

SUSAN B. ANTHONY: “ARE WOMEN PERSONS?”

Background Knowledge



Susan B. Anthony (1820-1906) was raised in a Quaker family that expected her to speak her mind and follow her conscience in social issues. Like other women who worked for women’s rights, she started as an abolitionist, seeking to end slavery, and as a supporter of the temperance movement, which sought to end the drinking of alcoholic beverages. In 1852, when she attempted to speak at a meeting of temperance workers, the chairman told her, “The sisters

were not invited to speak, but to listen and learn.” She promptly proceeded to work with other women to form their own organization, the Women’s State Temperance Society.

Susan B. Anthony came to realize that before women could be effective in bringing about change in society, they must first obtain equal political rights for themselves. And so she dedicated her life to securing women’s rights—especially the right to vote.

After the Seneca Falls Convention, Susan B. Anthony met Elizabeth Cady Stanton, a fellow reformer and advocate for women’s rights. They became friends and worked together for women’s suffrage and other causes.

Quaker: a member of a Christian religious group called the Society of Friends, which encourages people to work for justice, and which was very active in the antislavery movement

Seneca Falls Convention: See page 96.

They took the lead in starting a newspaper, called *The Revolution*, with this motto: "The True Republic—Men, their rights and nothing more; Women, their rights and nothing less." Together they helped found the National Woman Suffrage Association in 1869, and Susan B. Anthony served as president of the organization from 1892 to 1900.

Along with fifteen other women in Rochester, New York, Susan B. Anthony managed to vote in the presidential election of 1872. Then they were arrested. A trial date was set for six months later, and it was decided that Susan B. Anthony alone would stand trial. Susan B. Anthony knew it was illegal for a woman to vote, but she did so with a purpose, which she explained to the judge at her trial: "to educate all women to do precisely as I have done, rebel against your man-made, unjust, unconstitutional forms of law." The judge at the trial was so opposed to women's rights that he told the jury to find her guilty. That was wrong—a judge cannot tell a jury what to decide. Susan B. Anthony was fined but she refused to pay.

Throughout the late 1800s, Susan B. Anthony gave many speeches and organized campaigns in support of a constitutional amendment to give women the vote. Although she did not live to see the passage of the Nineteenth Amendment, she never gave up hope that American women would secure the right to vote. A few weeks before her death in 1906 she said, "Failure is impossible."

“Is It a Crime for a U.S. Citizen to Vote?” — Speech by Susan B. Anthony (1873)

Primary Source

After Susan B. Anthony was arrested for voting in the 1872 presidential election, in the months before her trial she spoke to many audiences in and around Rochester, New York. In her speech, she examined many state and federal laws, and carefully analyzed the language in relevant parts of the Constitution, especially the Fourteenth Amendment. She forcefully argued that for women to vote was not against the law but instead the logical outcome of correctly understanding the law. The following excerpts from her speech give a sampling of Susan B. Anthony’s powerful reasoning.



With her fellow suffragist Elizabeth Cady Stanton (at left), Susan B. Anthony helped found the National Woman Suffrage Association.

Fourteenth Amendment: See page 51.

Friends and fellow citizens: I stand before you tonight under indictment for the alleged crime of having voted at the last presidential election, without having a lawful right to vote. It shall be my work this evening to prove to you that in thus voting, I not only committed no crime, but, instead, simply exercised my citizen's rights, guaranteed to me and all United States citizens by the National Constitution, beyond the power of any state to deny.

. . . The preamble of the Federal Constitution says: "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

It was *we, the people*; not *we, white male citizens*; nor yet *we, the male citizens*; but we, the whole people, who formed the Union; and we formed it, not to give the blessings of liberty, but to secure them; not to the half of ourselves and the half of our posterity, but to the whole people—women as well as men. And it is a downright mockery to talk to women of their enjoyment of the blessings of liberty while they are denied the use of the only means of securing them provided by this democratic-republican government—the ballot. . . .

indictment: a formal written accusation of a crime

alleged: accused (of some wrongdoing) but not proven guilty

domestic: relating to one's own country (as opposed to foreign)

tranquility: peace; calm

welfare: well-being; health and happiness

posterity: future generations

ordain: officially establish by law

secure: to protect; to keep safe

downright: absolute

mockery: a hurtful joke; an act full of ridicule and scorn

democratic-republican: refers not to political parties but to the nature of government in the U.S. as both a democracy (government by the people) and a republic (government by representatives elected by the people)

For any state to make sex a qualification that must ever result in the disfranchisement of an entire half of the people, is . . . a violation of the supreme law of the land. By it the blessings of liberty are forever withheld from women and their female posterity. For them, this government has no just powers derived from the consent of the governed. For them this government is not a democracy; it is not a republic. It is the most odious aristocracy ever established on the face of the globe. . . .

It is urged, the use of the masculine pronouns, *he, his, and him*, in all the constitutions and laws is proof that only men were meant to be included in their provisions. If you insist on this version of the letter of the law, we shall insist that you be consistent . . . and exempt women from taxation for the support of the government and from the penalties for the violation of laws. There is no *she* or *her* or *hers* in the tax laws, and this is equally true of all the criminal laws. . . .

Though the words *persons, people, inhabitants, electors, citizens*, are used indiscriminately in the national and state constitutions, there was always a conflict of opinion, prior to the war, as to whether they were synonymous terms, but whatever room there was for doubt, . . . the adoption of the Fourteenth Amendment

disfranchisement: exclusion from the right to vote

consent of the governed: The Declaration of Independence says that “all men are created equal” and have “certain unalienable rights,” and that “to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed”—meaning that the lawful authority of government must come from the people.

odious: hateful; deserving to be hated

aristocracy: government by a privileged group of people

It is urged: Some people argue that

provisions: statements in a legal document

exempt: release; leave out

indiscriminately: in a way that does not recognize differences

the war: the Civil War (which ended in 1865)

synonymous: having the same meaning; expressing the same idea

settled the question forever in its first sentence: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside.”

The second settles the equal status of all citizens: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

Webster, Worcester, and Bouvier all define a citizen to be a person in the United States, entitled to vote and hold office.

The only question left to be settled now is: Are women persons? And I hardly believe any of our opponents will have the hardihood to say they are not. Being persons, then, women are citizens; and no state has a right to make any new law, or to enforce any old law, that shall abridge their privileges or immunities. Hence every discrimination against women in constitutions and laws of the several states is today null and void, precisely as is every one against negroes. . . .

naturalized: having gained citizenship in a new country

jurisdiction: government power and authority

abridge: limit

immunities: protections

deprive: to take something away from someone

due process of law: fair treatment according to accepted legal procedures and principles

Webster, Worcester, and Bouvier: three famous dictionary makers

hardihood: boldness

hence: for this reason; therefore

discrimination: unfair treatment of a person or group

null and void: a phrase from law, meaning, having no legal force or authority