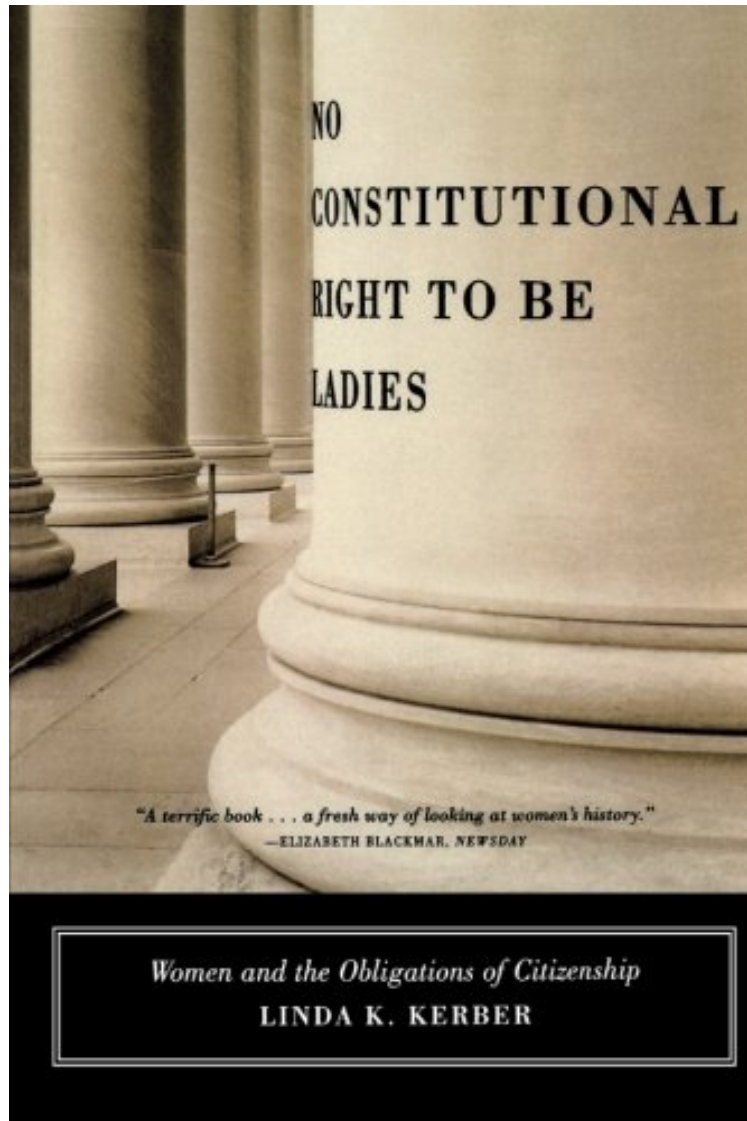


# No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship

Linda K. Kerber

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**Linda K. Kerber : No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship** before purchasing it in order to gage whether or not it would be worth my time, and all praised No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship:

0 of 0 people found the following review helpful. it's the best history - the only history I've seen or read ...By CustomerIt's hard to read, unusually long in citations and overly thorough in wrestling with legalities. However, it's

the best history - the only history I've seen or read that so well elucidates women's issues and the law in the United States right from the beginning to the present. 0 of 0 people found the following review helpful. if you want to know how we got to here

By Mel This is informative book about how the Constitutional law has been constructed in regards to female citizenry. It is an academic book, by a historian about law history and its alignment with women's rights as citizens. If you want to wrap your brain around the history of law and women as citizens, this is a solid resource. 3 of 3 people found the following review helpful. Good, Informative, Detailed Read

By Gryphonisle This book would probably work best as a text for a Woman's Studies or Civil Rights class; For the casual historian, it's a bit dense--but very interesting. The author focuses on court cases, from early Massachusetts to the modern Supreme Court, as a stepping stone to examine various obligations (as opposed to rights) that were denied women from the start, right up to the present (or 1999 when the book was written). These run from taxes and voting, to juries and finally, the draft. The court cases are a stepping off point to examine the attitudes of the day and the origins of the laws and those attitudes. Because African American civil rights often parallels the women's rights movement (which at the start were almost exclusively for white women's rights) the reader gets some details on life above and below the Mason Dixon line in the Jim Crow and Slavery eras. This information will often prove quite eye-opening to the average person if they haven't studied either movement in detail. In essence, a white woman was supposed to be something between an ornament and an appliance, but always to keep to the home. Black men, women and children, on the other hand, were expected to work outside the home, and in the South even had to sign annual contracts for labor of the sort that could be seen, and watched; quantified. Vagrancy laws often brought fines equal to two months salary, and the laws were so broad it was hard to avoid them--being dressed up was no less of a risk than being down and out, but the laws invariably ensnared only black people. Juries, of course only took white men, and even when white women began to serve, white men could often get their convictions overturned as a result. Oddly enough, while women couldn't vote, they did have to pay taxes if they were single (usually widowed) and owned property, and often they ended up getting assessed more than male taxpayers. And did you know that a woman born in the US, to American parents could still lose her citizenship if she married a foreigner, and moved abroad? That case has never been overturned (as of 1999 in any case!) Where I thought the book went wrong was in the information-overload. The early chapters, which focused on the early republic, had sources that had been edited by the passage of time. As the case histories come closer to the modern age, the information becomes much more abundant and the author throws a lot more of it into the chapter, even if it doesn't really help the reader to understand context or precedent. The final chapter on the Draft was so windy with words I had to fight myself in order to actually read it all and not put it down and say I had. A bit more judicious editing and this very good book would be a much more compelling read. Still, if you want to see how fluid our system still is, and how little has been carved into stone--so much less than you'd imagine, "No Constitutional Right To Be Ladies" would be a very good place to start.

This pioneering study redefines women's history in the United States by focusing on civic obligations rather than rights. Looking closely at thirty telling cases from the pages of American legal history, Kerber's analysis reaches from the Revolution, when married women did not have the same obligation as their husbands to be "patriots," up to the present, when men and women, regardless of their marital status, still have different obligations to serve in the Armed Forces. An original and compelling consideration of American law and culture, *No Constitutional Right to Be Ladies* emphasizes the dangers of excluding women from other civic responsibilities as well, such as loyalty oaths and jury duty. Exploring the lives of the plaintiffs, the strategies of the lawyers, and the decisions of the courts, Kerber offers readers a convincing argument for equal treatment under the law.

.com In the second half of the 20th century, "rights talk," characteristic of political and legal discourse in the United States, has been forcefully invoked by minorities and women in their respective quests for equal treatment under the law. In *No Constitutional Right to Be Ladies*, University of Iowa history professor Linda K. Kerber looks at the other side of the rights equation: the issue of obligations. Kerber argues that while men's rights have been bought by their obligations to public service, for women the obligations were to family. Absolution from public service--the constitutional right to be "ladies"--has clear roots in the principle of coverture, by which a woman's legal identity is absorbed by a man's, be it her father, husband, or other protector. This, Kerber writes, is not a boon for women. Women have always had obligations, she notes, it is merely "the forms and objects of demand" that have differed, and disparities between the obligations of men and women have affected women's qualitative ability to exercise rights, such as trial by a jury of one's peers. Kerber presents a series of narratives focusing on particular women whose situations became catalysts for political and legal change and the women, like Ruth Bader Ginsburg, who helped effect those transformations. *No Constitutional Right to Be Ladies* is engrossing reading for layperson and scholar alike. -- Julia Riches

From Publishers Weekly Abby and Julia Smith, two 19th-century women who challenged their obligation to pay taxes because they were denied the vote, are among the many extraordinary women portrayed in this fascinating history by the author of *Women of the Republic* and *Toward an Intellectual History of Women*. In invoking such figures, Kerber illustrates the development of American law defining women's civic obligations from Revolutionary

times to the present. Beginning with the distasteful common law doctrine of coverture, Kerber, a history professor at the University of Iowa, describes how the law, past and present, has shielded women from civic obligations otherwise exacted from men. Kerber finds that coverture, which reduced women's civic identities to those of their husbands, "camouflage[d] practices that made them more vulnerable to other forms of public and private power." With this insight, she links women's exemption from civic duties such as jury or military service to the denial of women's civic rights, such as suffrage, a jury of her peers, aid, citizenship, property, even her body. Backing this thoughtful analysis, Kerber presents meticulous research in a nonideological and lively manner. In each of Kerber's discussions of specific civic obligations and rights, she depicts a process of continuous evolution. By combining careful analysis of the law with examples of women challenging the status quo, Kerber offers a unique and powerful history of the continuing struggle for equality. Copyright 1998 Reed Business Information, Inc. From Library Journal This is a groundbreaking legal and intellectual history of Americans' changing understanding of the obligations of women as citizens from Revolutionary times to the present. In five lengthy chapters, Kerber (history, Univ. of Iowa; *Toward an Intellectual History of Women*, LJ 4/15/97) examines the obligations of loyalty, avoidance of vagrancy, payment of taxes, jury duty, and military service. She demonstrates that women have experienced these obligations differently from men, owing in part to the English heritage of coverture in which a married woman's legal identity was subsumed by that of her husband and in which obligation to the husband overrode obligations to the state. As women's rights to property, suffrage, and control of their bodies were established, the question of their civic duties was raised and the nature of these duties redefined. Not a straightforward narrative of progress, this is instead a complex set of stories of court cases and legal decisions that circle back on one another even as questions of women's privileges and exclusion persist. Recommended for academic libraries and legal and women's history collections. ALilith R. Kunkel, Salem Campus Lib., Kent State Univ. Lib., Salem, Copyright 1998 Reed Business Information, Inc.