Unfinished Revolutions - The Right to Representation in Government

Abigail Adams wrote to her friend Mercy Otis Warren on April 27, 1776, to complain about her husband's response to her request that he remember the ladies when designing the new government and not put such unlimited power into the hands of husbands. She told him, "If particular care and attention is not paid to the ladies, we are determined to foment a rebellion and will not hold ourselves bound by any laws in which we have no voice or representation."

Mercy's brother, James Otis, wrote the argument against the Writs of Assistance where the slogan "no taxation without representation" became the patriotic sentiment inciting the revolution. That principle of representation in government inspired others, including women, to wish for the same right.

Women were subject to severe legal restrictions under a British common law doctrine known as coverture. When a woman married, her legal identity was absorbed into that of her husband. He had legal dominance over her. She could not own real estate or personal property. Her money was his. She couldn't sign contracts, could not sue, and was prohibited from writing a will. Fathers had custody of children. She could not vote or participate in government. Religion and cultural traditions further restricted women. For a woman to venture outside these systemically accepted norms was to risk ostracization or worse.

Abigail was irked by her husband's response. "He is very sausy to me in return for a List of Female Grievances which I transmitted to him. I think I will get you to join me in a petition to Congress. I thought it was very probable our wise Statesmen would erect a New Government and form a new code of Laws. I ventured to speak a word in behalf of our Sex, who are rather hardly dealt with by the Laws of England which gives such unlimited power to the Husband to use his wife ill." Hardly meaning hard or harsh.

The founding fathers chose the words in our founding documents with deliberation and skill. Abigail's husband participated. From the declaration of independence: *We hold these truths to be self-evident, that* all men

are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

I always assumed "men" meant everyone. But Abigail's husband, John, said the quiet part out loud. He further stated, "As to your extraordinary Code of Laws, I cannot but laugh. We have been told that our Struggle has loosened the bands of Government everywhere. That Children and Apprentices were disobedient — that schools and Colleges were grown turbulent — that Indians slighted their Guardians and Negroes grew insolent to their Masters. But your Letter was the first Intimation that another Tribe more numerous and powerful than all the rest were grown discontented."

Perhaps John's words were a Freudian slip, or simply his bold and confident belief. He insisted: "Depend upon it, We know better than to repeal our Masculine systems." He then went on patronizingly: "Although they are in full Force, you know they are little more than Theory. We dare not exert our Power in its full Latitude. We are obliged to go fair, and softly, and in Practice you know We are the subjects."

As if that weren't bad enough, John added insult to injury assuring her that men would never give up their power: "We have only the Name of Masters, and rather than give up this, which would completely subject Us to the Despotism of the Petticoat, I hope General Washington, and all our brave Heroes would fight."

Abigail had every right to be angry and offended by her husband's remarks. The premise of the revolution, the unfairness of laws being imposed without representation, was being applied only to certain men in the colonies. Women were infected with this notion of unfairness, as were indigenous people, and slaves.

The drafters of our new government were aware of what they were doing. John's words reflected the attitudes of his contemporaries when he responded to his wife's request. He made it clear that he would never grant to others, including women, the very same rights he demanded for himself. He would not give up his power, as he described it, "our Masculine systems."

In 1870 the 15th Amendment acknowledged black men had the right to vote. Fifty years later, in 1920, the 19th Amendment codified women's right to vote, granting them a legally protected say in government. Men did not give women the right to vote. Women always had that right, as did any other person. The Amendment acknowledged the right and gave notice to anyone who might try to inhibit it.

There is a "lag of seasons" when laws change. It takes time for society to catch up and establish new cultural norms. Resistance to change creates pushbacks. We are witnessing that today. When I told my twenty-year-old granddaughter that at her age, I could not have my own checking account, credit card or even buy a car without my husband's approval and co-signature, she was shocked. Domestic violence was tolerated 50 years ago. Without laws to protect women, men were free to mistreat them despite John Adam's claim otherwise. Abigail was correct. Not all men are benevolent. Some still resent women's voting rights.

It was no accident that the drafters of our originating governing documents used the word "men." They had no intention of including everyone. Their motives don't diminish the ideal and aspiration that all people have unalienable rights, including the right to representation in government.

A right is not subject to someone's approval. Rights belong to the person, regardless of gender, race, religion or any other discrimination. These are human rights, true for all or true for none. A person's right to vote, their right to participate in government, and their right to representation is nonnegotiable.

We need to insist that nothing or no one infringes on our constitutional rights. Efforts to undermine the right to vote, or to diminish representation, such as gerrymandering and voter restriction laws, violate the constitution. They deny our right to equal representation. Such attempts are outrageous and intolerable.

Elected officials swear an oath to uphold the constitution. If they engage in behavior that undermines this right, they have violated their oath and should be removed from public office. Immediately.

Another man, Abraham Lincoln, in his famous Gettysburg address expressed it well: "Government of the people, by the people and for the people." Representation in government is the right of all people.