

# Declaration of Sentiments and Resolutions

## Woman's Rights Convention, Held at Seneca Falls, 19-20 July 1848

On the morning of the 19th, the Convention assembled at 11 o'clock. . . . The Declaration of Sentiments, offered for the acceptance of the Convention, was then read by E. C. Stanton. A proposition was made to have it re-read by paragraph, and after much consideration, some changes were suggested and adopted. The propriety of obtaining the signatures of men to the Declaration was discussed in an animated manner: a vote in favor was given; but concluding that the final decision would be the legitimate business of the next day, it was referred.

[In the afternoon] The reading of the Declaration was called for, an addition having been inserted since the morning session. A vote taken upon the amendment was carried, and papers circulated to obtain signatures. The following resolutions were then read:

*Whereas*, the great precept of nature is conceded to be, "that man shall pursue his own true and substantial happiness," Blackstone, in his Commentaries, remarks, that this law of Nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other.<sup>1</sup> It is binding over all the globe, in all countries, and at all times; no human laws are of any validity if contrary to this, and such of them as are valid, derive all their force, and all their validity, and all their authority, mediately and immediately, from this original; Therefore,

*Resolved*, That such laws as conflict, in any way, with the true and substantial happiness of woman, are contrary to the great precept of nature, and of no validity; for this is "superior in obligation to any other.

*Resolved*, That all laws which prevent woman from occupying such a station in society as her conscience shall dictate, or which place her in a position inferior to that of man, are contrary to the great precept of nature, and therefore of no force or authority.

*Resolved*, That woman is man's equal—was intended to be so by the Creator, and the highest good of the race demands that she should be recognized as such.

*Resolved*, That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation, by declaring themselves satisfied with their present position, nor their ignorance, by asserting that they have all the rights they want.

*Resolved*, That inasmuch as man, while claiming for himself intellectual superiority, does accord to woman moral superiority, it is pre-eminently his duty to encourage her to speak, and teach, as she has an opportunity, in all religious assemblies.

*Resolved*, That the same amount of virtue, delicacy, and refinement of behavior, that is required of woman in the social state, should also be required of man, and the same transgressions should be visited with equal severity on both man and woman.

*Resolved*, That the objection of indelicacy and impropriety, which is so often brought against woman when she addresses a public audience, comes with a very ill grace from those who encourage, by their attendance, her appearance on the stage, in the concert, or in the feats of the circus.

*Resolved*, That woman has too long rested satisfied in the circumscribed limits which corrupt customs and a perverted application of the Scriptures have marked out for her, and that it is time she should move in the enlarged sphere which her great Creator has assigned her.<sup>2</sup>

*Resolved*, That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.<sup>3</sup>

*Resolved*, That the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities.

*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, both in private and in public, by writing and by speaking, by any instrumentalities proper to be used, and in any assemblies proper to be held; and this being a self-evident truth, growing out of the divinely implanted principles of human nature, any custom or authority adverse to it, whether modern or wearing the hoary sanction of antiquity, is to be regarded as self-evident falsehood, and at war with the interests of mankind.

### **Thursday Morning.**

The Convention assembled at the hour appointed, James Mott, of Philadelphia, in the Chair. The minutes of the previous day having been read, E. C. Stanton again read the Declaration of Sentiments, which was freely discussed . . . and was unanimously adopted, as follows:

### **Declaration of Sentiments.**

When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course.

We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of Government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled.

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.

He has withheld from her rights which are given to the most ignorant and degraded men—both natives and foreigners.

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.

He has made her, if married, in the eye of the law, civilly dead.<sup>4</sup>

He has taken from her all right in property, even to the wages she earns.<sup>5</sup>

He has made her, morally, an irresponsible being, as she can commit many crimes with impunity, provided they be done in the presence of her husband. In the covenant of marriage, she is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master—the law giving him power to deprive her of her liberty, and to administer chastisement.

He has so framed the laws of divorce, as to what shall be the proper causes of divorce; in case of separation, to whom the guardianship of the children shall be given; as to be wholly regardless of the happiness of women—the law, in all cases, going upon the false supposition of the supremacy of man, and giving all power into his hands.

After depriving her of all rights as a married woman, if single and the owner of property, he has taxed her to support a government which recognizes her only when her property can be made profitable to it.

He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration.

He closes against her all the avenues to wealth and distinction, which he considers most honorable to himself. As a teacher of theology, medicine, or law, she is not known.

He has denied her the facilities for obtaining a thorough education—all colleges being closed against her.<sup>6</sup>

He allows her in Church as well as State, but a subordinate position, claiming Apostolic authority for her exclusion from the ministry, and, with some exceptions, from any public participation in the affairs of the Church.

He has created a false public sentiment, by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society, are not only tolerated but deemed of little account in man.

He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and her God.

He has endeavored, in every way that he could to destroy her confidence in her own powers, to lessen her self-respect, and to make her willing to lead a dependent and abject life.

Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation,—in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of these United States.

In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition the State and national Legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of Conventions, embracing every part of the country.

Firmly relying upon the final triumph of the Right and the True, we do this day affix our signatures to this declaration.

At the appointed hour the meeting convened. The minutes having been read, the resolutions of the day before were read and taken up separately. Some, from their self-evident truth, elicited but little remark; others, after some criticism, much debate, and some slight alterations, were finally passed by a large majority.<sup>7</sup>

[At an evening session] Lucretia Mott offered and spoke to the following resolution:

*Resolved*, That the speedy success of our cause depends upon the zealous and untiring efforts of both men and women, for the overthrow of the monopoly of the pulpit, and for the securing to woman an equal participation with men in the various trades, professions and commerce.

The Resolution was adopted.

***Report of the Woman's Rights Convention, Held at Seneca Falls, N.Y., July 19th and 20th, 1848 (Rochester, 1848).***

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## Notes:

<sup>1</sup> This entire paragraph and the sense of the one following are taken from the section, "Of the Nature of Laws in General," in the introductory book of William Blackstone, *Commentaries on the Laws of England in Four Books* (New York, 1841), 1:27-28. The quotation marks are in Blackstone.

<sup>2</sup> From a resolution by Angelina Grimke adopted at the female antislavery convention of 1837. (*Turning the World Upside Down: The Anti-Slavery Convention of American Women, Held in New York City, May 9-12, 1837*, ed. Dorothy Sterling [New York, 1987], 13.)

<sup>3</sup> New York's constitution of 1846, like that of many states, defined eligible voters as "males." For white men it guaranteed universal suffrage. Black men could vote only if they owned sufficient property. Prior to 1848, claims that women shared an equal right to the franchise arose not only in debates about their property rights but also in connection with efforts to amend the constitution and grant equal political rights to African-American men. The restriction on black voting remained in place until after the Civil War. (New York Constitution of 1846, article II, section 1; Judith Wellman, "Women's Rights, Republicanism, and Revolutionary Rhetoric in Antebellum New York State," *New York History* 69 [July 1988]: 353-84.)

<sup>4</sup> With this passage and the list of legal wrongs that follows, the authors join a debate about reforming American law to remove remnants of English common law. They point to the infamous passage in Blackstone's *Commentaries* about the effect of marriage on the woman: "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 every thing." From a considerable literature about married women's rights, legal reform, and the common law, the authors appear to have known the work of Elisha Powell Hurlbut especially well. Hurlbut (1807-?) was born and practiced law in Herkimer County, New York, until he moved to New York City in 1835. His *Essays on Human Rights, and Their Political Guaranties*, published in 1845, is an extreme statement of inalienable individual rights, informed by phrenology and legal history and laced with sarcasm. Reformers kept the book in print. The Scottish phrenologist George Combe added preface and notes for an edition published in Edinburgh in 1847, and the American firm of Fowlers and Wells reprinted Combe's edition between 1848 and 1853. Hurlbut was elected a judge of New York's Supreme Court at the same time as Daniel Cady in 1847, and Elizabeth Cady Stanton met him in Albany in the 1840s. Like other legal reformers, Hurlbut rejected the English common law as a feudal artifact unsuited to modern America, but his criticism included a scathing portrait of male domination that is echoed in the Declaration of Sentiments. The common law, he wrote, was "the law of the male sex gathering unto themselves dominion and power at the sacrifice of the female." Its influence rendered the laws "touching the Rights of Woman, . . . at variance with the laws of the Creator; and the question is, Which shall stand?" In his chapter on "The Rights of Woman," he described woman's civil death; "in the eye of the law" the woman who marries "exists not at all," she is placed in a "legal tomb." Her property is conferred upon her husband because "every body knows that the dead cannot keep their property—and the wife is legally dead." The authors of the Declaration followed Hurlbut in all their examples. Of woman's criminal impunity, he asked, "Hash not woman a *right* to be ever regarded as a free moral agent?" He condemned any coercion of a wife "as an inferior and dependent," no matter how mild, and he singled out the male-defined laws of divorce and custody as proof that women needed a voice in legislation. (Blackstone, *Commentaries on the Laws of England*, 1:355; Elisha P. Hurlbut, *Essays on Human Rights, and Their Political Guaranties* [New York, 1848], 120-21, 148, 161, 163, 167; Henry H. Hurlbut, *The Hurlbut Genealogy, or Record of the Descendants of Thomas Hurlbut, of Saybrook and Wethersfield, Conn.* [Albany, 1888], 232, 350-51; E. C. Stanton to Editor, *Boston Index*, 16 October 1876, in P. G. Holland and A. D. Gordon, eds., *Papers of Elizabeth Cady Stanton and Susan B. Anthony*, microfilm edition, reel 18, frames 1055-56.)

<sup>5</sup> This statement omits New York's new Married Women's Property Act of 1848.

<sup>6</sup> Oberlin College was the exception; it admitted women at its founding and granted them bachelor degrees in 1841.

<sup>7</sup> Of this discussion and its outcome, E. W. Capron reported, the resolutions "were finally adopted, nearly as they were originally drawn up" by the women meeting alone on Wednesday morning; not even the lawyers who opposed "the equal rights of women, and who were present," dissented. In the *History of Woman Suffrage*, Elizabeth Cady Stanton wrote that only the resolution about the elective franchise "was not unanimously adopted." "Those who took part in the debate," she recalled, "feared a demand for the right to vote would defeat others they deemed more rational, and make the whole movement ridiculous." She and Frederick Douglass, who saw that suffrage "was the right by which all others could be secured," carried the resolution "by a small majority." (Auburn *National Reformer*, 3 August 1848; Stanton, Anthony, and Gage, *History of Woman Suffrage*, 1:73.)

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