



Global Nonviolent Action Database

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Rochester, New York, women defy ban on voting, 1872-1873

Time period notes: *The campaign began when Susan B Anthony and others registered to vote on November 1, 1872, and culminated in her trial June 17-18, 1873*

1 November

1872

to: 18 June

1873

Country: United States

Location City/State/Province: Rochester, New York

Goals:

To register and vote in the presidential election of 1872 under the basis that the 14th and 15th amendments should also give women the right to vote, and bring publicity to this cause.

Methods

Methods in 1st segment:

- 141. Civil disobedience of "illegitimate" laws › Susan B Anthony illegally voted in the presidential election of 1872 because she believed that the 14th and 15th amendments supported her right to vote

Methods in 2nd segment:

- 001. Public speeches
- 009. Leaflets, pamphlets, and books › Susan B Anthony distributed information to help educate the public about the constitutionality of her case and of Women's Suffrage

Methods in 3rd segment:

- 001. Public speeches
- 009. Leaflets, pamphlets, and books › Susan B Anthony distributed information to help educate the public about the constitutionality of her case and of Women's Suffrage

Methods in 4th segment:

- 001. Public speeches
- 009. Leaflets, pamphlets, and books › Susan B Anthony distributed information to help educate the public about the constitutionality of her case and of Women's Suffrage

Methods in 5th segment:

- 001. Public speeches

- 009. Leaflets, pamphlets, and books › Susan B Anthony distributed information to help educate the public about the constitutionality of her case and of Women's Suffrage

Methods in 6th segment:

- 001. Public speeches
- 009. Leaflets, pamphlets, and books › Susan B Anthony distributed information to help educate the public about the constitutionality of her case and of Women's Suffrage
- 160. Reverse trial › Susan B Anthony and her attorney used her trial as a chance to challenge the government and prove the constitutionality of women's suffrage

Notes on Methods:

During the time between her release and her trial, Susan B Anthony publicized, through speaking engagements, leaflets and other publicity methods her belief in the constitutionality of her case as a way to gain support for her campaign.

Classifications

Classification:

Change

Cluster:

Democracy

Human Rights

Group characterization:

- Rochester residents
- Suffragettes
- Supporters of women's suffrage
- friends of Susan B Anthony

Leaders, partners, allies, elites

Leaders:

Susan B Anthony and the National Women's Suffrage Association (NWSA)

Partners:

Not known

External allies:

Henry Seiden, Susan B Anthony's lawyer

Involvement of social elites:

Not known

Joining/exiting order of social groups

Groups in 1st Segment:

Groups in 2nd Segment:

Groups in 3rd Segment:

Groups in 4th Segment:

Groups in 5th Segment:

Groups in 6th Segment:

Additional notes on joining/exiting order:

Joining order not known

Segment Length: *Approximately 38 days*

Opponent, Opponent Responses, and Violence

Opponents:

The United States Government, The United States Judicial System, The National Republican Party

Nonviolent responses of opponent:

Not known

Campaigner violence:

Not known

Repressive Violence:

Not known

Success Outcome

Success in achieving specific demands/goals:

0 points out of 6 points

Survival:

1 point out of 1 points

Growth:

2 points out of 3 points

Before the U.S. civil war (1861-65), women struggling for their rights worked also for the end of slavery. The annual women's rights convention of 1857 failed to meet because Susan B Anthony had spent her time that year lecturing against slavery. In 1863 women leaders Anthony, Elizabeth Cady Stanton and Lucy Stone plunged into agitation for the anti-slavery 13th amendment to the U.S. Constitution; it was passed in 1865.

The next constitutional step was to define citizenship. When the 14th amendment was proposed, women's rights advocates organized a petition campaign to include in the amendment women's right to vote, but they became increasingly unable to gain men's support. When the amendment was adopted in 1868, the suffragettes that had worked so hard to secure the vote for black men were excluded.

Out of this exclusion grew the New Departure Strategy for Women's suffrage, which held that women, as citizens of the U.S. indeed have the right to vote as specified by the 14th and 15th amendments. The Enforcement act of May 1870 strengthened the 15th amendment and accelerated women's direct action campaigning. This act was meant to enforce the political rights of the newly freed slaves by providing recourse in the federal courts and penalties against local election officials who refused the lawful votes of citizens. The Suffragettes saw this as a way to use the power of the federal government for their own benefit.

Victoria Woodhull and her historic campaign for presidency grew out of this strategy, and in early 1871 the National Women's Suffrage Association (NWSA), which was led by Anthony and Elizabeth Cady Stanton, drew up a resolution formally advising women of their duty to, "apply for registration at the proper times and places, and in cases when they fail to secure it to see that suits be instituted in the courts having jurisdiction and that their right to the franchise shall secure general and judicial

recognition.”

In addition, the political situation of 1872 became complicated, in June 1872 an important group of reformers split off from regular Republicans to run an independent campaign. These liberal Republicans did not support the feminists, and indeed picked Horace Greely as their candidate, a well-known anti-feminist. Almost all of the Garrisonian males who had collaborated with the feminists for abolition betrayed their original promises of support for women’s rights and joined with these radical Republicans. The regular Republicans cultivated the support of the feminists, even inserting a small reference to “additional rights” for women in their platform.

It was in this climate that Anthony decided it was the proper time and place to take matters into her own hands, by registering to vote with a few close friends four days prior to Election Day 1872, in her town of Rochester, New York. In this period Susan B. Anthony was probably the best-known woman in the United States. Though her decision to register to vote may have seemed like a spontaneous move on Anthony’s part, during her later trial Anthony declared that she had, “been resolved for three years to vote at the first election when I have been home for thirty days before.”

Upon walking up to the registrar’s Anthony demanded that they register her to vote. When they denied her request she read them the 14th amendment to the U.S. constitution, as well as an article from the New York state’s constitution, which contained no sex qualification for voting. When they continued to deny her request she reiterated her rights, “If you still refuse us our rights as citizens, I will bring charges against you in criminal court and I will sue each of you personally for large exemplary damages!”

They finally allowed her to register, and Anthony proceeded to go door to door urging her female friends and neighbors to register. Nearly 50 Rochester women successfully registered that week, as well as 14 who were in Anthony’s ward in this act of civil disobedience.

On November 5, 1872, Anthony cast her ballot for Republican Ulysses S. Grant and was elated at having taken direct action to achieve suffrage. In a letter to close friend Elizabeth Cady Stanton, she wrote, “Well I have been & gone done it! Positively voted the republican ticket—strait—this A.M. at 7 o’clock & swore my vote in at that.”

Since 1868 women had been attempting to vote as nonviolent action to gain voting rights, in 1871 and 1872 over 150 women in ten states had tried to vote with some of them succeeding; none of these individuals garnered the same amount of attention as Anthony’s campaign. During her campaign, Anthony was aware of the feathers she had ruffled. In a letter to Elizabeth Cady Stanton, she explained the action she had taken for suffrage knowing that “we are in for a fine agitation in Rochester on the question-“

However, Anthony was arrested three weeks later, on November 28, by federal marshals on the charge of “criminal voting.” This demonstrated what was not clear to the New Departure suffragettes: that federal power could as easily be the enemy as the protector of individual rights, depending on the political forces of the time. Anthony was arrested in violation of the Enforcement Act, the very act which the suffragettes thought would cement federal power to their own benefit. Because of Anthony’s fame there is reason to suspect that her arrest had been authorized at the highest level of the government; the unjust conduct of her trial 7 months later reinforces this idea.

She was intentionally difficult to arrest, insisting that the federal marshal handcuff her as they went to court, and when she was asked for her five cent fare by the street car conductor she loudly proclaimed so everyone on board could hear, “I am traveling at the expense of the government, ask him for my fare.”

At court, Anthony was charged with voting for a Representative of the Congress of the United States without having a lawful right to vote. Anthony refused to give bail, making it known that she would rather go to jail than cooperate with the courts. However, her lawyer, without her knowledge, paid her bail, forfeiting her right to bring her case before the Supreme Court by a writ of habeas corpus.

In the time between her arrest and her trial in May 1873 she canvassed Monroe County, visiting every village in her county, 29

post office districts in all, to educate any possible jurymen and others before her trial opened on May 13, 1873, about the constitutional issues and constitutional argument for women's claims to the vote in her case. She started every speech explaining the charges against her and would continue to explain the use of civil disobedience to "disobey every unjust law" by saying, "we no longer petition legislature or congress to give us the right to vote, but appeal to women everywhere to exercise their too long neglected 'citizen's right.'" The venue of her trial was eventually moved and the date postponed until June 17 because she had so thoroughly canvassed Monroe County, the judge declared she had prejudiced any possible jury.

In her trial, her lawyer, Henry Selden, defended her by asserting constitutional arguments in the 14th and 15th amendments, supporting women's rights to vote, but she was unfairly denied a jury trial. Instead she was proclaimed guilty on the spot by the judge Ward Hunt, an anti-feminist. In her response to the court's proclamation of guilty she let her thoughts on why she should not be guilty be pronounced, "for in your ordered verdict of guilty, you have trampled underfoot every vital principle of our government. My natural rights, my civil rights, my political rights, are all alike ignored. Robbed of my fundamental principle of citizenship, I am degraded from the status of a citizen to that of a subject; and not only myself individually, but all my sex are, by your honor's verdict, doomed to political subjection under this so-called republican government."

Judge Hunt tried to stop Anthony from talking during her trial several times, and each time she would refuse to be silent, and she refused to pay her fine. Anthony's trial itself received a lot of national press, though not all in her favor. According to Anthony, the publicity generated from the press coverage of her trial promulgated the constitutional issues involved and broadened the court's discriminatory abridgement of justice. Anthony, herself, personally printed and distributed 3,000 copies of the courtroom proceedings to aid in the publicity of this important action

Research Notes

Influences:

The husband and wife team of Missouri suffragists, Francis and Virginia Minor, who advocated the New Departure Strategy in 1869, influenced much of the new departure actions, especially Susan B Anthony's campaign. Ironically, Virginia Minor's suit against the Missouri election official who refused to accept her ballot was defeated, much like Anthony's case, at the judicial level in 1875. (1)

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