

Module 04: How Did Abolitionism Lead to the Struggle for Women 's Rights?

Evidence 13: Letter From Sara Grimké to Angelina Grimké, 1837

A

Introduction

Included as part of Sarah Grimké's collection, *Letters on the Equality of the Sexes and the Condition of Women*, the letter below reveals how Sarah Grimké moved from a critique of cultural customs to a discussion of the constraints that women faced due to law. She targets the common law tradition of coverture, especially as elaborated by the British legal scholar Sir William Blackstone in his authoritative 1765 text, *Commentaries on the Laws of England*. Here Sarah interspersed quotes from Blackstone's text [*in italics*] with her own critical analysis and commentary.

Questions to Consider

- What kinds of grievances does Sarah articulate in her letter?
- What parallels does she draw between the experiences of white women and those of enslaved blacks?
- How would her understanding of being both "woman" and "sister" to the kneeling female slave compare with that described by the author of Evidence 9? What are the similarities and differences?

Document

Concord, Massachusetts

September 6, 1837

My Dear Sister,

There are few things which present greater obstacles to the improvement and elevation of woman to her appropriate sphere of usefulness and duty, than the laws which have been enacted to destroy her independence, and crush her individuality; laws which, although they are framed for her government, she has had no voice in establishing, and which rob her of some of her *essential rights*. Woman has no political existence. With the single exception of presenting a petition to the legislative body, she is a

cipher in the nation; or, if not actually so in representative governments, she is only counted, like the slaves of the South, to swell the number of law-makers who form decrees for her government, with little reference to her benefit, except so far as her good may promote their own. . . .

*"By marriage, the husband and wife are one person in law; that is, **the very being, or legal existence of the woman** is suspended during the marriage, or at least is incorporated and consolidated into that of the husband under whose wing, protection and cover she performs everything. . . ."*

Here now, the very being of woman, like that of a slave, is absorbed in her master. All contracts made with her, like those made with slaves by their owners, are a mere nullity. Our kind defenders have legislated away almost all of our legal rights, and in the true spirit of such injustice and oppression,, have kept us in ignorance of those very laws by which we are governed. They have persuaded us, that we have no right to investigate the laws, and that, if we did, we could not comprehend them. . . .

This law that "a wife can bring no action," &c. [against a husband spending or disposing of the property that a wife brings with her into marriage or gains through her labor, or against someone else for injuries of person or property], is similar to the law respecting slaves. "A slave cannot bring a suit against his master, or any other person, for an injury -- his master, must bring it." So if any damages are recovered for an injury committed on a wife, the husband pockets it; in the case of the slave, the master does the same. . . .

"The husband, by the old law, might give his wife moderate correction, as he is to answer for her misbehavior. The law thought it reasonable to entrust him with this power of restraining her by domestic chastisement. The courts of law will still permit a husband to restrain a wife of her liberty, in case of any gross misbehavior."

What a mortifying proof this law affords, of the estimation in which woman is held! She is placed completely in the hands of a being subject like herself to the outbursts of passion, and therefore unworthy to be trusted with power. Perhaps I may be told respecting this law, that it is a dead letter, as I am sometimes told about the slave laws; but this is not true in either case. The slaveholder does kill his slave by moderate correction, as the law

allows; and many a husband among the poor, exercises the right given him by the law, of degrading woman by personal chastisement. And among the higher ranks, if actual imprisonment is not resorted to, women are not unfrequently restrained of the liberty of going to places of worship by irreligious husbands, and of doing many other things about which, as moral and responsible beings, *they* should be the *sole* judges. . . .

"A woman's personal property by marriage becomes absolutely her husband's, which, at his death, he may leave entirely away from her."

And farther, all the avails of her labor are absolutely in the power of her husband. All she acquires by her industry is his; so that she cannot, with her own honest earnings, become the legal purchaser of any property. . . .

The law above cited [is] not very unlike the slave laws of Louisiana.

"All that a slave possesses belongs to his master; he possesses nothing of his own, except what his master chooses he should possess. . . ."

The various laws which I have transcribed, leave women very little more liberty, or power, in some respects, than the slave. "A slave," says the civil code of Louisiana, "is one who is in the power of a master, to whom he belongs. He can possess nothing, nor acquire anything, but what must belong to his master." I do not wish by any means to intimate that the condition of free women can be compared to that of slaves in suffering, or in degradation; still, I believe the laws which deprive married women of their rights and privileges, have a tendency to lessen them in their own estimation as moral and responsible beings, and that their being made by civil law inferior to their husbands, had a debasing and mischievous effect upon them, teaching them practically the fatal lesson to look unto man for protection and indulgence.

. . . . Hoping that in the various reformations of the day, women may be relieved from some of their legal disabilities, I remain,

Thine in the bonds of womanhood,

Sarah M. Grimké

Source:

Sarah M. Grimké, *Letters on the Equality of the Sexes and the Condition of Women*, addressed to Mary S. Parker (Boston: Isaac Knapp, 1838), 74-83.