

**PRIMARY
SOURCE**

SARAH GRIMKÉ ON THE LEGAL DISABILITIES OF WOMEN, 1838

CHAPTER 10

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. . . .

Blackstone, in the chapter entitled 'Of husband and wife,' says:—

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 a 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 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; they alone are capable of understanding the mysteries of Blackstone, &c. But they are not backward to make us feel the practical operation of their power over our actions.

The husband is bound to provide his wife with necessaries by law, as much as himself; and if she contracts debts for them, he is obliged to

pay for them; but for anything besides necessaries, he is not chargeable.

Yet a man may spend the property he has acquired by marriage at the ale-house, the gambling table, or in any other way that he pleases. Many instances of this kind have come to my knowledge; and women, who have brought their husbands handsome fortunes, have been left, in consequence of the wasteful and dissolute habits of their husbands, in straitened circumstances, and compelled to toil for the support of their families. . . .

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 women by personal chastisement. And among the higher ranks, if actual imprisonment is not resorted to, women are not infrequently 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. . . .

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

comfort of her family, they are liable to be seized for her husband's debts: and I know an instance of a woman, who by labor and economy had scraped together a little maintenance for herself and a do-little husband, who was left, at his death, by virtue of his last will and testament, to be supported by charity. I knew another woman, who by great industry had acquired a little money which she deposited in a bank for safe keeping. She had saved this pittance whilst able to work, in hopes that when age or sickness disqualified her for exertion, she might have something to render life comfortable, without being a burden to her friends. Her husband, a worthless, idle man, discovered this hid treasure, drew her little stock from the bank, and expended it all in extravagance and vicious indul-

gence. . . .

As these abuses do exist, and women suffer intensely from them, our brethren are called upon in this enlightened age, by every sentiment of honor, religion and justice, to repeal these unjust and unequal laws, and restore to woman those rights which they have wrested from her. Such laws approximate too nearly to the laws enacted by slaveholders for the government of their slaves, and must tend to debase and depress the mind of that being, whom God created as a help meet for man, or 'helper like unto himself,' and designed to be his equal and his companion. Until such laws are annulled, woman never can occupy that exalted station for which she was intended by her Maker.