The Politics of God and the Woman's Vote: Religion in the American Suffrage Movement, 1848-1895

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THE POLITICS OF GOD AND THE WOMAN'S VOTE:
RELIGION IN THE AMERICAN SUFFRAGE MOVEMENT, 1848-1895

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This thesis examines the role of religion—both liberal and evangelical Protestantism—in the development of a feminist political theory in America during the nineteenth century and how that feminist theory in turn helped to transform American liberalism.

Chapter 1 looks for the genesis of women’s rights language, not in the republican rhetoric of the Founding Fathers, but in the teachings of liberal Protestantism and its links with laissez-faire economic theory. The antebellum understanding of rights is shown to have encompassed social and civil rights alike, and to have arisen from a vision of the mutual benefits that derived from the individual’s duties within the family and community.

Chapters 2 and 3 examine the development of liberal feminism in the post-Civil War period, focusing especially on the thought of Elizabeth Cady Stanton. Stanton was a classic liberal whose particular concern was with women’s bodily autonomy and with self-government as the basis for citizenship. As a result of her efforts, it is argued, debates about liberalizing divorce laws, marital abuse, voluntary motherhood, and prostitution helped to widen the definition of liberalism to include a new zone of privacy, and to forge a consensus by the late-nineteenth century that the liberal individual was autonomous in personal as well as civil life, with rights extending to privacy of the body and freedom from physical coercion even within the home.

Chapters 4 and 5 focus on the Woman’s Christian Temperance Union, evangelical feminists who made common cause with progressive reformers in addressing the problems of industrialization. The WCTU’s vision of the maternal state, it is contended, especially as developed in the thought of its president Frances Willard, extrapolated the Christian obligation to care for others to the state, conceived of as a maternal and compassionate institution. The maternal state thus foreshadowed the welfare state, though with a vision of communal rights radically at odds with liberalism’s. The WCTU’s religious philosophy both enabled it to conceive of a welfare state and moved it to work toward the establishment of a theocratic state that contained the potential for the infringement of individual liberties as well as the protection of economic interests.
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Introduction

To understand what significance "law" and "rights" had for nineteenth-century female activists, we must interpret their concepts of power and governance according to the Protestant ethos which informed their world vision. For as women and reformers they fell into two categories of people who were socially defined—and very often defined themselves—in religious ways. Historians have described the feminization of religion and the spiritualization of women's culture in the nineteenth century at some length. Citing phenomena like the popular identification of women as the pious sex; women's predominance in all areas of church life except the ministry; and a greater emphasis on mercy and love in place of the harsh doctrines of orthodox theology, they have outlined an elaborate antebellum social construction which characterizes the feminine element as naturally spiritual, pure, and loving, a construction with persuasive power even outside the middle classes where it originated.

Scholars' judgments of the process of feminization have ranged widely. Ann Douglas, for example, finds nineteenth-century spiritual forms cloying, sentimental, emasculating, destructive of the tough fiber of republican virtue and
Puritan theology; while Barbara Welter's article cites purity and piety as critical components of an oppressive, man-forged domestic ideal.¹ Others have seen these religious affiliations in a more positive light: religious and moral questions constituted women's special preserve, and allowed them to extend their authority outward to encompass many charitable and benevolent activities, and finally suffrage itself as a tool of moral guardianship, greatly enhancing women's power in public life.² For in antebellum America, the concept of woman's spirituality had tremendous clout in the public domain, and was widely accepted by women themselves. Although arguments about woman's moral nature were often made in essentialist terms, they were received in a culture where the construction of womanly piety held sway, rather than representing a marginal position. In a society which still adhered strongly to the forms of Christian faith, arguments from woman's moral


responsibility took on a deeply political nature. Feminists on one end of the spectrum and orthodox critics of woman suffrage on the other disagreed violently over the interpretation of woman's role, but in the antebellum years moral discourse was still an accepted form of political dialogue, although its influence was waning.

Although they eschewed orthodoxy, the advocates of woman's rights were not secular beings who had risen above some popular misbelief in the existence of God. The movement for women's emancipation, for women fully to control and develop their own individual talents and beings, was firmly tied to the widespread revolt within Protestantism against Calvinist orthodoxy. Freedom of the will was a critical tenet for women convinced that they must look to their own resources, work out their own salvation. Like other contemporary reforms, woman's rights took much of its philosophy and strength directly from the most progressive religious teachings of the day. Virtually all of the early leaders--those who began the movement at Seneca Falls--were raised with ties to some Christian group or denomination, and many made a common journey over the course of their lifetimes, not toward atheism or agnosticism, but toward the vigorous reform wing of liberal Christianity. The break with clerical authority seemed naturally to
accompany innovative political action both emotionally and intellectually, and many women experimented with increasingly liberal creeds as they sought a better fit between their sacred beliefs and their changing social ideals.

For these women, Quakerism, Transcendentalism, Unitarianism and Universalism, as well as the free church movement, were influential in the development of ideals and political creeds which underlay a lifetime's work. Quakerism's inner light provided the theology, and Quaker meeting the experience, of female equality: Blanche Glassman Hersh found that of 51 feminist-abolitionists she studied, 15 were cradle Quakers, a disproportionately high number; and the Society of Friends became the adopted religion of a number of feminists, like Sarah and Angelina Grimke.3 Lucretia Mott, a figure of great authority in the Quaker community, had a profound influence on the first generation of rights advocates. So fierce a priest-baiter as Elizabeth Cady Stanton owed a deep debt to Quakerism and the more rationalist influence of Unitarians and Universalists for the values of moral equality of the sexes, the worth of the individual, and the imperative for his or her full

development as a human being, which underlay all of Stanton's political work. 4

Much of the power of radical Christianity within the woman's movement can be traced to the movement's roots in abolitionism. In The Slavery of Sex, Hersh outlines the many links between the two movements; their female components were virtually interchangeable, for both activist men and women tended to be involved in multiple sympathetic reforms. Arising largely out of the Garrisonian anti-slavery faction, known for its deep and radical if somewhat eccentric piety, abolitionist feminism embodied a sense of divine mission, of a millennial movement called to cleanse the social soul of impurities through conversion. Hersh depicts religion as female abolitionists' sun and shield: though unorthodox, "their personal perfectionism and sense of moral duty and calling sustained them through many trials" (p. 33). The practical experience of organizing, writing, and the novelty of public speaking; the raising of consciousness of their own circumstances through the fervent rhetoric of bondage and freedom; and the great ideologies of universal human rights, moral equality, and natural law were

the gifts abolitionism imparted to feminism.

Another strain of religious influence, revivalism, which represented a cultural mainstream far more than liberal Protestantism did, also grounded women’s efforts to improve their status. The Second Great Awakening, spearheaded by Charles Finney, produced a cycle of revivals which were particularly strong in the 1820s and 1830s, but which continued to wax and wane throughout the century. Though not of like mind with his liberal colleagues, Finney’s thrust was equally against Calvinist precepts of predestination and human inability, ideas which withered throughout the revival belt at the sound of his voice. The revivalist creed of "means," or human ability to prepare for and perhaps initiate a salvific conversion experience, was thoroughly in harmony with the social creed of the day as well. Reformers were galvanized by the doctrine of perfectionism, or the potential perfectibility of human beings, initially for the sake of salvation, but increasingly for the sake of a purified society.

Alice Rossi in The Feminist Papers makes the distinction between "Enlightenment feminists" and "Moral Crusader feminists," and places virtually all mid-century
woman's rights leaders in the latter category. As exemplified by Stanton and Lucy Stone, she describes them as native born, middle class, small town joiners and exhorters, deeply influenced by the revival culture in which they grew up. For these women, a "bit of reform would not do": with conversion as the model, the piecemeal change of political life was unthinkable, because once truth was manifest, change would follow as a natural consequence. Perfectionism underlay "the upward tending spirit of the age, busy in a hundred forms of effort for the world's redemption from the sins and sufferings which oppress it ...".

The "hundred forms of effort" included charitable and benevolent societies, temperance, abolitionism, woman's rights, dress reform, spiritualism, health diets and water cures, running the spectrum from the staid to the outrageous. The great early leaders of the woman's movement were all raised on temperance, abolitionism, and other charities and reforms. Thomas Wentworth Higginson showed the interconnectedness of reform when he reported a friend's comment, "Not know the Briggs girls? I should think you

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would certainly know them. Work in the Globe Mills; interested in all the reforms; bathe in cold water every morning; one of 'em is a Grahamite." The bustling female do-gooder often became a comic stereotype like Dickens' Mrs. Pardiggle ("I am a School lady, I am a Visiting Lady, I am a Reading Lady, I am on the local Linen Box committee, and many general committees, and my canvassing along is very extensive"), but this activity did not represent an isolated women's politics. Reformers saw themselves as attacking, not piecemeal or isolated evils, but the varied symptoms of a larger corruption. Feminists were never without the active support and participation of a number of leading male reformers of the day--Henry Ward Beecher, William Lloyd Garrison, Wendell Philips, Henry Blackwell, Parker Pillsbury, and Thomas Wentworth Higginson, to name only a few. Woman's politics had its own special features, but it also developed alongside of and dialectically with male political theory in a way that this thesis will not do justice to. After the war, the reform community would come to bitterness over the place of woman's rights in the reform galaxy. But despite some tensions, notably within abolitionism, in the antebellum period many expressed a

belief in common action moved by the "upward tending spirit of the age."

Again, this spirit among reformers was the offspring of liberal Christianity and the perfectionism of the revival. Despite many reformers' divorce from the orthodox churches, they sought holiness in their lives in a disciplined way that went well beyond the norm: Higginson notes that his friends were concerned at his entering Harvard Divinity School, afraid he would become like another colleague who "used to be a real come-outer, interested in all the reforms; but now he smokes and swears and goes to church, and is just like any other young man." The woman's movement too contained these contradictions, so that it was not unusual for the minutes of a convention to record days of vigorous diatribes against the established church ending with the Doxology, sung to the tune of Old Hundred. Women activists were engaged in a search for a structure of church and state which would embody their social and spiritual values. They were reenvisioning God as well as the state, and often spoke of him as Allah, the First Cause, the Eternal Searcher of Hearts—names signifying not just poetic whimsey, but an attempt to find a divinity they could

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*Higginson, *Cheerful Yesterdays*, p. 109.*
understand and respect.

Antoinette Brown Blackwell's is perhaps the most telling story about the reconceptualization of religion which accompanied and strengthened the quest for woman's rights. An early feminist, a seminarian from Oberlin, one of the first ordained woman ministers in the country, she was a woman of strong life-long faith. But even her gentle creed precipitated a crisis of faith during the first year of her ministry, and she resigned in doubt and spiritual anguish. After a time, her faith was restored, but in a new form, one which is emblematic of the liberal reformers' stand: "My present religion is a free one; all its truths are revelations from Nature's God to the soul; and one must be outside all sectarian pressures to speak it freely."

Blackwell's emphasis on nature, the absence of the restraint of formalized creed or institutional ties, is common to feminist thought while at the same time expressing the spiritual faith and longing which imbued the woman's movement in the years before the war. Women reformers did not accept the god of orthodoxy, but their belief in divinity and in transcendent natural laws was critical to their political development. God was a childhood familiar, and though protean in nature he remained a fixed point for many feminists, as he did for Henry C. Wright, the apostate...
abolitionist who explained his return to faith saying that in his loneliness he had been unable to erase the idea of God from his mind.

But if spirituality was a constant, organized religion itself was changing rapidly. In the transformation of women's movements from benevolent and reform societies to suffrage organizations in antebellum America, we see the shift of political life away from local, social settings toward organized politics at state and national levels. The personal, religious networks of the smaller community were well adapted to the exercise of women's influence: their status within the church and the social hierarchy were good bases of power. In towns where most transactions were face to face, women successfully pursued reform programs and influenced policy in their capacities as wives and churchwomen.

But by the mid-nineteenth century these networks were becoming seriously weakened by increased population, the growth of cities, impersonal work relations, the growing stratification of society—many of the effects of industrial capitalism. The Protestant Church's grip on public life had also loosened, further eroding women's base of power. The widened franchise gave most men some opportunity to participate in the newly important culture of electoral
politics. That option was foreclosed to women unless they themselves created new channels of power, and it is in this context that we must understand why the factions that developed after the Civil War within the woman's movement, although they worked for radically different social ends, were both scrambling to get a foothold in public politics: private politics no longer worked.*

This work will focus on two groups, one at either end of the ideological spectrum of organized feminism: the National Woman Suffrage Association (NWSA), a group spearheaded by the brilliant feminist theorist Elizabeth Cady Stanton; and the Woman's Christian Temperance Union (WCTU), whose charismatic president Frances Willard revolutionized its agenda. The differences between the two groups are striking, and are usually cast in contemporary feminism's terms as the "equality-difference" conflict. But to force last century's struggles into this century's molds distorts them, and tells us nothing about the historical conditions under which such a split originated. The

assessment that one side believed in "equality" and the other in "difference," in addition to being simplistic, is the tip of the iceberg. The NWSA was an elite corps of educated women of liberal religious temperament and affiliation, centered in the East, whose strategy was a national one and whose strong suit was not grass roots organization. Most of its members had cut their political teeth on abolitionism, and understood well the constitutional remedies of Reconstruction. The WCTU, by contrast, was midwestern in origin with strength in the west, populist in flavor, and brilliantly organized to exploit the labors and loyalties of every woman in small town America. Its members were burghers' wives, not the elite; not raised on abolitionism; and came largely from the revivalist strain of Protestantism, belonging overwhelmingly to evangelical denominations, Methodism in particular.

What is as striking as their divergence is that, starting from such distant points, these two wings of the woman's movement had a common agenda that went well beyond their superficial agreement on suffrage: they shared the close bond of a common enemy, Calvinist patriarchy, which women reformers felt had pervaded public and private life alike. The death of theology and the minister's loss of authority can certainly be separated from the decline of
patriarchy and the father's waning discretion within the home; but women on all points of the spectrum identified the two as one phenomenon, one knotty problem in governance. This is the study of two groups who constitute one generation of women who came of age in Charles Finney's America; they were engaged in the common rejection of Calvinist patriarchy, but deeply split over the nature of authority in a post-Calvinist world.

The answer to the familiar riddle "When is a patriarch not a patriarch?" is, "When he's not home." By strict definition a patriarch is one who rules over children, and incidentally over anyone else in the way; the father who left the farm and went off to work every morning, whether to a factory or to his office, gave up that power. This left households in the hands of mothers, who for the first time became the Lockes, the Filmers, the Rousseaus of their world. Tales of family governance--now maternal governance--from women reformers of the mid-nineteenth century carried with them the seeds of new political theories. And like Locke, women reformers from both parties based their political theories on their views of human nature. Women's power originated in the private sphere--initially in power over children--and they became matriarchal in the sense that their view of appropriate family relations became the model
for social governance as well.

This was true for both members of the WCTU and of the NWSA; but they were poles apart over what the appropriate model of the family, and therefore of society, should be. Many evangelicals showed themselves in their letters and autobiographies to be strongly mother-identified; they pushed for a heavily mother-dominated household which translated into a maternal state that was both compassionate and coercive. Few liberals identified with their mothers in the same way in print, or subscribed to the idealization of the mother; and again from autobiographical sources it is possible to say that Elizabeth Cady Stanton, Susan B. Anthony, Lucy Stone, and other more liberal suffragists either did not get along well with either parent, or had more respect for their fathers. The liberal household, like the liberal state, was short on care and coercion both.

To call someone a "liberal" today is to mean one of two things: that they carry a card and care about civil rights, or that they are advocates of the welfare state—two positions that actually sit rather uneasily together. Antebellum feminist theory sought to combine the two, envisioning the use of rights for the full growth of the individual but in the context of that person's duties and obligations. After the Civil War these two positions
emerged as separate strands of political thought; rights to further individual growth were set in opposition to rights which assisted the individual and the community in the context of a set of mutual obligations. Both strains contributed strongly to what we call liberalism today.

Nineteenth-century liberalism has sometimes been described as a static compound of free-market and laissez-faire principles grounded in a pessimistic view of human nature as self-interested. But so barren a philosophy could hardly have taken such a firm hold on the minds of Americans. Christian perfectionism and the optimistic belief in self-government, free of human regulation but under a larger system of laws, were tenets of the woman's rights movement that dovetailed with prevailing economic theory and helped to create a liberal ethic that nineteenth-century Americans could understand and accept. Woman's rights advocates helped to transform liberalism over the course of the century: Stanton and her followers worked to construct a liberal defense of privacy and individual autonomy based largely on freedom of conscience; while Christian feminists deployed the Christian obligation to personal charity to help lay the groundwork for an incipient welfare state. Both themes have become important components of twentieth-century liberal theory.
The volume of paper generated by these two well-staffed organizations is tremendous, and the problem of what is representative looms large. I have chosen for the purposes of this thesis to concentrate heavily on two figures, Elizabeth Cady Stanton and Frances Willard; this method both enhances the comparison between the two groups because the source material is so rich and plentiful; and makes the comparison suspect at some level. Instead of opting to call this thesis "Stanton and Willard: Two Feminist Theorists," I have continued to see it as at least in part a group comparison; I have consulted the official papers of both groups, and read widely in the letters and papers of the women who worked with Stanton and Willard. Both women's views are often representative of the views of the rest of the leadership (although not necessarily the rank and file, especially in the case of the WCTU); are sometimes a taste of the future, as both were more radical than the mainstream, and were highly articulate and influential and never let go; and occasionally both were well out of the mainstream of their own followers, in which case I have tried to indicate the split.

I like to see studying Stanton and Willard as studying two sopranos in a municipal opera: they are out in front, singing louder than anyone else, often but not always in
tune with the chorus, and always heard. In addition, the comparison itself is fascinating; despite the difference in their ages, both grew up resisting religious orthodoxy; went on to become leaders of major woman's organizations; and ended their lives as Fabian socialists. What lay in between is another story.
Chapter I - Religion and Rights Consciousness in the Antebellum Woman's Rights Movement

The meeting of feminists at Seneca Falls in July of 1848 marked the nominal beginning of the movement which in the nineteenth century was labeled "woman's rights." For us that term has become commonly interchangeable with "suffrage," and we often assume that "woman's rights" describes a seventy-odd year campaign to gain civil and political power and protection from a government which—although it had perpetrated outrages against women and blacks—had an unquestioned legitimacy as the guarantor and enforcer of rights.

Historical interpretations of the woman's movement have reaffirmed this picture, stressing the republican origins of women's claims and their easy fit within the tradition of American constitutionalism. The movement's biographers have placed feminists' arguments well within the secular political tradition of the nineteenth century. They have treated "natural rights" as a form of "super-right"—more emphatic, an appeal to historical tradition, but not qualitatively different from constitutional claims—and natural law language as formulaic fist shaking.¹ Ellen

¹Aileen Kraditor takes this tack in The Ideas of the Woman Suffrage Movement, 1890-1920 (New York, 1965).
DuBois, the foremost historian of the movement's early period, has stressed suffrage as the activists' most radical and most mature demand, and the highest evolution of women's political consciousness. For DuBois, the quest for the ballot reflected a rights consciousness rooted in the secular, enlightened, liberal tradition of the American Revolution. She labels suffrage as the primary goal from the beginning for the right-thinking portion of the movement as represented by Elizabeth Cady Stanton and the National Woman Suffrage Association (NWSA), and sees the more conservative Woman's Christian Temperance Union's endorsement of the vote in the 1880s as a measure of the NWSA's success in setting a liberal agenda for the woman's movement as a whole.²

Historians have overstated both the secular identity of antebellum feminism and the centrality of suffrage to that movement, emphasizing the roles of Elizabeth Cady Stanton and Susan B. Anthony to the exclusion of scores of other activists more representative of the movement's mainstream.

The rather abstract language of rights used by the Founding Fathers was common currency in America, and women drew on it for help in fashioning their arguments and in making public appeals. But feminists did not don the Founders' philosophy of rights as a perfectly fitting suit of mail. Many were initiated into organized feminism through the philosophies of liberal Protestantism so prevalent in antebellum reform thought. The content of their rights thinking was informed by a deeply religious sensibility which stressed the interconnections between rights and responsibilities, between civil and domestic relations, and between the workings of the state and of the home. Suffrage did not automatically take pride of place in the panoply of rights women sought in the period before the Civil War, but stood as one goal among many, and not the most important.

Further, rights consciousness was originally rooted in domestic concerns for many women, who saw them as a means of achieving protection for themselves and their families while pursuing the ends of social justice. Such an understanding of rights was in full accord with the liberal Protestant imperative for the full development of the individual and his or her full participation in society. The demand for rights did not emerge theoretically full-blown from any woman's head, but was born the usual way, amid a welter of
personal and familial concerns.

Finally, although "equality" was the watchword of the movement, in the antebellum period it referred largely to a negative proposition; the removal of the false and artificial restraints of woman's sphere, restraints which prevented her full entry into public life. "Equal" was not "like," and although feminists ideally hoped that the destruction of spheres could bring about the growth of common sympathies between men and women, their attitudes toward male culture were rooted in the genuine, material differences in men's and women's lives which existed in education, opportunity, political entitlement, and social expectation in nineteenth-century America. Although women demanded equality, they also predicated their entry into the political world on a moral sensibility which most saw as uniquely feminine, and which served as the basis for their political agenda and their theory of rights.

The Christian Understanding of Politics and Power

To understand what significance "law" and "rights" had for mid-nineteenth-century female activists, we must interpret their concepts of power and governance according to the Protestant ethos which informed their world vision. Within this Christian framework, the possession of power was
construed in a peculiar and particular way. Both evangelical revivalists and Garrisonian abolitionists—two groups which influenced budding feminist thought profoundly—were suspicious of power and of its potential for corruption in human hands, where it could so easily work against God's designs. The power of the husband, the father, the slaveowner, the legislator, the judge—all were potentially abusive, or abusive by the fact of their existence, as intrusions between God and the individual. For many Christians, morality remained sharply antithetical to concepts of power or human governance, an attitude which in many respects early woman's rights advocates shared.

Certainly in the 1850s the Christian ethos still shaped women's apprehension of power relationships, and of what kind of action they could most effectively undertake in the world.

A case in point is Uncle Tom's Cabin: seeing the novel

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4 One of the grievances in the original Declaration of Sentiments drawn up at Seneca Falls includes the claim, "He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and to her God." See "Report of the Woman's Rights Convention Held at Seneca Falls, New York, July 19th and 20th, 1848" (1848; reprint, 1969) (hereafter cited as "Seneca Falls"), p. 7.
as nineteenth-century Americans did can show us the distance between their political understandings and our own. In recent decades "Uncle Tom" has become a term of contempt. The slave’s loving but dignified submissiveness in the face of brutality is seen as the behavior of a lackey, a cousin of Steppin Fetchit. This ahistorical reading ignores the devout nineteenth-century evangelical culture which received the book, where the power of docility and selfless love to work conversion constituted a power far greater than any political tool. The tremendous public response to the novel was not an acclamation of weakness but of strength from a public for whom the conversion experience still represented the greatest force for political or historical change. Uncle Tom did not die moaning "Woe is me" but exclaiming "I’ve got the victory!" The success of the novel showed that the "feminine" values of submissiveness, Christian humility, prayer and love in the face of brutality represented for many a type of power beyond the ballot or the whip.5

The death of Uncle Tom—and "what majesty there is in a Christian death"—struck an answering chord in the vision of women as pious, submissive, workers of change through love

and moral suasion. The Lily showed how women had to struggle to come to terms with, incorporate, or overcome the Christian model of submission. For both temperance activists and certain abolitionists, moral suasion was the only godly and effective way to seek change, and women as well were exhorted to work change through loving and peaceful means. The archetypal story of the weak vanquishing the strong is introduced in the pages of the Lily, but in this case potential female Davids are advised that in confronting Goliath, "we must arm ourselves with but the simple sling of truth, and pebbles from the pool of love." There is an element of self-sacrifice here: as Jane Tompkins describes it, Little Eva's death signifies that "the pure and powerless die to save the powerful and corrupt, and thereby show themselves more powerful than those they save."

Well before the publication of Uncle Tom's Cabin, the story of the dying child begging the sodden father to sign the temperance pledge and stop his abusive ways was staple

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'Lily, vol. 1 no. 7, p. 52 (July, 1849).
'Tompkins, p. 128. See also the Lily, vol. 3 no. 12, p. 94 (Dec. 1851).
fare. Even when it was supplemented by more sophisticated political analysis, the moral suasion model maintained a great attraction for women; not just because it emphasized a socially acceptable submissiveness, although there were certainly cultural pressures on women to accept that role, but also because it spoke to women's perceptions of themselves as loving, and to their abhorrence of the culture of male violence. "The Moral Power of Woman" lauds the levelling potential of forgiveness to defeat the cycle of violence, suggesting that by a spiritual ranking women's acts were as weighty as men's. Another story relates with high praise how Dorthea Dix once disarmed a highwayman with compassion where her driver would have begun a bloodbath, clearly setting out two models of alternative dispute resolution.

Glory notwithstanding, Uncle Tom does die in the end, a fact... did not escape woman's rights advocates who were beginning to ask, "when smitten on one cheek, we are commanded to turn the other also. Does anyone suppose that this carries with it the authority to strike?" The Lily for

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*For example in the Lily, vol. 1 no. 10 (Oct. 1849), "The Drunkard's Child;" and vol. 1 no. 7 (July, 1849).

*Lily, vol. 1 no. 7, p. 53 (July, 1849); vol. 3 no. 6, p. 43 (June, 1851).
April of 1851 carried a story on the scourging of rumsellers illustrated by a fable showing many women's ambivalence about the use of direct power. An old lady one day found a frog in her tea kettle, who refused her polite request to hop out. "Well," she responded, "I shall not use force or compel you to leave your quarters, but ..." she said, putting the kettle on the fire, "I shall make you DREADFUL UNCOMFORTABLE.¹⁰

Given the early woman's movement's understanding of power--apprehension over its direct exercise, fear and distrust of the institutions of government, seeing morality and official power as antithetical, belief in change worked from within rather than from without--it is difficult to interpret the demand for woman's rights strictly within the framework of secular liberal political theory. Most feminists were more pragmatic than the Garrisonians; they lacked the wild, intense piety which prepared that group to renounce all human organizations on the spot, including their own, in favor of some form of mutual self-government which their faith had not yet revealed. Still, a strain of anti-institutionalism was strong within feminism in the antebellum years. Women repeatedly resolved to "rely no

¹⁰Lily, vol. 3 no. 9 (Sept. 1851); vol. 3 no. 4, p. 29 (April, 1851).
longer on organizations of any kind—upon neither national or state, secret or public societies of any description ... but to depend upon ... (our) own energetic, determined, and individual effort for ... the final triumph of our glorious principles"—hardly the stuff of legal positivism.\textsuperscript{11}

The majority of feminists believed that legal and political change—changes in statutes, court rulings, the common law, interpretations of women's political rights—were symptomatic, and could only reflect deeper change on the level of public opinion worked by individuals coming to a real understanding of natural laws. Even Stanton, certainly one of the best versed of the feminists in legal matters and a fiery advocate of political measures, opined that "(P)ublic sentiment is higher than laws--laws in advance of the people are mere chaff."\textsuperscript{12} Most reformers

\textsuperscript{11}Lily, vol. 3 no. 3, p. 21 (March 1851).

\textsuperscript{12}Lily, vol. 1 no. 11, p. 86 (Nov. 1849); see also vol. 2 no. 1, p. 4 (Jan. 1850). At one national convention, Abby Kelly Foster and Ernestine Rose came into direct conflict over the question of whether laws shape people, or only follow public opinion, as reported in "Proceedings of the Woman's Rights Convention Held at Cleveland, Ohio...October 5th, 6th, and 7th, 1853" (1854) (hereafter cited as "Cleveland"), pp. 81-82. Foster urged strongly that law was a creature of public sentiment. Rose's counter-statement, and her stance within the movement, are fascinating. A Polish Jew who grew to intellectual maturity in the free-thinking circles of enlightened Europe, Rose was probably the only atheist among the early feminist leaders. Much closer to the secular, European tradition which
believed that reeducation of the moral sentiments was the way to bring public opinion around, and that old laws could not withstand new leanings: "The ballot box is not worth a straw, until woman is ready to use it ... The moment that woman is ready to go to the ballot box, there is not a constitution that will stand in the country."13 Far from looking to government for remedies and favors, there was a strong emphasis on self-help and a belief that, by readying themselves and their neighbors, activists could bring about the desired transformation without seeking direct political change or soliciting governmental intervention.14 Women strove, not for new laws to reshape public life, but to promote moral sentiments and their adoption by the whole community. Majoritarian democracy was not the standard of judgment here. The appeal was rather to communal consensus, to the "honest judgment of every member of the community,"

produced feminists like Mary Wollstonecraft and Frances Wright, Rose alone consistently denied any connection between rights and duties or any particular feminine qualifications for the franchise. She had the earliest and most emphatic vision of law as a strong, positive force in shaping human thinking and behavior. On the differences between European and American feminism see Alice Rossi, The Feminist Papers (New York, 1974), part 2.


14"Speech of Abby Kelly Foster in Woman's Rights Commensurate with Her Capacities and Obligations: A Series of Tracts (1853)."
and to that community's right to formulate and prosecute its own laws according to its own communal mores, and so defend itself from harm. Women judged progress, not by citizens' begrudging acceptance of a law eked out through determined assaults on the legislature, but by a reorientation of each individual conscience toward God, and a consequent righting of public opinion.

This vision is at odds with the positivist view of law and government which plays an important part in our conceptualization of rights. Rights consciousness today implies at least a mediating state power to protect against encroachment, and usually looks to human government or a constitution as the source and guarantor of rights. Between 1848 and 1860, however, positive or positivist attitudes were not a major feature of women's legal repertoire, which held only a nascent recognition of the law's transformative potential. For the many who believed that divine and natural laws ruled the world in intimate detail, human legislation loomed small. Stanton spoke for many when she said admiringly of the New York abolitionist Gerrit Smith that he went to the Bible for his policies, and to Christ

15*Lily, vol. 3 no. 3, p. 21 (March 1851); vol. 1 no. 1, p. 4 (Jan. 1849); vol. 2 no. 1, p. 5 (Jan. 1850); vol. 1 no. 8, p. 62 (Aug. 1849).
for his social, moral, and political creed, "over the heads of Popes, Cardinals and Bishops, Judges, Jurists ... writers on law and jurisprudence ... (and) over all laws, common and uncommon, codified and uncodified"--a fairly comprehensive listing. The determined belief in law as a constitutive or transformative force grew as women became politicized and moved outward from the revival-style convention to engagement with state and national legislatures. But in the early years, the shared wisdom was that law was a creature of public sentiment, and any legal revision which did not derive from an underlying shift in the common mindset had a futile career ahead of it.

For most, a budding hope that law would provide them redress or protection was seriously compromised by the belief that the vision of law as external authority instead of as self-government constituted the problem, and that genuine reform would entail the erosion of government which sought to coerce human behavior. Feminists identified human law with the "might makes right" fallacy, as Hannah Tracy Cutler suggested in a letter to the Una in 1853.

Laws, among men, have been for the most part either the enactments of despots who have swayed by the physical force they commanded, or else the concessions which despots have

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Lilv. vol. 4 no. 5, pp. 39-40 (May 1852).
reluctantly yielded to the counterbalancing physical force of their unwilling subjects. Hence it has been the exponent of what force would yield to force, rather than the free expression of the moral sentiments of a people ... the old physical force law ... still keeps women from an equal participation in its primary relations, even after the evangel of equal human rights has been proclaimed.17

Women viewed the evolution of society as entailing the ascendance of moral and mental over physical might, and the consequent withering away of the state as an instrument of control. Divorced from law and legal processes as they were, and with their understanding of the corrupt nature of humanly held power, antebellum feminists were not simply seeking inclusion in the revolutionary settlement, or in the system as it stood. When it came to law and governance, their attitude is best expressed by the text they so frequently quoted—"Behold, I make all things new."

Woman's Legal Culture and the Equality Problem

Feminists consistently pitted themselves against what they perceived as a distinctly male culture of law and politics in developing their critique of male institutions.

Nevertheless, the idea of a distinctive woman's politics or legal culture has not received much play in the scholarship. For some women's historians, the glory of the woman suffrage movement lies in the assertion of equality, and in the "philosophical tenet that women were essentially human and only incidentally female" which helped women activists break down a sexual differentiation that was tantamount to inferiority and confinement.¹ For many contemporary feminists the acknowledgement or assertion of difference, then or now, is deeply illiberal. They can conceive of women having full rights only in a system which treats men and women as strictly fungible civil and legal personalities. Ellen DuBois has raised the quest for suffrage and the claim of equality as the standard for the nineteenth-century woman's movement as a whole, and classifies anything else as a type of "domestic feminism," an inferior variety which mounted no challenge to the male hierarchy. Surely the claim to the vote was eye-openingly radical. But this assessment of the themes of equality and difference as they came into play in the movement requires dismissing a large part of what women said about their own campaign and about themselves. Many who agreed that they

¹DuBois, *Feminism and Suffrage*, p. 36.
were "essentially human" did not consider themselves to be "only incidentally female," and entertained strong beliefs in equality, likeness and dissimilarity, and a womanly mission, simultaneously."

The claim of equality between men and women, a staple of woman's rights rhetoric, contradicted deeply entrenched social thought on gender roles. Rarely has a society postulated such elemental differences between men and women as mid-nineteenth-century American society did. Feminists' assertion that women had the same souls, same moral duties, same intellects and hopes as men opened the way to a more fully integrated public sphere than was ever possible before: we are still dining out on the capital of that ideal. The assertion of equality was a protest lodged against discrimination in both law and custom, against whatever rules or attitudes restrained women's natural energies or kept them in a dwarfed or crippled state. Women believed that, "possessing common natures, common rights, and a common destiny, society can never be harmoniously organized until the individuality and equality of each one

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1 Blanche Glassman Hersh says of Stanton, Susan B. Anthony, and Lucy Stone, "All three combined a belief in woman's special moral and domestic responsibilities with a vision of her obligations in the broader world." The Slavery of Sex: Feminist-Abolitionists in America (Urbana, Ill., 1978), p. 80.
is practically recognized.²⁰

Equality was an ideal with political consequences, and feminists used it in an attempt to break down formal structures of restraint. In the early years they envisioned legal equality entailing the abolition of all laws which weighed disproportionately on women. After that, women's unobstructed energy would surely bring them into full parity. But while the ideal of equality held great meaning for women, it did not eradicate their understanding of their social and familial roles and their larger interests as being distinct from men's. In twentieth century society, where civil equality is held up as the highest stage of the citizen's development, justice is blind to individual characteristics, and the fungibility of the bearers is the measure of rights. This kind of equality—ignorant of gender, race, role, duty, station—was initially incomprehensible to most feminists. Instead, they argued in the name of equality for rights that would allow each to fulfill her role and attain her highest individual destiny decreed by God, whatever it might be. An important degree of difference was built into this idea of equality, which

²⁰Lily, vol. 2 no. 10, p. 73 (Oct. 1850); see also vol. 3 no. 5, p. 36 (May 1851); and "Proceedings of the Woman's Rights Convention Held at Syracuse, Sept. 8th, 9th, and 10th, 1852 (1852) (hereafter cited as "Syracuse"), p. 31.
did not "mean either identity or likeness ... of the two sexes, but equivalence of dignity, necessity, and use; admitting all differences and modifications which shall not affect a just claim to equal liberty in development and action."²¹

The apprehension of their own special interests and duties which imbued women's politics in the 1850s did create some friction in the elaboration of women's political empowerment. The popular cultural idealization of woman's superhuman goodness, her angelic nature, raised the hackles of those who suspected men of packing women off to heaven prematurely to limit their influence on earth. Feminists rejected the idea that they were "fine porcelain" to be laid on the shelf, and insisted on their right to "mingle with the rude stone jugs, mugs, and platters of humanized crockery."²² One writer even ventured the opinion that, far from moral superiority, woman's goodness resulted from a lack of opportunity, and that when they had money and power they would become competent swindlers and bribe-takers like

²¹Paulina Wright Davis, "On the Education of Females," tract no. 3 in Woman's Rights Commensurate with Her Capacities.

²²Lily, vol. 3 no. 6, p. 46 (June 1851).
everyone else."

But although they were prickly and resistant to what they considered demeaning characterizations on the part of men, women reformers had their own ideas of their goodness and what role it would play in a reformed society. It would have been extraordinary if they hadn't. Revivalism, liberal Protestantism, romanticism, reform—all tended toward an identification of femininity with morality, spirituality, and self awareness as a potent political force capable of containing the male tyranny of corruption and greed. Women may have claimed that they were equal to men, but not that they were like; and likeness could not be established by assertion, but only by a different kind of living together, a recognition of "mutual dependence, and separate fountains of reciprocal life."24

The utopian dream was the eventual blending of natures, so that "there will be but one code of morals, and of taste. Women will acquire the energy and self reliance of man, and man will emulate the purity and religious sincerity of

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23Una, vol. 1 no. 5, p. 72 (June 1853); see also Una, vol. 1 no. 1, p. 11 (Feb. 1853); vol. 1 no. 4, p. 72-73 (May 1853); Lily, vol. 3 no. 6, p. 46 (June 1851).

24"Syracuse," p. 60.
woman." In their vision of a "better Eden," men and women would grow more alike over time, taking on each other's qualities, thereby eradicating the oppressive imbalance which deformed contemporary government, and making communal self-government a reality. The result would mean narrowing the gap between men and women, allowing their like moral natures to eradicate the harmful differences of temperament and culture. Women often quoted a stanza of Tennyson to that effect: "The woman's cause is man's: they rise or sink/Together, dwarfed or god-like, bond or free./... The woman is not underdeveloped man/But diverse./Yet in the long years, liker they must grow;/The man be more or woman, she of man ..."

Pleasant as this idyll was, in envisioning a political future women saw themselves endowing men with their own traits far more often than they saw themselves taking on the traits of men. In the years before the Civil War, woman's rights activists were inspired by a sense of equality; but

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23"Cleveland," p. 52; see also Elizabeth Oakes Smith, Woman and Her Needs (1851; reprint, New York, 1974), passim.

24Hersh, Slavery of Sex, p. 139, suggests that the conception of interdependence is a tenet of Universalism.

they were also motivated by a discontent with the existing order which fell out along gender lines, and emphasized the differences, both natural and cultural, between the sexes. When arguments for woman's rights came largely from abolitionism, equality was a natural focus. But as women, unlike slaves, developed their own well articulated positions, they began to enumerate their grievances with male management. The belief in woman's moral mission to clean up politics and society was not interjected into the woman's movement by the entrance of the Woman's Christian Temperance Union into the suffrage movement in the late 1870s and the 1880s, as Ellen DuBois has suggested. Rather, it was a position to which many women openly or tacitly adhered from the movement's beginnings. Difference was both the agent of change in this scheme, and the problem to be overcome. Woman's rights workers expected the integration of masculine and feminine to bring particularly beneficial results in the public realm, often picturing

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28Barbara L. Epstein in The Politics of Domesticity: Women, Evangelism, and Temperance in Nineteenth-Century America (Middletown, Conn., 1981), sees women's religious culture as a vehicle for antagonism between the sexes, picturing religion more as a tool to express generalized gender antagonism than as a system of belief which interpreted and fostered political change.

themselves in the role of redeemer, as when a correspondent to the national convention in Cleveland suggested that "the eye of the law is diseased, and women must ... make that eye pure and single sighted." Even the egalitarian Stanton recommended the "feminine element in humanity" to "save man from the bondage of his animal nature--the slavery of his own low appetites." Women had little doubt that they would perform the duties of office better than men, firmly opposing poverty, intemperance, and their social roots, and promoting "all just and beneficent purposes."

Nor does the movement's moral consciousness necessarily suggest that it was politically immature, insular, or domestic in its focus. If anything, it suggests broader concerns, a fuller life within the reform community, than was true of suffragism after the war, when narrower legal and political concerns took precedence. Many of the pacific dictates of liberal Christianity--"feminine submissiveness"--were known in another guise as politically oppositional stands taken by reformers convinced that problems like

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"The Pleasures of Age: An Address Delivered by Elizabeth Cady Stanton on Her Seventieth Birthday" (1885); see also Lily, vol. 4 no. 5, p. 40 (May 1850); vol. 2 no. 4, p. 29 (April 1850).

slavery and territorial aggression would diminish under their rule." Calls to non-violence and reason in place of force were grounded in a Christian tradition, but served in the antebellum years as a potent charge against the government which perpetrated such crimes. By adding the feminine to the masculine element, women were rejecting the political sphere men were carving out for themselves, one seemingly cut loose from the constraints of traditional moral principles of governance. The absence of either element would bring "results fatal both to justice and morality. The civil and political departments are fair illustrations of these results." Above all, women manifested a wish to substitute the principles of noncoercion, nonviolence, and consensual government for the Hobbesian arrangements of the day.

Politics and statesmanship, still resting so much upon the force of armament, must come under the jurisdiction of simple justice, give up the employment of physical force, and rise to a sphere of mind and feeling fit for woman's administration ... the policy of government, now so intricate, so dark a contexture of fraud and force that the worst

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"Una, vol. 1 no. 3, pp. 37, 41 (April 1853); "Cleveland," p. 92.

... men are its best ministers, will be redeemed and reformed, so that the acknowledged excellence of feminine morality and woman's directness and clearness of intellect, will be the highest qualification for national government.\footnote{Una, vol. 1 no. 3, p. 41 (April 1853).}

Women activists vigorously disputed their critics' charges that they were being unsexed through their political activities, and affirmed their own femininity and security in their roles as wives and mothers. No one rebutted those charges more effectively than Frances Gage when she complained,

They (men) cannot get up a picture of a woman's rights meeting ... but they must put cigars and pipes in our mouths, make us sit cross-legged, or hoist our feet above their legitimate positions--making us behave as nearly as possible as disgustingly and unbecomingly as themselves ... They have ... so long associated their vulgar thoughts and feelings with constitutional rights and privileges, that they seem to think them inseparable ...\footnote{Lily, vol. 4 no. 2, p. 14 (Feb. 1852).}

Gage in her pithy way put her finger on a thread which runs consistently through women's concerns in this period--resentment and dislike of male political culture, from which women were so excluded. Stanton, in a letter to the Syracuse Convention, castigates men who, "having separated themselves from women, in the business of life, and thus
made their natures coarse by contact with their own sex exclusively, now demand separate pleasures too; and in lieu of the cheerful family circle ... they congregate in clubs to discuss politics, to gamble, drink, etc ...." Stanton often spoke of a lyceum lecture she longed to write on "The Antagonism of the Sexes." Male opponents of the woman's franchise often argued that polling places were too rough for women; feminists deplored this self-confessed pollution of civic functions, finding man in his role as political animal repugnant, whether as lawyer, judge, voter, or clubman."

This attitude translated into often made claims that male legislators could not represent women adequately, not because they would not, but because the difference in their natures and interests meant that men were not capable of such representation. Ernestine Rose argued cleverly that, if man's nature was different, he could not understand woman's needs sufficiently to make laws for her; and if the same, there was no reason to exclude women from full

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"Syracuse," p. 32; see also "Cleveland," p. 38.

"Lily, vol. 3 no. 11, p. 82 (Nov. 1851); see also letters of Sept. 1, 1877, and Dec. 15, 1886, Stanton Papers, Douglass College Library, Rutgers University.

"Syracuse," p. 73.
political participation. Cool argumentation aside, even Stanton clearly felt the outrage and slight when she asked, "Shall the most sacred relations of life be called up and rudely scanned by men who, by their own admission, are so coarse that women cannot meet them even at the polls without contamination? ... How can man enter into the feelings of ... (a) mother? Shall laws which come from the logical brains of man take cognizance of the violence done to the moral and affectional natures which predominate, as it is said, in woman?"

Antoinette Brown Blackwell tended toward essentialist rather than cultural explanations of men's and women's differences, but her conclusion was the same: "The law is wholly masculine: it is created by our type or class of man nature. The framers of all legal compacts are thus restricted to the ... thoughts, feelings, biases of men ... we can be represented only by our peers." The insult of being bound by masculine law was compounded by "the shamefulness of trying intelligent, educated, well-bred

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"Cleveland," p. 36; see also Lily, vol. 2 no. 5, p. 38 (May 1850).

"Elizabeth Cady Stanton, "Address to the Legislature of New York, Adopted by the State Woman's Rights Convention, Held at Albany...Feb.14 and 15, 1854" (Albany, 1854), p. 7.

native born American women by juries of men made up of the riffraff from the monarchies of the old world." Women were sure that if they served on juries they would be very lenient with woman defendants, perhaps under the tutelage of woman lawyers who would either suggest more liberal interpretations of the law, or a whole new code of laws to replace those that currently disgraced the statute books."

It was this dangerous isolation of the masculine from the feminine which feminists hoped to remedy, feeling that "so long as woman is required to take care of the morals of the community and men to take charge of the politics, having ... separate interests in these two great matters, we shall have a strange and incongruous state of things." Traditional networks of women's influence--local, personal, religious networks which operated through churches, voluntary organizations, and familial contacts--had been strong in pre-industrial America. Through these networks women had wielded social influence disproportionate to their

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"Stanton, letter to Susan B. Anthony and Matilda Joslyn Gage, 1873, in the Stanton Papers, Douglass College Library, Rutgers University. See also Lily, vol. 2 no. 5, p. 38 (May 1850).

"Una, vol. 1 no. 4, p. 63 (May 1853); "Syracuse," p. 77.

formal standing. But the growing cult of electoral politics—male politics—and the shifting of power away from the local to more centralized levels, undermined women's leverage in the community. The early feminist agenda is remarkable, not because it tried to vault women from the private into the public arena leaving the wall intact, as scholars have suggested, but because it sought to eradicate spheres entirely, and with them the growing and dangerous split between public governance and private morality. Such a distinction made little sense to women reformers. Rather, through the interdependence of the sexes they hoped to integrate public with private, legal with moral, in a common standard of universal governance. Women's denigration of male political life for its insularity and its brutishness betrays both resentment and understanding of the dangers which the isolation of politics posed for women, a politics conducted outside their scope of influence.

Feminism also evolved an articulate critique of the exclusive legal world, criticism informed by moral and religious concerns. Distaste for the profession of lawyering was rife in larger reform circles, as well; the Boston reformer Thomas Wentworth Higginson reported in Cheerful Yesterdays that, under the influence of "the Newness," there was a "wave of that desire for a freer and more ideal life which made (William Wetmore) Story turn aside from his father's profession to sculpture, and made (James Russell) Lowell forsake law after his first client." Higginson himself abdicated a legal course, emboldened by friends who characterized law as a "system of formalized injustice" and a branch of "knowledge that cannot be carried into any other stage of existence."47 "The Newness" did not bring women the immediate privilege of renouncing a career in law in favor of one in sculpture. In fact, it was often urged at conventions and in periodicals that women take up the profession, both to protect their own interests and to reform the field. At the same time, the legal system came in for a constant barrage of criticism from feminists who occasionally took gratuitous swipes at other professions,

but reserved their most biting criticisms for clerics and lawyers.

The *Lily*, in particular, hosted a string of female correspondents with a distinctly gender-based legal critique, an editorial policy which drew fire from some.4 Indeed, at times it seems in reading the *Lily* that each of its 6,000 subscribers had contributed her mite against the "chicken hearted ministers of justice."49 As in most law reform movements, corruption was often alleged against lawmakers, but it was corruption of a particular kind. Bribery was occasionally charged in the *Lily*, and the economic interests of legislators involved in the sale or manufacture of liquor was seen as creating conflict of interest problems.50 More often, though, women depicted lawyers and judges as morally and spiritually corrupt, "winebibbers" with "bullet heads and red faces," "vulgar, rum-drinking ... tobacco chewing men, thick lipped voluptuaries, gourmands and licentiates who disgrace our national councils with their grossness and profanity ... who, instead of sound reason and strong argument, resort to

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49 *Lily*, vol. 1 no. 7, p. 55 (July 1849).

50 *Lily*, vol. 3 no. 4, p. 29 (April 1851).
fisticuffs and ... duelling." As they did with the church, women reformers castigated law as a human corruption of a divine institution. Law, however, represented a particularly egregious instance of male corruption. The drinking, swearing legislator who would rather resort to brute force than logic and reason was pictured as a throwback to a less advanced stage of civilization, and as the opposite of the "Christian Gentleman" who was many reformers' and evangelicals' manly ideal. Wily, dissolute lawyers figured prominently in short pieces of fiction which also filled the pages of women's papers. Readers could hardly fail to see the moral in stories like that about the wife of a "half-educated Attorney at Law, a thoroughbred contemnor of the laws of God," who brings his family to an unhappy and impoverished end.

Women revealed the level of frustration and outrage they felt with male legislators in many ways, proclaiming "let man cease to persuade woman by his sophistry and logic, or compel her by his cruel and unnatural statutes to act in

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31"Lily," vol. 4 no 5, p. 39 (May 1852); see also vol. 2 no. 2, p. 13 (Feb. 1850).


33"Lily," vol. 2 no. 6, p. 44 (June 1850).

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violation of her will and conscience ..."54 Law had placed women in an intolerable position and created a catch-22 of tragic proportions by refusing the legal right of divorce, while refusing at the same time legal protection of maternal rights, property, and earnings for wives of drunkards and insolvents; "woman cannot obey nature's first law of self-preservation without violating man's (laws)," a fact which inspired "indignation and hatred of our laws and law-makers."55 Elizabeth Cady Stanton was fond of saying that law gave women such protection as "the wolf the lamb, or the eagle the dove."56

At least on paper, the Lily encouraged women in acts of self-help like the burning or trashing of their husbands' haunts, and congratulated one unusual woman on horsewhipping the barkeeper, citing it as a justifiable act of self-defense.57 Abolitionists' manifestoes on human rights and natural law had laid a strong groundwork for a critique of human laws like those enabling slavery and rumselling as

54Lily, vol. 4 no. 7, p. 58 (June 1852).
55Lily, vol. 1 no. 6, p. 46 (June 1849); vol. 2 no. 2, pp. 13,15 (Feb. 1850).
56Lily, vol. 2 no. 10, p. 73 (Oct. 1850).
57Lily, vol. 4 no. 9, p. 77 (Sept. 1852); vol. 1 no. 8, pp. 61-62 (July 1849).
counter to the laws of God and Nature.¹⁰ The Lily's correspondents boldly and repeatedly urged women to ignore the law's shabby cloak of legitimacy, and act according to higher right: "Resistance to tyranny is obedience to God ... if the vampyres of the law will continue to suck the life blood of their fellow men and spread destruction and death all around them, then let women step boldly forward and take matters into their own hands."¹¹ The question of damage to taverns was dismissed with the argument that a tavern "ceases to be property when it is employed to destroy the people."¹²

Again, in the antebellum years women were brought to this pitch not as much by high-minded notions of equality as by a vivid apprehension of their wrongs. Here the problem of alcohol took on great significance. In licensing the liquor trade legislators were acting, not just to withhold rights, but to commit clear wrongs, with grave consequences

¹⁰For example, William Hosmer, The Higher Law in Its Relations to Civil Government (1852; reprint, New York, 1969); and Elisha P. Hurlbut, Essays on Human Rights and Their Political Guarantees (New York, 1845). Feminists reproduced such arguments about the inefficacy of human laws against divine ones; see Lily, vol. 2 no. 4, p. 30 (April 1850).

¹¹Lily, vol. 4 no. 9, pp. 77-78 (Sept. 1852).

¹²Lily, vol. 4 no. 7, p. 59 (July 1852).
for women. Woman's righters were uniformly temperance advocates as well, and felt that it was in permitting the sale of alcohol that government truly showed itself to be morally deformed. They castigated the rumseller, and begged him to "stop your unholy work. Tell us not that you have a license, and certificate of good moral character (from the legislature) to justify your deeds ... What will your license avail you against the curse of your God? Is man greater than his maker? Shall he set the laws of the Almighty at defiance? Your license cannot shield you from guilt." 61

Far guiltier than the rumseller, though, was the law, which "threw its arms around him who was causing the ruin ... (with) legalized poison." 62 The pages of the Lily in these years entertained a lively debate over the comparative guilt of the legislator and the rumseller, who is described as the lawmaker's "agent"--a word used here with satanic rather than corporate overtones. For the misguided agent, some women initially entertained fond hope of reform--"Much rather would we take you by the hand, and greet you as

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61 Lily, vol. 1 no. 1, p. 5 (Jan. 1849).
62 Lily, vol. 1 no. 7, p. 61 (July 1849).
friends and brothers, in the great cause of humanity." But legislators received no quarter. In the best Protestant tradition the humble were guilty, but the "people ... of wealth and standing in society" were guiltier still. Women agitated for the repeal of licensing laws, not because they believed that any law could make the sale of liquor legal— it could not—but because removing that shield would publicly brand liquor traders for what they were, "immoral law breakers and law defyers." Many of these writers felt that they should "challenge our legislators to an account of their stewardship," and they looked forward, not with sorrow, to the day when legislators must appear "at a greater tribunal ... where they must answer for many crimes committed, for much blood shed, and for many lives destroyed."

Women reformers in this period judged what they perceived as male law by a higher standard, and found it wanting. They could see little difference between "the guilt of killing a man by arsenic or alcohol, or between

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"Lily, vol. 1 no. 1, p. 5 (Jan. 1849); vol. 2 no. 1, p. 4 (Jan. 1850).


"Lily, vol. 2 no. 6, p. 45 (June 1850).

"Syracuse," p. 17; Lily, vol. 1 no. 9, p. 70 (Sept. 1849).
stealing his property by first stealing his reason, or
breaking into his house at midnight, and carrying it off
when the owner is in peaceful slumber." As one woman
declared, "God did not say, 'Thou shalt not kill with a
pistol.'" In the one case, the law would punish the
slayer; in the other it protected him, at the expense of the
wives and children of drunkards. A great deal of time and
energy went into redefining crimes, and comparing various
statutory crimes to those of the rumseller. Was the
highwayman who pulled the trigger guiltier than the one who
held the horses? Were either more guilty than the man who
sold drink to an alcoholic?"

A deeply Christian conception of moral consequences
underlay this assessment of man's law. Women saw that with
liquor, legislators were concerned, not with preventing or
punishing wrong, but with limiting liability. They felt
strongly that legal doctrines of causation and the treatment
of the liquor trade as an issue of economic regulation only
obscured the nature of the transaction. Moral consequences
could not be rightly limited by legal doctrine. "We touch

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"Lily, vol. 2 no. 6, p. 45 (June 1850); vol. 1 no. 11,
p. 85 (Nov. 1849).

"Lily, vol. 2 no. 2, p. 15 (Feb. 1850); vol. 1 no. 5,
pp. 37-38 (May 1849); vol. 2 no. 6, p. 45 (June 1850).
not a wire but vibrates in eternity ... we see not in this life the end of human actions. The influence reverberates." This was as true for evil as for good, and for the Lily's writers it was impossible not to see the misfortunes of many homeless, abused, hungry women and children pouring straight from the rumseller's bottle in a chain of accountability which no legal sanction could interrupt. For "sin perpetuates itself forever. Like the ocean ripple, its influence is beyond all calculation ..."

No amount of legal hair-splitting could excuse men from their Christian duty, nor protect them on the day when "God will call upon them to answer, 'WHERE IS THY BROTHER?'

This sense of woman's wrongs at the hands of the intemperate was extremely fertile ground for rights consciousness, as women felt an increasing duty to protect themselves, each other, and their children from man's depredations on their persons and property. Those who invoke "rights" usually endow them with transcendental qualities, but "rights" itself is not an ahistorical concept with constant meaning over time. Rather, it denotes a set of values or demands used in a particular political context


"Lily, vol. 2 no. 7, p. 51 (July 1850); vol. 1 no. 11, p. 86 (Nov. 1849)."
which gives them meaning. Antebellum feminists seized the language of rights and transformed it with their own ideas and concerns. This does not mean that women rejected the republican ideals of the founding generation. Revolutionary rhetoric, the enlightenment vision of inalienable human rights, was a critical tool in helping women to envision a new status, and express their demands to a male public. But the language women spoke among themselves appealed to a larger sensibility.

A telling instance of this discrepancy occurred at a woman's rights meeting in Ohio which was held in 1850 for the purpose of influencing the work of that state's upcoming constitutional convention. The official "Memorial" written to be presented to the men's convention began, "(W)e believe the whole theory of the common law in relation to woman is unjust and degrading, tending to reduce her to a level with the slave, depriving her of political existence, and forming a positive exception to the great doctrine of equality as set forth in the Declaration of Independence." Citing the need for freedom and equality, for protection of maternal interests and property rights by the government, it is a businesslike appeal to republican sentiments, in which each mention of rights is specifically qualified as "political
and legal"—protection of property, custodial privileges, and the vote. The "Memorial" contains no broad enumeration of personal or economic entitlements, and is devoid of any hint of rights as divinely derived, or any religious language.

By contrast, the corresponding "Address to the Women of Ohio" passed by the woman's rights meeting on the same issue opens with the sweeping assertion that "How the people be made wiser, better, and happier is one of the grand inquiries of the present age." The "Address" exalts the role of God above that of the legislature in the creation and definition of rights. Dismissing the "cold sympathy and tardy efforts" of the "dough-faced serviles" in the legislature, the address is a paean to the "Rights of Humanity ... What is their design? How do we know them? They are of God ... their design is happiness." In the "Memorial" woman's entitlement is predicated on "the great doctrine of Equality as set forth in the Declaration of Independence," without elaboration. In the "Address" by contrast a broad range of rights are cast as directly contingent on the discharge of responsibilities, enabling

"Both of these documents are to be found in the History of Woman Suffrage, ed. Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joslyn Gage, vol. 1 (1881), pp. 105-110."
individuals to "attain the end for which God the Father gave them existence." Ohio feminists urged women to seek not just political rights but education and occupation as well --"The full exercise of the heavenly graces ..." The fact that the business of women's rights was carried out in two distinct languages signifies that women themselves identified their values and politics as in some way separate from men's.

This adjustment of language to audience crops up repeatedly, and illustrates women's complex relationship to the American rights tradition. Early documents addressed to legislators predictably pleaded in a secular language of rights based on equality and the revolutionary settlement, commonly citing principles like "no taxation without representation." Female lobbyists occasionally invoked their duties as mothers in favor of their cause, but by and large their arguments were couched in the familiar phrases of the revolutionary settlement. Women's writing to women proved a far richer admixture, not limited to claims for political and legal rights, but seeking a range of economic, domestic and personal entitlements and opportunities. Religious language and imagery permeates their discourse, while arguments from liberal theology undergird their vision of total reform.
Feminists stood both within and without the republican tradition. While genuine in their appeal to the revolutionary heritage, there was also a strong strategic element in their choice of words. As opponents of despotism, arbitrary power, orthodoxy and hierarchy in church and state, they honored the Founders and valued dearly the philosophy which had so effectively countered those evils. But the revolutionary settlement was incomplete and had unjustly excluded both women and slaves. Further, mid-century reformers constituted a political opposition, and remained highly skeptical that the current crop of statesmen and legislators possessed the requisite virtue to pursue the goal of liberty in their own policies. Using the unadorned language of legal and political rights, feminists were appealing to a critical common tradition, in the language--meaningful both to themselves and within larger political circles--they thought would best make their case. At the same time, their appeal

"Stanton illustrates this attitude in a letter to Anthony of July 4, 1858 (Stanton Papers, Douglass College Library, Rutgers University). In it she defends some men as admirable against a friend's attack on the sex. "But alas! when we read the views of average men, their laws, their Bibles,...when we listen to their everyday talk, to their decisions in the Courtroom, and to their sermons in the pulpit...then we feel that they richly deserve all that she says." See also Lily, vol. 2 no. 2, p. 13 (Feb. 1850)."
was not to the actual creations of the Founding Fathers, but to a normative ideal of natural rights to which feminists gave unique definition. Most women themselves seemed more at home with the spiritualized discourse which is the argot of private letters and diaries as well as women’s newspapers and public proceedings."

For the ideology of woman’s rights, unlike revolutionary rhetoric, was shaped in the fervor of millennial perfectionism. On closer scrutiny both the form and content of rights theories employed by feminists differed markedly from the traditional strain of republican rhetoric. Rights for women were definitely not conceived in the cool, secular dispassion of American constitutionalism. The end of the eighteenth century represented a low point in religious fervor and activity of all kinds: church attendance dropped precipitously; except in the West there was little by way of organized religious movement; and in the love feast of toleration which attended the church-state settlement, religious concerns receded formally and

"Some leaders of the antebellum feminist movement, political sophisticates like Stanton and Anthony, subscribed to a spiritualized view of the scope of rights and the nature of social change, but needed no direct religious sanction for political action. Writings in the Lily suggest that perhaps they and others also used religious arguments strategically as those most likely to move their audience of female political uninitiates."
informally as a predominant force in the establishment of a public order. This tepid public piety did not fuel a fervent, God-centered view of natural law or natural rights. By the early federal period, natural rights was a concept which statesmen sought to contain, because of its volatile and potentially explosive reach. The exuberant rights language of early political documents was toned down, and the enumeration of precise and specific entitlements replaced the sweeping claims of the earlier period.\

Feminists did not tread in this cautious path. In common with laborers, abolitionists, and other dissident groups, women sought to reopen the great constitutional questions of inclusion and entitlement, wielding a theory of natural rights which went well beyond the meager portion allotted in the state constitutions. The onset of the first woman’s movement came after the Second Great Awakening had stirred the country to new heights of millennial passion and transformed the public’s understanding of social change.


On the general question of feminists’ use of natural rights theory, see Hurlbut, chap. 8; Kraditor, chaps. 3 and 4; Wright, pp. 176-179; and T.V. Smith, The American Philosophy of Equality (Chicago, 1927), chap. 3.
Nineteenth-century reformers did not share their forebears' utilitarian vision of power as something to be balanced and shared. The emphasis on free will, the belief in the possibility of perfection and the newly benevolent designs of a well-disposed God—all worked to dispel the fear of unchecked liberty which dominated political debate in the constitution-making era. Women showed unbounded faith in the workings of an inner law: "emancipate from external bondage and the internal law written upon every heart makes itself audible." Such protean concepts as natural law and natural rights were plastic in the hands of feminists, who followed traditional rhetorical forms with conviction while giving them new meaning.

One innovation lay in feminists' perception of the relation of rights to natural laws. A concept of ancient lineage repeatedly refashioned by thinkers both within and without the church, natural laws in the revolutionary era diminished in importance while natural rights theory grew explosively. In America, natural rights became a largely secularized concept. Its proponents did not derive such

"Rodgers, chap. 2.

"Elizabeth Oakes Smith, p. 34.

"Wright, pp. 173 ff.
rights from a divine source, but looked increasingly to
human government and constitutional guarantees for their
provenance, rendering a system of natural laws quaint and
redundant.

Natural law regained its rule in the philosophy of the
early woman's rights movement, where all rights were
immediately derived from a divinely sanctioned order
governed by the system of natural laws which was a pillar of
reformers' faith. To claim human government as the source
of rights was to confuse the cart and the horse---"It is God
that gives our rights. Government is the offspring of
rights, not the parent." Feminists, abolitionists, and
other disaffected antebellum reformers frequently dismissed
the Constitution as but another human law to be judged by
God's standards." Women saw rights as springing directly
from the divinely ordained natural order, proclaiming that
"the true rights of humanity are founded in the laws of
nature, and consequently are natural rights." Rights

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"Proceedings of the Woman's Rights Convention Held at
Akron, Ohio, May 28 and 29, 1851" (1851; reprint, 1973)
(hereafter cited as "Akron"), p. 41; see also Hurlbut, p.
27.


"Lily, vol. 4 no. 2, p. 11 (Feb. 1852).
claims for antebellum feminists were not in the nature of strict bids for inclusion in a grant of powers and protections from human government. Rather, they expressed the terms on which individuals could best live out God's designs for human happiness. In the years before the Civil War the vote itself was repeatedly described by the valise theory of suffrage—as a way of obtaining the rights to domestic protection, property, education, remunerative work, personal autonomy, and all the other entitlements which women so desired. The specific rights women sought heralded not an alteration but a transformation of society. "Nature" in early feminist thought became a powerful normative force, a measuring stick rather than a descriptive tool. What was "natural"—and this was almost always defined by what contributed to the full realization of human potential—became the ideal state toward which to strive. At the same time, nature—spruced up into a civil order by the Founding Fathers—regained an earthiness in feminist thought rooted in the physical functions of life itself. For feminists and abolitionists both faced the problem of elaborating compelling grounds on which full rights should

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"Una, vol. 1 no. 4, p. 59 (May 1853)."

"See Wright, pp. 3, 176-179; T.V. Smith, pp. 106 ff."
be extended to women and slaves—a difficult task since the constitutional guarantees of inalienability, freedom, and equality had produced such partial entitlement. Women's passionate arguments from moral equality partly filled the bill.

But both women and slaves, suffering from a lack of education, were commonly stigmatized as mentally deficient and without the proper intellect or character to cultivate civic habits. In response to their opponents, reformers also fashioned arguments from the lowest common denominator of physical life—needs common to all. Abolitionist tracts elevated "the right to see, or to eat, or to walk" to stand beside life and liberty as "conditions of being. We have them from God when we have existence, and so long as existence remains those rights must remain, unless taken away by Him who gave them." The pursuit of "happiness," always a somewhat vague component of revolutionary philosophy, took on a new specificity in claims to food, clothing, jobs, education—claims measured by needs and wants. "The Creator ... has endowed man with certain innate desires, emotions, and faculties, the gratification and exercise of which are the means of his happiness. Here is

**Hosmer, pp. 46-47.**
the consummation of man's rights—the right to gratify his natural desires; to supply his natural wants; to exercise his natural functions, as the means of attaining happiness."

Such abolitionist writing—particularly Elisha Hurlbut's treatise on human rights—proved very influential for feminists, who agreed that natural rights "emanated from the nature and wants and emotions of mankind." Women and slaves did not know Latin, but they could know hunger, and from the capacity for hunger sprang the entitlement to food—"that is to say, physical existence acknowledges a higher law, whether we intellectually and morally acknowledge it or not." It was this assertion of the essential, physical fact of humanity as granting status that was behind Sojourner Truth's cry, "Ain't I a woman?" And the right to provide for these wants was guaranteed by the God who created them, for it was a critical aspect of the new,

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"Hurlbut, p. 16.

"Lily, vol. 2 no. 10, p. 73 (Oct. 1850); see also vol. 4 no. 2, p. 11 (Feb. 1852); and History of Woman Suffrage, pp. 112-113. For references to Hurlbut, see History of Woman Suffrage, p. 33; Una, vol. 1 no. 4, p. 59 (May 1853); Lily, vol. 4 no. 7, p. 59 (July 1852); and "Cleveland", p. 57. The Lily also printed extracts from Hosmer's work, vol. 3 no. 5, p. 35 (May 1851); and from Hurlbut's work, vol. 4 no. 9, p. 80 (Sept. 1852).

"Hosmer, p. 20.
benevolent deity that he would impart no hunger, no yearning, without granting a means of its satisfaction." This concept of rights as following physical function ordained by natural laws is at odds with the idea of inalienable rights as settled during the struggle for independence. But it provided far greater scope for claims to economic and social justice than the revolutionary model, which effectively limited feminists to claims to political rights.

Feminists' conception of rights can perhaps best be contrasted with revolutionary republican tradition by comparing the terms "underlying" and "overarching." For the Founding Fathers, natural rights were pulled down from the sky, a set of external restraints to limit the actions of human government. In the early reform movement, by contrast, much of the focus of natural rights shifted to the internal. In a return to an older tradition, natural rights were seen as emanating from natural laws discovered, not in anterior principles like "no taxation without representation" and "one man one vote," but in the ordinary patterns of everyday life. Women did not look to outside sources or rules to control human behavior, but sought to

"Elizabeth Oakes Smith, pp. 116-118; Hurlbut, pp. 13, 16.
bring human behavior into harmony with an inner working which comprehended material and spiritual forces alike.

The belief that God gave no need and no capacity which he did not mean to be fulfilled was expanded on by woman's rights advocates, and became what was probably the most common argument of that group before the war. Frequently the rationale for the dismantling of "woman's sphere" and taking up rights and duties in the wide world was put in functionalist terms, rather than in the language of inalienable human rights. Lucy Stone in one convention offered her own definition of "natural": "when God made the human soul and gave it certain capacities, he meant that those capacities should be exercised. The wing of the bird indicates its right to fly; and the fin of the fish the right to swim. So in human beings, the existence of a power presupposes the right to its use, subject to the law of benevolence." It was this functionalism that lay behind the recounting of the stories of renowned and competent women popular in speeches and tracts. What had been done indicated an ability, and where there was an ability lay a God-given right to use it. This argument, of course, had

""New York", p. 42. This was a sentiment so strongly felt that it had already been adopted into the resolutions at the Syracuse National Woman's Rights Convention in 1852; see "Syracuse", p. 76, and pp. 46, 48, 83.
certain dangerous implications, apparent to a few who feared a standard of duty or performance as a prerequisite to grants of civil or political rights. But early feminists exuded confidence in their untested powers and relied heavily on this definition of natural rights to break down the artificial limitations of sphere. Frances Gage described how she lost her woman's sphere, piece by piece: a chunk fell off when she learned to plough and was ploughed under; another disappeared during a medical emergency, several more while doing her chores around the farm." More than in an ideological commitment to political rights, women first perceived of rights as originating in the capacities and talents handed out by God, which it was their duty as well as their pleasure to use fully.

Initially, power and rights were conceived in this context of self-development: "for what is power in the sense in which it is so often applied to women, but the liberty to employ one's facilities in one's own way unobstructed ...?" The emphasis on individual calling, not determined by sex but by innate talent, of course meant practically that women should enter into whatever activity or profession

"Lily, vol. 3 no. 3, p. 20 (March 1851).

"Una, vol. 1 no. 1, p. 7 (Feb. 1853); Elizabeth Oakes Smith, p. 116."
she felt fitted to. As the Syracuse Convention resolved in 1852, "that in the great body politic, or in the great social body, each one, irrespective of sex, talent, or capability for a higher or lower function, fulfill the great ends of his or her being." In the unfolding of their natural talents women saw no limit to their intellectual, moral, or social progress, developments which would make the woman's sphere obsolete. Indeed, the pulling down of these artificial boundaries was among the most articulate of women's demands.

Rights arguments were strongly addressed to the development of individual capacities in the context of the fulfillment of duties in the 1850s. No clear distinction was made in this period between rights stemming from concerns for family and social justice, and those which contributed to civic competence and personal development. Most often the two were pictured as mutually reinforcing, with woman's increased freedom enhancing her capacity to serve herself and others, including her family." Stanton in a speech to the American Anti-Slavery Society in 1860 gave voice to a cherished reform belief that "rights never

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"Syracuse", p. 75.

clash or interfere, and where no individual in a community is denied his rights, the mass are more perfectly protected in theirs." Most feminists subscribed to the thesis that "A man has rights in order that he may do right." The frequent pairing of "rights" and "duties" was not accidental. Women were sincere when they repeatedly argued that it was because of their equal moral accountability to God, and the resulting duties to themselves, their families, and society, that they deserved and needed rights.

Since women's duties were so much concerned with family, it should not be surprising that there was a significant domestic component in the developing ideal of woman's rights, and that natural rights were often pictured as concrete ways for women to protect or further the interests of their families. The Lily and the Una were published, not just for the several hundred pioneers of the

"Elizabeth Cady Stanton, Susan B. Anthony: Correspondence, Writings, Speeches (New York, 1981), Ellen C. DuBois, ed., p. 78. See also Hurlbut, pp. 25-27, for the same argument based on the need to defend individual liberties from a tyrannical government.

"Mark Hopkins, cited in Rodgers, Contested Truths. See also resolutions passed at the first convention, "Seneca Falls", pp. 4-5.

"Lily, vol. 2 no. 10, p. 73 (Oct. 1850); Clarina I. Howard Nichols, "On the Responsibilities of Woman," tract no. 6 in Woman’s Rights Commensurate with Her Capacities. See also "Syracuse", pp. 23, 34, 63.
movement, but also for many thousands who were still puzzling out their positions. Its letters and articles chronicle the conversion of many women to politics on the ground that it was woman's right and duty to assert her claims for protection." It was a common maxim among reformers that the main object of the law was to protect the weak from the tyranny of the strong, and in the Lily, one can trace the clear evolution of a doctrine of woman's rights through the arguments over temperance—"learning woman's rights by woman's wrongs." The archetypal tale is of "poverty, desertion, and tyranny on the part of ... worthless and drunken husbands ... taking away from their wives and children every possible means of support ..." The number and intensity of these stories increase with the Lily's commitment to political solutions; one enlightened girl takes her flighty cousin for a walk through an impoverished neighborhood, pointing out women who are victims of intemperate husbands, low wages, and a lack of legal protection, and demands at last, "Has this woman had her rights?"

"Lily, vol. 1 no. 10, p. 77 (Oct. 1849).

"New York", pp. 4, 76.

"Lily, vol. 3 no. 5, p. 34 (May 1851); see also vol. 3 no. 11, p. 86 (Nov. 1851); and "Boston", p. 24.
Nor was this elaboration of woman's rights confined to some conservative wing of the movement; in the antebellum years there was considerable harmony of position. Although Stanton and Anthony moved from organized temperance to woman's rights in the mid-1850s, they and other woman's righters remained advocates of the temperance cause, finding it a "hard matter to speak of the cruel wrongs inflicted on women by the liquor traffic, without at the same time saying that her rights have been trampled upon ... (and) difficult to depict the woes of the drunkard's wife ... without saying that her rights have been recklessly invaded, and wrongfully withheld."100 Many women initially resistant to the assertion of rights became enthusiastic converts: their new ideals were rooted, not in higher political theory, but in concrete concern for the "sacred ties of family relations." Mothers turned to rights for the sake of their children, seeking assurance that they would be able to feed and clothe them, and keep them nearby.101 Many women sought "equal rights for (women) in the family, in order that its highest uses and harmonies may be insured."102

100 Lily, vol. 4 no. 3, p. 22 (March 1852).
101 Lily, vol. 4 no. 5, p. 35 (May 1852); vol. 4 no. 6, p. 51 (June 1852); Una, vol. 1 no. 1, pp. 14-15 (Feb. 1853).
102 "Boston", p. 8.
Nevertheless, the theoretical harmony between rights for the self and duties to others was not to survive the Civil War. Even before then the two strains had begun to be discernible. The broadest category of rights included "the general question of woman's Rights and Relations (which) comprehends such as: HER EDUCATION, literary, scientific, and artistic--HER AVOCATIONS, Industrial, Commercial, and Professional--HER INTERESTS, Pecuniary, Civil, and Political in a word, her RIGHTS as an Individual, and her FUNCTIONS as a Citizen." Many middle class feminists stressed forcefully the incidents which contributed to personal freedom and development--the right of sexual autonomy within marriage, of education, work outside the home, independence--and were content to see economic parity rather vaguely as the inevitable consequence of women's personal and civil gains. Stanton herself emphasized autonomy above suffrage, saying "When we talk of woman's rights, is not the right to her person, to her happiness, to her life, the first on the list? If you go to a southern plantation and speak to a slave of his right to property, to the

103 "Syracuse", p. iv.

104 "Cleveland," pp. 10, 17, 41, 55-56; Una, vol. 1 no. 1, p. 10 (Feb. 1853); Lily, vol. 3 no. 5, p. 35 (May 1851); Hersh, p. 189.
elective franchise, to a thorough education, his response will be a vacant stare ... The great idea of his right to himself, to his personal dignity, must first take possession of his soul."105

As the movement developed, those activists who weighted issues of autonomy and personal development more heavily tended increasingly to align themselves behind the vote, re-envisioning it, not just as a lever to achieve social ends, but as a measure of autonomy and individual freedom in itself. A few others, who saw women's impoverishment as the paramount issue, urged economic measures over the quest for legal or civil entitlement.106 Still, antebellum activists understood their rights and duties as a seamless web. Only in Stanton's work do we see fully foreshadowed the conflict between individual women's rights and the interests of family and community which was to split the suffrage movement so bitterly in the last years of the century.107

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105 Letter to Susan B. Anthony, July 20, 1857, Stanton Papers, Douglass College Library, Rutgers University.

106 History of Woman Suffrage, p. 233; "Syracuse," p. 9; Nichols.

107 Even in this early period Stanton is beginning to develop her notion of rights as based in the psychological needs of the autonomous personality, an individualism far more pronounced than the liberal Protestant ideal of self-development. Although Stanton scholars have generally
To the extent that it is possible to isolate two different strands of rights thought here, the question arises of whether one is superior to the other, or more truly feminist in outlook. Most scholars of women's movements have explicitly valued political rights over any claim for right to livelihood or protection of the home. They see the "home values" of later temperance union suffragists as a second-class feminism, an expression of "woman-oriented moral conservatism."\(^{109}\) Ellen DuBois, Barbara Epstein, and others have denigrated the suffrage campaign of the Woman's Christian Temperance Union as instrumental because it sought the vote with clear public policy goals in view which addressed women's welfare as tied to the well being of the family under the wage labor system.\(^{109}\)

viewed her late address "Solitude of Self" as representing an evolution of her thought, at least one unusual passage fully prefigures that address, though written forty years earlier; in it she says that woman is her own "self supporter, self defender and self protector, compelled to stand or fall, to live or die, alone." \(^{105}\) Lily, vol. 4 no. 5, p. 40 (May 1852). "Solitude of Self" is reprinted in Stanton and Anthony: Correspondence, Speeches, Writings, at p. 246.

\(^{105}\) Epstein, p. 6.

\(^{109}\) Even the sympathetic chronicler of the WCTU, Ruth Bordin, although she vaunts the Union's effectiveness in engaging women in political activity, finds its agenda defective in emphasizing the uses and purposes of the
For DuBois the strength of the demand for suffrage is that it bypassed the private sphere altogether to focus on equality within the public sphere. As a political feminist, she sees a relation between woman's oppression and her ideological association with the private sphere. By this standard, any claim other than the strict one for formal equality appears a manifestation of false consciousness, even though well intentioned. In fact, many of the temperance workers goals were highly repressive. This should not obscure the fact that the association of political power with social ends allows greater possibility for social change than viewing the vote as an abstract good. Political rights, rightly considered, are not ends in themselves, but ways of allocating power and resources within the community. In a democratic society, at least theoretically, they are closely connected to maximizing benefits for all.

Even leaving aside contemporary debates, it is unclear

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111 I imagine this abstract good as the majestic, solitary figure of Elizabeth Cady Stanton sailing through the universe with a star in one hand and a ballot in the other.
that this standard can be usefully applied to nineteenth-century feminism. For one thing, what could "formal equality" mean to women in the absence of any federal or state regulatory mechanism to ensure it? In the 1850s, the possibility of constitutional amendments like the fourteenth, fifteenth, or nineteenth, was remote. In many ways the woman's movement's political aspirations developed reciprocally with the growth of the government's capacity to administer equal protection standards. As we have seen, most antebellum feminists were initially highly skeptical of the power of government to work change by law; Hannah Tracy Cutler once declared that she never saw the words "law reform" or "revised statutes" without thinking happily of a bonfire.

More important is the question of whether "domestic rights" really represented an inferior brand, and what consequences the repackaging of women's early broad vision into the demand for political rights had for the movement as a whole. One critic has charged that "The concept of

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112 In this I follow Michael Grossberg's line in Governing the Hearth: Law and the Family in Nineteenth-Century America (Chapel Hill, 1985), that "rights" women were gaining in family law doctrine were actually privileges granted at the discretion of the court.

113 Una, vol. 1 no. 3, p. 41 (April 1853).
'rights' in general (is) a concept that is inherently static and abstracted from social conditions. Rights are by definition claims staked within a given order of things. They are demands for access for oneself, or for 'no admittance' for others; but they do not challenge the social structure, the social relations of production and reproduction." While this may accurately diagnose a contemporary malaise, antebellum woman's rights claims spilled over legal categories: not limited to what governments could provide, they were the markers of a state of harmony with natural laws which mandated the satisfaction of all human wants. Their revolutionary character lay in representing, not claims to an established order, but new ways of reenvisioning social relations and the relations of power.

Nor did feminists see rights as any kind of absolute or unlimited entitlement. The linking of rights to responsibilities, and their firm placement within a system of natural laws, meant that rights were not seen as discrete, but as functioning within a larger context as a set of reciprocal obligations. Far from granting a power to

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be exercised against others, restraint was built in: "the great laws of our own beings demand justice to ourselves and justice to our neighbors. We cannot infringe either law without disorder and pain, and ... the Infinite Creator looks benignly upon his creature who thus obeys the laws of his own nature, and reverences those appertaining to every other." Yet such restraints were not galling. Perfect freedom still lay not in total autonomy but in acting out God's will, so that "the most free are the most bound." Rights were a precious new license for women to employ their talents for themselves and others, and women saw them, not only as individual entitlements, but as the context for a happier and more fulfilled life for all human beings. Rights were not static entitlements, but the conditions of a dynamic new freedom: "rights ... will galvanize women into civil liberty: (and) you will find her capable of being in it, and sustaining it."

Conclusion

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115 Elizabeth Oakes Smith, p. 118.


When the antebellum woman's movement took up the concept and language of rights, it was not a case of incorporating the meanings and usages of the Founding Fathers whole into women's vocabulary. Rights rhetoric evoked a political tradition meaningful to women as well as men, a set of promises for women as gender blind as the assurances of the new God of liberal theology. But the genesis of rights, their meaning for women, lay initially in Christian-based concepts of social justice, the fulfillment of needs, and each person's development according to their divinely ordained talents. In the early years the problem of power was itself a critical hurdle for women's activism. Understanding its corrupting nature, seeing the evidence all around them in the political arrangements of men, how could women justify their own accession to power? A good deal of argument within the broader movement was directed toward the idea, not of seizing or sharing power, but of its dissolution, on the theory that when men ceased their corrupt administration, the problem of power would resolve itself into a natural harmonious balance between the sexes. Much of the rest of the discussion was taken up by mutual assurances that, should women gain their political due, their natures would protect them from the misuse of power through corruption and greed.
Despite their hesitance about the assumption of power, the antebellum feminist campaign was a time of political maturation, overcoming scruples and fears about acting in the political world. Women reformers began to prepare themselves, not just to speak in the role of outcast-prophet, but to take up the tools of government for their own ends. In the spring of 1852 the *Lily* published separate short blurbs side by side on two cases at law successfully argued by women. In one, the woman is armed with nothing but her knowledge of right and faith in good justice; her appeal reaches past the minds and straight into the hearts of her listeners, who acknowledge that she has shown up their law as irrelevant and grant her the decision. In the second, the female advocate is beautifully prepared with a wealth of incisive arguments which dumbfounded her opponents and lead to her uncontested victory on highly technical points of legal doctrine.\(^{11}\)

These two cases represent a progression: the woman's movement in the 1850s is a microcosm of political change, a moment of transition in individuals' basic attitudes toward government. Despite their initial disaffection with government, workers in combined woman's and temperance

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\(^{11}\) *Lily*, vol. 3 no. 6, p. 42 (June 1851).
movements came to recognize that politics and law were increasingly becoming creatures of the central state, and were passing out of local control. The potential of national government to protect woman's due was only dimly realized, but the admission that "we are in an age when the wrongs of society are adjusted at the courts and at the ballot box" dictated a new approach.119 Women saw that politics was increasingly a man's game, one played away from home. They resented their own exclusion, and distrusted the ability of male legislators sitting at a distance to represent their interests, and to meet the diverse needs of the banker, the housewife, and the drunkard. The impartiality and anonymity of legislation in this period was seen not as a possible protection, but as a failure of government to care for the whole individual. Relying on the ancient maxim, "salus populi suprema lex,"120 women revealed their fears that in the brave new world of politics there

119History of Woman Suffrage, p. 14. The History of Woman Suffrage, although an invaluable and bottomless source, is not a fully objective account of the early years of the movement. Unlike the convention proceedings themselves, it was edited and issued thirty years after the movement's beginnings by three of the earliest and most vehement proponents of women's political activity; it consistently emphasizes political themes at the expense of spiritual and religious arguments.

120Lily, vol. 2 no. 6, p. 47 (June 1850).
was no place for the standard of moral accountability which pertained between relatives, friends, and neighbors, and that the law was not creating any new ethic whereby the bonds of community, loosely worn but still taut in times of need, could be maintained. The imperative for women's entry into politics became clearer and clearer to feminist reformers in the decade before the War.

Their was a romantic vision; its romanticism was partly redeemed and partly betrayed by the political maturation of its proponents, a process that started even before the war. In fact, the Lily illustrates that it was through the temperance activities of the 1850s that many women were brought around to the use of political means, including the ballot. The Maine liquor law of 1851 gave reformers a heady taste of the sweeping change which legislation could accomplish so much more effectively than the painful, uncertain process of personal conversion to abstinence which had been the temperance workers' model. The Maine law was the "philosopher's stone in the pocket," capable of effecting spiritual and behavioral regeneration instantly, and the Lily followed the progress of similar laws with intense interest.121 Under Amelia Bloomer's

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121 Lily, vol. 5, nos. 1 or 2 (Jan. or Feb. 1850) (page and date undecipherable), speech of Antoinette Brown.
management, editorials, articles, and letters in almost every issue starting in 1850 exhorted women to take up political tools to accomplish their social ends.¹²²

Not all those sympathetic to woman’s rights were converted to political means on the spot. The leaders of the woman’s movement, the politically sophisticated, the speakers, became convinced early on that, rotten or not, women had to enter man’s political world to effect change. For a much larger group of women, sympathetic but unsure how far to go, the transformation into political beings was piecemeal and slow. Again, the Lily is valuable in that it exposes us not just to the thought of the leaders, but of the rank and file as well. For a time, Stanton and Anthony served as leaders of the state woman’s temperance organization in New York, of which the Lily served as the unofficial organ. They and like-minded co-workers exercised a tremendous influence on the shape of women’s reform through the newspaper, as well as through the blizzard of publications and the exhaustive cross-country lecture circuits many undertook. Under their tutelage many women came to believe they could best assure their own chances for

¹²²See for example Lily, vol. 2 no. 10, p. 73-74 (Oct. 1850); vol. 3 no. 10, p. 79 (Sept. 1851); vol. 4 no. 5, p. 33, 35-36, 39-42 (May 1852); vol. 4 no. 6, p. 53 (June 1852).
self-development and thereby help to bring society back into a natural order through the means of the vote. Over the years of the Lily's publication (1849-1856) readers of all persuasions wrote in to attest to their conversion to political methods, at least to the combination of legal and moral suasion. A growing number found that moral suasion alone "will not do," was "worse than useless," and made little impression on the legislators who, corrupt or not, were calling the shots. Citing the inability of mothers to protect sons from the liquor "monster," one former anti-feminist found that "there came a complete change over my feelings on the subject." "A realizing sense of our weakness ... (and) that we were warring with harmless weapons" brought many reform women to a more assertive political challenge to the supremacy of the male liquor cartel.

The new philosophy of women's political power did not require women to jettison moral ideals, but it did require a transformation of the imagery of morality and power. Most importantly, it required the acknowledgement that the institutions of government were not inherently opposed to

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123Lily, vol. 4 no. 5, p. 39 (May 1852); vol. 1 no. 8, p. 61 (July 1849).

124Lily, vol. 3 no. 10, p. 77 (Oct. 1851).
morality, but with the right composition could act to improve social conditions. Many women urged the adoption of political tactics for the purpose of fulfilling obligations to others. One woman, deploring her lack of the vote, exhorted, "Arise, sisters, to your duty! Gird on the garment of love to your fellow creatures, and form the high resolve to crush the enemy which is stabbing them to the heart," a formulation which retains the rationale of social duty but endorses a different kind of action.125

After the Civil War the rights movement became a suffrage movement in earnest, with the ballot's earlier focus as a carrier of other rights downplayed. Because of the movement's fuller engagement with the political process, and the growing involvement of government in mediating and enunciating the rights of its citizens, women increasingly conceived of rights in legal terms. The emphasis on legal rights, narrowly conceived, diminished discussions of economic and social entitlement. Feminists like Antoinette Brown Blackwell found the movement's agenda narrowed after the war, too neglectful of issues like education and work.126 Although the untested antebellum vision was probably naive,

125Lily, vol. 1 no. 9, p. 69 (Sept. 1849).

and certainly immature, in its conviction that the wellbeing of the community lay simply in the perfection of individual rights, the shift in focus toward legal remedies represented both a gain and a loss. Women gained a basic political agenda which could be pursued to ultimate success; and limited their claims for transformative social change inherent in their early vision.
In the covenant of marriage, (woman) is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master— the law giving him power to deprive her of her liberty, and to administer chastisement. He has so framed the law of divorce ... as to be wholly regardless of the happiness of women--the law, in all cases, going upon a false supposition of the supremacy of man, and giving all power into his hands.\textsuperscript{1}

As early as 1848, in the first public meeting on woman’s rights, feminists raised the touchy issues of women’s marital subjugation and divorce. They complained that the laws of marriage and divorce were framed for the benefit of men, and to entrap women within the oppressive institution of marriage. Another controversial claim made at Seneca Falls--that to the ballot--went on to become the great organizing principle for women’s campaigns for legal and political reform. But despite the bold beginning, divorce remained a complex and divisive issue for feminists throughout the century. Although legislatures in most states in the mid-nineteenth century were systematically

liberalizing divorce laws, they could not lift the social stigma which attached to it.² Fearful of being branded as anti-marriage or anti-family, or believing in the permanency of marriage, many feminists spoke of divorce reluctantly, and never used their formidable organizing skills to launch a full-scale assault on laws restricting the dissolution of marriage.

Elizabeth Cady Stanton stood as the great exception to this rule. An early and ardent champion of liberal divorce, her arguments were highly influential in the development of nineteenth-century feminist theory.³ A few feminists followed Stanton whole-heartedly, some agreed with her in part, still others were shocked at her advocacy of measures


³Stanton’s writings on divorce are not collected in any one place. The major sources, which contain most of her ideas on the subject, are in Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joslyn Gage, eds., History of Woman Suffrage, (New York, 1881), vol. 1, pp. 716-722, 738-742, 860-861; "Address of Elizabeth Cady Stanton on the Divorce Bill Before the Judiciary Committee of the New York Senate ... Feb. 8, 1861" (Albany, 1861); "Mrs. Elizabeth Cady Stanton’s Address at the Decade Meeting on Marriage and Divorce," in Paulina Wright Davis, A History of the National Woman’s Rights Movement for Twenty Years (New York, 1871); and "Marriage and Divorce," unpublished manuscript, Stanton Papers, Douglass College Library, Rutgers University. Ellen DuBois includes relevant selections from Stanton’s work as well in Elizabeth Cady Stanton, Susan B. Anthony: Correspondence, Writings, Speeches (New York, 1981).
they felt would lead toward the disruption of marriage and the family. Yet even for those feminists who resisted her conclusions, the analysis of marriage she offered—"from covenant to contract" could have been her rallying cry—was transformative. Despite its mixed reception, Stanton’s theory of divorce and family relations helped to shape nineteenth-century American attitudes toward marriage.

Stanton’s theory of divorce became as well a critical platform for her maturing theory of rights, which was far more in tune with both mainstream feminist and liberal thought of her day than were her ideas about divorce. Stanton’s work, emphasizing the ultimate "right" to free oneself from obligations that had become unwanted bonds, paved the way for a liberal feminist theory that rested on the autonomy of the individual. She helped to promote both the growth of a family law based on a contractual theory of relations, and a view of politics that deemed the rights of individuals paramount. In Stanton’s work, personal autonomy began to constitute the individual’s citizenship in a way that has become a dominant motif in American life.

Stanton’s vision of individual rights drew heavily on ideas of slavery and freedom, and the debate over their definitions that raged in post-Civil War America. Stanton’s adoption of the radical extremes of freedom and slavery to
describe the condition of women has left a mixed legacy. The most brilliant and dynamic feminist theorist of her day, she helped forge a language of individual liberty that acted as a catalyst for social change. Nevertheless, the adoption of the slavery paradigm to describe marriage narrowed Stanton’s perceptions of women’s condition, and dictated an appeal to a specific sort of legal remedy that both shaped and limited feminist goals during the nineteenth century.

**Divorce in the Antebellum Era**

In January of 1853, Elizabeth Cady Stanton, acting on behalf of the New York State Women’s Temperance Society, offered a ten dollar prize for the best essay entitled "The Duty of the Drunkard’s Wife," in the women’s temperance newspaper Lily. The readers of the Lily, themselves a progressive group, rose to the challenge. Well coached, all took the position that Stanton and Susan B. Anthony had

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1 Ellen DuBois has explicated the transformative nature of Stanton’s rights theory, primarily in *Feminism and Suffrage: The Emergence of an Independent Woman’s Movement in America, 1848-1869* (Ithaca, N.Y., 1978); and *Stanton and Anthony: Correspondence, Speeches, Writings*.

5 The contest was advertised repeatedly in the Lily starting in January of 1853. The first entry appeared in the Lily ca. Sept. 1853 (date illegible); others in the issues for Jan.-March 1854 (vol. 6 nos. 1-3).
been urging in the Lily's columns in the preceding months: that wives of chronic inebriates had a duty to seek a separation, to sever the conjugal relationship, so as not to be the agent of breeding a drunkard's children. The contestants, however, chose in the end to resolve their characters' problems through separation, death, or desertion; none broached the subject of legal divorce. Half-measures never satisfied Stanton, and for her these analyses fell short: the Lily contains no record of the prize being awarded.

The liberalization of divorce laws was by no means foreordained. Even progressive minds feared the path to easy divorce, disagreeing about its significance, its desirability, and its consequences. Antebellum reformers recognized the need for legal separation or divorce most consistently in the case of the chronically drunken husband. Under these circumstances, a virtually unanimous consensus prevailed that the law must somehow intervene. The Lily, whose subject matter ranged between the poles of temperance and women's rights, rendered in particularly lurid tones the plight of the battered mother bound for life to a "moral monster--[a] vulgar, gross, imbruted nature." Indeed,

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*Lily* 4, no. 10 (Aug. 1852), p. 69.
feminists who remained deeply committed to the Christian ideal of life-long marriage agreed on the need for the equivalent of a legal separation, contingent upon reforms in the law of marital property to safeguard women's rights.

Fueled by the broader reform agitation over family law in the 1850s, the debate on divorce extended beyond feminist circles. In the early 1850s the editor of the New York Tribune, Horace Greeley, engaged the anarchist and free lover Stephen Pearl Andrews and the Boston Swedenborgian Henry James, Sr., in an extended and highly publicized debate over the ongoing liberalization of divorce laws. In 1860 Greeley took up his cudgel again, this time against Robert Dale Owen, son of communitarian Robert Owen. Not just divorce but the function of family law was at stake in these debates. Greeley served as the linchpin, or perhaps the lightning rod, articulating a strain of thought which held that family law existed to coerce "moral" or socially...

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desirable behavior. He valued the maintenance of the family as a social unit well above any measure of personal or erotic satisfaction, and delighted in pointing out that the law warned people to exercise caution in contracting a life-long bond. If they misjudged the case, the pain and penalty were theirs. "To the libertine, the egoist, the selfish, sensual seeker of personal and present enjoyment at whatever cost to others, the indissolubility of marriage is an obstacle, a restraint, a terror: and God forbid that it should ever cease to be!" That the indecisive, the deluded, the trusting, and the optimistic got caught in this trap as well was of little concern to Horace Greeley.

An alternative view, put forth most forcefully by Andrews and Owen, argued that family law should enable free choice and facilitate human relations in a way that approximated the laissez-faire model of economic regulation. Stanton sympathized with Owen and Andrews, assailing Greeley's view of law as Draconian and old-fashioned. For all three, the emphasis on human will mandated a new view of

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'Stanton addressed Greeley specifically about the matter; see History of Woman Suffrage, vol. 1, pp. 738-742. She also says in the Revolution (vol. 3 no. 14 [April 8, 1869], p. 212, that her views on marriage and divorce coincide with Robert Dale Owen's.
law, one more enabling than coercive. They retained law within their social program, but as the servant and not the master: "Marriage itself, like the Sabbath, was made for man; not man for marriage." A law that forced the continuation of an unhappy relation obstructed its purpose of securing happiness, and should be changed. "There is no absolute right or wrong about this matter of divorce; but that it may properly vary in its details at different stages of civilization."

Early nineteenth-century radicals and communitarians such as Robert Owen and Frances Wright had constructed the groundwork for such claims well before the meeting at Seneca Falls: however controversial and heretical their teachings remained, they had received a wide public airing. But although this radical tradition was at hand, most early feminists eschewed it. An emphasis on liberty, on the

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10 In Greeley, "Marriage and Divorce," p. 577.
11 In Greeley, "Marriage and Divorce," p. 584.
12 Sidney Ditzion, Marriage, Morals, and Sex in America: A History of Ideas (New York, 1953), esp. chapter 3. See also Barbara Taylor, Eve and the New Jerusalem: Socialism and Feminism in the Nineteenth Century (New York, 1983). Robert Owen, the founder of the community at New Harmony, Indiana, lectured and published tracts in favor of cheap and easy divorce in the 1830s and 1840s. Fanny Wright’s community, Nashoba, was notorious for its loose sexual practices and the liberal terms of its marital arrangements.
affective nature of the marriage bond, and on the need for divorce to ensure the happiness of the individual were strikingly absent from the early feminist discourse. Perhaps with the exception of Stanton—a major exception—they did not thrill to the "right" to dissolve the marriage bond and seek their romantic fortunes elsewhere. Rather, those who first approved divorce saw it as self-defense, a measure of last resort to counter physical violence levelled at women by drunken and abusive husbands.

Before the Civil War, feminist arguments for divorce were not made in terms of an abstract right to individual liberty, but in more pragmatic terms, the most fundamental being the instinct for self-preservation. Story after story in women's papers such as the Lily and the Una, and in other works both fictional and factual, stressed the combined burdens of overwork and brutal treatment that could result in insanity or death for wives and mothers. Tales of marital violence were so frequent and widely known that one child—probably the son of reformers—grew up thinking of murder as a common contingency of marriage.¹³

Antebellum feminists most often invoked duties rather than rights as justification for divorce, particularly the

¹³Elizabeth Oakes Smith, The Sanctity of Marriage (Syracuse, 1852), pp. 7-8.
mother's duty to children. Many women initially feared crossing the border into the land of absolute rights-bearers, and even Stanton—whose views were, as always, more radical—dwelt heavily on maternal obligation rather than rights in exhorting women to recognize the need for full and free divorce in cases of chronic inebriation. The physical safety of drunkards' children was at issue as well as that of their mother; liberal feminists stressed her duty to remove them to a safer environment.

The obligation to protect extended beyond living children to children unborn, and became the basis of antebellum feminists' arguments for refusing husbands their "rights" in the marriage bed. Stanton relied heavily on what Linda Gordon has described as a folk wisdom of eugenics, preaching widely on the poor genetic harvest of

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"Recent historical work has stressed the pragmatic nature of much of the mid-century reform of marital women's property laws and rules of custody, not as extensions of absolute rights but as piecemeal efforts by legislatures to protect women in carrying out what were in fact rapidly growing roles in household management and domestic finance. See, for example, Suzanne Lebsock, The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860 (New York, 1984); Richard Chused, "Married Women's Property Law, 1800-1850," Georgetown Law Journal, vol. 71 (1983), pp. 1359-1425; and Michael Grossberg, Governing the Hearth: Law and the Family in Nineteenth-Century America (Chapel Hill, 1985)."
unwilling unions. Exploiting the nineteenth-century passion for statistics, she calculated that of the nearly 1300 idiots in Massachusetts, between 1100 and 1200 had been born of alcoholic parents, and urged women to sever immediately conjugal relations with husbands who drank: "the unspeakable misery of looking a laughing idiot in the face and calling him 'my son' is known but to the mother's heart --the drunkard's wife." Stanton and Anthony's scientific Calvinism stressed the heritability of sin, and preached that "(No) woman should consent to be the wife of a drunkard because she may be the medium of stamping new forms of immortality on his gross, carnal nature." At one New York Women's State Temperance Convention it was resolved that "it is a sin for any woman to consent to entail on innocent beings the curse and degradation that are the certain heritage of the Drunkard's offspring ...." Recognizing that abandoning the marriage bed was a painful and audacious step, Stanton counseled her readers that God in his benevolence never intended such a travesty of human


16Lily 2, no. 4 (April 1850), p. 31.

17Lily 4, no. 7 (July 1852), p. 57-58.
happiness as a virtuous woman tied for life to a "loathsome, putrid carcass."¹⁰

The brutalized wife presented the most vivid and compelling case for divorce, but a rather higher-minded strain of thought ran through antebellum divorce arguments as well. One of the abolitionists' strongest arguments was that slavery illegitimately interposed human authority between the individual and God, thwarting that person's growth and their development according to God's plan. The antebellum protest against the usurpation of God's authority took on new form in decrying marriage as subsuming the individuality of one person to the will of another. For liberal Protestants in full revolt against both the theology and political implications of Calvinist orthodoxy, the binding of the human will was both a crime and a sin, in marriage as elsewhere. Stanton and fellow feminist Antoinette Brown Blackwell adopted and embroidered this argument, using it to challenge the husband's authority.¹⁹ Stanton asked:

(H)ow can (woman) subscribe to a theology which makes her the conscious victim of

¹⁰Lily 4, no. 10 (Aug. 1852), p. 69.

another's will, forever subject to the triple bondage of man, priest, and the law ...? How can she endure our present marriage relations by which woman's life, health, and happiness are held so cheap that she herself feels that God has given her no charter of rights, no individuality of her own? 20

Obedience to God was a far easier principle for mainstream feminists to accept than one of individual happiness through severing the marital bond. The liberal Protestant notion of a newly-benevolent God with designs for each individual's happiness provided Stanton with an argument in favor of divorce that was more acceptable to contemporaries in the 1850s. Stanton thus introduced into the divorce debate—embedded in a theory of divine will and human duty—the ideas of individual happiness and the importance of personal growth, concepts that she would later develop into claims for personal autonomy.

Marriage and Slavery in the Post-War Period

In the post-Civil War period the rhetoric of divorce changed dramatically, as the language of rights replaced that of duty to God or children. For feminists, caught up in the great public debates of the post-war period, the

20Letter of Nov. 24, 1856, Stanton Papers, Douglass College Library, Rutgers University.
wrongs of brutalized wives served as a catalyst for early consciousness of individual rights: "(it is) difficult to depict the woes of the drunkard's wife ... without saying that her rights have been recklessly invaded, and wrongfully withheld." Earlier, divorce had been understood as an act of self-defense; now it became an issue of personal liberty. The idea of the right to one's body and to one's labor was a critical tenet of post-war political theory; liberal feminists adapted this "rights" definition to their own ends.

Slavery was over, but slavery/freedom became the ruling paradigm through which liberal feminists conceived and developed their vision of rights within marriage. The analogy between marriage and slavery was natural and powerful, the conclusion inescapable:

Did the wives of all drunkards know that they have no master but God -- that they are their own, and not the property of man -- that woman is endowed with the same wants and capacities, and entitled to the same rights and privileges with him, they would not long wear the yoke of slavery ...  

Feminists' reliance on slavery imagery to express the plight of women grew naturally from the early ties with the

21Lily 4, no. 3 (March 1852), p. 22.

22Lily 4, no. 2 (Feb. 1852), p. 13.
abolitionist movement. The fledgling pre-Civil War woman's rights movement was ignited and fueled by women whose involvement in the anti-slavery movement had convinced them that arguments from natural rights and human dignity applied equally to women. Early feminists had labeled their own conditions as slavery, referring largely to the civil wrongs of coverture and disfranchisement. The direct analogy between slavery and marriage appeared less frequently: despite criticisms of its legal trappings, the institution of marriage itself was accorded great deference.

After the war, though, liberal feminists' use of slavery imagery took on a new directness, serving to describe the actual physical and emotional relations between husband and wife. Slavery imagery gained dominance and new meaning, and bondage became the metaphor of choice for pro-divorce feminists. Marriage itself had not become significantly more oppressive in those few years. Rather, the Emancipation Proclamation and the subsequent constitutional amendments offered a compelling new model for the articulation of grievances, grievances that in the slave's case had already been addressed with a suggestive array of constitutional rights and remedies. During the Civil War, anti-slavery ideology had developed into a political force invoking newly powerful models of government
intervention to redress slavery's wrongs. In many respects anti-slavery rhetoric was a more powerful political tool after the war precisely because of its new legal status. For antebellum reformers, slavery had held the status of a sin, a widespread corrupt practice that had offended notions of natural and divine law. By the late 1860s enslavement had essentially become a crime, which human law outlawed and whose consequences human law sought to redress. The woman's rights movement's reliance on the mechanisms of human law grew reciprocally with the government's administration of equal protection standards through statutes and constitutional amendments. With feminist theory newly oriented toward legislative and policy goals, the franchise foremost among them, the slavery paradigm took on a new value as a language of political opposition.23

In gross terms, middle-class women who compared themselves to bondswomen may seem melodramatic and self-aggrandizing. But feminists felt themselves in both acute physical and spiritual bondage. The slavery/freedom

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dichotomy helped articulate common apprehensions of the illegitimacy of male and masterly authority, as well as women's genuine outrage at a marital servitude that many felt keenly was as degrading as actual bondage. In describing bad marriages women spoke of being crushed, dwarfed, broken, crippled—a language of assaults on the body that resonated wildly in the immediate aftermath of the slavery contest. Stories abounded of wives who pictured themselves as "legalized slaves" to "masters" who meted out brutal treatment unchecked and unprovoked. An article in the Revolution entitled "The Slavery of Woman" offered a standard catalog of seductions, rapes, and assaults to which women had been subjected. One writer suggested, in the absence of anyone to raise a cry of "murder," that "we do it for ourselves, by stepping into the footprints of Garrison."24

For those women who were fortunate enough to escape actual violence, codes and customs appeared to create manacles no less confining for being based on law, habit, and public sentiment. Even the ostensibly autonomous female body was encumbered by a scaffolding of hoops, buttons, and stays. One mother asked in defense of the Bloomer costume,

24Revolution 1, no. 14 (April 9, 1868), pp. 216-17.
"ought we, my child, to be enslaved by anything that cramps the freedom of the soul ...?" Stanton eloquently declared that "Our evolution thus far is but a struggle to stretch ourselves while bound hand and foot, to fly with clipped wings, to breathe with an anesthetic held to mouth and nose ... the oneness of man and woman (is) a oneness that makes woman a slave." Women wrote and read books with titles such as *Hedged In*, *Forced Vows*, and *Fettered for Life, or Lord and Master*.

Women's writing also made frequent literary use of the escape scene inspired by fugitives from the South. Diatribes against the laws of parental custody were laden with descriptions that drew on the Eliza story from *Uncle Tom's Cabin*, the slave mother escaping with her child, hounds baying at her heels. Such mothers, escaping their oppressive husbands, asked, "but he will follow me, will traduce me, and take my baby away from me, and the law won't

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24Revolution 1, no. 16 (April 23, 1868), p. 244-45.

21Stanton, letter to Isabella Beecher Hooker, April 12, 1871, Stanton Papers, Douglass College Library, Rutgers University. Stanton claimed great success for her marriage lectures on the circuit.

27*Hedged In*, E.S. Phelps Ward (Boston, 1870); the other two are by Lillie Devereaux Blake, *Forced Vows* (New York, 1870), and *Fettered for Life* (New York, 1874).
give me my freedom, will it?"²

This sentimentalized presentation of marital enslavement and its consequences among all classes of society is portrayed vividly in *Fettered For Life, or, Lord and Master*, written in 1874 by the prominent suffragist and Stanton-sympathizer Lillie Devereaux Blake. Despite its traditional format, the novel's moral was unconventional. The mortality rate for the novel's female characters is improbably high, and the author unsubtly conveys her message that "man-marriage," or the common model of male domination, takes a toll on women. Marital slavery plays itself out differently for each class, however, in a way that shows the growing recognition of class distinctions in feminist political analysis. Antebellum divorce and anti-marriage rhetoric had pictured all women as potential victims of a husband's drunken violence without acknowledging hurts or rights special to any group. But in *Fettered for Life* women of different classes are at risk in different ways, and follow out particular patterns in their marriages.

The novel's working-class female characters--Biddy, Rhoda, Mrs. Blodgett--are especially vulnerable to physical abuse, and have all been victimized by overt male brutality:

seduced and abandoned like Rhoda, or like Biddy brought to
death's door by an abusive spouse. Mrs. Blodgett, whose
marriage to an underworld figure we follow throughout the
narrative, remains a loving and subservient mate to a
small-time criminal who finally kicks her to death in a
drunken frenzy toward the end of the novel.

By contrast, the genteel and middle-class Mrs. Moulder,
overworked mother of three, suffers a more subtle oppression
at the hands of a grumpy and domineering newspaper editor,
who shreds her dreams of a more cultivated life with his
mundane tyrannies rather than his fists. Violence here is
displaced onto her pet canary, which Mr. Moulder kills with
a thoughtless (but significant) blow while trying to return
it to its cage. Mrs. Moulder, undone by the excitement,
suffers a miscarriage and sinks into physical decline.

Harsh as these scenarios are, Blake saves the most
vivid slave imagery for the case of Flora, wealthy daughter
of a prominent businessman and best friend of the heroine.
Clearly the gay, innocent, and talented Flora represents for
Blake the most compelling and sympathetic case, one of
"pure" enslavement without actual physical violence or
demand. While relying heavily on images of male violence,
middle-class feminists admitted that, in their
understanding, women like themselves experienced less abuse
than working-class women, for whom marital violence was often a way of life. While including domestic violence as an important part of their critique, many liberal feminists began to stress the suffering of the spirit above the suffering of the body as the true enslavement. The story of Flora illustrates how the slavery metaphor took on new meaning in their hands, as they focused more and more on the stifling of the will, talents, and independence as the most serious consequences of women's bondage.

Descriptions of the courtship of Flora and the worldly, wealthy roué who pursues her are shot through with the language of mastery. For months Flora resists LeRoy's overtures, fearing to become his "slave for life." Finally catching her unawares one night on the veranda, he forces a kiss on her, murmuring "my sweet trembling little prisoner, you are fairly caught. Give me your promise." In the face of his "irresistible will," "forceful eyes," "detaining hands," Flora "remained passive, unable to escape." After the kiss, "she was no longer free, no longer belonged to herself, she had received a master, and been compelled to submit to the symbol of his power ... 'I have passed under the yoke,' she thought, 'I am a slave.'" Thwarted in her

"Revolution 6, no. 14 (Oct. 6, 1870), p. 216, "The Slave Women of America."
attempt to escape, Flora continues to struggle weakly throughout the marriage ceremony, but "the iron clasp held her fast," and the vows were taken.30

Predictably, the marriage is an unhappy one: LeRoy forbids Flora to walk alone, see old friends, or follow her own pursuits. In defiance she takes up her writing again, and out of her anguish produces an extraordinary poem, which she secretly sends off for publication. LeRoy’s anger at her independence precipitates a crisis and Flora’s decline. On her deathbed she tells him that she can only be well again if he will lift his ban on the publication of her works; he refuses.31 Her dying words to him are "Remember that women, as well as men, need an occupation for their energies, and marriage without love is worse than death ... There is light above my head--light and freedom!"32

Fettered for Life is emblematic of much liberal feminist thought, illustrating how the problem of wasted talents and

30Fettered for Life, pp. 73, 128, 129, 264.

31This is the first documented instance of the adage, "Publish or perish."

32Fettered for Life, p. 351. Another of Blake’s publications, Woman’s Place Today (New York, 1890), contains a similar story of the atrophied and wasted talents of a beautiful young girl, "now in an alien grave, dead by her own hand" (p. 64).
the quest for professional opportunity—subjects with particularly middle-class appeal—became increasingly intertwined with the antislavery rhetoric of the marriage critique. The right to hold a job, to pursue a career or profession, came to be seen as a critical part of woman’s emancipation.

Marriage and Freedom of Contract

Slavery’s antithesis in nineteenth-century political discourse was freedom, and feminists’ equation of marriage and slavery compelled their audiences to contemplate divorce through its obvious analogy, emancipation. The traditional marriage was undergoing its own Reconstruction. As Stanton declared, the growing number of divorces was not a sign of declining morals, but exactly the opposite: “Woman is in a transition period from slavery to freedom, and she will not accept the conditions of family life that she has heretofore meekly observed.” According to the feminist agenda, what did freedom or emancipation entail for the married woman?

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33 Revolution 1, no. 18 (May 7, 1868), p. 278-79.

In the view of a growing number of liberal feminists led by Stanton, its most important tenets were self-ownership within marriage and a right to divorce if the marriage became degrading.

Linda Gordon and other historians of women have talked about "self-ownership" as a form of birth control ("voluntary motherhood") and as a radical assertion of sexual autonomy within marriage, both critical parts of nineteenth-century feminists' claims. The term itself—clearly predicated on slavery and coined to signify its literal opposite—drew on both abolitionist and free love traditions. As Gordon has pointed out in her chapter on "Voluntary Motherhood," despite profound disagreement on other scores, a wide range of women activists—including free lovers, liberal feminists, and the more conservative Christian suffragists of the Woman's Christian Temperance Union—concurred that married women were entitled to choose or refuse sex at will, according to their own desires and

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their wish to conceive. Thus, the "right to her own person" became a key feminist concept, language with little resonance in the earlier period. Stantonians claimed that next to self-ownership, which should "determine the future of the race," suffrage represented only a "simple question of political privilege."

In a larger sense, Stanton and her sympathizers, in common with Victoria Woodhull, were attempting to restructure the idea of "right" to eliminate "obligation" altogether, broadly privileging the right to be free of obligation above the right to insist on the performance of a legal or contractual duty. They declared that "woman's degradation is in man's idea of his sexual rights." Placing woman's right to refuse above man's need for sexual

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3Gordon, pp. 95-97. Despite their common belief in such a right, mainstream feminists disapproved of the free love movement. Stanton's views were complicated: she agreed with Victoria Woodhull's basic philosophy that women's sexual oppression must be ended before civil rights for women would be meaningful. The free love movement provided critical support for her insistence that the right of self-ownership was central, not peripheral, to the cause of women. On occasion she openly endorsed the philosophy: see Ellen C. DuBois, "On Labor and Free Love: Two Unpublished Speeches of Elizabeth Cady Stanton," Signs 1, no. 1 (1975): 257-268. At the same time, she did not go nearly as far as the free lover Victoria Woodhull in urging the positive value of erotic pleasure governed only by the lover's immediate inclination; she herself maintained a strong belief in monogamy.

relations, they denied that there was any male right at all, or any corresponding wifely duty.31 Drawing on the romantic anti-institutionalism of antebellum reform, liberal feminists transposed that language into an endorsement of voluntarism and radical personal autonomy. They decried the coercion of "marriage as a compulsory bond enforced by law and rendered perpetual by that means," and labeled every action and every relation that resulted from external coercion inherently corrupt.39

Woodhull and Claflin's Weekly took this road further than even Stanton and Anthony did. An article with the suggestive title "Marriage Versus Freedom," whose author claimed Stanton's and Anthony's blessing on her views, declared that "Freedom is the only right worth striving for ... if, indeed, there are any other rights outside of and apart from personal freedom." She dismissed critics' objections that mutual obligations rendered complete personal freedom impossible:


no person has any right to assume, to impose, such dependence on another as will make the exercise of that other’s free will a source of unhappiness. Neither single nor mutual obligations should extend any further than the purest free will prompts; and then they are not obligations at all, but favors instead. ..."  

Although the writers for *Woodhull and Claflin’s Weekly* went beyond most mainstream feminists in their emphasis on individual liberty, Stanton herself was in complete sympathy with their claims. She even publicly defended the position of mistress over that of wife on the grounds that it was a voluntary relationship and not legal bondage.¹¹ This inherent privileging of a right to be free of obligations over any right to exact obligations impugned not just the marital bond, but an older structure which rested on reciprocal concepts of rights and duties: rights and obligations derived from status, by which the law described the roles and relationships of pairs like master-slave, husband-wife, parent-child. The rights that liberal feminists asserted—the right to vote, to own property, and to act as guardians of their own children—worked to destroy some of the rights formerly vested in men, but put no one


under any continuing obligation, and engaged no one in any reciprocal relationship. Liberal feminists repeatedly expressed their legal strategy as an attempt to lift laws that restrained and coerced, rather than as a way to obligate or coerce others. In the grand scheme, they sought

Freedom, freedom from all unnecessary entanglements and concessions, freedom from binding obligations involving impossibilities, freedom to repair mistakes, to express the manifoldness of our own natures, and to progress on, to advance to higher planes of development.\(^2\)

Such radical autonomy left little room for ties. In their desire for freedom, in that binary understanding of slavery and freedom which construed any customary or legal bond as making one unfree, liberal feminists predicated their claims on the assertion that "the laws of the individual sovereignty of women are more sacred than any human tie."\(^3\)

In this attempt to reconstruct the nature of obligation, liberal feminists moved naturally toward legal concepts. Seeking to recast the marriage relationship on more nearly equal terms, they groped for language that could express their vision in ways harmonious with mainstream

\(^2\)Dubois, "On Labor and Free Love," p. 266.  
\(^3\)Revolution 5, no. 20 (May 19, 1870), p. 309. See also Stanton, Letters, p. 82.
thought. Contract was an obvious choice. The contractual ideal was pervasive in nineteenth-century society, so much so that to speak of feminists invoking contract as a "strategy" is misleading; it was the common coin of intellectual life, spreading far beyond its legal bounds to influence notions of reciprocity, obligation, and personal and business relations. Use of the slavery paradigm brought the issue of freedom of contract into play. Effectively the condition of slavery had less to do with disenfranchisement than with a slave's more immediate inability to sever old work ties and form new ones and to bargain for a fair wage--powers which acquired almost mystical importance in the years around the Civil War. In addition to the more general civil status, then, "freedom" took on a narrower definition in the ability to make and break agreements at will."

Contract provided women both with a theory of equal and reciprocal duties within an ongoing relation, and also with a model for breaking that relation when the bargain went

In addition to seeking justification for their interpretations of the marriage obligation in the law of contract, liberal feminists invoked God in their support as the first author of the dissoluble marriage contract. Stanton repeatedly pointed out in her voluminous writings and travels up and down the countryside that any legal bond which condemned one party to an unhappy and degraded existence violated God's own first plan for human happiness; the legal bond of marriage, then, must give way to God's most sacred decree, reinterpreted by his zealous female apostles in America as "what God hath not joined together, let man put asunder." According to Stanton, then, God's own laws now required of human beings that, rather than a sacramental or covenant theory of marriage relations, they subscribe to a theory of marital contract, with its inherent destructibility. No bond in this new world could be irrevocably formed, for "any constitution, compact, or covenant between human beings, that failed to promote human happiness, could not ... be of any force or authority; and

"Revolution 3, no. 23 (June 10, 1869), p. 362. See also the resolutions offered at the 1860 National Woman's Rights Convention, reprinted in History of Woman Suffrage, vol. 1, pp. 716-717.
it would be not only a right, but a duty, to abolish it."4

For Stanton, the concept of contract represented largely the deregulation of marriage, the non-interference of church and state in the private realm. It is true that feminists in the 1850s were on the cusp of change: initially repudiating human regulation as inimical to self-government, women activists were beginning to see law as a tool that could be manipulated for their own ends. But it was the enabling rather than the enforcing power of law which appealed to feminists who sought to reform the marriage contract. Their view of the law of contract, although oversimplified, held that "all contracts, covenants, agreements, and partnerships are left wholly at the discretion of the parties."47

Stanton did give some credence to the power of government to regulate the initial formation of contracts, including marriage. Citing the need for safeguards like minimum age, competence, and full disclosure, she encouraged legislators to remedy "the absence of form and dignity in the marriage contract which is unknown in any other


7Elizabeth Cady Stanton, "Address ... on the Divorce Bill Before the Judiciary Committee," p. 10. See also Revolution 2, no. 17 (Oct. 29, 1868), p. 264.
civilized nation" with a strict set of prior conditions."

But this list also reads as a set of contractual defenses, setting out grounds on which she thought divorce should be more easily granted or marriages annulled. Stanton pointed out that in other civil contracts, failure to comply with the conditions of entrance

\[\text{vitiates the contract, and it is annulled by the mutual agreement of both parties. But in the marriage contract, which the state allows to be formed so thoughtlessly, ignorantly, irreverently, the parties have no control whatever, though oftentimes in its formation and continuance all laws of decency and common sense are at defiance ...}^{4}\]

Stanton sought tough entry and easy exit, but felt that stricter regulation of the creation of a marriage contract would cut down on failed marriages.

The notion of free contract served as a blueprint for remodelling the marriage relationship as well as for ending it. A part of the liberal project on marriage entailed demystifying it by applying to it the everyday terms of bargain and exchange which governed arms-length agreements for services. Feminists used contractual analogies to describe faithful adherence to their marital terms, despite

\[^{4}\text{Davis, p. 68; History of Woman Suffrage, vol. 1, p. 718; Revolution 2, no. 16 (Oct. 22, 1868), pp. 249-50.}\]

\[^{5}\text{Davis, p. 68.}\]
men's repeated violations of their own. Many men refused to perform their own obligations while insisting that women meet theirs, thus moving the agreement from the realm of contract into slavery. Several different writers for the *Revolution* in particular employed the language of employment relations and free labor to urge woman's more equal participation in "the marital partnership," lest the common imbalance "involve the bank of matrimony in hopeless bankruptcy." The *Revolution*’s boosting of the free labor/free trade positions was not purchased with George Francis Train’s money, but served as an integral part of a system of thought in which external compulsion was synonymous with imbalance or disfunction.

The author of an unattributed four-part series of articles entitled "The Husband of Today" seems to have taken a leaf from the debate over the ownership of the craftsman's

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50 *Revolution*, vol. 1 no 24 (June 18, 1868), p. 381.

51 *Revolution*, vol. 5 no. 6 (Feb. 10, 1870), p. 94.

52 In *Revolution* vol. 3 no. 15 (April 15, 1869), p. 233, for example, Stanton in an article entitled "Free Trade" denied that since Train dissociated himself from the *Revolution* it had gone over to "Greeley and the Protectionists." "Commerce is ever the pioneer of civilization and Christianity, and every barrier in the way of exports and imports blocks the wheels of progress and retards the moral and intellectual development of all the races of man."
tools when she complains that the wife has "no legal right
to that home which she is dutifully expected to beautify and
make pleasant" because man has the "rightful ownership of
all the goods and chattels of the family," rendering the
wife little more than a slave. Like any other artisan,
woman claimed more control of the workplace and of her
"tools." When houses were designed by men, they misplaced
the pantries and the sinks, little understanding the uses to
which such objects were put: "The wife has, doubtless, good
reason for the hot fire, the open draught, the large wash
... she doubtless knows (her job) better than her husband,"
whose ignorant "sole management" only puts him in the
category of "officious intermeddler." Sharply criticizing
the profit motive which made men unwilling to invest capital
in the home, the author cites many women who "complained in
the roundest terms, in the bitterest Saxon, that they were
the drudges, the household slaves of money-getting husbands,
who, provided they could lay by year after year money (one
lady said $3,000) of profits, are either indifferent to, or
do not appreciate, the cares, sorrows, and overtoil of their
wives ... with all the heavy claims of maternity, being made
to work full up to the mark, like the man day-laborer ... a
dreary slavery in the free states." Women's rights included
the right "to herself, to the use of all the powers and
facilities God has given her, and the rights to the profits of her labor ..."33

**Visions of the Family**

This vision of women's marital enslavement and emancipation through the recasting of marriage as a contract dissoluble at will--largely Stanton's vision--remained highly controversial within feminism itself, as well as attracting bitter criticism and attacks from outside. Opponents claimed that liberal reformers' programs threatened the nuclear family, and in fact these reformers did have a distinctive agenda with regard to the family's role and function. Within the larger debate, Greeley as usual staked out the orthodox position with his contention that the family's main function was, as the social agent of breeding, to provide for the training and education of children. This rationale bolstered his argument that the importance of life-long marriage outweighed the happiness of the individual parties, because it best served the goals of stability and social order.

Liberal feminists emphatically rejected this

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utilitarian view, insisting that motherhood was simply one incident of womanhood, not its defining parameter. Reacting against attempts to shame women back into the home with stories of neglected children and motherly duty, they downgraded the maternal bond from the primary place it held in the nineteenth century to stand as only one of many other rights and obligations which made up female life, foremost among them the right to self. The contract model of marital relations could not easily be fitted to the parent-child relationship; but in rejecting the covenant model of permanent bonds, liberal feminists, with both intellectual and emotional conviction, sought to loosen their maternal ties by denying the aspect of demand or duty. Stanton’s hypersensitivity to forced bonds led her to class all bodily obligations as feudal in nature; the law of perpetual physical union was an ancient horror from "those dark periods when marriage was held by the greatest doctors and

“For example, Revolution 1, no. 15 (April 16, 1868), p. 229. Stanton’s own attitude toward domesticity was full of ambivalence. The mother of a large family, she styled herself a great matriarch and roamed public conveyances giving young mothers unsolicited advice from the idiosyncratic and advanced maternal theories of which she was so proud. As her family grew, though, she acknowledged a growing weariness at household tasks that confined her, and it was in part resentment at the physical demands of women’s lives which fueled her own quest for autonomy. See in general Elisabeth Griffith, In Her Own Right: The Life of Elizabeth Cady Stanton (New York, 1984).
priests of the church to be a work of the flesh only."\textsuperscript{33}

Such thoughts contributed to the accurate impression of many of the movement’s critics that woman’s rights, at least as Stanton envisioned them, would radically alter the marriage relationship. Indeed, that bond in its traditional form would have been changed in its essence as interpreted through the creed which held that "the moment any act expected of a person becomes compulsory, it becomes correspondingly irksome."\textsuperscript{34} In his writings Greeley had emphasized the social bases of family relations. Stanton, Andrews, and Owen, by contrast, sought to establish marriage as an affective relationship based on a romantic love that was voluntary, ephemeral, spontaneous, and responded poorly to legal coercion. "Our laws on marriage are bound up with a false assumption, viz, that the affections and judgment are subject to the will."

Law could not create love, an argument which radicals thought demolished the rationale for laws regulating marriage and divorce.\textsuperscript{35} Marriage was not a legal bond or social duty, but an affective relationship of mutual love.

\textsuperscript{33}History of Woman Suffrage, vol. 1, pp. 716-717.

\textsuperscript{34}Woodhull and Claflin’s Weekly, Nov. 5, 1870, p. 6.

\textsuperscript{35}Revolution, vol. 3 no. 8 (Feb. 25, 1869), p. 117.
and kindness, "intended by God for the greater freedom and happiness of both parties." Downplaying its physical aspect, divorce reformers suggested that "It is not mere physical infidelity but that adultery of the heart which quenches conjugal love; thus destroying that which, far more justly than your cohabitation till death, may be regarded as 'the essence of marriage.'" By this standard, marriage "fulfills God's intentions so long as the domestic home is the abode of purity, of noble sentiment, of kindness ..." By this standard, too, a marriage is broken not just by catastrophic upheaval, but when it becomes "the daily cause of grievous words and heartless deeds—of anger, strife, selfishness, cruelty, ruffianism."

Clearly a marital relation that existed only through the rigor of the law and not the mutual love and ongoing consent of the parties was not conducive to the highest human development, and the furthering of happiness and human growth became the new standard by which social and political functions were judged. Utilitarianism combined with the developing creed of liberal Protestantism to produce a new

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3"In Greeley, "Marriage and Divorce," p. 585.

4"In Greeley, "Marriage and Divorce," p. 577.
rationale for institutions from the state down to the family. It was to accommodate this new vision of the family as constituted by the ongoing consent of the parties rather than by legal forms that Stanton sought to recast the marriage bond to eliminate any element of irrevocability or coercion from outside. She denied that marriage vows were anything but a voluntary, temporary mutual agreement for the benefit of both. Citing the "weakness and blindness" which led human beings to make poor decisions in the choice of business partners, legislators, teachers, and other public officers, she urged that the far graver matrimonial bond should be a "contract—no more perpetual than either or all of the former."61 By 1870 Stanton declared that in the Protestant world the question was no longer whether marriage was a sacrament or a contract, but, as a contract, for what reasons it might be dissolved.62

Stanton re-envisioned the family as reforming along the lines of the republican state: it would consist henceforth of a collection of free and independent individuals, voluntarily contracting for a corporate existence during the pleasure of the parties, each protected in its own autonomy

"Davis, pp. 64-65.
by inalienable individual rights." Many other feminists, though, felt the limitations inherent in the wholesale adoption of the personal liberty model of social change. The strict dichotomy between slavery and freedom worked to create a scheme of personal rights that could not accommodate the genuine physical and emotional dependencies of family relations. Stanton's rhetoric often pitted woman's right to herself against intimate demands pictured only as cloying and confining. For Stanton, "a single life of self-reliance, dignity, individual growth and development, is more sacred than a relation that subjects (woman) body and soul, to the will of another."

Many feminists and reformers from across the spectrum resisted as pernicious Stanton's attempts to apply a commercial theory of contract to the marriage relation. Opponents of liberal divorce founded their arguments on the importance of the ideal, if not always the reality, of marriage as a permanent institution. For them, Stanton's use of contract theory provided a model of family relations that neither worked realistically to redress inequality, nor acknowledged the durability and permanence of parental or


"Revolution 5, no. 9 (March 3, 1870), p. 136."
marital ties.

Religious precepts helped to shape these differing visions. Feminists like Antoinette Brown Blackwell resisted Stanton's contract theory, maintaining instead a covenantal view of marriage. Blackwell adopted a Christian ideal of marriage, not through an unthinking adherence to scriptural commands and injunctions, but through a belief in the doctrines of salvation, redemption, perfectionism, and atonement. Stanton offered human incompetence and frequent errors in choosing business partners, teachers, and other important contacts as evidence that the ability to dissolve such relations should always exist; and in marriage more so, since mistakes were frequent and costly.

Blackwell too acknowledged problems within marriage, but her faith in marriage as a relation encompassed the "growth and assimilation of the parties" to each other, the smoothing out of differences over time, that only the permanence of marriage would promote. The nature of moral life required that human beings maintain, if not the attraction and affection of their salad days, at least the "devotion to the good of another, and especially to the good of the sinful and guilty, (which) like all disinterestedness, must redound to the highest good of its
A husband's irresponsibility provided the opportunity for a wifely redemptive intervention, for as a Christian she could "never enjoy peace or rest until (she had) ... thus reclaimed him and brought him out of his sins ... as (she) would work to save (her) children, brothers, sister, and the whole human family."65

Blackwell saw marriage not as a "tie" as Stanton had suggested, with the inbuilt possibility of untying, but as a "relation" which once formed can never be destroyed: one can "untie" but not unrelate.66 For her it was a critical, defining element of human nature that individuals could form a marriage relation through a single act of will that had permanent consequences. She frequently made analogies between marriage and biological ties, asking,

- can the mother ever destroy the relation which exists between herself and the child?
- Can the father annul the relation which exists between himself and the child? Then, can the father and mother annul the relation which exists between themselves, the parents of the child? It cannot be.67

Like Greeley, Blackwell believed that marriage by its nature

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65*History of Woman Suffrage*, vol. 1, p. 723.
66*History of Woman Suffrage*, vol. 1, p. 726.
67*History of Woman Suffrage*, vol. 1, p. 724.
continued for the lives of the spouses. But, unlike him, she did not base her claim directly in social good, or any theory of society, but rather in an imperative for the moral development of the individual. For her the extraordinary characteristic of human love was the way in which it approximated divine love, in that it outlasted the span of human life.

By contrast, in Stanton's vision of romantic love, individual satisfaction described the nature of the bond. She derided the concept of Christian love in marriage, denying that husband and wife could ever act as saviors to each other. While her critics charged that love was a compound of "forbearance, patience, forgiveness, endurance...," she eschewed these virtues, seeing marriage not as a process, a "soul perfecting itself through trial," but as a spontaneous emotional reaction. Stanton denied that love was an act of will, or that it could be deliberately prolonged by the parties once the fragile bloom was gone.6 9

Blackwell and Stanton differed fundamentally in their understanding of the connection generated in marriage. Stanton perceived marriage as a tie susceptible to dissolution at will. Blackwell described marriage as a

6 9 See Leach, True Love and Perfect Union, pp. 10-11.
relation whose very formation, although voluntary, entailed a permanent bond. For feminists such as Jane Croly, who questioned such "connective" definitions of marriage, the ties of circumstance and relation were inevitable, the definition of life itself, without which it would be impoverished.

We are tied from the moment we enter the world, and are probably the better and happier for it, though we may rebel against it. We are actual slaves to circumstances, which preceded our births, which enclosed us in a skin, which governed our height, our color, our shape, our strength or weakness, and over which we had not the least control. We are tied after birth to certain natural laws, which we very imperfectly understand, and of which we can only see the results. We are tied with cords woven by time itself to the habits and traditions which have preceded us; and more strongly still are we tied by our instincts and desires which, blind and unreasoning as they are, we are compelled to obey ... We see, then, there is very little of the freedom of which we boast so much in the matter.70

Denying the theory of radical individual and bodily autonomy so important to Stanton, Croly saw interdependence: "as parts of one great body, we are all dependent upon and owe duties to each other."71 What autonomy does an arm have, or a foot? For Croly, a body isolated was a body devalued;

70 Jane Croly, For Better of Worse: A Book for Some Men and All Women (Boston, 1875), p. 4.

71 Croly, p. 221.
such a fiction flew in the face of the authentic conditions of life. Stanton’s refusal to acknowledge any social function of the family, or any legitimate church or state interest in regulating it, tended toward the complete privatization of the family, marking that area off as "personal" and impervious to regulation, for better or worse. The family became an isolated sphere, governed by a contractual ideal. Although Stanton’s vision of the family did not go uncontested by her contemporaries, in fact it is largely this view of family law that has prevailed in courts and legislatures today.

Protectionism and Liberalism

Despite the resistance to Stanton’s stand on divorce both from within the movement and without, her influence proved far greater than a polling of her opponents might suggest. Divorce itself remained controversial; but pro-divorce arguments were a critical piece of the far broader liberal rights theory of which Stanton was a chief architect. Political savvy kept her from openly declaring herself a free lover, but a common store of ideas with a

7 In this sense, Stanton’s family design looked very much like the privatized family Christopher Lasch describes in Haven in a Heartless World: The Family Besieged (New York, 1977).
free love stamp became the basis of Stanton's political creed. Indeed, in one sense self-ownership—construed also as self-respect—came to replace more traditional "virtue" in the feminist canon as the qualification for citizenship, through the claim that all wise and virtuous government rested on the foundation of a citizenry with a strong sense of individual mastery. Without these, political rights were meaningless, for if you go to a southern plantation and speak to a slave of his right to property, to the elective franchise, to a thorough education, his response will be a vacant stare ... the great idea of his right to himself, of his personal dignity, must first take possession of his soul, and then he will demand equality in everything ... I repeat, the center and circumference of woman's rights is just what the slave's are. Personal freedom is the first right to be proclaimed, that does not and cannot belong to the relation of wife ...

The very concept of "right," then, was predicated here on a world where those rights were to be exercised free of the legal and social restraints imposed by obligation to others. Liberal feminists sought to make the absolute right to

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7DuBois suggests this in "On Labor and Free Love."

7Revolution 5, no. 10 (March 10, 1870), p. 147.

7Letter from Stanton to Susan B. Anthony, Nov. 24, 1856, Stanton papers, Douglass College Library, Rutgers University.
oneself the basis for the exercise of rights within the state, and their rhetoric on personal rights and rights within the family became the basis of their model for the exercise of political rights. For Stanton, then, questions of family governance were measured by the same yardstick as questions about the role of the citizen in society and in the state.

In addition to applying the forms of contract to marriage, divorce reformers sought to tighten the correspondence between rights in the family and the civil realm by using constant analogies from other areas of law and public policy, which they brought to bear on the law of the family, as well. To this end, Stanton, like Andrews and Owen, drew on analogies from liberal economic theory, free labor and free trade ideology, and the constitutional guarantees of freedom of conscience and separation of church and state to sketch in a new model of family law. Sensing a deep intellectual kinship, all three conflated such issues as free divorce, free love, free labor, free contract, and

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Matilda Joslyn Gage, one of Stanton's strongest allies, restated this position at the NWSA convention in 1876, saying "without control of one's person, the opportunities of the world, which are the only means of development, cannot be used." Quoted in Leach, p. 81.
free trade." Stanton herself confirmed the connection between doctrines with the story of a man who refused Graham bread, "for he had noticed that if anybody began with bran bread, he was sure to end with infidelity"—a somewhat eccentric formulation of a great progressive truth."

Their opponent Horace Greeley had little trouble recognizing these reformers' organic approach. He lumped free traders, usurers, tax dodgers, and advocates of easy divorce together in one morally bankrupt category, claiming that "the free trade sophistry respecting marriage is on every libertine's tongue." Andrews for his part commended Greeley, saying "You rightly refer free trade, freedom of the finances, freedom from state systems of religion and education, and freedom of the love relation, to one and the same principle, and that principle you recognize as the

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79"Love, Marriage, and Divorce," p.36. Greeley's main concern was the protection of the working classes rather than the emancipation of the spirit: perceiving free trade as the enemy of the workingman, Greeley opposed it vehemently (p. 54). His enthusiasm for the virtues of association ended abruptly at the point at which advocacy of personal or sexual liberty seems to threaten social or economic stability through the deterioration of that stable economic unit, the family.
Both sides, then, recognized that reformers were working to make the regulation of families of a piece with broader principles at work in areas of public and private commercial law. At heart, the problem in all areas was the same: to secure the removal of an external structure of laws to allow natural governing forces to assert themselves.

Although his proposals and his understanding of women’s sexual subordination were radical for his day (and perhaps for ours), Andrews’ political theory embodied strong liberal tendencies through his belief in the resistless power of an underlying order, and the need to eliminate all external regulation to allow that order to work unimpeded, a philosophy to which Stanton subscribed as well. A devoted disciple of Fourier, "(who really was about the most remarkable genius who has yet lived)," Andrews subscribed to Fourier’s "grand discovery that Attraction, which Newton discovered to be the law and the regulation of the motions of material bodies, is equally the law and the God-intended regulation of the whole affectional and social sphere in human affairs ..." When the artificial restraints of law

""Love, Marriage, and Divorce", p. 43.

and custom were removed, the powerful force of Attraction would insure that human affairs were self-regulating, both in the economic and in the more important erotic world. Andrews saw the progress toward a fully self-regulating world as inevitable: "Freedom in love is the last attainment of the progressive civilized world. It is the culminating point toward which all other reforms tend. The system of restriction or arbitrary order in which the world was bound for ages is gradually dissolving." \(^2\)

Andrews and Stanton also analogized the growth of religious tolerance to liberal (non-regulatory) family laws, seeking to extend the established principles of freedom of conscience and of theological persuasion to cover unorthodox sexual relations as well. Andrews poked fun at one of his critics, suggesting that no "doubt ... he, too, is honest in his statement of the doctrine of religious freedom, and that he would, in practice, recognize my right to live with three women, if my conscience approved, as readily and heartily as he would contend for the rights to read the Protestant Bible at Florence." \(^3\) Andrews claimed for himself "no better right to determine what is moral or proper for you to DO

\(^2\)"Love, Marriage, and the Condition of Woman," (published with "Love, Marriage, and Divorce").

\(^3\)"Love, Marriage, and Divorce," p. 22.
than ... to determine what it is religious for you to
BELIEVE," and likened such an attempt to the burnings at
Smithfield. Any effort to regulate the moral lives of
others through the mechanism of the state, Andrews
suggested, would always end in the resort to such
time-dishonored sanctions as "public odium, the prison, the
gibbet, the hemlock, or the cross"—sanctions which may
punish or suppress but which never succeed in creating a
truly harmonious order." Stanton heartily concurred that
the rigid enforcement of the Christian ideal of lifelong
monogamous marriage represented undue influence by church
and state in the private lives of individuals.

Stanton's own repeated advocacy of free labor, free
trade, and free currency shows that she extended her belief
in deregulation to the economy; and that there was more than
a superficial affinity between her views on marriage, her
philosophy of government, and classic liberal notions of
laissez faire." Indeed, reformers' efforts to meld those
elements together shows a more complex face of liberalism
than we usually see. Liberal theory is often portrayed as

""Love, Marriage, and Divorce," p. 78. Smithfield is
the site in London where religious martyrs were burned at
the stake.

"See Leach on Stanton in True Love and Perfect Union."
an amalgam of pessimism and human greed; but neither of these could account for the grip it took on American ideology. Stanton's liberal leanings were based firmly in a liberal Protestant creed which celebrated the innate goodness of human nature and its ability to find its own right course once external regulation was lifted. Despite her anticlericalism, Stanton was a child of the Second Great Awakening, and subscribed to its tenets on the efficacy of human will. The Christian perfectionism of the antebellum period—perfection of the soul—translated for many in the post-war period into a perfection of the life and of the work—human happiness. Although their interests were not the same, liberal reformers made common cause with business interests on the best method of securing change of any sort: deregulation. Nineteenth-century liberalism, then, was not a single strand, but a complex weave of economic, political, and religious philosophies, and much the stronger for it.

The issue of protection had also been at stake in the wrangling which went on among Andrews, Owen, and Greeley in the decade before the Civil War. As an anarchist, Andrews was a strong proponent of self government or self sovereignty, the idea that any authority exercised by one

human being over another interposed itself illegitimately between the individual and God's governance—a belief shared by abolitionists and feminists as well. In the context of free love, this concept expressed itself most radically in terms of the freeing of the body from any obligations imposed from without. A chief architect of the free lovers' creed of the absolute right of the individual to bodily mastery and integrity, that independence became for Andrews the single most important measure of social health; while the physical subjugation of women in American society was a prime indicator of its diseased state. Like Stanton, he saw bodily obligations as evidence of an ancient serfdom repugnant to enlightened minds. Andrews saw himself as a revolutionary fighting against "the defenders of slavery, and the fastidious aristocratic classes everywhere," as well as against all vestiges of the feudal structure of hierarchy, tenures, and paternalism which placed, protected, and imprisoned the individual.

Stanton's composite writings and pronouncements tended toward the disaggregation of the family as well, an outcome she found personally, socially, and politically desirable. Her philosophy of marriage emphasized the aspect of individual development, and the severing of obligatory ties
and dependencies contributed to this." Socially as well, Stanton was convinced that only the removal of all restriction on women—domestic, civil, physical—could bring them into a position of full equality. Politically, she classed the patriarchal family with "despotic governments (and) infallible churches ... Every new step in civilization tends to individual awareness, dignity, responsibility, alike in the church, the state, and the home ..." Clearly the democratic reorganization of the family required that each individual be accorded full status and rights: Stanton denied that the "representative" theory of the family as a "unit" was acceptable. Government should deal with individuals, not with families, or with certain of its members as representatives of others."

Inherent in the push for the disaggregation of the family was the recognition that, like slavery or the harem, the protection offered by family membership was often at the price of liberty. For slaves, being "a part of the family" had "protected" them from the onus of taxation, as well as denying them a civil voice; leaving the "family"

"Stanton, Letters, p. 10.

"Revolution, vol. 5 no. 10 (March 10, 1870), p. 152.

"Ibid.
changed both. Any physical obligation which owed its existence to a code or rule was similarly discredited: just as Horace Greeley denounced "the free trade sophistry respecting marriage," the liberal feminists equated the safety of marriage with the harem, with paternalism and slavery, claiming "protection is the leech that preys upon the heart of liberty." "Protectors" take on a sarcastic significance in Stanton's work as those who rape and seduce women.

In fact, discussions of the marriage question both within and without organized feminism also centered on another set of issues—economic protection and the consequences of easy divorce for wives and mothers. In 1860, Stanton's and Blackwell's optimistic beliefs in the potential for the liberated and energetic woman to achieve economic parity allowed both to ignore the problem of dependence. A decade later, some feminists were more skeptical. Stanton's brash and public advocacy of divorce was an irritant which contributed to the estrangement of the New York and Boston feminist groups. Although Lucy Stone


and Henry B. Blackwell almost certainly agreed with Stanton in private, they feared that her public stance would taint the quest for the ballot, and lose the suffrage movement crucial support. They steadfastly refused to acknowledge the link between civil and domestic inequality, naively arguing that, once the lack of political rights for women had been redressed, relations between the sexes would right themselves as a natural consequence.

At the same time, writers for the Woman's Journal, the paper of the Boston-based American Woman Suffrage Association (AWSA), had another complaint to make: they found Stanton's rhetoric naive and disingenuous in its assumption that free divorce would primarily benefit women. How many mothers, under the circumstances, could afford to sweep grandly out and set up housekeeping on their own? Stone and her followers intimated that "freedom" for a divorced mother of six should be known by its other names, immiseration and abandonment. For the suffragists of the AWSA, divorce was at best an unfortunate necessity in cases of chronic spousal abuse; but free divorce in Stanton's terms represented "practically, freedom of unworthy men to leave their wives and children to starve, while it could not
give similar freedom to mothers to leave their children.""3 Neither wing of the suffrage movement showed any abiding sensitivity to the problems of working class women, the AWSA less than Stanton's group. The Boston contingent, though, grasped that the "right" of divorce must be seen in light of prevailing economic conditions, where "a wife with children, who has lost the help of her husband, has undertaken a contest with fortune against heavy odds."4 The imperative of self sovereignty, then, left little room for financial, physical, or emotional obligation of any kind. As Andrews had earlier announced, "The great lesson for the world is that human beings do not need to be taken care of. What they do need is such conditions of justice and friendly cooperation that they can take care of themselves." Stanton concurred that the dangers of protectionism far outweighed the problems of poverty.5

Conclusion

The adoption of the slavery metaphor for marriage—with its reflexive counter, freedom—had weighty

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"Woman's Journal, Sept. 12, 1874, p. 294.

"Woman's Journal, June 4 1870, p. 173.

""Love, Marriage, and Divorce," pp. 18-19.
consequences for the development of feminist thought in America. It gave feminists an immediate and powerful concept and language of personal independence with resonance in the dominant culture. It also carried a transformative vision of equality. There were several feminist traditions in the nineteenth century; but it is this vision of liberation which the woman's movement of the mid-twentieth century has drawn on for support and sustenance. The ideal of personal freedom has proven durable as a spark to political action that addresses women's deepest concerns. More than a century later, well after political "equality" was established by the Nineteenth Amendment, the idea of escape from bondage fueled a women's movement that has changed the shape of American social life.

At the same time, the process of defining rights, occurring both within feminism and in the larger political culture, transformed their meaning through the paradigm of slavery and freedom. In Stanton's liberal view, shaped by her post-Civil war contractual view of marriage, rights originated in the private sphere, not within the context of social or public life. The Revolution argued that the assertion of self ownership for women must become "the paramount and controlling influence of her life, for individual freedom of choice is the cornerstone of
individual responsibility, and all virtue and wise government must rest on this foundation." Only then, "when responsible alone to God and herself, she shall possess the right to life and liberty, she will occupy a position in which she will logically be capable of becoming a Beneficent Power."* Departing from the antebellum formulation that rights were both the offspring and the agent of performing duties, Stanton insisted that rights were paramount and antecedent to duties. The earlier notion that the perfection of individual rights was the only means of protecting the rights of the community gave way to language that pitted the individual against the community: Stanton concluded that "the best interests of a community can never require the sacrifice of one innocent being, of one sacred right."**

The elevation of the individual right to a position of absolute authority created a philosophical framework in which it was easiest to recognize the negative right, the right to be free from something; and where the balancing of rights through the recognition of binding claims by one person on another was made, if not impossible, at least

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*Revolution vol. 5, no. 10 (March 10, 1870), p. 147; see also Cowan, op. cit.

conceptually dubious. Sarah Norton, a contributor to Woodhull and Claflin’s Weekly, spoke for much of nineteenth-century feminism—indeed, much of nineteenth-century liberalism—when she asked, "wherein, then consists the value of a right that cannot be appropriated at the option of the individual possessing it? or how much of the value or usefulness remains, if it is to be subject to the control of some greater right?"

Liberal feminists, pushing the argument that "we do not live by bread alone," were compelled to downgrade the importance of financial security in marriage, in order to establish it as an affective relationship between equals." This emphasis hindered meaningful discussion among Stantonians of another set of issues—economic protection and the consequences of easy divorce for wives and mothers. Ultimately, despite her quick sympathy with the oppressed of all sorts, Stanton’s preoccupation with individual freedom prevented her from developing a coherent class-based theory that invoked systematic legal or institutional remedies to women’s position in marriage. Stanton throughout her life maintained a belief in the primacy of change at the personal

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"Revolution vol. 6, no. 1 (July 7, 1870), p. 2."
level. She judged civil perfection to be the result of the perfection of individuals, a belief that after the war was translated into a defense of individual rights.

Stanton suggested that women's rise should follow the projected path of the slave: "end all this talk of class legislation, bury the Negro in the citizen, and claim the suffrage for all men and women ..." She rejected any argument based on the "rights of races," and accepted as the only rationale for reform the slave's "manhood; his individual, inalienable right to freedom and equality; and thus ... woman's case today."100

Such an idealistic response to the practical problems of racism and sexism has left a mixed legacy for twentieth-century feminists. Ultimately, Stanton's theories, by undermining the bonds between individuals within the family and by placing the source of rights in this deregulated private sphere, may have made it more difficult to assert group rights in the larger social setting. The contractual theory of liberal individualism has never proven a satisfactory mediator of family relations; nor has the extension of that theory into the civil sphere created a basis for the assumption by the state

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of family obligations--day care, medical care for children, parental leaves--that could genuinely have changed the lives of all women.
Chapter III - Self-Ownership and the Political Theory of Elizabeth Cady Stanton

The emphasis on freedom or enslavement of the body, and the issues which sprang from that focus, were feminists' contribution to American liberalism, as well as their link to radical thought. Elizabeth Cady Stanton had drawn arguments from the realm of political liberty and religious tolerance to make the case for choice in private life; but the vision of individual autonomy in sexual and domestic matters served also as the basis for her definition of citizenship, and as a paradigm for relations among citizens and between citizens and the state. Self ownership was the unifying theme which ran through Stanton's political development; it described for her the only appropriate relationship between any individual and her family, community, government, or God.

The nineteenth century saw the transformation of liberalism by feminism, and by women's entry into the public sphere. Liberal women's claims to liberty, equality, and natural rights employed the language of the Founding Fathers, but their content was quite different.¹ Women's

¹Ellen DuBois in Feminism and Suffrage: the Emergence of an Independent Woman's Movement in America, 1848-1869 (Ithaca, New York, 1978) and Aileen Kraditor in The Ideas of the Woman Suffrage Movement 1890-1920 (New York 1965) both
formulations of their own rights were not echoes of the eighteenth century; their definition of liberty was more personal than that of the Founders. Support for civil rights was strong, but the feminist positions which roused the most passion tended to be those claims for bodily control which drew from the radical utopian and free love agenda even when not explicitly acknowledging the debt. Voluntary motherhood, the right to be free of conjugal relations, age of consent laws, the right to divorce, the availability of writs of habeas corpus for married women against their husbands, custodial rights, abolition of the double standard and of the husband's privilege to administer corporal punishment—all of these issues became incorporated into public political debate, and significantly pushed out the limits of potential liberal personhood. With the exception of divorce, liberal women agreed on these claims, and they became a part of the feminist agenda early on.

This is not to say that liberal feminists rejected classic liberalism. National Woman Suffrage Association (NWSA) members in the post-war period espoused traditional liberal positions on free trade, currency, the primacy of contract, and freedom of religious thought, and generally take the tack that feminist claims were essentially replications of revolutionary republican rhetoric.
supported deregulatory positions while emphasizing individual liberties.\(^2\) The campaign for married women’s property reform fit easily into the liberal mold as well, creating a liberal legal personality who expressed herself in the control of and contracting for goods and services, turning a “femme covert into a living, breathing woman—a wife into a property holder, who can make contracts, buy and sell.”\(^3\) Claims for employment and equal pay, although not pursued in the post-war period with the vigor of other issues, sprang out of the growing equality rhetoric which stressed the right to support oneself as a part of the liberal scheme. The franchise itself was the mark of a liberal individual.

But feminism’s contribution to liberalism was to re-enforce and greatly expand the individual’s zone of privacy; to widen the definition of rights past the rights of the individual in his civil status to include the rights of the individual in her private capacity. The intellectual genesis of these positions is most easily traced in the

\(^2\)A good representative sample of this writing can be found in the *Revolution* in the years Stanton and Anthony edited it (1868-1870).

\(^3\)Letter from Stanton to Gerrit Smith, Seneca Falls, n.d., Stanton Papers, Douglass College.
writings of Elizabeth Cady Stanton.4

Stanton had always cast the traditional family, the church, and the state as the three interrelated structures which kept women in the position of bond-servants and prevented their growth and development outside stultifying traditional roles. The Founding Fathers had taken a definite step in the right direction in abolishing the power of monarchy in favor of government by the people. But they had left intact intermediate structures of authority, the hierarchies of family and church, and so "fastened their broken chains on all they considered inferior to themselves and incapable of resistance."5 Antebellum "government by the people" brought self government to representatives of groups rather than to individuals; Stanton argued that "to build a true republic the church and the home must undergo

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4Again, this chapter raises the problem of Stanton's representativeness within the movement, mentioned in the introduction. I am writing here about Stanton, but have tried at the same time to make clear that although her ideas were always more developed and usually more radical than her co-workers in the NWSA, there were large areas of agreement, and Stanton's opinions in their own right were highly influential even where there was disagreement. Stanton did serve repeatedly as president and officer of the NWSA; her views were not so far outside the mainstream as to alienate large numbers of the group's voting constituency, at least as long as the NWSA remained a separate organization.

5Elizabeth Cady Stanton, "Self Government" (ca. 1874), Stanton Papers, Library of Congress, reel 3.
the same upheavings we now see in the state." For Stanton
the move she made in the 1870s away from political analysis
and toward exploring inequity in the home and later in the
church was a move toward understanding and destroying the
deep structure of political inequality.7

To do so, Stanton set out to undermine traditional
sources of communal and familial authority. A letter from a
reader of the Revolution asked if the family didn't need a
ruling head to prevent anarchy. Stanton's reply lumped
fathers with kings and popes as despots to be overturned by
the emerging individual in the full exercise of her rights;
the representative theory of the family—whereby women were
to be represented in the public arena by their husbands and
fathers—worked no better for Stanton than that theory of
government. She explicitly denied that the family was a
sub-unit or "governing power" in the state, charging
governments instead to deal with individuals directly: "The
law takes cognizance of family relations only as they are

7Within the movement she succeeded to a remarkable
extent in fusing the issues; the theoretical question was
often conceived as "Woman in the Home, the Church, and the
State," an example being a talk given by Laura Cuppy Smith
through the American Literary Bureau, as advertised in
Woodhull and Claflin's Weekly, vol. 3 no. 22 (Oct. 14,
1871).

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Elizabeth Cady Stanton et al, eds., History of Woman

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brought to its notice." The patriarch was to be stripped of his power in the home, and adult individuals returned to full autonomy, thereby perfectly fulfilling the promise of the American Revolution and bringing personal liberty back to the most immediate level.

This agenda created a strong tension between public and private which has dogged the women's movement ever since. As issues of domestic governance moved outside the "privacy" of the home—often a euphemism for unchecked abuse of male authority—they necessarily became "public" in the broadest sense, talked, written, and read about in the dominant forums of the day. In the process of women's integration into the political realm—a fait accompli well before the Nineteenth Amendment—women firmly nailed such formerly "private" areas as family law jurisdiction, separation and divorce, bodily autonomy, and the abolition of the sexual double standard to the platform of liberalism. Not everyone who styled themselves "liberal" agreed on the details, but there was a growing consensus that such issues were

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'Revolution, vol. 5 no. 10 (March 10, 1870), p. 152.

*On receiving complaints that the Revolution was using newsgirls to sell their papers to the public, Stanton replied that they were better off in the public street than in the "sacred privacy of the home" where they were at the mercy of any drunken brute (Revolution, vol. 2 no. 3 [July 23, 1868], p. 37).
appropriately handled in the realm of politics, rather than by private authority.¹⁰

¹⁰Stanton’s sense dating from the antebellum years that private authority (church and patriarchy) was responsible for the regulation of sexual and family life may have been at odds with the history of local governance, although that does not make it any less real a force in her own thinking. William E. Nelson suggests in The Americanization of the Common Law: the Impact of Legal Change on Massachusetts Society, 1760-1830 (Cambridge, Mass., 1975) that at least in the North, the discovery and punishment of moral crimes was the primary responsibility of the judicial system up until the time of the Revolution; then the focus on morality gave way to concern for crimes against property. However, the close identification in revolutionary New England between church and state justifies Stanton’s assumptions. Also, moral crimes usually involved acts outside marriage; even in colonial New England Stanton is correct that intrafamily disputes were often left to the discretion of the father, a power she sought to have voided, thereby destroying the distinction which for purposes of jurisdiction is still very important in family law today between the married and the unmarried; or between acts done within the context of an ongoing family relationship, and acts done outside of or at the end of one.

In addition, Stanton was deeply concerned with the separation of the two branches of authority, church and state, and was committed to describing a neutral central authority which could take over from the church.

A second question is whether either patriarchy or the church ruled as forcefully by Stanton’s day as she suggests; or whether she was beating a dead horse. I think she was beating a sick horse. Both pure patriarchy and pure Calvinism were already well in decline by the mid-nineteenth century, with Stanton enthusiastically preparing to pound in the coffin nails. (See Michael Grossberg, Governing the Hearth: Law and the Family in Nineteenth-Century America [Chapel Hill, 1985]; Jay Fliegelman, Prodigals and Pilgrims: The American Revolution Against Patriarchal Authority, 1750-1800 [Cambridge, Mass., 1982]; and Ann Douglas, The Feminization of American Culture [New York, 1977]. But cf. Carol Weisbrod on the continuing vitality of religious authority, “Family, Church, and State: An Essay on Constitutionalism and Religious Authority,” Journal of
At the same time feminists sought to bring these issues to the attention of the public, and within the legal jurisdiction of a liberal state, for the explicit purpose of asserting that decisions about marital and domestic matters were highly personal and subject only to individual jurisdiction. The *Revolution* reader was right in marking that the father’s fall as head of household left a vacuum of authority. Stanton’s work sought to put the individual into the position of ultimate authority, a configuration which

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*Family Law*, vol. 26 [1987-88], pp. 741-770.) Stanton certainly understood the dangers and possible costs of enhancing judicial or legislative jurisdiction over private behavior, even to spite the church; in fact, probably due in large part to the weakening of "private" authorities, government intervention in the family seemed to be on the rise in the nineteenth century, despite the new characterization of the family as "private," a result Stanton would have hated; see Lee Teitelbaum, "Family History and Family Law," *Wisconsin Law Review* 1985, pp. 1135-81. Thanks to Dirk Hartog for talking this over with me.

"I don’t mean to suggest that this interpretation—individual sovereignty over issues of family governance—became the dominant one. Michael Grossberg’s *Governing the Hearth* is convincingly devoted to showing the development of a "judicial patriarchy" composed of judges who substituted their own decisions on family disputes for those of the father and clearly felt it their business to do so. Liberal feminists themselves were more likely to admit judicial or state intervention when the dispute involved the custody of children than when it concerned regulating the status particularly of married adults; see Stanton, letter to E.L. Godkin, Jan. 1, 1898, Stanton Papers, Douglass College. The tone of this letter is quite uncharacteristic of Stanton, though; she softened in her attitude toward the state in the last years of her life.
made it difficult for her to develop any coherent model of
the state, or any notion of the public interest.

Self-Ownership Within the Family

The right to control one’s body was the pre-eminent
personal and political right for Stanton from a very early
age. In her autobiographical writings she portrays herself
as a rebel from birth; and even accounting for the later
gloss on the facts she would seem to have been a strong-
willed girl, confident in her own opinions, traits she
retained all her life.12 Her account of her own childhood
is one of ongoing resistance to a strictly orthodox
upbringing designed to intimidate with godly fear; and of
frequent punishments for tantrums which with hindsight she
saw "were really justifiable acts of rebellion against the
tyrranny of those in authority."13

12As she reports in her autobiography, "I was always
courageous in saying what I saw to be true, for the single
reason that I never dreamed of opposition. What seemed to
me to be right I thought must be equally plain to all other
rational beings." Stanton, Eighty Years and More: Re
216.

13Stanton, Eighty Years, p. 12. Eighty Years contains
the most complete autobiographical account; see also
Elisabeth Griffith, In Her Own Right: The Life of Elizabeth
Cady Stanton (New York, 1984). On Stanton’s rebelliousness
see also Gail Parker’s introduction to Eighty Years, pp.
xviii–xx.
Stanton despised the morbid Presbyterian regime under which she grew up, whose goal for children was to keep them "embalmed as mummies." Her instinctive dislike of Calvinism's strict and gloomy passivity was soon bolstered by intellectual arguments. While at school in her teens Stanton sat under the preaching of Charles Finney, and temporarily fell prey to the sleeplessness and morbid terrors of the fearful unconverted. After a bad bout of nerves she was rescued by her brother-in-law, who whisked her off to a spa for a spell of reading in liberal theology. Its "rational ideas based on scientific facts" helped to set her free from "the old bondage of fear of the visible and the invisible ... and, no longer subject to absolute authority, I rejoiced in the dawn of a new day of freedom in thought and action." This episode fueled Stanton's dislike of religious orthodoxy and impressed on her the need to fight enslavement in all of its guises, although despite her vehement anti-clericalism she never entirely erased the idea of God from her mind.

With seven children, an absentee husband, and sporadic household help, Stanton spent a great deal of time being a

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14Eighty Years, p. 12.
15Eighty Years, pp. 44, 45.
mother. Unlike the evangelical feminists, she made little attempt to use motherhood as a platform for political participation, but her views on the parent's role and the nature of child-raising nonetheless shed light on her notion of relations between citizens and the state.

Stanton's carefully constructed character as a mother seems a little too large for life. As with all she undertook Stanton threw herself into domestic life, and at least early on took a great deal of pleasure in developing her own domestic skills and running her own household. Pride in her competence and skills moved her to master domestic arts not perhaps of much intrinsic interest to her; and child-bearing and raising offered a splendid opportunity to pit her wits against male professionals. Refusing to trust doctors' advice (which she called as "confusing and unsatisfactory as the longer and shorter catechisms and the Thirty Nine Articles") or the accepted wisdom of the day on the care of infants, she substituted her own judgment and instituted for her children a regime based on her most dearly held principles. Swaddling, bandaging, binding,

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16 Elisabeth Griffith arrives at this conclusion as well in *In Her Own Right*, pp. xvii and xix. She cites one of Stanton's contemporaries who charged that Stanton had "secured much immunity by a comfortable look of motherliness" (p. 196).
closed windows, any kind of restrictive practices were out; her children were unbound, thrust into the fresh air, allowed to eat and sleep as they demanded. "Show me a child that is snubbed, cribbed, crippled, thwarted in every way and I will show you incapacity, weakness, disease, misery." Stanton took enormous pride in her self-taught expertise, and in later years explained that on her many cross-country trips "I was of great use to the travelling public." Seizing bundled and crying children from startled mothers, Stanton would rip off their wraps and hang them out the window, expounding on the virtues of free movement and fresh air; many babies, she suggested, were "emancipated" through her ministries.  

At the same time, the role of the mother as idealized in the dominant culture, as well as the fact of the loss of autonomy which motherhood necessarily entails, were troubling to Stanton. Few nineteenth-century American women could have been as wonderfully unsentimental as Stanton, and

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17Stanton, "Self Government" (1874). So convinced was Stanton in her own powers that the lesson she drew from child-rearing was to trust "neither men nor books absolutely after this, either in regard to the heavens above or the earth beneath, but continue(d) to use my 'mother's instinct,' if 'reason' is too dignified a term to apply to women's thoughts." Eighty Years, p. 120.

18Eighty Years, pp. 112 ff; pp. 271-72; Griffith, In Her Own Right, pp. 10-12.
in quoting Matilda Gage's favorite motto she dismissed in one master stroke all the favorite sentimental symbols of the day—"There is a word sweeter than Mother, Home, or Heaven—that word is Liberty." For Stanton, the home was not, as it was for evangelical feminists, a sanctuary surrounded by protective maternal love; such an image confirmed most of the things she hated about the traditional family. Stanton herself—again unlike many of the evangelicals—did not strongly identify with her own mother, and in fact seems to have gotten on rather poorly with her mother for most of her life.

Whatever her personal feelings about motherhood—and they were almost certainly mixed—maternity presented a

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Eighty Years, pp. 328-29.

A part of her vehement feeling about cloying family life clearly came from her own domestic frustrations. She laments that "I pace up and down these 2 chambers of mine like a caged lioness, longing to bring to a close nursing and housekeeping cares" (Stanton, Elizabeth Cady Stanton as Revealed in Her Letters, Diary, and Reminiscences, Theodore Stanton and Harriot Stanton Blatch, eds. [2 vols., New York, 1922], vol. 2 [Letters], letter to Susan B. Anthony, June 10, 1856, p. 66. See also Griffith, In Her Own Right, pp. 79, 88ff.)

In many ways Stanton was not strongly woman-identified, either. Despite membership in suffrage organizations, she hated the meetings, much preferring to be on her own lecturing in the west. Women in groups smacked of the neurotic for her, rather than of the safe and loving; see Eighty Years, pp. 41, 197.
troubling political problem for the women's movement. For men and women alike women's capacity for motherhood remained the best argument against suffrage, political participation, and work outside the home. Stanton saw biological determinism—or maternal fatalism—as an off-shoot of the Protestant church's teachings on sex roles, and in her articles and lectures struggled to convince women that they were not doomed to a miserable maternity "through one fatal interview in the Garden of Eden." Stanton repeatedly refuted the "insulting notion that our physical sex constitutes our womanhood," casting motherhood as just an incident in the life of a woman, whose role as an individual with her own conscience and moral faculties was the primary one.

The obsessive, hovering, maternal style in fashion in the dominant culture was anathema to Stanton as well; she did not equate beneficent authority, or even good care, with protectiveness. The ideal childhood should be, as she believed her own had been, "one long struggle against arbitrary power; one continual protest in favor of self-

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government. Rebellion against authority was the state of nature.

Even children at the earliest age are always in a chronic condition of rebellion against the control of nurses, older brothers and sisters, parents and teachers, ever showing a decided preference to have their own way, in other words to govern themselves. Boys in schools and colleges find their chief happiness in disobeying rules, circumventing and defying teachers and professors with their youthful pranks; so many declarations of independence affording one of the most pleasing topics of conversation in after life. The general unrest of the people under kings, emperors and czars, in secret plottings or open defiance against self constituted authority, shows the settled hatred of all subjects, to any form of government to which they have never consented.

Actually even the power to consent to a form of government did not satisfy Stanton: she believed it her own, and any other child's or adult's prerogative, to exercise a line item veto over any act of authority which stunted or confined.

The fundamental governing principle of the liberal

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24Stanton, "Self Government" (1874).

25Stanton, "Self Government the Best Means of Self Development," in National Woman Suffrage Association, Report of the 16th Annual Washington Convention...1884 (Rochester, N.Y., 1884), p. 62. There can be little doubt that Stanton practiced what she preached in raising her own children; they were infamously ill-behaved and Stanton seemed to get a great deal of pleasure out of their scrapes once it became apparent that no one had actually been killed.
household remained that for any one person to rule over any
other person constituted despotism. Conservative
defenders of the family often labeled its gender roles
"natural" or God-ordained. Echoing the abolitionist
anarchists from the pre-war period Stanton and others
labeled such prescriptions a usurpation of God's direct
authority over the individual, demanding that the "self-
constituted deputies of God Almighty ... either relinquish
their claims to divine authority, or ... produce credentials
from headquarters to that effect." God alone could
dictate the parts men and women played, and he employed no
intermediaries. But how can one distinguish good

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26 See Chap. I for a fuller discussion of this concept
in the context of abolitionism, and Chap. II for a
discussion in the context of marriage and divorce.

27 Woodhull and Claflin's Weekly, Sept. 3, 1870; see
For similar statements on this subject by Stanton and others
see Chap. I.

28 For the most part in Stanton's thinking this includes
Christ as well. While approving of his teachings as
representing the true and uncorrupted Christianity, she
never gives any indication that she sees him as a deity, or
a conduit to God. Unlike the evangelicals, for whom the
suffering and atonement of Christ played a critical role,
Stanton seems to reject the idea of Christ as an
intermediary, and tacitly to subscribe to a Quaker-
influenced sense of the inner light. (At least she is
convinced of her own direct connection.) On the other hand,
one doubts her full appreciation of the Quaker experience on
reading her account of a meeting of Friends she attended
with a female doctor: "I was moved to speak, the doctor was
authority from bad authority in this context, particularly for children, where the case for authority of some kind is the most compelling? The best regime, for children and citizens both, was not absolute authority: no tyranny in the home or in the state. Stanton argues that the training which is most likely to produce the good citizen—which is after all the goal of schooling—is the rule which forces the students to rule themselves, which presents both right and wrong to the student and "demands an act of judgment, a decision between the two." Absolute authority, Stanton admits, is more likely to produce order; but order is not the goal. Rather, the goal is to teach children, not domination over others, but the more difficult mastery over themselves; only in a society of self-governing people can the principles of individual growth be fully realized.

Stanton and the Liberal Individual

The love of freedom was more than a child's attribute: unfolding first in childhood, it persisted as long as life itself. As evidenced by her view of childhood, Stanton defined liberty as a human being's natural state; to critics who attributed a naturally passive role to women she

not, tho I urged her to be" (letter to Susan B. Anthony, Aug. 20, 1883, Stanton Papers, Douglass College).
responded bitterly that it had taken centuries of persecution, "the whole power of the civil and canon law ... under all forms of religious fanaticism, culminating in witch-craft" prosecutions to control and subdue women, who had nonetheless "shown her love of individual freedom, her desire for self-government, while her achievements in practical affairs and her courage in the great emergencies of life have vindicated her capacity to exercise this right."  

The premium Stanton placed on individual freedom was the theme of "Solitude of Self," the address that Stanton gave in 1892 before the congressional Judiciary Committee and later to the annual suffrage meeting. It is often acclaimed as her greatest speech, and its beauty is piercing. At the same time, it is a bleak statement of social relations, one almost without hope. In it Stanton

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29The full speech is published as Stanton, "Hearing of the Woman Suffrage Association Before the Committee on the Judiciary, 1892" (n.p., n.d.); there is a lightly edited version reprinted under its common name, "Solitude of Self," in Ellen DuBois's Elizabeth Cady Stanton, Susan B. Anthony. Citations in this chapter are from the "Hearing" text but will be cited as "Solitude of Self." This quotation is from pp. 62-63.

30DuBois points out that it anticipates "the existentialist philosophy associated with the rebirth of feminism in our time, and modern feminism's concern with the 'personal' elements of women's experience." DuBois, Stanton and Anthony, p. 246.
denies the possibility of human contact, human
communication, in any but the most superficial sense.
Common pleasures are fleeting; "even our friendship and love
we never fully share with another; there is something of
every passion in every situation we conceal" (p. 2). The
critical moments of each life are those—however brief—
when isolation is total. During bereavement, imprisonment,
poverty, war, abandonment, crisis, old age, "alike mid the
greatest triumphs and darkest tragedies of life we walk
alone" (p. 2). Stanton denied the possibility of community
which sparked so many women's groups in their associational
efforts; the woman who took an interest in questions of
health and sanitation, foreign policy, education, or other
social functions, for example, could never knit together
human beings but could only make her own solitude
"respectable" and provide work—if futile work—for her
hands (p. 3).

Even the human Christ never rose above such mortal
limits. Stanton proclaimed his command, "Bear ye one
another's burdens," beyond the individual's scope. The idea
of the atonement, the shifting of weight onto stronger
shoulders, had never appealed to the individualist in
Stanton. "In fitting out an army we give each soldier his
own knapsack, arms, powder, his blanket, cup, knife, fork,
and spoon. We provide alike for all their individual necessities, then each man bears his own burden" (p. 2).

Her summary of Christ’s life is selective, a litany of failures; neglecting triumphal entries, righteous wrath, and even the Resurrection, she concentrates instead on moments of abandonment and betrayal. Christ’s experience on earth is most fully realized, not even in the Crucifixion, but in the more bitter moments of despair alone in the garden at Gethsemane (p. 4).

For Stanton, the individual’s life did not lack a purpose; but its purpose was not to establish any particular set of relations among human beings. The social gospel movement and the more socially oriented feminists championed a kind of counter-Reformation in their rejection of faith over works. They thought that in the context of an industrializing America, the need for works was great, and that it rendered the contemplative life and the dead theological intricacies of salvation selfish and outmoded. Far from criticizing the Reformation, Stanton invoked it constantly, interpreting it as a movement in support of "individual rights, individual conscience and judgment ... the basic principles of our republican government and
Protestant religion . . . " Critical as she was of the male-dominated church hierarchy and the tyranny of superstition, the great Protestant principle of freedom of conscience represented for her the core of truth at the heart of a rotten institutional body--approximately the same way she looked on the principle of liberty in the Constitution.  Stanton too had no time for the creeds and codes of the church fathers. But the state of the individual soul was still paramount for her; although as a thorough-going antinomian she consistently denied that any outside authority could dictate, judge, or influence the state of her soul. As compared to social feminists, Stanton was a great spiritualist emphasizing the state of the soul over charitable deeds even while moving ever farther away from orthodox religion.  

The most compelling metaphor for human life in Stanton's vocabulary is that of the "solitary voyage:" for "no matter how much women prefer to lean . . . they must make

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31 "Suffrage a Natural Right" (Chicago, 1894), p. 2. See also History of Woman Suffrage, vol. 2, p. 437 for a NWSA resolution to that effect.

32 Revolution, Nov. 26, 1868, p. 324.

33 Aileen Kraditor in Ideas of the Woman Suffrage Movement describes "Solitude of Self" as an elegy for "a solitary human soul in the Protestant tradition responsible for its own destiny" (p. 48).
the voyage alone, (relying on) their own skill and judgment in the hour of danger, and, if not equal to the occasion, (man and woman) alike they perish." The voyage metaphor allows for nothing of the social, nothing of the rooted or familial; the "solitary voyager" is not with mess mates but "upon the deck of the ship at midnight ... (with a) feeling ... of utter desolation and loneliness; a little speck of life shut in by a tremendous darkness ..." The voyage is not aimless. Stanton carried over from antebellum feminist rhetoric the belief in a liberal Protestant mandate for the full development of God-given capacities, and insisted that woman's goal is the achievement of "the highest development of which they are capable." For the end of human life is the growth of the individual; and the individual has the duty to resist whatever restricts her growth."

The duty to resist often pitted the individual against

Particularly toward the end of her life Stanton's arguments for woman suffrage take on a foreboding air; women will need the ballot in emergencies, as solitary marooned voyagers, as a woman trapped in a burning house needs self-reliance. Again, it is tempting to attribute this sourness and sense of danger and isolation to old age and exclusion from the mainstream of the woman's movement after the NWSA's reunion with the more conservative American Woman Suffrage Association in 1890; but in an article in the Lily of 1852 Stanton fully anticipated her later message that woman is her own "self-supporter, self defender, and self protector, compelled to stand or fall, live or die, alone." Time probably increased her isolation; but her fundamental perception that woman is "an imaginary Robinson Crusoe with her woman Friday on a solitary island" didn't change -- and Stanton was often happier to do without Friday.

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38One particularly stirring speech on this subject was Stanton's on the famous McFarland-Richardson murder trial; see DuBois, ed., Stanton and Anthony, pp. 125-130. See also Elizabeth Pleck, Domestic Tyranny: The Making of Social Policy Against Family Violence From Colonial Times to the Present (New York, 1987).

39See "Solitude of Self"; "Self-Government the Best Means of Self-Development"; and "Suffrage a Natural Right".

40Lily, vol. 4 no. 5, p. 40 (May 1852).

Throughout her career Stanton, as well as other liberal feminists, showed an overriding concern for corporeal integrity, and a vivid apprehension of the possibilities of violence to the person. Nineteenth-century feminists across the ideological spectrum shared a belief in voluntary motherhood and sexual choice for women, and condemned in particular drunken male aggression against women and children. But the evangelicals, despite their focus on intemperance, devoted significantly less time to the issue of male violence against women, and were far less willing to condemn orthodox marriage itself as a breeder of violence. Liberals, far more than the evangelicals, dwelt in detail on the potential for male violence against women, recounting each new horror and indignity almost with relish, as though justifying their world view. Their constant litany of physical crimes against women both made public an important source of "private" oppression, and re-enforced liberal feminism's special fearfulness about physical violations and infringements.

Human beings' natural state was not only constant rebellion against illegitimate authority, but constant peril; in her defense of political rights for the individual Stanton often pictured the polity as a dangerous place for the liberal individual. Suffrage in particular served the
adult as a weapon of self-defense against abusive authority when "youthful pranks" no longer sufficed. In her 1894 speech "Suffrage a Natural Right," she drove home the analogy between the ballot and the bow and arrow with which early man "exercised his natural right of self protection." Stanton characterized the ballot as the "substitute in civilization" for the "rude weapons of savage life," proclaiming it tyranny to take away the means by which the individual defended person and property. Not impressed by any social compact which had made so few provisions for women, she declared that in compacting for the establishment of government and mutual protection no one gave up a "natural right to protect themselves and their property by laws of their own making, they simply substituted the ballot for the bow and arrow."

Only individual ownership and individual control gave protection in Stanton's world. Protection when provided by one for another is always a paternalist trap; no two individuals disparate in power can form a protective relationship without fatal harm to the liberty of the protected, in the same way that no class can legislate for

or represent another class. In classic liberal style she sees the individual constituted and protected through the ownership of property, including rights in that category as things owned by the classic possessive liberal individual. Children again illustrate the "natural" human response: "whoever touches their playthings without their consent arouses their angry resistance, showing the natural desire to own property." Property is one of the ways in which the vulnerable individual protects herself in a cold world; like physical assault, "to deny the rights of property (is) like cutting off the hands," to disable the body completely.

**Feminism, Fourier, and Free Love**

Stanton's endorsement of free love philosophy was a position which followed naturally from her earlier intellectual leanings. The legacy of slavery, as explored in Chapter II, helped form Stanton's strong antipathy to physical and legal restraints; the metaphor of slavery never

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43 See fn. 3 supra.

""Suffrage a Natural Right," p. 7. Rachel Weil points out that in pre-Lockean terminology "childlike" is a derogatory epithet; while for Stanton descriptions of children's behavior are used as evidence of a natural order.

lost its power for her, leaving her hypersensitive to the potential for abuse in any human relationship, particularly where there was a disparity in the parties' power. Much of Stanton's respect for and attention to the laws of nature resulted from her discovery that they confirmed her belief that humans thrived in freedom and solitude. She often used the metaphor of planetary orbits to describe optimal social arrangements in which individuals whirled around each other at a safe, orderly distance—planets rarely leaving their orbits to attack or enslave other planets. "Stanton endorsed Bloomers, physical exercise, and fresh air, and the general removal of all physical badges of female servitude, stressing the freedom of the body from all burdens and entanglements imposed from without. The Revolution in 1869 even endorsed a health reformer's position that no one should regularly sleep with another person, adding that there "is a great physical law that all would do well to obey. Every man, woman, and child should have a bed to him or herself.""

"See, for example, "Solitude of Self."

"Revolution, vol. 3 no. 24 (June 17, 1869), p. 379. Stanton's thought here coincides with the growth of new religions--Christian Science, spiritualism, faith healing--also centered around physical health and culture; see Elizabeth B. Clark, "Women and Religion in America, 1870-1920," in John F. Wilson, ed., Church and State in America,
For Stanton, as for Stephen Pearl Andrews, the physical subjugation of women was a prime indicator of America's diseased state; the indissoluble marriage relation was a carnal horror from "those dark periods when marriage was held by the greatest doctors and priests of the church to be a work of the flesh only." Similarly, voluntary motherhood and the right to full and free divorce provided above all release from an unwanted and often brutal physical bondage. The enlightened nineteenth-century attitude toward the body sought to release it, particularly women's bodies, from the corrosive hold of superiors in "feudal" relations of slavery and orthodox Christian marriage."

It was in this context that Stanton endorsed the doctrine of free love—a concept which meant many things to many people. Ellen DuBois suggests that her 1870 speech on marriage and divorce clearly establishes Stanton as a partisan of free love.50 Certainly the works of radicals


like Robert Dale Owen and Frances Wright, and later Victoria Woodhull and Annie Besant, influenced her profoundly. She agreed with many of their positions, and above all learned from them even when she didn’t agree; along with George Sand and Mme de Stael they were in the small group of nineteenth-century figures who could out-radical her, and she admired their intelligence and daring.

At the same time, her philosophical agreement with the free love position had more to do with setting limits than with exploring sensual experience. In a letter of 1880 to her cousin and confidante Elizabeth Smith Miller she expressed her private view that she could not support free love where it was equated with promiscuity, but did support it where it meant women’s right to "give or withhold her body, bear children or not, and be her own absolute sovereign." In the same letter she declared her continuing belief in monogamy: for "anything short of this makes a

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For references see Stanton, Letters, p. 61 (on reading Thomas Paine and Frances Wright she comments "I am quite surprised to find them such rational and beautiful writers"); Revolution, vol. 3 no. 14 (April 8, 1869), p. 212 (agrees with Robert Dale Owen on the marriage question in his debate with Horace Greeley); letter to Lucretia Mott, April 1, 1872, Stanton Papers, Douglass College (supporting Victoria Woodhull); Stanton, Eighty Years, p. 355 (on Annie Besant). See also Leach, True Love and Perfect Union; and Barbara Taylor, Eve and the New Jerusalem; Socialism and Feminism in the Nineteenth Century (New York, 1983).
mongrel, sensual, discordant progeny ... soul union should precede and exalt physical union."

Stanton was certainly no prude, and there is evidence that she found women's sexual appetites to be as healthy and appropriate as men's. At the same time, she might more accurately be described as a partisan of self-ownership than of free love in its full erotic sense: her chief expressed interest in championing free love was to limit the powers of the state to intervene in sexual relations, as in other aspects of individuals' lives. Her belief that "we are all free lovers at heart" posited a conviction—one she believed many others shared—that in "a good time coming" men and women would be "a law unto themselves," and the police court, the state legislature, and "Recorder Hackett" would no longer interfere in relations of the heart; whatever resulted from the liberty to choose would be free.

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35 Letter to E.S. Miller, Aug. 11, 1880, Stanton Papers, Douglass College Library.

36 Griffith, In Her Own Right, pp. 96-97; DuBois, Stanton and Anthony, pp. 94-98.

4 Other partisans of free love were much more explicit in celebrating erotic pleasure; in "A Speech on the Garden of Eden: or, Paradise Lost and Found" Victoria Woodhull imagines an Eden that would have profoundly shaken Biblical scholars (1875). See also Leach, True Love and Perfect Union; and Sidney Ditzion, Marriage, Morals, and Sex in America: A History of Ideas (New York, 1953).
love." Stanton drove home the point that "freedom is one and indivisible" whether intellectual, sexual, religious, or political. Of course freedom could always be misused, but Stanton felt that the misuse of sexual freedom, like a misuse of economic freedom such as a bad investment, was simply "the unavoidable friction of the machinery."

Despite her reluctance to see free love as sexual license, Stanton was influenced by Victoria Woodhull, and was in thorough agreement with her that the question of women's political equality was moot without similar gains in sexual equality. For both Stanton and Woodhull, social and sexual rights, though they might define them differently, were the key to women's full empowerment, and that the possession of civil rights alone could not challenge women's subordination.

Woodhull herself was strongly influenced--some say ghost-written--by Stephen Pearl Andrews, who was himself for many years immersed in Fourierism and the communitarian movement. To describe a chain linking Stanton at one end to Fourier at the other would be misleading. At the same time, communitarianism was an important source of radical thinking

during Stanton's formative years and was certainly a part of the universe of ideas out of which she constructed her own theories. What American communitarians culled from Fourier, and what feminists picked and chose from communitarian thought, is revealing both about the cultural conditions for the American reception of Fourier, and about where liberal feminists' hearts lay on the spectrum of social reformers.

Charles Fourier's social philosophy rested on a vision of gratified desire. At a time when most of the civilized world was retreating only slowly from a belief in human nature's native state of sin, Fourier's sympathy for the depth and mutability of human passions—for work, love, and everything in between—produced one of the most bizarre and humane utopian blueprints ever committed to paper. Fourier's critique of existing institutions was damningly thorough, as reflected in his list of the 144 permanent vices, including slavery, the wage labor system, and hurricanes; his solutions were equally detailed, and equally grandiose.7 Not a Lockeian liberal, Fourier believed that individuals were neither malleable nor rational—no tabula

7 Jonathan Beecher, Charles Fourier: The Visionary and His World (Berkeley, 1986), p. 197. This is the most comprehensive work on Fourier that will ever be written and is wonderfully readable. See also Beecher and Richard Bienvenu, eds., The Utopian Vision of Charles Fourier (Boston, 1971).
rasa--but were moved by fundamental instinctual drives or passions." He sought to liberate rather than to repress the passions, to provide an environment in which each could be gratified in its turn.

Fourier attacked existing institutions on two main fronts: work and love. Harshly critical of the tedium of the new "wage slavery," his idea of "Attractive Labor" was at bottom a repudiation of the work-curse placed on Adam. Fourier reasoned that if humankind was given an appetite for the fruits of labor, it must have been given an appetite for production, as well, and he employed a variety of techniques in his phalanx to make labor varied and pleasurable for everyone."

The other main prong of Fourier's attack, the one which most concerns us here, was the assault on the isolated nuclear family. Fourier took the enlightened stance that "the extension of the privileges of woman is the fundamental cause of all social progress." Since he saw sexual passion as a quantity to be let loose rather than restrained, Christian marriage seemed a form of "conjugal

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"Beecher, Charles Fourier, p. 220.


"Beecher, Charles Fourier, p. 118.
slavery," one of the repressive authoritarian forms which warped human experience. Marriage laws imposed a false constraint and permanency which ran counter to the human inclination to spontaneity and diversity; like commerce they produced deceitful and inefficient practices.*1 Fourier saw women as the primary victims of the existing social system—"a piece of merchandise to be put up for sale to the highest bidder." He suggested that only the combination of economic and sexual independence—what he called the economic and the sexual minimums—which were guaranteed in the phalanx would restore women's dignity and status and the integrity of sexual relations in general.*2 The isolated household proved an indignity in labor terms as well: according to the communitarian critique the work of a single household sentenced women to domestic drudgery, an inefficient, piecemeal approach which could be improved through communualizing domestic labor.

In tune with popular economic principles of his day,

*1Beecher, Charles Fourier, p. 205; and chaps. 11 and 15.

*2Beecher, Charles Fourier, p. 173. Fourier's fascination with the corruption of sexual norms under capitalism led him to muse, for example, on the 49 varieties in the "Hierarchy of Cuckoldom," which included the "Warlike or Swaggering Cuckold," "the Supportive or Straw Man Cuckold," and "the Trumpeter Cuckold" (Beecher and Bienvenu, Utopian Vision, p. 183-85).
Fourier believed that energies became distorted and destructive when regulated and repressed, but when allowed to run their course worked in beneficial harmony for both the individual and society; in fact, "the man who devotes himself most ardently to pleasure becomes eminently useful to the happiness of all." Although Fourier shared with Adam Smith and others a common belief in the invisible hand and the inefficacy of human regulation, his system went far beyond economic liberalism toward the creation of a new religious philosophy. In reaction against religious orthodoxy, Fourier wholly rejected the notion of original sin, celebrating a capacity for human happiness and a liberation from long-faced Calvinism which owed much to Enlightenment thought. But there was a God in Fourier’s universe, one who had created humans with a capacity for joy and who had their best interests at heart. It was this God’s divine plan Fourier saw behind the working social harmonies he envisioned. In this way, religion and economic liberalism were fused into an optimistic belief in the God-given power of individuals to produce, create, desire, and enjoy—a much more potent mix in a world still tied to

"Beecher and Bienvenu, Utopian Vision, Introduction.

"Ibid."
religious forms than a theory of economic deregulation standing on its own."

In Fourier's utopia, the communalization of work and love were inextricable, critical elements of human liberation; in fact, Fourier at times hinted that the question of free love was actually "the most important branch of the theory of attraction." American students of Fourier, most notably Albert Brisbane his translator, largely ignored the call for sexual liberation, concentrating instead on the doctrine of Attractive Labor and the promise of a revolution in the wage labor system. Brisbane's patron was Stanton's opponent Horace Greeley, who opened the front page of his newspaper to Brisbane for a daily column on utopian associationism, and who actively rejected Fourier's vision of deregulated marriage. The Greeley-Brisbane associationists were bound to traditional forms of moral authority within the family. Brisbane


"Beecher, Charles Fourier, p. 120.

"Beecher, Charles Fourier, Introduction; p. 297. Brisbane's writings from the 1840s, the high water mark of Fourierism in the United States, dismiss the "social or Affective Passions" as too "vast and abstruse" a terrain to cover (the Phalanx, vol. 1 no. 2 [Nov. 4, 1843], pp. 25-26); he also admits that in speaking publicly he never broached Fourier's critique of traditional marriage (Redelia Brisbane, Albert Brisbane, p. 210.)
suggested that while the nuclear household was badly organized, marriage itself was an eternal type, for it and the family "exist in the moral nature of man." Marriage, like commerce, like religion, would be preserved in its true form once institutional distortions were removed, although individualized labor and not monogamy itself was the distortion in question for both Brisbane and Greeley.

Brisbane, no fan of organized religion, still hungered for a spiritual system to replace the one lost, and felt that the invisible hand was sure to have a God attached to it somewhere. His quest for a comprehensive social system was millennial in its belief that "'The Kingdom of Heaven' was to come to us in this terrestrial world by the establishment of a true Social Order." A perpetual tension between the individual and the group plagued American associationists; but in Brisbane's vision it was held in check by the idea that selfless Christian love was


Phalanx, vol. 1 no. 1 (Oct. 5, 1843), pp. 8-9. Some reader of the Concise Exposition agreed with Brisbane, and left a marginal note in a nineteenth-century hand reading "all this can be realized only in the coming Kingdom of God same is not of this age over which Satan has a Principality..." (Brisbane, Concise Exposition, p. 19 of the copy in Firestone Library's rare book room, Princeton University.)
the basis of the spiritual attraction which led to
association, love which "leads (associationists) to identify
others' interests with their own--to bear one another's
burdens--to feel the wrongs of others as their wrongs, and
to seek the good of others as they seek their own good."70

By contrast Stephen Pearl Andrews, although he was also
generated in a search for the underlying harmonious principle,
refused to look to Christianity as a model. His major
treatise, The Science of Society, proclaimed itself as
dealing "in no vague aspirations after 'the good time
coming' ... (it) will propound definite principles which
demand to be regarded as having all the validity of
scientific truths."71 Andrews' theology too renounced the
Calvinist assumption that human nature is sinful, and
celebrated free love over monogamy, private property over
communal ownership, and individualism over groupness, in
sharp contrast to Brisbane. One commentator calls Andrews'
thories "The Theology of Man."72

Andrews was torn throughout his life between his


71Stephen Pearl Andrews, The Science of Society (2

72Charles Shively, "The Thought of Stephen Pearl
Andrews (1812-1886)," University of Wisconsin, M.A. thesis,
1960.
attraction to Fourier’s system and to the more individualistic associational principles of Josiah Warren, whom one biographer calls "the chief architect of libertarianism." Warren’s creed was marked by an intense dedication to the rights of the individual. Though an associationist—he and Andrews co-founded a utopian community, Modern Times, on Long Island—Warren believed fervently in private property and in the right of the individual to be free of any compulsion whatever.

Although Warren saw the principle of association as a way of addressing inequalities, the right to dissociate was as important to him as the right to associate. Warren’s community was built on the complete separation and autonomy of each individual—"each being 'the law unto himself.'"

Andrews enthusiastically adopted the doctrine of individual sovereignty, interpreting the thrust of Fourier’s

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73 Writers on Andrews conflict over whether he made a straight-line progression from Fourier’s thought to Warren’s, or wavered back and forth. See Shively, "Thought of Stephen Pearl Andrews;" and James Martin, Men Against the State (DeKalb, Ill, 1953).


75 Martin, Men Against the State, p. 39.

76 Josiah Warren, Equitable Commerce (1849), p. 18, quoted in Shively, "Thought of Stephen Pearl Andrews," p. 3. Stanton had a strong affinity for this phrase, as well.
doctrine of the affections as a guarantee that each person could choose his own destiny and therefore "'be a law unto himself.'" For Andrews, the freedom of the individual is the logical result of the three great movements in history: the Protestant Reformation, which made the individual conscience paramount; the American Revolution, which established the individual's political sovereignty; and his own movement, "socialism," which would ensure personal sovereignty as well. In its most extreme formulation, Andrews declared, "the essential condition of freedom is disconnection—individuation—disintegration of interests." Ultimately, only the individual can be the judge of his or her own actions, in the political as in the personal sphere: "I claim individually to be my own nation, I take this opportunity to declare my National Identity, and to notify all other potentates, that they may respect my sovereignty. I may have to fight to establish my claim, but


"Quoted in Shively, "Thought of Stephen Pearl Andrews," p. 47."
... sooner or later I will come to the recognition of it."

But here, too, Andrews' vision followed Fourier's. Although the individual was the highest unit of social and political life, Andrews did not see public life as millions of "monads" in conflict, but as monads working together in the harmony produced when each obeyed the law of its own attractions. "Objects bound together contrary to their nature, must and will seek to rectify themselves by breaking the bonds which confine them, while those which come together by their own affinities remain quiescent and content." Andrews, then, did not jettison the good of the group entirely; he supported "cooperation" rather than "combination" or "amalgamation," defining cooperation as when "each, in pursuing his own pleasure or benefit, contributes incidentally to the pleasure or benefit of others."  

"Quoted in Shively, "Thought of Stephen Pearl Andrews," p. 44. Andrews was not completely without concern for consequences; he claimed that each individual was sovereign as long as he could assume the consequences of his actions--which Andrews labels "costs"--by himself and not turn them into moral or economic externalities, the burden to be born by others (Andrews, Science of Society, vol. 1, p. 36).


"Quoted in Shively, "Thought of Stephen Pearl Andrews," p. 47.
Andrews admits the paradox of "socialism"—that the individual in exercising his own sovereignty may throw the burden of his actions on others, and that the attempt to function as a community may infringe on the individual as well. Sometimes self-sacrifice and the compromise of individual rights was necessary; for this reason, communities may need governments as an interim measure. But still protesting that "dependence and close connections" are the roots of despotism, as disconnection is the root of freedom, he condemned communities like the Shakers and the Rappites as based on "religious submission ... to despotic rule." Andrews was ultimately willing to abandon society in favor of the individual, on the theory that socialism itself can become a form of tyranny; its form, he admitted, might be antagonistic to the ends of human freedom. This commitment to individualism raised a thorny internal contradiction within Andrew's communitarian scheme, and proved a bone of contention between him and more traditional


"Andrews, Science of Society, vol. 1, pp. 37, 11. Andrews does distinguish between the "natural" connection between the mother and child which is not destructive, and the artificial connections of adults, which are (ibid., p. 37).
associationists like Brisbane and Greeley."

Yet despite disagreement over the liberating power of individualism and sexuality in restructuring human relations, Fourier, Warren, Brisbane, and Andrews shared an enthusiastic support for women's rights and a critique of the isolated household as a work unit. An article in the *Phalanx* in 1843 included "Domestic Service" in the list of "Servitudes to be abolished," labeling it a branch of the system of hired labor which created its own class, one composed largely of housewives." Thus, these male utopian socialists recognized early that the gendered division of labor characteristic of industrial society created a sex-class—what Brisbane called a "low sphere of action."

Brisbane in his later writing was increasingly explicit about the need to turn households into cooperative arrangements, collectivizing domestic labor and child care both. These arrangements would leave the monogamous family intact and would allow women a large measure of autonomy.

"American socialism in the second half of the nineteenth century was in general more anarchistic, more oriented toward the individual than its European counterpart, which tended more toward a state socialism. Charles Fourier himself attacked the liberal conception of "personal freedom" as it evolved in America as empty and formalistic, without the surrounding communitarian structure (Martin, *Men Against the State*, pp. 5-6).

"Phalanx*, vol. 1 no. 2 (Nov. 4, 1843), p. 17.
over their own households; particularly in child-rearing, where mothers could exercise as much or as little direct supervision as they chose, leaving the rest to nurses called "collective mothers." He believed that only when isolated drudgery was abolished—and similar suggestions were made by the other associationists—would women be able to elevate themselves from a condition of "domestic servitude." In the minds of communitarians, conditions of material inequality far outstripped conditions of civil equality in importance: Andrews states categorically that while "woman herself is confiscated," her right to own property or vote would be of minimal value.

Despite associationists' support for woman's rights and the fact that they shared a core of reform and feminist sympathies with suffragists, many in the woman's movement viewed the associationists with suspicion and hostility; associationist ideas were only incorporated in feminist theory in a partial and roundabout way. Perhaps understandably, when so few of the women involved in

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organized suffragism worked at industrial jobs, the issue of "attractive labor" did not draw a crowd; to the extent that women reformers were concerned in this period with labor issues it was with working women, and expressed itself more in immediate concern over wages, hours, and working conditions. The suffrage literature gave little or no space to labor reforms proposed by Brisbane, Warren, or Andrews.

In addition, the utopian community offered women a mixed bag of restraints and opportunities. Housework collectivities and the destruction of gendered work categories found in communities like Oneida appealed to many women seeking to escape from the rigid separation of domestic and public work. The first generation of liberal feminists did not glorify domestic work as more home-centered women did, and often complained of the toll such drudgery took on women's health. Stanton, again in the forefront, lashed out at the immense amount of nonsense talked about the isolated home ... for a poor farmer with wife and child in the solitude of a prairie home, a cooperative household with society would be

inestimable blessing. Woman's work can never be properly organized in the isolated home."

Stanton on several occasions voiced admiration for Fourier's arrangement of communalized domestic chores."

But despite the attractions of communalism, most feminists still found the idea of running their own families too attractive and too much a part of their cultural heritage to completely relinquish. The destruction of the nuclear household was never an articulated goal of the woman's movement (although Stanton occasionally hinted darkly that it would be changed beyond recognition), and relatively few women in the immediate post-Civil War period even broached the subject of household collectives."

Feminists well understood the problem of the isolated household, but did not accept the communitarian solutions, perhaps as giving up too much."


“For example, in Eighty Years, p. 147. Reversing the worst fears of 1960s parents, Victoria Woodhull suggests that sexual freedom will ultimately lead to cooperative households ("Tried as By Fire; of the True and the False Socially" [1874], p. 44).


“The second generation in the Oneida community saw a revolt by women pressing for a return of many functions of domestic work and child rearing to the nuclear family, as a
In addition, in the minds of many, communitarians were tarred with the "free love" brush. Liberalization of divorce laws remained controversial in the suffrage movement until the next century, in part because of the (realistic) fear that association with radical social positions could taint the suffrage cause. Free love posed this problem in spades; and genuinely shocked many ladies' sensibilities to boot. Although careful to distance themselves from the free lovers, the NWSA platform reflected a willingness to link issues of personal and political freedom together, and a commitment to women's autonomy in their personal lives which took much—in part through Stanton's mediation—from the utopian socialist commitment to bodily autonomy.*4 Self-

way of strengthening their power base. See Louis J. Kern, "Ideology and Reality: Sexuality and Women’s Status in the Oneida Community," Radical History Review, vol. 20 (1979), pp. 180-204. Other than her distaste for housework, it's not clear that Stanton ever felt any strongly communitarian urges; evidence in fact points in the other direction.

"The disagreement on that score came from the Boston-based AWSA, whom Woodhull and Claflin's Weekly accused of deliberately ignoring women's social wrongs to pursue the limited ends of the ballot and financial equality; as the Weekly said, "taxation without representation merely has a hollow sound." Woodhull's position as an outlier—and reputation as a loose cannon—allowed her to express herself more freely on the subject of the "Boston ladies" than Stanton was able to do in politic fashion, but it is easy to imagine Stanton savoring Woodhull's charge that the Stone-Blackwell group heaped scorn on free lovers and others "who choose to walk in their own way rather than to be led by the immaculate Athenians." The Bostonians, Woodhull suspected,
ownership was a hard nut for the rank and file of the NWSA to crack at first, harder for many than suffrage. By the mid-1870s, though, the issues of prostitution and the double standard, marital abuse, and voluntary motherhood were found "all the acts necessary to reproduce...constitutionally and inherently disgusting. Woodhull (this article is unattributed but I believe she wrote it) goes on to suggest helpfully that perhaps the Boston ladies do not trust themselves and need to have a code of laws "restraining any lustful sheeps-eyes glances...toward their friends of the masculine gender." See Woodhull and Claflin's Weekly, vol. 3 no. 25 (Nov. 4, 1871), pp. 10 ff.

Woodhull's broadside was perhaps a response to a resolution from an earlier meeting of the American Equal Rights Association—or at least to the attitude behind it—repudiating the free love movement, introduced by Henry Blackwell and supported by Mary Livermore and Lucy Stone, all key members of the Boston AWSA (see History of Woman Suffrage, vol. 2, p. 389). Victoria Woodhull's fitful relations with the NWSA are recounted in Johanna Johnston's Mrs. Satan (New York, 1967); DuBois, Elizabeth; Stanton, Susan B. Anthony; and Griffith, In Her Own Right. Woodhull was briefly a hero of the movement following her successful 1871 speech to Congress, and many people adopted the strategy she outlined there. When Woodhull's part in the Beecher-Tilton scandal became known, however, even her partisans felt some pressing need to get in line with the rest of the immaculate Athenians, and she was dropped from the NWSA roster. Woodhull's presence on the platform never signalled any acceptance of her free love views by the rank and file; her "new departure" strategy was largely free of such rhetoric, although the strategy itself—that women already had the vote as a matter of prior right and constitutional entitlement through the fourteenth and fifteenth amendments—was grounded in the same theory of natural rights as her philosophy of sexual freedom; see DuBois, Stanton and Anthony, pp. 101-107.
openly discussed and added to the organization's agenda."
In no small part due to the influence of Elizabeth Cady
Stanton, woman's "natural right" to her body had become a
pillar of mainstream liberal feminist thought.

The Natural Roots of Natural Rights
In a tract published in 1894 Stanton most clearly
spells out her philosophy of natural rights.

We argue the rights of persons from their
necessities. To breathe, sleep, walk, eat,
and drink, are natural rights, necessary to
physical development. So the right to think,
express one's opinion, mould public
sentiment, to choose one's conditions and
environments, are necessities for psychical
development ... in the study of human beings,
we see their wants and needs, their
capacities and powers and from their
manifestations, we argue their natural
rights."

Commentators have long pinpointed natural rights as a
cornerstone of liberal feminist philosophy, using the phrase
as shorthand for the set of claims and principles adopted by
the Founding Fathers, equality foremost among them. In
fact—as the quotation from "Suffrage a Natural Right" shows

"DuBois, Stanton and Anthony, p. 97; Leach, True Love
and Perfect Union, pp. 85 ff.


"See Kraditor, Ideas of the Woman Suffrage Movement,
and DuBois, Feminism and Suffrage.
quite clearly—Stanton and other liberal feminists' expression of natural rights philosophy, although it employs the same vocabulary, departs sharply from the male eighteenth-century revolutionary tradition. Unlike the Founding Fathers, Stanton saw freedom of physical movement, autonomy, as the root natural right. Revolutionary philosophy did not deny self-ownership; on the contrary, it was in many ways a given, since rights were being sought for white men of clearly independent position, whose status as self-owning was not challenged and not at issue. Because there had not been any significant group of unfree white laborers, the issue of universal male suffrage in the early nineteenth century did not raise the question of self-ownership in the same way it was raised by later efforts to enfranchise women and black Americans.

The philosophy of universal male suffrage laid down few requirements for citizenship. Nonetheless, a vestigial notion of "citizen" still centered around attributes commonly associated with citizenship which in practice most women and blacks could not share—autonomy, ownership of property, education, participation in the public sphere. In fact, across the spectrum of potential voters from the ex-field slave to the lady Athenians of Boston, their common humanity lay in tenancing a human body; and it was around
this common chord that much of Stanton's natural rights argument was built.

From the earliest days of the movement, women stressed rights as rooted in physical autonomy. This is shown by a comparison of the grievances enumerated in the Declaration of Independence and those in the Declaration of Sentiments penned at the first woman's rights meeting at Seneca Falls and modelled on the earlier document. Eighteenth-century American revolutionaries protested "slavery," but it was not the slavery of physical abuse, marital rape, or forced labor. Many of the Declaration's eighteen counts against George III complained of the colonists' inability to participate in government and public life, or the imposition of harsh measures without participation or representation. Their natural rights tradition posited an overarching set of principles guaranteeing rights which could largely be described as civil rights, insuring consent to government on issues such as representation and taxation, and protection from arbitrary legal and political power. The rights of individuals were indeed paramount; but the personality


constructed was largely a civil personality, the needs largely civil needs.

Rights for Stanton did not originate in some conception of the civic individual, but in the inviolate body. The Declaration of Sentiments, in which Stanton played the part of Thomas Jefferson, laid out eighteen grievances of its own; many were directed at the procurement of women's civil rights, such as the right to vote and own property. But others explicitly attacked men's "absolute tyranny"—which made woman the slave of her husband and allowed him to imprison and chastise her; which formulated the double standard of sexual conduct so denigrating to women; and which framed the laws of divorce so as to effectively deny women escape from a bad or violent marriage. Yet another area of discontent, unthinkable in the eighteenth-century original, was that man "has usurped the power of Jehovah himself" in assigning woman a sphere of action, deliberately stunting her education and full development.

Not content simply to rectify woman's place in the public sphere, the founding mothers aimed to reconstruct woman's view of herself and her most intimate relations, as a necessary preliminary to revamping her public personality. From Seneca Falls onward, feminist natural rights theory looked to human behavior and needs, the physical patterns of
life, to determine what "natural" or God-ordained laws were. It became a commonplace in the movement to refer to human rights as based on "natural necessity." Early on Stanton refuted altogether the positivist school of rights thinking when she complained that "Mr. Higginson belongs to the Jeremy Bentham school that law makes right. I am a discipline of the new philosophy that man's wants make his rights." Natural rights philosophy as she constructed it did indeed spring from and was closely identified with physical needs; although it resulted in meaningful claims for civil rights as well, civil rights for Stanton served

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100 The fact that women modeled the Declaration of Sentiments so closely on the Declaration of Independence--its language is virtually identical except for the specifics of the charges themselves--is often cited as evidence that women followed closely in the founding traditions. Imitation is the sincerest form of flattery etc., but to indict men in exactly the same terms in which they indicted the tyrant George III seems a back-handed compliment, as well as an acknowledgment of the power of the argument.

101 Belva Lockwood, "The Right of Women to Vote, Guaranteed by the Constitution..." (Washington, 1871); reprinted in Woodhull and Claflin's Weekly, vol. 2 no. 15 (Feb. 25, 1871), p. 1. For similar language see also Stanton's speech in Proceedings of the First Anniversary of the Equal Rights Association (New York, 1867), p. 8 (suffrage as necessary to protection of person and property "as are air and motion to life; women and blacks "not outside human laws and necessities.") See also Chap. I for the antebellum origins of this line of thought within American feminism.

102 Stanton, letter to Susan B. Anthony, July 4, 1858, Stanton Papers, Douglass College Library.
ultimately to protect the individual's safety.\textsuperscript{103}

In Stanton's view, all rights sprang from the fact of self-ownership. She was convinced that for both the woman and the slave, civil rights such as the rights to vote and to own property would be worthless until "the great idea of his right to himself, of his personal dignity ... take(s) possession of his soul."\textsuperscript{104} As Woodhull claimed, "a statement of woman's rights which ignores the right of self-ownership as the first of all rights is insufficient to meet the demand."\textsuperscript{105} "The rights of the individual and the citizen have the same origin and their public and private interests demand the same protection. Individual freedom and self-government, citizenship and suffrage, are synonymous."\textsuperscript{106} Stanton fused the personal and the political in a way which expanded the concept and scope of citizenship considerably, while at the same time stressing personal growth and freedom as the basis and end of those rights.

\textsuperscript{103}Supra, pp. 20-22.

\textsuperscript{104}Stanton, letter to Susan B. Anthony, July 20, 1857; and letter to Lucy Stone, Nov. 24, 1856, Stanton Papers, Douglass College Library.

\textsuperscript{105}This is from Victoria Woodhull's "Principles of Social Freedom," p. 5, where she also said that "the woman's movement means no less the complete social as well as the political enfranchisement of mankind."

\textsuperscript{106}Stanton, "Suffrage a Natural Right," p. 8.
The Founders would have agreed with her that the rights of governments flow from the rights of individuals; but would not have gone on to add that the individual has the duty to resist whatever restricts his personal growth in preference to all "constitutions, creed, and codes."107

At the same time, predicating rights on the most elemental needs also posits a kind of equitable allotment, or at least heads off substantial inequity. In her address to the constitutional convention of New York in 1867 Stanton claims for each individual the "right to everything on earth and air, on land and sea ... to all that is needful for body and soul, and there is no limit to the exercise of your rights but in the infringement of the rights of another ..."108 Here, and throughout her work, Stanton shows the influence of liberal thought in her belief that the widest scope of freedom to consume, act, enjoy was possible for all individuals, and that no conflicts between the needs of individuals would arise.109 "Infringement" in Stanton's terms was the classic legal punch in the nose, and could not


109For example, Stanton, Eighty Years, p. 231; DuBois, Stanton and Anthony, p. 129.
come about through the simple fact of needing; shaped by the early liberal optimism that unfettered human energy could produce limitless amounts, the problem of redistribution, or the conflict of rights between individuals, rarely arose in Stanton's thinking.

This definition of natural rights as rooted in the safety and well being of the body makes sense of the idea of civil rights as defensive weapons. The ballot signified "bread, education, self-protection, self-reliance, and self-respect; to the wife it means the control of her own person, property, and earnings ..." Such a definition also theoretically does away with the idea of qualified suffrage, life itself and the instinct of self-preservation being the only qualification. Isabella Beecher Hooker in a speech to Congress eloquently claimed her right to vote although

I may have been born with less capacity than the least among you, with small chance of growing to your mental stature, or reaching your standard of moral elevation; but I have a perfect right to sit in your midst, pygmy that I may be ...

Resolution passed, recorded in Proceeding...Equal Rights Association, p. 52.

Memorial of Elizabeth Cady Stanton...to the Congress of the United States (Washington, D.C., 1872). Although this position represented the moral high ground, in fact liberals were a little wishy-washy on suffrage qualifications. Women often reiterated the argument, a staple of Sumner's theory, that unacceptable qualifications
Women demanded that "the qualifications which a state may require of electors must be such as can be acquired by all persons by the same means."  

The nineteenth-century liberal feminist natural rights tradition transfigured its eighteenth-century parent. The earlier tradition rooted its theory of natural rights in the civil self. By focusing political demands on the right to vote, represent, and to legislate—to be independent in the political sphere—it automatically defined rights in such a way as to exclude women, who did not inhabit that world. In feminist eyes, natural rights derived from natural laws, and from the physical conditions of life common to pygmies and

could be distinguished by their immutability; i.e., youth and insanity could be overcome, but sex and race never could be, leaving the door open to some restrictions. In fact, Stanton went back and forth on the question of educational qualifications for suffrage, and often expressed her feelings about ignorant foreign-born rabble by supporting such a conditional suffrage; see "Educated Suffrage," The Independent, Feb. 14, 1895, Stanton Papers, Library of Congress, reel 2. On the basis of Stanton's original claims to self-ownership, however, it is difficult to make the argument that any sentient being of any age or condition can be denied the vote; and in fact the basis of the regulatory authority over children and other dependents have sometimes proven difficult or impossible for courts to uphold in the years since.

giants alike. Those who could claim to own nothing but their souls were rich in natural rights.

The Antinomian State

Elizabeth Cady Stanton's extreme individualist orientation made it very difficult for her at any stage in her career to develop a substantive theory of the state, or a theory of class action within the state. Her religious and political antinomianism were inseparable, as expressed by one of her favorite phrases, "a law unto herself." Both depended on the ideal of the individual consulting his or her own conscience in rigorous Protestant, "republican" fashion for the final ruling on the law. Chapter II showed Stanton's hostility to law within the family setting, but concern for the individual's privacy was only one part of her disaffection with legal means. Stanton felt strongly that in any setting, public or private, the imposition of

113 The revolutionary natural rights tradition itself was a departure from the medieval natural laws tradition as taught by Thomas Aquinas and others, which looked to the habits of physical life to determine natural laws.

114 Stanton used the term "republican" often and approvingly; republican as she defined it had nothing to do with common good but was synonymous with "self-governing." As such, she felt she was moving the country in the direction of a true republic by endorsing individualism, and would have been horrified at the recent academic construction of republicanism.
external norms was doomed to fail, a belief she shared with Fourier and his followers.

One commentator, writing in the Revolution about marriage, suggests that "the morality which consists in doing no harm ... can be enforced by external restraints, (but) is essentially different from the morality which consists in loving God, and which is acquired by faith and prayer alone." These two categories approximated Stanton’s division of tasks performed by the state and by the individual: the state could be entrusted to do a small number of things in a limited way under strict scrutiny, usually negative rather than positive action; while all that was creative, vital, loving, constructive could only be undertaken through the free will of the individual. Ultimately the state (as represented in the pedestrian bureaucrat, Recorder Hackett) will wither away, and humans will be fully self-regulating.

Such skepticism about positive law’s capacity had several sources, and it was particularly acute in liberal reform circles. Divine authority still always trumped human authority. Conservatives like Greeley were willing to

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117Revolution, vol. 3 no. 8 (Feb. 25, 1869).

dishonor human law if it conflicted with the overriding authority of God’s laws on the permanence of marriage; Stanton argued divine jurisdiction to refute the legislature’s authority to enact restrictive marriage laws. A variation on this theme was the ease with which reformers, particularly those influenced by abolitionism, interpreted the exercise of human authority as illegitimate and corrupt. Finally, the influence of Fourierism, bolstered with arguments from liberal economic theory, combined with liberal Protestantism’s continuing strong belief in natural laws of divine origin to create a widespread confidence in an all-encompassing system, not the invention of mankind but "deduced from and based upon universal Principles, (which) is the application to the social relations of mankind of the laws of Order and Unity which govern the Universe." Stanton was a true believer in a universal set of laws, "immutable in the moral as in the material world" that

117 For the antebellum roots of this attitude in abolitionism see Lewis Perry, Radical Abolitionism; and Chap. I.

governed individuals by themselves and also in their social relations; one infringement could "breed disorder and confusion in the whole social system."\footnote{Stanton, "The Pleasures of Age: An Address Delivered by Elizabeth Cady Stanton on her Seventieth Birthday" (n.p., n.d.); and "Address in Favor of Universal Suffrage," p. 13. Needless to say, Recorder Hackett was not the Author of these laws.}

One of the most important tenets of the day, with implications for public attitudes toward the legal system, was that the activation of this self-regulating system "proceeded by the liberation of inner resources rather than the imposition of external forms."\footnote{Howard Feinstein, \textit{Becoming William James} (Ithaca, 1984), p. 83.} In their universal belief in a grand social order regulated by natural laws lately come from the presence of God, most reformers repudiated the idea that human laws, acting from without, could mold or coerce human behavior. Andrews spoke for many in his assertion that "marriage is a contrivance to regulate nature instead of studying her laws," and that "order, combining with freedom and ultimately in harmony, is to be the work of science, and not of arbitrary legislation and criminal codes."\footnote{Andrews, "Love, Marriage, and Divorce," p. 49. Many of these attitudes sound more like pre-Civil War anti-institutionalism of the kind George Frederickson writes} Stanton stressed that the task was not
to rule others, but the much more difficult one of ruling oneself; and that it was the duty of women to own and control themselves through government, not others.\textsuperscript{122}

Such attitudes toward regulation proved a shifting foundation on which to build any theory of the state. In their dislike of the state, liberal feminists had many plans for hobbling it. Its limited functions were defined primarily as the protection of the weak and the protection of personal rights; Woodhull was emphatic that any enacted law which contradicted those purposes was not binding, and unconstitutional as well.\textsuperscript{123}

about in The Inner Civil War: Northern Intellectuals and the Crisis of the Union (New York, 1968) than his description of post-war life. The generation of reformers I am concerned with here came of intellectual age in antebellum America and never lost the turn of mind they acquired then.

\textsuperscript{122}Stanton, "Self Government" (1874), Stanton Papers, Library of Congress, reel 3; and the Revolution, vol. 1 no. 5 (Feb. 5, 1868), p. 69.

\textsuperscript{123}Woodhull, "Principles of Social Freedom," p. 8. See also Revolution, vol. 2 no. 11 (Sept. 17, 1868), p. 169, which suggests that the proper role of government is not to protect the weak, but to provide them with the means whereby they can protect themselves. In 1894, Stanton made a strong push for leaving family regulation to the state, so that "we can judge of the working of different laws under varying circumstances, and thus learn their comparative merits." Actually it was an attempt to stave off a proposed national anti-divorce bill then riding a wave of popularity. Stanton, Eighty Years, p. 228.
Paradoxically, though, the NWSA had based its agenda on a program of national suffrage, rather than on a state by state basis. Stanton’s fear and dislike of the state were greater than most of her colleagues in the NWSA. Perhaps the more common attitude toward the state was represented by Matilda Gage, who believed that the centralization of government in the United States had marked an increase rather than a decrease in liberty, and found the idea that states had jurisdiction to define the individual’s natural rights to be dangerous. Theory aside, Stanton and Gage had a political movement to run, and operated on the strategic hope that centralized government could protect women’s rights. Both women see-sawed between anti-statism and hope for a woman suffrage amendment, Stanton coming down more often on the anti-statist side.

One area where Stanton fought in a sense to augment the jurisdiction of the state was family relations. In destroying the basis of private authority, Stanton thrust sexual and family matters into the public sphere, one which included both men and women. She was emphatic that cases of

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124 "Arguments on Behalf of...A Sixteenth Amendment...1880" (n.p., n.d.), p. 10. Gage suggests here that questions such as placement of cemeteries and bridges should be left solely to local powers; in such matters women "believe in the diffusion of the power of government" and seek a return of control to local institutions.
infanticide and sexual misconduct brought against women should be tried by a jury of female peers; and that abuse within the family should be brought out from behind the shield of the single-family household and into open court. Dwelling on the details of one pathetic infanticide—unwed pregnancy, desertion, prolonged puerperal fever—Stanton over and over presented the details of women’s physical lives to public forums, as she also did repeatedly with her lyceum lectures on marriage and divorce and on motherhood as well. Oppression flourished within an atmosphere of secrecy, privacy, closed doors; the body itself and all its workings must be revealed, and removed from the confining influences of the church and family.

At the same time, Stanton mapped out the sphere of personal life in public only to label it private; and sought to enforce privacy rights for individual behavior while destroying the privacy of the home. Self-ownership’s essential characteristic was that the individual served as the sole judge of his own needs—"a man’s wants make his

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126 See Leach, True Love and Perfect Union; and John Cowan, Science of a New Life (1874; reprint, New York, 1970).
Clearly rights based on such a criterion—one which exalts the subjective judgment of the wanter over any external decision making process—sets a standard which is unreviewable by any outsider or institutional authority. Because so much of politics for Stanton consisted of issues of individual autonomy, huge areas of decision making fell into the preserve of individual sovereignty. Stanton sought to label much behavior "private" or "personal" in a way which defined it as outside the regulatory sphere, and only within the competence of the individual. Such a subjective standard—literally "my body, my right"—is open to unilateral change at any time, with no basis for discussion or dispute.

127 Stanton, letter to Susan B. Anthony, July 14, 1858, Stanton Papers, Douglass College.

128 See fn. 35 supra.

129 In the arguments in front of the Supreme Court in the Webster abortion-rights case in April, 1989, the attorney for the plaintiffs was quoted as saying "the conclusion...is when you have an issue so divisive and so emotional and so personal and so intimate, that it must be left as a fundamental right to an individual to make that choice" (New York Times, April 27, 1989). This conclusion is striking both because it is such a complete reversal of eighteenth-century thought, where a decision "so emotional and so personal" would have been described as "so moral and so religious" and exactly for that reason subject to regulation of some kind; and because it seems a direct descendent of the argument Stanton set up initially, that sexual and family matters were "personal" and not moral, and therefore impervious to public scrutiny.
The dualism of radical associationism stuck with Stanton all her life--no half measures, one was white or black, slave or free, a slave of government or an individual sovereign. Because her final question was always whether the individual was paramount it was very difficult for Stanton to develop any workable theory of a public interest, or any positive theory of the state.\textsuperscript{130} Stanton may not have fully foreseen the consequences of her theory of the dwarf state, or adequately considered the question of whether in fact a central government was a necessary partner in ensuring women's equality.

The vision of citizenship and suffrage Stanton put forward was as impoverished as her view of the state. Stanton's articulated definition of the ballot was extremely narrow, almost never going beyond its protective function.

This is citizenship in a republic. The natural right to life, liberty, and happiness ... the right to protect one's person and property; to govern one's self; to have a voice in the law and rulers; to enjoy all the advantages and opportunities of which one is capable.\textsuperscript{131}

\textsuperscript{130}Stanton calls the idea that the interests of society are paramount to those of the individual the "Roman idea, the Pagan idea that the individual was made for the state" (Eighty Years, p. 231.)

This position is in many ways a retreat from antebellum feminism, which fully subscribed to political rights as enhancing the development of the individual, but tied them also to the performance of duties and the provision of goods and services for all. The vote for antebellum feminists was tied into a web of relationships often described in the phrase "rights and duties." Stanton categorically rejected conditioning one's rights on one duties, or on anything but self-ownership. She was not without a broader vision of the potential for human development; in fact, this was her creed and her religion. But her individualistic stance left little room for a positive view of government, or its potential to act as a force for good in people's lives; or for politics as an institution in which people come together to govern themselves jointly.

Nor did it allow for any real theory of economic class, or class action within the state. Far more than her

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See Chap. I.

Toward the very end of her life, Stanton began to come to terms with some of the limitations of her philosophy, to appreciate the possibilities of some type of socialism, and speak more realistically about the reality of class conflict in an industrial society. See for example "Suffrage a Natural Right," p. 3-4. In another letter, undated but written from Basingstoke, England, sometime in the 1890s, she writes in an uncharacteristic moment of doubt, "My mind is not yet clear on the subject of paternal government, whether we have too much or too little." (Letter
peers, Stanton understood women as a sex-class, joined in oppression, but any real sense of economic class eluded her; her sympathy for slaves and workers was always strained.\textsuperscript{134} Stanton retained all her life a conviction formed in the America of the Second Great Awakening, that civil perfection is gained in the perfection of individuals and their rights: denying arguments from "the rights of races" she demanded an "end to all this talk of class legislation ... bury the Negro in the citizen."\textsuperscript{135} The identification of common interest perhaps necessary for class consciousness was lacking in Stanton, who believed that "no mortal has ever been, no mortal will ever be like the soul just launched on the sea of life."\textsuperscript{136} The liberal Protestant notion of the individual, the primacy of individual conscience, worked

to Elizabeth Smith Miller, undated, Stanton papers, Douglass College).

\textsuperscript{134} Gail Parker in the "Introduction" to \textit{Eighty Years} says "I cannot help but wish that she had manifested a less invidious sisterly love for her sex and that her championship of the slaves, and later of the working classes, had been marked by a genuine feeling of involvement with their fate, instead of a vicarious pleasure in being able to share in their rebellious feelings. Elizabeth Stanton was never going to be caught depending on someone else's revolution" (p. xviii).

\textsuperscript{135} For the influence of revivalism on Stanton see Alice Rossi, \textit{The Feminist Papers}, introduction to part II; \textit{Revolution}, vol. 3 no. 2 (Jan. 14, 1869).

\textsuperscript{136} "Solitude of Self," p. 2.

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against the possibility of mutual interests as well.
Indeed, class could be an oppressive structure, one that
blurred the outlines of personhood in the group, or dictated
wants and needs. Stanton's failure to account for class
occurred in part because she had no conception of potential
conflict between the individual and the state; Fourier's
universal harmonies worked to assure that the highest good
of society and the individual always lay in same direction;
that if you "take care of individual rights the nation will
take care of itself."\(^{137}\) Perhaps in this seeming harmony the
chance to transform the idea of natural rights as rooted in
physical being into economic rights was lost.

Nevertheless, Stanton's political philosophy and view
of natural rights had a great influence on feminism; and
feminism, as well as women's entry into the public sphere,
helped to transform liberalism. In the eighteenth century,
the liberal individual (male) was defined by owning
property, voting, participating in the public sphere. By
the end of the nineteenth, there was a consensus, if not on
the details, at least on the fact that the liberal
individual, male or female, was autonomous in personal life,
as well; that rights extended to privacy of the body,

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\(^{137}\)Stanton, "Free Speech," p. 2; DuBois, Stanton and
Anthony, p. 129; Eighty Years, p. 231.
freedom from physical coercion. Commentators on Stanton have suggested that over the span of her career she moved away from an early interest in legal and political reform, switching in the late 1860s and 1870s to more intimate concerns of marriage, sexuality, maternity; and finally in her last twenty years to religion and the church. Although her interest in all these questions was lifelong,

139 Of course the causal question, which I have begged here, is how much liberalism changed as a result of any of the campaigns of organized feminism; or as a result of the entry of women into the political sphere, an established fact by the later nineteenth century (Stanton, Eighty Years, p. 265); or as a result of a gendered division of labor whereby women needed rights in order to fulfill sole duties within the home (see fn. 14, chap. II) (this also seems not to explain the emphasis on bodily autonomy); or as a result of the other great movement for freedom of the body, anti-slavery and Reconstruction. Rejecting monocausal history, I think all were important, and am not focusing on liberal political theory to suggest that other developments were not; at the same time I do think, unlike some commentators, that organized liberal feminism was highly visible and influential in defining the questions in post-Civil War America; the tremendous publicity given to them in newspapers, their incessant lecture tours, their constant stream of publications all helped to redefine the liberal individual.

139 See Maureen Fitzgerald, "Religion and Feminism," chap. 3; DuBois, Stanton and Anthony, p. 94; and Leach, True Love and Perfect Union, who also suggests (p. 143) that after the Civil War Stanton’s preoccupation with individualism gave way to an attempt to "combine individualism with structure, organization, and centralization." She does indicate that she knows these possibilities exist in her last years, but I question the extent to which she ever effectively moved away from individualism in her political theory.
her focus on sexual and family concerns certainly intensified during the 1870s. At the core of her transitions, though, is continuity and not change. Commentators have claimed that the explicit natural rights language of bodily ownership peaked in the 1870s, losing its force after the end of Reconstruction. But the language of autonomy lived on in Stanton’s work, and lay at the core both of her work on the domestic question and the religion question. For the whole of her career from first to last, the concept of self-ownership was at the root of Stanton’s political thought, its protection the ultimate goal of any form of government or social arrangement.

See fn. 139 supra.
Chapter IV - The Woman's Christian Temperance Union and Moral Governance

In 1875 the American Woman Suffrage Association (AWSA) sent a telegram signed by Lucy Stone and Mary Livermore to the newly formed Woman’s Christian Temperance Union (WCTU), reading "the AWSA bids your convention godspeed. Soon may women, armed with the ballot, help make the laws which concern human welfare." By return wire Frances Willard and Eliza Thompson politely replied, "the WCTU returns your kindly greetings and in Christian faith and charity abides God's will awaiting His future providence."1 Apparently God had suffrage work in store for temperance women; by the early 1880's their national organization had endorsed the woman's ballot and they were working, if not arm in arm, at least side by side with women's suffrage groups for that common goal. A focus on that important point of agreement obscures a world of difference. A number of scholars have explored the WCTU's instrumental vision of the ballot as an agent of social reform, comparing it (usually unfavorably) to groups like the National Woman Suffrage Association (NWSA) and the American Women's Suffrage Association with

1Stevenson, Katherine L., A Brief History of the Woman's Christian Temperance Union (2d ed.; Evanston, Ill., 1907), p.12.
their more abstract vision of fundamental rights. Unlike more liberal groups, which sought to elevate the individual woman through civil rights, the WCTU's strategy linked woman's welfare inextricably with that of her family, seeking both to control the behavior of other members of the family (husbands and children) through a series of moral regulations, and to shore up the working-class family in particular through a series of programs and provisions, Christian socialist in flavor, designed to provide a stable basis for family life.

The liberal and evangelical programs represented not merely different political strategies; they were different at the root, from their first assessment of human nature and the fundamental relations to their blueprint for a polity. A similar rift divides feminists today. Likeness and difference of male and female, family and self, have been the basis of much dispute in the last decade of feminist writings. Without trying to collapse time--much has changed in women's lives between then and now--the WCTU is an interesting study in themes we still debate.

Arguments from women's difference, whether they see difference as socially constructed or as essential, usually center around the experience of child-bearing and -raising, and the caring, noncompetitive style which results. For temperance women, too, the construction of themselves as mothers was central, to their own identities and to their politics. The WCTU was clearly a mothers' movement; their slogan, "organized mother love," shows their delicate perpetual balance between the maternal and the programmatic. The WCTU represents the largest and most influential mothers' movement in our history, actual practitioners of a kind of "connective politics" of which many cultural feminists dream today. How did they mediate between the love and intrusion which constitute personal intimacy and social compassion? How does maternalism compare to paternalism, or liberalism, or other styles of governance?

The Relational Basis of Temperance Politics

For evangelical suffragists, motherhood was not merely a political strategy, as some have suggested, but part of a larger world view. Unlike Stanton, unlike other liberals, evangelical women did not glorify the absolute freedom of

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the individual from ties and obligations to others, whether family or strangers. Far from being their ideal, evangelical women pitied the unattached, even condescending sympathetically to Stanton’s kingly libertarian hero, Robinson Crusoe, who "had a sorry time of it, and wasn’t so useful by half as he might have been under more social influences." For Frances Willard, Crusoe’s absolute liberty was compromised when he saw footprints not his own on the shore of his island: "From that moment his personal liberty was divided by two; from that moment self-hood ... had to take cognizance of otherhood." Far from being a comedown, though, the presence of another was what gave the self definition, purpose, rootedness. The idea of bonds, so repugnant to many liberals in the aftermath of slavery, signified for temperance women their binding, submissive relationship to God; as well as the second great commandment, love to neighbors. Stanton had never met an obligation she liked. But evangelicals found such assertions of personal independence misguided and unrealistic, and raised obligations to define the highest

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'Frances E. Willard, Woman and Temperance (Hartford, Conn., 1883), p. 491.
point of humanity and spirituality both. In some very real way they took on themselves the identity of a "'bond servant' ... and the bondage is—love." Far from seeing a polity as a collection of discrete individuals, it was a group that "like all creation is bound together by invisible cords, and through all pulsates a common life ..."

Family life, love for spouse and children, represented the closest, most common manifestation of such bonds. In WCTU ideology the family became the paradigm for social relations. The Christian ideal of brotherhood was the foundation of a relational view of community where "whosoever will do the will of my Father, who is in heaven, the same is my mother and sister and brother ..." Family ties between union members were stressed insistently; every woman was "sister" to every other, and a title conferred to honor a few of the Crusade's leaders was "Mother." Frances Willard and others travelled the remotest parts of the country ten months a year stressing the essential kinship of the union members with each other and with the rest of

*Willard, Woman and Temperance, p. 36.


society; her greatest compliment, paid to some audiences, was that she felt as much at home with them as with her own mother.9 As WCTU members often expressed it, their goal was "to make the whole world kin."10 Self-proclaimed sisters to each other, union members saw themselves as mothers to the community—a powerful image in a society which had elevated "mother" to a uniquely revered position.

In this world, one's rights, duties, even one's self-worth were measured by the fulfillment of obligations to others. Willard's favorite book, one she constantly recommended as embodying the core of the WCTU's philosophy, was Frances Power Cobbe's *The Duties of Woman*.11 Duty itself—a concept which liberals held in low esteem—was the backbone of evangelical feminism, far more than rights. Cobbe lights into the subject of duties with relish. Her hierarchy of duties has three main categories: Religious, Personal, and Social Duties; and she subdivides Social

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10A typical poem ends, "will not every wife and mother/ seek to help some erring brother?/ Will not every loving daughter/ seek to lift some fallen father?/ Will not sister, wife, and mother/ help a brother, son, or father?" Quoted in "The Granite State Outlook," vol, 1 no. 2 (Feb. 1891).

11Frances Power Cobbe, *The Duties of Woman* (Boston, 1881).
Duties in four parts. Duties for Cobbe arise out of relationships, the most important being the "natural ties of proximity in blood--the reciprocal first claims of Parents and Children, and then of Brothers, and so on." The second are duties arising out of those claims founded on contract, among which Cobbe includes marriage. The third category is that of prior indebtedness, those who have been benevolent to us in the past; and the fourth the claims of "local Propinquity," or neighbors. Duties, then, were all around, both contractual and involuntary, and impossible to shake; you could incur a duty to someone simply by living near him.

Union members who were housewives had their share of home tasks, and like all housewives sometimes found them wearying. Indeed, a clear strain in Stanton's brand of liberal feminism was an acknowledgement of the dehumanizing burden of home and child care, and a plea to women to reject the primary identification as domestic workers. Evangelical women, though, never expressed such weariness in public. The obligations to family, neighbors, strangers were not the

[12Cobbe, Duties, p. 94.]

[13Except for one wonderful jailed Crusader who, when her husband pleaded to be allowed to bail her out for the sake of the baby responded "Baby? What baby? I wouldn't be got out of here for twenty babies!"
punitive weights imposed from without, as Stanton pictured them, but willingly assumed—"faith which turns as readily to works as steam to water."\(^{14}\)

Nor is it clear that this difference between liberals and evangelicals can be traced to different material circumstances: one comparative study of leaders of both movements found that in terms of class, education, and amount and type of work outside the home, the two groups were remarkably alike.\(^{15}\) Religion, this study suggests, was the break point between the groups. Liberal suffragists were far more likely to fall within the "liberal" sphere of religion—Congregational, Quaker, Unitarian Universalist—while temperance women more likely belonged to the evangelical denominations, particularly Methodism. The liberal God—offstage most of the time—demanded more in the way of individual growth and autonomy, while the evangelicals' God—center stage—stressed kinship and care. Evangelicals measured their own happiness and self-worth by their lovingkindness to family and others; one hoped to have

\(^{14}\)Willard, *Do Everything*, p. 79.

as her epitaph "she was dependable."16

Maternal Governance

Glorification of home and family did not mean that those institutions could not be improved. Historians have been critical of the WCTU for accepting the monogamous nuclear family as it stood. In fact, the WCTU early on mounted a campaign to transform governance in the home as well as the state quite radically. Traditionally labeled "conservative" in their religion, they nonetheless shared with liberals a common enemy, the twin-headed orthodoxy of patriarchalism and Calvinism. The stories nineteenth-century women activists tell of their religious experiences are varied. But for the first generation of reformers there are common themes: all grew up in Charles Finney's America, were deeply touched by the Second Great Awakening, and wrestled in their own lives with Calvinism's harsh legacy. Feminists as different as Elizabeth Cady Stanton and Frances E. Willard shared the experience of sitting under the preaching of Charles Finney, terrorized into insomnia by his visions of the hell awaiting the unsaved.

The archetypal woman's story was of a childhood made

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16Footnote on deposit in the Widener Library.
miserable by a harsh, authoritarian Calvinist father, buttressed by a threatening (male) minister and a distant, unloving (male) God. Fathers in these stories exercised a sole, arbitrary authority without consultation or leniency. In one of the richest accounts, Mary Livermore's father imposed a severe Sunday regime on the family—no cooking, no reading but the Bible, incessant prayer meetings harping on the frailness of the hope of salvation until "I was sometimes shaken to the center of my being, and ... frequently felt a bitter regret that I had ever been born." Snuffling, creeping sextons, austere ministers, cold dark specter-filled churches scared her so as a child, Mary Livermore recounts, that she would cling to her father for hope and reassurance which he could not give. One Sunday, her eighth birthday, she received a beautiful, rare gift, a copy of Robinson Crusoe bound in red leather. Unable to leave the book alone, she was caught reading it several times by her father, who finally threw it in the fire—an act of gratuitous cruelty Livermore recounts with rage in her autobiography over sixty years later. Reform

17 Mary A. Livermore, The Story of My Life, or the Sunshine and Shadow of Seventy Years (Hartford, Conn., 1899), p. 56.

18 "Livermore, Story, p.59. The story of the attempt to break Mary's spirit is recounted in detail in Willard, Woman
women depicted such displays of patriarchal authority as common, and as abusive, arbitrary, damaging—the exercise of blind, unreasonable, unloving force designed to break the spirit of the child. Liberals and evangelicals both unanimously rejected this male model of governance through fear in home and church both, substituting a loving, suffering, feminine Christ for the feared, patriarchal God of Calvinist religion. Livermore even substituted "Our Jesus" for "Our Father" in her childhood prayers.1

The idea of a womanly model of domestic and religious authority began to assert itself with the feminine Christ, and was one which women eagerly developed and applied. "Our Mother" became the counter to "Our Father" in temperance women's writing, and she exercised a radically different style of authority. Mary Livermore as a child was deeply concerned with religious things, and despite her hatred of abusive authority, was torn for many years by the process of working out her stance toward God. She hated the distant, frightening ministers, but loved the more jovial ones, and longed to preach herself; often as a child she did preach to

an audience of logs. Occasionally her mother consented to sit as one of the congregation (impossible to imagine her father there, even in play): when Mrs. Livermore laughed, Mary "rebuked" her "severely," telling her that "laughter did not become God's house."20

Her deep conflict between the patriarchal and maternal models, between her father's influence and her mother's, also expressed itself during one visit from her cousins, when the children eagerly devoured the "ghastly chronicles" in Fox's Book of Martyrs. They were especially taken with the story of the burning of Archbishop Cranmer, a tale her father used to illustrate the nobility of martyrdom. Later, alone, the children decided to reenact the story using Mary's best toy, an expensive London wax doll. Like Cranmer, the doll perished quite satisfactorily in the flames; Mary was immediately overcome with "the remorse of matricide," and was for months inconsolable that Christian zeal had led her to "sacrifice" her only child--a sacrifice which fathers might but mothers would never make.21

Occasionally this conflict over styles of governance showed itself in open warfare between mother and father for

20Livermore, Story, p. 70.
21Livermore, Story, pp. 93-96.
control of the children. Despite women's deprecation of power, the home was clearly a charged environment; they very often spoke of it in military terms as their "domain," their "kingdom," their "fortress." Conflict could arise between individual parents within the home; and clearly despite the lip service paid to equality it was not in sorrow that Mary Livingston reported that although her mother never argued with her father, "no man was ever more completely under the control of another." A father who flouted mother's authority and instincts about children often brought down tragedy, as did John Mason in The Voice of the Home when he became a drinking companion to his son, whose appetites he could not curb. But mothers engaged in a larger fight as well, with the "traps and snares" which the wide male world set, particularly for sons but for daughters as well. For without their children women were without their raison d'être. Frances Raymond, a Civil War widow and mother of an only son, looked to her country for help: "if it could not provide so tender, yet should it not a larger fatherhood?" Yet in her battle against her son's drinking she was scorned and challenged by a bartender to provide "superior

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2Livermore, Story, p. 40.

attractions" to keep her son at home, a competition in which the state sided with the man. Often providing "superior attractions" in these texts leads to an eroticized mother-son relation at the expense of the conjugal. Temperance women hoped to be "adored by their sons, depended on by their husbands and friends." In one of the best known cases in which the father used overriding influence, one woman commended the son, Christ, who "in his hour of mortal agony did not forget his mother."

For the child in temperance writings, the home as governed by maternal authority was a far more congenial place—safer, warmer, more loving. Fathers tended to disrupt families. They were bossy; they drank; frequently and against mothers' wishes they uprooted families from loved homes to seek their fortunes on inhospitable land, "like Eve driven from Paradise." Frances Willard's father committed an act of unthinkable cruelty; when Frances was in

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2Sarepta Henry, Frances Raymond's Investment: Or, the Cost of a Boy (Chicago, 1889), p. 36.

2One article on the children's page of the Union's official organ, the Union Signal, urged boys to "fall in love" with their mothers (vol. 9, no. 45 [Nov. 22, 1883]); see also Arena, vol. 6 (1892), p. 371 (the definition of a clubwoman is given as "her children adore her. Her husband and friends rely on her good sense.")

2Willard, Do Everything, p. 163.

2Livermore, Story, p. 42.
her early twenties her sister Mary died, and in an effort to wipe out her memory Josiah Willard, over the protests of his wife and daughter, sold at auction not only their family home but all of their personal possessions—the household goods of thirty years. Critics have portrayed home for temperance women as stuffy, stilted, inegalitarian. But the motherly home was a haven, not for men but for women; an alternative to the harsher, unforgiving love of the patriarchal God and father. Mary Livermore recounted a time when, as children lost in a storm, parental love had rescued them, father bringing them home to the "beloved mother ... with dry clothing; a good supper, and the unspeakable blessedness of home, love, and welcome." As an adult she longed for an equally loving God and a similar resolution to problems by the "clear voice of our Father sounding out from the gloom, 'Lo, I am here.'"

The home as governed by mother was even safe from the gravest danger—eternal damnation. In another archetypal story, the death of the sister (or brother, or lover), the father is unable to assure his grieving family that the sister has been saved. In Mary Livermore's account, a

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30 Livermore, Story, p. 117.
minister reinforces her doubt and counsels the family to "accept the inevitable." Years later, the elderly Mary Livermore is still anguished over the death of the young girl; "not one intimation that she had entered a larger, nobler, and happier life. Flung out of existence into the dark, a delicate, white-souled child ..."³⁰ Doubt precipitated a crisis; Mary needed reassurance that her sister was not lost, which no male figure could give. "My mother alone was able to comfort me ... No amount of theological disputations removed her from her anchorage ... (a) belief that religion is love to God and love to man; that it is not possible for God, whose very nature is love, to send into life any creature, knowing that eternal torment awaits him." Again, the figure Mary Livermore later came to call "God the Mother" would not sacrifice even one child to the harsh regime of God the Calvinist Father.

Female intuition in WCTU literature is repeatedly posed against loveless male disputation; the mother's love and experience is privileged over the father's theology. "Men preach a creed; women will declare a life. Men deal in formulas, women in fact. Men have always tithed mint and rue and cumin in their exegesis and their ecclesiasticism,

³⁰Livermore, Story, p. 135.
while the world’s heart has cried out for compassion, forgiveness, and sympathy ..."31 The evangelical reform women were part of a liberal movement within the church that rejected Calvinist orthodoxy, Biblical literalism, hair-splitting disputations. Temperance women would put in their place a simpler religion based on the two great commandments—love for God and man—interpreted not through the intricacies of ancient languages but through love and common sense, virtues which mothers held in equal measure with fathers. Temperance leader Hannah Whitall Smith’s popular religious tracts were all based on a "theology ... learned in the nursery with my children."32

Many of the first generation of suffragists, liberals and evangelicals alike, were formed in their early years by struggles against Calvinist patriarchy and its male authoritarian model: despite their differences, Stanton shared with evangelicals a real dislike of orthodox "creeds and codes." The alternative models of governance which both liberals and evangelicals advocated shared some features; a commitment to a tolerant, liberal, reasoning style (words, however, which evangelicals and liberals could interpret

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32Quoted in Willard, Woman and Temperance, p. 199.
quite differently) which eschewed the use of force or coercion. But unlike the liberals, temperance women developed a science of maternal government as a prototype for the exercise of power in both home and state, a deeply gendered model based on women's biosocial role. But although it was a style any woman could aspire to, it was not instinctive: at times it seemed the WCTU had taken on the task, not just of mothering the world, but of first teaching women how to be mothers. Huge numbers of tracts, pamphlets, books, speeches, and meetings were devoted to celebrating good motherhood or developing it in others. Temperance mothers told their stories in first-person narrative or lightly disguised as fiction; mothers' meetings were at the heart of the Union's program. The mothering blitz was directed, not just at the new immigrants or the poor, but at the middle and upper classes, the Union's own rank and file, past mothers, future mothers--any woman who

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"Willard, _A Great Mother_; Mary Allen West, _Childhood: its Care and Culture_ (Chicago, 1892); Hannah Whitall Smith, _Educating Our Mothers, or, Wise Motherhood_ (London, 1896); Sarepta Henry, _Studies in Home and Child Life_ (New York, 1887). See also leaflets of Union's Mothers' meetings, W.C.T.U Archive, Evanston, Ill. Occasionally there were slip-ups. The Boston temperance ladies accidentally put out a cookbook called _Massachusetts W.C.T.U. Cuisine_ (Boston, 1878) in which several of the recipes were found to be "poisoned with wine. It is impossible to testify to the sorrow of the committee in charge of the book..." (errata slip)."
would listen. For union members identified a variety of personal and social evils as resulting from poor mothering in the home, and saw improving the quality of mother-child relations as fundamental to social change.

The new good mother was in every way the reverse of the patriarch. She led, not drove; used smiles and rewards rather than stress and punishments; never imposed arbitrary judgements on her children but reassured them instead. One such mother reinterpreted the biblical rod—man’s punitive staff—as a mere "symbol," representing not chastisement but the care and love of the shepherd.\(^3\) The watchword here was not coercion but "voluntary compliance." A Minnesota temperance worker coined an optimistic slogan which became popular: "no labor strikes, no strikes in the family; the best-governed children are those who seem to govern themselves."\(^3\) Like the government of God where "no coercion is found but absolute liberty," such a home was an "ideally practical democracy." The family government was approved and rejoiced in by each child. There was equality and deference "to parents and children alike, and children’s

\(^3\)Henry, Studies, p. 95. See also Willard, Great Mother, pp. 134 ff.; Smith, Educating Our Mothers, p.34.

\(^3\)Emily H. Miller, quoted in scrapbook 10, WCTU Series, reel 31.
voices were heard in the settlement of difficult questions in the counsel of the whole. Unlike the traditional family, mother and father were equal partners sharing both power and responsibility equitably.

Mothers secured voluntary compliance with prizes, rewards, encouragement as the tools of persuasion. Many evangelical suffragists had used such theories in their work as teachers as well and had first tested them out as Frances Willard did at Northwestern Women's College, where girls who routinely obeyed the code of conduct advanced to the "corps of the self-governed". "Voluntary" here held a rather different meaning for evangelicals than it did for liberals, though, and the contrasting uses lay at the core of the conflict between the two groups. Despite the emphasis on "voluntary" action, the writings of the WCTU overall do not manifest the same belief in human choice and free will that the liberals often did. "Free will" for evangelicals retained its older sense, not of unlimited human freedom, but of choice exercised in the context of God's will: choice to do or not to do wrong. With the declining emphasis on

36 Henry, Studies, pp. 84 ff.

37 Willard, Woman and Temperance, p. 26; Livermore, Story, p. 368.

38 See Chap. III.
sin, the phrase was often used by temperance workers to mean "the exercise (of) that free choice of duty wherein virtue consists." Willard, for example, writes in her later years that watching her father sign the Washingtonian temperance pledge as a child was her first lesson in personal liberty. One temperance paper, The Granite State Outlook, laid out a three-pronged scheme of family governance which encapsulated both the common program of evangelicals and liberals, and their splits. "Household tyranny" or old-style patriarchy, the common opponent of both groups, was one extreme. The other extreme was characterized by "Household anarchy," presumably the domestic environment which Stanton advocated and fostered. The third option, happily placed in the middle, was a house governed through the mechanism of "cheerful, trusting, love-inspired confidence in the parent's will."

Occasionally, of course, some child's (or spouse's) cheerful self-government broke down; but writers on mothering assured women that praise not blame, the carrot

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3 Cobbe, Duties, p. 28.

"Frances Willard, "Address Before the 22nd Annual Meeting of the National WCTU...Oct. 18-23, 1895," p. 3.

4 See Chap. III.

4 Granite State Outlook, June, 1891, p. 2.
not the stick, was the way to secure "voluntary compliance." Temperance women were hypersensitive to the open exercise of power, and to the unsexing that came with coercion and the use of force--so much the patriarch's role. Sometimes a temperance matriarch would vent righteous anger at barkeepers or saloon owners, and took pleasure in dressing them down with a kind of brutal maternal authority that made grown men quail like small boys." But usually, toward all the world but barkeepers, temperance women rejected the confrontational tactics of liberal suffragists, adopting as a policy methods of control which drew on womanly "influence," like gentle persuasion, coaxing, imploring--considered the traditional weapons of the weak. Temperance women sought to "suggest without the slightest appearance of arbitrary dictation." The best power was that with fewest outward manifestations, like the message of

"Smith, Educating Our Mothers, p. 34. See also Livermore, Story, p. 41.

"Union Signal, vol. 4 no. 6 (Feb. 8, 1883), p. 3; vol. 9 no. 49 (Dec. 20, 1883), p. 3. Despite their own efforts and self image, the WCTU ladies were often perceived as confrontational and forceful in the public literature (see the cartoon from Grip, next page); alternately they were cast as whiney, as on the stone grave marker some wag put on the site of a former saloon reading "Died, A Saloon, Nagged to Death by a Woman" (Additon, Twenty Years, p. 61).

"Union Signal, 4 January 1883, p. 3."
MRS. YEOMANS DRESSES DOWN FOSTER;
AND SAYS HIM JOLLY WELL RIGHT, TOO, SAYS EVERYBODY.

MR. YEOMANS AND PROF. FOSTER.—Hon. George Foster has
been working several years for the exemplary trouncing he got from
Mrs. Yeomans at Napanee the other day. Upon the invitation of
the Ontario W.C.T.U., this noble knight of prohibition came up from
Ottawa to address the convention. His speech was the exasperat-
ing blab platitudes over again—about the country not being "ripe"
the wisdom of high license for the present, etc., etc. It dem-
strated in short, that the tribes of office has transformed this man
from what he once was, a fearless advocate of moral reform, into
a time-serving coward. Mrs. Yeomans followed him on the plat-
form, and, metaphorically, laying him over her ample knee, she
gave him the most effective castigation that any public man in
Canada has ever received. Everybody says it scared him silly.
comfort a wife sent to a sick husband miles away which simply "by the power of that woman's will" soothed him into his first restful sleep in days."

This style of persuasion was unfrontational, artificial, and highly gendered. But one of its better characteristics was its reluctance to adopt male models of force. For one thing, in a society still deeply Christian in its ethos, if not wholly in its belief, the victory of force over gentleness was not a foregone conclusion; the figure of the loving, forebearing, womanly Christ which temperance women adopted as their emblem still held a powerful charge, though less than in the antebellum period. Frances Willard and many others stressed that it was Christianity which had raised human society above the level of brute force to a plane where women could share the rule of brain, heart, conscience, love."

In addition, noncoercion was a critical part of the WCTU's political agenda as well, which in its Department of Peace and Arbitration anticipated the special nexus which exists today between feminism and the peace movement: As

"Union Signal, 5 November 1885, p. 7. Another letter suggests that members sidle up to a drunk, slip their hands into his side pocket, and replace the flask with a copy of the New Testament (scrapbook 9, reel 31, WCTU Papers.)"

"Willard, Woman and Temperance, pp. 392 ff."
they rejected the brutal, forceful God of the Old Testament and of Calvinism, so temperance women rejected authoritarianism in the home and in the administration of both domestic and foreign politics. Rather, they saw themselves as gifted arbitrators, painting Mother as a skillful diplomat who "drew up treaties, subdued kingdoms, and wrought righteousness" in settlement of disputes within her domain.

The repudiation of force and of a confrontational stance is not the element of the WCTU agenda most at odds with a liberal feminism; both broadly rejected as a matter of theory and principle violent restructuring measures imposed from without. But the WCTU's alternate model of maternal care was deeply illiberal in some of its presumptions. In rejecting an authoritarian God temperance mothers also rejected traditional privileges of the (male) Creator as "architect to shape the young immortal according to ... (his) preconceived plan." Rather, mothers were gardeners, growers, assistants in the natural practice of evolution; children were trees not to be pruned or clipped but "to grow with sun and soil, dew and shower and growth unhindered and untransformed; the work of parent and

"Willard, Great Mother, p. 143."
instructor being to remove hindrances, to see that no
deforming influence had power, to feed and stimulate, never
to repress or abridge its beneficent possibilities."

This description recalls liberal strictures about the
value of care, education, and the opportunity for unfettered
development. But the liberal garden held a wild variety—
no genus, no species, but each plant once blossomed
entirely individual and distinct. Evangelicals focused
instead on the process of growth and the teleological forces
which, if conditions were right, would produce a homogeneous
field. Within the gentle structure of maternal evolutionary
thought the child found nurturing and license; but not
license for the acorn to grow into an elm or a tulip. As
Hannah Whitall Smith described the sowing, "voluntary
obedience is a deed which is performed after the right state
of feeling towards the thing has been induced. Compulsion
is an attempt to manufacture the fruit without planting the
seed." In a similar vein, WCTU literature eschewed the

\[\text{\footnotesize{\textsuperscript{50}} Willard, \textit{Great Mother}, p. 138; Henry, \textit{Studies}, p. 54.}\]
\[\text{\footnotesize{\textsuperscript{51}} See Chap. III on Stanton’s mothering practices.}\]
\[\text{\footnotesize{\textsuperscript{52}} The most extreme statement of this comes in Elizabeth Cady Stanton’s speech "The Solitude of Self," printed as "Hearing of the Woman Suffrage Association Before the Committee on the Judiciary...1892" (n.p., n.d.), p. 2.}\]
\[\text{\footnotesize{\textsuperscript{52}} Smith, \textit{Educating Our Mothers}, p. 34.}\]
open-ended question. But one of the most common formats for their material for children and adults both was the catechism, or pamphlets consisting of questions and answers, to be read chorally, resolving even the most complex moral issues and leaving nothing open to doubt.53

Temperance women also drew on evolutionary thought to recast the biblical notion of sin, a staple of Christian theology which plagued religious liberals throughout the nineteenth century. The sin which drew down the lightening wrath of God was a relic of orthodoxy, as the physical punishment of a child was a relic of patriarchy. Punishment became rather a natural operation which resulted automatically from the infringement of one of God’s natural laws, teaching the sorrowful child (or adult) a healthy lesson without the need for punitive parental intervention.54 The WCTU’s philosophy took perfectionism to new heights in their sunny confidence that sin was not

53Willard, Woman and Temperance, p. 401; Sarepta Henry, A Manual of Evangelical Temperance Work for All WCTUs (New York, 1881); "Annual Leaflet of the National WCTU" (Chicago, 1898).

54Smith, Educating Our Mothers, p. 40; Frances E. Willard, "Address Before the Second Biennial Convention of the World’s Christian Temperance Union...," p. 53 ("the law of ethics is the law of cause and effect"); Union Signal, 14 January 1886, p. 4. See also an article by Henry Wood, "The Universality of Law," in Arena, vol. 5 (1892), at p. 201.
inherent in the human condition but could be permanently vanquished. Not for them the anguishing, life-long struggle and self-examination of their Calvinist ancestors: the WCTU wholeheartedly endorsed the liberal tenet that all were saved, as consonant with loving parenthood.

But in protecting children from the dark, mortal terrors of their own childhood, the good mothers also seemingly denied them something of the autonomy towards which liberal religions strove. In the WCTU's philosophy, a child, hedged around by God's "natural" laws (a comprehensive code) and full maternal guidance, no longer had the responsibility of facing God directly, and little experience of the ongoing process of self-government through daily struggles with moral and ethical questions, learning to resolve them on her own rather than through mother's guidance. Good mothers tended to make doing right an irresistible, even a thoughtless process, believing that individual struggles with sin and temptation could be circumvented by a loving regime of guidance and care.

"The Home Going Forth Into the World"

The WCTU in the last quarter of the nineteenth century relied heavily on motherhood as the source and model of its power. But in order to expand its program outward from the
home, it was important not to base women's authority strictly on essentialist arguments, thereby limiting it to relations between biological mothers and their children. Rather, Union literature showed the qualities of motherhood as common, even to women who had never borne children; Sarepta Henry thought it possible for a woman to actually bear a child without even knowing "one throb of genuine motherhood," while a virgin aunt could be the sweetest mother of all.35 Hannah Whitall Smith cast her argument as a spiritual, rather than a biological essentialism, and felt that there were very few women in whom the elements of "spiritual motherhood" could not develop "unless they be utterly abnormal."36

The Union's "science of motherhood" and maternal training and education programs conveyed the message "any woman can." Another common story is of temperance woman whose skills were not innate, whose clothes were spotted, whose biscuits were not light and whose floors were not

35Henry, Studies, p. 23. See also the poem for Mother Stewart in scrapbook 10, WCTU Series, reel 31 ("Our physical law makes that grand word [mother]/ A natural consequence/ But when 'tis born of spirit/ And unselfish love..." then mother becomes like George Washington); and the poem for Frances Willard in Lucia F. Additon, Twenty Eventful Years of the Oregon WCTU, 1880-1900 (Portland, 1904).

clean. Mary Livermore was one who represented herself as lacking intuitive domestic skills, and feared that through an angry household god she had been "elected to ... (a) desolate future of shiftlessness and celibacy." But, using the means and agency so celebrated by Finney, upon marriage she "put myself under instruction as I had done when I wished to know a language, and found the domestic arts not difficult to acquire." Detaching motherhood from actual childbirth and making it an art which virtually all women could learn laid the groundwork for the exercise of mothering as a social and political skill.

Another strong appeal to women to extend their mission outside the home came from the Union's mandate to work for other mothers' children as well as one's own. Mrs. A.E. Hall undertook a municipal post to purify the streets of Chicago as "a work of salvation for other mothers' little

7Livermore, Story, p. 90. But see also Mrs. A.M.M. Payne, "One of Them," in the Union Signal, 12 November 1885, where a suffragist earns respect for her ideas through her beautiful housekeeping. Livermore's language is reminiscent of the language of means to salvation which Charles Finney made common during the Second Great Awakening.

5Frances Willard's political skills came to her in a revelation after a marathon prayer session.

children" after her only child died of diphtheria." Such potential for public good through maternal care could be multiplied until with "ten thousand local unions, everybody in this country has ten times ten thousand mothers willing to look after him and help him to the good."  

Such arguments were especially appealing to mothers whose sons and daughters were beyond their command, caught up in the swirl of distant big-city life. The mother in her small home was no match for a big world, for the saloon, the vice dens, the "cunning avaricious monopolists" out to seduce and ruin her child. But through motherly surrogates in Unions in other cities she could perhaps exercise a proxy control, as in Sarepta Henry's popular novel Voice of the Home. There Roy Mason begins a downhill slide into fast company and drink when the railroad comes to town; he is eventually forced to leave, with no word of his whereabouts to his heartbroken mother Mary. Mary pours out

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"Frances E. Willard, Occupations for Women (New York, 1897), p. 360.

"Willard, Do Everything, p. 155. The exchange was not quite one for one; a midwestern town had an ordinance allowing any parent or guardian, or any three respectable citizens, to commit a wayward juvenile to a home. Union Signal, 26 November 1885, p.4. The idea of "ten times ten thousand mothers" sounds like a Woody Allen nightmare.

her maternal love and good works on another troubled young alcoholic, a Masonville bartender named Frank Barton—whose own mother, it turns out, is nursing Roy in the town where Frank grew up.43

The Union’s philosophy of connection stressed a theme common to the broader culture of the late nineteenth century as well, in everything from religious tracts to beer-hall songs: though men and women alike may abandon or be wrenched from their birth-family ties in an increasingly anonymous world, "every girl is someone’s daughter" (a parson’s daughter?), every boy is someone’s son.44 The abandoned, the dispossessed, are only temporarily outside the network of relations, and deserve to be treated and valued— not as the liberal individual— but by the loving family ties they once had, and in an effort to restore them, to redeem the loss of one mother by "ten times ten thousand mothers."


44The Temperance Songbook, edited by Emmet G. Coleman (Canada, 1971) is full of songs with titles like "The Prodigal Girl" (p. 8); "Oh Johnny Come Back To the Farm" (p. 12); "Breaking Mother’s Heart" (p. 27) (with a chorus "She’ll break the heart of her old gray-haired mother/She’ll break it, yes, break it tonight (tonight"); "The Orphan Girl" (p. 30); "Somebody’s Boy" (p. 52); as well as the famous "Father, Dear Father, Come Home With Me Now" (p. 60).

45Willard, Do Everything, p. 40.
For the hand that rocked the cradle the reach out into the world was easier when its object was extended mothering. Nor did evangelicals feel that they were breaking a barrier; they emphatically rejected the classic liberal formulation which split the world in two. Elizabeth Cady Stanton and other liberal feminists in this period urgently pressed a split between public and private, promoting a home insulated from external and regulating influence. Liberal feminists sought to break down the boundaries of women's sphere while leaving the division between public and private intact; Ellen DuBois has commended as liberal suffragism's greatest strength its bypassing the domestic sphere entirely to seek equality in the public sphere."

Evangelicals sought to deconstruct the two barriers simultaneously, understanding them in fact as interdependent, common borders of one problem. The idea that public and private could be separated was repugnant to their fundamental belief in accountability under a single Christian law and moral code, which was the measure of all actions. God’s stricture, "inasmuch as ye have done unto the least of these thy brethren, ye have done unto me,"

precluded a double standard for male and female, rich and poor, officeholder and housewife, family and stranger. The evangelical model for relations between social spheres was not bifurcation but concentric circles; the rings extended outward from the human heart to encompass the home, the church, and then society; and finally government, "a circle that includes all hearts, all homes, all churches, all societies."  

The circle theory acted as a radical counter to bifurcation. Through a theory of reverberation it set up a standard of accountability based on a cause-and-effect process that worked like ripples in a pond. "There is a theory ... that anything once started never ceases its actions; the sound, once wakened, goes on and on in endless vibrations, as if it were a chain, whose ever-added links went on to infinity. If this is true in the natural world, something quite like it is true in the moral world ..." where ever widening circles of influence agitate "to the remotest bounds" first the home, then society and the nation."  

The home here is not a rival kingdom to the state

"Willard, Woman and Temperance, p. 46, p. 29; Henry, Studies, p. 51. This metaphor was commonplace in temperance circles.

"Jane Stebbins, Fifty Years: History of the Temperance Cause (Hartford, Conn., 1876), p. 183. Such language is 

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but incorporated into it. The concentric model, each ring nested into the next and affecting it and all the others, laid the groundwork for evangelical feminists' efforts to make the outer rings--corporations, industry, government--accountable by standards of social justice derived from the governance of the middle-class home. A mother realizes that "the safety of the cradle is dependent on the purity of the executive mansion; and the father sees that the nation is served by every pair of baby shoes he buys, and that international justice is linked with the sweetness of his own fireside."

The march of the WCTU was "the home going forth into the world," both symbolically and literally. Many historians of the WCTU have noted its reformist agenda for a maternal politics, its emphasis on the special womanly qualities of moral vision and integrity. The WCTU subscribed fully and unhesitatingly to a women's agenda, casting themselves as coming to a sleazy world of male

very reminiscent of ante-bellum feminist rhetoric as explored in Chapter 1.

"Scrapbook 10, WCTU series, reel 31.

"Frances E. Willard, Glimpses of Fifty Years (Chicago, 1889), p. 471.

"See in particular Epstein, The Politics of Domesticity; and Bordin, Woman and Temperance."
politics as they would to a bachelor's hall, armed with brooms and dustpans, to clean and ventilate the place." On a material plane, WCTU women were "homemakers" in the most literal and persistent sense. Following their goal of making "the world more homelike" they made homes in unlikely places—jails, churches, halls, rented rooms. WCTU meetings were famous for their domestic decor, replacing the dusty halls of early nineteenth-century reform meetings—eccentrics on hard benches—with auditoria adorned with bunting, curtains, cushions, plants, pictures, furniture—anything to create a homelike atmosphere. Local, state, and national Unions were constantly opening "homes"—not institutions or asylums—where the wayward, the orphaned, the lost, the needy, the drunken could heal in an atmosphere which recreated the discipline and love of the ideal birth family.

The agenda of many local WCTUs was ambitious. "Rest cottages" at resorts and state fairs provided temperance refreshments in a cozy atmosphere." Perhaps the most

72 Willard, Glimpses, p. 594. Note that liberal feminists used this language sometimes as well.

73 Addition, Twenty Years, p. 70; Harriet Van Meter, First Quarter Century of the WCTU of Salem, N.J. (n.p., 1909), p. 60; Monroe County WCTU Annual Report (New York, 1888), pp. 27 ff. The ladies of Monroe felt that such efforts "may save us from a horrible revolution in our
common mission local unions undertook was to provide "noon rest" rooms for local working women. One Oregon worker called their apartment a "headquarters for industrial womanhood" and suggested that the work emanated from "the study of the ethical side of the great labor question." That room was actually open all day for "rest, advice, and loans to working girls." The local WCTU in charge planned eventually to broaden their agenda to encompass much of what was included in "settlement work." Unions in Portland, Oregon opened in quick succession the "Baby Home," which in 1888 took in 132 babies, and the "Industrial Home," later called the "Refuge Home," for working women needing shelter. The WCTU attributed many of the ills of the residents to being "left motherless in childhood ... (they) have been allowed to roam the streets and form such acquaintances as their restless fancies dictated ... Some have mothers living, and have been ungrateful and disobedient, and some poor girls have not had good homes or social fabric." Their booth at the State Fair was soon wrecked, seemingly by vandals.

"This kind of work was typical of local unions across the country, although typically also from my reading the projects didn't last more that several years, seemingly from lack of organization rather than from lack of success, although the WCTU's own records and local histories obviously don't tell the whole story."
careful mothers." The workers hoped that the "organized mother love" they provided would help heal their charges."

Nor was politics immune from the Union's domestic labors. The Littleton, New Hampshire Union, for example, served lunch at town meetings, seeking to create a pacific environment. On one occasion they actually interrupted a brewing fight by bursting into song; "the voters had no more trouble that day."

Another common tactic was carried out enthusiastically on an election day in Iowa when prohibition was on the ballot. In towns around Iowa the night before the vote women decorated polling places with pictures, evergreens, flowers, and mottos like "the father's constituency is his family." On election day in Marion the WCTU opened a homey, decorative lunchroom right across from city hall with a banner saying "WCTU Free Lunch for All," where they wooed male voters with meat, pie, and good coffee. At the instigation of the WCTU, ministers and small children roamed the streets with songs and flowers, pressing themselves imploringly on potential voters; more than one succumbed and

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7 Additon, Twenty Years, pp. 50, 70-72.

cast the ballot "for Sallie and the children." The WCTU here countered the male brand of electoral politics with its own slightly more dignified street theater, answering the bartender's challenge to Frances Raymond to keep her men at home with "superior attractions." Nor were Union members under any illusion about the nature of the contest; as Frances Willard said of a similar successful election strategy, "hundreds of voters were fed and won." The evangelical image of the home was sentimental, sweet and cloying. At the same time it represented a clear critique of male politics—the smoke-filled hall, the vote-buying candidates, the sodden, corrupt electorate. The WCTU did their best to bring their counter image, the well-run rational home, into the public sphere.

How can we evaluate the WCTU's efforts at a "connective" politics, or mothering the world? Their reform of household discipline—the replacement of punitive, Calvinist-based patriarchy by a more rational, affective, mother-centered household—seems all to the good; it was this part of their agenda that they shared with liberal feminists. In addition, most Union members were motivated

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"Willard, Woman and Temperance, p. 360-361.
at least in part by a genuine desire to improve the lives of those around them out of their own plenty. In addition to "rest" rooms and refuges, local unions, with complete autonomy over their own programs, worked variously on nutritional programs, kindergartens, prison reforms (largely, it is true, supplying them with Bibles and temperance literature), campaigns for an eight-hour day and a living wage—all out of a sense of obligation to others which did not motivate Stanton or many of the liberals. Evangelical feminists shared a strong sense, based in their understanding of the Christian ethic, of taking and giving back; "To the large number of saleswomen who so graciously wait on us at the stores," Lucia Additon wrote, "we ask the privilege of also being gracious to them, by supplying them with a comfortable convenient place to rest ..." Willard in particular strove to extend the claims of "local propinquity" widely, particularly toward the needy.

On the inevitable other hand, the class and racial assumptions of the WCTU workers—some relatively benign, many malignant—were never far below the surface. The suggested regime for "wayward" girls in the "Hope and Help Rooms," for example, is described in a leaflet put out by

"Addition, Twenty Years, p. 51."
the National Union's Social Purity Department and sent to all interested locals. The regulations admonish the girls to "conform strictly to the rules, be neat and industrious, and listen attentively to such advice as may be given them by the ladies in charge." The girls must submit to being thoroughly searched on entering for liquor, firearms, or "objectionable literature;" letters written and received must be read by the Matron; and all "inmates" must learn general housekeeping skills. The leaflet dictated that the discipline of the home should be "strictly parental," including "family" worship in the morning and the evening.*0 Perhaps this was an effort by Union workers to recreate what they believed to be the atmosphere of the birth home their "inmates" had grown up in; most likely they did not search their own daughters for firearms when they came home.

Clearly the Union was out not just to "help" but to reform. An early history of the temperance movement, Joseph Gusfield's Symbolic Crusade, made much of the panic which Protestant, Anglo-Saxon Americans felt at the influx of disorderly foreigners and the consequent decline of their

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*0 "Rules and Regulations for Hope and help Rooms," Social Purity Department, WCTU (n.p., n.d.).
own status and culture. The "social control" interpretation has been rightly viewed with suspicion by subsequent historians, in part as caricaturing the motives of reformers; and certainly temperance women had every good reason to fear the effects of male alcoholism on the family, a concern they shared with all other feminists.

Class concerns were a real issue for temperance women, though. They did fear the changing nature of Protestant culture as it became more heterogeneous; diversity threatened the commonality that marked the evangelical feminists' view of society. More important, perhaps, were the fears they had for their own children. "Class," not as a concrete assignment to a category but as an experience of social relations, constituted a set of expectations, in this case expectations mothers had for children. In the changing

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work settings of the late nineteenth century, and with the wholesale departures of sons and daughters both for the city, "class" expectations were confused. Who they would be, where they would work, who their friends would be, what they would do with leisure time, how well they would live—answers to these questions were vaguer than in the pre-industrial world, and left mothers fearful. In seeking to reform the "wayward" sort according to their own lights, mothers tried to establish a middle-class milieu for their children as they knew it, and eliminate dangerous alternatives. Often this was done at the expense of their "clientele."

On occasion, class concerns emerged in an even more self-interested way, as with the Salem, New Jersey's, local Kitchen and Garden Dept., which functioned openly as a training school for household help, rescuing girls from a looming "shiftless, indolent womanhood" and maintaining "its reputation for efficient table servants." The work was supported one year by a public exhibition, to which 400 tickets were sold to watch pupils set tables, "accompanying their work with songs and recitations."13

The maternal politics of the WCTU presented

particularly acute problems in a country with the large racial and ethnic minorities of the United States, and raises questions about what kind of society a "connective politics" could flourish in. A *parental* relationship is loving; but it is not a relationship of equals, and is not the obvious appropriate paradigm for the relationship between citizens within the state. A conversation between parent and child, or people who have taken on those roles, differs greatly from a conversation between adults: There is an overlay of obligation, judgment, perhaps guilt or fear, that sets it off from a conversation between rational strangers at arm's length. Further, the tendency of the mother, properly in the early period of life, is to infantilize the child by caring for it, making decisions for it, tending to its needs. But the goal of good parenthood is to have your children leave home; and while the WCTU had a strong sense of charity, they also envisioned a kind of permanent dependence, of children and the working class both.

Consciously or not, the Union's "maternalism"

"In her article *Gender and Jurisprudence* Robin West does not go far toward defining what a "connective politics" would actually mean when translated into a political system; nor is it clear exactly how a feminist "connective" politics would differ from a socialist politics."
particularly toward racial and ethnic minorities was extremely offensive and condescending. This attitude was manifest in frequent parodies of heavily accented speech, transcribing it cutely as they would baby talk. One particularly awful pamphlet, "A Temperance Picnic" by Mrs. Nellie H. Bradley, was an original temperance musical based on the story of the old woman in the shoe, updated to give her a large adopted brood of mixed heritage. The speech of each group--represented by Fat Fritz, Lean Pat, Hop Sing Choo, and Saucy Sambo--was caricatured relentlessly by "von laty mit leetle vite ribbons." Fat Fritz--and Germans in general as the chief beer guzzlers--were the main targets; one story showed the low type of humanity who insisted on his "rights" to drink or sell liquor by parodying a German saloon keeper who, when closed down by the law, rushed off "to see mein gounsel when I no got some right to mein own proberty."

Stories like these were of a piece with the WCTU's attitude towards other ethnic practices; their ruthless campaign against the German family beer hall showed how little tolerance they had for customs that outraged their own sensibilities. Intolerance is not confined to mothers;

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"Nellie H. Bradley, A Temperance Picnic (New York 1888); Willard, Woman and Temperance, p. 70."
but the license which WCTU women felt that a "maternal" politics gave them seems to have exacerbated the perception of dependency and the distance between themselves and the people they were trying to influence, and to re-enforce the inegalitarian nature of the relationship. Perhaps in another time and a more homogeneous society, a "maternal" politics would come out looking quite different. But at least in nineteenth-century America, with the heavy ideological baggage already attached to the maternal role, and the deep class and race divisions, maternal politics had to work against heavy odds to be truly democratic. The paradox of maternal governance, in the home as in the state, lies in the tension between care and coercion; the WCTU seemed to have mastered both.
Chapter V - "Organized Mother Love" and the Maternal State

Under the curse, man has mapped out the state as his largest sphere, and the home as woman’s largest; under the blessing, man and woman shall map out home as the one true state, and she who, during centuries of training, has learned how to govern there, shall help man make the great, cold, heartless state a warm, kind, and protecting home ... The White Ribbon women would invade the masculine ... hierarchy of church and state; and ring out in clear but gentle voices the oft-repeated declaration of the Master whom they serve: "Behold, I make all things new."¹

With these words Frances Willard, the president of the Woman’s Christian Temperance Union (WCTU), revealed a cherished goal of the temperance movement: the transformation of national, state, and local governments into agents of moral reform. Its achievement required a revolutionary reinterpretation of the relations between church and state, and the creation of a maternalist government with Christ as its acknowledged head, caring for the needs and regulating the moral behavior of its citizens.

Dissatisfaction with social conditions led temperance women initially to imagine a more perfect state. The

regulation of gender relations was clearly an element of temperance, in allowing women to regulate male drinking habits, an important part of male culture and the source of much conflict within the home. But the Union's political theory went well beyond sexual antagonism and repression.\(^2\)

Seeking an expanded role for women in defining and securing government redress for domestic wrongs and the brutal conditions of wage labor, temperance women necessarily reenvisioned government. As they articulated new welfare obligations and capacities in the state, they also pictured government in their own image—the feminization of the state. The watchword here was not paternalism but maternalism, or "organized mother love," and a healthy extension of domestic values into the canons of government. By seeking to make "politics a home question" temperance women were asserting more than their right to participate: their entry into the political arena coincided with the transformation of government from "a coarse and clumsy instrument by which military and police forces are dictated" to "the flexible, changing, and delicately adjusted instrument of many and varied educative, charitable, and

\(^2\)This is the interpretation for much of the woman's temperance movement suggested by Barbara Epstein in The Politics of Domesticity: Women, Evangelism, and Temperance in Nineteenth-Century America (Middletown, Conn., 1981).
supervisory functions". As Willard pictured it, women would help men to make "the great, cold, heartless state a warm, kind, and protecting home ..."

A state so construed needed the services of women "wherever the state touches the personal life of the infant, the child, the youth, or the aged, helpless, defective in mind, body, or moral nature ..." Stressing government's increasingly "maternal" or welfare functions, women asserted the need for their services in a government which, whenever it undertook such work, entered into "the area of distinctive feminine training and power" in pursuit of the ends of "justice" and "fraternity". Frances Willard said "reform and philanthropic movements are but associated efforts to make the world more homelike. Society and government have long been fathered, but they have not been

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'Frances E. Willard, Presidential address, WCTU annual meeting, 1887 (see Minutes of Annual Meetings, WCTU microfilm series).

'Spencer, "Fitness of Women."
mothered enough to make them normal."

This vision of the maternal state was rooted in a Christian ideal which sought to extrapolate the individual obligation to charity to bind the state, so that "the manifestation of love to one's neighbor is the duty of the state as a public community." For evangelicals, the ties between citizens were analogous to the ties between family members, as binding and as permanent.

The contrast with liberal feminists was clear. Antebellum liberals had relied heavily on the language of slavery to describe their legal position under coverture; disenfranchised, unable to hold property or keep their earnings. After the war, Stanton in particular, influenced by free-love thought, extended the paradigm of slavery and freedom to describe the physical relations of unhappy husbands and wives as well as their property relations, advocating "divorce at will" as a remedy analogous to emancipation. In her writings on divorce Stanton pictured the essence of slavery as the slave's inability to change employers at will and bargain for the terms of service, as

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she sought to recast marriage as a consensual relationship, entered into voluntarily by the parties, and dissoluble when either of the parties wished to end the contract. In Stanton's view the bonds which bound family members should no more be permanent than those which constituted employer-employee relations or a business partnership, to be dissolved, not without thought, but certainly for cause: otherwise mistakes were too costly.1

The WCTU never came to espouse divorce in this period. It recognized that wives of drunkards needed legal separation with provisions for maternal custody and financial support; but for most evangelical feminists, as indeed for many of Stanton's own supporters, the concept of dissoluble marriage was too troubling. They rejected the analogy to slavery and the call to women's "emancipation" as having "associations and ... history ... not to our advantage." 9

Further, evangelical feminists rejected notions of free contract as a model of family relations. Such language for many feminists undercut the depth, the gravity, the

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1See Chap. II for Stanton's views on marriage and divorce.

permanence of the marriage and maternal bond. They accepted, though sometimes ruefully, that "we are tied from the moment we enter the world, and are probably the better and happier for it, though we may rebel against it ..."\textsuperscript{10} Rather than the freely willed, voluntary contractual agreement, the freedom to untie a bad marriage and try again, they stressed the mutual obligations of the ongoing relationship, a particular version of the obligations each owed all human beings.

For most liberal and evangelical feminists, their views of the structure of family obligations extended outward to shape their views of the obligations of the state. Stanton's notion of individual self-ownership and radical bodily autonomy became the basis of her view of citizenship. "Protection" for Stanton was a word out of the feudal past, which smacked of slavery and the harem, as well as the traditional family.

Evangelical feminists, by contrast, extrapolated what they saw as the duties of family out into the civil sphere to create the maternal state, where the ideal of the obligations of each to each other was mediated through a benevolent welfare state. Willard openly espoused

\begin{quote}
\textsuperscript{10}Jane Croly, \textit{For Better or Worse: A Book for Some Men and All Women} (Boston, 1875), p. 4.
\end{quote}
"protection" as the state's highest duty, deriving the Union's suffrage slogan "Home Protection" from the language of tariff. Willard's use of the term "wage slavery" recognized the powerlessness and dependence of the worker, but she did not see the contractual model as the remedy for inequality in the state, either. By the 1880's and 90's, free labor ideology as a way of restructuring the labor market had lost its appeal particularly for evangelicals, with their social outlook and critique of industrial capitalism.

Further, the obligations of citizens to each other were not so fragile as contractual ties. As in the family, duty to others was a divinely imposed, life-long relationship, not revocable by human will. This idea of non-voluntary obligations as the foundation and the measure of what the state owed its citizens put evangelical feminists outside an important ongoing dialogue in the broader society on individual rights based on the language of slavery and on notions of free contract, a dialogue into which Stanton fit quite well. At the same time, by continuing in part in

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11Willard, Glimpses, p. 401.

the explicitly religious tradition of antebellum feminists, in which rights were sought to enable an individual to perform duties to the whole, evangelicals could more effectively hold government and industry to a standard of legitimacy based, not on its dealings vis-à-vis any individual, but on its performance within the whole social context; the Union sought to set up a strict standard for "legitimate industry," for example, which was "that every other industry is benefited and helped by it."  

The brand of gospel socialism which Willard and the WCTU espoused in the last quarter of the century was informed in important ways by their religious outlook. Evangelical feminists' Christian statism depended on a corporate rather than a pluralistic community, and to this end Union literature repeatedly rejected any kind of sectarianism or denominationalism in favor of common goals and drawing together as wide a circle as possible. Such tolerance obviously furthered the Union's recruitment power, without being strained too far: the overwhelming majority of members were white Protestant women.

But Willard's theory of the state necessarily implied a homogeneous society as well, and both the Union's rhetoric

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and active agenda stressed, not just missionary outreach, but transcending barriers between races, classes, ethnic groups, and sexes. Willard even campaigned to heal the split between still-estranged Northerners and Southerners, returning from extensive travel in the South to tell her flock that Southerners were "just our sort of folks." As Willard's aspirations moved from a national to an international temperance movement she became increasingly liberal in her religious views, stressing ethics "found in the Bible and questioned by no sane mind whether Jew, Gentile, Catholic, or Protestant." Eventually her tolerance grew to the point where "nothing good seems secular to me."

This commonality, the ability to make ethical generalizations across class, race, religious, and sexual divisions, served as a critical prop of the feminized Christian corporate state. For Stanton, the state's reaching to "touch the personal lives" of its citizens was

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1The language used here is often the language of the mother reconciling siblings.

1Willard, Glimpses, p. 372.

1Willard, Glimpses, p. 463.

1Frances E. Willard, "Address Before the 22nd Annual Meeting of the National WCTU ..." (see Minutes, Annual Meeting, WCTU microfilm series), pp. 7-8.
tantamount to assault; in her radical individualist world the state could never touch each citizen according to each one's different needs, and its "protection" was only universal degradation: better to keep the state away. Evangelicals, by contrast, subscribed to the Golden Rule as the first principle of governance, a rule far more potent for its assumption that you could know how to treat others, because in fact they were like you. The implication was that you could know and love your neighbor in some deep way not possible in Stanton's world. This knowledge allowed an empathy which served as the compelling basis of charitable obligation, so that "eventually we shall conceive of society as a unity which has such relation to every fraction thereof that there could be no rest while any lacked food, clothing, or shelter, or while any were so shackled by the grim circumstances of life that they were unable to develop the best that was in them both body and mind."1

At the same time, this commonality served as the basis of the regulatory impulse; what Stanton saw as officious and coercive, temperance women saw as encouraging or enforcing the behavior which would naturally prevail in each individual in the absence of sin or the depredations of

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1Willard, "Address ... 2nd Biennial Convention," p. 52.
poverty. Willard often pictured teetotalism as the foundation, prohibition as merely the legal superstructure which must rest on a base of public sentiment, and she sought to create the conditions for uniform behavior. For evangelicals, unlike liberal individualists, free will still did not lie in the ability to do anything, but in the ability to do good; as the first of the WCTU's Declarations of Principle stated, "we believe in the coming of His kingdom whose service is perfect freedom ..."¹⁹

The theory of the liberal individual looked to the growth of the self through individuation and differentiation; maturation for evangelicals consisted of the voluntary fulfillment of divine and natural laws created for the health and happiness of human beings. By the 1880's and 90's the language of the WCTU in its war against liquor had changed; most of it did not support restrictive or penal measures against drunkenness and other offenses because they were sinful or individual transgressions, but because they harmed society, robbing it of the individual's contribution, as well as being offenses against the family and the self.²⁰

¹⁹Willard, "Address ... 22nd Annual Meeting," pp. 1, 3.

This broad vision of public accountability to the community of those like you included vices as well as crimes because they were antisocial and detrimental to the common good, where "each man's habits of life should be an example safe and beneficent to every other man."²¹

The Evangelical Theory of Rights

The concept of private rights, private assets—of privacy itself—meant much less in such a world. In a single body—the corporate state—where "injury to a part is injury to a whole" no part is free to act alone; each must give up the "abstract right of unrestricted behavior."²² Nor can any member enforce privacy as against other members of the same body, for where a single normative standard applies privacy has little value, and usually signifies deviation.

The WCTU understood "private" as describing, not the home, but the plethora of male institutions closed to women, from the saloon and smoking car to the voting booth; the secrecy of those places nurtured behavior harmful to the family and community. Members of the WCTU worked for

²¹Willard, Do Everything, p. 1.

²²Stevenson, Brief History, p. 99; Willard, Frances E. Woman and Temperance (Hartford, Conn., 1883), p. 491.

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complete openness within communities, so that each individual’s behavior could be scrutinized by all. One resolution urged prohibition of painted or frosted windows or doors in saloons and bars, so that all could have a "distinct view" of the goings-on inside; another stressed municipal installations of street lamps to prevent evildoers from doing their evil—"And God said 'let there be light.'" Union members understood that the advances of science would aid the quest for transparency, happily quoting Thomas Edison's belief that "in a few years the world will be just like one big ear; it will be unsafe to speak in a house until one has examined the walls and furniture for concealed phonographs." In the world of benign authority imagined by the WCTU, this civil libertarian's nightmare held out instead the fantastic hope of "a cessation of gossip in the earth, and then the millennium. God speed the photograph!" Here we have the encephalitic corporate body swollen with outsized eyes and ears, and those clearly female.

In refusing to romanticize Robinson Crusoe, Frances

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21 Union Signal, 18 January 1883, p. 12; 24 October 1889, p. 1.

22 Union Signal, Jan. 16, 1884, p. 9.

23 See Chap. IV, p. 3.
Willard rejected the state of nature, or as she defined it "the solitary state," as any kind of Golden Age, and as completely incompatible with the ideal of Christian community. For Willard the "solitary state" was an artificial construct rendered invalid because it failed to account for one of humankind's two natural instincts--the primal instinct of self-preservation and "another far more high and sacred--I mean the instinct of a mother's love" (a civilized, Christianized version, perhaps, of the species' instinct to propagate).\footnote{Willard, \textit{Woman and Temperance}, p. 453.} The "solitude" of the state of nature, then, was compromised from the beginning by the maternal relationship. Crusoe himself, lordly in his prime, would still have perished a helpless infant without maternal care.

In addition, using solitude as a measure of an ideal life was the merest delusion; who, Willard asked quite sensibly, knew anyone living on a desert island? And the translation of solitary practices to the "crowded realm of civilization" would be catastrophic. "Out on his island, Robinson could reach forth his nimble fingers and gather whatever seemed to him good for food ... but suppose him transferred to this capital city of Iowa, and practicing the
same light-fingered method in your grocery store, good citizen, or at your pantry shelf, dear lady!" Where all live cheek by jowl, freedom is "but a drawing of the circuit of one person's liberty just so large around and far across as is consistent with the number of circles to be drawn within a given space."  

Liberals and evangelicals alike agreed on the circle that separated one's fist from another's nose. Other circles proved harder to draw. Despite Willard's claim to be able to delineate the spheres of rights with "mathematical precision" the two sides disagreed vehemently over the definition and boundaries of the individual's "personal liberty."  

 Liberals prized it; and used it as a shield against a variety of regulatory assaults, including prohibition measures. Evangelicals were enraged by what they saw as the irresponsible and antisocial use of "personal liberty," and crusaded to discredit the term and reveal the selfishness and malice concealed by its noble ring. They put the phrase into the mouths of the supposedly disreputable; the black father who won't interfere with his children's personal liberty and so lets them rob chicken

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27 Willard, Woman and Temperance, p. 491.

28 Willard, Woman and Temperance, p. 491.
coops; the drunk who believes in "human rights—the right to think/as one pleases, on issues of the day/in the fullest the right to drink ..."; the master who claims the right to enslave. Willard warned of the dangers in store for a society which worshiped liberty excessively, melodramatically quoting Mme Roland on her way to the Paris scaffold—"Oh Liberty! What crimes are committed in thy sacred name!"

"Personal liberty" was an anachronism for Frances Willard, soon to be superceded, because it pretended to a false scope of action. The law, as it should, protected noses, and denied a "personal liberty" to break them. But the law, too, was a blunt instrument: it accorded to bartenders "the right" to pour the equally harmful drink, and to factory owners the right to keep workers laboring in killing conditions for little pay. Willard's view, for its flaws, tried to comprehend the broader scope of harm in human relations, the injustices not compassed under existing tort or contract law. In "love thy neighbor" vein Willard insisted that personal liberty in Christian civilization required a citizen to give up certain "rights," to

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30 Union Signal, 4 January 1883, p. 2; Granite State Outlook, vol. 1 no. 7 (July 1891), p. 2.
30 Willard, Woman and Temperance, p. 495.
understand that "otherhood must be fully recognized in preference to selfhood."\textsuperscript{31}

Injunctions against overt harm were inadequate: each citizen had a responsibility to know how his or her behavior affected others indirectly as well, perhaps even an affirmative duty to help them. Implicit and sometimes explicit in this reasoning was a critique of legal doctrines of causation, which limited culpability to certain restricted fact situations. In Willard's broad assessment of responsibility, even a vote could be culpable: a vote for license made a "ballot ... a link in the chain of causation, which shall lengthen itself out into every misery and every sin."\textsuperscript{32} Several states actually made bartenders liable in civil suits brought by drunkards' impoverished families, and the WCTU enthusiastically aided the bringing of such actions, the closest they came to establishing the legal culpability they felt should naturally flow from the moral guilt.\textsuperscript{33}

\textsuperscript{31}Frances E. Willard, speech, in scrapbook 7, WCTU series, reel 30; Frances E. Willard, address (1894), scrapbook 11, WCTU series, reel 31.

\textsuperscript{32}Frances E. Willard, in Werner's Recitations and Readings (New York, 1898), p. 24. This is the same language used by antebellum feminists and cited in Chap. I.

\textsuperscript{33}Stebbins, Jane. Fifty Years: History of the Temperance Cause (Hartford, Conn., 1876), p. 296; Willard,
Liberty, then, was a relative and not an absolute value; and "personal" an inapt modifier for a power which could only be properly used in reciprocity with others. In 1883 Hannah Whitall Smith gave a "Hobby Party" with a theme of personal liberty, and each guest was to come representing his or her definition. The Union Signal reported that, while some went for the "German idea" of unfettered freedom, most thought it a "relative" term; the definitions included "liberty to do right," and one which credited the greatest personal liberty to those who "most unconsciously obey ... most laws"—laws as the larger principle laid down by God for the happiness of all.

While they negated the concept, or at least the scope, of the liberal conception of personal liberty, evangelical women put forth their own definitions. Rights necessarily occupied a different place in a relational than in a liberal, individualist scheme, although they were not nonexistent there as some have claimed. Temperance women did not completely eschew individual rights; in fact they

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"Union Signal, 11 January 1883, p. 9. The article does not attempt to describe the costume."
endorsed the individual rights argument for the woman's ballot as self-evident. But the extension of suffrage was an easy case which represented an enlargement, not a reapportionment or conflict of rights; no one's vote was directly threatened or withheld by enlarging the voter pool to include women.

Individual rights which fell at the intersection of others' interests became a more complex case for Willard, without the easy trump quality which liberal proponents claimed for them. In large measure this was because for evangelical women the purpose of rights was not to promote the individual, but to reconstitute the family and the community. WCTU women's claims that their work as mothers to the community entitled them to vote was not a ruse, or even necessarily proof of a second-class feminist agenda. Since they defined themselves relationally and not individually, rights were most meaningful in a context; most useful when used for others; most earned by the work which put "otherhood ... in preference to selfhood"—again, a Christian ideal.\(^3\)

Rights represented in large part a remedial measure to compensate for the defects of families, who through death,

\(^3\)Frances E. Willard, speech, scrapbook 7, WCTU series, reel 30; Woman and Temperance, p. 454.
dissolution, or incapacity could not protect the physical and emotional well-being of their members—a growing class in industrializing urban America. The ballot’s value was in caring for "the impoverished, disgraced, widowed, orphaned, crazed, and idiotized through strong drink ... as the wards of the stranger." Just as a connected individual had a stronger identity than the isolated individual, so suffrage had more meaning as a right earned by women’s work for others than as a trump to be used for one’s own ends against the world at large.

By the same token, evangelicals understood that, in their relational scheme, rights were necessarily curtailed as well as enhanced by a connection to others—the more familiar, repressive face of the WCTU’s program. But again, the restriction of rights—say the "right" to drink—was not cast as a merely punitive measure taken because drinking was a sin, but because the results of the individual’s asserting his right to drink were terrible harm to the family, and to the community, which lost the drinker’s labor and had to pick up the pieces of his domestic responsibilities. In a relational world, there is a social right—a right of "others"—which balances the individual right; "the right of

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*Union Signal, vol. 15 no. 43, 24 October 1889, p. 7.
the individual ceases where the rights of his family, his neighbors, and his country begin."37 Even the drinker without family ties was committing a wrong; against his community, which had an interest in all its members' well-being; but more especially against God the Father who had created and loved him, and agonized over his degradation.

"Christ's Golden Rule," Frances Willard said, mandated her abstinence for her own sake and the sakes of those around her, as well as "because of my purpose, by God's grace, to invest my life in hastening the day when all men's weal shall be each man's care."38

Union members in the last quarter of the century increasingly drew on natural rights language, especially to justify suffrage arguments. Willard suggested that it went without saying that women had a natural right to the ballot.39 She was sincere--but like most evangelical feminists probably relieved that such rights were a given, and did not merit full discussion. Evangelical feminists

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37Union Signal, 25 September 1884, p.4.
38Frances E. Willard, Do Everything, p. 36.

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were not fully comfortable with the free-standing notion of "rights": any right, including the ballot, was far more meaningful when seen as a part of the web of talents, powers, and responsibilities which bound all together.40 Although the union between rights and responsibilities was sacred in antebellum feminism, liberal feminists in the later nineteenth century had tried to uncouple rights and duties. The temperance women continued to insist that "we are responsible to humanity in exact proportion to the power of which we are custodians," and acted accordingly.41

Evangelical feminists shared with liberals a sense of the "natural" or physical laws which governed human life, as well, using them as a standard by which to judge the human. The WCTU did not develop this standard into a full-blown or precise set of anterior claims as revolutionary Americans did; nor did claims to civil rights define its content. Rather, temperance women invoked the broad, perfectionist

40 Willard, Woman and Temperance, p. 454; Stevenson, Brief History, p. 15. Such an interpretation obviously raises questions debated within contemporary feminism--does it signify an immaturity, insecurity, lack of autonomy? an ethos of care? Is it progressive? Regressive? An element unfamiliar to us but critical to evangelical belief is the sense of divinely imposed affirmative duty to others--an idea with more starch in it than the psychologically based "ethos of care," and one which mandated political action.

41 Willard, "Address ... 2nd Biennial Convention," p. 33.
principles of antebellum feminism before they focused on legal remedies.

The early woman's movement derived much of its program from a newly liberal interpretation of God's designs, most explicitly set out by outlying denominations like the Unitarians and Universalists, and by ministers like Theodore Parker and the Channings. That vision recast the scowling Calvinist God casually damning his children into a benevolent deity whose ultimate goal was the perfection and happiness of each individual human life, and the full development and use of its talents. For liberals in the post-war period God's new concern for human welfare became a mandate for self-development.

Although evangelical feminists did not stress individual development with the same enthusiasm as liberals, evangelical and liberal feminists alike acknowledged the "natural" laws of human health as conducive to woman's full development, and showed a dedication to the naturalistic health movements of the nineteenth century aimed at releasing women from the unhealthy prison of their confining clothes and inactive lifestyles. Willard even spoke of the WCTU as an exponent of "the reign of a religion of the body," where a body healthy through abstinence becomes "the
temple of the Holy Ghost."42

Unlike liberals, evangelicals went on to interpret freedom from alcohol as a critical condition of physical as well as moral and financial health, and so established an anterior principle by which many laws failed; "No legislation can bargain away the public health or public morals."43 Holiness deriving from physical wholeness translated not just into self culture, but into platforms and programs which encompassed welfare obligations as well as more structural reforms like support for the living wage, on the grounds that physical well being was necessary for the individual's full growth. From our vantage point it is easy to underestimate the power of the religious critique; but in a time when Christian forms were deeply embedded in the public consciousness, and Christian language still resonated in the public as well as the private ear, such a critique sprang from a common ethos external to the realm of law and politics through which to formulate criticism and reforms. Religion provided the lay public in this period with a route of powerful and legitimate criticism not

42Willard, Woman and Temperance, p. 42; see also Leach, William, True Love and Perfect Union: The Feminist Reform of Sex and Society (New York, 1980), passim.

43Frances Willard, in Werner's Recitations, p. 72 ("Home Protection").
available today.

In addition to their focus on rights as a route to self culture, evangelical feminists distrusted liberals' abstract talk of rights for another reason: they saw them as only an intermediate step in achieving just governance, not as the final and most important protection for the individual. Ultimately, "rights" was a stage to be superceded. In her annual address to the convention of 1892, Willard laid out her theory of rights as an evolution in three stages. The first was "set up in the camp of the savage," and consisted of a primitive theory of "personal rights" to "life, liberty, and the pursuit of happiness." (Seemingly she would consign much of traditional American political philosophy to this camp.)

The second, more advanced state recognized "meum and teum," in the ability to say "thou shalt, and thou shalt not"--the prohibitory power, or the recognition of communal over individual rights, representing the present age. But this stage too was deficient.

The highest evolutionary stage was to be achieved in the Christian state where "government by law is exchanged for that mightiest of all government--public sentiment. The moral tone of society declared by resistless common consent
what the law demanded by fines and penalties. "4" Here Willard pictured the withering away of the state in favor of citizens' advancement to "the corps of the self-governed" living under the Golden Rule.4 5 Rights in a liberal scheme served to protect individuals from each other and from the government. In a true moral community, where standards were consensual, where all were "sisters" and "brothers," and where government was the "organ of social consciousness," there is no need for "rights."4 4

But Willard also acknowledged that Gilded Age society fell short of a real moral community, and worked to impress on the public a hierarchy of rights not congruent with that of the liberals. As shown by the prohibition of social offenses less than crimes (drunkenness, for example), the right of society superceded the individual when the two came into conflict. Willard and other union members often spoke

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"Frances E. Willard, annual address, WCTU Convention 1892. (See Minutes of Annual Meeting, WCTU Microfilm Series.)


"Spencer, "Fitness of Women;" Willard, Woman and Temperance, p. 20; Stevenson, Brief History, pp. 102-103; Plan of Work and Circular Letter of the WCTU (n.p., n.d.), p. 2. Willard's vision resembles Stanton's in anticipating the demise of a system of laws, but substitutes an ongoing moral community as the ordering force instead of Stanton's self governing individual.
of the "equally self-evident social right" which balanced the rights of individuals. Towards the end of her life, as Willard's interests and dedication to socialist principles grew, she increasingly pursued the social over the individual good." But from early on it was a utilitarian tenet of the movement that "the public good far transcends private interest and convenience. The law is for the greatest good of the greatest number, and therefore it is for the individual to yield when his plans would subvert the broader foundations."4*

The assertion of "social rights" ultimately undergirded what became after Willard's death an increasingly regressive campaign against human pleasures, and a theocratic agenda which included not just prohibition but curfews, media censorship, school prayer and Bible reading, and a host of other moral regulations. But in the heady period of the 1880's and 90's, the WCTU, though it had its own agenda, worked in harmony with the burgeoning labor movement, particularly the Knights of Labor; Christian socialists; 

"Union Signal, 25 September 1884, p. 7; Willard, Woman and Temperance, p. 493; Frances E. Willard, "Address" (1894), Scrapbook 11, WCTU microfilm series, reel 31.

ethical economists like Richard Ely; and progressive and populist political movements. Particularly in this political context, the idea of social right took on a more positive content as well.

Far more than the idea of "individual" rights could (a concept which does not work well in our legal system for those without titles or deeds), the idea of "social right" or public good expanded to claims for economic justice. Coming at the problem not from the standpoint of "what do I own" but "how can society's needs best be met," the WCTU developed a standard of redistributive justice based on God's design for human happiness, and for the sanctity and full development of each mind, soul, and body. As one Union member said in support of the living wage, a cause the Union fully subscribed to, "To hinder one of the least of our brethren from properly fulfilling his appointed place in the great whole, is to disturb the equilibrium of the entire moral and social structure ... and to interfere with the plan of the Great Architect."49

49 Stevenson, *Brief History*, p. 104. See also *Union Signal*, vol. 15, no. 40 (Oct. 3, 1889), p. 2. This language is also reminiscent of antebellum formulations of rights; see Chap. I.
Local Governance

Unlike the "liberal" state, whose citizens were always looking over their shoulders, fearful of intrusion, the benevolent maternal state which "touches the personal life" of its constituency, presented little threat to its constituents. Although they drew on antebellum feminism, the evangelical feminists of the later nineteenth century differed in their enthusiastic recourse to the state, reminiscent of the theocratic Christian nationalism George Frederickson finds in male thinkers of the war and postwar period.50 Their growing fidelity to the institution of government was only possible, though, because temperance women saw government as the most effective means of administering protective measures.

More importantly, the state was not a separate or alien being, not the public realm to any private: in common form it was simply the largest of the concentric circles moving outward from the heart, or "the great, kind, farsighted human family as a corporate firm of We, Us, and Co ..."51


51Frances E. Willard, "Address . . . (to the) Woman's National Council of the United States at Its First Triennial Meeting ... 1891" (Indianapolis, 1891), p. 20.
Edward Bellamy's utopian novel "Looking Backward" came out in 1887, and by late that year Frances Willard was corresponding with Bellamy, and an enthusiastic supporter of the Nationalism Movement touched off by his tract. Bellamy seems to have brought to life many of the Union's dreams with breathtaking sweep in his design of a benevolent state which would step in to care for every aspect of its citizens' lives, very like the maternal state envisioned by temperance women. A number of writers have pointed out the contradictions, overlooked by Willard, between the democratic, egalitarian bent of feminism, and potential for anti-individualism in even a "benign" all-powerful state. But to speak of "state" in the monolithic is deceptive in a time when the functions of government were beginning to differentiate into the complex organism of today's state. Unlike Stanton and Matilda Gage, Willard and her followers dreamily underestimated the malignant and coercive potential


53Leach, "Looking Forward," p. 129.
of the strong state, in part a result of the religious lens through which they saw state power. But their creed also mandated a level of grass-roots power and activity in the WCTU's theory and practice, both which compromised the growing power of the centralized, monolithic state in this period. While contributing to a theory of the strong state, they also helped create a counter ethic of local action, incongruous with centralization.

The idea of a single great state was irresistible to temperance women. Their corporatism and socialism were Christian corporatism and socialism, and despite other progressives' secular language the advent of a perfectly caring and moral government represented for them the coming of the Kingdom of God, and the establishment of the kind of Christian state which they knew would prevail after the millennium.5 Evangelical women did not fear government, in part because the omnipotent state was God in some real way. In this light, no groups needed to fear discrimination or coercion; denominations, political parties, race, gender, and all other artificial barriers--results of "destructive criticism of the incomplete masculine mind"--would be

brought down. Late-nineteenth-century liberals and evangeli
cals engaged each other in an intense struggle over the nature of
governance in a post-Calvinist world. Evangelicals for their part pushed a theocratic vision of a strong Christian state; to be suspicious of such power would be to scrutinize God.

But in the meantime, while working toward the millennium, a strong current of localism ran in the Union. The Gilded Age mania for association into clubs and leagues, fraternities and orders, unions and granges, and other types of nationally organized societies had its counterpoint in the continual breakdown of these organizations into groups that were smaller, purer, more narrowly defined. The WCTU brilliantly institutionalized the tension between national and local within its own structure by organizing Unions at local, county, state, and national levels. Each larger unit encompassed the smaller in its jurisdiction, but neither was preeminent; "the organization ... is a system of links, every part of which is essential to the makeup of the whole since if one link is missing the chain is broken and

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"Willard, "Address ... at the First Triennial Meeting... 1891," p. 34; see also Union Signal, vol. 4 no. 7 (15 Feb. 1883), p. 11.

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rendered incapable of doing full service." Local and state meetings could rely on the national as much or as little as they chose, but had full autonomy at their own levels to accept or reject national positions."

Just as no individual was without significance in the Christian scheme, individual effort was paramount to the Union's philosophy. Such an emphasis might seem to contradict the anti-individualism of the evangelical's outlook, but it did not. Although each individual woman had to put forth her best work both for herself and for the success of the initiative, victory was gained, never through the efforts of an individual, but only through the combined work of the group. Temperance women often described themselves as worker bees in "the great hive of true and loving Christian women," or spiders spinning huge, complex silken webs. As one WCTU member busily transforming the world exclaimed, "Why I feel just like a ray of light through a prism!"

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57 In the southern states, for example, few Unions endorsed suffrage, labor issues, or the more adventurous social outreach work.

58 Ann Elmore, A Mother's Story (Newark, N.J., 1879), p. 2; Granite State Outlook, vol. 1 no. 9 (Sept., 1891), p. 4; Willard, Do Everything, p. 77.
Such images are coy, and may reveal a lack of confidence in women’s ability to change their political environment. But Willard and others were stressing interdependence and group skills. In direct opposition to Stanton’s sense of the uniqueness and irreplaceability of the individual, here no individual was omnicompetent, and all were expendable: if one left, more would rush in to fill the vacancy. But the pride of the movement was in each giving from their own store of power, and at least in theory the speech writer at the temperance gathering and the Irish serving girl who stood in the rain to prop her mistress gave equal shares. This theory of contribution was exactly the strength of the early mission movement, or "mite societies" among women; the idea that many humble donations could spark a mighty work helped mobilize the energies and loyalties of a wide range of women.

By this accretion theory, progress is made "a stitch at a time, a prayer at a time, a sacrifice here and a supreme

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"Willard, Woman and Temperance, p. 143.

effort there ..." This "holy call of individual responsibility and systematically united effort" was the key to political success; when women and workmen each combined, Frances Willard suggested, "the war-dragon shall be slain, the poverty viper shall be exterminated, the gold bug transfixed by a silver pin ... and the last white slave liberated from the woods of Wisconsin." A no-license vote, too, on closer viewing turned out a pointillist "snow-storm of pure Christian prohibition ballots." The outcome in some way depended on each ballot as much as on the combined power. Each Christian was equally bound to participate personally, to give of themselves in some form; under Christian government the idea of delegated responsibility could not be squared with individual conscience."

The metaphor of the chain, the web, the wire which connected the dots and gave them power was one of the most commonly used by temperance women, and one critical to their

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"Stevenson, *Brief History*, p. 112.

"Willard, *Do Everything*, p. 29; Willard, "Address ... at Its First Triennial Meeting ... 1891", pp. 3-4.


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political theory." For evangelical Christians the moral (i.e., political) world was deeply responsive, a moral ecosystem balanced as delicately as we now know our ecology to be; any minor act or omission could cause unlooked-for changes many links down the chain. No part of the system could thus be insulated, neither public nor private; again in the concentric model, ever-widening rings of influence agitated and effective "to the remotest bound" of the outside circle. One end of a chain of influence was tethered by the humblest citizen, the other held in the hand of God; for "society and government are but the connecting wires of God's great telegraphic system along which he sends shocks of power from His own heart."

Such a political model—the WCTU's in both practice and theory—repudiated any centralized state in which God is not yet fully realized. The Union's emphasis on the importance of individual action, the personal obligation of each to each other, created an opening for a genuinely participatory politics. Many Union women understood maternal government

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"Again, note the similarity to antebellum language in Chap. 1.

"Stebbins, Fifty Years History, p. 183; Stevenson, Brief History, p. 99.

"Willard, Do Everything, p. 147."
as a loving, hands-on operation; their message to drunkards was "you take the pledge, we'll take it too; you wear the badge of ribbon, blue or red, we'll wear it too ..."

The moving force here is not bold legislative strokes, nor presidential decrees from on high, but local action, accretion, stitches, steps. Evangelical feminists did not distinguish between the coming of righteous government and the coming of the Kingdom of God on Earth. And both, in their brand of pre-millennialism were achieved in the same way, "not suddenly, but little by little, imperceptibly," an accretion of pure habit and good deeds. Like raising a child, raising a society was not done by edict, but was an ongoing evolutionary process furthered by "faith and courage and hope all the time, and God overhead," and it was fully participatory.

"Willard, Woman and Temperance, p. 177. In another place Willard recounts the thrill she had with her first experience of being hungry and without money, and how she walked the streets addressing herself in her mind to the poor, "I am a better friend than you dream; I know more about you than you think, for...I am hungry, too" (Glimpses, p. 344). In practice, of course, "participation" often ended up functioning rather undemocratically.

"Willard, "Address ... at Its First Triennial Meeting ... 1891," p. 35.

"Stevenson, Brief History, p. 112.
Anti-Legalism

In addition to the mandate for personal participation at all levels, the WCTU's broad, branching agenda included yet another safeguard against electoral politics' growing monopoly. The WCTU departed sharply from antebellum evangelical precedent in their love affair with regulatory legislation. Male and female temperance groups alike were infatuated with the heady sense of power, the instant results, which a sweeping prohibition amendment or statute could bring. But female reformers were ambivalent as well about the prospects of the electoral and legislative spheres, standing as they did with one foot in and one foot out. Their optimism was tempered by their sense of betrayal by the political system, and its corruption. After all, the kingdom of electoral politics had not yet arrived for women; their place in the legislative process was tenuous at best.

Temperance women understood from bitter experience that the potential for good implicit in the lawmakers' power was undercut by high numbers of drunken and dishonest congressmen, governors, judges, and state legislators whose treacherous double-dealing defeated so many reform initiatives. They felt a strong sense of betrayal by such male "allies;" losing faith in men, one woman wrote, left only God and woman to redeem society, since legislative
halls themselves turned out to be the font of the "seething, foaming tide of beer and whiskey." The court room proved no fairer battleground: some of Satan's "most efficient agents" were covered in "judicial ermine." Lawyers "experienced in technicalities of law, guileful in device" also confounded courtroom justice with tactics like dismissing all temperance sympathizers from the jury panel in a prosecution for illegal sale of liquor, forcing the sheriff to complete the panel "a tales" with "drinking men."73

The evangelical temperance movement was in large part a movement of people untrained and unimpressed by the complexities of the common law, and reluctant to let legal process hinder a "just" result or provide a cloak of respectability for wrongdoing. As one Josiah Allen's wife asked, if a serpent is writhing through your town eating people, "Do you suppose they would rent out that serpent at so much a year to crunch and swaller folks accordin' to law? And would it be any easier for folks that was crunched and


73 Willard, Woman and Temperance, p. 263.
swallowed, and for surviving' friends of the same, if they
was killed by an act of Congress?" Mrs. Allen's folksy
tone conveys the conviction that law in its complexity was
itself a serpent in the garden. WCTU women often and
fluently expressed their disgust with the strategems and
devices of lawyers and theologians as a way of envisioning a
world where anger, corruption, and self interest disguised
as professional canons did not succeed.

Temperance women renounced the "legal striving" in
order to find a "simple way," a route which required "entire
surrender and perfect trust in God." Electoral politics
was only capable of redemption to the extent that that
process became simplified and purified, in the "good time
coming" when "methods, useful in themselves but hitherto
secular, shall be informed by the spirit which giveth life."
In a fictitious debate over the moral nature of
parliamentary procedure, Mrs. Plymouth Rock rhapsodized
about an "election, so simple and unpremeditated,
nominations all made in open meeting, and hymns, tears, and
prayers coming in as freely as if no 'red tape' existed to

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75 Willard, Woman and Temperance, p. 203 (quoting a
letter from Hannah Whitall Smith.)
besmirch the world." Willard found a local Arkansas law "superb" which allowed "No 'remonstrance' or counterpetition ... the simple question 'Do we want dram-shops?' is answered by the signatures of men and women and that settles the matter—not for a year only, but 'once for all.'" Only with such transparent and simple procedures can "conviction ... be correlated with law." Legal elaboration only allowed the possibility of corruption, "politics" in its worst sense, to defeat the pure will of the people, and provided a shield for chicanery. It was out of real frustration and apprehension that their interests were not being attended to that evangelical feminists expanded their precept "the letter killeth, but the spirit giveth life" to cover politics as well.

In fact, the WCTU's parallel rejections of formalism in law and theology gave birth to a reinterpretation of the relative roles of faith and works which was critical to their political theory. The Reformation had produced an emphasis on faith which, despite the lightening spontaneity and unpredictability of grace, became mired in theological

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"Willard, Woman and Temperance, p. 141.
wrangling and disputation—a dry, loveless legalism. By the Gilded Age, the minister modelled on the austere, colonial theologian had lost face. Congregations demanded attention be paid to "what the Pews Want from the Pulpit," not preaching or instruction but an active example. In the face of overwhelming social dislocation, many Christians rejected a "velvet-lined pew religion" in favor of "that Christianity that treads the streets."

The WCTU fell in the same tradition as the economist Richard Ely, whose views they often cited. Ely explicitly criticized the church since the Protestant Reformation for ignoring the second of the two great commandments, "Thou shalt love thy neighbor as thyself," a commandment which Ely placed on a par with the first. Ely represented the "applied Christianity" of the social gospel movement, Christianity in the streets. He suggested that the true study of religion was sociology and not theology; man, he believed, "'had been placed in this world to save it.'"

Re-enforcing temperance women's instinctive dislike of

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"Lady Henry Somerset, Werner's Recitations, pp. 86-87.


"Ely, Social Aspects, p. 72.
hair-splitting theology, Ely openly substituted a standard of works for one of faith. In this light, the Christian social movement, of which the WCTU formed a part, can be seen as a counter-reformation of sorts—a conscious attempt to shift Christian thought away from legal questions of personal salvation and the nature of God, and to focus instead on worldly obligations to neighbors.

**Regulatory Bureaucracy**

The shift to a spiritual emphasis on works clearly reverberated in the political sphere. Temperance women had an ambivalent relation with law and faith, but they lauded the "faith which turns as readily to works as steam to water." The rejection of formal theology turned women's attention to work in the public sphere; and their rejection of and exclusion from the legal culture turned them toward less official networks of authority. The two combined to inspire temperance women all over the country to participate in creating and staffing a nascent bureaucracy designed to allow women to re-establish traditional networks of power at more official levels, while circumventing the unreliable political arena.

Women were not excluded from social programs at local levels by any civil barrier; they could conceive, implement,
direct, and staff them. WCTU-affiliated women in many towns took advantage of this to turn their formidable organizing talents toward the state. Although such work—largely centered around health, welfare, and education—had fallen within the restricted scope of women's charitable activities, WCTU workers did not classify their works as private action, but rather as alternative public action. In fact, Willard and others pictured themselves as establishing through their organization and programs a whole separate government, so that

we should thus have within National Government, as carried on by men, a republic of women, duly organized and officered ... and tending toward such mutual fellowship among women ... as should establish solidarity of sentiment and purpose throughout the Nation of woman Workers, (and) put a premium upon organized as against isolated efforts for human betterment."

One power of this republic of women lay in the combination of "the two great principles of co-operation and personal effort, in order that Christian public opinion concerning the political or moral welfare of Town, City, State, or Nation, may quickly and emphatically be heard."

The WCTU fostered a network of organization and opinion which encompassed like-minded groups nationwide who could

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"Willard, "Address ... at the First Triennial Meeting ... 1891," pp. 5-6."
band together to express public sentiment to legislative bodies and combat "the evils existing at the caucus, convention, and ballot box"--an effective alternative to electoral politics. One important tactic was to forge alliances with other sympathetic voluntary associations through communications networks, legislative alerts, solicitation of common members, exchange of periodicals, and simply contributing to others' causes--activity which merited an entire department for "Presenting Our Causes to Influential Bodies" to seek their cooperation in programs and petition drives. In her address at the World's WCTU meeting at the Columbian Exposition in 1893, Willard described the coalition approach of the Fabian socialists, and urged members to look for contacts in all other clubs and organizations--an "extended concept of duties and privileges."

This approach was so successful that the Woman's National Council sought to replicate the WCTU's organization by confederating locally organized woman's societies--clubs,

82"Annual Leaflet of the National WCTU" (Chicago, 1902), p. 46.
83"Annual Leaflet," p. 3.
84Willard, "Address ... 2nd Biennial Convention ... 1893," p. 43.
service societies, temperance organizations, and others—and coordinating their work, the local confederation functioning autonomously under similar state and national confederations. Such a system could more efficiently pursue the "overthrow of all forms of ignorance and injustice, (and) ... the application of the Golden Rule to society, custom, and law." In their initiatives the WCTU cooperated with reform, health, medical, and teachers' associations, and with groups of all descriptions.

In addition to co-opting voluntary associations, the Union's strategy included gaining access for women to power within local governing bodies. If such positions did not exist, they lobbied to create them. Willard argued that

Locally, a woman's council should, in the interest of that 'mothering' which is the central idea of our new movement, seek to secure for women admission to all school committees, library associations, hospitals and other institutional boards entrusted with the care of the defective, dependent, and delinquent classes; also to boards of trustees in schools and colleges and all professional and business associations."


"Willard, "Address ... at the First Triennial Meeting ... 1891," p. 7. See also Willard, "Political Future of Prohibition;" Willard, Do Everything, p. 128; Cobbe, Frances Power, The Duties of Women (Boston, 1881), esp. chap. 6, "Woman as a Citizen of the State"; and "Minutes of the Monroe County WCTU" (New York, 1888), p. 27.
Women seem to have had considerable success in this period in gaining such seats, or in lobbying those who did. Such victories were often reported triumphantly in the Union Signal.

One of the WCTU's most effective initiatives, pursued nationwide at state and local levels, was the drive to introduce compulsory Scientific Temperance Instruction into public school curricula. In the course of this highly successful campaign workers in the department of STI mercilessly lobbied doctors' groups, teachers' organizations, boards of health, school boards, and legislative bodies at all levels. When they could the Union stacked boards with their own members, using their influence in local affairs to gain appointments. When they could not, the Dept. of S.T.I. often formed its own boards of experts from respected educators, clergy, and health care professionals to produce and pass on the quality of material to be used in public school instruction. Their recommendations were usually accorded great weight.

Under the meticulous planning and direction of Mary Hunt, the Union gathered its contacts and experts into a battering ram of "public opinion" which crushed opposition. According to Mrs. Hunt, "It is not too much to say that the
school boards of the country ... are in a state of siege at the hands of mothers, urging that the schools shall utter nature's solemn warning against the cup." The Union in the 1890s had great success in persuading schools both at state and local levels to include WCTU-approved temperance materials as mandatory parts of public school curricula."

Such a wide mandate clearly moves well beyond the concern for alcohol abuse which was the Union's founding principle; in fact, it is hard to exclude any aspect of civic governance from the Union's stated list of concerns. The broad, perfectionist commitment to the community's health and welfare translated into a mandate for inquiry and reform of many state and local services— all under the broad banner of "Prohibition." One recitation, "Prohibition Defined," included a verse lumping the baker selling bad bread and the butcher selling bad meat with the saloon keeper selling rum. Halting such abuses, the Chorus reminds us, is public spirited— "And this is prohibition.""

"Quoted in Stevenson, Brief History, p. 34.

"The materials from and on this department are voluminous; the department itself published a series of texts, tracts, and leaflets, many of which are preserved in the WCTU microfilm series.

"Ames, Platform Voices, p. 75.
Willard and others continued to reiterate the maternal basis of public action. In *Occupations for Women*, for example, she stresses the importance of women's gaining municipal government posts as "the work of salvation for other mother's little children." But the type of power which evangelical women were trying to appropriate for themselves went well beyond the bonds of private charity or home care. If laws were not being enforced, the WCTU was prepared to mount its own commission of inquiry, packed with influential citizens, male and female alike. A private commission, for example, was set up to investigate the liquor traffic in its relation to a broad range of subjects from domestic violence and the impoverishment of women to crime, unemployment, the collection of municipal revenue, and lawmakers' potential to profit from the liquor trade. Bypassing electoral politics, this strategy effectively restored to women some of the power lost in the breakdown of the traditional community. While this grass roots strategy did not put them in the legislature, temperance women thought of themselves as "the power behind the throne" in the battle for municipal

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sometimes women actually sat on the throne: an article entitled "Petticoat Rule" lauded the success of a woman mayor and an all-female council elected in a Kansas town in 1889. By this account the women managed to pass and enforce a series of municipal ordinances improving morals and services both, and although the local merchants became "a trifle ugly" when the Sunday observance law was enforced for the first time, the board enjoyed great popularity and success. One initiative seemed doomed when the city attorney vetoed a ban on spitting tobacco juice on the sidewalk (where it clung to trailing hems) as an infringement on personal liberty. But citing the power of the moral community over statute, the councilwomen instead made a personal appeal to every chewer to spit elsewhere, and claimed that the cooperative approach proved even more effective than an ordinance.

In Delavan, Illinois, women who were not elected officials nonetheless raised money from exhibitions and concerts to build sidewalks. As the (male) officials let

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"Lucia Additon, Twenty Eventful Years of the Oregon Women's Christian Temperance Union, 1880-1900, (Portland, Or, 1904), p. 73.

"Reel 31, scrapbook 10, WCTU microfilm series.
them fall into disrepair, women lamented

There are the sidewalks broken and worn,  
And here is the Town Board all forlorn,  
And there are the men who talk and talk,  
Though once there were women who built a walk  
In this town of Delavan."

The women's exhibit at the Columbian Exposition of 1893 opened a futuristic perspective on the world of the maternal state which evangelical feminists imagined. The female world of philanthropy and reform--"and in the last analysis this includes church and state"--was to illustrate a socialized haven of the future with nurseries, day care centers, hospitals, cafes--everything touching the "health, holiness, and happiness of the home people." For Willard and many others, this was a vision of a future that worked; they expected each woman to "come away with the feeling that God has given her a mighty work to do in the world." 96

Temperance women shared their program for better governance with a broad range of male and female citizens who considered themselves progressive and subscribed to what

9"Willard, Woman and Temperance, p. 471.

95 Willard, "Address ... at the First Triennial Meeting ... 1891," p. 30.

96 William Cameron, The World's Fair (Chicago, 1893), p. 11. The women's exhibit included a detailed miniature model of a Swedish leper colony, which Willard thought showed "the sublime heights to which self-sacrifice can reach in caring for the afflicted" (p. 462).
the WCTU called "the maternal state" as the most enlightened response to the problem of their day—the restructuring of work and family relations around the tenets of industrial capitalism. But temperance women took a unique approach, scattershot in seeking multiple avenues of influence. Frances Willard called women, unlike men, "natural branchers-out" who sought their goals through a variety of methods." Certainly they worked vigorously in electoral politics supporting candidates and initiatives, and they sought the ballot in anticipation of the day when the woman's vote could help establish their programs and reforms by legislative fiat. But they also strove consciously to develop an alternative to electoral politics through a two-pronged scheme: a national, loosely organized voluntary network of groups which could exert influence as a block; and an effort to create and fill posts at state and local levels with members of these groups, in a broadly defined area which included education, public health, and the provision of municipal and relief services.

When the WCTU was formed, the American state was just beginning to develop into the complex structure of today; and certainly Frances Willard for all her prescience never

envisioned our national bureaucracy. But temperance women's efforts were channeled into the creation of agencies and departments below the national level, and in attributing to government through those departments obligations to the welfare of the general citizenry, in a way which helped set the stage for the later assumption of these obligations by a national bureaucracy. Although they never laid out a formal proposal or theory, WCTU women fully understood that they were creating an alternative type of politics, one over which they had more control and through which they could more effectively implement their own agenda. To some extent, Willard's vision of a "republic of women" within a national government was fulfilled in the next several decades, as women connected to the settlement house movement and related reforms continued the drive to create local bureaucracies through which to administer public welfare programs, culminating in the influence of women in the administrative bureaucracies of the New Deal.

"A great deal of work is currently being done, most of it unpublished as yet, on women's role in the growth of administrative agencies in the Progressive era and up to the Second World War. Linda Gordon and Kathryn Kish Sklar are both working on books in this field, as are a number of other scholars."
Conclusion

Two uneasy components lurk under our label "liberal" today: a commitment to individual rights and liberties, and another to the welfare state. The antebellum feminist vision smoothed over this rift by linking rights designed for the growth of the individual to her duties and responsibilities to others; family, friends, and neighbors. Within later nineteenth-century feminism, however, these two elements were openly unreconciled, and bitterly at odds. The tension between oneself and another, foreshadowed in the writings of Elizabeth Cady Stanton, emerged after the Civil War to split the American woman's movement into two competing camps.

NWSA feminists, who organized in 1869, shed much of their religious imagery, along with the radical perfectionist demands for widespread reforms touching all aspects of personal and social life. They adopted instead a more traditional constitutionalism. More responsive and knowledgeable than evangelical feminists about the political process, they focused increasingly on civil rights, their political aspirations developing reciprocally with the government's ability to administer equal protection standards. The NWSA program was expressed most commonly in
a plea for suffrage; as reformers steeped in the 
abolitionist tradition the group was disposed toward 
constitutional remedies, and the process of fitting women's 
claims into the existing structure of civil rights narrowed 
the NWSA platform. But liberal feminism remained fiercely 
committed to personal autonomy, and hypersensitive to bonds 
or obligations, physical or legal; and the demand to rectify 
women's sexual standing remained an important secondary 
platform.¹ Those concerns—as well as the plea for suffrage 
itself—came out of a tradition forged in abolitionism, 
familiar to liberal feminists, of the emancipated body—a 
powerful political paradigm because it combined the equality 
claim of revolutionary thought with liberal feminism's 
desire for bodily autonomy.

The WCTU by contrast rejected the liberal emphasis on 
autonomy as socially harmful, and forged instead a theory of 
the state which privileged the rights of the community over 
those of the individual. Using principles of "organized 
mother-love" the WCTU pushed to create a "maternal state" 
designed to administer the needs and not just the civil 
rights of its constituents. The resurgence of evangelical 

¹Bodily autonomy always remained first with Stanton, 
and on several occasions in her later years she criticized 
the movement for its focus on suffrage to the exclusion of 
other more fundamental issues.
thought in the later nineteenth century complicated the scheme of individual rights in the constitutional path laid down during Reconstruction, addressing not the "equality" problem of admission to citizenship status or the granting of civil rights, but the thornier problem of how to deal with obvious inequality with its source in the "private" rather than the civil realm, a problem of class which individual rights language could not accommodate. Evangelical feminists had recourse to many of the ideas of the antebellum woman suffrage movement, but differed substantially from them in a way that would ultimately lead them down a very different path, in hypothesizing a powerful state that could juggle and enforce the rights of groups.

These two views were based on very different conceptions of the body and its place in the public and private realm. As epitomized in Stanton's work, the liberal view—an outgrowth of the peculiar American conjuncture of abolitionism and the struggle against religious orthodoxy which resulted in liberal Protestantism—saw the body as an isolated and autonomous entity, a free agent in the world; a view which with some tailoring could be fit into the civil rights model of constitutional activism. Evangelicals based their political philosophy on the idea of maternalism, or the connected body. Their
interpretation of scripture did not stress growth and self development as did liberal Protestantism, but the more traditional Christian doctrines of the atonement, the passion, the parental quality of God. Christ had come to the world for self-sacrifice, not self development; within evangelical religion he himself presented a maternal image in his willingness to touch, heal, and physically love even the unlovable. Liberals stressed corporeal integrity in the instant; for evangelicals, corporeal integrity could only be established over time, through the accretion and discharge of ties and obligations to others.

Within organized feminism these differences expressed themselves most violently in the late part of the century over issues of church and state. In the 1890s in particular, the newly united suffrage organization under the banner of the National American Woman Suffrage Association (NAWSA), brought together the liberal NWSA with the more conservative AWSA, with its close ties to evangelical feminists. Some of the issues debated most violently at those meetings were whether feminists should intervene either for or against the Sunday closing of the proposed Columbian Exposition; what the relationship was between organized religion and the suffrage movement; and the debate over Stanton's project to rewrite the Bible, which was
finally repudiated in a resolution of the NAWSA after a bitter fight.

Again, the root question was one of moral regulation—mother or not mother—of individual behavior. The WCTU had consistently used its clout to support evangelical coalitions round the country who were sponsoring legislation imposing curfews, censorship, school prayer and Bible reading, as well as prohibition. This vision of a morally regulated world met violent opposition from feminist advocates like Elizabeth Cady Stanton and Matilda Joslyn Gage, who saw Protestant orthodoxy as the greatest enemy of woman's emancipation. Stanton, Gage, and others saw in the evangelical reformers' campaign an attempt to alter the established constitutional separation of church and state, imposing the moral imperative of a minority on an increasingly diverse society by legislative fiat. Stanton understood the struggle to contain the power of the Protestant Church over civic life to be as critical a condition of woman's freedom as the struggle against patriarchy: in fact they were one, and Stanton was not betraying her own priorities when she said that "much as I desire the suffrage, I would rather never vote than to see the policy of our government at the mercy of the religious
In fact, there was real basis for Stanton’s fears. Because of the declining importance of theology, and therefore of the dogmatic schisms which divided Protestant denominations at the beginning of the century, the possibility of a stronger Protestant union than ever before made the prospect of a "Christian state" more real a threat than in the past. With Protestant denominations no longer balancing each other’s powers, many denominations made common cause to attack a common enemy, and openly sought to enhance the power of Christian moral governance within the state. This was the political and religious context in which the woman’s movement split in the second half of the nineteenth century.³


³One problem which looms large for explaining rifts in nineteenth-century feminism using a church-state analysis is that the history of contemporary or second wave feminism falls out very much like the first, with a liberal, civil rights-oriented movement growing out of a civil rights movement of black Americans and later challenged by a revisionist feminism based on a difference rather than an equality analysis. This pattern developed in second wave feminism without any appreciable help from the churches or from a spiritual analysis (those schools certainly exist but have not been central to revisionist feminism); and I am certainly not willing to push for some kind of persistence of nineteenth-century patterns without further thought. But the split within feminism in the nineteenth century was not
In the early twentieth century, the Woman's National Committee of the Socialist Party put out two pamphlets, one entitled "Elizabeth Cady Stanton on Socialism" and the other entitled "Frances E. Willard on Socialism." In these pamphlets, from speeches published sometime in the 1890s, both women agree that after 50 years of suffrage it is time to lay new groundwork: "Agitation of a broader Philosophical socialism is now in order," and competition must give way to cooperation; that the want of the working classes is the critical question of the time. Even, Stanton says, if most women's reforms--suffrage, temperance, purity--were achieved, they would make no change in the condition of the masses.

Little remains for either Stanton or Willard to document their immersion in socialist principles, which for both women took place very close to the end of their lives. The twin movements of temperance and suffrage which they had animated had moved on, in tandem, toward securing a national parthenomitosis, but was contained within a broader American political culture which could not deal adequately with the problem of individualism, either; a condition in the political culture which still exists today and has presumably had some effect on the feminist movement working within it.

"Elizabeth Cady Stanton on Socialism" (Chicago, n.d.); "Frances E. Willard on Socialism" (Chicago, n.d.); Rare Book Room in the Library of Congress.
amendment for woman suffrage. Stanton and Willard had each moved on, too; had either woman lived much longer, it seems possible that she would have further severed her ties with her own organization and cast her lot with socialism.

For both women, the change came about after extended stays in Europe, particularly England, where both were introduced to Fabian socialism. For both it was a revelation of sorts, a release from the organizational mandates of temperance and suffrage; from platforms limited and shaped by political considerations; and from the recalcitrance of the rank and file they had been fighting for so long. Fabian socialism combined a hospitality to the individual with a class-based analysis in a way that sparked both women, and enabled each to transcend the limitations of her own political world view. Stanton's dualism, born of the peculiar American strain between slave and free, rigid Calvinism and liberal Protestantism, blurred a little; and she relaxed her fierce individualism enough to begin to consider the interests of people in groups. Willard too, away from the American evangelical ethic of harmony between all people, turned to the problems of labor with a new eye for the realities of class conflict. The dilemma of nineteenth-century American feminists was very much a product of its time; on the Grand Tour with Stanton and
Willard it took on a new life of its own.
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