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### Coverture: the Unexpected Feminist Icon

“The personal is political.” This was the rallying cry of second-wave feminists in the late 1960’s (Nicholson 85). It was popularized by an essay with the same title written by American feminist Carol Hanisch (Hanisch). The essay was published in 1970, at the height of the women’s liberation movement, which was grounded in the belief that the personal problems of a woman, including those regarding wifehood, had political importance (Rogan and Budgeon 3). As expressed in the epochal piece of writing, this phrase means that the personal life of an individual is directly and completely impacted by the policies of their government (appendix A). Thus the distinction between what is personal and what is political is blurred, if it exists at all. While this slogan became popular only fifty years ago, it is a truth that American women have experienced since the nation’s founding. Women’s political rights, including suffrage, have varied over time and depending on location in the United States. In the early American republic, the time period spanning from approximately 1780 to 1830, women’s role in governmental and social spheres was particularly interesting, especially when viewed through the lens of the intersection between the personal and political. Coverture, a legal doctrine adopted from British common law by many states at this time, placed a married woman’s legal status under the authority of her husband. This acted to rid women of a political voice and confine them to the social sphere. However, because of the overlap between the personal and political domains, it

was not entirely successful. In the early American republic, coverture placed wealthy married women in a distinct social position that fortuitously equipped them with the ability to greatly impact government.

Coverture severely limited women's rights by denying them legal existence separate from their husband's. The extent to which this happened varied across the country because it was the states that decided who was granted suffrage after the Revolutionary War. For instance, Pennsylvania, Maryland, Delaware, and North Carolina defined voters as "freemen" while Georgia defined them as "white male inhabitants" (Klinghoffer and Elkis 159). In New Jersey's case, the criteria did not explicitly exclude women, however the customs of coverture prevented married women from voting. Article 4 of New Jersey's 1776 Constitution grants voting rights to any person who had been a resident of the respective county for a year leading up to an election and who was worth fifty pounds (appendix B). The reason married women couldn't vote under this law is because coverture prohibited them from meeting either criterion. Firstly, residency was complicated for married women. Under the tradition of coverture, a woman takes on the settlement of her husband and loses her own, sometimes even making her a foreigner by law in her own home town (Kerber 142). This made it difficult for a married woman to claim a year-long residency, the first criterion. Regarding the second, property ownership of married women was "invariably limited" (Klinghoffer and Elkis 160). Coverture entailed that "a married pair might express one will to the outside world - the husband's: therefore a married woman had no independent control of her property" (Kerber 120). A woman's property became her husband's once she married, making it impossible for her to have fifty pounds to her name, the second criterion. Because political rights stemmed from property ownership, married women

were denied these rights (120). Nevertheless, property was not the only thing that went under the husband's jurisdiction upon marriage. According to traditional British common law, husband and wife were referred to as "Baron and Feme," lord and woman, to reflect the husband's authority over his wife; her husband was her king (119). In colonial times, if a husband killed his wife, he had committed murder, but if a wife killed her husband, she had committed treason. Although that was no longer the case by the mid 18th century, "the implication that there was a political as well as a private feature to a woman's relationship with her husband persisted" (120). This, in essence, is what coverture was. By getting married, a woman lost her right to vote, own property, and be independent from her husband. This prevented women from directly and officially interacting with the government in an attempt to restrict them to familial, personal, and social duties. However, in the world of Washington's elite during the early republic, that actually afforded certain married women access to a position with tremendous potential political influence.

Washington, the soon-to-be capital of the country, was governed by a network of social ties. In the early republic, status was directly related to one's position in government. Because so few had any great fortune at that time, "public office was a requisite for any man who wanted a place at the top of society" (Allgor 51). This made Washington the prime destination for ambitious men; it was where they could go to become successful and powerful. Because of the nature of coverture, a woman's future was heavily defined by who she married. Soon, the accumulation of accomplished men brought families with marriageable daughters, nieces, sisters, and cousins to Washington. There, members of Congress often married the daughters of another political leader or a wealthy family (Earman 105). The city was even once referred to as, "the

most marrying place of the whole continent” (qtd. in Earman 105). It is not a coincidence that the seat of government bore this title. Social ties - especially marriage - facilitated politics in more ways than one, despite coverture’s intention to separate the two.

One of the most notable ways marriage and other social ties appeared in politics is through the practice of patronage. In the context of the early republic, patronage refers to the advocating for an individual to gain a governmental position in exchange for that individual’s political support. While most men and women in Washington’s elite participated in patronage, historians have found the most available documentation of how the whole practice functioned in Dolley Madison’s correspondence (Allgor 53). Brothers, sisters, cousins, and mothers of young men - or the individual himself - would reach out to Mrs. Madison and request her assistance. Edward Coles, for instance, was James Madison’s private secretary (56) when he wrote to Dolley on behalf of his cousin Walter's possible employment as a first lieutenant (appendix C). There’s a reason Coles didn’t request help directly from his boss, James Madison, and instead went to James’s wife. Women being the “chief patronage players” is in fact a key characteristic of this time. Men in politics could not involve themselves in this business because their dedication to “republican purity” meant they had to pretend there was no intersection between the personal and political (Allgor 41). Thomas Jefferson, James Madison, and other “pure republicans” had a great distrust of patronage and associated it with the corruption of Old World politics - what they wanted to stray from. However, they soon learned that they needed patronage in order to maintain the loyalty of their supporters (50). Because patronage was both necessary to the government and exclusive to women, a uniquely gentle language became distinctive of American patronage customs. Using familial and personal matters in letters softened the requests for power

and allowed for women's involvement to be deemed more appropriate (60). These transactions proved to be the most successful: those that occurred within informal and unofficial ties and which were done by women (52). Ultimately, however, it was only a male government official who could actually dispense the job (59). The prevalence of this process in the political careers of early republic government officials is a testament to the importance of women's involvement in politics at this time. The system of coverture allowed women to interact with politics in a very necessary way without damaging the facade of purity so many politicians strived for.

Nevertheless, the social interactions of these same politicians in spaces curated by women induced essential political discourse. Washington society officially rejected European aristocratic grace but secretly, they craved it (Sharlet). In this sector of (seemingly) private life, Dolley Madison excels again. She knew how to influence politics using the social sphere (Carlisle), and that is what she did. Dolley hosted Wednesday night parties (Sharlet), which attracted roughly 500 guests (Fleming). These parties were so popular and crowded that they came to be known as "squeezes" (Earman 10). Dolley was an expert when it came to designing a productive social atmosphere, and she took the look of her drawing room seriously. Benjamin Henry Latrobe, an architect and designer - and the husband of Dolley's childhood friend - helped her design the White House's drawing room, the setting of these parties. Dolley and Latrobe wrote letters back and forth discussing chairs, carpets, curtains, and more (appendix D) that evince her attention to detail. The intentionality in curating a relaxing ambience is what made her parties a success. The atmosphere required civility, which enabled interaction and peaceful dialogue between political adversaries (Carlisle). While congressmen argued passionately elsewhere, they were "willing to discuss compromise and conciliation" within the walls of

Dolley's drawing room (Fleming). By partaking in these discussions, women like Dolley Madison were able to directly voice their opinions to politicians in a setting where they were likely to listen. The attempted restriction of women to the social sphere by coverture laws in effect provided them the opportunity to orchestrate these situations and influence the men in public office.

In some cases, a woman's social prowess at events like these played a key role in her husband's political career. Once again, Dolley Madison is the perfect case study for this phenomenon. She had the remarkable skill of remembering someone by name after only having heard it once (Earman 107). Her parties contrasted her "easy sociability with the cautious, closed personality of her husband" (111). Criticisms of James Madison abounded, especially in regards to his battlefield defeats. He was even nicknamed "Little Jemmy" and rumored to be impotent. However, Dolley faced no such criticisms and was in fact *admired* by the public (Fleming). Coverture had influenced the cultural understanding of marriage: man and woman became one. This meant that the juxtaposition of Dolley's social aptitude and James's lack thereof didn't exaggerate James's "faults," it balanced them. Dolley was her husband's "political partner" (Fleming), and whatever positive attributes she presented would be associated with her husband, to his benefit. However, a strategic hostess could benefit her husband's career in other ways as well. John Quincy Adams's wife, Louisa Catherine Adams, was born in London and had extensively traveled Europe, which gave her knowledge of their aristocratic customs (Freeman). Her husband also had served as an ambassador in foreign courts for years before beginning a political career in the United States (Sharlet). John's inexperience in Washington's political and social landscape would have been an obstacle had it not been paired with Louisa's expert hostess

abilities. Louisa Catherina Adams invited people to her parties by the season, meaning they were making a commitment to attending and thus also to supporting her husband (Sharlet). Some historians argue that John Quincy Adams's win of the 1825 presidential election should be credited to his wife because of the loyal supporters that her parties produced (Freeman). Louisa herself felt she deserved recognition. She was irritated by the blurry distinction between what was political and what was personal, as she expressed in her many diaries and poems. She lamented "being told that I cannot by the Constitution have any share in the public honors of my husband" (qtd. in Freeman). When considering the impact that something as allegedly apolitical as a party had on politics, it is easy to understand her frustration.

In conclusion, some women were able to circumvent the restrictions posed by coverture laws in the early republic and greatly influence government. Coverture's intended restriction of women to the social sphere made it so that all of married women's involvement in politics was indirect. White women from Washington's elite were able to use this position to their advantage, however, because social ties held great importance in the politics of this era. Women were responsible for the employment of many government officials through patronage. This process was almost exclusive to women because of the taboo of the personal and political overlap. Women's societal duties also involved hosting parties, which had tremendous impacts on government. This happened both by facilitating discussion with politicians where women could participate and advancing the political careers of the hostess's husband by being sociable or maintaining the loyalty of one's guests. When looking closely at Washington's society in the early republic, one thing becomes clear: there has always been an intersection between what is personal and what is political. Women, in particular, have lived at this intersection; they have

experienced the friction that exists there. The women discussed in this essay had the possibility to influence politics through access to the political sphere, granted to them because they were wealthy and white. These qualities, among others, afforded them proximity to powerful men, which was crucial in overcoming the obstacles posed by coverture laws. With this in mind, similarities can be noticed in the modern day. Whiteness, maleness, and wealth are only a few of the modern-day privileges that benefit some members of American society. When looking at systems of oppression, like coverture, these privileges can be the difference between having a political voice and being silenced. History teaches us that inequalities like these have an adverse effect on our government. Therefore, it is our duty as historians to recognize and to reveal them.

## Appendix A - "The Personal is Political" by Carol Hanisch, 1970

For this paper I want to stick pretty close to an aspect of the Left debate commonly talked about—namely “therapy” vs. “therapy and politics.” Another name for it is “personal” vs. “political” and it has other names, I suspect, as it has developed across the country. I haven’t gotten over to visit the New Orleans group yet, but I have been participating in groups in New York and Gainesville for more than a year. Both of these groups have been called “therapy” and “personal” groups by women who consider themselves “more political.” So I must speak about so-called therapy groups from my own experience.

The very word “therapy” is obviously a misnomer if carried to its logical conclusion. Therapy assumes that someone is sick and that there is a cure, e.g., a personal solution. I am greatly offended that I or any other woman is thought to need therapy in the first place. Women are messed over, not messed up! We need to change the objective conditions, not adjust to them. Therapy is adjusting to your bad personal alternative.

We have not done much trying to solve immediate personal problems of women in the group. We’ve mostly picked topics by two methods: In a small group it is possible for us to take turns bringing questions to the meeting (like, Which do/did you prefer, a girl or a boy baby or no children, and why? What happens to your relationship if your man makes more money than you? Less than you?). Then we go around the room answering the questions from our personal experiences. Everybody talks that way. At the end of the meeting we try to sum up and generalize from what’s been said and make connections.

I believe at this point, and maybe for a long time to come, that these analytical sessions are a form of political action. I do not go to these sessions because I need or want to talk about my “personal problems.” In fact, I would rather not. As a movement woman, I’ve been pressured to be strong, selfless, other-oriented, sacrificing, and in general pretty much in control of my own life. To admit to the problems in my life is to be deemed weak. So I want to be a strong woman, in movement terms, and not admit I have any real problems that I can’t find a personal solution to (except those directly related to the capitalist system). It is at this point a political action to tell it like it is, to say what I really believe about my life instead of what I’ve always been told to say.

So the reason I participate in these meetings is not to solve any personal problem. One of the first things we discover in these groups is that personal problems are political problems. There are no personal solutions at this time. There is only collective action for a collective solution. I went, and I continue to go to these meetings because I have gotten a political understanding which all my reading, all my “political discussions,” all my “political action,” all my four-odd years

in the movement never gave me. I've been forced to take off the rose colored glasses and face the awful truth about how grim my life really is as a woman. I am getting a gut understanding of everything as opposed to the esoteric, intellectual understandings and *noblesse oblige* feelings I had in "other people's" struggles.

This is not to deny that these sessions have at least two aspects that are therapeutic. I prefer to call even this aspect "political therapy" as opposed to personal therapy. The most important is getting rid of self-blame. Can you imagine what would happen if women, blacks, and workers (my definition of worker is anyone who has to work for a living as opposed to those who don't. All women are workers) would-stop blaming ourselves for our sad situations? It seems to me the whole country needs that kind of political therapy. That is what the black movement is doing in its own way. We shall do it in ours. We are only starting to stop blaming ourselves. We also feel like we are thinking for ourselves for the first time in our lives. As the cartoon in *Lilith* puts it, "I'm changing. My mind is growing muscles." Those who believe that Marx, Lenin, Engels, Mao, and Ho have the only and last "good word" on the subject and that women have nothing more to add will, of course, find these groups a waste of time.

The groups that I have been in have also not gotten into "alternative life-styles" or what it means to be a "liberated" woman. We came early to the conclusion that all alternatives are bad under present conditions. Whether we live with or without a man, communally or in couples or alone, are married or unmarried, live with other women, go for free love, celibacy or lesbianism, or any combination, there are only good and bad things about each bad situation. There is no "more liberated" way; there are only bad alternatives.

This is part of one of the most important theories we are beginning to articulate. We call it "the pro-woman line." What it says basically is that women are really neat people. The bad things that are said about us as women are either myths (women are stupid), tactics women use to struggle individually (women are bitches), or are actually things that we want to carry into the new society and want men to share too (women are sensitive, emotional). Women as oppressed people act out of necessity (act dumb in the presence of men), not out of choice. Women have developed great shuffling techniques for their own survival (look pretty and giggle to get or keep a job or man) which should be used when necessary until such time as the power of unity can take its place. Women are smart not to struggle alone (as are blacks and workers). It is no worse to be in the home than in the rat race of the job world. They are both bad. Women, like blacks, workers, must stop blaming ourselves for our "failures."

It took us some ten months to get to the point where we could articulate these things and relate them to the lives of every woman. It's important from the standpoint of what kind of action we

are going to do. When our group first started, going by majority opinion, we would have been out in the streets demonstrating against marriage, against having babies, for free love, against women who wore makeup, against housewives, for equality without recognition of biological differences, and god knows what else. Now we see all these things as what we call “personal solutionary.” Many of the actions taken by “action” groups have been along these lines. The women who did the anti-woman stuff at the Miss America Pageant were the ones who were screaming for action without theory. The members of one group want to set up a private daycare center without any real analysis of what could be done to make it better for little girls, much less any analysis of how that center hastens the revolution.

That is not to say, of course, that we shouldn't do action. There may be some very good reasons why women in the group don't want to do anything at the moment. One reason that I often have is that this thing is so important to me that I want to be very sure that we're doing it the best way we know how, and that it is a “right” action that I feel sure about. I refuse to go out and “produce” for the movement. We had a lot of conflict in our New York group about whether or not to do action. When the Miss America Protest was proposed, there was no question but that we wanted to do, it. I think it was because we all saw how it related to our lives. We felt it was a good action. There were things wrong with the action, but the basic idea was there.

This has been my experience in groups that are accused of being “therapy” or “personal.” Perhaps certain groups may well be attempting to do therapy. Maybe the answer is not to put down the method of analyzing from personal experiences in favor of immediate action, but to figure out what can be done to make it work. Some of us started to write a handbook about this at one time and never got past the outline. We are working on it again, and hope to have it out in a month at the latest.

It's true we all need to learn how to better draw conclusions from the experiences and feelings we talk about and how to draw all kinds of connections. Some of us haven't done a very good job of communicating them to others.

One more thing: I think we must listen to what so-called apolitical women have to say—not so we can do a better job of organizing them but because together we are a mass movement. I think we who work full-time in the movement tend to become very narrow. What is happening now is that when non-movement women disagree with us, we assume it's because they are “apolitical,” not because there might be something wrong with our thinking. Women have left the movement in droves. The obvious reasons are that we are tired of being sex slaves and doing shitwork for men whose hypocrisy is so blatant in their political stance of liberation for everybody (else). But there is really a lot more to it than that. I can't quite articulate it yet. I think “apolitical”

women are not in the movement for very good reasons, and as long as we say “you have to think like us and live like us to join the charmed circle,” we will fail. What I am trying to say is that there are things in the consciousness of “apolitical” women (I find them very political) that are as valid as any political consciousness we think we have. We should figure out why many women don’t want to do action. Maybe there is something wrong with the action or something wrong with why we are doing the action or maybe the analysis of why the action is necessary is not clear enough in our minds.

Appendix B - New Jersey 1776 Constitution Article 4

4. That all Inhabitants of this Colony of full Age, who are worth Fifty Pounds proclamation Money clear Estate in the same, & have resided within the County in which they claim a Vote for twelve Months immediately preceding the Election, shall be entitled to vote for Representatives in Council & Assembly; and also for all other publick Officers that shall be elected by the People of the County at Large.

Appendix C - Excerpt of Letter from Edward Coles to Dolley Madison

*5 October 1812.*

“May I ask the favor of you just to say to Mr. Madison that Walter Coles, who is now a second Lieut. in the Cavalry, has written to me that a first Lieut. of his Battalion has resigned, and that he wishes to be considered an applicant to fill the vacancy.

“I have this moment received Mr. Madison’s kind letter with its enclosures. Dr. Everette cheers me with the assurance of my being well and capable of travelling in two or at most three weeks more.”

## Appendix D - Letter from Benjamin Henry Latrobe to Dolley Madison

Washington, Sept. 8th. 1809

Madam,

Immediately after your departure I went to the President's house in order to forward every part of the work which it was necessary to complete before your return.

I was however stopped in my intentions until it could be ascertained whether the building fund would afford to pay for these operations. After this was ascertained, in order to strengthen the fund, I bought the two Chimney pieces intended for the dining room, for the Capitol, and immediately after the departure of the President, after his short visit to the city, I set our people to work.

*Parlor.* The Marble Chimney piece is set, and in a few days the papering of the room will be finished.

*The Chamber door,* ordered on the North side is opened.

*The Kitchen stairs* under the great stairs leading to the turning closet, are in great forwardness.

*The Coach houses* are finished.

*The Pump* may be put into the Well on that side of the house in a few days.

So far I could proceed boldly as Surveyor of the public Buildings. But in my other capacity of *Upholsterer*, as I am called in the Newspapers, I found that I could not be as useful as I wished.

Having been informed by you that Mrs. Swiney<sup>1</sup> would attend to a variety of business in her line with which you had made her acquainted, I sent for her, and independently of general instructions to attend to & obey all your orders, I desired her to examine the curtains, to take down such as required it, that is *all* that required Washing, or belonged to bed chambers which were in use, & would harbor bugs, to get them washed, and to have them laid up, ready to be put up, on the approach of your return by Mr Labille.<sup>2</sup> I found that this order was not obeyed, and having again sent for Mrs. Swiney, I enquired into the reason. She was embarrassed but at last told me, that on attempting to obey me she was informed, that you are so displeased with my conduct especially with my long absence in February and April that you intended I should do nothing more for you.

As this information could only come from your servants, I ought to presume that it was false. It was completely contradicted by yourself in the whole of your conduct towards me, and it would be an insult to you to suppose it possible that such intelligence would be conveyed to a man of character, and a public officer, at second hand, by a servant. Having however received two anonymous letters to the same effect, I have not presumed to interfere beyond my duties as surveyor of the public buildings, and have refrained from going into the house more than that duty required. Mr. Lenox having informed me, on behalf of your Steward that you are expected in a shorter time than you originally intended, I have had the necessary conversation with

Labille, & have ordered the repairs to be done in the Kitchen which were pointed out by the look, and such other things to be done as your Steward thought necessary.

The furniture of the drawing room, as far as depended on Mr. Rae has been finished since the beginning of July. But Mr. Findlay of Baltimore who has the Chairs & Sofas in hand, appears not to have been equally attentive. I therefore went to Baltimore in July, and found all the Chairs ready, and such as I wished them, but the Sofas were unfinished. I said every thing to urge their completion & applied to Genl. Smith who had recommended him to me, to urge him on. But the General, it seems, had also reason to be dissatisfied himself. However as all the Chairs are finished, the Drawing-room may be furnished thus far. About 10 days ago I wrote another pressing letter to Findlay, but receiving no answer, I have written to Rae, and desired him to come on immediately with his part of the furniture and to stop at Baltimore for Findlay's. I now expect Rae within a week, and shall send a conveyance to Baltimore as soon as I find the things are ready. My wish is not to put them up till just before your arrival, otherwise the croud of visitors who will press to see them, will give great trouble & perhaps do injury.

There is in Philadelphia a Carpet, for which I gave directions in London for Mrs. Waln (formerly Mary Wilcocks).<sup>3</sup> It would exactly suit in style & colors the Curtains of your drawing room, and as Mrs. Waln is in a very distressing state of health, & her drawing room will not be furnished this winter I can obtain the Carpet for you, if there is enough of it. Rae will bring on a piece.

If there is anything in my power to execute for you, I hope *still* to receive your commands. I have the honor to be with true respect Yrs.

B H Latrobe.

P.S. The public business of which it was my duty to apprise you is contained in the preceding pages. *Personally*, permit me to say, I cannot possibly suppose the information I have received to be correct. You *have reason* to be dissatisfied with your carriage. I am more than sufficiently punished already by my misfortune in employing a man of universally good character, but who deceived me; and I hope you have pardoned me that error. As to my long stay in Phila., it has been in the first place, productive of not a single omission in my duties here, and besides, if it had, it must be enquired whether my *duties* there could have been neglected, before I am condemned. When you see the Marble colonnade of the Senate Chamber alone, you will agree that *in Six Weeks*, I must have been very industrious to have designed it, and got the whole of it into the hands of the Workmen. Besides this, I had to design, & even lay out in the frame, the whole of the furniture of your drawing room, *also a public concern*. Workmen require constant watching in the commencement of work which is new to them. They must be taught like Children. Altho' the papers have said that I staid to attend to my splendid buildings, it is not true; for the only one I have lately built, was finished last Year, and Mr. Markoe's house<sup>4</sup> has been begun since my return.

But if I had had no public business, is my salary such as to preclude me from visiting my family once a Year? and only for a few weeks. I carried Mrs. Latrobe to Phila, the end of Feby. staid a few days with her, & returned on the 4h. of March. I remained here 3 Weeks, & went back to Phila, the end of March. I left Pha. the 2d. of May. Nothing suffered during my absence, & many things were forwarded *there*; which must otherwise have been given up. I leave my cause in your hands. It is humiliating to me to have to defend it; but I know it is a good one.

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