

March is Women's History Month

Thanks to The Women's Rights Movement

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The Women's Rights Movement 1848 – 2000

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has." That was Margaret Mead's conclusion after a lifetime of observing very diverse cultures around the world. Her insight has been borne out time and again throughout the development of this country of ours. Being allowed to live life in an atmosphere of religious freedom, having a voice in the government you support with your taxes, living free of lifelong enslavement by another person. These beliefs about how life should and must be lived were once considered outlandish by many. But these beliefs were fervently held by visionaries whose steadfast work brought about changed minds and attitudes. Now these beliefs are commonly shared across U.S. society.

Another initially outlandish idea that has come to pass: United States citizenship for women. 1998 marked the 150th Anniversary of a movement by women to achieve full civil rights in this country. Over the past seven generations, dramatic social and legal changes have been accomplished that are now so accepted that they go unnoticed by people whose lives they have utterly changed. Many people who have lived through the recent decades of this process have come to accept blithely what has transpired. And younger people, for the most part, can hardly believe life was ever otherwise. They take the changes completely in stride, as how life has always been.

The staggering changes for women that have come about over those seven generations in family life, in religion, in government, in employment, in education - these changes did not just happen spontaneously. Women themselves made these changes happen, very deliberately. Women have not been the passive recipients of miraculous changes in laws and human nature. Seven generations of women have come together to affect these changes in the most democratic ways: through meetings, petition drives, lobbying, public speaking, and nonviolent resistance. They have worked very deliberately to create a better world, and they have succeeded hugely

Throughout 1998, the 150th anniversary of the Women's Rights Movement was celebrated across the nation with programs and events taking every form imaginable. Like many amazing stories, the history of the Women's Rights Movement began with a small group of people questioning why human lives were being unfairly constricted

A Tea Launches a Revolution

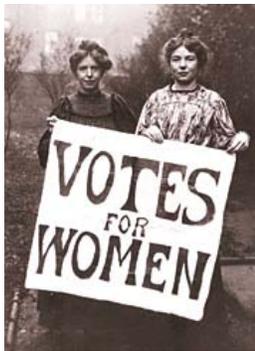
The Women's Rights Movement marks July 13, 1848 as its beginning. On that sweltering summer day in upstate New York, a young housewife and mother, Elizabeth Cady Stanton, was invited to tea with four women friends. When the course of their conversation turned to the situation of women, Stanton poured out her discontent with the limitations placed on her own situation under America's new democracy. Hadn't the American Revolution had been fought just 70 years earlier to win the patriots freedom from tyranny? But women had not gained freedom even though they'd taken equally tremendous risks through those dangerous years. Surely the new republic would benefit from having its women play more active roles throughout society. Stanton's friends agreed with her, passionately. This was definitely not the first small group of women to have such a conversation, but it was the first to plan and carry out a specific, large-scale program.



Elizabeth Cady Stanton

Today we are living the legacy of this afternoon conversation among women friends. Throughout 1998, events celebrating the 150th Anniversary of the Women's Rights Movement are looking at the massive changes these women set in motion when they daringly agreed to convene the world's first Women's Rights Convention.

Within two days of their afternoon tea together, this small group had picked a date for their convention, found a suitable location, and placed a small announcement in the Seneca County Courier. They called "A convention to discuss the social, civil, and religious condition and rights of woman." The gathering would take place at the Wesleyan Chapel in Seneca Falls on July 19 and 20, 1848.



In the history of western civilization, no similar public meeting had ever been called

A "Declaration of Sentiments" is Drafted

These were patriotic women, sharing the ideal of improving the new republic. They saw their mission as helping the republic keep its promise of better, more egalitarian lives for its citizens. As the women set about preparing for the event, Elizabeth Cady Stanton used the Declaration of Independence as the framework for writing what she titled a "Declaration of Sentiments." In what proved to be a brilliant move, Stanton connected the nascent campaign for women's rights directly to that powerful American symbol of liberty. The same familiar words framed their arguments: "We hold these truths to be self-evident; that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness."

In this Declaration of Sentiments, Stanton carefully enumerated areas of life where women were treated unjustly. Eighteen was precisely the number of grievances America's revolutionary forefathers had listed in their Declaration of Independence from England.

Stanton's version read, "The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world." Then it went into specifics:

- Married women were legally dead in the eyes of the law
- Women were not allowed to vote
- Women had to submit to laws when they had no voice in their formation
- Married women had no property rights
- Husbands had legal power over and responsibility for their wives to the extent that they could imprison or beat them with impunity
- Divorce and child custody laws favored men, giving no rights to women
- Women had to pay property taxes although they had no representation in the levying of these taxes
- Most occupations were closed to women and when women did work they were paid only a fraction of what men earned
- Women were not allowed to enter professions such as medicine or law
- Women had no means to gain an education since no college or university would accept women students
- With only a few exceptions, women were not allowed to participate in the affairs of the church
- Women were robbed of their self-confidence and self-respect, and were made totally dependent on men
- Strong words... Large grievances... And remember: This was just seventy years after the Revolutionary War. Doesn't it seem surprising to you that this unfair treatment of women was the norm in this new, very idealistic democracy? But this Declaration of Sentiments spelled out what was the status quo for European-American women in 1848 America, while it was even worse for enslaved Black women.

Elizabeth Cady Stanton's draft continued: *"Now, in view of this entire disenfranchisement of one-half the people of this country, their social and religious degradation, -- in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of these United States."*

That summer, change was in the air and Elizabeth Cady Stanton was full of hope that the future could and would be brighter for women.

The First Women's Rights Convention

The convention was convened as planned, and over the two-days of discussion, the Declaration of Sentiments and 12 resolutions received unanimous endorsement, one by one, with a few amendments. The only resolution that did not pass unanimously was the call for women's enfranchisement. That women should be allowed to vote in elections was almost inconceivable to many. Lucretia Mott, Stanton's longtime friend, had been shocked when Stanton had first suggested such an idea. In addition, at the convention, heated debate over the woman's vote filled the air.



Today, it's hard for us to imagine this, isn't it? Even the heartfelt pleas of Elizabeth Cady Stanton, a refined and educated woman of the time, did not move the assembly. Not until Frederick Douglass, the noted Black abolitionist and rich orator, started to speak, did the uproar subside. Woman, like the slave, he argued, had the right to liberty. "Suffrage," he asserted, "is the power to choose rulers and make laws, and the right by which all others are secured." In the end, the resolution won enough votes to carry, but by a bare majority.

The Declaration of Sentiments ended on a note of complete realism: "In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition the State and national Legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of Conventions, embracing every part of the country."

The Backlash Begins

Stanton was certainly on the mark when she anticipated "misconception, misrepresentation, and ridicule." Newspaper editors were so scandalized by the shameless audacity of the Declaration of Sentiments, and particularly of the ninth resolution -- women demanding the vote!-- that they attacked the women with all the vitriol they could muster. The women's rights movement was only one day old and the backlash had already begun!

In ridicule, the entire text of the Declaration of Sentiments was often published, with the names of the signers frequently included. Just as ridicule today often has a squelching effect on new ideas, this attack in the press caused many people from the Convention to rethink their positions. Many of the women who had attended the convention were so embarrassed by the publicity that they actually withdrew their signatures from the Declaration. But most stood firm. And something the editors had not anticipated happened: Their negative articles about the women's call for expanded rights were so livid and widespread that they actually had a positive impact far beyond anything the organizers could have hoped for. People in cities and isolated towns alike were now alerted to the issues, and joined this heated discussion of women's rights in great numbers!

The Movement Expands

The Seneca Falls women had optimistically hoped for "a series of conventions embracing every part of the country." And that's just what did happen. Women's Rights Conventions were held regularly from 1850 until the start of the Civil War. Some drew such large crowds that people actually had to be turned away for lack of sufficient meeting space!

The women's rights movement of the late 19th century went on to address the wide range of issues spelled out at the Seneca Falls Convention. Elizabeth Cady Stanton and women like Susan B. Anthony, Lucy Stone, and Sojourner Truth traveled the country lecturing and organizing for the next forty years. Eventually, winning the right to vote emerged as the central issue, since the vote would provide the means to achieve the other reforms. All told, the campaign for woman suffrage met such staunch opposition that it took 72 years for the women and their male supporters to be successful.



Susan B. Anthony

As you might imagine, any 72-year campaign includes thousands of political strategists, capable organizers, administrators, activists and lobbyists. The story of diligent women's rights activism is a litany of achievements against tremendous odds, of ingenious strategies and outrageous tactics used to outwit opponents and make the most of limited resources. It's a dramatic tale, filled with remarkable women facing down incredible obstacles to win that most basic American civil right - the vote.

Among these women are several activists whose names and accomplishments should become as familiar to Americans as those of Thomas Jefferson, Abraham Lincoln and Martin Luther King, Jr.

Elizabeth Cady Stanton, of course. And Susan B. Anthony. Matilda Joslyn Gage. Lucy Stone. They were pioneer theoreticians of the 19th-century women's rights movement.

Esther Morris, the first woman to hold a judicial position, who led the first successful state campaign for woman suffrage, in Wyoming in 1869. Abigail Scott Duniway, the leader of the successful fight in Oregon and Washington in the early 1900s.

Ida B. Wells-Barnett and Mary Church Terrell, organizers of thousands of African-American women who worked for suffrage for all women.



Ida B. Welles-Barnett

Harriot Stanton Blatch, daughter of Elizabeth Cady Stanton, and Alice Stone Blackwell, Lucy Stone's daughter, who carried on their mothers' legacy through the next generation.

Anna Howard Shaw and Carrie Chapman Catt, leaders of the National American Woman Suffrage Association in the early years of the 20th century, who brought the campaign to its final success.

Alice Paul, founder and leader of the National Woman's Party, considered the radical wing of the movement.

Ruth Bader Ginsburg, now a Supreme Court Justice, learned the story of the Women's Rights Movement. Today she says, "*I think about how much we owe to the women who went before us - legions of women, some known but many more unknown. I applaud the bravery and resilience of those who helped all of us - you and me - to be here today.*"

A Timeline of the Women's Rights Movement 1848 – 1998



1701 The first sexually integrated jury hears cases in Albany, New York.

1769 American colonies based their laws on the English common law, which was summarized in the Blackstone Commentaries. It said, “By marriage, the husband and wife are one person in the law? The very being and legal existence of the woman is suspended during the marriage, or at least is incorporated into that of her husband under whose wing and protection she performs everything.”

1777 All states pass laws which take away women’s right to vote.

1789 United States Constitution ratified. The terms “persons,” “people” and “electors” are used, allowing the interpretation of those beings to include men and women.

1839 The first state (Mississippi) grants women the right to hold property in their own name, with their husbands’ permission.

1848 At Seneca Falls, New York, 300 women and men sign the Declaration of Sentiments, a plea for the end of discrimination against women in all spheres of society.

1855 In *Missouri v. Celia, a Slave*, a Black woman is declared to be property without a right to defend herself against a master’s act of rape

1866 The 14th Amendment is passed by Congress (ratified by the states in 1868), saying “Representatives shall be apportioned among the several States according to their respective members, counting the whole number of persons in each State, excluding Indians not taxed. . . .But when the right to vote . . .is denied to any of the male inhabitants of such State . . . the basis of representation therein shall be reduced in proportion.” It is the first time “citizens” and “voters” are defined as “male” in the Constitution.

1869 The first woman suffrage law in the U.S. is passed in the territory of Wyoming.

1870 The 15th Amendment receives final ratification, saying, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” By its text, women are not specifically excluded from the vote.

1870 The first sexually integrated grand jury hears cases in Cheyenne, Wyoming. The chief justice stops a motion to prohibit the integration of the jury, stating: “It seems to be eminently proper for women to sit upon Grand Juries, which will give them the best possible opportunities to aid in suppressing the dens of infamy which curse the country.”

1873 *Bradwell v. Illinois*, 83 U.S. 130 (1872): The U.S. Supreme Court rules that a state has the right to exclude a married woman (Myra Colby Bradwell) from practicing law.

1875 *Minor v Happersett*, 88 U.S. 162 (1875): The U.S. Supreme Court declares that despite the privileges and immunities clause, a state can prohibit a woman from voting. The court declares women as “persons,” but holds that they constitute a “special category of nonvoting citizens.”

1879 Through special Congressional legislation, Belva Lockwood becomes first woman admitted to try a case before the Supreme Court.

1890 The first state (Wyoming) grants women the right to vote in all elections

1900 By now, every state has passed legislation modeled after New York’s Married Women’s Property Act (1848), granting married women some control over their property and earnings.

1908 *Muller v State of Oregon*, 208 U.S. 412 (1908): The U.S. Supreme Court upholds Oregon’s 10-hour workday for women. The win is a two-edged sword: the protective legislation implies that women are physically weak.

1916 Margaret Sanger tests the validity of New York’s anti-contraception law by establishing a clinic in Brooklyn. The most well-known of birth control advocates, she is one of hundreds arrested over a 40-year period for working to establish women’s right to control their own bodies.

1918 *New York v. Sanger*, 222 NY 192, 118 N.E. 637 (Court of Appeals 1917), National Archives, Records of the U.S. Supreme Court, RG 267 (MSDME-CDS C 15:298). Margaret Sanger wins her suit in New York to allow doctors to advise their married patients about birth control for health purposes.

1920 The Nineteenth Amendment to the U.S. Constitution is ratified. It declares: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.”

1923 National Woman's Party proposes Constitutional amendment: "Men and women shall have equal rights throughout the United States and in every place subject to its jurisdiction. Congress shall have power to enforce this article by appropriate legislation."

1924 *Radice v. New York*, a New York state case, upholds a law that forbade waitresses from working the night shift but made an exception for entertainers and ladies' room attendants.

1925 American Indian suffrage granted by act of Congress.

1932 The National Recovery Act forbids more than one family member from holding a government job, resulting in many women losing their jobs.

1936 *United States v. One Package of Japanese Pessaries*, 13 F. Supp.334 (E.D.N.Y 1936) aff'd 86 F.2d 737 (2nd Cir. 1936), won judicial approval of medicinal use of birth control.

1937 The U.S. Supreme Court upholds Washington state's minimum wage laws for women.

1938 The Fair Labor Standards Act establishes minimum wage without regard to sex.

1947 *Fay v. New York*, 332 U.S. 261 (1947), the U.S. Supreme Court says women are equally qualified with men to serve on juries but are granted an exemption and may serve or not as women choose.

1961 In *Hoyt v. Florida*, 368 U.S. 57 (1961): The U.S. Supreme Court upholds rules adopted by the state of Florida that made it far less likely for women than men to be called for jury service on the grounds that a "woman is still regarded as the center of home and family life."

1963 The Equal Pay Act is passed by Congress, promising equitable wages for the same work, regardless of the race, color, religion, national origin or sex of the worker.

1964 Title VII of the Civil Rights Act passes including a prohibition against employment discrimination on the basis of race, color, religion, national origin, or sex.

1965 *Weeks v. Southern Bell*, 408 F. 2d. 228 (5th Cir. 1969), marks a major triumph in the fight against restrictive labor laws and company regulations on the hours and conditions of women's work, opening many previously male-only jobs to women.

In *Griswold v Connecticut*, 381 U.S. 479 (1965), the Supreme Court overturns one of the last state laws prohibiting the prescription or use of contraceptives by married couples.

1968 Executive Order 11246 prohibits sex discrimination by government contractors and requires affirmative action plans for hiring women.

1969 In *Bowe v. Colgate-Palmolive Company*, 416 F. 2d 711 (7th Cir.1969), the Seventh Circuit Court of Appeals rules that women meeting the physical requirements can work in many jobs that had been for men only.

1969 California adopts the nation's first "no fault" divorce law, allowing divorce by mutual consent.

1971 *Phillips v. Martin Marietta Corporation*, 400 U.S. 542 (1971): The U.S. Supreme Court outlaws the practice of private employers refusing to hire women with pre-school children.

Reed v. Reed, 404 U.S. 71 (1971): The U.S. Supreme Court holds unconstitutional a state law (Idaho) establishing automatic preference for males as administrators of wills. This is the first time the court strikes down a law treating men and women differently. The Court finally declares women as "persons," but uses a "reasonableness" test rather than making sex a "suspect classification," analogous to race, under the Fourteenth Amendment.

1972 Title IX (Public Law 92-318) of the Education Amendments prohibits sex discrimination in all aspects of education programs that receive federal support.

In *Eisenstadt v. Baird*, 405 U.S. 438 (1972), the Supreme Court rules that the right to privacy encompasses an unmarried person's right to use contraceptives.

1973 *Pittsburgh Press v. Pittsburgh Commission on Human Relations*, 413 U.S. 376 (1973): The U.S. Supreme Court bans sex-segregated "help wanted" advertising as a violation of Title VII of the Civil Rights Act of 1964 as amended.

Roe v. Wade, 410 U.S. 113 (1973) and *Doe v. Bolton*, 410 U.S. 179 (1973): The U.S. Supreme Court declares that the Constitution protects women's right to terminate an early pregnancy, thus making abortion legal in the U.S.

1974 Housing discrimination on the basis of sex and credit discrimination against women are outlawed by Congress.

Cleveland Board of Education v. LaFleur, 414 U.S. 632 (1974), determines it is illegal to force pregnant women to take maternity leave on the assumption they are incapable of working in their physical condition.

The Women's Educational Equity Act, drafted by Arlene Horowitz and introduced by Representative Patsy Mink (D-HI), funds the development of nonsexist teaching materials and model programs that encourage full educational opportunities for girls and women.

The Equal Employment Opportunity Commission, the Justice and Labor Departments, and AT&T sign a consent decree banning AT&T's discriminatory practices against women and minorities.

1975 *Taylor v. Louisiana*, 419 U.S. 522 (1975), denies states the right to exclude women from juries.

1976 *General Elec. Co v. Gilbert*, 429 U. S. 125 (1976), the Supreme Court upholds women's right to unemployment benefits during the last three months of pregnancy.

Craig v. Boren, 429 U.S. 190 (1976): The U.S. Supreme Court declares unconstitutional a state law permitting 18 to 20-year-old females to drink beer while denying the rights to men of the same age. The Court establishes new set of standards for reviewing laws that treat men and women differently—an “intermediate” test stricter than the “reasonableness” test for constitutionality in sex discrimination cases.

1978 The Pregnancy Discrimination Act bans employment discrimination against pregnant women.

1981 The U.S. Supreme Court rules that excluding women from the draft is constitutional.

Kirchberg v. Feenstra, 450 U.S. 455, 459-60 (1981), overturns state laws designating a husband “head and master” with unilateral control of property owned jointly with his wife.

1984 In Roberts v. U.S. Jaycees, 468 U.S. 609 (1984), sex discrimination in membership policies of organizations, such as the Jaycees, is forbidden by the Supreme Court, opening many previously all-male organizations (Jaycees, Kiwanis, Rotary, Lions) to women.

The state of Mississippi belatedly ratifies the 19th Amendment, granting women the vote.

Hishon v. King and Spaulding, 467 U.S. 69 (1984): The U.S. Supreme Court rules that law firms may not discriminate on the basis of sex in promoting lawyers to partnership positions.

1986 In Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986), the U.S. Supreme Court held that a hostile or abusive work environment can prove discrimination based on sex.

1987 Johnson v. Santa Clara County, 480 U.S. 616 (1987): The U.S. Supreme Court rules that it is permissible to take sex and race into account in employment decisions even where there is no proven history of discrimination but when evidence of a manifest imbalance exists in the number of women or minorities holding the position in question

1989 In Webster v. Reproductive Health Services, 492 U.S. 490 (1989), the Supreme Court affirms the right of states to deny public funding for abortions and to prohibit public hospitals from performing abortions.

1993 Harris v. Forklift Systems, Inc., 510 U.S. 17 (1993) The U.S. Supreme Court rules that the victim did not need to show that she suffered physical or serious psychological injury as a result of sexual harassment.

The Family and Medical Leave Act goes into effect.

1994 Congress adopts the Gender Equity in Education Act to train teachers in gender equity, promote math and science learning by girls, counsel pregnant teens, and prevent sexual harassment.

The Violence Against Women Act funds services for victims of rape and domestic violence, allows women to seek civil rights remedies for gender-related crimes, provides training to increase police and court officials' sensitivity and a national 24-hour hotline for battered women.

1996 *United States v. Virginia*, 518 U.S. 515 (1996), affirms that the male-only admissions policy of the state-supported Virginia Military Institute violates the Fourteenth Amendment.

1997 Elaborating on Title IX, the Supreme Court rules that college athletics programs must actively involve roughly equal numbers of men and women to qualify for federal support.

1998 Mitsubishi Motor Manufacturing of America agrees to pay \$34 million to settle an E.E.O.C. lawsuit contending that hundreds of women were sexually harassed.

Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998) and *Faragher v. City of Boca Raton*, 524 U.S. 742 (1998): The Supreme Court balances employee and employer rights. It rules that employers are liable for sexual harassment even in instances when a supervisor's threats are not carried out. But the employer can defend itself by showing that it took steps to prevent or promptly correct any sexually harassing behavior and the employee did not take advantage of available opportunities to stop the behavior or complain of the behavior.

2000 CBS Broadcasting agrees to pay \$8 million to settle a sex discrimination lawsuit by the E.E.O.C. on behalf of 200 women.

United States v. Morrison, 529 U.S. 598 (2000). The U.S. Supreme Court invalidates those portions of the Violence Against Women Act permitting victims of rape, domestic violence, etc. to sue their attackers in federal court

