



Women's Citizenship in the Early Republic

The AMERICAN REVOLUTION transformed the inhabitants of the United States from subjects into citizens. Prior to 1776, colonists had considered themselves loyal denizens of the British empire, subject to the will of the king whom they regarded as their ultimate protector and guardian. With independence, however, Americans overthrew monarchy and established a republican form of government. In

a republic, the people rule themselves. Rights and liberties are considered inalienable, not subject to human delegation or manipulation. In a very literal sense, the people *are* the government.

In shifting from monarchy to a republic, Americans had to confront the question of whether women were citizens of the new polity. Citizenship was a vague concept, referring to a person's participation in, or sense of belonging

to, a particular political community. Yet the precise meaning has changed over time and according to circumstances. With the coming of independence, Americans assumed that any free, white person who did not swear allegiance to the British was an American citizen. Eventually, Americans began to distinguish between inhabitants and citizens, between those who merely lived in the United States and those who could participate in its government and enjoy certain rights and privileges. Slaves, for example, were clearly excluded from the benefits of citizenship. Americans also differentiated among other groups, such as free blacks, Indians, and foreigners, when defining citizenship. Women, however, represented a special case. For some purposes they were considered citizens, and for other purposes they were not. It is thus difficult to make generalizations about women's citizenship without looking at specific aspects of the concept, including naturalization, voting, and civil rights.

MOTHERS AND SYMBOLS

As in England, American women had few rights inscribed in law. Women's legal status was that of *feme covert*, a person who was protected by a male, usually a father or husband. **COVERTURE**, as it was called, meant that married women could not own property, make contracts, sue or be sued in court. Only widows left to fend for themselves in the absence of a man were exceptions. Because independence, grounded in the ownership of property, was thought to be the hallmark of freedom, women were precluded from voting or holding public office. It is not much of an exaggeration to say that prior to the Revolution, women were legal and political nonentities.

The Revolution altered women's relationship to the political community. Patriot leaders were quick to realize that their success depended, at least in part, in persuading women to support their side. Using poems, essays, and orations, they urged women to boycott imported luxury goods, produce homemade fabric and clothing, and, if necessary, sacrifice their husbands, sons, and brothers on the field of battle. Women responded to men's pleas. Their efforts during the war helped create a new understanding of woman's political role, a concept that historian Linda Kerber has called **REPUBLICAN MOTHERHOOD**. As wives and mothers,

they could inculcate virtue, promote patriotism, and encourage self-sacrifice for the common good. Women as well as men could hence be considered citizens of the republic.

The Revolution also changed women's status in a more symbolic way. Early Americans often used feminine symbols and images to portray their country. A bare-breasted woman, Native American in origin, was a common image, a symbol that transformed feminine weakness into a symbol of strength and boldness. Two other female icons, Liberty and Columbia, were even more widespread. Participants would often carry statues of Columbia or wave banners displaying the goddess Liberty during parades or at public festivities. Pictures of these mythic figures appeared in books, broadsides, and magazines. Strong as well as delicate, firm but feminine, these figures conveyed complex notions about the relationship between gender and national identity in the new nation.

ALLEGIANCE AND NATURALIZATION

During the American Revolution, citizenship came to be defined according to a person's allegiance or voluntary acts of loyalty to the state. Whereas loyalty to the Crown had hitherto been assumed, now everyone could choose their rulers and the form of government they preferred. This situation provided a brief opening for women. Recognizing the need to expand the patriot ranks, several states passed laws acknowledging the possibility that a woman might have a political will separate from that of her husband. In 1779, for example, the Massachusetts legislature enacted a statute that confiscated the estates of men who fled to England. Yet the law also stipulated that wives who remained in this country, presumably supportive of the American cause, could retain a third of the estate. Implicitly, Massachusetts recognized that a wife might make a different choice from her husband. Other states passed similar provisions. The situation changed after the war. State and federal judges retreated from the idea that women could be politically autonomous. They invalidated the Revolutionary-era statutes and reaffirmed the older notion that wives must defer to, and be subsumed by, their husband's political choices.

The legal status of women as citizens remained ambiguous. With independence, all



In this 1796 allegorical image, Liberty, in the form of a goddess, offers a cup to an eagle, symbol of the American republic. She treads beneath her feet chains, a scepter, a key, and other symbols of tyranny.

free white inhabitants were assumed to be citizens, both of the particular state in which they resided and of the United States. Yet it was not always clear what rights and privileges were associated with citizenship. The U. S. CONSTITUTION, for example, did not specifically mention women. However, women were included in the decennial census count. More than simply a tally of inhabitants, the census determined the number of representatives each state received in the House of Representatives. As Senator Samuel Mitchill of New York explained to his wife, "In the theory of our Constitution women are calculated as political beings. They are numbered in the census of inhabitants . . . and the Representatives are apportioned among the people according to their numbers, reckoning the females as well as the males. Though, therefore, women do not vote, they are nevertheless represented in the national government to their full amount." As part of the enumerated population, women thus helped constitute the body politic. They were nonvoting "political beings."

The issue of naturalization perpetuated the ambiguities regarding women's status as citizens. The Naturalization Act of 1790 did not limit citizenship to males. "Free white" foreigners, including women, could become citizens merely by residing in the country for two years, proving their "good character," and taking an oath to support the United States Constitution. In practice, however, most of the people who sought naturalization in the early United States were men, presumably because they wished to purchase land or vote. Other provisions reinforced the law's male bias. Parents could pass on citizenship to their children, regardless of where they were born. However, children whose fathers had never resided in the country were specifically prohibited from inheriting American citizenship. Nothing was said about the mother's citizenship being inheritable. Women's status was thus separate from, and inferior to, that of men. Nonetheless, the fact that women could be naturalized implied that they, like men, had standing as citizens.

SUFFRAGE

The vote has not always been considered an essential feature of citizenship. During the colonial period, voting was considered a privilege

rather than a right. As in Britain, colonists believed that only those who owned a certain amount of property were entitled to vote. Enfranchisement required economic independence and an ongoing stake in society. Depending on the colony, as many as 30 to 50 percent of all white males were ineligible to vote. Slaves and free blacks could not vote. Even widows, the only women who might own property and thus be eligible to vote, were considered to lack the judgment and experience necessary for the franchise. After the Revolution, these assumptions came under scrutiny. Young men without property, who were willing to fight and die for their country, wondered why they could not elect representatives to their assemblies. Other groups also began to question their exclusion.

Suffrage requirements changed, but did so rather slowly. Most of the first state constitutions, written between 1776 and 1790, lowered but did not abolish property qualifications for voting. Only Vermont, which did not become a state until 1791, eliminated all property restrictions and opened the door for universal male suffrage. By the first decades of the nineteenth century, however, Americans came to realize that voting represented the most direct means of expressing their will to their representatives. States came under increasing pressure to expand the scope of the voting population.

By 1830, universal white male suffrage prevailed throughout the country. Newly admitted states as well as many of the original states abolished existing property qualifications for voting. Yet they also added new restrictions, specifically limiting the franchise to "free white males." Whereas earlier constitutions had excluded women because of their lack of property, the new codes excluded them because they were women. Gender rather than economic status now determined the franchise. Voting became a male prerogative. Moreover, voting became not only one feature of citizenship, but its defining characteristic. The rise of universal white male suffrage meant a decline in the political importance of nonvoting citizens, most especially women.

One state, however, took a different course. Under the auspices of its 1776 constitution, the women of New Jersey were allowed to vote. The wording of the New Jersey constitution was gender-neutral, providing simply that "all inhabi-

tants of this colony of full age, who are worth fifty pounds . . . shall be entitled to vote." The ambiguity in this wording disappeared in 1790 and 1797 when the New Jersey assembly passed election laws referring to voters as "he" and "she." In subsequent years, women who could meet the rather substantial property qualification of £50 (mostly, wealthy widows) did vote. They voted in both state and federal elections, for state legislators as well as members of Congress.

Controversy, however, dogged the women voters. Politics was a masculine preoccupation; voting was considered unfeminine. Partly due to the stigma, women voted in relatively small numbers, with no more than a few hundred voting in any given election. Hostility to the female voters was widespread. Deriding the very idea of woman suffrage, one contemporary author jeered:

To Congress, lo! Widows shall go,
Like metamorphosed witches!
Cloth'd in the dignity of state,
And eke! In coat and breeches!

Prejudices such as these doomed the experiment. In 1807, the New Jersey legislature passed a law restricting the franchise only to white males. Significantly, women neither objected to its loss of the privilege nor demanded its reinstatement. They did not yet see voting as an essential feature of citizenship.

CIVIL RIGHTS

Women of the early republic realized that even if they did not have all the rights of men, they did possess certain rights. The universal ideals of the Revolutionary period enabled women to be regarded as men's equals in their own appointed realm. The domestic sphere, as it was called, was understood to encompass not only the home but also a wide array of religious matters and moral issues. Women's growing sense of their own status encouraged them to strive for more equality with men: for greater access to educational opportunities, greater control over national morality, and greater influence on social policy. Women also realized they had some protection for their rights. The Constitution guaranteed women as well as men certain civil rights, including freedom of religion and

speech, the right to assemble, and the right to petition the government for the redress of grievances. This broader understanding of women's rights allowed women to play a larger role in public affairs than they had before the American Revolution.

The right to petition represented one of the most powerful tools women possessed as nonvoting citizens. During and after the Revolution, individual women sought relief from the state and federal government for a variety of reasons, seeking compensation for the ravages of war, reimbursement for wartime expenditures, or payment of their husbands' pensions. By the early nineteenth century, women began to organize into groups to promote various social causes. Women reformers were especially active in the **TEMPERANCE** (see Volume 2) and antislavery movements. These causes required women to appeal not just to their fellow citizens but to their government, which could enact legislation to effect their goals.

Petitions allowed women to make their voices heard at a time when they could not vote. By gathering signatures and making their wishes known, they hoped to influence Congress and the state legislatures. Some men opposed the women's involvement in reform movements and denied their standing as petitioners. Women insisted that petitioning was their right. "Although we are *women*," noted the Philadelphia Female Anti-Slavery Society, "we are still citizens." In 1838 Congress attempted to quash women's antislavery petitions by imposing the "gag" rule. Congressman (and former president) John Quincy Adams defended the women's actions. "Are women," he asked his colleagues, "to have no opinions or actions on subjects relating to the general welfare?" Like men, women had a right to express their views to their government—and to expect legislators to take their views seriously.

Ultimately, female reformers realized that petitioning alone would not work. They needed to participate directly in the political process in order to change society in the ways they desired. By the 1830s some women began to campaign for the right to vote and hold public office. Their efforts culminated in the **SENECA FALLS CONVENTION** of 1848 (see Volume 2). The Seneca Falls Declaration of Sentiments, mod-

eled on the **DECLARATION OF INDEPENDENCE**, voiced women's frustration at their exclusion from government and the professions. It challenged women's subordinate legal status, their inability to own property, and their lack of educational opportunities. Demanding full equality with men, the Declaration demanded that women gain "immediate admission to all the rights and privileges which belong to them as citizens of the United States." Only by becoming fully enfranchised could women achieve their goals. Their demands would take many years to realize. In fact, not until the passage of the **NINETEENTH AMENDMENT** in 1920 (see Volume 3) did women throughout the country gain the right to vote. Only then did they move closer to truly equal citizenship with men.

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