

THE WOMAN SUFFRAGE MOVEMENTS IN THE UNITED STATES AND AUSTRALIA: CONCEPTS OF SUFFRAGE, CITIZENSHIP AND RACE

If de fust woman God ever made was strong enough to turn de world upside down all alone, dese women togedder ... ought to be able to turn it back, and get it right side up again!¹

THE woman suffrage movements were conducted in Australia and the United States in the nineteenth and early twentieth centuries. Political agitation for woman suffrage in the United States was begun earlier than in Australia, in the mid-nineteenth century, and took seventy years to achieve its goal. The Nineteenth Amendment to the United States Constitution, adopted in 1920, guaranteed all women citizens the right to vote; some Native American women were not citizens, and not enfranchised until 1924. The woman suffrage movement in the Australian colonies occurred in the later part of the nineteenth century before, and in the process of, federation. White Australian women were enfranchised nationally by one of the first pieces of legislation of the new federation - the Commonwealth *Franchise Act* of 1902 - enacted after the adoption of the Australian Constitution in 1901. Some Aboriginal women were not enfranchised until 1962. This paper seeks to provide a comparative account of the two movements and is in three parts. First, I outline the historical progress towards woman suffrage in each country for the purposes of introduction and orientation. Second, I look at the concepts of suffrage and citizenship used in the movements to assert woman's entitlement to vote. Although the Australian movement began at the time of the second major phase of the United States movement after the Civil War, the concepts and arguments used in each campaign were remarkably similar. This is because the movements shared important intellectual sources and because there was a cross-over of activists. Prominent Australian suffragists worked for periods in the United States and American women worked in Australia. Third, the place of race in each movement is examined. Focus is primarily on the relationship between black and white peoples of each country. It is acknowledged that this meaning of race is far from comprehensive and that exclusion from suffrage of women of many other races is an essential part of the story of suffrage in each democracy. Insofar as the decision to focus on black and white races is

* B Juris (Hon), LL B (UWA), LL M (Yale), Lecturer, Law School University of Western Australia. I would like to thank Professor Robert Gordon, Robyn Carroll and Megan Warner for their comments on previous drafts of this article.

1 Sojourner Truth, account given in Stanton, Anthony and Gage (eds), *History of Woman Suffrage* (Ayer Co, New Hampshire 1985) Vol I, p116.

other than a practical measure to limit the focus of the paper, it is based on the idea that, with one exception, relations between black and white people in both countries are the most self-conscious and anguished race relations and that this is played out in the progress towards suffrage. The exception is relations between Native and non-Native Americans. Some attention is given in this paper to the progress to suffrage of Native American women, however, a fuller, comparative account of the enfranchisement of Aboriginal Australians and Native Americans is beyond its scope. Such an account would make a rich study.

EVENTS LEADING TO WOMAN SUFFRAGE

The United States

The event understood to have begun the concerted political effort to achieve woman suffrage in the United States is the Seneca Falls Woman's Rights Convention held in the Wesleyan Chapel at Seneca Falls over two days in July 1848. The Convention was called by four key feminists² - Lucretia Mott, Martha C Wright, Elizabeth Cady Stanton, and Mary Ann McClintock - and its primary initiative was to adopt the "Declaration of Sentiments". The Declaration was a statement of claims of women's legal and inalienable rights and tracked the form and language of the Declaration of American Independence. After a Preamble it stated:

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.

He has never permitted her to exercise her inalienable right to the elective franchise.

He has compelled her to submit to laws, in the formation of which she had no voice.

2 Some writers consider that feminism as we know it today emerged in the early part of the twentieth century. See for example Cott, *The Grounding of Modern Feminism* (Yale University Press, New Haven 1989) pp3-10. Others apply the term more broadly. See for example Reva Siegel, who uses the term "feminism" to refer to the women's movement throughout the nineteenth century: Siegel, "Home as Work: The First Woman's Rights Claims Concerning Wives' Household Labour, 1850-1880" (1994) 105 *Yale Law Journal* 1073. I use the term "feminist" in this paper to refer to women in the suffrage movements in order to highlight both the political nature of their campaign, which was aimed at structural social change, and the connections between the suffrage movements and today's continued campaign for woman's equality.

Having deprived her of this first right of a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides.³

The galvanising of the suffrage movement in the United States in this, and subsequent, conventions across the country resulted in part from the participation of its leaders in the movement for the abolition of slavery which had, by mid-century, gathered considerable force. The background of most of the suffrage leaders was in the Abolitionist movement. For example, Lucretia Mott came to it from her Quaker faith and founded the first Female Anti-Slavery Society in America; she met Elizabeth Cady Stanton and the Grimke sisters from South Carolina in that movement. The idea for the Seneca Falls Convention is reported to have been formed at the World Anti-Slavery Convention in London in 1840.⁴

The influence of Abolitionism appears to have manifested itself in several ways. First, the principle of equality driving the liberal, republican opposition to slavery led naturally to an assertion of equal entitlement for women.⁵ If voting was a universal right then it was woman's entitlement too. Second, the Abolitionist movement provided a platform for the expression of the woman's rights movement and an opportunity for the development of political skills by feminist leaders. For example, Lucy Stone, known in the suffrage movement for her compelling oratory, was a paid speaker for the Anti-Slavery Society and had an arrangement whereby she could speak on women's rights if she lectured on abolitionism on other occasions.⁶ Finally, the anti-slavery movement was motivational in a negative sense, in its rejection of the goal of woman suffrage. Women were excluded from the first World Anti-Slavery Convention in London in 1840 and abolitionist movements in many States were split by the question of the inclusion of unpopular

3 "Declaration of Sentiments" in Stanton, Anthony and Gage (eds), *History of Woman Suffrage* (Ayer edition) Vol I, p70. The inclusion of the demand for suffrage was considered radical and Lucretia Mott considered that it would hinder the feminist movement. Elizabeth Stanton, however, supported its inclusion (as did Frederick Douglass, the prominent black anti-slavery activist and poet) and it was not deleted. See p73.

4 Babcock et al (eds), *Sex Discrimination and the Law* (Little, Brown and Company, Boston 1975) p3.

5 Stanton, Anthony and Gage (eds), *History of Woman Suffrage* (Ayer edition) Vol I, p52. Grimke, *Letters on the Equality of the Sexes* (Yale University Press, New Haven 1988, 1st ed 1838) p130; Ossoli, *Woman in the Nineteenth Century* (John Jewitt, Boston 1855) p28; Du Bois, "Outgrowing the Compact of the Fathers: Equal Rights, Woman Suffrage, and the United States Constitution, 1820-1878" in Thelen (ed), *The Constitution and American Life* (Cornell University Press, Ithaca 1988) p181.

6 As above. See also Grimke, *Letters on the Equality of the Sexes* p130 (The speaking itself created the power to claim rights); Kraditor, *The Ideas of the Woman Suffrage Movement 1890-1920* (Columbia University Press, New York 1965) pp64-65 (Creation of middle class women's clubs brought home to them the need for the vote and encouraged political activity).

woman's rights issues in the cause.⁷ While such opposition hindered the advancement of woman suffrage, it also had the effect of galvanising the movement and providing an opportunity to practise assertion of claims to equality.

In the wake of the Civil War, political equality of freed (as it turned out, male) slaves became the crucial constitutional question. Women's rights leaders both worked for this end and took advantage of the constitutional crisis of Reconstruction⁸ to claim rights on behalf of women.⁹ They demanded universal suffrage and the exclusion of the first ever reference to "male" in the Constitution contained in the proposed Fourteenth Amendment (guaranteeing, relevantly, equal protection of the law). With the politically expedient decision of the Republican Party to dissociate itself from the cause of woman suffrage and to reject the demand for inclusion of women in the constitutional amendments, a major change occurred in the direction of the feminist campaign for enfranchisement. After the adoption of the Fourteenth Amendment in 1868 and the Fifteenth Amendment in 1870 (guaranteeing universal suffrage for male citizens), feminists turned from a concentration on broad and radical demands entwined with those of the Abolitionist movement and Reconstruction, to a strategy involving both assertions of woman's special contributions and direct political action.¹⁰ During this period of "the New Departure", women went to polling booths to vote and either commenced litigation when they were refused permission, or defended prosecutions after being permitted to cast a vote.¹¹

The only case to reach the United States Supreme Court on the question of an implied Constitutional guarantee of universal suffrage was *Minor v Happersett*.¹² There, Virginia Minor filed suit against the registrar of St Louis who refused to register her to vote,

7 Babcock et al (eds), *Sex Discrimination and the Law* p3; Grimke, *Letters on the Equality of the Sexes* p3.

8 "Reconstruction" refers to the period of social, political and constitutional reform after the United States Civil War.

9 Stanton, Anthony and Gage (eds), *History of Woman Suffrage* (Ayer edition) Vol II, pp313-317. Du Bois, "Outgrowing the Compact of the Fathers: Equal Rights, Woman Suffrage, and the United States Constitution, 1820-1878" in Thelen (ed), *The Constitution and American Life* pp184-185.

10 As above, *passim*.

11 In the most notorious prosecution, Susan B Anthony was charged in 1872 under the *Civil Rights Act 1870* (US) for unlawful voting (24 FCas 829 (NDNY) 1873). Ironically, the provision under which she was charged was designed to prevent the black vote being diluted by repeated voting by whites. Babcock et al (eds), *Sex Discrimination and the Law* p9. Anthony's defence was that the Privileges and Immunities Clause of the Fourteenth Amendment gave all citizens, including herself as a woman, an implied constitutional entitlement to vote. The trial judge rejected the argument, even directing the jury to return a verdict of guilty. Anthony was denied the opportunity to test the case in the Supreme Court because the trial judge refused to enforce the one hundred dollar fine, thereby precluding an application to the Supreme Court for writ of *habeas corpus* on imprisonment. Stanton, Anthony and Gage (eds), *History of Woman Suffrage* (Ayer edition) Vol II, pp647-690.

12 88 US 162 (1875).

pursuant to a provision in the Missouri Constitution that expressly barred women from voting. The Supreme Court held that the Fourteenth Amendment did not recognise woman suffrage because, although there “is no doubt that women may be citizens”,¹³ voting was not a necessary incident of citizenship. That this was so was justified by examination of positive laws of the States which conditioned the right to vote on various qualifications, including sex. It followed, the Supreme Court said, that the States could not be said to be denying a fundamental Constitutional guarantee under the Fourteenth Amendment when the right to vote had been denied all along.¹⁴ The Constitution only protected those rights the States chose to confer, so the fact of denial of suffrage by the States justified its continuance.

By the end of the nineteenth century a vigorous women's movement campaigned for suffrage in the United States, but only four States had recognised women's right to vote, two of these having granted the right while still territories so that it could be accomplished with a majority vote in the legislature rather than the more onerous requirements of State constitutional amendment.¹⁵ It took another twenty years, and a further move away from radical claims to equality to more conservative claims for reform, before women's entitlement to vote was guaranteed by the Nineteenth Amendment.

Feminist organisations working for suffrage proliferated in nineteenth century United States, however four national associations can be mentioned as having played a key role in the campaign. The first to be formed was the National Woman Suffrage Association (NWSA), representing what is known as the “equal rights” claim. After the defeat of the demand for inclusion in the Reconstruction Amendments, the change in strategy of some feminists resulted in the formation, in 1870, of a more conservative¹⁶ organisation: the American Woman Suffrage Association (AWSA). The NWSA and the AWSA campaigned alongside each other for twenty years, during which time the conservative strategy increased in popularity. During this time the Woman's Christian Temperance Union, which was to figure prominently in the Australian suffrage movement, also exerted considerable influence. In 1890 the NWSA and the AWSA merged to become the National American Woman Suffrage Association (NAWSA).

This historical account is popularly understood in the United States as an account of the progress to universal female and male suffrage. In fact it is inaccurate in an important

13 At 165.

14 At 170-175.

15 These were the territories of Wyoming, granting the right to vote to women in 1869, and Utah, granting the right in 1870.

16 In terms of woman suffrage, “conservative” is the correct description, but radicalism depends on one's perspective. Angela Davis points out that the leaders of the NWSA were very conservative on the question of race and that those who founded the AWSA (Lucy Stone and Julia Ward Howe) were more radical. They were supporters of the Reconstruction Amendments on the basis of the greater need of freed slaves. See the section of this article “The United States and African Americans” p75 below.

respect: some women (and men) were not entitled to vote even after the enactment of the Nineteenth Amendment in 1920. In 1871, in *McKay v Campbell*,¹⁷ it was held that Native Americans did not come within the grant of citizenship contained in the Fourteenth Amendment to the Constitution because Indian tribes “have always been held to be distinct and independent political communities, retaining the right of self-government, though subject to the protecting power of the United States”.¹⁸ Furthermore, in *Elk v Wilkins*¹⁹ it was held that an Indian individual was not a citizen of the United States pursuant to the Fourteenth Amendment even when living apart from his or her tribe. Before 1924 Native Americans could become citizens on certain conditions and if they did they were entitled to vote.²⁰ The conditions on which citizenship, and suffrage, could be acquired were contained in various statutes and treaties and involved a renunciation of tribal identity. Some statutes required the applicant to abandon tribal relations, adopt the “habits of civilised life”, establish their “sufficient intelligence” and prudent control of their affairs, become self supporting and/or learn the English language.²¹ One statute made Native Americans who had fought in World War I citizens.²² Presumably, however, given the decision in *Minor v Happerset*,²³ even this conditional access to suffrage was, before 1920, open to Native American men only.²⁴ On enactment by Congress of the Citizenship Act in 1924 all Native Americans became citizens unconditionally and therefore were entitled to vote.²⁵ Thus, not all United States women were enfranchised by the Nineteenth Amendment in 1920.

Australia

After New Zealand, Australia was the second country in the western world to provide to white women, in 1902, the right to vote in national elections. However, no woman sat as a

17 16 FCas 161 (D Or 1871)(No 8,840).

18 At 166.

19 112 US 94 (1884).

20 *Hankey v Bowman* 82 Minn 328; 84 NW 1002 (1901).

21 See for example Act of March 3, 1865, 13 Stat 541, 562, discussed in *Oakes v United States* 172 F 305 (CCA Minn 1909); 16 Stat 335, 361-2, cited in Gretches, Wilkinson and Williams, *Federal Indian Law* (West Publishing Co, St Paul, Minn 1993) p738.

22 Statute passed 1919, 41 Stat 350.

23 88 US 162 (1875). In some instances rules were made which expressly conferred the entitlement on men only, for example, the 1861 Treaty with the Pottawatomies which allowed male heads of households to become citizens: Gretches, Wilkinson and Williams, *Federal Indian Law* p738.

24 Presumably, on the basis of *Minor v Happerset*, Native American women would have been denied suffrage even if 25 USCA Section 182 applied, which provided that Indian women who married non-Indian men were citizens.

25 43 Stat 253, 8 USCA Section 1401, s24. Peter Matthiessen notes that the Six Nations (“Iroquois”) formally declined United States citizenship after the enactment of the 1924 Act: Matthiessen, *In the Spirit of Crazy Horse* (Harper Collins, London 1983) p39.

member in the federal legislature for another 41 years.²⁶ This lag may be explained by what some early historians have called the “gift” of suffrage: women in Australia did not value the vote because they did not fight for it.²⁷ Other more recent historians have rejected the gift theory and reveal the active role played by feminists in the gaining of woman suffrage.²⁸ The early date of woman suffrage in Australia is probably best explained by the confluence of feminist agitation with other factors, namely, the strength of liberal theorising about equality generally in the late nineteenth century, the fact that the suffrage movement occurred in the process of federation and along with a strong, emerging Labor movement, and political expediency. Australian suffragists also acknowledged the contribution of the United States movement to the success of their own. In 1904, at the Annual NAWSA Convention in Washington DC, an Australian suffragist, Mrs Watson Lister, spoke of the Australian “debt to the United States pioneers”.²⁹

The beginnings of the suffrage movement in the Australian colonies occurred in the early 1880's and was gaining strength in the 1890's when, in the United States, the more conservative women's rights position took precedence after the disappointments following the Civil War. In each of the six Australian colonies a suffrage society or societies were formed. The form of the campaign was similar to that in the United States: debates and public meetings were organised throughout the country, petitions were signed and deputations made to Parliaments, candidates, public figures and Constitutional Conventions.

A significant organising force in the movement was the Woman's Christian Temperance Union (WCTU). The WCTU was founded in the United States and established in Australia in the 1880's by advocates such as Mary Leavitt, who established Unions in all colonies except Western Australia, and Mary Love and Jessie Ackermann, who were to play important roles in the Victorian and South Australian campaigns, respectively.³⁰ Having restriction or prohibition of alcohol as its main goal, the WCTU advocated for universal franchise in every colony. It was a highly organised lobby and, along with

-
- 26 Sawyer and Simms, *A Woman's Place: Women and Politics in Australia* (Allen & Unwin, Sydney 1993) pp1,6. (Australia was the first country in the western world to recognise both woman suffrage and the right of women to sit as members of Parliament. The first woman to sit as a member of a State Parliament was Edith Cowan in 1921, in Western Australia).
- 27 See Biskup, *The Female Suffrage Movement in Australia* (unpublished Honours Thesis, History Department, University of Western Australia, 1959) pp iv, 24, 25.
- 28 See Oldfield, *Woman Suffrage in Australia: A Gift or a Struggle* (University of Cambridge Press, Cambridge 1992) pp14-19; Scutt, *Women and the Law* (Law Book Company, Sydney 1990) p15; Morris (ed), “Who'll Mind the Babies?” in Compton, *Crossfire* (a play) (Currency Press, Sydney 1976) pp xiv-xxxix; Jones, *Nothing Seemed Impossible: Women's Education and Social Change in South Australia 1875-1915* (University of Qld Press, St Lucia 1985) pp127-128.
- 29 Stanton, Anthony and Gage (eds), *History of Woman Suffrage* (Arno, New York 1969) Vol V, p91.
- 30 Oldfield, *Woman Suffrage in Australia: A Gift or a Struggle?* pp15, 28, 45-46.

petitioning Parliament and the Constitutional Conventions,³¹ foreshadowed strategies of later feminist groups such as the rating of parliamentary candidates through questionnaires and interviews.³² One contemporary Australian view is that:

The undervaluing of women's role in the suffrage movement and the movement for social reform derives in part from a reluctance to give due weight to the activity of the WCTU (seen as faintly humorous and 'wowsers' by many male historians).³³

Woman suffrage in Australian colonies (and subsequently States) played an especially important role in the campaign for national suffrage for three reasons which distinguish the Australian situation from that of the United States. First, woman suffrage was guaranteed in two colonies before Federation which meant that in a number of elections both Aboriginal and white women in South Australia and white women in Western Australia enjoyed full enfranchisement even before 1902. Second, State suffrage played an enormously important role in that, although enfranchisement in national elections was not constitutionally entrenched generally at Federation, the Constitution protects national voting for those entitled to vote in State elections. This is explained further below. Third, since woman suffrage was not made an express constitutional right, two States, Queensland and Victoria, were able lawfully to resist woman suffrage in State elections for a number of years after Federation, resulting in the most bitter campaigns for suffrage in the Australian movement.³⁴ For these reasons it is useful to look briefly at the campaign for suffrage in South Australia, the first colony to grant woman suffrage in 1894, before outlining the progress of the national campaign.

South Australia

Women were enfranchised in South Australia in 1894 and at the same time acquired the right to sit as members of Parliament.³⁵ The early date of the reform, and its radical inclusion of the right to candidature, appears, again, to have been the result of feminist agitation supported by a strong tradition of liberalism in South Australia, the emerging Labor movement and political expedience. Following is a brief account of key events and figures in the State's campaign.

The key suffrage organisation in South Australia was the Women's Suffrage League, formed in 1888 after the defeat of the first woman suffrage bill to be introduced into

31 The WCTU of Australasia and Victoria petitioned and addressed the Constitutional Conventions held in 1891 (Sydney) and 1897 (Adelaide): Commonwealth, *The Official Record of the Debates of the Australasian Federal Convention* (Legal Books Pty Ltd, Sydney 1986) (*"The Convention Debates"*) Vol I, p175; Vol II, p5.

32 Sawyer and Simms, *A Woman's Place: Women and Politics in Australia* p5.

33 As above.

34 Queensland provided for woman suffrage in 1905 and Victoria in 1908.

35 *The Constitution Amendment, 1894 Act 1894* (SA) s1.

Parliament in 1886. It has been described as the organisation which “carefully guided” the public education campaign that led to suffrage in 1894.³⁶ Mary Lee was the prominent leader of the movement and a founding member of the Women’s Suffrage League. She came from Ireland in 1879 at the age of 58 and worked first with the Social Purity League, the major aim of which was legal and moral reform for the protection of girls and young women, and which adopted woman suffrage as part of its platform.³⁷ She became one of two inaugural Honorary Secretaries of the Women’s Suffrage League in 1888.³⁸

Another significant force in the suffrage campaign was the South Australian branch of the WCTU. Key leaders of this organisation were Jessie Ackermann, Elizabeth Webb Nicholl and Serena Thorne Lake. Jessie Ackermann arrived in Australia from the United States in 1889 at the age of 32. She became an important organiser and leader in the temperance movement in South Australia and then in other Australian colonies.³⁹ Elizabeth Nicholls and Serena Lake were both colonial superintendents of the WCTU Suffrage Department and were known for their oratory at union conventions and public meetings throughout the State.⁴⁰ Although the Women’s Suffrage League and the WCTU shared the goal of woman suffrage, and many women were active in both organisations, there were differences in the approaches and aims of the two bodies. The WCTU, in the main, supported suffrage as an expedient to achieve its major aim, restrictions on alcohol. On the other hand, some in the Women’s Suffrage League, including Mary Lee, disagreed with the aims of temperance.⁴¹

Catherine Helen Spence was probably the most prominent woman in public life in Australia in the latter part of the nineteenth century and played an influential role in the suffrage movement also. She was born in Scotland and at 14 emigrated with her family to South Australia. While her central cause was the introduction of an electoral system of proportional representation (a goal which found her touring the United States) she lent support consistently to the cause of woman suffrage.⁴²

36 Jones, *Nothing Seemed Impossible: Women’s Education and Social Change in South Australia 1875-1915* p133.

37 The major focus of the Purity Society was the raising of the age of consent for girls from thirteen to sixteen to prevent prostitution of some girls. This campaign was successful in 1885 in large part due to the political efforts of Mary Lee: Jones, *Nothing Seemed Impossible: Women’s Education and Social Change in South Australia 1875-1915* p133.

38 At pp133-134.

39 Ackermann’s own account of her work in the women’s movement is contained in *Australia from a Woman’s Point of View* (Cassell, London 1913).

40 Jones, *Nothing Seemed Impossible: Women’s Education and Social Change in South Australia 1875-1915* pp137-138.

41 At pp138-139.

42 Magarey, *Unbridling the Tongues of Women: A Biography of Catherine Helen Spence* (Hale & Iremonger, Sydney 1985).

The passage of various woman suffrage bills through the South Australian Parliament, beginning in 1886,⁴³ involved dispute over various highly charged political issues in addition to women's rights.⁴⁴ Two kinds of proposed restrictions on women's vote emerged in arguments towards the enactment of the final bill in 1894: a property, and an age restriction. In each case the inclusion of the restriction was influenced by conservative opposition to woman suffrage itself and liberal realism about what was achievable. The former restriction (the requirement of property ownership) arose also from the political imperatives of conservatives to use the opportunity of women's enfranchisement to strengthen the conservative membership of the Upper House: male suffrage in the Upper House but not the Lower House in South Australia was based on a property qualification. Moreover, the emerging Labor movement opposed the property qualification not merely because of its implications for women but on the basis of Labor's primary platform ("one person, one vote") and because the qualification would limit the power of Labor interests in Parliament.⁴⁵ That the ultimate enfranchisement of women was a product, at least in part, of political interests other than the rights of women continued to the end. The inclusion of an amendment providing for the right of candidature for women, considered radical at the time, was proposed by the bill's opponents in an attempt to defeat its passage.⁴⁶

The National Vote

Whereas in the United States the fortunes of national suffrage for women were closely entwined with black suffrage (and in the nineteenth century political concern for the latter trumped woman suffrage) in Australia federalism was the dominant political imperative

43 The bill was preceded by a unanimously carried motion supporting woman suffrage introduced into the House of Assembly in July 1885 by Dr Edward Stirling. Stirling later introduced the first bill. See Biskup, *The Female Suffrage Movement in Australia* pp27-28.

44 The following account of the passage of woman suffrage in South Australia is primarily drawn from Oldfield, *Woman Suffrage in Australia: A Gift or a Struggle?* pp22-44.

45 See Jones, *Nothing Seemed Impossible: Women's Education and Social Change in South Australia 1875-1915* p144.

46 Themes in history-making concerning women repeat themselves. The previous year in New Zealand a similar candidature provision had been successfully defeated by a similar strategy. It was introduced by opponents and defeated by suffrage supporters: Sawyer and Simms, *A Woman's Place: Women and Politics in Australia* p6. Another 'accidental' victory introduced by opponents of a cause occurred in 1964 in the United States. Sex discrimination provisions, the major current federal law requiring equal opportunity for women in certain areas of public life and on which Australian anti-discrimination legislation is in part based, were introduced into the *Civil Rights Act* 1964 (US) by opponents of the race provisions in the bill in an attempt to secure its defeat. See an account of this in De Hart-Matthews, "The New Feminism and the Dynamics of Social Change" in Kerber and De Hart-Matthews (eds), *Women's America: Refocussing the Past* (Oxford University Press, New York 1987) pp447-448.

which affected the progress of (white) woman suffrage.⁴⁷ Aboriginal suffrage was considered in the debates about woman suffrage but it was a less direct influence and, unlike in the United States, the demand for national woman suffrage took precedence over demands for racial equality.

Three major Constitutional Conventions were held in the Australian colonies in the 1890's prior to federation. Issues fought over with respect to suffrage included: whether there ought to be constitutional entrenchment of electoral qualifications; uniformity of voting in all States; and woman suffrage as a matter of principle. At the time of the first Constitutional Convention in Sydney in 1891 no colony had allowed women to vote, although the WCTU petitioned for the inclusion of woman suffrage as an express guarantee in the proposed Constitution. Little debate on the question occurred.⁴⁸ However, by the next and major Convention in 1897, South Australia had provided for female suffrage. Therefore, the proposal to make eligibility to vote nationally dependent on eligibility to vote in State elections was highly problematic for some colonies. A strong impetus to protect States' autonomy from the proposed new Federal Government motivated a rejection of an express suffrage mandate in the Constitution,⁴⁹ however, allowing the States to determine suffrage would create non-uniform representation.⁵⁰ Moreover, denial of voting rights to South Australian women⁵¹ faced the demands of the woman suffrage movement⁵² and the threat by that State that such a denial would result in its women electors defeating a vote to join the Federation at all.⁵³

The result was that the Constitution provided the Federal Parliament with the power to determine the national franchise.⁵⁴ However, the Federal Parliament was prohibited from denying the national vote to anyone eligible to vote at the State level. This was effected by section 41 of the Constitution which, included as a result of the woman suffrage debate, expressly guarantees national suffrage to those entitled under State law to vote in State elections. In 1902, one year after the adoption of the Constitution, the Federal Parliament enacted the *Franchise Act*⁵⁵ which expressly included women in the national franchise but

47 "Woman suffrage" meant, as will be discussed, white woman suffrage. However, as a matter of law Aboriginal women in South Australia were included in the guarantee of female suffrage.

48 See *The Convention Debates* Vol I, pp52-53, 488, 615.

49 *The Convention Debates* Vol I, p626.

50 *The Convention Debates* Vol I, p523; Vol III, pp64, 178.

51 Western Australian women were, ultimately, in the same position. They were enfranchised in 1899 (*Constitution Acts Amendment Act 1899 (WA)* s15) after the Constitutional Conventions but before the referendum resulting in the adoption of the Constitution.

52 *The Convention Debates* Vol V, pp1845-1853.

53 *The Convention Debates* Vol III, pp150-151.

54 Until federal law was enacted state electoral laws applied to national elections: Sections 8 and 30 of the Australian Constitution.

55 1902 (Cth) s4.

expressly excluded “Aboriginal native[s] of Australia”⁵⁶ unless they were entitled to vote under section 41 of the Constitution. The result of this jigsaw was that all white women were guaranteed a national vote. Aboriginal women (and men) in South Australia could also vote nationally because, as no distinction between Aboriginal and white entitlement to vote was made under South Australian law, section 41 of the Constitution became operational. Also as a result of section 41 Aboriginal men, but not Aboriginal women, in New South Wales and Victoria were enfranchised nationally, at least formally.⁵⁷ Other Aboriginal women (and men) were enfranchised nationally as State law provided for their suffrage or, significantly, where they as individuals agreed to renounce their Aboriginality. Thus, a scheme similar to that in the United States affecting Native Americans before 1924 operated in some Australian States. For example, Western Australian law excluded Aboriginal people from voting until 1962, however, the *Native (Citizenship Rights) Act* 1944 provided that Aboriginal people could be exempted from the disqualification from voting if they applied for and were granted a Certificate of Citizenship. Such an application entailed satisfying a magistrate that the applicant had for two years “adopted the manner and habits of civilised life”, could speak English and was not suffering from a number of diseases listed in the Act.⁵⁸ An application also involved providing two references from “reputable citizens” as to good character and “industrious habits”⁵⁹ and a statutory declaration by the applicant that for two years she or he had “dissolved tribal and native association except with respect to lineal descendants or native relations of the first degree”.⁶⁰ Thus, entitlement to vote was conditioned on abandonment of Aboriginality, at least for the purposes of white-Australian law. Aboriginal people in Western Australia and Queensland were not unconditionally enfranchised at the State or national level until the *Commonwealth Electoral Act* 1962 (Cth) was passed which invalidated those States’ laws.⁶¹

Finally, it must be recognised that some Aboriginal women, and men, other than those referred to, were enfranchised in 1902 - again, at least formally. This is because some Aboriginal women and men, who were Aboriginal according to Aboriginal law, were

-
- 56 And also “natives” of “Asia, Africa [and] The Islands of the Pacific except New Zealand”, s4.
- 57 New South Wales, for example, did not expressly exclude Aboriginal people from the franchise but disqualified all persons in receipt of state or charitable aid, and Aboriginal people living on pastoral stations and reserves were deemed to be within that group: Commonwealth, *Report From the Select Committee on Voting Rights of Aborigines*, House of Representatives (1961) pp5-6.
- 58 *Native (Citizenship Rights) Act* 1944 (WA) s5.
- 59 Section 4(3).
- 60 Section 4(2).
- 61 See generally Commonwealth, *Report from the Select Committee on Voting Rights of Aborigines*, House of Representatives pp1-10.

excluded from being so under State laws. Therefore they were entitled to vote as non-Aboriginal citizens.⁶²

CONCEPTS OF SUFFRAGE AND CITIZENSHIP IN THE SUFFRAGE MOVEMENTS

Different conditions prevailed in Australia and the United States during their respective woman suffrage campaigns. Therefore, different political exigencies affected the progress towards women's enfranchisement. Australia was an emerging nation taking non-military steps towards independence. The population was small and considered itself vulnerable to other European powers.⁶³ In some ways Australia was considered a social laboratory at the end of the nineteenth century,⁶⁴ while at the same time it left out of account its indigenous peoples. During the seventy year woman suffrage campaign in the United States, the country reconstructed itself as a nation, had an intense awareness of race as it related to slavery, and became the most economically and militarily powerful country in the world. With respect to concepts and ideas promoted by the woman suffrage movements in support of the demand for enfranchisement, however, it is the similarities between the two countries and not the differences, which are striking. The direct contact

62 The *Franchise Act* 1902 (Cth) did not define "Aboriginal native of Australia" and there was no common criteria in state laws for determining who was an Aboriginal person at the time of federation. Generally, definitions in state law assumed an Aboriginal person was a "full blooded" Aboriginal and deemed "half-castes" to be Aboriginal also, if they were married to an Aboriginal person or "habitually live[d] or associate[d]" with Aboriginal people. "Half-caste" was variously defined as the child of an Aboriginal mother (but not father) (WA, SA); the child or grandchild of an Aboriginal person (WA); a person of Aboriginal "extraction" coupled with another element such as being "in need of ... control or protection" (Qld); or a person who "applies for rations as aid" (NSW). See for example *Aborigines Protection Act* 1909 (NSW) s3; *The Aborigines Protection and Restriction of the Sale of Opium Act* 1897 (Qld) ss3,4; *The Aborigines Act* 1911 (SA) ss3,4; *The Cape Barren Island Reserve Act* 1912 (Tas) s11; *The Aborigines Protection Act* 1886 (WA) s45; *Aborigines Act* 1905 (WA) ss2,3.

The contemporary legal definition of Aboriginal person varies according to the law involved: common law, constitutional law, federal, territorial or state statutory law. Some law still bases the definition on a concept of descent though no particular proportion of "blood" is required. For example, *Maralinga Tjarutja Land Rights Act* 1984 (SA) s3; *Aboriginal Lands Act* 1970 (Vic) s2. But most definitions include other criteria, primarily identification as an Aboriginal person and acceptance by the Aboriginal community as an Aboriginal person or similar concepts. See for example *Aboriginal Land Rights Act* 1983 (NSW) s4; *Aboriginal Affairs Planning Authority Act* 1972 (WA) s4; *Commonwealth v Tasmania* (1983) 158 CLR 1 at 244, 276. It is unsettled whether a person who is not related to another Aboriginal person genetically may be described in law as an Aboriginal person. See *Attorney-General (Cth) v Queensland* (1990) 25 FCR 125 at 148.

63 Lake, "A Revolution in the Family: The Challenge and Contradictions of Maternal Citizenship in Australia" in Koven and Michel (eds), *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (Routledge, New York 1993) p379.

64 Sawyer and Simms, *A Woman's Place: Women and Politics in Australia* p1.

between the movements and, particularly, the common philosophical and intellectual sources of each as white western movements meant that the range of concepts of suffrage and citizenship asserted during the campaigns was more or less the same. In this section I will first look at a fundamental dilemma which underpins many feminist assertions, including the woman suffrage movement. Second, I will look at two principles of nineteenth century liberalism that inform (and were in part constructed by) the ideas of the movements: equality and the separate spheres doctrine. Finally, four concepts of the citizen which underlie both of the movements in similar ways will be examined.

The Feminist Dilemma

A constant problem in feminist social and legal theory is the negotiation of the relationship between women and the norms and structures which reflect male experience. Feminists are consistently presented with a choice to contest women's outsider status either by insisting on inclusion, or, by asserting the value of their difference. Either way the problem is that women's self definition is derivative of measures and experiences which are primarily male - and for as long as the definition is derivative, there is discrimination. The quintessential contemporary expression of this dilemma in feminist theory is Catharine MacKinnon's description of the prevailing conception of *discrimination* as mere *difference*. If difference is the main idea underlying discrimination, then non-discriminatory treatment is that which deals with men and women in exactly the same way. "Equal" means "the same"; "discrimination" means "different". But the feminist claim is that we do not start from neutral ground. If the status quo has been imagined, built and occupied by men, what is understood to be normal and neutral will be that which reflects men's experience. Then, treating women no differently comes to mean treating them like men: treating them the way you would anyone (in a male world). In this framework, where the status quo is shaped by male experience, women have the choice to demand "equality" with men, meaning same treatment, or "special" provisions, meaning favoured and "unequal" treatment. Either way the measure of normality is male.⁶⁵

This fundamental dilemma of outsider status underlies feminist accounts and assertions of citizenship, including those formulated during the nineteenth and early twentieth centuries as part of the suffrage movements. Indeed, because of its abstract and symbolic (and elusive) nature, the concept of citizenship epitomises this dilemma. The notion of citizenship has a unifying function. It contains the idea of identity - in the sense of the creation of national identity and in the sense of sameness among individuals. In its generality and abstraction it both carries the experience of inclusion and provides the basis for assertion of entitlement arising from such inclusion. By the same process, the concept of citizenship excludes - insofar as its abstraction and generality contain articulated and

65 MacKinnon, *Feminism Unmodified: Discourses on Life and Law* (Harvard University Press, Cambridge 1987) pp32-45. See also Cott, *The Grounding of Modern Feminism* pp3-50. (Discussion of difference and equality in early twentieth century feminism.)

unarticulated criteria for inclusion.⁶⁶ If the standard is white and male it excludes more people than it includes.

Thus the idea of citizenship provides women with exactly the dichotomous choice evident in feminist theory and practice generally - to assert entitlement to membership of society on the same terms as men (as "individuals" who, too, can fight wars), or as women (special people who bear children). Carole Pateman calls this "Wollstonecraft's dilemma",⁶⁷ because Mary Wollstonecraft advocated both strategies at different times as long ago as the eighteenth century. Whichever assertion is made, the construction of citizenship is by reference to male experience. Thus the abstraction and generality of the idea of citizenship has not only served as a platform and lever for feminists in demanding fairness, but has functioned, also, to perpetuate the exclusion, or partial participation and entitlement of women. The depth of this ambiguity is captured by Carole Pateman's analysis of citizenship as comprising *both* the exclusion and inclusion of women. Women have been included in the idea of citizenship by being those against whom citizenship is defined and, a fortiori, excluded by the very same operation. Put another way: *citizens* are the ones who bear arms and go "out to work", *not* the ones who are protected and "stay at home". Men and women complement each other. Both exclusion and inclusion are, in this paradigm, partial for women and create a political standing which rests on what Pateman calls a "major paradox".⁶⁸ Men's status as full members of society does not simply stand beside women's exclusion from that status but depends on it for its definition.

Since voting is arguably the heart of citizenship,⁶⁹ the feminist dilemma of asserting inclusion or difference in relation to citizenship runs throughout the suffrage movements in both countries. Before looking at the particular feminist concepts which underpinned the suffrage movements, it is useful to consider certain aspects of the intellectual and political tradition of nineteenth century liberalism, which were both the cause of, and formed the background to, the feminist dilemma discussed.

66 Karst, *Belonging to America: Equal Citizenship and the Constitution* (Yale University Press, New Haven 1989) Chapter 3; Cott, "Forming the Body Politic: Gender, Race, and Traditions of American Citizenship", Paper delivered at Yale Law School, 1 November 1994.

67 Pateman, "The Patriarchal State" in Gutmann (ed), *Democracy and the Welfare State* (Princeton University Press, Princeton, N.J. 1988) p252.

68 As above.

69 Cf *Minor v Happersett*, discussed at text accompanying notes 12-14 above. This case rests on a view that voting is not a necessary incident of citizenship, let alone its heart, since it decided that women were citizens although not enfranchised.

Nineteenth Century Liberalism

The dominant intellectual paradigm and political theory informing the woman suffrage movements in both Australia and the United States was liberalism.⁷⁰ Two fundamental dimensions of liberal theory encouraged the existence and influenced the form of the suffrage movements in important ways: first, the value of equality among individuals; and second, the vision of society as consisting of two spheres, the public and the private.⁷¹

Equality

The self understanding of liberal democratic theory is that the western world is a progress from tyranny to benign self-rule, on a societal and individual level.⁷² Although some critical theory challenges this view,⁷³ it is true to say that liberal society describes itself as the progressive emancipation of the individual from the status relations of feudal society to the freedom and independence of contractual and democratic relations.⁷⁴ The unit of liberal society is the rational and free individual, limited only by his (or, subsequently, her) social, contractual undertakings. Moreover, the liberated individual, or citizen, is equal with others and with those whom s/he elects as governors.⁷⁵

Separate spheres

No premise of liberal theory relates to women or effects their subordination more than the model of society as divided into separate spheres - the public and the private. Within

-
- 70 In the last period of the American movement, up to 1920, progressive politics influenced the form of the campaign: Kraditor, *The Ideas of the Woman Suffrage Movement, 1890-1920* pp71-74. However, the dominant ideology underpinning the movements' claims of right have their origin in liberalism. Cf Searle, *Silk and Calico: Class, Gender and the Vote* (Hall & Iremonger, Sydney 1988) p21. (Although an intellectual motivation of the nineteenth century women's movement was liberalism, women's "main breakthrough" resulted from material changes in their roles as wives and mothers which resulted from industrialisation and the growth of capitalism.)
- 71 This paper focuses on the self-understanding of the suffrage movement. However, there will be indications in the discussion following that these two dimensions of liberal theory - equality and the model of public/private spheres - also founded the opposition to woman suffrage. For example, the claims of opponents that women voting would destroy domestic tranquillity, the nature of femininity and conjugal relations.
- 72 In this story the tyranny of the twentieth century is, as Anne Phillips puts it, a "horrifying diversion" from which the western world is now recovering: Phillips, *Democracy and Difference* (Pennsylvania State University Press, Pennsylvania 1993) p1.
- 73 See for example Minow, "Forming Underneath Everything that Grows: Toward a History of Family Law" (1985) 85 *Wisconsin Law Review* 819. (This account itself, describing a progress from status relations to contract, obscures the historical experience of women.)
- 74 Lakoff, *Equality in Political Philosophy* (Harvard University Press, Cambridge, Massachusetts 1964) p138.
- 75 See Mill, *On Liberty* (WW Norton, New York 1975) pp3-12; De Tocqueville, *Democracy in America* (World Classics, Oxford 1946) pp549-550.

liberal theory the separation of the civic or public sphere from the private or domestic sphere guarantees the freedom of the individual. It restrains the tyranny of government by despotism or bureaucracy and preserves an unregulated realm for self-expression and autonomy. Liberal feminists have consistently endorsed the separate spheres model in the process of asserting woman's special entitlement to membership in society. Other feminists have contested the association of male with the public realm and female with the private. However, the unique critique by feminist theory of the idea of separate spheres is not merely the criticism of the association of spheres with genders, but the observation that the model itself both depends on and helps to construct the gender hierarchy of western societies.⁷⁶ Starting from another point this is precisely the feminist dilemma discussed above. Rather than men being particularly suited to the public sphere, inclusion in the public sphere is defined by reference to what is male; "woman" is that which occupies the private sphere and is excluded from civic society.

Generally speaking, the radical claims of suffragists relied on the liberal aspiration to universal equality in order to challenge the construction of the domestic sphere. The more conservative claims of suffragists asserted the private sphere on its own terms and demanded the right to vote on the basis of unique contribution. However, as I will show, the concept of the domestic sphere was sometimes used to found radical arguments for equality.

Concepts of Woman Suffrage and Citizenship

The themes discussed above played themselves out in the images of citizenship and the rationales asserted by feminists in their demand for suffrage. The ideas articulated by the movements overlapped with each other. At times they represented disparate, ultimate aims of the people within the movements, but often an individual activist used several of the images in a seemingly inconsistent manner. Sometimes the different approaches were used in response to the political climates at various stages of the campaigns.⁷⁷ For the purposes of analysis, four main concepts can be discerned in both the Australian and American movements as follows.

The citizen-individual - woman is equal

The most pervasive and radical claim for woman suffrage was the one most directly related to the liberal claim of natural, individual right and equality. Women asserted the simple justice of the vote as individuals. This is reflected in the adoption of a modified Declaration of Independence by the Seneca Falls Convention - a justice that applies to all human beings must apply to women.⁷⁸ Women asserted the content of their claim in the

76 Pateman, "Introduction" in Goodnow and Pateman (eds), *Women, Social Science and Public Policy* (Allen & Unwin, Sydney 1985) pp x-xi.

77 See *History of Woman Suffrage* (Ayer edition) Vol II, p349.

78 See also for example Ossoli, *Woman in the Nineteenth Century* p26.

words of the Declaration and also challenged society to reject it when its form was the precious universality of that document.⁷⁹ Lucy Stone's account of her husband's "waking up to the subject" reflects this claim to equality as individuals. She recounts his Eureka experience about the right to vote: "It is not a woman's right or a man's right; it is a human right."⁸⁰ And in 1893, Mary Lee wrote to *The South Australian Reporter*: "Is it just that half the people should be disenfranchised for the involuntary crime of being a woman?"⁸¹

A common intellectual source for the suffrage movements in Australia and the United States which played a prominent role in the campaigns was the writing of John Stuart Mill. His *Subjection of Women*, published in 1869 was referred to and quoted frequently, for example, in two of the first suffrage pamphlets ever published in Australia by the Victorian Women's Suffrage Society in 1884.⁸² Both the democratic and libertarian dimensions of Mill's theory are reflected in claims by the Women Suffrage League of South Australia through Mary Lee. It offended natural justice, she wrote, that "women should be taxed, judged, controlled, fined, imprisoned and even hanged without a word to say on their own part".⁸³ Furthermore, the ideas of Mill were referred to and correspondence from him was utilised frequently in the first half of the United States movement.⁸⁴

In addition to the express claims made by suffragists for equality with men in voting and civic participation, an important aspect of the woman suffrage movement was

-
- 79 The Declaration concluded by resolving "That, the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities." And "*Resolved, therefore, That, being invested by the creator with the same capabilities, and the same consciousness of responsibility for their exercise, it is demonstrably the right and duty of woman, equally with man, to promote every righteous cause by every righteous means; and especially in regard to the great subjects of morals and religion, it is self-evidently her right to participate with her brother in teaching them ... and this being a self-evident truth ... any custom or authority adverse to it, whether modern or wearing the hoary sanction of antiquity, is to be regarded as a self-evident falsehood, and at war with mankind.*" *History of Woman Suffrage* (Ayer edition) Vol I, pp72-73.
- 80 *History of Woman Suffrage* (Arno edition) Vol IV, p299.
- 81 11 July 1893, p3. Reproduced in Mansutti (Compiler), *Read All About It: Women's Suffrage Sources from the Newspapers of South Australia 1885-1894* (The State Library of South Australia, Adelaide 1994) p119.
- 82 Oldfield, *Women Suffrage in Australia: A Gift or a Struggle?* p187.
- 83 Reported in *Bunyip*, 13 December 1889, quoted in Jones, *Nothing Seemed Impossible: Women's Education and Social Change in South Australia 1875-1915* p138.
- 84 Letters of support from Mill were read at meetings in the American campaign: *History of Woman Suffrage* (Ayer edition) Vol II, p229; see also Vol II, pp419, 421, 432. John Stuart Mill was also a political ally for key suffragist leaders in Australia and the United States. Both Catherine Helen Spence, the South Australian women's rights leader, and Edward Stirling, who introduced the first woman suffrage bill in the South Australian Parliament in 1886 endorsing woman suffrage, had personal connections with Mill. Spence met with Mill on visits to London in 1865. Stirling was influenced by Mill's parliamentary advocacy in promoting women's rights. Magarey, *Unbridling the Tongues of Women: A Biography of Catherine Helen Spence* pp147-148, 174-175.

communicated by the activities of women as part of the campaign itself. The fact of direct political involvement by women, organisational initiative and public speaking were, in themselves, radical assertions of entitlement to full citizenship. In this respect the vibrancy of the campaigns, including their unprecedented recording and publication by women themselves, is remarkable. The Grimke sisters provide just one illustration in the American context. As Elizabeth Bartlett notes, in addition to Sarah Grimke's later direct advocacy for woman suffrage, both sisters' involvement in the abolition movement necessarily made their cause that of women, not only of slaves, because they were engaged in an activity from which women were almost entirely excluded.⁸⁵ The radical nature of women's participation is perhaps best reflected in the often vicious attacks on suffragists for their very involvement in campaigning. As a result of their involvement, the Grimke sisters were warned, in a Pastoral Letter from the Council of Congregationalist Ministers of Massachusetts, of the "dangers which at present seem to threaten the female character with widespread and permanent injury".⁸⁶ A reaction of repulsion, namely the invocation of unwomanliness and pariah status in response to women's public activities associated with the campaigns, appeared in both serious commentary and satirical cartoons. For example, newspaper commentary on the Seneca Falls Convention referred to the women participants as "Amazons",⁸⁷ and cartoons depicted activists as geese and "manly", overbearing women.⁸⁸ Lucy Stone was a "she hyena";⁸⁹ suffragists in Australia were "abhorred", were said to "scream from platforms" and were "from the waist upward ... indistinguishable from the men they profess[ed] to despise".⁹⁰ Sexual derision, which opponents of suffrage appeared so often to link inextricably with women's civic participation, confronted suffragists on a personal level. An eye-witness account of a deputation of 300 women lobbyists at the Legislative Council of Victoria in 1898 included the following:

The conduct of some of the honourable members was so disgraceful that it gave one the impression of a den of satyrs or a sexual degenerates' ward of a lunatic asylum rather than a body of elected legislators ... The deputation was ... ogled and giggled at by a ... mob of 'superior' legislators. The weighty, business-like and earnest speeches of good

-
- 85 Bartlett, "Introduction" in Grimke, *Letters on the Equality of the Sexes* p2. Cf Painter, "Difference, Slavery, and Memory: Sojourner Truth in Feminist Abolitionism" in Yellin and Van Horne (eds), *The Abolitionist Sisterhood: Women's Political Culture in Antebellum America* (Cornell University Press, Ithaca 1994) pp147-148. (There was a tradition of women preachers in the ante-bellum north.)
- 86 Bartlett, "Introduction" in Grimke, *Letters on the Equality of the Sexes* p2.
- 87 *History of Woman Suffrage* (Ayer edition) Vol I, p803.
- 88 See cartoons reproduced in *Ms* (New York) December 1972, pp51-52.
- 89 Catt and Shuler, *Woman Suffrage and Politics: The Inner Story of the Suffrage Movement* (University of Washington Press, Seattle 1923) p28.
- 90 Castor, "Letter to the Editor", *South Australian Register* (Adelaide) 7 August 1894, p3b, quoted in Mansutti (compiler), *Read All About It: Women Suffrage Sources from the Newspapers of South Australia 1885-1894* p169.

women voicing the aspirations and heart-wishes of hundreds of thousands were interrupted by low jests and idiotic exclamations, such as 'Who'll mind the babies?', 'New woman' and others not fit to print ... Another [parliamentarian] accosted two of the younger members of the deputation with the following indecent remark: ... 'You girls don't want votes. You want - something else'.⁹¹

Thus, in addition to the assertions of equality contained in the reasoned content of suffragists' claims, the right to equal civic participation with men was demonstrated in the campaign itself by the unprecedented participation of women in political activities.

The citizen individual - woman will be equal

Another aspect of the claim to vote as a matter of equality and justice is reflected in the rejoinders made by suffragists to the claims of women's inferiority, and their own assertions that the vote was needed to improve the conditions of women. That is, although the express essentialist claim that women were naturally inferior to men began to lose its power in the later nineteenth century,⁹² there were pervasive accusations that women were, in fact, incapable of participating in public life and that they would waste their vote: women were interested in trivia not serious policy.⁹³ In defence against these accusations, and as a primary claim of suffragists that women's conditions and character suffered under the domination of men, there appears a theme in the movements asserting the need for the vote so that women could *become* equal with men. Rather than a simple claim based on the inherent equality of women in liberal theory, this was an instrumental claim, that the vote would facilitate the expression of the natural equality of women and their unfettered individuality. This element of the claim is reflected as early as mid-century by Margaret Fuller Ossoli, in *Woman in the Nineteenth Century*. In a fictional interchange between a suffragist and a detractor, the detractor claims that he is the head, his wife the heart, of the household and that the heart is quite happy with no vote. The interchange concludes:

But our doubt is whether the heart *does* consent with the head, or only obeys its decrees with a passiveness that precludes the exercise of its natural powers, or a repugnance that turns sweet qualities to bitter, or a doubt that lays waste the fair occasions of life. It is to ascertain the truth that we propose some liberating measures.⁹⁴

91 Reported in *Tocsin*, 22 September 1898, quoted in Morris (ed), "Who'll Mind the Babies?" in Compton, *Crossfire* pxvii.

92 Kraditor, *Ideas of the Woman Suffrage Movement* p54. As the campaign continued even its opponents came to base their arguments on notions of equality. "It was a rare anti ... who [in the late nineteenth century] dared to rest his religious argument on woman's being the source of evil or cause of the Fall. ... the issue of abstract equality had been settled."

93 See for example anti-suffrage cartoons reproduced in Searle, *Silk and Calico: Class, Gender and the Vote* pp70-72.

94 Ossoli, *Woman in the Nineteenth Century* pp29-30. Emphasis original.

A similar idea was expressed by Sarah Grimke in the 1860's in a way suggestive of the contemporary concept of the second-class citizenship status of women. In "Condition of Women", she wrote:

There is no incentive to effort so great as equality. Any observer of human nature in family, in school, in society must have remarked the baneful influence which a sense of inferiority exerts, how it paralyses the hand and sickens the heart. This Upas is incessantly spreading its poisonous branches over woman, and until the rights of human beings are accorded to her, her powers never can be unfolded, or her faculties fully developed.⁹⁵

Thus, women claimed the right to vote on the basis that it was necessary to realise the liberal ideal of equality.

Citizen mother

In addition, a group of arguments very different from those based on universal entitlement emerged in the woman suffrage movements. Rather than an assertion of equality, or unconditioned right (such as the demand for inclusion), these other arguments focused on women's distinctive nature or capacity to contribute to society: a demand based on difference. At the first Woman Suffrage Convention in Washington DC in 1869, Elizabeth Cady Stanton said:

The same arguments made in this country for extending suffrage from time to time, to white men, native born citizens, without property and education, and to foreigners; the same used ... by the great Republican party to enfranchise a million black men in the South, all these arguments we have to-day to offer for woman, and one, in addition, stronger than all besides, the difference in man and woman. Because man and woman are the complement of one another, we need woman's thought in national affairs to make a safe and stable government.⁹⁶

In large part this "addition" of the idea of the distinctiveness of woman from man appears to have been in response to the refusal of legislators to heed the demands of universal claims. As discussed, in the United States a major shift in strategy was required after the exclusion of women from the protections of the Reconstruction Amendments.⁹⁷ Even radical advocates such as Stanton adopted a discourse of difference, as indicated in her

⁹⁵ Grimke, *Letters on the Equality of the Sexes* pp130-131.

⁹⁶ *History of Woman Suffrage* (Ayer edition) Vol II, p349.

⁹⁷ Du Bois, "Outgrowing the Compact of the Fathers: Equal Rights, Woman Suffrage, and the United States Constitution, 1820-1878" in Thelen (ed), *The Constitution and American Life* pp184-202.

speech above. However, the language of complementarity and natural difference in the role of the woman citizen was apparent in the suffrage movement from an early date.⁹⁸ As Gordon reasons, the rejection of women's distinctive roles in a society that offered no others would deprive women of all purpose and self esteem.⁹⁹

One of the main expressions of this claim of difference was the concept of the citizen mother: women had a unique contribution to make because of the insights gained from motherhood. Sarah Grimke wrote:

The acquaintance which women naturally acquire of the workings of the human heart, of the unfoldings and operations of the passions, of the affectional nature, by virtue of their office as mothers renders them peculiarly fit to select those who are to represent and watch over the interests and legislate for a Christian Community.¹⁰⁰

Motherhood was also asserted in answer to the arguments that women were not full citizens because they did not bear arms to protect the nation. Suffragists described the dangers and duties of child rearing as equivalent to, or analogous with, those borne by the citizen soldier. For example, Lucy Stone, the American feminist, is quoted in an Australian suffrage pamphlet: "Some woman perils her life for her country every time a soldier is born. Day and night she does picket duty by his cradle. For years she is his quartermaster and gathers his rations."¹⁰¹ Thus, the idea of citizenship based on maternity was, largely, a response to social structures and standards set according to male experience. It was, generally, a conservative and expedient claim for suffrage.

However, more radical claims were made based on the idea of motherhood. Marilyn Lake, for example, identifies a shift in the concept of the citizen mother in Australia in the early years of the century. At the time of federation Australia was a new and sparsely populated nation conscious of its vulnerability not only to greater economic and military powers but also to the vastness of the land itself. In this context, an image of the pioneering citizen mother ready to populate the country arose with the perceived need to strengthen the nation. Lake shows how in the early years of the nation this discourse of motherhood was appropriated by feminists in the Labor movement in order to realise the citizenship that suffrage had promised. Radical demands for State assistance for mothers were made, for

98 See for example Grimke, *Letters on the Equality of the Sexes* p128.

99 Gordon, "Voluntary Motherhood: The Beginnings of Feminist Birth Control Ideas in the United States" (1973) 1 *Feminist Studies* 19.

100 Grimke, *Letters on the Equality of the Sexes* p128.

101 Quoted in Oldfield, *Woman Suffrage in Australia: A Gift or a Struggle?* p189. In 1912, while introducing the Maternity Allowance, the Prime Minister of Australia, Andrew Fisher, declared: "Statistics show that maternity is more dangerous than war": *Argus* 5 September 1912 p12, quoted in Lake, "A Revolution in the Family: The Challenge and Contradiction of Maternal Citizenship in Australia" in Koven and Michel (eds), *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* p379.

example, in the successful (white)¹⁰² maternity allowance and the unsuccessful motherhood endowment.¹⁰³ Thus, claims were made on the basis of motherhood not merely as abstract rationales for the political right to vote, but as radical demands for economic equality. A strand of the early twentieth century suffrage movement in the United States made similar demands of equality and is discussed below in the section “The United States and African Americans”.

The citizen-reformer

Another way of characterising many of the arguments and activities of the woman suffrage movement is as a campaign by and for citizen reformers. This characterisation overlaps with other analyses already discussed. In some ways woman suffrage was always, as Aileen Kraditor describes it,¹⁰⁴ an expedient even if only in the sense that it was designed to achieve a more general equality with men. For some activists, however, in terms of the political campaign the vote for women was the end itself.¹⁰⁵ For others it was quite clearly an instrument to effect what they considered to be the principal end. For example, the WCTU in both countries adopted a platform of woman suffrage to facilitate its end of temperance (because reform of alcohol abuse was understood to be of particular concern to women); and the Labor movement in Australia advocated woman suffrage as part of its class struggle. Mary Lee wrote that women were asking for this right,

102 Aboriginal, Pacific Island, and Asian women were excluded from eligibility for the allowance. See section of this article “Australia and Aboriginal people” below.

103 Lake, “A Revolution in the Family: The Challenge and Contradiction of Maternal Citizenship in Australia” in Koven and Michel (eds), *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* pp378-395. Lake shows, too, how the radical claims for economic independence for mothers rebounded on the women's movement when, during the Depression, women's status as mothers became the basis for their exclusion from jobs. A discourse of equality, and entitlement on the same terms as men then ensued.

104 Kraditor, *Ideas of the Woman Suffrage Movement* pp45-46.

105 See Davis, *Women, Race and Class* (Random House, New York 1981) p80: “The women's rights leaders of the post-Civil War era tended to view the vote as an end in itself.” Sometimes the insistence on the primacy of the object of enfranchising women was also an attempt to dissociate from other aspects of the women's rights movement or to counter opponents' strategies designed to undermine the cause. This is reflected in Lucy Stone's comments at the Anniversary of the American Equal Rights Association in 1869: “I feel it is a mortal shame to give any foundation for the implication that we favour Free Loveism. ... There should be nothing said about it at all. Do not let us ... allow it to be hinted that we helped forge a shadow of a chain which comes in the name of Free Love. I am unwilling that it should be suggested that this great, sacred cause of ours means anything but what we have said it does”: *History of Woman Suffrage* (Ayer edition) Vol II, p389. For an analysis of whether suffrage meant merely voting, or entailed other rights of citizenship to post-Nineteenth Amendment courts in the United States, see Brown, “The Nineteenth Amendment and Women's Equality” (1993) 102 *Yale Law Journal* 2175.

not merely for themselves, but on behalf of their less privileged, less leisured sisters, that they may be enabled to raise and help those whose powers of thought and of self help are paralysed, nay, all but extinguished by 'that rage to live which makes all living strife'.¹⁰⁶

In addition to these instrumental approaches, the idea of the woman-reformer was embedded in suffrage arguments in various other ways. First, women had a special interest in certain kinds of social issues neglected by men. Those areas generally related to domestic matters and children, including liquor abuse and sex abuse of children and wives. For example, the chairman of the NAWSA's Committee on Church Work said, in 1909, that clergymen should support woman suffrage because,

it would augment the power of the churches to have an enfranchised womanhood to aid in carrying on the warfare against the liquor traffic, the white-slave traffic, child labor, impure food, and many other existing evils that depend upon legislative enactment.¹⁰⁷

In the Australian context, the assumption that women had special reform interests was reflected in opposition to government reforms made in the 1910's which supported women. The Government of the day was accused of framing a political budget which bribed the newly enfranchised women by providing the Maternity Allowance in 1912.¹⁰⁸ Women voters were mothers and a special interest group. As one opposition spokesman noted: "How else may we account for the belated appearance of the baby bonus?"¹⁰⁹

Second, woman as reformer was implicit in suffrage arguments in a more generalised way. Women, it was argued, have a special moral capacity arising sometimes from motherhood, sometimes from suffering, and sometimes from a notion of their femaleness. Sarah Grimke wrote:

For men to persist in occupying the whole field of lucrative employments of civil and political office deprives them of that softening influence which

106 *South Australian Register (Adelaide)* 11 July 1893, p3c, quoted in Mansutti (Compiler), *Read All About It: Women Suffrage Sources from the Newspapers of South Australia, 1885-1894* p119.

107 Craigie, quoted in Kraditor, *Ideas of the Woman Suffrage Movement* pp59-60.

108 Lake, "A Revolution in the Family: The Challenge and Contradiction of Maternal Citizenship in Australia" in Koven and Michel (eds), *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* p380.

109 Commonwealth, *Parliamentary Debates* Vol 65, 21 August 1912, p2454. See also the petition of the Womanhood Suffrage League of New South Wales to the Constitutional Convention in Adelaide in 1897: "Women are patriotic and law abiding citizens, taking an equal part in the religious and moral development of the people and doing more than half of the educational, charitable, and philanthropic work of society as at present constituted": *The Convention Debates* Vol III, p32.

would tend to render their virtues more effective and be a stimulus to moderation. ...

As society is deprived of the political, civil and ecclesiastical labors of woman, it is unquestionably defrauded of a purifying influence which could not but be felt in every department of government. Let the moral character of the women of the US bear testimony to their power of self-government.¹¹⁰

Finally, an even more diffuse idea of the woman-reformer, or at least woman as agent of reform, was embedded in suffrage arguments to the effect that until an equilibrium in the democracy was achieved by the participation of women in governing, the State would be somehow bad. Again, Sarah Grimke said:

It surely never was designed that women should always be the mere instrument of man's gratification. Was she not rather designed to act as a controlling power upon him and he upon her, each to correct in the other those propensities which when unbridled plunge us into confusion and disaster? There is a worm gnawing at the root of the tree of social life. Into whatever department you look, the withering blight is on the leaf and must be there until the two halves of the human family stand beside each other as equals.¹¹¹

In these ways, and by utilising images of the citizen-mother and the special qualities of femininity, women asserted their right to vote on the grounds that their enfranchisement would itself produce, or facilitate, reform.

RACE IN THE SUFFRAGE MOVEMENTS

At first glance it appears black-white race relations in the Australian and the United States suffrage movements could not be more different. The United States suffragists played an

110 Grimke, *Letters on the Equality of the Sexes* p128. See also, the National Woman Suffrage Convention in Washington DC, 1869 which: "Resolved, That as woman, in private life, in the partnership of marriage, is now the conservator of private morals, so woman in public life, in the partnership of a republican State, based upon Universal suffrage, will become the conservator of public morals": *History of Woman Suffrage* (Ayer edition) Vol II, p384.

111 Grimke, *Letters on the Equality of the Sexes* p128. Aileen Kraditor identifies a version of this idea (and the idea of women having special reform interests and skills) in the progressive era in the early twentieth century, to the effect that women's vote and participation in government was necessary to facilitate the role of the state as a "welfare agency". Arguments with the same themes were adapted with the changing role of government. Women were "specially fitted for modern municipal business, inasmuch as that business was large-scale housekeeping": Kraditor, *Ideas of the Woman Suffrage Movement* pp70-74.

active part in the Abolition movement and throughout the campaign there was a passionate, angry and, at times, bitter relationship between white suffrage leaders and those advocating, or prepared to accept, universal male suffrage. In Australia, there was, for the most part, a resounding silence in the suffrage movement on the question of Aboriginal enfranchisement. However, on closer examination some of the themes about race in the women's movements are the same in each country. Notably, in each country white women suffragists expressed racist views, and each movement excluded black women by basing its claim to right on a white woman's vision of citizenship.

Australia and Aboriginal People

As discussed, at the same time as “women” were included in the national franchise, established by the *Franchise Act* of 1902, “Aboriginal native[s] of Australia” were excluded, unless they were already entitled to vote in State elections. This meant that Aboriginal women in South Australia, but no other Aboriginal women,¹¹² were enfranchised. As white women were enfranchised for the purposes of State elections so were Aboriginal women, except in Western Australia and Queensland, where Aboriginal people were expressly excluded from voting.¹¹³

The Australian suffrage movement appears to have been an entirely white affair with virtually no consciousness on the part of its participants of their Aboriginal sisters. It would appear no Aboriginal women took part in the campaign but this may be a reflection of the record only. As is discussed below, Aboriginal women's experience has been largely ignored in white Australian histories. Audrey Oldfield has identified only one instance of overt exclusion of non-white women from the cause. The Queensland Woman's Equal Franchise Association in the 1890's admitted only white women as members.¹¹⁴ And Catherine Helen Spence, the South Australian activist, wrote, in 1893

112 As noted, at text accompanying note 62 some Aboriginal women and men were probably enfranchised in 1902 because they were excluded from the legal definition of Aboriginal persons.

113 Therefore, by 1908, when Victoria provided for woman suffrage, all Aboriginal and white women in Australia were formally enfranchised except those living in Western Australia and Queensland. Exclusion from substantive citizenship continued, however, even on the national level. For example, as noted earlier, Aboriginal women, and also Asian and Pacific Island women, were excluded from the federal provision of maternity allowance in 1912. At the same time, children of Aboriginal women were systematically taken from their families by the state. See for example the regime for the regulation of Aboriginal families' lives established in the Western Australian *Aborigines Act* 1905; and for a report on the legacies of that regulation see: *Telling Our Story: A Report by the Aboriginal Legal Service of Western Australia (Inc) on the Removal of Aboriginal Children from their Families in Western Australia* (Aboriginal Legal Service of Western Australia, Perth WA 1995).

114 Oldfield, *Women Suffrage in Australia: A Gift or a Struggle?* p65. The exclusion illustrates a dissonance familiar in other contexts between the Labor cause and race consciousness. The Queensland organisation was carried by committed Labor women,

after she met with Harriet Tubman and William Lloyd Garrison on her visit to the United States that she had become “a little ashamed of being so narrow in [her] views on the coloured question”.¹¹⁵ Similarly, express reference to Aboriginal women in connection to woman suffrage was rare among the movement's opponents, however, it did surface during the 1902 House of Representative debates on the proposal to exclude Aboriginal people from national franchise. In support of the exclusion one Parliamentarian engaged in cruel racism to ridicule woman suffrage generally:

If anything could tend to make the concession of female suffrage worse than it is in the minds of some people, it would be the giving of it to any of the numerous [...¹¹⁶] of the blackfellows. It cannot be claimed ... that the Aboriginal native is a person of very high intelligence, who would cast his vote with a proper sense of the responsibility that rests upon him. And it can even less be claimed that the [...] would give a vote which would be intelligent.¹¹⁷

The most striking aspect of the relationship between the Australian woman suffrage movement and Aboriginal people is, however, its resounding absence from recorded history in any conscious form. In the main, white women appear to have assumed, rather than asserted, their higher entitlement and there was no movement for the enfranchisement of Aboriginal people (as there was for the enfranchisement of African Americans in the United States) strong enough to challenge this assumption. It seems that virtually no contest occurred at the Constitutional Conventions about national Aboriginal franchise and moreover any discussion of “woman” suffrage, as something the States may choose to implement, clearly referred only to white women.¹¹⁸ However, that no express reference

such as Emma Miller, but the demand for equality in “class” and “gender” clearly did not translate into an awareness of the needs of non-white women.

115 Quoted in Magarey, *Unbridling the Tongues of Women: A Biography of Catherine Helen Spence* p166. Magarey notes, at p167, that Spence does not seem to have thought of applying her broadened awareness to the racial exploitation and dispossession at home.

116 The word here is “gins”, in white Australian usage a vicious misogynist and racist description of Aboriginal women. I have not included it in the text in an attempt to avoid any endorsement of its use.

117 Sir Edward Braddon, Commonwealth, *Parliamentary Debates* Vol 9, 24 April 1902, p11977. Sir Edward Braddon is known as one of the “Founding Fathers” of Australia and a member of the Constitutional Conventions which drafted the Australian Constitution the previous decade.

118 The prevailing conceptions of both woman's and Aboriginal citizenship were made clear in the Convention debate on the clause designed to exclude Aboriginal people from the number of people residing in a state for the purposes of calculating state representation in the Federal Parliament. The clause excluded all those from a race who were excluded from voting. There was concern at the Sydney Convention in 1897 that the clause may be read to exclude white women and children from being counted because they could not vote. The unanimous concern was how the clause would be read. There was no disagreement

was made to Aboriginal woman suffrage does not mean that the movement was not distinctly “raced”. The arguments for woman suffrage, and the vision of society implicit in them, were those of a white western society. The liberal argument for radical equality among individuals was perhaps the one most capable of encompassing Aboriginal women, but the failure to insist on the inclusion of Aboriginal women, in light of their drastically different and disadvantaged condition in Australian society,¹¹⁹ means that even this argument cannot have been understood to relate to black women. Moreover, the liberal individualism underlying the claim bore no relationship to Aboriginal social organisation. Other arguments of the suffrage movement, based on notions of woman's distinct contribution including motherhood and more generalised notions of her “femaleness”, as discussed above, were, as I will show, even more specifically visions of a white liberal society from which Aboriginal women were smoothly and silently excluded. As Marilyn Lake states:

Campaigns invoking the concept of the ‘mother of the race’ and utilising the strategy of maternal citizenship to promote white working-class women's interests effectively, if unthinkingly, defined black women as ineligible, first for motherhood and, as a corollary, for citizenship.¹²⁰

The absence of recognition in the suffrage movement of Aboriginal women's entitlement to vote and the latent (and sometimes express) racism in suffrage arguments reflects the broader Australian society in the late nineteenth century. White women who were supporters of the movement for their own enfranchisement lived in a society in which practical acts of violence against, and dispossession (of land and community) of, Aboriginal people were accompanied by a silence about Aboriginal experience. Until the 1970's early Australian society from an Aboriginal perspective was virtually absent in history books, and then it was Aboriginal men's experience which began to be recorded. Only very recently has Aboriginal women's history of Australia received attention from publishing historians.¹²¹ Traditionally, Aboriginal culture has been constructed as grossly deviant and the deviance has, in turn, been used to justify the exclusion of Aboriginal people from white Australian society. Moreover, the terms in which Aboriginal deviance was understood often centred on such things as sexuality and gender relations - social

about the naturalness of the fact that blacks would not be counted and women could not vote: *The Convention Debates* Vol II, p453.

119 See, for example, Huggins and Blake, “Protection or Persecution? Gender Relations in the Era of Racial Segregation” in Saunders and Evans (eds), *Gender Relations in Australia* (Harcourt Brace Jovanovich, Sydney 1992) pp42-58.

120 Lake, “A Revolution in the Family: The Challenge and Contradiction of Maternal Citizenship in Australia” in Koven and Michel (eds), *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* p380.

121 Jebb and Haebich, “Across the Great Divide: Gender Relations on Australian Frontiers” in Saunders and Evans (eds), *Gender Relations in Australia* (Harcourt Brace Jovanovich, Sydney 1992) pp21-35.

indicia which were, as we have seen, the very concepts which underscored the suffrage movement. For example, Jebb and Haebich state:

Failure to understand gender relationships of the frontier fully is partly explained by the construction of Aboriginal gender relations as necessarily immoral - a sign of savagery and insignificance. Such issues as Aboriginal men's ownership of women, polygamy, child brides, women's profanity, male violence to Aboriginal women and, importantly, Aboriginal women's often-mentioned promiscuity, have been taken as pervasive indicators of black 'culture'.¹²²

Moreover, the recently emerging Aboriginal women's histories focus for the first time on the participation by white women in racist oppression of Aboriginal women. Jackie Huggins and Thom Blake write that many Aboriginal women on Australian frontiers received greater abuse from white women than white men.¹²³ And Myrna Tonkinson reports that:

No Aboriginal woman whose story I have elicited has reported anything that could be described as friendship based on equality with a white woman. Rather there are relationships of mistress and servant, custodian and charge, teacher and pupil, occasionally mentor and protégé, or co-worker. Often they were rivals. ... That white men had access to both did nothing to bridge the gap.¹²⁴

Thus, although in the main there was a silence in the woman suffrage movement in Australia about race, and particularly about Aboriginal women's right to vote, there were some overt acts of discrimination in, and associated with, the campaign pointing in some instances to a deep and vicious rejection of Aboriginal women. Moreover, the supporters and beneficiaries of the campaign were members of a society in which pervasive racism was directed at Aboriginal women and men. In this context the arguments employed by suffragists effected and perpetuated a general exclusion of black women.

The United States and African Americans

The judicial construction of the respective status of "blacks" and "women" relating to citizenship and voting in nineteenth century United States has an Escher-like quality. One line of logic leads seamlessly into another, yet is connected in an impossible way. Blacks,

122 At p30.

123 Huggins and Blake, "Protection or Persecution? Gender Relations in the Era of Racial Segregation" in Saunders and Evans (eds), *Gender Relations in Australia* pp54-55.

124 "Sisterhood or Aboriginal Servitude? Black Women and White Women on the Australian Frontier" (1988) 12 *Aboriginal History* 27, at 38-39.

free or slaves, were not citizens,¹²⁵ but if they were made citizens other rights associated with citizenship might follow.¹²⁶ Women, on the other hand, were citizens but enjoyed only some civil rights, which did not include voting.¹²⁷ Moreover, the constructions taken together leave black women out of account completely. The reasoning of the court in *The Commonwealth v Welosky*,¹²⁸ in which the conviction of a woman tried by an all male jury was upheld, is illustrative of the democratic dilemma. In explaining why women were not automatically eligible for jury duty as a result of their enfranchisement by the Nineteenth Amendment, the court said that, whereas when other groups of people were enfranchised for the first time the one pool of electors was simply enlarged (because they were all men), however, when women were enfranchised “an entirely new class of human beings” had suffrage conferred upon them.¹²⁹ This tortured vision of democracy reflected the political and social relations of late nineteenth century United States generally and the suffrage movement in particular.¹³⁰ Themes of the connecting principles of justice and equality, racism, and the constructed contest between claims to entitlement were all present in the woman suffrage movement.

Like the Australian campaign, the United States woman suffrage movement was largely a white affair in terms of the members of activist organisations and the images fostered along with the interests pursued. However, a major difference is that black women are known to have participated actively in the movement, a number very prominently. Sojourner Truth is one of the most well known. She was born a slave in the Hudson River valley in New York in about 1797 and was freed under New York State law in 1827. She

125 *Dred Scott v Sandford* 60 US (19 How) 393 (1857).

126 *Strauder v West Virginia* 100 US 303 (1879).

127 *Minor v Happersett* 88 US 162 (1874).

128 177 NE 656 (1931).

129 At 661. A recognition of the distortion of reason in relation to race is seen in a statement by Henry Ward Beecher at a post-Civil War American Equal Rights Association convention in 1867. He said: “All my lifetime the great trouble has been that in merely speculative things theologians have been such furious logicians, have picked up their premises and rushed with them ... to such remote conclusions, that in the region of ideas our logical minds have become accustomed to draw results as remote as the very eternities from any premises given. My difficulty on the other hand, has been that in practical matters, owing to the existence of this great mephitic swamp of slavery, men have been utterly unwilling to draw conclusions at all; and that the most familiar principles of political economy or politics have been enunciated, and then always docked off short”: *History of Woman Suffrage* (Ayer edition) Vol II, p217.

130 These themes of total exclusion of blacks as pariahs to “civilization” and the partial, conditioned inclusion of (white) women as constitutive of “civilization” was not unique to the United States among white western countries of course. With respect to Australia see for example note 105. However, the expression of it appears to have been more overt in the United States than in the Australian colonies because of the greater consciousness of race resulting from the formalised system of slavery and its abolition through the Civil War.

came to the suffrage movement as a preacher and from Abolitionism.¹³¹ Her first recorded contact with the woman suffrage movement was at a suffrage convention in Ohio in 1851, in which she is said to have rebutted anti-suffrage arguments with a demand for recognition of the radical equality of not only white but black and poor women also. She is said to have asked her now-famous, rhetorical question “And ain't I a woman?”, demanding attention be paid to her blackness, her slavery, and her physical strength the result of hard labouring work.¹³² Truth was active on abolitionist and suffrage platforms in the 1850's until the 1870's. She has been described as the symbol of “the connection of sex and race in liberal form”.¹³³

Enormously influential black women such as Sojourner Truth, and also Harriet Tubman and Mary Church Terrell, participated in the American suffrage movement. However, the record of black women's involvement is largely dependent¹³⁴ on decisions made by non-black women who led the campaigns and had greater access to the means of recording the process. *History of Woman's Suffrage* refers to more than a dozen black women who took part in the movement.¹³⁵ For example, Mary Ann Shad Carey was a member of the business committee for the NAWSA at the 1877 Convention in Washington.¹³⁶ Her involvement was over an extremely long period since she signed the Declaration of Sentiments at Seneca Falls.¹³⁷ And Coralee Cook spoke at Susan B Anthony's eightieth birthday party in 1900. She offered Anthony congratulations: “[on] behalf of the thousands who sit in darkness and whose condition we shall expect [woman's] ballots to better, whether they be in the hands of white or black”.¹³⁸

Thus, unlike in Australia, there is some record of the part black women played in the woman suffrage movement. But, because accounts of the campaign do not generally reflect the perspective of black women, it is impossible to estimate how many took part and what influence they in fact had.

131 Painter, “Difference, Slavery, and Memory: Sojourner Truth in Feminist Abolitionism” in Fagan Yellin and Van Horne (eds), *The Abolitionist Sisterhood: Women's Political Culture in Antebellum America* pp143-148.

132 *History of Woman Suffrage* (Ayer edition) Vol I, pp115-117.

133 Painter, “Difference, Slavery and Memory: Sojourner Truth in Feminist Abolitionism” in Fagan Yellin and Van Horne (eds), *The Abolitionist Sisterhood: Women's Political Culture in Antebellum America* p140.

134 Though not entirely dependent. For example, Sojourner Truth published her own story and was selling copies of it at the convention referred to in the text: *History of Woman Suffrage* (Ayer edition) Vol I, p115.

135 For an index of references to these women see Fagan Yellin, “Afro-American Women, 1800-1910: Excerpts from a Working Bibliography” in Hull, Bell Scott and Smith, *All the Women are White, All the Blacks are Men But Some of Us Are Brave* (The Feminist Press, Old Westbury, NY 1982) p244.

136 *History of Woman Suffrage* (Arno edition) Vol III, p61.

137 At 955.

138 At Vol IV, p399.

Many of the white women in the American suffrage movement, as has been noted, came from the Abolitionist movement, in which they learned principles of equality and the trade of political campaigning. However, contemporary critical race analyses of the suffrage movement have pointed out its deeply racist aspects, both generally and on the part of particular suffrage leaders. Such racism took several forms. First, prominent leaders revealed overtly racist views. For instance, Elizabeth Cady Stanton said, in response to the proposed Reconstruction Amendments:

The representative women of the nation have done their uttermost for the last thirty years to secure freedom for the negro; and as long as he was lowest in the scale of being we were willing to press *his* claims; but now as the celestial gate to civil rights is slowly moving on its hinges, it becomes a serious question whether we had better stand aside and see [...¹³⁹] walk into the kingdom first. ...

In fact, it is better to be the slave of an educated white man, than of a degraded, ignorant black one.¹⁴⁰

The decision not to support the Fourteenth Amendment unless it included women could quite clearly have been strategic,¹⁴¹ but as Angela Davis says, the language some of the activists used betrays an unmistakable racism.¹⁴²

Second, alliances which were made suggest an endorsement of racism. For instance, Elizabeth Stanton and Susan Anthony toured with and at the expense of George Francis Train, a democrat, who was a professed hater of blacks but a supporter of women's right to

139 The word here is “Sambo”. Again, omission from the text is an attempt to avoid any endorsement of its use.

140 *History of Woman Suffrage* (Ayer edition) Vol II, p94.

141 See Sojourner Truth: “There is a great stir about the colored men getting their rights, but not a word about the colored women; and if colored men get their rights, and not colored women theirs, you see the colored men will be masters over the women, and it will be just as bad as it was before. So I am for keeping the thing going while things are stirring; because if we wait till it is still, it will take a great while to get it going again”: *History of Woman Suffrage* (Ayer edition) Vol II, p193.

142 Davis, *Women, Race and Class* p76. Other suffragists spoke differently. For example, Abby Kelly Foster said, in response to the idea that enfranchisement of blacks, without women, should not be supported: “Were the negro and woman in the same civil, social, and religious status to-day, I should respond aye, with all my heart to this sentiment. What are the facts? ... [The negro] is treated as a slave to-day in the several districts of the South. Without wages, without family rights, whipped and beaten by thousands, given up to the most horrible outrages. ... Have we any sense of true justice, are we not dead to the sentiment of humanity if we shall wish to postpone his security against present woes and future enslavement till woman shall obtain political rights?”: *History of Woman Suffrage* (Ayer edition) Vol II, p216.

vote.¹⁴³ A third way in which a racist view was expressed was in the sometimes unconscious privileging of white women's right to vote, by the glorification of womanhood in comparison with African Americans. At times this kind of racism appears to have been both revealed and encouraged by the politically constructed opposition between black and woman's vote. For example, Henry Ward Beecher, a strong supporter of both rights said in response to the exclusion of women from the proposed Fourteenth Amendment:

Now place this great army of refined and cultivated women on the one side, and on the other side the rising cloud of emancipated Africans ... - shall we take them and say, 'They are not, after all, fit to vote where the Irishman votes, and where the African votes?' ...

It is more important that woman should vote than that the black man should vote. It is important that he should vote, that the principle may be vindicated, and that humanity may be defended; but it is important that woman should vote, not for her sake. She will derive benefit from voting; but it is not on a selfish ground that I claim the right of suffrage for her. It is God's growing and least disclosed area of a true human society that man and woman should not be divorced in political affairs any more than they are in religious and social affairs.¹⁴⁴

These instances of racism indicate that some suffrage proponents had not developed an awareness of race oppression to the extent that they understood (white) sex oppression and this was revealed expressly and impliedly in both statements and behaviour.¹⁴⁵ However, apart from specific statements or overt instances of racism there are more generalised omissions and constructions underlying the movement which indicate that the American campaign (like the Australian campaign) was an expression of white women's aspirations and demands. Two aspects of such an analysis can be noted. First, there were few black

143 Davis, *Women, Race and Class* pp81-82.

144 *History of Woman Suffrage* (Ayer edition) Vol II, p159. Emphasis original. See also at p316: "[Educated voters] saw that with the incoming tide of ignorant voters from Southern plantations ... the Government needed the intelligent votes and moral influence of women to outweigh the ignorance and vice crowding round our polling booths."

145 This is not to say that other elements of the period are not significant for a reading of the movement. First, both black and white women faced sexism within the equal rights movement. From its early years the Abolition movement discriminated against women, for example, in their exclusion from the first World Anti-Slavery Convention and in continued opposition to woman suffrage by both black and white men in the Reconstruction era: *History of Woman Suffrage* (Ayer edition) Vol II, pp229-244. Second, some black suffragists continued to endorse the movement throughout its life: for instance, Mary Church Terrell, Coralee Cook, Sojourner Truth and others. Third, much of the most strident anti-black sentiment came either in a political climate in which woman suffrage was threatened with exclusion so that an imperative to make it special and important arose, or after exclusion, giving rise to fury on the part of some suffragists. These factors do not eliminate a reading of racism but can be seen as background to its expression.

women in positions of influence in the movement, yet generally speaking it was left to these women to speak about the importance of race as well as sex in suffrage demands. Moreover, the importance of race for woman suffrage is evident in the fact that very rarely did suffragists of colour speak of any aspect of the campaign without a significant focus on the position of black women or of black people generally. For example, at the Annual Convention of the NAWSA in 1904, during a discussion of children's and animal rights, Mary Church Terrell urged support of black people:

You will never get suffrage until the sense of justice has been so developed in men that they will give fair play to the coloured race ... My sisters of the dominant race, stand up not only for the oppressed sex but also for the oppressed race!¹⁴⁶

Further, buried in a note in *History of Woman Suffrage*, Sylvania Williams, a black woman who was President of the Phyllis Wheatley Club for Coloured Women in New Orleans, urged support for black women when presenting Susan Anthony with flowers after Anthony had come to speak at the club. The statement reveals the tension in black and white women's relationship in the demand for rights.

When women like you, Miss Anthony, come to see us and speak to us it helps us to believe in the Fatherhood of God and the Brotherhood of Man, and at least for the time being, in the sympathy of woman.¹⁴⁷

And likening women to flowers, Williams said:

Some flowers are fragile and delicate, some strong and hardy, ... others are rough treated and trodden underfoot. These last are the coloured women.¹⁴⁸

So, although race was vitally important to woman suffrage, generally speaking the movement left it to the women of colour who were active participants to promote this issue.

A second way in which a generalised absence in expressions of the suffrage movement reveals a white-race bias is again, as with the Australian movement, in the construction of images of woman which describe a white experience. This is especially evident in the later stages of the campaign, when arguments based on women's difference took precedence.

146 *History of Woman Suffrage* (Arno edition) Vol V, pp105-106.

147 At 60.

148 As above.

There "lurked [w]ithin the word 'mother', as used by many reformers and makers of public policy, ... the referent 'white'".¹⁴⁹

Eileen Boris, however, suggests a dimension of black activists' use of images of womanhood, especially the concept of mother in early twentieth century America, which modifies the interpretation of the simple exclusion of black women. She suggests that although many black activists in the early years of this century adopted the discourse of white womanhood (the aspirations for the self-sacrificing, noble, good and sexually pure) the very assertion of those aspirations in the face of black women's exclusion from "true womanhood", as a result of their blackness and their slave heritage, actually functioned to subvert the roles which the dominant society wished them to fill. That is to say, white women's reliance on these images of woman and motherhood was continuous with the constructions used in policy and law which effected their subordination, whereas reliance on them by black women was itself a challenge to the images.¹⁵⁰ Such dissonance becomes a political statement in itself. This is a replay of the entrance of Sojourner Truth in the suffrage movement fifty years earlier. The notion of whiteness inherent in such constructs, as well as their gendered nature, is revealed by juxtaposing the image with the reality of the person who is formally included and yet actually excluded.

Thus, in conclusion, the American woman suffrage movement had an intense relationship with the campaign for race equality for African Americans. It was inspired by that campaign, however, bitter conflict arose as a result of the broader political climate which not only worked to pit one claim to equality against the other but also revealed the conscious and unconscious racism internal to the suffrage movement. The American movement appears at first to have had a very different relationship with questions of race from the Australian movement, but, on closer examination, many of the issues were the same and were even played out in similar ways.

CONCLUSION

The Australian woman suffrage movement began well after, and ended well before, the United States movement. Different conditions prevailed in each country so the progress to women's enfranchisement was markedly different in some ways. The theory that votes were "given" to women in Australia is inaccurate but the progress of the campaign for the national vote was smooth compared to that in the United States. A number of factors contributed to this smooth development so far as Australia was concerned include: the intellectual climate of the late nineteenth century which endorsed the value of equality, coinciding with the political creation of the country. Suffragists' demand for the enfranchisement of women was active at the time of the Constitutional Conventions in the

149 Boris, "The Power of Motherhood: Black and White Activist Women Redefine the Political" in Koven and Michel (eds), *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (Routledge, New York 1993) p215.

150 At pp215-218.

1890's and its connection with values of democracy and equality was sufficiently obvious for its total rejection as a part of the new nation to be untenable. Political exigencies of other kinds also played into the success, including the fact that some women were already enfranchised on a State level so that issues of States' rights played in women's favour. And, unlike in the United States, there was no significant movement for the liberation of Aboriginal people from their social and legal oppressions which could be construed in opposition to woman suffrage. In the United States, on the other hand, the battle for woman suffrage was long and hard. The movement for emancipation of African Americans inspired the beginnings of the woman suffrage movement and then the political circumstances surrounding the campaign for race equality had the effect of prolonging the fight for women's right to vote when black men, but no women, were included in the constitutional reform following the Civil War.

Despite the differences in circumstances of the two countries the arguments and ideas asserted by each movement were remarkably similar. With their source in liberal political theory each movement utilised and challenged not only the values of individual freedom and equality but also woman's role in liberal society. The major images I have identified of the woman voter promoted by each of the campaigns are: the citizen-individual - woman as equal to man or as *potentially* equal with him; the citizen-mother; and the citizen-reformer. These indications of suffragists' self-understanding show that the woman suffrage campaigns in Australia and the United States can be considered branches of the same movement - for the enfranchisement of (white) western women.

Finally, I have discussed how the movements appear at first to be very different with respect to the question of race relations between black and white peoples in each country. Indeed, the political progress of the campaign in the United States due to the Civil War; the involvement of suffragists in the equal rights campaigns for blacks; and the prominent involvement of some black women in the suffrage movement, were elements very different from any existing in the Australian campaign. However, once the movements are examined for themes of race beyond these differences, there are significant similarities. Aspects of each movement actively excluded the interests of black women, and black people generally, both consciously and unconsciously. In addition, both movements were driven by an appreciation of and impetus to achieve visions of equality for women, which were, in reality, those of white and not black women. In this way the suffrage movements participated in the exclusion of black women which was effected by American and Australian societies generally.