement
That Had Been Stirring Since the Outset of the Republic

- Watershed
- Vindication for Bradwell, Minor, Anthony

But Open New Questions that Pointed Deep Into 20th Century

- Recall Tensions Between Individuals and Groups
 - Questions of Political, Legal, Social, and Economic Equality
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