Hardship and the labor scarcity during the Civil War cast women in untraditional roles, and the construction of female gender norms was modified to meet wartime needs. Throughout the divided nation, women assumed the management of farms and plantations. Eager to do more than support the war effort from the home front, on both sides of the Civil War, a number of women disguised as men with assumed names entered the army. Rose O’Neal Greenhow, a passionate defender of the Confederacy, became a spy, as did other women for both the Union and the Confederacy, providing valuable information about enemy operations. The role of spy placed women at risk as they crossed geographic lines into enemy territory. Precisely because the idea of a women spy presented such a contradiction to feminine gender norms of delicacy and docility, women engaging in espionage created less suspicion than a man would.

The Civil War also propelled thousands of women into service as hospital and battlefield nurses and providers of medical supplies. Women in both the North and the South responded to the need for provisions and nursing care, and women’s participation was lifesaving. In the North, they played a central role in the work of the U.S. Sanitary Commission. Nursing the wounded soldiers was very different from a woman’s household role of caring for sick family members. Some battlefield nurses, such as Clara Barton, struggled to overcome nagging doubts about the “impropriety” of woman nursing wounded men and witnessing the carnage of battle. Women who entered the hospitals confronted the hostility of male doctors, who found them annoying and intrusive; however, like Phoebe Yates Levy Pember, they persevered. Nursing subsequently gained recognition as an appropriate female occupation. Yet until the Civil War, it was considered “unladylike” for women to nurse wounded men.

Even so, male doctors continued to exclude women from the medical profession. In 1873, Dr. Edward H. Clarke, a Harvard Medical School trustee, wrote a scathing report allegedly based on case studies providing multiple examples of how the inadequacies of the female brain and reproductive system made women unsuitable to
pursue higher education. Until 1945, Harvard refused to grant women admission to its medical school. Similar gender barriers shaped the legal profession. In the Bradwell decision of 1873, the U.S. Supreme Court upheld the right of the state of Illinois to deny Myra Bradwell admission to the legal profession, despite the fact that she met the qualifications, because the Court claimed that the practice of law and the qualities of womanhood were incompatible. Despite continuation of professional barriers, during the Civil War, the labor scarcity opened the field of clerical work to women, and growing numbers of women were employed as clerks after peace was restored. The expanding field of teaching also offered women occupational opportunities. During Reconstruction, educated African Americans such as Charlotte Forten as well as white women left their homes in the North and moved to the South to meet the educational needs of newly freed slaves.

Although gender roles proved elastic in response to wartime needs, little had changed with reference to underlying structural inequality and a wife’s legal nonexistence and subordination to her husband’s authority. The case of Elizabeth Packard made clear that continued defiance of a husband’s beliefs, in this particular case the husband was a Protestant minister, could result in a declaration of insanity and confinement in a mental institution.

During the Civil War, women suffragists, many of whom were also abolitionists, set aside the fight for women’s rights to devote their full attention to campaigning for the emancipation of slaves. With the passage of the Thirteenth Amendment and emancipation achieved, women’s rights leaders resumed their struggle for the ballot. Their suffragist crusade was far removed from the experiences of newly freed black women, who joined their husbands in the subsistence life of sharecroppers. Many took in laundry or worked as domestics to supplement their husbands’ marginal wages. For the vast majority of married African American women, the norm of the sole male breadwinner was a myth. Work—combined with family care—remained the focus of their lives.

The passage of the Fifteenth Amendments gave African American men the right to vote. To Elizabeth Cady Stanton and Susan B. Anthony, the exclusion of women from the amendment was an inexcusable betrayal on the part of male abolitionists who formerly had linked women’s rights to emancipation. Abolitionist men now urged women to be patient as it was the “negro’s” hour. Dismissing patience, Stanton and Anthony severed ties with their former comrades. Embittered and defiant, they opposed the Fifteenth Amendment and in 1869 organized the National Woman’s Suffrage Association (NWSA), open only to female members. Through their radical publication, The Revolution, Stanton and Anthony promoted a wide range of economic and social reforms for women, as well as the right to vote. To enable women to leave abusive marriages, Stanton advocated liberalized divorce laws.

Stanton and Anthony conducted massive petition drives and repeatedly and unsuccessfully sought congressional approval for women’s suffrage. In 1872, Anthony tested the right of women as citizens to vote—she was arrested and brought to trial for unlawful voting. In Minor v. Happersett, in 1875, the U.S. Supreme Court rejected the suffragist argument that women, as U.S. citizens, had a constitutional right to vote. The Court alleged that only individual states could grant suffrage.

Women less radical than Stanton and Anthony followed Lucy Stone and Julia Ward Howe and joined the American Woman’s Suffrage Association (AWSA). Organized in 1869 in opposition to the Stanton-Anthony NWSA, the AWSA included abolitionist men and
recognized the Fifteenth Amendment. African American female abolitionists such as Frances Watkins Harper joined the AWSA. In a speech to the Women's Rights Convention in 1866, Watkins had emphasized the need for a biracial coalition of women to move ahead on the dual issues of civil rights and women's rights.

A more moderate organization, the AWSA also enjoyed greater support than the NWSA. Focusing its efforts completely on the right to vote, the AWSA campaigned for women's suffrage on the state level. For more than twenty years, the rival associations pursued their separate objectives and strategies. However, deeply rooted gender assumptions, similar to those of Catharine Beecher and Harriet Beecher Stowe, as well as Amelia Barr, about women's special feminine traits making them unfit for public roles, made it difficult for women's rights leaders of either faction to secure a constituency for the vote. Both organizations proved ineffectual in building a mass base of support. Reunited in 1890 as the National American Woman's Suffrage Association (NAWSA), suffragists continued to lack significant public support until the 1900s. Only in the West, in Wyoming, Idaho, Utah, and Colorado, had women gained the right to vote.

Alternative approaches to suffrage also emerged. The Women's Christian Temperance Union (WCTU) supported suffrage as the means to achieving a broad-based agenda of social purity concerns that focused on temperance and privileged women's alleged moral authority. Increasingly over time, suffragists not explicitly concerned with Christian values also emphasized women's moral and maternal qualities, their allegedly unique qualities, rather than women's equality as citizens in their justification of voting rights.

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**ROSE O'НЕAL GREENHOW, Letter to the Hon. William H. Seward (Nov. 1, 1861)**

Women spies were employed by both the Union and the Confederacy. Women’s roles expanded and gender restrictions were temporarily suspended in response to wartime needs. Many women sought to do more than home-based wartime service roles. Most dramatic was the role of female spies. Rose O'Neal Greenhow (1817–1864) was a member of the plantation elite, well known in Washington society and one of the Confederacy's most successful spies. Imprisoned twice by the Union, she was exiled to the South and resumed her wartime work with an official visit to Britain and France to secure support for the Confederate cause. Unfortunately, on her return, her ship, a blockade-runner supplied by the British, ran aground near the North Carolina coast, and she was not able to reach shore. How would you describe the tone of this letter of appeal?*

To the Hon. Wm. H. Seward,  
Secretary of State:

Sir—For nearly three months I have been confined, a close prisoner, shut out from air and exercise, and denied all communication with family and friends.

“Patience is said to be a great virtue,” and I have practised it to my utmost capacity of endurance. . . .

I therefore most respectfully submit, that on Friday, August 23d, without warrant or other show of authority, I was arrested by the Detective Police, and my house taken in charge by them; that all my private letters, and my papers of a life time, were read and examined by them; that every law of decency was violated in the search of my house and person, and the surveillance over me.

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* In the public domain.
We read in history, that the poor Maria Antoinette had a paper torn from her bosom by lawless hands, and that even a change of linen had to be effected in sight of her brutal captors. It is my sad experience to record even more revolting outrages than that, for during the first days of my imprisonment, whatever necessity forced me to seek my chamber, a detective stood sentinel at the open door. And thus for a period of seven days, 1, with my little child, was placed absolutely at the mercy of men without character or responsibility; that during the first evening, a portion of these men became brutally drunk, and boasted in my hearing of the “nice times” they expected to have with the female prisoners; and that rude violence was used towards a colored servant girl during that evening, the extent of which I have not been able to learn. For any show of decorum afterwards was practiced toward me, I was indebted to the detective called Capt. Dennis.

You have held me, sir, to man’s accountability, and I therefore claim the right to speak on subjects usually considered beyond a woman’s ken, and which you may class as “errors of opinion.” I offer no excuse for this long digression, as a three months’ imprisonment, without formula of law, gives me authority for occupying even the precious moments of a Secretary of State.

My object is to call your attention to the fact: that during this long imprisonment, I am yet ignorant of the causes of my arrest; that my house has been seized and converted into a prison by the Government; that the valuable furniture it contained has been abused and destroyed; that during some periods of my imprisonment I have suffered greatly for want of proper and sufficient food. Also, I have to complain that, more recently, a woman of bad character, recognized as having been seen on the streets of Chicago as such, by several of the guard, calling herself Mrs. Onderdonk, was placed here in my house, in a room adjoining mine.

In making this exposition, I have no object of appeal to your sympathies, if the justice of my complaint, and a decent regard for the world’s opinion, do not move you, I should but waste your time to claim your attention on any other score.

I may, however, recall to your mind, that but a little while since you were quite as much proscribed by public sentiment here, for the opinions and principles you held, as I am now for mine.

I could easily have escaped arrest, having had timely warning. I thought it impossible that your statesmanship might present such a proclamation of weakness to the world, as even the fragment of a once great Government turning its arms against the breasts of women and children. You have the power, sir, and may still further abuse it. You may prostrate the physical strength, by confinement in close rooms and insufficient food—you may subject me to harsher, ruder treatment than I have already received, but you cannot imprison the soul. Every cause worthy of success has had its martyrs. . . . My sufferings will afford a significant lesson to...
the women of the South, that sex or condition is no bulwark against the surging billows of the “irrepressible conflict.”

The “iron heel of power” may keep down, but it cannot crush out, the spirit of resistance in a people armed for the defence of their rights; and I tell you now, sir, that you are standing over a crater, whose smothered fires in a moment may burst forth.

It is your boast, that thirty-three bristling fortifications now surround Washington. The fortifications of Paris did not protect Louis Phillipppe when his hour had come.

In conclusion, I respectfully ask your attention to this protest, and have the honor to be, &c, (Signed)

Rose O. N. Greenhow

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**JULIA WARD HOWE, Battle Hymn of the Republic**

Overshadowed by the more dynamic Stanton and Anthony, in her own lifetime Julia Ward Howe (1819-1910) was celebrated as the author of the lyrics for *The Battle Hymn of the Republic*, the defining Civil War song that memorialized the righteousness of the Union cause. Howe wrote the lyrics in 1861 and the song was published a year later. The song still resonates in the present era. The chorus was not part of the song as first published. Although a contemporary of Stanton and Anthony, Howe did not join the suffrage struggle until after the Civil War. With her colleagues Lucy Stone and Thomas Wentworth Higginson in 1869 she helped organize the American Woman’s Suffrage Association, (AWSA) the cautious rival of the Stanton and Anthony, National Woman’s Suffrage Association (NWSA) founded earlier in the same year. For many years Howe served as one of the editors of the organization’s *Woman’s Journal*. Abolitionist men such as Higginson and Frederick Douglas played key roles in the AWSA, promoted African American male voting rights and also supported their female associates in the campaign for women’s suffrage.

Howe advocated other reforms including pacifism and a mother’s day celebration that would link women across national borders in the cause of universal peace. She also played a key role in the repudiation of Dr. Edward H. Clarke’s medical misinformation that served to frighten women from attending college. The lyrics of her famous hymn appear below. In what ways did Howe fuse religion with the Union cause?*

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*Mine eyes have seen the glory*

*Of the coming of the Lord;*

*He is trampling out the vintage*

*Where the grapes of wrath are stored;*

*He hath loosed the fateful lightning*

*Of His terrible swift sword;*

*His truth is marching on.*

**Chorus**

*Glory! Glory! Hallelujah!*

*Glory! Glory! Hallelujah!*

*Glory! Glory! Hallelujah!*

*His truth is marching on.*

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*I can read His righteous sentence*

*By the dim and flaring lamps;*

*His day is marching on.*

**Chorus**

*Glory! Glory! Hallelujah!*

*Glory! Glory! Hallelujah!*

*Glory! Glory! Hallelujah!*

*His truth is marching on.*

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*I have read a fiery gospel writ*

*In burnished rows of steel:*

*“As ye deal with My contemners,*

*So with you My grace shall deal”:*

*Let the Hero born of woman*

*Crush the serpent with His heel,*

*Since God is marching on.*

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* *The Battle Hymn of the Republic*, lyrics originally published *The Atlantic Monthly*, 1862, did not include the chorus.*
I was strong and thought I might go to the rescue of the men who fell. The first regiment of troops, the old 6th Mass. that fought its way through Baltimore, brought my playmates and neighbors, the partakers of my childhood; the brigades of New Jersey brought scores of my brave boys, the same solid phalanx; and the strongest legions from old Herkimer brought the associates of my seminary days. They formed and crowded around me. What could I do but go with them, or work for them and my country? The patriot blood of my father was warm in my veins. The country which he had fought for, I might at least work for, and I had offered my service to the government in the capacity of a double clerkship at twice $1400 a year, upon discharge of two disloyal clerks from its employ—the salary never to be given to me, but to be turned back into the U.S. Treasury then poor to beggary, with no currency, no credit. But there was no law for this, and it could not be done, and I would not draw salary from our government in such peril, so I resigned and went into direct service of the sick and wounded troops wherever found.

But I struggled long and hard with my sense of propriety—with the appalling fact that I was only a woman whispering in one ear, and thundering in the other the groans of suffering men dying like dogs—unfed and

unsheltered, for the life of every institution which had protected and educated me!

I said that I struggled with my sense of propriety and I say it with humiliation and shame. I am ashamed that I thought of such a thing.

When our armies fought on Cedar Mountain, I broke the shackles and went to the field. . . .

Five days and nights with three hours sleep—a narrow escape from capture—and some days of getting the wounded into hospitals at Washington, brought Saturday, August 30. And if you chance to feel, that the positions I occupied were rough and unseemly for a woman—I can only reply that they were rough and unseemly for men. But under all, lay the life of the nation. I had inherited the rich blessing of health and strength of constitution—such as are seldom given to woman—and I felt that some return was due from me and that I ought to be there. . . .

You generous thoughtful mothers and wives have not forgotten the tons of preserves and fruits with which you filled our hands. Huge boxes of these stood beside that railway track. Every can, jar, bucket, bowl, cup or tumbler, when emptied, that instant became a vehicle of mercy to convey some preparation of mingled bread and wine, or soup or coffee to some helpless famishing sufferer who partook of it with the tears rolling down his bronzed cheeks, and divide his blessings between the hands that fed him and his God. I never realized until that day how little a human being could be grateful for, and that day's experience also taught me the utter worthlessness of that which could not be made to contribute directly to our necessities. The bit of bread which would rest on the surface of a gold eagle was worth more than the coin itself.

But the most fearful scene was reserved for the night. I have said that the ground was littered with dry hay and that we had only two lanterns, but there were plenty of candles. The wounded were laid so close that it was impossible to move about in the dark. The slightest misstep brought a torrent of groans from some poor mangled fellow in your path.

Consequently here were seen persons of all grades, from the careful man of God who walked with a prayer upon his lips, to the careless driver hunting for his lost whip—each wandering about among this hay with an open flaming candle in his hands.

The slightest accident, the mere dropping of a light could have enveloped in flames this whole mass of helpless men.

How we watched and pleaded and cautioned as we worked and wept that night! How we put socks and slippers upon the cold, damp feet, wrapped your blankets and quilts about them, and when we had no longer these to give, how we covered them in the hay and left them to their rest!
The women of the South had been openly and violently rebellious from the moment they thought their states’ rights touched. They incited the men to struggle in support of their views, and whether right or wrong, sustained them nobly to the end. They were the first to rebel—the last to succumb. Taking an active part in all that came within their sphere, and often compelled to go beyond this when the field demanded as many soldiers as could be raised; feeling a passion of interest in every man in the gray uniform of the Confederate service; they were doubly anxious to give comfort and assistance to the sick and wounded. In the course of a long and harassing war, with port blockaded and harvests burnt, rail tracks constantly torn up, so that supplies of food were cut off, and sold always at exorbitant prices, no appeal was ever made to the women of the South, individually or collectively, that did not meet with a ready response. There was no parade of generosity; no published lists of donations, inspected by public eyes. What was contributed was given unostentatiously, whether a barrel of coffee or the only half bottle of wine in the giver’s possession.

About this time one of these large hospitals was to be opened, and the wife of George W. Randolph, Secretary of War, offered me the superindendence—rather a startling proposition to a woman used to all the comforts of luxurious life. Foremost among the Virginia women, she had given her resources of mind and means to the sick, and her graphic and earnest representations of the benefit a good and determined woman’s rule could effect in such a position, settled the result in my mind. The natural idea that such a life would be injurious to the delicacy and refinement of a lady—that her nature would become deteriorated and her sensibilities blunted, was rather appalling. But the first step only costs, and that was soon taken.

A preliminary interview with the surgeon-in-chief gave necessary confidence. He was energetic—capable—skillful. A man with ready oil to pour upon troubled waters. Difficulties melted away beneath the warmth of his ready interest, and mountains sank into mole-hills when his quick comprehension had surmounted and leveled them. However troublesome daily increasing annoyances became, if they could not be removed, his few and ready words sent applicants and grumblers home satisfied to do the best they could. Wisely he decided to have an educated and efficient woman at the head of his hospital, and having succeeded, never allowed himself to forget that fact.

The day after my decision was made found me at “headquarters,” the only two-story building on hospital ground, then occupied by the chief surgeon and his clerks. He had not yet made his appearance that morning, and while awaiting him, many of his

corps, who had expected in horror the advent of female supervision, walked in and out, evidently inspecting me. There was at the time a general ignorance on all sides, except among the hospital officials, of the decided objection on the part of the latter to the carrying out of a law which they prognosticated would entail “petticoat government”; but there was no mistaking the stage-whisper which reached my ears from the open door of the office that morning, as the little contract surgeon passed out and informed a friend he met, in a tone of ill-concealed disgust, that “one of them had come.”

**Charlotte Forten, Letter to William Lloyd Garrison (1862)**

A member of one of the nation’s most prominent free African American families, Charlotte Forten (1837–1914) joined other women who served as teachers to contraband slaves under the protection of the Union army. In what ways did Forten find in her teaching experience “great happiness” but also that it was “more fatiguing than at the North”?*

### St. Helena’s Island, South Carolina

November 20, 1862

My Dear Friend:

St. Helena’s Island, on which I am, is about six miles from the mainland of Beaufort. I must tell you that we were rowed hither from Beaufort by a crew of negro boatmen, and that they sang for us several of their own beautiful songs. There is a peculiar wildness and solemnity about them which cannot be described, and the people accompany the singing with a singular swaying motion of the body which seems to make it more effective.

As far as I have been able to observe, the negroes here rejoice in their new-found freedom. It does me good to see how jubilant they are over the downfall of their “secesh” masters. I do not believe that there is a man, woman, or even a child that would submit to be made a slave again. They are a truly religious people. They speak to God with a loving familiarity. Another trait that I have noticed is their natural courtesy of manner. There is nothing cringing about it, but it seems inborn, and one might almost say elegant. It marks their behavior toward each other as well as to the white people.

My school is about a mile from here, in the little Baptist church, which is in a grove of white oaks. These trees are beautiful—evergreen—and every branch heavily draped with long, bearded moss, which gives them a strange, mournful look. There are two ladies in the school besides myself—Miss T and Miss M—both of whom are most enthusiastic teachers. At present, our school is small—many of the children being ill with whooping cough—but in general it averages eighty or ninety. It is a great happiness to teach them. I wish some of those persons at the North who say the race is hopelessly and naturally inferior could see the readiness with which these children, so long oppressed and deprived of every privilege, learn and understand.

I have some grown pupils—people on our own plantation—who take lessons in the evenings. It will amuse you to know that one of them,—our man-of-all-work,—is name Cupid. (Venuses and Cupids are very

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Elizabeth Packard (1816–1897) had the audacity to question her minister husband’s religious beliefs privately as well as in a Bible study group. When she refused to submit to his pressure to repudiate her views, he declared her insane and had her committed to an asylum where she remained imprisoned for three years. At the time of her commitment, she had six children and had been married more than twenty years. Her youngest child was only eighteen months old. Her husband alleged that her religious beliefs endangered her children and demonstrated her insanity.

This was the Civil War era and little had changed in the husband’s legal right to control his wife. Elizabeth Packard’s defiance was a smaller-scale reenactment of resistance to orthodoxy and male authority and subsequent punishment that Anne Hutchinson had endured two hundred years earlier. Fortunately for Packard, her ordeal had a happier resolution. A courtroom trial in 1864 led to a verdict in her favor. The trial focused on whether her husband, after her release from three years in the asylum, had the legal right to imprison her in a room. This was carrying even a husband’s power too far. Her personal freedom secured, Packard spent the rest of her life engaged in a struggle to rally support for laws that would limit a husband’s power to have his wife committed to an insane asylum. What significance does Packard give to the loss of a married woman’s identity? How did this loss of identity relate to Packard’s personal ordeal?

**XII Introduction**

It is to delineate these spiritual wrongs of woman, that I have given my narrative to the public, hoping that my more tangible experiences may draw the attention of the philanthropic public to a more just consideration of married woman’s legal disabilities; for since the emancipation of the negro, there is no class of American citizens, who so much need legal protection, and who receive so little, as this class.

As their representative, I do not make complaint of physical abuses, but it is the usurpation of our natural rights of which we complain; and it is our legal position of
nentity, which renders us so liable and exposed to suffering and persecution from this source.

In the following narrative of my experiences, the reader will therefore find the interior of woman’s life delineated through the exterior surroundings of her bitter experiences. I state facts through which the reader may look in to woman’s soul, as through a mirror, that her realm of suffering may be thus portrayed.

I therefore commence my narrative where my persecution commenced, with the marital usurpation of my rights of opinion and conscience, and as I progress, will note such incidents as I can best employ to portray my feelings, rather than the recital of the physical abuses I witnessed; since my Coadjutors and the Committee have so graphically described the exterior life of the prisoner, it is unnecessary for me to enlarge on this feature of prison life in Insane Asylums.

I have been Illinois State’s Prisoner three years in Jacksonville Insane Asylum, for simply expressing religious opinions in a community who were unprepared to appreciate and understand them. I was incarcerated June 18, 1860, and liberated June 18, 1863. Fortunately for me, all these obnoxious views were presented in writing, and are now in my own possession, although they were, secretly taken from me, at the time of my abduction, and retained for years in the hands of my persecutor, Rev. Theophilus Packard, who was at that time the pastor of the Old School Presbyterian Church at Manteno, Kankakee County, Illinois.

He had been my husband for twenty-one years, and was the father of my six children, five of whom are boys, and one girl. At the time he forced me from my dear little ones, my daughter was ten years old and my babe eighteen months. I was in perfect health and of sound mind, and cheerfully and faithfully performing the duties of wife and mother to the entire satisfaction of my family and society, so far as I know. And, since the only plea Mr. Packard makes in defence of this course is, that my religious views were dangerous to the spiritual interests of his children and the community, I feel called upon to present these views, frankly and candidly, that my readers may judge for themselves whether my imprisonment can be justified on this basis.

As an Introduction therefore to my “Hidden Life” in my prison, I shall present these views just as I presented them to the bible class in Manteno, a few weeks before my incarceration. I became connected with this class at the special request of Deacon Abijah Dole, the teacher of the class, and with the full and free consent of my husband. Mr. Dole gave as his reason for wishing me to join his class, that he found it impossible to awaken any interest, and he fondly hoped that I might bring forward some views which might elicit the attention he desired. I seated myself among his pupils, who then numbered only six men in all, as a sincere seeker after the truth. Mr. Dole allowed his pupils to be regarded as mutual teachers, so that all were allowed to ask questions and offer suggestions. Availing myself of this license, others were encouraged to follow my example, so that our class soon became the place of animating discussions, and as our tolerant teacher allowed both sides of a question to be discussed I found it became to me a great source of pleasure and profit. Indeed, I never can recollect a time when my mind grew into a knowledge of religious truths faster, than under the influence of these free and animated discussions. The effect of these debates was felt throughout the whole community, so that our class of seven soon increased to forty-six, including the most influential members of the community.

About this time a latent suspicion seemed to be aroused, lest the church creed be endangered by this license of free inquiry and fair discussion; and a meeting of some of the leading church-members was called, wherein this bible-class was represented as being a dangerous influence, involving the exposure of the creed to the charge of fallibility.
I feel I am something of a novice upon this platform. Born of a race whose inheritance has been outrage and wrong, most of my life had been spent in battling against those wrongs. But I did not feel as keenly as others, that I had these rights, in common with other women, which are now demanded. About two years ago, I stood within the shadows of my home. A great sorrow had fallen upon my life. My husband had died suddenly, leaving me a widow, with four children, one my own, and the others stepchildren. I tried to keep my children together. But my husband died in debt; and before he had been in his grave three months, the administrator had swept the very milk crocks and wash tubs from my hands. I was a farmer’s wife and made butter for the Columbus market; but what could I do, when they had swept all away? They left me one thing and that was a looking glass! Had I died instead of my husband, it is likely; and no administrator would have gone into his house, broken up his home, and sold his bed, and taken away his means of support. I took my children in my arms, and went out to seek my living. While I was gone; a neighbor to whom I had once lent five dollars, went before a magistrate and swore that he believed I was a non resident, and laid an attachment on my very bed. And I went back to Ohio with my orphan children in my arms, without a single feather bed in this wide world, that was not in the custody of the law. I say, then, that justice is not fulfilled so long as woman is unequal before the law. We are all bound up together in one great bundle of humanity, and society cannot trample on the weakest and feeblest of its members without receiving the curse in its own soul. You tried that in the case of the negro. You pressed him down for two centuries; and in so doing you crippled the moral strength and paralyzed the spiritual

energies of the white men of the country. When the hands of the black were fettered, white men were deprived of the liberty of speech and the freedom of the press. Society cannot afford to neglect the enlightenment of any class of its members. At the South, the legislation of the country was in behalf of the rich slaveholders, while the poor white man was neglected. What is the consequence to day? From that very class of neglected poor white men, comes the man who stands to day, with his hand upon the helm of the nation. He fails to catch the watchword of the hour, and throws himself, the incarnation of meanness, across the pathway of the nation.

This grand and glorious revolution which has commenced, will fail to reach its climax of success, until throughout the length and breadth of the American Republic, the nation shall be so color-blind, as to know no man by the color of his skin or the curl of his hair. It will then have no privileged class, trampling upon outraging the unprivileged classes, but will be then one great privileged nation, whose privilege will be to produce the loftiest manhood and womanhood that humanity can attain.

I do not believe that giving the woman the ballot is immediately going to cure all the ills of life. I do not believer that white women are dew-drops just exhaled from the skies. I think that like men they may be divided into three classes, the good, the bad, and the indifferent. The good would vote according to their convictions and principles; the bad, as dictated by prejudice or malice; and the indifferent will vote on the strongest side of the question, with the winning party. You white women speak here of rights. I speak of wrongs. I, as a colored woman, have had in this country an education which has made me feel as if I were in the situation of Ishmael, my hand against every man, and every man’s hand against me. Let me go to-morrow morning and take my seat in one of your street cars—I do not know that they will do it in New York, but they will in Philadelphia—and the conductor will put up his hand and stop the car rather than let me ride.

A Lady—They will not do that here.

Mrs. Harper—They do in Philadelphia. Going from Washington to Baltimore this Spring, they put me in the smoking car. (Loud Voices—“Shame.”) Aye, in the capital of the nation, where the black man consecrated himself to the nation’s defence, faithful when the white man was faithless, they put me in the smoking car! They did it once; but the next time they tried it, they failed; for I would not go in. I felt the fight in me; but I don’t want to have to fight all the time. To-day I am puzzled where to make my home. I would like to make it in Philadelphia, near my own friends and relations. But if I want to ride in the streets of Philadelphia, they send me to ride on the platform with the driver. (Cries of “Shame.”) Have women nothing to do with this? Not long since, a colored woman took her seat in an Eleventh Street car in Philadelphia, and the conductor stopped the car, and told the rest of the passengers to get out, and left the car with her in it alone, when they took it back to the station. One day I took my seat in a car, and the conductor came to me and told me to take another seat. I just screamed “murder.” The man said if I was black I ought to behave myself. I knew that if he was white he was not behaving himself. Are there no wrongs to be righted? . . .

We have a woman in our country who has received the name of “Moses,” not by lying about it, but by acting out (applause)—a woman who has gone down into the Egypt of slavery and brought out hundreds of our people into liberty. The last time I saw that woman, her hands were swollen. That woman who had led one of Montgomery’s most successful expeditions, who was brave enough and secretive enough to act as a scout for the American army, had her hands all swollen from a conflict with a
brutal conductor, who undertook to eject her from her place. That woman, whose courage and bravery won a recognition from our army and from every black man in the land, is excluded from every thoroughfare of travel. Talk of giving women the ballot-box? Go on. It is a normal school, and the white women of this country need it. While there exists this brutal element in society which tramples upon the feeble and treads down the weak, I tell you that if there is any class of people who need to be lifted out of their airy nothings and selfishness, it is the white women of America. (Applause.)

**Catharine Beecher and Harriet Beecher Stowe, Why Women Should Not Seek the Vote (1869)**

Suffragists combated women’s acceptance of their submissive roles and their resistance to identifying with the need to vote. In the following document, two of the nation’s best-known women—Catharine Beecher (1800–1878), the advocate of teaching as a woman’s profession, and Harriet Beecher Stowe (1811–1896), the author of the enormously successful abolitionist novel, *Uncle Tom’s Cabin*—expressed their views on women’s suffrage. The sisters’ personal achievements testified to the expansion of women’s roles, yet both rejected voting rights for women. Which specific aspects of their argument support women’s subordinate roles? Why did they believe that the entire suffrage effort was doomed to failure?*

Many intelligent and benevolent persons imagine that the grand remedy for the heavy evils that oppress our sex is to introduce woman to political power and office, to make her a party in primary political meetings, in political caucuses, and in the scramble and fight for political offices; thus bringing into this dangerous mêlée the distinctive tempting power of her sex. Who can look at this new danger without dismay? . . .

Let us suppose that our friends have gained the ballot and the powers of office: are there any real beneficent measures for our sex, which they would enforce by law and penalties, that fathers, brothers, and husbands would not grant to a united petition of our sex, or even to a majority of the wise and good? Would these not confer what the wives, mothers, and sisters deemed best for themselves and the children they are to train, very much sooner than they would give power and office to our sex to enforce these advantages by law? Would it not be a wiser thing to ask for what we need, before trying so circuitous and dangerous a method? God has given to man the physical power, so that all that woman may gain, either by petitions or by ballot, will be the gift of love or of duty; and the ballot never will be accorded till benevolent and conscientious men are the majority—a millennial point far beyond our present ken.

Elizabeth Cady Stanton (1815–1902), the mother of seven children, combined motherhood with a lifelong commitment to a wide range of women's rights reforms. The author of the Declaration of Sentiments (Chapter 7), her half-century friendship and collaboration with Susan B. Anthony added to the momentum of women's rights reforms. In an era when it was difficult for a woman to obtain a divorce, Stanton advocated liberal divorce laws. She addressed the New York State Senate Judiciary on the subject of divorce reform in 1861 and returned to the issue on different occasions, including the Women's Rights Convention in 1870 that contains the following excerpt. Divorce reform was a radical idea at a time when marriage was regarded as a life-time arrangement and for many a religious sacrament. Stanton argued that marriage was a civil contract that for a variety of reasons could be dissolved. Her views on marriage and divorce alienated more cautious women reformers. How did Stanton link the power of men to the abuse of women? On what grounds did she advocate divorce?

All this talk about the indissoluble tie and the sacredness of marriage, irrespective of the character and habits of the husband, is for its effect on woman. She never could have been held the pliant tool she is today but for the subjugation of her religious nature to the idea that in whatever condition she found herself as man's subject, that condition was ordained of Heaven; whether burning on the funeral pile of her husband in India, or suffering the slower torture of bearing children every year in America to drunkards, diseased, licentious men, at the expense of her own life and health, and the enfeebling of both the mind and body of her progeny. Women would not live as they now do in this enlightened age in violation of every law of their being, giving the very heyday of their existence to the exercise of one animal function, if subordination to man had not been made through the ages the cardinal point of their religious faith and daily life. It requires but little thought to see that . . . the indissoluble tie was found to be necessary in order to establish man's authority over woman. The argument runs thus:

Men all admit that if two cannot be agreed they must part. This may apply to partners in business, pastor and people, physician and patient, master and servant, and many other relations in life; but in the case of parent and child, husband and wife, as their relations cannot be dissolved, there must be some alternate authority to decide all matters on which they cannot agree, hence man's headship. These cases should be distinguished, however; the child is free to act on his own opinions, by law, at a certain age, and the tie is practically dissolved between him and the parent so soon as he earns his own bread. The child is under the parent's control only during its minority; but the wife's condition is perpetual minority, lifelong subjection to authority, with no appeal, no hope on the indissoluble tie theory. The practical effect of this is to make tyrants of men and fools of women. There never was a human being yet on this footstool godlike enough to be trusted with the absolute control of any living thing. Men abuse each other. Look in your prisons, jails, asylums, battle-fields and camps, they abuse their horses, dogs, cats. . . . They abuse their own children, and of course they will abuse their wives, taught by law and gospel that they own them as property, especially as a wife can vex and thwart a man, as no other living thing can . . .

No woman in American history did more for the suffrage cause than Susan B. Anthony (1820–1906). Her decision to vote in the 1872 presidential election put into action suffragists’ hope that women already possessed the right to vote under the Fourteenth Amendment. This strategy failed. Women, including Virginia Minor, were turned away at the polls. Anthony managed to cast a ballot but was subsequently arrested by a U.S. marshal and brought to trial.

The following excerpt from the trial documents Anthony’s defiant outrage. How does her speech illuminate feminist demands for equal rights? In what ways does her defense echo the rationale for equality found in the Declaration of Sentiments (see Chapter 7). Ultimately the U.S. Supreme Court resolved the issue of whether the Fourteenth Amendment gave women the right to vote. The negative decision was expressed in _Minor v. Happersett_ (1875). Women possessed citizenship but only the individual states could determine suffrage eligibility. For women, the Reconstruction-era promise of suffrage ended with this Supreme Court decision.*

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**JUDGE HUNT**: [Ordering the defendant to stand up]: Has the prisoner anything to say why sentence shall not be pronounced?

**MISS ANTHONY**: Yes, your honor, I have many things to say; for in your ordered verdict of guilty, you have trampled under foot every vital principle of our government. My natural rights, my civil rights, my political rights, my judicial rights, are all alike ignored. Robbed of the fundamental privilege of citizenship, I am degraded from the status of a citizen to that of a subject; and not only myself individually, but all of my sex, are, by your honor's verdict, doomed to political subjection under this, so-called, form of government.

**JUDGE HUNT**: The Court cannot listen to a rehearsal of arguments the prisoner’s counsel has already consumed three hours in presenting.

**MISS ANTHONY**: May it please your honor, I am not arguing the question, but simply stating the reasons why sentence cannot, in justice, be pronounced against me. Your denial of my citizen’s right to vote, is the denial of my right of consent as one of the governed, the denial of my right of representation as one of the taxed, the denial of my right to a trial by a jury of my peers as an offender against law, therefore, the denial of my sacred rights to life, liberty, property and—

**JUDGE HUNT**: The Court cannot allow the prisoner to go on.

**MISS ANTHONY**: But your honor will not deny me this one and only poor privilege of protest against this high-handed outrage upon my citizen’s rights. May it please the Court to remember that since the day of my arrest last November, this is the first time that either myself or any person of my disfranchised class has been allowed a word of defense before judge or jury—

**JUDGE HUNT**: The prisoner must sit down—

the Court cannot allow it.

**MISS ANTHONY**: All of my prosecutors, from the 8th ward corner grocery politician, who entered the compliant, to the United States Marshal, Commissioner, District Attorney, District Judge, your honor on the bench, not one is my peer, but each and all are my political sovereigns; and had your honor submitted my case to the jury, as was clearly your duty, even then I should have had just cause of protest, for

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* From An Account of the Proceedings of the Trial of Susan B. Anthony, on the Charge of Illegal Voting, at the Presidential Election in Nov., 1872, and on the Trial of Beverly W. Jones, Edwin T. Marsh and William B. Hall, The Inspectors of Election by whom her Vote was Received (Rochester, NY: 1874).
not one of those men was my peer; but, native or foreign born, white or black, rich or poor, educated or ignorant, awake or asleep, sober or drunk, each and every man of them was my political superior; hence, in no sense, my peer. Even, under such circumstances, a commoner of England, tried before a jury of Lords, would have far less cause to complain than should I, a woman, tried before a jury of men. Even my counsel, the Hon. Henry R. Selden, who has argued my cause so ably, so earnestly, so unanswerably before your honor, is my political sovereign. Precisely as no disfranchised person is entitled to sit upon a jury, and no woman is entitled to the franchise, so, none but a regularly admitted lawyer is allowed to practice in the courts, and no woman can gain admission to the bar—hence, jury, judge, counsel, must all be of the superior class.

JUDGE HUNT: The Court must insist—the prisoner has been tried according to the established forms of law.

MISS ANTHONY: Yes, your honor, but by forms of law all made by men, interpreted by men, administered by men, in favor of men, and against women; and hence, your honor's ordered verdict of guilty; against a United States citizen for the exercise of "that citizen's right to vote," simply because that citizen was a woman and not a man. But, yesterday, the same man made forms of law, declared it a crime punishable with $1,000 fine and six months imprisonment, for you, or me, or you of us, to give a cup of cold water, a crust of bread, or a night's shelter to a panting fugitive as he was tracking his way to Canada. And every man or woman in whose veins coursed a drop of human sympathy violated that wicked law, reckless of consequences, and was justified in so doing. As then, the slaves who got their freedom must take it over, or under, or through the unjust forms of law, precisely so, now, must women, to get their right to a voice in this government, take it; and I have taken mine, and mean to take it at every possible opportunity.

JUDGE HUNT: The Court orders the prisoner to sit down. It will not allow another word.

MISS ANTHONY: When I was brought before your honor for trial, I hoped for a broad and liberal interpretation of the Constitution and its recent amendments, that should declare all United States citizens under its protecting gird—that should declare equality of rights the national guarantee to all persons born or naturalized in the United States. But failing to get this justice—failing, even, to get a trial by a jury not of my peers—I ask not leniency at your hands—but rather the full rigors of the law."

JUDGE HUNT: The Court must insist—

JUDGE HUNT: The prisoner will stand up.

The sentence of the Court is that you pay a fine of one hundred dollars and the costs of the prosecution.

MISS ANTHONY: May it please your honor, I shall never pay a dollar of your unjust penalty. All the stock in trade I possess is a $10,000 debt, incurred by publishing my paper—*The Revolution*—four years ago, the sole object of which was to educate all women to do precisely as I have done, rebel against your manmade, unjust, unconstitutional forms of law, that tax, fine, imprison and hang women, while they deny them the right of representation in the government; and I shall work on with might and main to pay every dollar of that honest debt, but not a penny shall go to this unjust claim. And I shall earnestly and persistently continue to urge all women to the practical recognition of the old revolutionary maxim, that "Resistance to tyranny is obedience to God."
ERROR to the Supreme Court of Missouri; the case being thus:

The fourteenth amendment to the Constitution of the United States, in its first section, thus ordains;

“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.”

And the constitution of the State of Missouri thus ordains:

“Every male citizen of the United States shall be entitled to vote.”

Under a statute of the State all persons wishing to vote at any election, must previously have been registered in the manner pointed out by the statute, this being a condition precedent to the exercise of the elective franchise.

In this state of things, on the 15th of October, 1872 (one of the days fixed by law for the registration of voters), Mrs. Virginia Minor, a native born, free, white citizen of the United States, and of the State of Missouri, over the age of twenty-one years, wishing to vote for electors for President and Vice-President of the United States, and for a representative in Congress, and for other officers, at the general election held in November, 1872, applied to one Happersett, the registrar of voters, to register her as a lawful voter, which he refused to do, assigning for cause that she was not a “male citizen of the United States,” but a woman. She thereupon sued him in one of the inferior State courts of Missouri, for wilfully refusing to place her name upon the list of registered voters, by which refusal she was deprived of her right to vote.

The registrar demurred, and the court in which the suit was brought sustained the demurrer, and gave judgment in his favor; a judgment which the Supreme Court affirmed.

Mrs. Minor now brought the case here on error.

CHIEF JUSTICE WAITE delivered the opinion of the court.

The question is presented in this case, whether, since the adoption of the fourteenth amendment, a woman, who is a citizen of the United States and of the State of Missouri, is a voter in that State, notwithstanding the provision of the constitution and laws of the State, which confine the right of suffrage to men alone. We might, perhaps, decide the case

*Minor v. Happersett*, Supreme Court of the United States, 1875, 21 Wall (88 U.S.) 162.
upon other grounds, but this question is fairly made. From the opinion we find that it was the only one decided in the court below, and it is the only one which has been argued here. The case was undoubtedly brought to this court for the sole purpose of having that question decided by us, and in view of the evident propriety there is of having it settled, so far as it can be by such a decision, we have concluded to waive all other considerations and proceed at once to its determination...

In this condition of the law in respect to suffrage in the several States it cannot for a moment be doubted that if it had been intended to make all citizens of the United States voters, the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended, would have been expressly declared.

But if further proof is necessary to show that no such change was intended, it can easily be found both in and out of the Constitution. By Article 4, section 2, it is provided that “the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.” If suffrage is necessarily a part of citizenship, then the citizens of each State must be entitled to vote in the several States precisely as their citizens are. This is more than asserting that they may change their residence and become citizens of the State and thus be voters. It goes to the extent of insisting that while retaining their original citizenship they may vote in any State. This, we think, has never been claimed. And again, by the very terms of the amendment we have been considering (the fourteenth), “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 for 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 the rebellion, or other crimes, the basis of representation 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.” Why this, if it was not in the power of the legislature to deny the right of suffrage to some male inhabitants? And if suffrage was necessarily one of the absolute rights of citizenship, why confine the operation of the limitation to male inhabitants? Women and children are, as we have seen, “persons.” They are counted in the enumeration upon which the apportionment is to be made, but if they were necessarily voters because of their citizenship unless clearly excluded, why inflict the penalty for the exclusion of males alone? Clearly, no such form of words would have been selected to express the idea here indicated if suffrage was the absolute right of all citizens.

And still again, after the adoption of the fourteenth amendment, it was deemed necessary to adopt a fifteenth, as follows: “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.” The fourteenth amendment had already provided that no State should make or enforce any law which should abridge the privileges or immunities of citizens of the United States. If suffrage was one of these privileges or immunities, why amend the Constitution to prevent its being denied on account of race, &c.? Nothing is more evident than that the greater must include the less, and if all were already protected why go through with the form of amending the Constitution to protect a part?

It is true that the United States guarantees to every State a republican form of government. It is also true that no State can pass a bill of attainder, and that no person can be deprived of life, liberty, or property without due process of law. All these several provisions of the Constitution must be construed in connection with the other parts of the instrument, and in the light of the surrounding circumstances.
The guaranty is of a republican form of government. No particular government is designated as republican, neither is the exact form to be guaranteed, in any manner especially designated. Here, as in other parts of the instrument, we are compelled to resort elsewhere to ascertain what was intended.

The guaranty necessarily implies a duty on the part of the States themselves to provide such a government. All the States had governments when the Constitution was adopted. In all the people participated to some extent, through their representatives elected in the manner specially provided. These governments the Constitution did not change. They were accepted precisely as they were, and it is, therefore, to be presumed that they were such as it was the duty of the States to provide. Thus we have unmistakable evidence of what was republican in form, within the meaning of that term as employed in the Constitution.

As has been seen, all the citizens of the States were not invested with the right of suffrage. In all, save perhaps New Jersey, this right was only bestowed upon men and not upon all of them. Under these circumstances it is certainly now too late to contend that a government is not republican, within the meaning of this guaranty in the Constitution, because women are not made voters.

The same may be said of the other provisions just quoted. Women were excluded from suffrage in nearly all the States by the express provision of their constitutions and laws. If that had been equivalent to a bill of attainder, certainly its abrogation would not have been left to implication. Nothing less than express language would have been employed to effect so radical a change. So also of the amendment which declares that no person shall be deprived of life, liberty, or property without due process of law, adopted as it was as early as 1791. If suffrage was intended to be included within its obligations, language better adapted to express that intent would most certainly have been employed. The right of suffrage, when granted, will be protected. He who has it can only be deprived of it by due process of law, but in order to claim protection he must first show that he has the right.

But we have already sufficiently considered the proof found upon the inside of the Constitution. That upon the outside is equally effective.

The Constitution was submitted to the States for adoption in 1787, and was ratified by nine States in 1788, and finally by the thirteen original States in 1790. Vermont was the first new State admitted to the Union, and it came in under a constitution which conferred the right of suffrage only upon men of the full age of twenty-one years, having resided in the State for the space of one whole year next before the election, and who were of quiet and peaceable behavior. This was in 1791. The next year, 1792, Kentucky followed with a constitution confining the right of suffrage to free male citizens of the age of twenty-one years who had resided in the State two years or in the county in which they offered to vote one year next before the election. Then followed Tennessee, in 1796, with voters of freemen of the age of twenty-one years and upwards, possessing a freehold in the county wherein they may vote, and being inhabitants of the State or freemen being inhabitants of any one county in the State six months immediately preceding the day of election. But we need not particularize further. No new State has ever been admitted to the Union which has conferred the right of suffrage upon women, and this has never been considered a valid objection to her admission. On the contrary, as is claimed in the argument, the right of suffrage was withdrawn from women as early as 1807 in the State of New Jersey, without any attempt to obtain the interference of the United States to prevent it. Since then the governments of the insurgent States have been reorganized under a requirement that before their representatives could be admitted to seats in Congress they must have adopted new constitutions, republican in form. In no one of these constitutions was suffrage conferred upon women, and yet
the States have all been restored to their original position as States in the Union.

Besides this, citizenship has not in all cases been made a condition precedent to the enjoyment of the right of suffrage. Thus, in Missouri, persons of foreign birth, who have declared their intention to become citizens of the United States, may under certain circumstances vote. The same provision is to be found in the constitutions of Alabama, Arkansas, Florida, Georgia, Indiana, Kansas, Minnesota, and Texas.

Certainly, if the courts can consider any question settled, this is one. For nearly ninety years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be.

**EDWARD H. CLARKE, *Sex in Education; Or a Fair Chance for the Girls* (1873)**

A Harvard Medical School trustee, Dr. Edward H. Clarke argued against higher education for women at a time when increasing numbers of young women were applying to medical schools. At Harvard, Clarke voted against opening admission to women. In Clarke's medical opinion, intellectual effort ruined the mental and reproductive health of college women. Arising out of a combination of medical ignorance and a lengthy tradition of patriarchal control that argued for women's limited intellectual capacity, Clarke's views also expressed the increasing cultural emphasis on the need to safeguard the female reproductive function. What “evidence” did Clarke provide that a college education puts women's “complicated reproductive mechanisms” at risk? What purpose would this fear serve?*

This case needs very little comment: its teachings are obvious. Miss D— went to college in good physical condition. During the four years of her college life, her parents and the college faculty required her to get what is popularly called an education. Nature required her, during the same period, to build and put in working order a large and complicated reproductive mechanism, a matter that is popularly ignored—shoved out of sight like a disgrace. She naturally obeyed the requirements of the faculty, which she could see, rather than the requirements of the mechanism within her that she could not see. Subjected to the college regimen, she worked four years in getting a liberal education. Her way of work was sustained

and continuous, and out of harmony with the rhythmical periodicity of the female organization. The stream of vital and constructive force evolved within her was turned steadily to the brain, and away from the ovaries and their accessories. The result of this sort of education was, that these last-mentioned organs, deprived of sufficient opportunity and nutriment, first began to perform their functions with pain, a warning of error that was unheeded; then, to cease to grow; next, to set up once a month a grumbling torture that made life miserable; and, lastly, the brain and the whole nervous system, disturbed, in obedience to the law, that, if one member suffers, all the members suffer, became neuralgic and hysterical. And so Miss D—— spent the next few years succeeding her graduation in conflict with dysmenorrhea, headache, neuralgia, and hysteria. Her parents marveled at her ill health; and she furnished another text for the often-repeated sermon on the delicacy of American girls.

It may not be unprofitable to give the history of one more case of this sort. Miss E—— had an hereditary right to a good brain and to the best cultivation of it. Her father was one of our ripest and broadest American scholars, and her mother one of our most accomplished American women. They both enjoyed excellent health. Their daughter had a literary training—an intellectual, moral, and aesthetic half of education, such as their supervision would be likely to give, and one that few young men of her age receive. Her health did not seem to suffer at first. She studied, recited, walked, worked, stood, and the like, in the steady and sustained way that is normal to the male organization. She seemed to evolve force enough to acquire a number of languages, to become familiar with the natural sciences, to take hold of philosophy and mathematics, and to keep in good physical case while doing all this. At the age of twenty-one she might have been presented to the public, on Commencement Day, by the president of Vassar College or of Antioch College or of Michigan University, as the wished-for result of American liberal female culture. Just at this time, however, the catamenical function began to show signs of failure of power. No severe or even moderate illness overtook her. She was subjected to no unusual strain. She was only following the regimen of continued and sustained work, regardless of Nature's periodical demands for a portion of her time and force, when, without any apparent cause, the failure of power was manifested by moderate dysmenorrhea and diminished excretion. Soon after this the function ceased altogether, and up to this present writing, a period of six or eight years, it has shown no more signs of activity than an amputated arm. In the course of a year or so after the cessation of the function, her head began to trouble her. First there was headache, then a frequent congested condition, which she described as a “rush of blood” to her head; and, by and by, vagaries and foreboding and despondent feelings began to crop out. Coincident with this mental state, her skin became rough and coarse, and an inveterate acne covered her face. She retained her appetite, ability to exercise, and sleep. A careful local examination of the pelvic organs, by an expert, disclosed no lesion or displacement there, no ovarian or other inflammation. Appropriate treatment faithfully persevered in was unsuccessful in recovering the lost function. I was finally obliged to consign her to an asylum.

Excerpt from *Bradwell v. Illinois* (1873)

Law was even more of a male preserve than medicine. In *Bradwell v. Illinois*, the U.S. Supreme Court upheld traditional gender roles. As with other restrictive arguments made in the post–Civil War period, women's feminine nature and reproductive function were used to deny them the right to practice law.
Amelia Barr (1831–1919) was a novelist who wrote romantic stories about love and married life. Before she was forty years old, three of her six children and her husband died from Yellow Fever. Her success as an author provided the family's sole source of income. Although well aware of the many injustices women had to overcome in pursuing a career, she identified with the opponents of women's suffrage. Her argument against suffrage provides an excellent example of how anti-suffragists used gendered assumptions to deny women the ballot. She claims that men possess reason, but women cannot go beyond their feminine natures, which “substitute sentiment for reason.” Anti-suffragists viewed women's desire to vote as unnatural.

* Bradwell v. Illinois, Supreme Court of the United States, 1873, 83 U.S. (16 Wallace) 130, 141.
Discontent is a vice six thousand years old, and it will be eternal, because it is in the race. Every human being has a complaining side, but discontent is bound up in the heart of woman; it is her original sin. For if the first woman had been satisfied with her conditions, if she had not aspired to be “as gods,” and hankered after unlawful knowledge, Satan would hardly have thought it worth his while to discuss her rights and wrongs with her. That unhappy controversy has never ceased; and, without reason, woman has been perpetually subject to discontent with her conditions and, according to her nature, has been moved by its influence. Some, it has made peevish, some plaintive, some ambitious, some reckless, while a noble majority have found in its very control that serene composure and cheerfulness which is granted to those who conquer, rather than to those who inherit.

Finally, women cannot get behind or beyond their nature, and their nature is to substitute sentiment for reason—a sweet and not unlovely characteristic in womanly ways and places; yet reason, on the whole, is considered a desirable necessity in politics. . . . Women may cease to be women, but they can never learn to be men and feminine softness and grace can never do the work of the virile virtues of men. Very fortunately this class of discontented women have not yet been able to endanger existing conditions by combinations analogous to trades unions; nor is it likely they ever will; because it is doubtful if women, under any circumstances, could combine at all. Certain qualities are necessary for combination, and these qualities are represented in women by their opposites. . . .

The one unanswerable excuse for woman’s entrance into active public life of any kind, is need and alas! need is growing daily, as marriage becomes continually rare, and more women are left adrift in the world without helpers and protectors. But this is a subject too large to enter on here, though in the beginning it sprung from discontented women, preferring the work and duties of men to their own work and duties. Have they found the battle of life any more ennobling in masculine professions, than in their old feminine household ways? Is work done in the world for strangers, any less tiresome and monotonous, than work done in the house for father and mother, husband and children? If they answer truly, they will reply “the home duties were the easiest, the safest and the happiest.”

Of course all discontented women will be indignant at any criticism of their conduct. They expect every one to consider their feelings without examining their motives. Paddling in the turbid maelstrom of life, and dabbling in politics and the most unsavory social questions, they still think men, at least, ought to regard them as the Sacred Sex. But women are not sacred by grace of sex, if they voluntarily abdicate its limitations and its modesties, and make a public display of unsexed sensibilities, an unabashed familiarity with subjects they have nothing to do with. If men criticize such women with asperity it is not to be wondered at; they have so long idealized women, that they find it hard to speak moderately. They excuse them too much, or else they are too indignant at their follies, and unjust and angry in their denunciation. Women must be criticized by women; then they will hear the bare uncompromising truth, and be the better for it.