Society in America: Volume 1*

Political Non-Existence of Women

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Section VII: Political Non-Existence of Women

One of the fundamental principles announced in the Declaration of Independence is, that governments derive their just powers from the consent of the governed. How can the political condition of women be reconciled with this?

Governments in the United States have power to tax women who hold property; to divorce them from their husbands; to fine, imprison, and execute them for certain offences. Whence do these governments derive their powers? They are not "just," as they are not derived from the consent of the women thus governed.

Governments in the United States have power to enslave certain women; and also to punish other women for inhuman treatment of such slaves. Neither of these powers are "just;" not being derived from the consent of the governed.

Governments decree to women in some States half their husbands' property; in others one-third. In some, a woman, on her marriage, is made to yield all her property to her husband; in others, to retain a portion, or the whole, in her own hands. Whence do governments derive the unjust power of thus disposing of property without the consent of the governed?

The democratic principle condemns all this as wrong; and requires the equal political representation of all rational beings. Children, idiots, and criminals, during the season of sequestration, are the only fair exceptions.

The case is so plain that I might close it here; but it is interesting to inquire how so obvious a decision has been so evaded as to leave to women no political rights whatever. The question

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has been asked, from time to time, in more countries than one, how obedience to the laws can be required of women, when no woman has, either actually or virtually, given any assent to any law. No plausible answer has, as far as I can discover, been offered; for the good reason, that no plausible answer can be devised. The most principled democratic writers on government have on this subject sunk into fallacies, as disgraceful as any advocate of despotism has adduced. In fact, they have thus sunk from being, for the moment, advocates of despotism. Jefferson in America, and James Mill at home, subside, for the occasion, to the level of the author of the Emperor of Russia's Catechism for the young Poles.

Jefferson says,[1] "Were our State a pure democracy, in which all the inhabitants should meet together to transact all their business, there would yet be excluded from their deliberations, 1. Infants, until arrived at years of discretion; 2. Women, who, to prevent depravation of morals, and ambiguity of issue, could not mix promiscuously in the public meetings of men; 3. Slaves, from whom the unfortunate state of things with us takes away the rights of will and of property."

If the slave disqualification, here assigned, were shifted up under the head of Women, their case would be nearer the truth than as it now stands. Woman's lack of will and of property, is more like the true cause of her exclusion from the representation, than that which is actually set down against her. As if there could be no means of conducting public affairs but by promiscuous meetings! As if there would be more danger in promiscuous meetings for political business than in such meetings for worship, for oratory, for music, for dramatic entertainments,–for any of the thousand transactions of civilized life! The plea is not worth another word.

Mill says, with regard to representation, in his Essay on Government, "One thing is pretty clear; that all those individuals, whose interests are involved in those of other individuals, may be struck off without inconvenience…. In this light, women may be regarded, the interest of almost all of whom is involved, either in that of their fathers or in that of their husbands."

The true democratic principle is, that no person's interests can be, or can be ascertained to be, identical with those of any other person. This allows the exclusion of none but incapables.

The word "almost," in Mr. Mill's second sentence, rescues women from the exclusion he proposes. As long as there are women who have neither husbands nor fathers, his proposition remains an absurdity.

The interests of women who have fathers and husbands can never be identical with theirs, while there is a necessity for laws to protect women against their husbands and fathers. This statement is not worth another word.

Some who desire that there should be an equality of property between men and women, oppose representation, on the ground that political duties would be incompatible with the other duties which women have to discharge. The reply to this is, that women are the best judges here. God has given time and power for the discharge of all duties; and, if he had not, it would be

[1] Correspondence vol. iv. p. 295.

for women to decide which they would take, and which they would leave. But their guardians follow the ancient fashion of deciding what is best for their wards. The Emperor of Russia discovers when a coat of arms and title do not agree with a subject prince. The King of France early perceives that the air of Paris does not agree with a free-thinking foreigner. The English Tories feel the hardship that it would be to impose the franchise on every artizan, busy as he is in getting his bread. The Georgian planter perceives the hardship that freedom would be to his slaves. And the best friends of half the human race peremptorily decide for them as to their rights, their duties, their feelings, their powers. In all these cases, the persons thus cared for feel that the abstract decision rests with themselves; that, though they may be compelled to submit, they need not acquiesce.

It is pleaded that half of the human race does acquiesce in the decision of the other half, as to their rights and duties. And some instances, not only of submission, but of acquiescence, there are. Forty years ago, the women of New Jersey went to the poll, and voted, at state elections. The general term, "inhabitants," stood unqualified;–as it will again, when the true democratic principle comes to be fully understood. A motion was made to correct the inadvertence; and it was done, as a matter of course; without any appeal, as far as I could learn, from the persons about to be injured. Such acquiescence proves nothing but the degradation of the injured party. It inspires the same emotions of pity as the supplication of the freed slave who kneels to his master to restore him to slavery, that he may have his animal wants supplied, without being troubled with human rights and duties. Acquiescence like this is an argument which cuts the wrong way for those who use it.

But this acquiescence is only partial; and, to give any semblance of strength to the plea, the acquiescence must be complete. I, for one, do not acquiesce. I declare that whatever obedience I yield to the laws of the society in which I live is a matter between, not the community and myself, but my judgment and my will. Any punishment inflicted on me for the breach of the laws, I should regard as so much gratuitous injury: for to those laws I have never, actually or virtually, assented. I know that there are women in England who agree with me in this–I know that there are women in America who agree with me in this. The plea of acquiescence is invalidated by us.

It is pleaded that, by enjoying the protection of some laws, women give their assent to all. This needs but a brief answer. Any protection thus conferred is, under woman's circumstances, a boon bestowed at the pleasure of those in whose power she is. A boon of any sort is no compensation for the privation of something else; nor can the enjoyment of it bind to the performance of anything to which it bears no relation. Because I, by favour, may procure the imprisonment of the thief who robs my house, am I, unrepresented, therefore bound not to smuggle French ribbons? The obligation not to smuggle has a widely different derivation.

I cannot enter upon the commonest order of pleas of all;–those which relate to the virtual influence of woman; her swaying the judgment and will of man through the heart; and so forth. One might as well try to dissect the morning mist. I knew a gentleman in America who told me how much rather he had be a woman than the man he is;–a professional man, a father, a citizen. He would give up all this for a woman's influence. I thought he was mated too

soon. He should have married a lady, also of my acquaintance, who would not at all object to being a slave, if ever the blacks should have the upper hand; "it is so right that the one race should be subservient to the other!" Or rather,–I thought it a pity that the one could not be a woman, and the other a slave; so that an injured individual of each class might be exalted into their places, to fulfil and enjoy the duties and privileges which they despise, and, in despising, disgrace.

The truth is, that while there is much said about "the sphere of woman," two widely different notions are entertained of what is meant by the phrase. The narrow, and, to the ruling party, the more convenient notion is that sphere appointed by men, and bounded by their ideas of propriety;–a notion from which any and every woman may fairly dissent. The broad and true conception is of the sphere appointed by God, and bounded by the powers which he has bestowed. This commands the assent of man and woman; and only the question of powers remains to be proved.

That woman has power to represent her own interests, no one can deny till she has been tried. The modes need not be discussed here: they must vary with circumstances. The fearful and absurd images which are perpetually called up to perplex the question,–images of women on wool-sacks in England, and under canopies in America, have nothing to do with the matter. The principle being once established, the methods will follow, easily, naturally, and under a remarkable transmutation of the ludicrous into the sublime. The kings of Europe would have laughed mightily, two centuries ago, at the idea of a commoner, without robes, crown, or sceptre, stepping into the throne of a strong nation. Yet who dared to laugh when Washington's super-royal voice greeted the New World from the presidential chair, and the old world stood still to catch the echo?

The principle of the equal rights of both halves of the human race is all we have to do with here. It is the true democratic principle which can never be seriously controverted, and only for a short time evaded. Governments can derive their just powers only from the consent of the governed.