

SUSAN B. ANTHONY

The United States of America

vs. Susan B. Anthony

Susan B. Anthony (1820–1906), was brought up in a household of socially conscious Quakers. She learned of the Seneca Falls meeting from her mother and sister, both of whom were present and brought back enthusiastic reports. She herself, then twenty-eight years old and a schoolteacher since the age of fifteen, was engaged in the temperance movement at the time. She attended her first Woman's Rights Convention in Syracuse, New York, in 1852; before long, she was completely committed to the feminist cause.

Anthony insisted that she could neither write nor speak from a platform effectively. With a pen in her hand, she complained, she felt as clumsy as if "mounted on stilts." She confided in her journal in 1860: "It is a terrible martyrdom for me to speak." Her forte was as an organizer. There was no other woman of her time who was her equal in this respect. From Stanton's memoirs comes this vivid picture of Anthony in the early days of the movement:

"[W]henver I saw that stately Quaker girl coming across my lawn, I knew that some happy convocation of the sons of Adam was to be set by the ears, by one of our appeals or resolutions. The little portmanteau, stuffed with facts, was opened, and there we had . . . false interpretations of Bible texts, the statistics of women robbed of their property, shut out of some college, half paid for their work, the reports of some disgraceful trial; injustice enough to turn any woman's thoughts from stockings and puddings. . . . Night after night, by an old-fashioned fireplace, we plotted and planned the coming agitation: how, when, and

where each entering wedge could be driven, by which women might be recognized and their rights secured."

In 1854 Anthony organized a state-wide canvass in New York to put pressure on the Legislature for revision of the married women's property statute. For six arduous years this canvass, involving collection of petition signatures, distribution of literature, and lecturing, was conducted annually. Again, during the Civil War, it was she who assumed leadership of the mammoth anti-slavery petitioning effort of the Women's Loyal League.

In the post-Civil War decade, there was an increasing use of militant tactics by women. Sit-ins at polling places occurred in New Jersey and other states; non-payment of taxes was employed by Lucy Stone, by the Smith sisters of Connecticut (who had property sold for a fraction of its value in lieu of taxes), by Abby Kelley Foster (whose home was seized), and by others; there were many cases of taxes paid under protest. For several years, beginning with the presidential election of 1868, women attempted—mostly unsuccessfully—to cast ballots.

In 1872 Susan B. Anthony led fifty women to a polling place in Rochester, New York, her home town, where they registered to vote. She urged women elsewhere in the country to do likewise. On election day she and more than a dozen other Rochester women cast their ballots. Within two weeks Anthony and the other women were arrested and charged with voting illegally under a statute (originally meant to be used against freed Negroes) which carried a possible three-year jail term.

The trial of the *United States of America vs. Susan B. Anthony* opened on June 17, 1873, at the courthouse in Canandaigua, New York. Anthony's defense was that the Fourteenth Amendment defined "citizen" as all *persons* born or naturalized in the United States, which made women eligible to vote. The judge would not allow Anthony to testify on her own behalf. Her attorney and the district attorney presented five hours of argument, after which—without leaving the bench—the judge drew a previously prepared written opinion from his pocket and read it. He ruled that the Fourteenth Amendment was inapplicable and directed the all-male jury to bring in a guilty verdict.

The next day the following scene occurred in court. (Anthony never did pay the fine imposed.)

Judge Hunt. (Ordering the defendant to stand up). Has the prisoner anything to say why sentence shall not be pronounced?

Miss Anthony. Yes, your honor, I have many things to say; for in your ordered verdict of guilty you have trampled under foot every vital principle of our government. My natural rights, my civil rights, my political rights, my judicial rights, are all alike ignored. Robbed of the fundamental privilege of citizenship, I am degraded from the status of a citizen to that of a subject; and not only myself individually but all of my sex are, by your honor's verdict, doomed to political subjection under this so-called republican form of government.

Judge Hunt. The Court can not listen to rehearsal of argument which the prisoner's counsel has already consumed three hours in presenting.

Miss Anthony. May it please your honor, I am not arguing the question, but simply stating the reasons why sentence can not, in justice, be pronounced against me. Your denial of my citizen's right to vote, is the denial of my right of consent as one of the governed, the denial of my right of representation as one of the taxed, the denial of my right to a trial by a jury of my peers as an offender against law; therefore, the denial of my sacred right to life, liberty, property and—

Judge Hunt. The Court can not allow the prisoner to go on.

Miss Anthony. But your honor will not deny me this one and only poor privilege of protest against this high-handed outrage upon my citizen's rights. May it please the Court to remember that, since the day of my arrest last November, this is the first time that either myself or any person of my disfranchised class has been allowed a word of defense before judge or jury—

Judge Hunt. The prisoner must sit down—the Court can not allow it.

Miss Anthony. Of all my prosecutors, from the corner grocery politician who entered the complaint, to the United States marshal, commissioner, district-attorney, district-judge, your honor on the bench—not one is my peer, but each and all are my political sovereigns; and had your honor submitted my case to the jury, as was clearly your duty, even then I should have had just cause of protest, for not one of those men was my peer; but, native or foreign born, white or black, rich or poor, educated or ignorant, sober or drunk, each and every man of them was my political superior; hence, in no sense, my peer. Under such circumstances a commoner of England, tried before a jury of lords, would have far less cause to complain than have I, a woman, tried before a jury of men. Even my counsel, Hon. Henry R. Selden, who has argued my cause so ably, so earnestly, so unanswerably before your honor, is my political sovereign. Precisely as no disfranchised person is entitled to sit upon a jury, and no woman is entitled to the franchise, so none but a regularly admitted lawyer is allowed to practice in the courts, and no woman can gain admission to the bar—hence, jury, judge, counsel, all must be of the superior class.

Judge Hunt. The Court must insist—the prisoner has been tried according to the established forms of law.

Miss Anthony. Yes, your honor, but by forms of law all made by men, interpreted by men, administered by men, in favor of men and against women; and hence your honor's ordered verdict of guilty, against a United States citizen for the exercise of the "citizen's right to vote," simply because that citizen was a woman and not a man. But yesterday, the same man-made forms of law declared it a crime punishable with \$1,000 fine and six months' imprisonment to give a cup of cold water, a crust of bread or a night's shelter to a panting fugitive tracking his way to Canada; * and every man or woman in whose veins coursed a drop of human sympathy violated that wicked law, reckless of consequences,

* She is referring to the Fugitive Slave Law, passed in 1850.

and was justified in so doing. As then the slaves who got their freedom had to take it over or under or through the unjust forms of law, precisely so now must women take it to get their right to a voice in this government; and I have taken mine, and mean to take it at every opportunity.

Judge Hunt. The Court orders the prisoner to sit down. It will not allow another word.

Miss Anthony. When I was brought before your honor for trial, I hoped for a broad and liberal interpretation of the Constitution and its recent amendments, which should declare all United States citizens under its protecting aegis—which should declare equality of rights the national guarantee to all persons born or naturalized in the United States. But failing to get this justice—failing, even, to get a trial by a jury *not* of my peers—I ask not leniency at your hands but rather the full rigor of the law.

Judge Hunt. The Court must insist—[Here the prisoner sat down.] The prisoner will stand up. [Here Miss Anthony rose again.] The sentence of the Court is that you pay a fine of \$100 and the costs of the prosecution.

Miss Anthony. May it please your honor, I will never pay a dollar of your unjust penalty. All the stock in trade I possess is a debt of \$10,000, incurred by publishing my paper—*The Revolution*—the sole object of which was to educate all women to do precisely as I have done, rebel against your man-made, unjust, unconstitutional forms of law, which tax, fine, imprison and hang women, while denying them the right of representation in the government; and I will work on with might and main to pay every dollar of that honest debt, but not a penny shall go to this unjust claim. And I shall earnestly and persistently continue to urge all women to the practical recognition of the old Revolutionary maxim, "Resistance to tyranny is obedience to God."

Judge Hunt. Madam, the Court will not order you to stand committed until the fine is paid.

Woman Wants Bread, Not the Ballot!

During a brief two-year period, from 1868 to 1870, Susan B. Anthony published a weekly newspaper, *The Revolution*, with Elizabeth Cady Stanton and the abolitionist Parker Pillsbury as co-editors. *The Revolution* discussed such "scandalous" issues as divorce, prostitution, and the role of the church in the subjugation of women. The weekly also allied itself with the needs of workingwomen. (Anthony founded a Working Woman's Association of printing trade employees and was their delegate to the 1868 National Labor Congress.) *The Revolution* urged more female workers to join unions and "together say *Equal Pay for Equal Work*."

Stanton and Anthony's determination to keep the platform of the woman's movement broad and inclusive by speaking out on labor and controversial social issues that affected women's lives, coupled with their earlier decision to oppose any suffrage amendment that did not include females, created grave dissent within the movement. By 1869 the feminist forces split. The National Woman Suffrage Association was organized under the leadership of Stanton and Anthony; the American Woman Suffrage Association was centered in New England, with Lucy Stone and Julia Ward Howe as prominent influences and many former anti-slavery stalwarts as adherents. The American based itself solely on the woman suffrage issue and gradually acquired a large conservative following.

In 1870 *The Revolution* collapsed financially and left Anthony with a \$10,000 personal debt. Then fifty years old, Anthony undertook strenuous cross-country speaking tours to earn money; it took six years before she could repay it all. The selection below is from one of her most popular speeches of that period.

By this time Anthony had moved beyond the stage of a mere listing of the wrongs perpetrated against women. She was now